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# FEDERAL REGISTER

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Washington, Wednesday, December 12, 1945

## The President

### PROCLAMATION 2674

REVOKING CERTAIN REGULATIONS RELATING TO THE CONTROL OF ALIEN ENEMIES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

WHEREAS by Proclamation No. 2525 of December 7, 1941, and Proclamations Nos. 2526 and 2527 of December 8, 1941, the President prescribed and proclaimed regulations relating to the control of alien enemies; and

WHEREAS the interests of the national defense and public safety no longer require that certain of such regulations remain in force and effect:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States, acting under and by virtue of the authority vested in me by the Constitution of the United States and by sections 21, 22, 23, and 24 of title 50 of the United States Code, do proclaim that Regulations (5), (6), (10), and (11), relating to the possession of certain prohibited articles by and the travel of alien enemies, prescribed and proclaimed by Proclamation No. 2525 of December 7, 1941, and incorporated by reference into Proclamations Nos. 2526 and 2527 of December 8, 1941, are hereby revoked. All other provisions of the aforesaid proclamations shall remain in full force and effect.

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

DONE at the City of Washington this 7th day of December in the year of our Lord nineteen hundred and [SEAL] forty-five, and of the Independence of the United States of America the one hundred and seventieth.

HARRY S. TRUMAN

By the President:

JAMES F. BYRNES,  
Secretary of State.

[F. R. Doc. 45-22140; Filed, Dec. 11, 1945; 10:12 a. m.]

## Regulations

### TITLE 14—CIVIL AVIATION

#### Chapter I—Civil Aeronautics Board

[Amdt. 20-1]

#### PART 20—PILOT CERTIFICATES

##### PILOT CERTIFICATE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 7th day of December, 1945.

Effective December 7, 1945, § 20.560 of the Civil Air Regulations is amended to read as follows:

§ 20.560 *Pilot certificate.* An applicant who presents reliable documentary evidence showing:

(a) That he is a member of the armed forces of the United States or a civilian employee of the ferrying or transport services of such forces, or

(b) That he is a United States citizen and is either a member of the armed forces of an ally of the United States or a civilian in the ferrying or transport services of such forces, or

(c) That he has been honorably discharged or released from the status specified in (a) or (b) above within the 12 calendar months preceding application, and

(d) That he has served in such organizations on solo flying status as a rated pilot or the equivalent for at least six consecutive months after December 8, 1941, together with a record of his pilot time, will be deemed to have met the aeronautical knowledge, experience, and skill requirements of the Civil Air Regulations for the issuance of a pilot certificate with private or commercial ratings appropriate to his service experience, if he passes a written examination on Parts 43 and 60 of the Civil Air Regulations.

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

By the Civil Aeronautics Board.

FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 45-22182; Filed, Dec. 11, 1945; 11:48 a. m.]

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Book 1: Titles 1-10, including Presidential documents in full text.

Book 2: Titles 11-32.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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<sup>1</sup> See Proclamation 2674.



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## TITLE 28—JUDICIAL ADMINISTRATION

## Chapter I—Department of Justice

## PART 30—TRAVEL AND OTHER CONDUCT OF ALIENS OF ENEMY NATIONALITIES

TRAVEL; USE OF RADIO APPARATUS, CAMERAS, FIREARMS AND OTHER PROHIBITED ARTICLES

DECEMBER 10, 1945.

The regulations of the Attorney General, dated February 5, 1942, as amended, 7 F.R. 844, 1474, 8247, 28 CFR 30.1-30.16, controlling travel and other conduct of aliens of enemy nationalities are hereby revoked.<sup>1</sup>

TOM C. CLARK,  
Attorney General.

[F. R. Doc. 45-22081; Filed, Dec. 10, 1945; 11:22 a. m.]

<sup>1</sup> See Proclamation 2674, *supra*.

## TITLE 30—MINERAL RESOURCES

## Chapter I—Bureau of Mines

Subchapter D—Electrical Equipment, Lamps, Methane Detectors; Tests for Permissibility; Fees

[Schedule 12D]

## PART 24—SINGLE-SHOT BLASTING UNITS

## Correction

In Federal Register Document 45-22079, which appears at page 14895 of the issue for Tuesday, December 11, 1945, the footnote referred to in § 24.1 (e) on page 14896 should read "Part 19 of this chapter." The table of contents for the document should list section numbers 24.0 to 24.9, inclusive.

## TITLE 32—NATIONAL DEFENSE

## Chapter VI—Selective Service System

[No. 312]

## SPECIAL PANEL REGISTRANT AND STATUS REPORTS

## ORDER PRESCRIBING FORMS

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

Discontinuance of DSS Form 601, entitled "Special Panel Registrant Record."

Discontinuance of DSS Form 602, entitled "Special Panel Status Report."

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

LEWIS B. HERSHEY,  
Director.

DECEMBER 7, 1945.

[F. R. Doc. 45-22137; Filed, Dec. 10, 1945; 4:56 p. m.]

## Chapter IX—Civilian Production Administration

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; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

## PART 903—DELEGATIONS OF AUTHORITY

[Supplementary Directive 1-X, Revocation]

## RATIONING OF PASSENGER AUTOMOBILES

Section 903.50 *Supplementary Directive No. 1-X* is hereby revoked. This

revocation is subject to the provisions of paragraphs (f) and (g) of Directive 1.

Issued this 10th day of December 1945.

LINCOLN GORDON,  
Director,

Bureau of Reconversion Priorities.

[F. R. Doc. 45-22119; Filed, Dec. 10, 1945; 11:47 a. m.]

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

[Priorities Reg. 1, as Amended Dec. 11, 1945]

Sec.

944.1 Purpose and scope of this regulation; definitions.

944.2 Rules for acceptance and rejection of rated orders.

944.3 Report to Civilian Production Administration of improperly rejected orders.

944.4 Assignment of preference ratings.

944.4a Cancellation of preference ratings.

944.5 Sequence of preference ratings

944.6 Doubtful cases.

944.7 Sequence of filling rated orders.

944.8 Delivery or performance dates.

944.9 Report to Civilian Production Administration of improper delay of orders.

944.10 Effect of other regulations and orders.

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944.15 Records.

944.16 Audit and inspection.

944.17 Reports.

944.18 Violations.

944.19 Appeals for relief in exceptional cases.

944.20 Notification of customers.

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

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

(b) [Deleted Oct. 1, 1945.]

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

§ 944.1b [Deleted Oct. 1, 1945.]

§ 944.2 *Rules for acceptance and rejection of rated orders.* Every order bearing a preference rating must be accepted and filled regardless of existing



contracts and orders except in the following cases:

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

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

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

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

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

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

received by him after making the quotation and before he receives the firm order from the person making the inquiry.)

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

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

(3) If the order is for material which the person to whom the order is offered produces or acquires for his own use only, and he has not filled any orders for that material within the past two years, except on "special sales" as permitted in Priorities Regulation 13. If he has, but the rated order would take more than the excess over his own needs, he may not reject the rated order unless filling it would interfere with equal or higher rated orders already on hand, or orders which the War Production Board or Civilian Production Administration has directed him to fill, for the material or for a product which he makes out of it.

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

(For types of contracts which must be deferred see Interpretation 1b. For rule as to deferment of orders on steel, copper and aluminum producers, see Direction 11.)

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

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

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

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

§ 944.4a *Cancellation of preference ratings.* If a preference rating which has been assigned to a named person is revoked, he must immediately, in the case of each order to which he has applied the rating either cancel the order or inform his supplier that it is no longer to be treated as rated. If a regulation or order of the Civilian Production Administration which assigns a rating to a class or group of persons without naming them individually, is revoked they may not apply the rating to orders placed after the revocation. Orders to which they have already applied the rating for delivery within three months after the revocation remain validly rated, but, in the case of each order which they have placed for delivery after three months from that date, they must either cancel the order or withdraw the rating. If any person receives notice from his customer or otherwise that the customer's order is no longer rated or that the customer's order is cancelled, he must immediately withdraw any extensions of the rating which he has made to any order placed by him for more than \$25 worth of material. The Civilian Production Administration may specify different rules for the treatment of outstanding ratings at the time it revokes them.

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

§ 944.5 *Sequence of preference ratings.* Preference ratings in order of precedence are: AAA, MM, and CC. All other WPB or CPA preference ratings have no effect, and any order bearing such ratings must be treated as an unrated order unless specifically rated AAA, MM, or CC.

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



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

(b) As between conflicting orders which bear the same preference rating, precedence must be given to the order which was received first with the rating. As between conflicting orders received with the same preference rating on the same date, precedence must be given to the order which has the earlier required delivery or performance date.

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

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

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

NOTE: Subparagraph (1) deleted and subparagraphs (2), (3) and (4) redesignated (1), (2) and (3), respectively, Dec. 11, 1945.

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

(c) If, after accepting a rated order which specifies the time of delivery, the person with whom it is placed finds that he cannot fill it on time or within 15 days following the specified time, owing to the receipt of higher rated orders or for other reasons, he must promptly notify the customer, telling him approximately when he expects to be able to fill the order. Inability to fill the order on time or within fifteen days following the specified time does not authorize a supplier to cancel the order.

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

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

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

(b) All directions, authorizations, production or delivery schedules and other instruments addressed to named persons pursuant to any order or regulation which was revoked before October 1, 1945, are revoked on October 1, 1945. Whenever an order or regulation of the

CPA is revoked on or after October 1, 1945, all directions, authorizations, allocations, production or delivery schedules and other instruments addressed to named persons pursuant to that order or regulation are revoked, unless otherwise stated in the instrument of revocation. Any material which was obtained by means of any such revoked direction, authorization, allocation, etc., may be used or disposed of only as permitted under paragraph (b) of § 944.11.

NOTE: The instrument of revocation for many orders is Priorities Regulation 31.

(c) "Suspension orders" and "consent orders" issued on the basis of a violation of orders and regulations of the War Production Board or Civilian Production Administration remain in effect after revocation of such orders and regulations, unless otherwise provided. If you are subject to a suspension order or consent order which you think should be lifted or modified because of the lifting of the restriction on which the violation was based, you may address a request for relief to the Chief Compliance Commissioner, Civilian Production Administration, Washington 25, D. C.

**§ 944.11 Use or disposition of material acquired with priorities assistance.** (a) Any person who gets material with priorities assistance must, if possible, use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. This restriction applies to material obtained by means of a preference rating (AAA, MM or CC), allocation, specific direction, or any other action of the War Production Board or Civilian Production Administration. Physical segregation is not required as long as the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product. The above restriction does not apply in the following two cases, but the rules on further use or disposition in paragraph (b) below must be observed: (1) When a material, or a product into which it has been incorporated, can no longer be used for the purpose for which the priorities assistance was given (for example, when the priorities assistance was given to fill a particular contract or purchase order and the material or product does not meet the customer's specifications or the contract or purchase order is cancelled); (2) when the material was obtained by means of a rating in the AA series or a CMP allotment, or by means of any order, regulation, rating, allocation, specific direction or other action of the WPB or CPA which has been revoked or cancelled, unless otherwise stated in the instrument of revocation or in any other action of the CPA (for example, Direction 12 to Priorities Regulation 1).



(b) A material or product subject to paragraph (a) (1) or (2) above may be used or disposed of only as follows:

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

(2) If the proposed sale is not a special sale described by paragraph (b) (1), the holder may sell as long as he complies with all requirements of other applicable sections of this regulation and of other orders and regulations of the Civilian Production Administration. This is true of all such sales of any material including scrap.

(3) The holder may, within the limitations of paragraph (f) of Priorities Regulation 32 (inventory restriction on processing), use the material or product himself in any manner or for any purpose as long as he complies with all applicable CPA orders and regulations. If the intended use is prohibited or restricted, he must appeal or otherwise apply for permission under the applicable order or regulation.

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

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

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

regulation restricting inventories of material or uses thereof in manufacture or otherwise, or requiring certificates with respect to such inventories or uses, insofar as such inventories are maintained or such uses occur in the country to which such material is to be exported, but shall be subject to such restrictions with respect to inventories maintained or uses occurring within the United States prior to export.

(For applicability of certain restrictions in CPA orders to exports, see Interpretation 18.)

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

**§ 944.14 Inventory restrictions.** No person may deliver or receive into inventory more of any material than is permitted under Priorities Regulation 32. That regulation takes the place of the rules formerly in this section.

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

**§ 944.15 Records.** Each person participating in any transaction to which any rule, regulation or order of the Civilian Production Administration applies shall keep and preserve for at least two years accurate and complete records of the details of each such transaction and of his inventories of the material involved. Such records shall include the dates of all contracts or purchase orders accepted, the delivery dates specified in such contracts or purchase orders, and in any preference rating certificates accompanying them, the dates of actual deliveries thereunder, description of the material covered by such contracts or purchase orders, description of deliveries by classes, types, quantities, weights and values, the parties involved in each transaction, the preference ratings, if any, assigned to deliveries under such contracts or purchase orders, details of rated orders (or other orders required by the Civilian Production Administration to be filled) either accepted or offered and rejected, and other pertinent information. Records kept by any person pursuant to this section shall be kept either separately from the other records of such person and chronologically according to daily deliveries by such person, or in such form that such a separate chronological record can be promptly compiled therefrom. Whenever a regulation or order requires a person to restrict his operations in propor-

tion to his operations in a base period (for example, an order may forbid him to use more of a certain kind of material than he used in the fourth quarter of 1942) he must determine, as accurately as is reasonably possible, his base period operations and preserve a written record of any figures and work sheets showing how he made his calculations for inspection by Civilian Production Administration officials as long as the regulation or order remains in force and for two years after that. Whenever a person is restricted as to the quantity of material he may use in production or the amount he may produce, under quota restrictions, limitation orders, authorized production schedules, special directions or similar provisions, he must keep reasonably adequate records of the material consumed and of production to show whether he is complying with the restrictions. This record-keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

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

**§ 944.17 Reports.** Every person shall execute and file with the Civilian Production Administration such reports and questionnaires as it shall from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. The rules on filing reports are explained in Priorities Regulation 8.

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

**§ 944.19 Appeals for relief in exceptional cases.** Any person who considers that compliance by himself or another with a rule or regulation or order of the



**Civilian Production Administration**  
would work an exceptional and unreasonable hardship on him may appeal for relief. The rules for the filing and handling of appeals are given in Priorities Regulation 16.

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

Issued this 11th day of December 1945.

**CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.**

INTERPRETATION 1A: Revoked August 28, 1945.

#### INTERPRETATION 1B

#### TYPES OF EXISTING CONTRACTS WHICH MUST BE DEFERRED

Section 944.2 of Priorities Regulation 1, as amended, makes compulsory the acceptance and filling of rated orders for any material "regardless of existing contracts and orders". The "existing contracts" referred to include not only ordinary purchase contracts but other arrangements achieving substantially the same results, though in form they may concern the use of production facilities rather than the material produced. Preference ratings are applicable to facilities as well as materials.

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

#### INTERPRETATION 1C

#### SEQUENCE OF DELIVERIES AND PRODUCTION FOR RATED ORDERS

The provisions of § 944.7 (b) of Priorities Regulation No. 1, as amended, with respect to the sequence of deliveries bearing the same preference rating, are applicable only in cases where different deliveries bearing the same preference rating cannot be made on schedule. If material supply and available facilities permit deliveries bearing the same rating to be made on schedule, Regulation No. 1 does not have any particular effect on the sequence of production for such deliveries. Where it is necessary to choose between deliveries bearing the same preference ratings, delivery to the customer from whom the order was first received with the rating is to be preferred and production schedules must be adjusted accordingly. For example, suppose a rated order is received from one customer

in January for August delivery and another order bearing the same rating is received from a second customer in June calling for July delivery. If both deliveries cannot be made on schedule, the second customer is not permitted to get the material away from the first customer. The producer must defer production on the second order to the extent necessary to make delivery on the first order on the August delivery date. If, on the other hand, both deliveries can be made on schedule, it is not necessary to produce or make delivery on the first customer's order ahead of that of the second. (Issued Mar. 18, 1944.)

INTERPRETATION 1D: Revoked June 28, 1945.

#### INTERPRETATION 1E

#### ARMY INCLUDES PANAMA CANAL—NAVY INCLUDES COAST GUARD

(a) The definition of defense orders formerly appearing in § 944.1 (b) has been deleted since a blanket rating of AA-5 is no longer assigned to such orders. However, any reference to the Army without any other definition in any order of the Civilian Production Administration also applies to the Panama Canal, and a reference to the Navy, to the Coast Guard. (Issued Oct. 1, 1945.)

#### INTERPRETATION 2

#### REGULARLY ESTABLISHED PRICES AND OPA CEILING PRICES

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

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

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

#### INTERPRETATION 3

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

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

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

A further problem arises when a manufacturer receives such an order with split ratings. For example, suppose the manufacturer who sells his product only in standard shipping packages of a dozen receives an order for 30 rated MM and 20 rated CC. In such a case the general rule is that amounts in excess of a multiple of the standard shipping package ordered at higher ratings may be included with amounts ordered at lower ratings if the manufacturer wishes to adhere to his standard shipping package and not fill

the order as received. He may then, in the case supposed, treat the order as one for 24 items rated MM and 24 rated CC and reject it for 2 of the items. Of course, he may fill the order as placed if he prefers to do so; but, if he does not he must fill it as illustrated above.

(b) The exception also applies to the seller who regularly sells only to certain types of trade purchasers, such as wholesalers, jobbers or retailers. He may reject orders from other types of purchasers but only if it is practicable to obtain the merchandise in the required quantity through regular trade channels.

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

(d) It should be noted that paragraph (e) of § 944.2 in which the above exception appears includes the requirement that "there must be no discrimination in such case against rated orders, or between rated orders of different customers." This means, for example, that a seller who sells principally at wholesale but also at retail to one or more customers may not reject rated retail orders from other customers. However, if a manufacturer or wholesaler has an exclusive distributor, either for all sales or for a particular territory, he may reject orders from other purchasers provided the exclusive distributor is in a position to fill the orders promptly. (Issued Oct. 1, 1945.)

INTERPRETATION 4: Revoked October 1, 1945.

#### INTERPRETATION 5

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

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

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

(2) A steel mill places an order for a repair part rated CC. The steel mill finds that it does not need the part but another steel mill needs the same and asks the first mill to assign its contract for the part. The second mill could also apply a CC rating to the delivery. However, it prefers to use the first mill's rating so as to come ahead of the orders which have been placed since the first mill placed its order. The second mill may not make this use of the rating, since the rated order was placed for the repair of the first mill's facilities and the purpose of the order has thus been changed.

(3) The Civilian Production Administration assigns a rating on a Form WPB 541A to a textile manufacturer to buy some textile machinery. He places an order with a machinery manufacturer and applies the rating to the order. He decides he does not need the machinery but finds another textile producer who does need the machinery and is



willing to purchase the same from him. He therefore assigns the contract for the machinery to the second textile producer. The rating does not apply to the delivery to the second producer since it was assigned by the Civilian Production Administration only for the purpose of filling a specific need shown by the first textile producer. (Issued Oct. 1, 1945.)

#### INTERPRETATION 6 MICROFILM RECORDS

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

INTERPRETATION 7: Revoked August 28, 1945.

#### INTERPRETATION 8

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

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

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

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

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

INTERPRETATION 9: Revoked March 18, 1944.

#### INTERPRETATION 10

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

In many instances, the Civilian Production Administration has issued directives to producers and manufacturers requiring them to produce particular orders ahead of their normal place on the producers' or manufacturers' schedules. Typical of such directives are directives requiring them to produce certain orders by a given date, regardless of the effect of doing so on the production of other orders. If and when the particular orders are cancelled, the directives lose all effect. This is so since the reason for issuing the directives, namely, the urgent need for a particular product, no longer exists when the order for the product has been cancelled. (Issued Oct. 1, 1945.)

#### INTERPRETATION 11

##### PLACING AND ACCEPTANCE OF ORDERS FOR FUTURE DELIVERY CONDITIONED ON REMOVAL OF CPA RESTRICTIONS

(a) Some orders and regulations of the Civilian Production Administration forbid the placing or acceptance of purchase orders for certain materials or products unless the purchase orders bear specified preference ratings, or unless they are accompanied by special authorization or unless they meet some other condition. Such provisions do not, however, prohibit the placing or acceptance of a purchase order which by its express terms, is not to be filled until after removal of such restrictions by the Civilian Production Administration.

(b) A manufacturer may not, of course, schedule such orders for production or place material in production to fill such orders until after the applicable CPA restriction is removed. He may order materials needed to fill such orders, but his own orders must call for delivery at a future time when the material can be received under Priorities Regulation 32. Also, if he is ordering a material which is itself subject to a restriction on placing or accepting of orders, that purchase order must as well be conditioned on the removal of the restriction.

(c) [Deleted Oct. 1, 1945.]

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

(Issued Oct. 1, 1945.)

#### INTERPRETATION 13

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

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

(b) [Deleted Oct. 1, 1945.]

(Issued Oct. 1, 1945.)

INTERPRETATION 15: Revoked August 28, 1945.

#### INTERPRETATION 16

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

(a) *Applicability of rules regarding acceptance of orders.* A person who supplies parts for a complete product, as well as the complete product itself, may not accept an order for the complete products calling for delivery on a date which would interfere with delivery of equal or higher rated orders for parts which he has already accepted. In other words, he must comply with the rules in § 944.2 of Priorities Regulation 1 in accepting orders for complete products and orders for parts only. Thus if he gets a rated order for complete products calling for delivery on June 1, 1945, and cannot fill this order without using parts which are required for delivery on an equal or higher rated parts order previously accepted, calling for delivery on June 1, 1945, he may not accept the order for the complete products. In such a case, he must either (1) reject the order, stating when he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date.

(b) [Deleted Oct. 1, 1945.]

(c) [Deleted Oct. 1, 1945.]

(Issued Oct. 1, 1945.)

INTERPRETATION 17: Revoked August 28, 1945.

#### DIRECTIONS TO PR 1

The following directions to PR 1 are still in effect (Dec. 11, 1945):

1. Changes made by customers in orders placed with manufacturers.

2. Transfer of title in financing rated orders.

9. Use of ratings or authorizations for machine tools or other facilities when related military procurement programs or contracts are cancelled or cut back.

11. Special rules for placing and scheduling rated orders for steel, copper and aluminum.

12. Use by ship chandlers and other ship suppliers of materials obtained by means of ratings assigned on WPB-646.

[F. R. Doc. 45-22151; Filed, Dec. 11, 1945; 11:25 a. m.]

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

[Priorities Reg. 1, Interpretation 12, as Amended Dec. 11, 1945]

##### DATE ON WHICH PURCHASE ORDER IS RECEIVED

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

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

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

(b) With respect to unrated orders which are subsequently rated, the order is not "received" for the purposes of § 944.7 until the supplier receives the application or extension of the rating properly certified. The date of the rated order is not retroactive to the time the original unrated order was placed. Similarly, where an order originally rated in the AA series became unrated after September 30, 1945, the subsequent application or extension of a AAA, MM or CC rating to the order does not relate back to the time the order was originally rated.

Issued this 11th day of December 1945.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-22152; Filed, Dec. 11, 1945; 11:25 a. m.]



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

[Priorities Reg. 1, Interpretation 14, as  
Amended Dec. 11, 1945]

**SUMMARY OF CPA CONTROLS REGARDING IDLE  
OR EXCESS INVENTORIES**

*Introduction*

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

(a) *Purpose of this interpretation.* This interpretation summarizes some of the important rules on what to do when you have materials or products which are idle or excess in your inventory because of a termination or cut-back in your war contracts or other changes in your operations. These are not new rules on this subject, nor are they necessarily complete, but they are intended to be convenient references to rules which are now effective in CPA orders and regulations. As these orders and regulations are revised from time to time, you should be sure to look at the latest copies.

(b) *General rule.* The general rule is that if you got a material or product by using a preference rating, or other WPB or CPA priorities assistance, you must if possible use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. This is the rule of § 944.11 (a) of Priorities Regulation 1, which also states the conditions under which physical segregation of inventory is not required. Two exceptions to this rule, 1. e., when the material or product can no longer be used for the original purpose, or when the rating or other assistance has been revoked, are explained in paragraphs (a) (1) and (2) of § 944.11.

*Disposition or Use of Excess*

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

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

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

(e) *Use—Must be in compliance with applicable CPA orders.* If you want to use the excess material or product, you must always comply with all applicable CPA orders and regulations governing its use, inventory,

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etc., and you may have to appeal if the intended use is not a permitted use. To find out what orders or regulations are applicable to the particular material or product, it may be helpful to look at the CPA publication, "Products and Priorities," or you can ask your nearest CPA field office.

(2) [Deleted Dec. 11, 1945.]

(3) [Deleted Oct. 1, 1945.]

(4) [Deleted Dec. 11, 1945.]

(f) [Deleted Oct. 1, 1945.]

(g) *Special provision for transfer among war contractors.* If you have a war contract which has been terminated or modified, and another contractor is producing similar products for the same procuring agency, he may be able to receive excess materials (from you, your suppliers, or the procuring agency) in excess of inventory limits. This is permitted when authorized by the procuring agency to the extent described in Direction 1 to Priorities Regulation 32. This direction covers both the inventory exceptions necessary to receive excess materials of this kind, and also the sale or exchange of the materials.

*Bringing Inventory Back to Normal*

(h) *Inventory limitations.* If the termination or cut-back results in your having a bigger inventory than you need, the mere possession of it is not prohibited as long as the particular material or product was properly acquired. This is explained in Interpretation 5 to Priorities Regulation 32. However, you may not receive further deliveries of the particular material or product held in excess, nor may you fabricate above permitted inventory levels, except as provided in the applicable regulations or orders. The general inventory rules are in Priorities Regulation 32, and specific inventory limits on particular materials or products or relating to particular classes of persons are indicated in Tables 1 and 2 of that regulation. In general, upon any reduction in operations, outstanding orders for the items which constitute an excessive inventory must be promptly adjusted, or, if necessary, cancelled. However, certain further deliveries may be received to the extent permitted by paragraph (h) of Priorities Regulation 32, and special items may be received as permitted by that paragraph and by Direction 3 to that regulation. A limited inventory exception in the case of items bought on special sales is provided in PR-13.

(i) *Cancelling ratings.* In cutting back or cancelling orders as described above you will probably have to cancel your ratings to the extent described in § 944.4a of PR-1.

Issued this 11th day of December 1945.

**CIVILIAN PRODUCTION**

**ADMINISTRATION,**

By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-22153; Filed, Dec. 11, 1945;  
11:25 a. m.]

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

[Priorities Reg. 1, Interpretation 18]

**APPLICABILITY OF CERTAIN RESTRICTIONS IN  
CPA ORDERS TO EXPORTS**

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

The last sentence of § 944.13 (formerly Priorities Regulation 15) does not in any way relax restrictions in limitation or conservation orders in so far as they apply to manufacture within the United States or to the

maintenance of inventory within the United States. The only effect of the sentence is to lift such restrictions as may be based upon the size of an inventory maintained in a foreign country or on a use (including use for manufacture) which is to take place in a foreign country.

Of course, no orders of the Civilian Production Administration directly limit the size of inventory or the manner of use of an article in a foreign country. Nevertheless, there are some orders which, in the absence of this provision in § 944.13, might impose such limitations indirectly. Orders which provide that a person may not sell a particular material if he knows or has reason to believe that the purchaser will, upon receipt, have an inventory exceeding some stated amount or use the material for a particular purpose would, in the absence of this provision, prevent certain sales by subjecting sellers to possible liability even though the inventory existed or the use occurred in a foreign country. § 944.13 has the effect of relieving sellers of such liability in the limited situation described.

Furthermore, it is only restrictions which are expressed as based upon size of inventory or manner of use which are affected by this section. Where an order requires administrative action, such as an allocation or an express authorization, that requirement is not waived and must be met before the material can be delivered, acquired or used.

Issued this 11th day of December 1945.

**CIVILIAN PRODUCTION**

**ADMINISTRATION,**

By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-22154; Filed, Dec. 11, 1945;  
11:25 a. m.]

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

[Priorities Reg. 1, Revocation of Direction 4]

**APPLICATION FOR PERMISSION TO USE EXCESS  
MATERIALS**

Direction 4 to Priorities Regulation 1 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by WPB and CPA under the direction. Persons who want to use excess materials in their inventory for purposes not permitted by an applicable order should appeal or apply for permission under such order.

Issued this 11th day of December 1945.

**CIVILIAN PRODUCTION**

**ADMINISTRATION,**

By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-22155; Filed, Dec. 11, 1945;  
11:26 a. m.]

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

[Priorities Reg. 15, Revocation]

**APPLICATION OF LIMITATION AND CONSERVATION  
ORDERS TO EXPORTS**

Section 944.36 Priorities Regulation 15 is revoked. This revocation does not affect any liabilities incurred for violation of the regulation or of actions taken



by the WPB or CPA under the regulation. The regulation is superseded by the last sentence in § 944.13 of Priorities Regulation 1 as amended simultaneously with this revocation.

Issued this 11th day of December 1945.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-22156; Filed, Dec. 11, 1945;  
11:25 a. m.]

## Chapter XI—Office of Price Administration

### PART 1305—ADMINISTRATION [SO 132, Incl. Amdts. 1-11]

#### EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF CERTAIN FOODS, GRAINS AND CEREALS, FEEDS, TOBACCO AND TOBACCO PRODUCTS, AGRICULTURAL CHEMICALS, IN- SECTICIDES AND BEVERAGES

This compilation of Supplementary Order 132 includes Amendment 11, effective December 15, 1945. The items added by Amendment 11 are indicated by underscoring or notes.

A statement of the considerations involved in the issuance of this supplementary order has been issued and filed with the Division of the Federal Register.<sup>1</sup>

#### Sec.

1. Exemption from price control.
2. Commodities suspended from price control.
3. Relationship between this order and other regulations.
4. Records.
5. Definitions.
6. Commodities not affected by this order.
7. Geographical applicability.

AUTHORITY: § 1305.159 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487.

SECTION 1. *Exemption from price control.* Notwithstanding the provisions of any price regulation heretofore or hereafter issued by the Office of Price Administration, all purchases, sales and deliveries by any person of the following listed commodities are exempt from price control:

(a) Foods listed under the following categories (unless otherwise stated, the list covers only domestic commodities):

(1) Fish, fats and oils category, as follows:

Abalone (Halotis species) canned in natural juice (domestic and imported)  
Caviar, canned (the salted roe of sturgeon, spoonbill, whitefish and salmon; domestic)  
Caviar, canned (the salted roe of various large fish of the sturgeon genus; imported)  
Clam juice, canned  
Clams, canned (domestic and imported)  
Conchs, canned  
Fish bait used for sport fishing, canned or processed.  
Fish roe, canned (domestic and imported)  
Frog legs  
Lake herring, salted

<sup>1</sup> 10 F.R. 11512.

<sup>2</sup> Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

Lobster, frozen uncooked  
Oysters, canned (domestic and imported)  
Shark fins, dried (imported)  
Snails, canned (imported)  
Sponges processed from marine animals (domestic and imported)

Sturgeon, smoked, including smoked spoon-bill

[Subparagraph (1) amended by Am. 5, 10 F.R. 13368, effective 10-31-45. Underscored item added by Am. 11, effective 12-15-45]

(2) Fruits and vegetables, fresh or processed, category, as follows:

Apricots, whole unpitted, dried  
Artichokes, canned (domestic and imported)  
Bamboo sprouts, canned and frozen  
Bean sprouts, canned and frozen  
Beets, frozen  
Black wine grapes, dried (includes all varieties of black wine grapes, including Zinfandel and Alicante)  
Catawba grape juice  
Cauliflower, brined (imported and domestic)  
Cauliflower, canned (imported)  
Cherries and cherry stems, dried  
Citrus segments, frozen  
Coconut, desiccated, sweetened or unsweetened (domestic)  
Coconut, fresh whole (domestic and imported)  
Coconut, frozen  
Compressed dehydrated fruits, vegetables and berries  
Corn-on-the-cob, canned and frozen  
Crab Apples, canned  
Crab Apple Juice, canned  
Cucumbers, fresh  
Figs, frozen  
Horseradish, processed  
Horseradish root  
Kale, frozen  
Lime juice canned  
Melon, frozen  
Mushrooms, canned (imported)  
Mushrooms, frozen  
Mushroom sauce, canned (does not include mushroom soup)  
Nectarines, canned and frozen  
Onions, brined (domestic and imported)  
Peaches, whole unpitted, dried  
Pears, frozen  
Peppers, brined (imported and domestic) (does not include pimientos)  
Pickled onions, canned (imported)  
Plums, halved pitted, dried  
Potatoes, frozen  
Prunes, silver (prunes made from sweet yellow plums), dried  
Sauerkraut  
Vegetable greens, frozen (does not include frozen spinach)  
Vegetables, dehydrated (does not include dried or dehydrated beans, dried or dehydrated peas, or dehydrated soups), bulk or packaged. For the purpose of this order, dehydrated vegetables are vegetables which have had their moisture content reduced by controlled artificial drying to such an extent that the moisture content of the finished product does not exceed 8% by weight  
Water chestnuts, canned  
Watermelon, brined (imported and domestic)

[Subparagraph (2) amended by Am. 2, 10 F.R. 12526, effective 10-1-45; Am. 4, 10 F.R. 12986, effective 10-18-45; Am. 5, 10 F.R. 13368, effective 10-31-45; and Am. 7, 10 F.R. 13403, effective 10-28-45. Underscored item added by Am. 11, effective 12-15-45]

(3) Grocery products category, as follows:

Brown Buckwheat Groats (the product produced in further processing white buckwheat groats by toasting).

(4) Meats and poultry category, as follows:

Pate de Foie Gras, canned (a meat paste processed from the livers of fat geese; imported)

Wild Rabbits (rabbits which have not been produced, raised or fed in captivity)

(5) Miscellaneous category, as follows:

Anise (domestic and imported)  
Bar le duc (a preserve consisting principally of whole white seeded currants, gooseberries, strawberries, or raspberries; imported)  
Basil leaves (domestic and imported)  
Bouillon cubes and granulated bouillon  
Capers (the flower bud of the caper bush; imported)  
Chili pepper, ground  
Chili powder  
Chop suey, canned and frozen  
Chow mein, canned and frozen  
Chutney, sweet and sour (an imported relish made of mangoes, flavored by raisins, tamarinds, limes, ginger, chillies and spices with or without sugar; imported)  
Cumin (domestic and imported)  
Curry powder (domestic and imported)  
Dehydrated Garlic Powder  
Dill (domestic and imported)  
Dough ready for baking, frozen  
Fennel Seed (domestic and imported)  
Foenugreek Seed (domestic and imported)  
Garlic salt (domestic and imported)  
Gravy mixes, dry  
Inactive yeast and inactive yeast derivatives, intended exclusively for human consumption  
Laurel (Bay Leaves) (domestic and imported)  
Marjoram (Oregano) (domestic and imported)  
Mint flakes (domestic and imported)  
Mint leaves (domestic and imported)  
Onion Powder and Onion Flakes  
Onion salt (domestic and imported)  
Paprika, ground (domestic and imported)  
Prepared hard sauce containing distilled spirits  
Rosemary leaves (domestic and imported)  
Saffron (domestic and imported)  
Sage (domestic and imported)  
Savory (domestic and imported)  
Savory salt (domestic and imported)  
Thyme (domestic and imported)  
Tom and Jerry batter (a mixture of eggs, powdered or fresh, sugar or sugar syrup and spices beaten together and used generally for mixing with liquors and hot water in the preparation of a beverage called "Tom and Jerry")  
Tortillas, a maize product used as bread  
Truffles (imported)  
Turmeric (domestic and imported)  
Wheat germ (This does not include wheat germ oil)

[Subparagraph (5) amended by Am. 5, 10 F.R. 13368, effective 10-31-45. Underscored items added by Am. 11, effective 12-15-45]

(6) Bakery products category, as follows:

Ice cream cones  
Pretzels  
Water crackers (crackers made from flour and water and baked in ovens using bundles of faggots for heat)

[Subparagraph (6) added by Am. 5, 10 F.R. 13368, effective 10-31-45. Underscored item added by Am. 11, effective 12-15-45]

(b) The following items in the feeds category:

Ground peanut hay  
Whole crab and shrimp meal



(c) The following items in the tobacco and tobacco products category:

Cigar Binder Type Tobacco (domestic) grown during 1945 growing season. (Type Numbers 51, 52, 53, 54 and 55)

Cigar Filler Type Tobacco (domestic) grown during 1945 growing season. (Type Numbers 41, 42, 43 and 44)

Connecticut Shade Grown Tobacco, grown during 1945 growing season. (Type Number 61)

Florida and Georgia Shade Grown Tobacco, grown during 1945 growing season. (Type Number 62)

Imported cigars imported on or after October 22, 1945.

(Imported cigars include all types of cigars, cheroots, stogies, and little cigars manufactured or produced outside the continental United States, its territories or possessions (except those weighing less than 3 pounds per thousand). Imported cigars in customs or in bond before October 22, 1945 shall be considered imported before October 22, 1945.)

Native or Island Twist Chewing Tobacco (twist chewing tobacco pressed flat and made of fire-cured or dark air-cured tobacco, or a combination of both, and treated with a casing mixture of molasses, syrup, glycerin, alcohol and such flavorings as are normally used on twist tobacco consumed by the natives of New Guinea, the Solomon Islands and other islands in the Southwest Pacific area)

[Paragraph (c) amended by Am. 3, 10 F.R. 12960, effective 10-22-45 and Am. 8, 10 F.R. 14023, effective 11-9-45]

(d) The following items in the beverages category:

Bottled egg nog (a specialty holiday beverage, not containing any distilled spirits, made from fresh or powdered eggs, syrup, cream and milk)

(e) The following items in the agricultural chemicals and insecticide category:

Humus (a brown or black material formed by the partial decomposition of vegetable or animal matter. Commercially, the name is applied to Peat that has decayed to such an extent that "the structure of the fiber is no longer evident")

Muck (thoroughly decomposed organic deposits containing appreciable amounts of mineral matter, especially sand, silt and clay)

Specialty fertilizers,<sup>9</sup> meaning any kind of mixed fertilizer, superphosphate, potash or nitrogenous material

(1) In tablet capsule liquid or gaseous form for use by consumers as such, or

(2) In granular form in packages of less than 80 pounds net weight, or

(3) In granular form in a container of any size if such container or a tag attached thereto clearly states that such fertilizer was manufactured and is offered to consumers for use on lawns, parks, golf courses, cemeteries, roadsides, flowers, bulbs, shrubs, gardens or ornamental trees or plants rather than for use on commercial field crops.

Sphagnum moss and peatmoss.

[Underscored item added by Am. 11, effective 12-15-45]

Sec. 2. *Commodities suspended from price control.* Notwithstanding the provisions of any regulation heretofore or hereafter issued by the Office of Price

<sup>9</sup> These commodities have been exempted from price control by prior action.

Administration, price control is suspended as to all purchases, sales and deliveries by any person of the following listed commodities for the period specified (where a termination date is named, price controls will automatically be re-instated under the applicable price regulation or regulations on the day following the termination date; where no termination date is specified, suspension from price control is indefinite):

[Above paragraph amended by Am. 10, effective 12-5-45]

	From—	Termination date
(a) Foods listed under the following categories (unless otherwise stated, the list covers only domestic commodities):		
(1) Fruits and vegetables, fresh and processed category, as follows:		
Carrots, canned, including carrot juice. (This does not include strained or chopped carrots sold as "baby food" or "junior food").	Oct. 31, 1945	Jan. 29, 1946
Citrus fruit, fresh (domestic and imported): This includes, but is not limited to, oranges, grapefruit, lemons, tangerines and temples, king oranges, clementines, tangelos and satsumas.	Nov. 19, 1945	Jan. 14, 1946
White flesh table stock potatoes (domestic and imported), except certified and war approved seed potatoes as defined in Revised Maximum Price Regulation No. 492.	Sept. 14, 1945	Mar. 6, 1946
(2) Fish, fats and oils category, as follows:		
Crab meat, fresh, frozen and canned.	Oct. 31, 1945	Jan. 29, 1946
(3) Miscellaneous category, as follows:		
Bakers' fruit pie and pastry fillings (Semi-solid mixtures of (1) a sweetening ingredient with (2) either fruit, fruit juice pectin or pectinous extracts, or a combination of these, and (3) with or without a thickener, added flavor or color, which are sold in containers of eight pounds or more for use in filling or glazing pies or pastries).	Oct. 31, 1945	Indefinite.
(b) The following items in the seeds category:		
* Timothy seed (the seed from which Timothy grass is grown).	Dec. 15, 1945	Mar. 15, 1946
Vegetable seeds.	Oct. 31, 1945	Jan. 29, 1946
(c) The following items in the agricultural chemicals and insecticide category:		
Clam shells (the cleaned, washed, graded and ground shells of clams).	Dec. 15, 1945	Mar. 15, 1946
Oyster shells (the cleaned, washed, graded and ground shells of oysters, including fresh and dredged shells).	Dec. 15, 1945	Mar. 15, 1946
DDT, <sup>10</sup> when sold as such. Insecticidal concentrates or finished insecticides in which DDT is the only active insecticidal ingredient other than the oil, wetting or spreading agent, or other diluent (if insecticidal properties are attributable to such diluent).	Dec. 15, 1945 Dec. 15, 1945	Indefinite. Indefinite.

<sup>10</sup> DDT means the product dichloro-diphenyl trichloroethane, of purified or technical grade, including one or more isomers thereof and by-product oils obtained in the manufacture of DDT, as defined by the Manufacturing Chemists' Association of the United States.

	From—	Termination date
Concentrated or diluted mixtures of DDT with Lethane, Thanite or other thiocyanates provided that the product contains at least 2% of DDT by weight and that pyrethrum, rotenone or nicotine sulphate is not included in such mixture.	Dec. 15, 1945	Indefinite.
(d) The following items in the beverages category:		
(e) The following items in the feeds category:		
Mineral mixed feed (mixed feed, at least 60% of which consists of a mixture of two or more chemicals or minerals with or without mixture with other ingredients and customarily regarded as dietary factor in feeding of animals and poultry).	Dec. 15, 1945	Mar. 15, 1946

[Table amended by Am. 5, 10 F.R. 13368, effective 10-31-45; Am. 6, 10 F.R. 13402, effective 10-25-45; Am. 9, 10 F.R. 14257, effective 11-19-45 and Am. 10, effective 12-5-45. \*Items added by Am. 11, effective 12-15-45]

[Sec. 2 added by Am. 1, 10 F.R. 11808, effective 9-14-45 and amended as otherwise noted]

SEC. 3. *Relationship between this order and other regulations.* The provisions of this supplementary order supersede the provisions of Supplementary Order 45<sup>9</sup> as to any commodity listed in this order.

Nothing in this order shall apply to sales of any commodity by an eating and drinking establishment for consumption on or about the premises. Such sales remain subject to Restaurant Maximum Price Regulation No. 2.<sup>9</sup>

SEC. 4. *Records.* Exemption or suspension from price control shall not affect the responsibility of a person to prepare and preserve records which prior to exemption or suspension, were required to be kept under the provisions of the applicable price regulation or regulations. Records of individual transactions during the period of exemption or suspension need not be kept, unless the exemption or suspension action is accompanied by a provision requiring the keeping of such records.

SEC. 5. *Definitions.* For the purposes of this Supplementary Order, the following terms have the following meaning:

(a) "Person" means an individual, corporation, partnership, association, government agency, or any other organized group of persons or legal successor or representative of any of the foregoing.

(b) "Price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, as

<sup>9</sup> 9 F.R. 13804, 14599; 10 F.R. 1746, 2478, 3222, 3361, 5649, 9034, 9395, 9430, 9584, 10022, 10200.

<sup>10</sup> 10 F.R. 10304, 11906, 11810, 13313, 13640.



amended, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(c) "Canned" means processed and packed in any container whether or not hermetically sealed. It 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.

SEC. 6. *Commodities not affected by this order.* The provisions of this order do not exempt or suspend from price control commodities which are not listed, although such commodities may have incorporated in them or are to be sold with, commodities which are exempted or suspended from price control.

SEC. 7. *Geographical applicability.* The provisions of this order shall apply to purchases, sales and deliveries in the forty-eight states of the United States and the District of Columbia.

This supplementary order shall become effective September 12, 1945. [Supplementary Order 132 originally issued September 7, 1945]

[Effective dates of amendments are shown in notes following the parts affected]

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

Issued this 10th day of December 1945.

CHESTER BOWLES,  
Administrator.

[Amendment 11 approved by J. B. Hutson, Acting Secretary of Agriculture, on November 28, 1945]

[F. R. Doc. 45-22123; Filed, Dec. 10, 1945; 4:16 p. m.]

#### PART 1305—ADMINISTRATION

[SO 118, Amdt. 10]

#### SMALL VOLUME MANUFACTURERS' RECONVERSION PRICING

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. Appendixes A and B of Supplementary Order 118 are amended by striking therefrom the heading entitled "Machinery Branch" and all of the products and regulations listed under that heading.

This amendment shall become effective December 11, 1945.

Issued this 11th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22162; Filed, Dec. 11, 1945; 11:41 a. m.]

#### PART 1305—ADMINISTRATION

[SO 119, Amdt. 12]

#### INDIVIDUAL ADJUSTMENTS FOR RECONVERTING MANUFACTURERS

A statement of the considerations involved in the issuance of this amend-

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register. Appendix A and B of Supplementary Order 119 are amended by striking therefrom the heading entitled "Machinery Branch" and all of the products and regulations listed under that heading.

This amendment shall become effective December 11, 1945.

Issued this 11th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22163; Filed, Dec. 11, 1945; 11:41 a. m.]

#### PART 1305—ADMINISTRATION

[SO 142]

#### ADJUSTMENT PROVISIONS FOR SALES OF INDUSTRIAL MACHINERY AND EQUIPMENT

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

AUTHORITY: § 1305.170 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487.

SECTION 1. *General purposes.* This supplementary order provides methods of adjusting the maximum prices for any product and is applicable to all products (except automotive trucks, motorcycles, buses, and house and truck trailers) covered by any of the following regulations: Revised Maximum Price Regulation 136—Machines, Parts and Industrial Equipment; Maximum Price Regulation 67—New Machine Tools; Maximum Price Regulation 246—Manufacturers and Wholesale Prices for Farm Equipment; Maximum Price Regulation 351—Ferrous Forgings; Maximum Price Regulation 523—Plastics Products; Maximum Price Regulation 82—Wire and Cable, and Maximum Price Regulation 581—Industrial Services.

Insofar as the provisions of this order differ from the adjustment provisions contained in any of the above-listed regulations, those provisions are superseded by this order.

SEC. 2. *Individual applications.*—(a) *Qualifications.* Adjustments will be given under the provisions of this section only to essential suppliers. An essential supplier is one whose output or supply of a product cannot be reasonably expected to be replaced at prices lower than the proposed adjusted maximum price. No adjustment will be granted a supplier under the provisions of this section unless it can be found that the maximum price of the product is at such a level that (taking into account the cost thereof, and the nature of his business) production or supply of the product is impeded or threatened.

(b) *How adjustments will be computed.* In general, the OPA will treat adjustments in three different categories. The first category is called the

"over-all adjustment." This will apply where the applicant submits his application for adjustment in the maximum prices of all his products which are governed by any of the regulations listed in section 1, on the basis of his over-all profit and loss statement.

The second category is called the "divisional adjustment." This adjustment will apply whenever the applicant applies for a price adjustment on a single line or several single lines of products, on the products of a division of his business, or on the products of one of his plants.

The third category is called the "individual item adjustment," and will be used wherever the applicant applies for the adjustment of the maximum prices of one or more single items of his line or lines of products.

These three different adjustment categories will in turn be treated upon two different bases. The first basis will be used where OPA finds that the applicant's recent operating experience can be considered normal. The second basis is where the OPA finds that the recent operating experience cannot be considered normal.

In determining whether or not the recent operating experience can be considered normal, OPA will examine:

(1) Whether the sales of the products covered by the application, during the most recent acceptable accounting period, approximated the 1941 level, and whether there has been a significant change in the level of sales during the most recent accounting period from the level of the sales during the immediately preceding period.

(2) Whether the sales for the recent period of the major groups of products of the applicant were approximately the same proportions as (i) were sales in the fiscal year ended nearest to December 31, 1941, or (ii) anticipated sales for the ensuing year.

(3) Whether the profit and loss statement for the most recent acceptable accounting period reflects any abnormal conditions of major significance.

Generally speaking, where the applicant's recent operating experience may be considered normal, the adjustment will be based upon adjusted current costs. Where, however, the applicant's recent operating experience cannot be considered normal, a projection of the applicant's 1941 costs from his 1941 profit and loss statement will be used in estimating the cost basis for the adjustment.

In the case of the over-all adjustment, the applicant will, in general, be allowed adjusted total costs plus a reasonable margin of profit. In the case of "divisional adjustments", the applicant will be allowed adjusted total costs, and in the case of "individual item adjustments", the applicant will be allowed adjusted factory costs.

In making any of these adjustments, OPA will also consider whether an industry price increase factor, for one or more of the applicant's products or product lines, has been announced, or an industry survey is in process.

In stating the methods of adjustment, it has been assumed that the year 1941 will represent, for the applicant, the last



normal pre-war year, but the applicant may demonstrate to the OPA that, due to the impact of war orders or governmental restrictions on the manufacture of products or the use of materials or facilities, sales for the year 1941 were not representative of normal peacetime operations. In such cases, a more representative peacetime year may be selected by the applicant, subject to OPA approval.

If a seller has received an adjustment of his maximum prices on the over-all adjustment basis under the provisions of this paragraph, he may not thereafter apply under the provisions of this paragraph for adjustment of his maximum prices on the divisional or individual item adjustment basis, and if a seller has received an adjustment under the provisions of this paragraph on the divisional adjustment basis, he may not thereafter apply under the provisions of this paragraph for an adjustment on the individual item adjustment basis for any product falling within the product line or manufactured by the division or plant for which he has received adjustment, unless, in either case, the seller can show to the satisfaction of the OPA that there has been a substantial change in his cost structure since the date of his last application.

In computing adjusted costs, where the OPA finds that the applicant's operating experience can be considered normal, the OPA will recognize only the following wage increases:

(1) Any wage or salary increases lawfully made, or approved by the appropriate wage stabilization agency, before August 18, 1945.

(2) Any wage or salary increase made on or after August 18, 1945, satisfying the requirements of General Order No. 30 of the National War Labor Board (relating to increases up to 55¢ an hour).

(3) Any wage or salary increases approved by the appropriate wage or salary stabilization agency on and after August 18, 1945, pursuant to Executive Orders 9599 and 9651, and such directives and instructions thereunder as are issued by the Stabilization Administrator.

In computing adjusted costs, where the OPA finds that the applicant's operating experience cannot be considered normal, the OPA will recognize wage or salary increases approved by an appropriate wage stabilization agency before November 27, 1945, and any increases in the costs for materials (including purchased parts and subassemblies) purchased in the same quantities from the same source of supply from which the applicant customarily purchased such materials during the six months' period immediately preceding October 1, 1941, but not costs in excess of the maximum price of such materials in effect on November 27, 1945. The applicant may report to the OPA any increases in costs of materials and wage or salary increases occurring subsequent to November 27, 1945, but the recognition of such increases in the computation of adjusted costs shall be subject to the provisions of Executive Orders 9599 and 9651, such directives and instructions thereunder as are issued by the Stabilization Administrator, and the applicable standards of the OPA.

(c) *Applications based upon an appropriate decrease of other prices.* (1) Upon application of the seller, the OPA may make an adjustment of the maximum price of a product if the seller agrees to make and (simultaneously with an increase in the maximum price that may be authorized under this paragraph (c) accepts as new maximum prices a reduction in other selling prices which will equal or exceed the total dollar amount of the adjustment granted under this paragraph.

(2) The OPA, upon its own motion or upon application from the seller, may also make an adjustment of the maximum prices of products for which the seller has made application or has received adjustment under paragraph (b) on the over-all or divisional adjustment basis so that the price increase allowed may be applied in varying amounts to several products or lines of products. In making such adjustments, OPA may consider (i) the general level of prices of the products for which adjustment is proposed; (ii) the cost of the products for which adjustment is proposed; (iii) the average profitability of all the seller's products; (iv) the effect of the adjustment upon price control with respect to other commodities.

(3) An application for price adjustment under this paragraph (c) must show that if the proposed adjustment is granted the gross dollar amount of sales of the products affected by the adjustment will not be greater than it would have been in the absence of the adjustment, and that the general level of the prices of these products to the ultimate users will not be increased by reason of this adjustment under this paragraph. Whenever the OPA grants such an adjustment, it may require appropriate reports relating to the products affected.

(d) *Resellers.* Orders issued under this section may establish new maximum prices or a method of determining new maximum prices for sales by resellers of the products covered by such orders. Such new prices or methods of determining prices will supersede maximum prices established by the applicable regulations for such sales and will be consistent with the standards applied by the OPA to resellers.

(e) *How the seller proceeds in applying for an adjustment under this section—*(1) *Application forms.* A seller who desires to apply for an adjustment may apply at the same time for an adjustment under paragraphs (b) and (c) if the facts of his case warrant it. In such cases, the office considering his application will give the adjustment under paragraph (b) before applying paragraph (c). An application for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1 and shall be made on copies of Form OPA-6083:2644, Form OPA-6083:2645, or Form OPA-6083:2646, set out in Appendix A of this order, if the application is filed under paragraph (b). No stated form of application is provided for applications under paragraph (c).

(2) *Where to file.* Applications shall be filed in the OPA National Office, except in cases where the seller's total sales of all commodities during the pre-

vious year were less than the following amounts: if the applicant includes products under Maximum Price Regulation 246, the amount is \$300,000; otherwise, the amount is \$500,000. All other applications shall be filed with the Regional Office of the OPA located in the same region in which the seller's business is located.

(3) *Application based on proposed wage or salary increase to be approved by authorized Federal agency.* A seller who believes that the conditions for an adjustment set forth in paragraph (b) would exist if an authorized Federal agency should approve a pending application for wage or salary increase pursuant to Executive Orders 9599 and 9651 and such directives and instructions thereunder as are issued by the Stabilization Administrator, may file an application for adjustment under this paragraph.

(f) *Prices for deliveries made pending disposition of the application.* A seller who has filed an application under paragraph (e) for adjustment of maximum prices under paragraph (b) may contract or agree that deliveries made during the pendency of the application shall be at a specific price which is higher than the existing maximum price which the seller wants to have adjusted. However, no payment in excess of that existing maximum price may be received until final disposition is made of the application. Where the application is disposed of by an order issued under this section, the price received for deliveries made subsequent to the filing of the application may not exceed the maximum price as determined by the OPA. Where the application is disposed of by an order of general applicability, payment in excess of the maximum price in effect at the time of delivery may be made for deliveries made pending disposition of the application, only as expressly authorized by order of the Price Administrator. The provisions of this paragraph are not applicable to sellers applying under paragraph (c).

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

(1) The maximum price for the product;

(2) The fact that the appropriate application for an adjustment of that maximum price has been filed with the OPA; and

(3) The fact that the specific price quoted by him is subject to the approval of the OPA.

• This Supplementary Order No. 142 shall become effective December 11, 1945.

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

Forms printed in the FEDERAL REGISTER are for information only, and do not follow the exact format prescribed by the issuing agency.

Issued this 11th day of December 1945.

CHESTER BOWLES,  
Administrator.



## APPENDIX A—FORMS FOR APPLICATION FOR PRICE ADJUSTMENT

Applications for price adjustment may be filed upon the following forms, or the applicant may make copies of the portions of the forms providing for submission of essential data (omitting instructions) and file with the OPA.

OPA Form No. 6083-2644, Bureau Budget No. 68R-1559.

UNITED STATES OF AMERICA  
OFFICE OF PRICE ADMINISTRATION

APPLICATION FOR ADJUSTMENT OF MAXIMUM  
PRICES UNDER SUPPLEMENTARY ORDER NO. 142

## APPLICATION FORM I

(For use in applying for price adjustment on an over-all company, or division of the company basis.)

Name of firm.....  
Address of firm.....

Phone No..... Date.....

(File two copies of this application with your Regional OPA Office if your total sales for previous year were less than \$500,000 (\$300,000 in case of MPR 246). Otherwise file with Machinery Branch, OPA, Washington 25, D. C.)

GENERAL INSTRUCTIONS FOR FILING APPLICATION UNDER SUPPLEMENTARY  
ORDER NO. 142

S. O. 142 provides a procedure by which manufacturers of products covered by the following regulations may apply for adjustment in the prices of such products:

Revised Maximum Price Regulation 136—Machines, Parts, and Industrial Equipment (except automotive trucks, motorcycles, buses, and house and truck trailers).  
Maximum Price Regulation 67—New Machine Tools.  
Maximum Price Regulation 82—Wire and Cable.  
Maximum Price Regulation 246—Manufacturers' and Wholesale Prices on Farm Equipment.  
Maximum Price Regulation 351—Ferrous Forgings.  
Maximum Price Regulation 523—Plastic Products.  
Maximum Price Regulation 581—Industrial Services.

Your application for price adjustment under S. O. 142 may be made on any one of four bases as described in the table below. In each case the data which you must submit is dependent on whether or not you have had recent normal operating experience. The table indicates which one of three application forms should be used in each situation.

Basis of adjustment	Extent of price adjustment which will be allowed (if any)	Application form to use	
		Where recent normal operating experience	Where no recent normal operating experience
1 Over-all profit and loss statement.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) plus a normal profit margin. An "increase factor" will be determined to apply to all the products of the company which are covered by the above regulations.	Use Application Form I (OPA Form No. 6083-2644).	
2 Profit and loss statement for a division (or plant) of the company for which separate accounting records are kept.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense). An "increase factor" will be determined to apply to all the products of the division (or plant) which are covered by the above regulations.	Use Application Form IIA (OPA Form No. 6083-2645).	
3 Unit cost data for representative items of a line (or group) of products.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) for the representative items taken as a whole. The computed "increase factor" will be made to apply to all the items of the line, or group of products.	Use Application Form IIA (OPA Form No. 6083-2645).	Use Application Form IIB (OPA Form No. 6083-2646).
4 Unit cost data for individual items.	Prices will be increased sufficiently to cover allowable total manufacturing costs for each item. New prices are computed by the applicant to become effective 20 days after OPA acknowledges the application (unless notification to contrary is given by OPA).	(These forms may be used only if you maintain unit costs which can be supported by your records.)	

You should use this form only if you are applying on the basis of (1) or (2) above.

## SCHEDULE I—SALES BREAKDOWN

Fill in the following schedule relating to the breakdown of sales for your entire company

Major groups of products sold	Fiscal year ended nearest 12-31-41 <sup>A</sup>	Fiscal year ended nearest 12-31-44	Recent period months ended 1945 <sup>B</sup>	Anticipated sales for next year
1 Groups for which relief is requested.	(1)	(2)	(3)	(4)
a				
b				
c				
d				
e				
2 Groups—no relief requested				
f				
g War work (not regular lines)				
3 Total of all products sold				

## INSTRUCTIONS FOR SCHEDULE I

<sup>A</sup> If you do not consider the year ended nearest December 31, 1941, as one of normal pre-war production, submit similar data on a separate sheet for the fiscal year ended nearest December 31, 1940.

<sup>B</sup> This period should cover at least three months.

## SCHEDULE II—BASIC FINANCIAL INFORMATION

Fill in the following information for either the entire company or for a division (or plant) of the company for which separate accounting records are maintained (depending on whether you have filed on the basis of (1) or (2) under General Instruction above). Read carefully instruction "F" below before filling in forms.

	Check <input type="checkbox"/> Div <input type="checkbox"/>	Fiscal year ended nearest 12-31-41 <sup>A</sup>	Fiscal year ended nearest 12-31-44	Recent period months ended 1945 <sup>B</sup>
1 Financial statement for entire company or for.....				
a Net sales				
b Cost of goods sold				
i Direct materials				
ii Direct labor <sup>C</sup>				
iii Indirect labor			XXXXXX	XXXXXX <sup>F</sup>
iv Indirect materials and supplies			XXXXXX	XXXXXX
v Other manufacturing expense			XXXXXX	XXXXXX
vi Total other mfg. exp. (iii+iv+v) <sup>D</sup>				
vii Net change in inventories				
viii Total cost of goods sold				
c Gross profits				
d General, administrative and selling expense <sup>E</sup>				
e Net operating profit				
f Other income and deductions (net)				
g Net profit before income taxes				
2 Additional information required for entire company if (1) was filled out for Div.				
a Net sales				
b Direct materials				
c Direct labor				
d Total mfg. expense				
e General, administrative and selling expense.				

3 Additional information required if (1) was filled out for the entire Company.

a If not previously filed, submit balance sheet and profit and loss statements on OPA Form 403-50 Base Period Financial Report, or on your own prepared statements for the years 1936-40. If your own prepared statements are presented the profit and loss statement should contain as a minimum the following items: net sales, costs of goods, net operating profit and net profit before taxes.

b If not previously filed, submit your most recent balance sheet and your balance sheet as of the end of the fiscal year ended nearest December 31, 1941, on OPA Financial Reporting Form A or your own prepared statement.

Footnotes on following page.



## INSTRUCTIONS

A If you do not consider the year ended nearest 12-31-41 as one of normal pre-war production, submit similar data on a separate sheet for the year ended nearest 12-31-40.

B This period should be at least three months in length.

C If the content of "direct labor" for the recent period differed in any important respects from its content for the fiscal year ended nearest 12-31-41 because of a change in accounting procedure, explain fully on a separate sheet. (This need not be done if you are using the "Projected Basis" as described below.)

D If you are applying on the "Current Basis" as described below you may omit breakdown of "total other factory expense" and fill in line b (vi) only—omitting lines b (iii), (iv), and (v).

E If the content of "General, Administrative and Selling" expense for the recent period differed in any important respects from its contents for the fiscal year ended nearest 12-31-41 because of a change in accounting procedure, explain fully on a separate sheet. (This need not be done if you are using the "Projected Basis" as described below.)

F If you have granted any "unapproved" wage increases since August 18, 1945, as defined in Executive Orders 9599 and 9651 (and in directives issued thereunder by the Stabilization Director) you must indicate the amount by which "direct labor" should be reduced so as to reflect its cost without these unapproved increases. This does not apply to recognized increases including: (1) increases approved by the appropriate wage and salary stabilization agency under Exec. Orders 9599 and 9651; (2) increases lawfully made or approved by the appropriate wage stabilization agency before 8-18-45; and (3) increases made after 8-18-45, under WLB Gen. Order 30, relating to increases up to 55¢ per hr. If you have granted only recognized increases, a statement to this effect should be made in your application.

## IMPORTANT

Schedules I and II above must be filled in completely by all applicants. If you have had recent normal operating experience as defined below you need not submit the information requested in schedules III, IV, and V. If you have not had recent normal operating experience as defined below complete the rest of form.

If your company has available recorded data which accurately reflects normal operating experience, use is made of such data in determining any allowable price increases. This is referred to as the "Current Basis." If no such data is available, use is made of pre-war data projected to reflect certain basic changes which have occurred since that time (referred to as "Projected Basis"). To assist OPA in determining which basis to use in your case, check the answers to the following questions:

- |  |   |
|--|---|
| 1. Do you have available for the company or accounting division (whichever is applicable) a recent profit and loss statement of at least three months duration which reflects normal operating experience for the products for which relief is requested?  | Yes No  |
| 2. Were "Net Sales" in this statement at an annual rate in excess of 75% of "Net Sales" for the fiscal year ended nearest 12-31-41? (See Sch. II.)   | <input type="checkbox"/> <input type="checkbox"/> |
| 3. Were "Net Sales" in this statement at an annual rate in excess of 75% of "Net Sales" for the three immediately preceding months? (Show here net sales for this previous 3 months period \$_____.)   | <input type="checkbox"/> <input type="checkbox"/> |
| 4. Were sales of the major products for which relief is requested for the "recent" period (Column 3 Sched. I) in approximately the same proportions as you expect for the coming year? (Note: If answer is "Yes" and expected sales for this period are in different proportions from sales for 1941, explain fully on separate sheet why these proportions are expected to continue.)   | <input type="checkbox"/> <input type="checkbox"/> |
| 5. Were sales made to different classes of purchasers of the products for which relief is requested in the "recent period" in approximately the same proportions as you expect for the coming year? (Note: If answer is "Yes" and the expected proportion of sales to different classes of purchasers for this period varied considerably from the proportions of 1941, explain fully on a separate sheet why these changed proportions are expected to continue.) | <input type="checkbox"/> <input type="checkbox"/> |
| 6. Do your costs of production in the "recent accounting period" accurately reflect methods of production which you plan to use in the next year? Answer "No" for instance if the amount of subcontracted work was higher than is anticipated for next year, or if inefficient methods necessitated by war conditions were still being reflected in costs of production for recent period.   | <input type="checkbox"/> <input type="checkbox"/> |

If you have answered "No" to any of the above questions proceed with schedules III, IV, and V. If you have answered "Yes" to all questions you need not proceed beyond this point. In case of doubt it will be best to fill in schedules III, IV, and V.

## SCHEDULE III—CHANGES IN PRICES OF DIRECT MATERIAL AND PURCHASED PARTS

The purpose of this Schedule is to determine a weighted average percentage increase from October 1, 1941 to November 27, 1945 in the prices paid for direct material and parts as purchased by you for manufacture into the products produced by the company (or division of the company) whose operations are described in Schedule II. In determining the "Value of Materials Used" in Col. (1) of the Schedule proceed as follows:

- If a wide variety of products are produced, use the first available of the following which can be determined accurately:
  - The value of the materials actually used during the prewar period of Schedule II.
  - The value of the materials purchased during the prewar period.
  - An estimate of the materials used during the prewar period.
- If a comparatively small number of similar products are produced:
  - Select a representative product which uses the principal materials in amounts bearing a reasonable relation to the totals for the entire company (or division) and determine the "Value of Materials Used" from a bill of materials for this product.
  - If no one product fills the requirements of 2 (a) you may select and add together the bills of materials of several products.

NOTE: If (2) is used, give name of product on which materials increase was based and indicate the volume of sales of that product in the pre-war period used in Schedule II.

Description of materials, parts, and subassemblies used directly A	Value of materials used B	Net purchase price per unit		Percent increase Col. 3- Col. 2 divided by Col. 2	Name of principal supplier E
		Oct. 1, 1941 C	Nov. 27, 1945 D		
(1)	(2)	(3)	(4)	(5)	
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12 All other F		XXXX	XXXX		XXXXXXXX
13 Total		XXXX	XXXX		XXXXXXXX

## INSTRUCTIONS

A "Description of Material" may refer either to individual items or to groups of items where a wide variety of such items are purchased (such as castings, forgings, or various types of steel or lumber). In the case of individual items the "Description of Materials" should be specific and complete for each item setting forth the name of the material, form, size, etc., for raw materials, and the name and supplier's designation for component parts and subassemblies. Where a wide variety of items is referred to, give the class of products under the "Description" and show average prices in columns (2) and (3) if such averages have significance. Otherwise make entries only in Columns (1) and (4). Wherever practical, the first method should be used.

B See introductory statement above.

C Show October 1941 price paid per unit of the material or part. This should be the price you actually paid your principal supplier in October 1941 in a normal or regular purchase. If you did not make a purchase in October, give the price quoted to you by your principal supplier in October 1941 (on your usual size purchase).

D Report prices as of November 27, 1945 whenever such prices are known. If the current price is in excess of the November 27, 1945, price you may report such an increase on a separate sheet but recognition of such increases are subject to Executive Orders 9599, 9651, such directives as are issued thereunder, and the applicable standards of OPA. Where November 27, 1945, prices are unknown, report current prices (not to exceed legal maximum prices) of your principal supplier for purchases in the same quantities as used in determining the price in Column 2 of those materials and parts which are currently on the market and OPA will make the necessary adjustment. For any materials and purchased parts which have not been obtained recently report your prospective supplier's lowest quotation and indicate with an asterisk (\*) all such prices which have not received OPA approval.

E Name of recent supplier should be given if materials have been obtained recently; otherwise give name of 1941 supplier. Place a check mark (✓) opposite the name of the recent supplier if different from the base period supplier.

F "All Other" if possible, should not account for more than 2% of the total. Give an estimate of the percentage increase in the column provided for this purpose.

## SCHEDULE IIIA—CHANGES IN PRICES OF INDIRECT MATERIALS AND SUPPLIES

Give estimate of average increase in legal prices of indirect materials and supplies —%. If estimated increase is more than 12%, fill out schedule similar to Schedule III for indirect materials and supplies.

## INTRODUCTION TO SCHEDULES IV AND V—CHANGES IN BASIC WAGE RATES

Either Schedule IV or Schedule V may be used to obtain data necessary to measure certain increases in your basic wage rates of factory employees from October 1, 1941, to November 27, 1945. This refers to increases in single rates, or in ranges of rates (measured from the midpoint of the old range to the midpoint of the new) for one or more job classifications, as distinguished from increases affecting single employees. If Schedule II is filled out for a division (or plant) of the company, "factory employees" refers to all workers included in "direct labor" (line 1b ii). If Schedule II is filled out for the entire company "factory employees" includes "indirect labor" as well as "direct labor". Ordinarily this should include, in addition to productive workers, the maintenance, supervisory and other indirect workers. Sales and administrative employees should not be included. The OPA will recognize any increases in wages or salaries approved by the appropriate stabilization agency on or before Nov. 27, 1945. You may report any increases since that time but the recognition of such increases in the computation of adjusted costs shall be subject to the provisions of Executive Orders 9599, 9651, such directives as are issued thereunder by the Stabilization Director, and the applicable standards of OPA.

The following lists of recognized increases show types of increases which may be included and those which may not be included.



*Types of increases which may be included.*—1. A plant-wide or any other general increase affecting a considerable portion of the positions in the plant which provides (a) a uniform change in cents per hour or per piece, (b) a uniform percentage change for all jobs covered by the action, or (c) a systematic list of differential increases among jobs.

2. Increases in cents per hour, or percent, to one or more job classification rates, rate ranges, piece rates or incentive wage rates.

3. Changes in the structure of incentive plans which affect the amount that can be earned for the same quantity and quality of work as represented by the average worker affected as of the date the changes were made.

4. An action in which the War Labor Board awards have provided for internal readjustment of wage rates amounting to a specified average increase.

5. Increases to equalize job rates for women, or for other groups of persons with rates for work of equal quantity or quality already paid generally, but in no case shall the weight given such a change exceed the proportion of the plant's employees in those groups previously paid at lower rates on the payroll period covering most of October 1-15, 1941.

*Types of increases which will not be included.*—1. In-grade promotions or any change in wage for the individual as distinguished from a change in the rate for the job.

2. Changes in vacation policies, nonproduction bonuses, or pay for overtime.

3. Increases granted automatically for length of service at stated intervals or after given periods.

4. Increases in earnings because of greater worker productivity under an incentive plan.

5. Changes in piece rates resulting from drastic changes in products, unless there has been a specific bargaining agreement to increase earnings during the process of revision.

6. Higher shift differentials except for plants which have multiple shifts in the major part of the plant's operations in 1941.

*Methods which may be used.*—You may determine your increase in basic wage rates by either one of two methods: (1) by an analysis of individual wage actions (Schedule IV), or (2) by a comparison of occupational wage rates as of October 1, 1941 and the present time (Schedule V).

#### SCHEDULE IV—CHANGES IN BASIC WAGE RATES (ANALYSIS OF WAGE ACTIONS)

This method should be used wherever possible. If you had established job classifications on October 1, 1941, you should be able to fill in A below completely. If no such job classifications were in effect on October 1, 1941, fill out the schedule for the period from October 2, 1942, to November 27, 1945, and data obtained from B will be used to measure the change from October 1, 1941 to October 2, 1942. B should be filled in completely in either case.

##### A. Individual wage actions

Department, occupation or job classifications affected	Date of adjustment	Adjustment (cents per hour or percent) <sup>B</sup>	Average straight-time hourly earnings before adjustment (omit if Col. 3 is completed in cents) <sup>C</sup>	Percent in Col. 3 x amount in Col. 4 <sup>D</sup>	Percent of total workers in division receiving increase <sup>E</sup>	Amount in Col. 5 or Col. 6 x percent in Col. 6	WLB authority <sup>F</sup>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1							
2							
3							
4							
5							
6							
7							
8							
9							
10 Total	XXXX	XXXX	XXXX	XXXX	XXXX		XXXX

B. Computation of average straight time hourly rate	Oct. 1, 1941	Oct. 1, 1942	Nov. 27, 1945
1 Pay-roll period (use the last period prior to the three dates shown in vertical columns).	From To	From To	From To
2 Total hours worked for factory employees during period.	hrs.	hrs.	hrs.
3 Total earnings at straight time rates. <sup>G</sup>	\$	\$	\$
4 Average straight time hourly earnings (line 3 ÷ line 2).	\$	\$	\$

#### INSTRUCTIONS (FOR SCHEDULE IV)

<sup>A</sup> An entry should be made for each separate occasion of a wage increase among the factory employees for the organization unit of the business reported in Schedule II. The change might involve only one job, or might include several job classifications, or even the whole of a department or plant.

<sup>B</sup> If an entry in this column covers more than one job classification, rate or rate range receiving nonuniform increases, the amount reported should represent the weighted average of all the increases. The weighted average may be determined by multiplying the amount of each separate increase by the number of employees receiving the increase.

<sup>C</sup> Fill in this column only in case the increase in column (3) is stated in percent. Select a pay-roll period immediately preceding the date of the adjustment and determine the average hourly earnings during that period for the group of employees receiving the increase.

<sup>D</sup> This operation is for the purpose of converting any increases expressed in percentage in column 2 into cents per hour.

<sup>E</sup> Compute the percentage of workers affected by dividing the number of employees to which the rate change applies by the total number of factory employees on the payroll at the time the change was effected.

<sup>F</sup> For each adjustment since October 2, 1942, the WLB office approving such adjustment and the order number and date must be listed for each adjustment requiring specific WLB approval. For other adjustments, such as those made under WLB General Orders, indicate the type of authorization.

<sup>G</sup> Total earnings of employees at straight-time rates means earnings (1) before deductions for social security, withholding taxes, insurance, hospitalization dues, etc., (2) inclusive of regularly recurring bonus payments, such as production bonuses, and (3) exclusive of extra payments for overtime, and bonus payments that are not a part of regular earnings.

#### SCHEDULE V—CHANGES IN BASIC WAGE RATES (ANALYSIS OF OCCUPATIONAL WAGE RATES)

This alternative method may be used when the method of Schedule IV cannot be used without excessive difficulty.

Occupation or job classification (welder, class B, assembler, etc.) <sup>A</sup>	Number of employees, October 1941 <sup>B</sup>	Wage rate—October 1941			Col. 2 x Col. 5	Straight-time hourly wage rate Nov. 27, 1945			Col. 2 x Col. 9
		Rate range <sup>C</sup>		Specific rate or midpoint of rate range <sup>D</sup>		Rate range <sup>C</sup>		Specific rate or midpoint of rate range <sup>D</sup>	
		Minimum rate	Maximum rate			Minimum rate	Maximum rate		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18 Total.....		XXXX	XXXX	XXXX		XXXX	XXXX	XXXX	

#### INSTRUCTIONS

<sup>A</sup> List the most important occupation or job classifications of factory employees on pay roll during last period prior to October 1, 1941, for the organizational unit reported in Schedule II. Account for at least 75% of the total employees.

<sup>B</sup> Give number of employees in each occupation or job classification for this same period.

<sup>C</sup> If there existed an established range of rates for the job during the period specified, list the minimum and maximum straight-time rates in the appropriate columns.

<sup>D</sup> If entries were made in the two previous columns, enter here the midpoint between these maximum and minimum rates. Otherwise enter the specific straight-time rate applicable to the job for the period specified.

I certify that the facts submitted in this application are true and correct.

Sign here. (Signature of officer) (Title) (Date)



OPA Form No. 6083-2645 Bureau Budget No. 08R-1500.

UNITED STATES OF AMERICA  
OFFICE OF PRICE ADMINISTRATIONAPPLICATION FOR ADJUSTMENT OF MAXIMUM  
PRICES UNDER SUPPLEMENTARY ORDER NO. 142

## APPLICATION FORM IIA

(For use in applying for price adjustment of individual items or lines of products on basis of recent unit cost data reflecting normal operating experience.)

Name of firm.....  
Address of firm.....  
Phone number..... Date.....

(File two copies of this application with your Regional OPA Office if your total sales for the previous year were less than \$500,000 (\$300,000 in case of MPR 246). Otherwise, file with the Machinery Branch, OPA, Washington 25, D. C.)

GENERAL INSTRUCTIONS FOR FILING APPLICATION UNDER SUPPLEMENTARY ORDER NO 142  
S. O. 142 provides a procedure by which manufacturers of products covered by the following regulations may apply for adjustment in the prices of such products:Revised Maximum Price Regulation 136—Machines, Parts and Industrial Equipment (except automotive trucks, motorcycles, buses and house and truck trailers);  
Maximum Price Regulation 67—New Machine Tools  
Maximum Price Regulation 82—Wire and Cable  
Maximum Price Regulation 246—Manufacturers and Wholesale Prices for Farm Equipment  
Maximum Price Regulation 351—Ferrous Forgings  
Maximum Price Regulation 523—Plastics Products  
Maximum Price Regulation 581—Industrial Services

Your application for price adjustment under S. O. 142 may be made on any one of four bases as described in the table below. In each case, the data which you must submit is dependent on whether or not you have had recent normal operating experience. The table indicates which one of three application forms should be used in each situation.

Basis of adjustment	Extent of price adjustment which will be allowed (if any)	Application form to use	
		Where recent normal operating experience	Where no recent normal operating experience
1 (Over-all profit and loss statement).	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) plus a normal profit margin. An "increase factor" will be determined to apply to all the products of the company which are covered by the above regulations.	Use Application Form I (OPA Form No. 6083-2644).	
2 Profit and loss statement for a division (or plant) of the company for which separate accounting records are kept.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense). An "increase factor" will be determined to apply to all the products of the division (or plant) which are covered by the above regulations.	Use Application Form IIA (OPA Form No. 6083-2645).	
3 Unit cost data for representative items of a line (or group) of products.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) for the representative items taken as a whole. The computed "increase factor" will be made to apply to all the items of the line, or group of products.	Use Application Form IIB (OPA Form No. 6083-2646).	
4 Unit cost data for individual items.	Prices will be increased sufficiently to cover allowable total manufacturing costs for each item. New prices are computed by the applicant to become effective 20 days after OPA acknowledges receipt of the application (unless notification to the contrary is given by OPA).	(These forms may be used only if you maintain unit costs which can be supported by your records.)	

## WHEN THIS FORM IIA IS TO BE USED

You may use this form if you are applying on the basis of either (3) or (4) above, maintain unit costs which can be supported by your records, and if you have available current cost data reflecting normal cost experience for the items, or line of product, for which price adjustment is desired. You are considered to have had normal operating experience for an item if all the following conditions are met: (a) sales for the last three months were at an annual rate in excess of 75% of sales for the year 1941, (b) sales for the last three months were in excess of 75% of sales for the immediately preceding three months' period and (c) current costs reflect methods of production such as will be in use for the coming period. (You do not meet this test, for instance, if current costs reflect an abnormal amount of subcontracting work, or if the use of inefficient methods of production necessitated by war conditions, have not been eliminated.)

## SCHEDULE I—SALES INFORMATION

In the following schedule allow one line to an item. If application is being made for a line (or group) of products, select representative items which accurately reflect the average cost-price relationship of the line (or group) and fill in the requested information for these items, including the two "Total Columns." The items selected should account for at least 25% of total sales in 1941, but you need not submit data for more than eight items if these are truly representative. If you are not able to select a representative

sample of items for the line, all of which meet the tests for recent normal operating experience (lines 4 and 5 below), obtain copy of Application Form IIA and fill out for other representative items which do not meet the tests for normal operating experience.

	Identify each item (name, catalog numbers, etc.) in the spaces below				Total of cols. (1), (2), (3), and (4)	Total sales of entire line
	(1)	(2)	(3)	(4)		
1 Sales—last 3 months $\times 4$ .						
2 Sales—3 previous months $\times 4$ .						
3 Sales—year ended 12/31/41.						
4 Line 1+line 2.						
5 Line 1+line 3.						

## INSTRUCTIONS

A If your sales of these items are seasonal so that sales for the period are not truly representative, you may submit additional data to demonstrate that sales of the items are actually at a rate in excess of 75% of normal sales for the year 1941.

## PART A—COMPUTATION OF NEW MAXIMUM PRICES FOR INDIVIDUAL ITEMS

## SCHEDULE II—COMPUTATION OF AVERAGE DISCOUNT

The purpose of this schedule is to determine for the last three months period the average discounts from list (or gross) prices for each item listed in Schedule I, when such items were sold to more than one class of purchaser. If sales to different classes of purchasers for this period are not representative of anticipated sales for the coming year, you may submit supplementary information relating to this for consideration by OPA.

	Columns refer to corresponding columns of Schedule I							
	(1)		(2)		(3)		(4)	
	Amount	Percent Discount	Amount	Percent Discount	Amount	Percent Discount	Amount	Percent Discount
1 Sales to final users.								
2 Sales to dealers.								
3 Sales to jobbers.								
4 Sales to others.								
5 Total sales—Average discount.		%		%		%		%

## SCHEDULE III—COMPUTATION OF NEW MAXIMUM PRICES

Fill in the following information for each item listed in Schedule I.

	Columns refer to corresponding columns of Schedule I			
	(1)	(2)	(3)	(4)
1 List (or gross) price on base date in regulation.				
2 Current maximum list (or gross) price.				
3 Unit cost on base date of regulation.				
a Direct labor (excluding overtime premiums).				
b Direct materials.				
c Factory overhead (including overtime premiums).				
d Total factory cost (3a+3b+3c).				
e Line 3c + (line 3a+line 3b).				
4 Allowable current factory costs.				
a Direct materials.				
b Direct labor <sup>A</sup> (excluding overtime premiums and unapproved wage increases) <sup>B</sup> .				
c Actual factory overhead (including overtime) <sup>C</sup> .				
d Computed factory overhead (Line 4a+line 4b) $\times$ line 3e.				
e Total allowable factory cost (4a+4b+smaller of 4c or 4d).				
5 Computed new list price (line 4e+100% minus percent figure of line 5 of Schedule II).				



## INSTRUCTIONS TO SCHEDULE III

**A** If the current content of "direct labor" differs in any important respects from its content on the base date, make adjustments needed to express current and base date "direct labor" and "factory overhead" on the same basis and explain fully on a separate sheet.

**B** If you have granted any "unapproved" wage increases since August 18, 1945, as defined in Executive Orders 9599 and 9651 (and in directives issued thereunder by the Stabilization Director), you must indicate (on a separate sheet) the amount by which "direct labor" should be reduced so as to reflect its cost without these unapproved increases. This does not apply to recognized increases including: (1) wage increases approved by the appropriate wage and salary stabilization agency under Executive Orders 9599 and 9651, (2) increases lawfully made or approved by the appropriate wage stabilization agency before August 18, 1945, and (3) increases made after August 18, 1945, under W.L.B. General Order 30 relating to increases up to 55 cents per hour. If you have granted only recognized increases, a statement to this effect should be made in your application.

**C** If the current method of allocating "factory overhead" is different in any important respects from the method used on the base date, make adjustments needed to express current and base date factory overhead on the same basis, and explain fully on a separate sheet.

**NOTE.**—If cost data in part A above are for representative items of a line (or group) of products, fill in part B below. If cost data in part A are for individual items, you need not fill in part B.

## PART B—NEW MAXIMUM PRICES FOR A LINE (OR GROUP) OF PRODUCTS

## SCHEDULE IV—ADDITIONAL DATA REQUIRED

If application is being made for "representative items" of a line, or group, of products, fill in the following schedule. In this case, OPA will determine the amount of increase, if any, and notify you accordingly.

1 Selling, general, and administrative expense for representative items	Columns refer to corresponding columns of Schedule I			
	(1)	(2)	(3)	(4)
a Base date selling, general and administrative expense				
b Current selling, general and administrative expense				
2 Sales and expense data for division of company producing representative items	For Period Including Base Date (at least 3 months in length)		For Recent Period (at least 3 months in length)	
a Total net sales for period shown				
b Total selling, general and administrative expense for division				

**NOTE.**—If any expenditures classified as selling, general or administrative expense on the base date are now classified as factory overhead, or vice versa, explain fully.

I certify that the facts submitted in this application are true and correct.

Sign here \_\_\_\_\_ Signature of officer \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

OPA Form No. 6083-2646 Bureau Budget No. OSR-1561

UNITED STATES OF AMERICA  
OFFICE OF PRICE ADMINISTRATION

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES UNDER SUPPLEMENTARY ORDER NO. 142

## APPLICATION FORM IIB

(For use in applying for price adjustment of individual items or lines of products on basis of unit cost data when company has had no recent normal operating experience.)

Name of firm \_\_\_\_\_

Address of firm \_\_\_\_\_

Phone number \_\_\_\_\_ Date \_\_\_\_\_

(File two copies of this application with your OPA Office if your total sales for the previous year were less than \$500,000 (\$300,000 in the case of MPR 246). Otherwise file with Machinery Branch, OPA, Washington 25, D. C.

## GENERAL INSTRUCTIONS FOR FILING APPLICATION UNDER SUPPLEMENTARY ORDER NO. 142

S. O. Order No. 142 provides a procedure by which manufacturers of products covered by the following regulations may apply for adjustment in the prices of such products:

Revised Maximum Price Regulation 136—Machines, Parts and Industrial Equipment (except automotive trucks, motorcycles, buses, and house and truck trailers).  
Maximum Price Regulation 67—New Machine Tools.  
Maximum Price Regulation 82—Wire and Cable.  
Maximum Price Regulation 246—Manufacturers' and Wholesale Prices of Farm Equipment.  
Maximum Price Regulation 351—Ferrous Forgings.  
Maximum Price Regulation 523—Plastic Products.  
Maximum Price Regulation 581—Industrial Services.

Your application for price adjustment under Supplementary Order No. 142 may be made on any one of four bases as described in the table below. In each case the data which you must submit is dependent on whether or not you have had recent normal operating experiences. The table indicates which one of three application forms should be used in each situation.

Basis of adjustment	Extent of price adjustment which will be allowed (if any)	Application form to use	
		Where recent normal operating experience	Where no recent normal operating experience
1 Overall profit and loss statement.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) plus a normal profit margin. An "increase factor" will be determined to apply to all products of the company which are covered by the above regulations.	Use Application Form I (OPA Form No. 6083-2644)	
2 Profit and loss statement for a division (or plant) of the company for which separate accounting records are kept.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense). An "increase factor" will be determined to apply to all the products of the division (or plant) which are covered by the above regulations.		
3 Unit cost data for representative items of a line (or group) of products.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) for the representative items taken as a whole. The computed "increase factor" will be made to apply to all the items of the line, or group of products.	Use Application Form IIA (OPA Form No. 6083-2645).	Use Application Form IIB (OPA Form No. 6083-2646).
4 Unit cost data for individual items.	Prices will be increased sufficiently to cover allowable total manufacturing costs for each item. New prices are computed by the applicant to become effective 20 days after OPA acknowledges the receipt of application (unless notification to the contrary is given by OPA).	(These forms may be used only if you maintain unit costs which can be supported by your records.)	

**When this form IIB is to be used.**—You should use this form if you are applying on the basis of either (3) or (4) above, maintain unit costs which can be supported by your records, but do not have available current unit cost data reflecting normal cost experience for the items, or lines of products, for which price adjustment is desired. You are considered not to have normal operating experience for an item if any of the following conditions exist: (a) sales for the last three months were at an annual rate less than 75% of sales for the year 1941, (b) sales for the last three months were less than 75% of sales for the immediately preceding three month period, and (c) current costs reflect abnormalities which will not exist in the coming year (such as, an abnormal amount of subcontracting work, or the use of inefficient methods of production, necessitated by war conditions which have not as yet been eliminated). To indicate your position in these respects fill in Schedule I below. The percentage comparisons are indicated in lines (3) and (4).

## SCHEDULE I—SALES INFORMATION

In the following schedule allow one line to an item. If application is being made for a line (or group) of products select representative items which accurately reflect the average cost-price relationship of the line (or group) and fill in the requested information for these items, including the two "total columns." The items selected should account for at least 25% of total sales in 1941, but you need not submit data for more than eight items if these are truly representative. In selecting a sample you may include on this application form items for which you have costs reflecting recent normal operating experience, as well as for those for which you do not have such experience.

	Identify each item (name, catalog numbers, etc.) in the spaces below				Total of Col. (1), (2), (3) and (4)	Total sales of entire line
	(1)	(2)	(3)	(4)		
1 Sales—last 3 months x 4 <sup>a</sup>						
2 Sales—3 previous months x 4						
3 Sales—year ended Dec. 31, 1941						
4 Line 1 ÷ line 2						
5 Line 1 ÷ line 3						

<sup>a</sup> If your sales of these items are seasonal in nature so that sales for the period are not truly representative, you may submit additional data to demonstrate that sales of the items are actually at a rate in excess of 75% of normal sales for the year 1941.



## PART A—COMPUTATION OF NEW MAXIMUM PRICES

## SCHEDULE II—COMPUTATION OF AVERAGE DISCOUNT

The purpose of this schedule is to determine for the year 1941 or some significant part thereof the average discounts from list (or gross) prices for each item listed in Schedule I, when such items were sold to more than one class of purchaser. If sales to different classes of purchasers for this period were not representative of anticipated sales for the coming year, you may submit supplementary information relating to this for consideration by OPA.

	Columns refer to corresponding columns of Schedule I							
	(1)		(2)		(3)		(4)	
	Amount	% Discount	Amount	% Discount	Amount	% Discount	Amount	% Discount
1 Sales to final users.								
2 Sales to dealers.								
3 Sales to jobbers.								
4 Sales to others.								
5 Total sales—Average discount.		%		%		%		%

## SCHEDULE III—COMPUTATION OF NEW MAXIMUM PRICES

Fill in the following information for each item listed in Schedule I.

	Columns refer to corresponding columns of Schedule I			
	(1)	(2)	(3)	(4)
1 List price on base date of regulation.				
2 Current maximum list (or gross) price.				
3 Unit cost on base date of regulation.				
a Direct materials.				
b Direct labor (excluding overtime premiums).				
c Factory overhead (including overtime premiums).				
d Total factory cost (3a+3b+3c).				
e Line 3c ÷ (line 3a+3b).				
4 Allowable unit factory costs.				
a Direct materials (line 3a increased by percentage of line 20, Col. 1 of Sch. IV).				
b Direct labor (line 3b increased by percentage of line 1c of Sch. V or line 2r of Sch. V).				
c Factory overhead (line 4+line 4b) × line 3e.				
d Total allowable factory cost (4a+4b+4c).				
5 Computed new list price (line 4d ÷ 100 percent minus percent figure of line 5, Schedule II).				
Additional data needed if you are requesting price increase for a line of products				
6 Base date general, administrative, selling expense.				

## PART B—ALLOWABLE INCREASES IN COSTS

## SCHEDULE IV—COMPUTATION OF PERCENTAGE INCREASES IN PRICES OF DIRECT MATERIALS

For the completion of line 5a of Schedule III you must determine the percentage increase since the applicable base date in the covering regulation in the prices of materials, parts and subassemblies. Where several items are listed in Schedule I, separate percentages may be determined for each item if such items are quite dissimilar with respect to the materials used and the proportions in which they are used. Otherwise fill out the schedule on the basis of all of the bills of materials of the items listed in Schedule I.

Description of materials, parts, and subassemblies used directly <sup>A</sup>	Value of materials used <sup>B</sup>	Net purchase price per unit		Percent increase Col. 3 minus Col. 2 ÷ Col. 1	Col. 4 X Col. 1
		Base date <sup>C</sup>	Nov. 27 1945 <sup>D</sup>		
	(1)	(2)	(3)	(4)	(5)
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18 All other <sup>E</sup>		XXXX	XXXXXXXX		
19 Total		XXXX	XXXXXXXX	XXXXXXXX	
20 Percent increase (Line 19, Col. 5 ÷ Line 19, Col. 1)		XXXX	XXXXXXXX	XXXXXXXX	XXXX

## INSTRUCTIONS FOR FILLING OUT SCHEDULE IV

<sup>A</sup> "Description of Materials" may refer either to individual items or to groups of items where a wide variety of such items are purchased (such as castings, forgings or various types of steel or lumber). In the case of individual items the "Description of Materials" should be specific and complete for each item setting forth the name of the material, form, size, etc., for raw materials, and the name and supplier's designation for component parts and subassemblies. Where a wide variety of items is referred to, give the class under the description and make entries only in Columns (1) and (4). Wherever practical, the first method should be used.

<sup>B</sup> Indicate here the value of the material or part in the bill of materials, or if the schedule applies to several items, the total value of the materials as indicated in all the bills of materials combined.

<sup>C</sup> Show base date price paid per unit of the material or part. This should be the price you actually paid your principal supplier or the applicable base date of the covering regulation in a normal or regular purchase. If you did not make a purchase in October, give the price quoted to you by your principal supplier in the base date month (on your usual size purchase).

<sup>D</sup> Report prices as of November 27, 1945 whenever such prices are known. If the current price is in excess of the November 27, 1945 price you may report such an increase but recognition of such increases are subject to Executive Orders 9599, 9651, such directives as are issued thereunder, and the applicable standards of OPA. Where November 27, 1945 prices are unknown report current prices (not to exceed legal maximum prices) of your principal supplier for purchases in the same quantities as used in determining the price in Column 2 of these materials and parts which are currently on the market and OPA will make the necessary adjustments. For any materials and purchased parts which have not been obtained recently report your prospective supplier's lowest quotation and indicate with an asterisk (\*) all such prices which have not received OPA approval.

<sup>E</sup> "All Other" if possible, should not account for more than 25% of the total. Give an estimate of the percentage increase in the column provided for this purpose.



# SCHEDULE V—COMPUTATION OF PERCENTAGE INCREASE IN BASIC WAGE RATE SCHEDULE

For the completion of line 5b of Schedule III you must determine the percentage increase from the applicable base date of the covering regulation to November 27, 1945 in the basic wage rates of your direct factory workers employed in the division of your business in which the items given in Schedule I are produced. Two alternative methods are provided below for determining this percentage increase. Choose the one which best suits your purpose. Full instructions for filling out the form are given below.

## 1. Percentage increase in basic wage rate schedules by analysis of individual wage actions.

### a. Analysis of individual wage actions:

Department, occupation or job classification affected	Date of adjustment	Adjustment (cents per hour or percent)	Average straight time hourly earnings before adjustment, omit if Col. (3) is in cents	Percent in Col. (3) times amount in Col. (4)	Percent of total workers in division receiving inc.	Amount in Col. (3) or Col. (5) x percent in Col. (6)	WLB authority
(1) <sup>A</sup>	(2)	(3) <sup>B</sup>	(4) <sup>C</sup>	(5) <sup>D</sup>	(6) <sup>E</sup>	(7)	(8) <sup>F</sup>
i							
ii							
iii							
iv							
v							
vi							
vii Total	xxxx	xxxx	xxxxxxx	xxxx	xxxx		xxxx

### b. Average straight time hourly earnings for the last pay roll period prior to the applicable base date of the covering regulation:

i Pay roll period used (give dates): From	To
ii Total hours worked by factory employees	Hrs.
iii Total earnings at straight time rates <sup>G</sup> \$	
iv Average straight time hourly earnings (line iii+line ii) \$	
c Increase in basic wage rate schedules—line a (vii)+line b (iv)	%

## 2. Percentage increase in basic wage rates by analysis of occupational wage rates.

Occupation or job class (welder, class B assembler, etc.	No. of em- ploy- ees base date pe- riod	Base date straight time hourly wage rate			Col. 2 × Col. 5	Nov. 27, 1945, straight time hourly wage rate			Col. 2 × Col. 9
		Rate range <sup>J</sup>		Specif- ic rate or mid- point of rate range <sup>K</sup>		Rate range		Specif- ic rate or mid- point of rate range	
		Mini- mum rate	Maxi- mum rate			Mini- mum rate	Maxi- mum rate		
(1) H	(2) I	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
a									
b									
c									
d									
e									
f									
g									
h									
i									
j									
k									
l									
m									
n									
o									
p Total	XXXX	XXXX	XXXX	XXXX		XXXX	XXXX	XXXXX	
q Line p Col 10 minus line p Col. 6									
r Wage rate increase (line q+line p Col. 6)									

## GENERAL INSTRUCTIONS FOR FILLING OUT SCHEDULE V

Either Schedule V (1) or (2) above may be used to obtain data necessary to measure certain increases in your basic wage rates of factory employees since the applicable base date in the covering regulation. This refers to increases in single rates, or ranges of rates (measured from the midpoint of the old range to the midpoint of the new) for one or more job classifications as distinguished from increases affecting single employees. "Factory employees" refers to all the workers included in "direct labor" (line 4b of Schedule II).

The OPA will recognize any increases in wages or salaries approved by any appropriate stabilization agency on or before November 27, 1945. You may report any increases since that time but the recognition of such increases in the computation of adjusted costs shall be subject to the provisions of Executive Orders 9599, 9651, such directives as are issued thereunder by the Stabilization Director, and the applicable standards of OPA.

The following lists show types of recognized increases which may be included, and those which may not be included:

**Types of changes which may be included.** 1. A plant-wide or any other general increase affecting a considerable portion of the positions in the plant which provides (a) a uniform change in cents per hour or per piece, (b) a uniform percentage change for all jobs covered by the action, or (c) a systematic list of differential increases among jobs.

2. Increases in cents per hour, or percent, to one or more job classification rates, rate ranges, piece rates or incentive wage rates.

3. Changes in the structure of incentive plans which affect the amount that can be earned for the same quantity and quality of work as represented by the average worker affected as of the date the changes were made.

4. An action in which the War Labor Board awards have provided for internal readjustment of wage rates amounting to a specified average increase.

5. Increases to equalize job rates for women, or for persons of certain races with rates for work of equal quantity or quality as already paid to men, or to persons of other races, but in no case shall the weight given such a change exceed the proportion of the plant's employees in those groups previously paid at lower rates in the pay-roll period immediately preceding the base date.

**Types of changes which may not be included.** 1. In-grade promotions or any change in wage for the individual as distinguished from a change in the rate for the job.

2. Changes in vacation policies, non-production bonuses, or pay for overtime.

3. Increases granted automatically for length of service at stated intervals or after given periods.

4. Increases in earnings because of greater worker productivity under an incentive plan.

5. Changes in piece rates resulting from drastic changes in products, unless there has been a specific bargaining agreement to increase earnings during the process of revision.

6. Higher shift differentials except for plants which have multiple shifts in the major part of the plant's operations on the base date.

**Methods which may be used.** You may determine your increase in basic wage rates by either one of two methods: (a) by an analysis of individual wage actions (Schedule V (1)) or (b) by a comparison of occupational wage rates as of the base date and the present time (Schedule V (2)).

## FOOTNOTES—SCHEDULE V

<sup>A</sup> An entry should be made for each separate occasion of a wage increase among the factory employees for the division of the business in which the items are produced. The change might involve only one job, or might include several job classifications, or even the whole of a department or plant.

<sup>B</sup> If an entry in this Column covers more than one job classification, rate or rate range receiving nonuniform increases, the amount reported should represent the weighted average of all the increases. The weighted average may be determined by multiplying the amount of each separate increase by the number of employees affected and dividing the sum of these products by the total number of employees receiving the increase.

<sup>C</sup> Fill in this Column only in case the increase in Column 3 is stated in percent. Select a pay-roll period immediately preceding the date of the adjustment and determine the average hourly earnings during that period for the group of employees receiving the increase.

<sup>D</sup> This operation is for the purpose of converting any increase expressed in percentage in Column 2 into cents per hour.

<sup>E</sup> Compute the percentage of workers affected by dividing the number of employees to which the rate change applies by the total number of factory employees on the pay roll at the time the change was affected.

<sup>F</sup> For each adjustment since October 2, 1942, the WLB Office approving such adjustment and the order number and date must be listed for each adjustment requiring specific WLB approval. For other adjustments, such as those made under WLB General Orders, indicate the type of authorization.

<sup>G</sup> Total earnings of employees at straight-time rates means earnings (1) before deductions for Social Security, withholding taxes, insurance, hospitalization dues, etc., (2) inclusive of regularly recurring bonus payments, such as production bonuses, and (3) exclusive of extra payments for overtime, and bonus payments that are not a part of regular earnings.

<sup>H</sup> List the most important occupation or job classification of factory employees on pay-roll during last period prior to the applicable date of the regulation for the division producing the item. Account for at least 75% of the total employees.

<sup>I</sup> Give number of employees in each occupation or job classification for this same period.

<sup>J</sup> If there existed an established range of rates for the job during the period specified, list the minimum and maximum time rates in the appropriate columns.

<sup>K</sup> If entries were made in the two previous columns, enter here the midpoint between these maximum and minimum rates. Otherwise, enter the specific straight-time rate applicable to the job for the period specified.

I certify that the facts submitted in this application are true and correct.

Sign here..... (Signature of officer) (Title) (Date)

[F. R. Doc. 45-22164; Filed, Dec. 11, 1945; 11:42 a. m.]



## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3, Amdt. 50]

## SUGAR

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

Second Revised Ration Order 3 is amended in the following respects:

1. Section 19.5 (c) (2) is amended to read as follows:

(2) The amount of the provisional allowance of sugar for use in canning or bottling fruit juices shall be computed in the following way separately for each kind of fruit juice:

(i) For each kind of fruit juice (other than citrus juice) the number of gallons of that kind of fruit juice (other than citrus juice) which the applicant expects to make from the date of application to the end of the quarterly period for which application is made is multiplied by 80% of the average number of pounds of sugar which he used per gallon for that kind of fruit juice (other than citrus juice) during 1941.

(ii) For each kind of citrus juice the number of gallons of that kind of citrus juice which the applicant expects to make from the date of application to the end of the quarterly period for which application is made is multiplied by 90% of the average number of pounds of sugar which he used per gallon for that kind of citrus juice during 1941.

(iii) The resulting figures for each kind of fruit juice are added together and the result is his provisional allowance for canning and bottling fruit juices. The District Office shall issue to him a check for the amount of his provisional allowance less any unused balance of his last provisional allowance of sugar issued for canning and bottling fruit juices.

2. Section 19.5 (d) is amended to read as follows:

(d) *Restriction on use.* If an industrial user receives a provisional allowance under this order for canning and bottling any kind of fruit juice, he may use that provisional allowance only for the purpose of canning and bottling that kind of fruit juice. For any packing season beginning after June 15, 1945, or for any part of a packing season not ended by that date he may not use more sugar in canning or bottling any fruit juice (other than citrus juice) than 80% of the average amount of sugar he used per gallon for that kind of fruit juice (other than citrus juice) in 1941; moreover, for any packing season for that fruit juice which began before but was not ended by June 15, 1945, his use of sugar per case in the production of that fruit juice may not, in any event, exceed 90% of the average amount of sugar he used per gallon in 1941 for that kind of fruit juice. Furthermore, for any packing season beginning December 11, 1945, or for any packing season not ended by that date, he may not use more sugar in canning or bottling any citrus juice than 90% of the average amount of sugar he used per gallon for that kind of citrus juice in 1941.

<sup>1</sup> 9 F.R. 1433.

3. Section 20.1 is amended by changing the words "grapefruit segments" listed in "Table IV—Canned and Bottled Fruits" to read "citrus segments".

This amendment shall become effective December 11, 1945.

Issued this 11th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22161; Filed, Dec. 11, 1945; 11:41 a. m.]

## PART 1420—BREWERY, DISTILLERY AND WINERY PRODUCTS

[MPR 445, Amdt. 37]

## DISTILLED SPIRITS AND WINES

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

Maximum Price Regulation 445 is amended in the following respect:

1. The phrase "Bulk and packaged imported distilled spirits, except all types of imported whiskeys" appearing in the table set forth in section 7.14 is amended to read "Bulk and packaged imported distilled spirits, except all types of imported whiskeys and except all types of imported whiskey flavored or whiskey based cordials, liqueurs, and specialties".

This amendment shall become effective December 10, 1945.

Issued this 10th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22122; Filed, Dec. 10, 1945; 4:16 p. m.]

## PART 1499—COMMODITIES AND SERVICES [GMPR, Amdt. 66]

## MAXIMUM PRICES FOR COMMODITIES AND SERVICES

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

The General Maximum Price Regulation is amended in the following respect:

Section 18 (d) is amended to read as follows:

(d) In the case of any seller at wholesale or retail who shows:

(1) Either that his maximum price for any commodity established under this regulation is less than the minimum price at which such commodity was required to be sold during March 1942 pursuant to a contract entered into in accordance with the provisions of a State Fair Trade Act; or that he has been permanently enjoined by a court from selling the commodity at less than such minimum price; and also

(2) That the commodity was generally sold at wholesale (if the seller is a whole-

<sup>1</sup> 10 F.R. 7444, 8241, 9395, 9626, 10224, 11515, 11906, 12262, 12263, 13717, 14027, 14506.

<sup>2</sup> 8 F.R. 3096, 3849, 4347, 4486, 4724, 4848, 4978, 6047, 6962, 8511, 9025, 9991, 11955, 13724.

saler) or at retail (if the seller is a retailer) during March 1942 at prices no lower than such minimum price within the locality in which his selling establishment is located.

In such cases, the maximum price of the seller will be increased to such minimum price.

This amendment shall become effective December 17, 1945.

Issued this 11th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22160; Filed, Dec. 11, 1945; 11:41 a. m.]

## Chapter XVIII—Office of Stabilization Administrator, Office of War Mobilization and Reconversion

[Directive 87, Amdt. 1]

## PART 4003—SUPPORT PRICES; SUBSIDIES

## IMPORTS OF GREEN COFFEE

Pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F.R. 7871), Executive Order 9328 of April 8, 1943 (8 F.R. 4681), Executive Order 9599 of August 18, 1945 (10 F.R. 10155), Executive Order 9620 of September 20, 1945 (10 F.R. 12033), the directive of October 13, 1945, issued by the Director of War Mobilization and Reconversion (10 F.R. 12812), and Executive Order 9651 (10 F.R. 13487); It is hereby ordered:

Directive 87, Imports of Green Coffee (10 F.R. 14450), is amended in the following respects:

1. Paragraph 1 (d) (iii) is amended by adding, at the end thereof, the following language: "or that it was purchased between November 18, 1945 and April 1, 1946, and was in a foreign port ready for shipment prior to April 1, 1946 pursuant to a booking of space for such shipment, but that shipment was delayed by a strike;"

2. Paragraph 1 (d) (iv) is amended by substituting "June 30, 1946" for "May 31, 1946."

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

(g) If the Price Administrator determines that any claimant of subsidy payments has, during the period covered by this program, wilfully violated any provision of Revised Price Schedule No. 50, he shall certify that fact to the Reconstruction Finance Corporation and the Reconstruction Finance Corporation shall withhold all subsidy payments to which the claimant would otherwise be entitled under this program.

(E.O. 9250; E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267; E.O. 9599, 10 F.R. 10155; and E.O. 9620, 10 F.R. 12033)

Issued and effective this 7th day of December, 1945.

J. C. COLLET,  
Stabilization Administrator.

[F. R. Doc. 45-22121; Filed, Dec. 10, 1945; 3:05 p. m.]



# Chapter XXIII—Surplus Property Administration

[Special Order 25]

## USE OF FACILITIES BY STATE AND LOCAL GOVERNMENTS AND THEIR INSTRUMENTALITIES TO RELIEVE THE EMERGENCY HOUSING SHORTAGE

This order is issued for the purpose of utilizing surplus facilities to relieve the critical housing shortage found to exist throughout the Nation, and particularly to make available housing for our veterans who are returning from overseas. The duty to provide housing facilities for returning veterans during this emergency is imperative and purely monetary considerations must be subordinated to this duty and to the benefit to the Nation which will result from the performance of it, and the Surplus Property Administrator finds that the operation of housing facilities by State and local governments for the use of veterans will result in benefit to the United States for considerations of public health. Accordingly, pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765, 50 U. S. C. App. Sup. 1611) and of Public Law 181, 79th Congress, and notwithstanding any of the provisions of any Surplus Property Administration regulation issued thereunder, *It is hereby ordered*, That:

1. Disposal agencies and owning agencies through disposal agencies are hereby authorized to make available without monetary consideration to State and local governments and their instrumentalities surplus real property suitable for housing purposes consisting of land, buildings, structures, improvements, and such personal property as may be located thereon and useful in connection therewith, by permit, lease, or otherwise, on the following conditions:

(a) That the property will be operated and maintained at the expense of the State or local government or instrumentality.

(b) That the property will be utilized for the housing of veterans and their immediate families, and will not be rented to other applicants while applications from veterans for housing therein are pending and unfilled.

(c) That all revenue derived from the property in excess of that portion thereof necessary to cover the cost of conversion of the property to housing purposes and of operation and maintenance shall be accounted for and paid over to the Federal Government at such time as may be agreed upon by the Federal agency and the State or local government or instrumentality.

(d) That the right of occupancy shall not exceed five years and in any event shall be revocable on a notice of six (6) months on determination by the Federal agency then in charge of the property that the housing emergency in the immediate area has ended; and that all property shall revert to the United States upon such revocation. In the case of permits granted by an owning agency through a disposal agency, revocation thereof may be effected at any time by the owning agency for military

or national defense purposes prior to the declaration of such property as surplus without regard to the continuation of any housing emergency and on such lesser period of notice as may be deemed expedient.

(e) That the rights of the State or local governments or their instrumentalities shall be limited to the Government's right of occupancy of the property and that it will assume all obligations imposed upon the Government under any lease, court order, or decree condemning a term, or other instrument of occupancy.

2. Disposal agencies are authorized to make available without monetary consideration to State and local governments and their instrumentalities readily removable structures for the uses and purposes and subject to the terms and conditions set forth in paragraph 1 hereof, *Provided*, That such structures are, or are to be located, upon land owned by or leased to the United States.

3. Owning agencies may declare such property surplus at any time subject to any rights granted hereunder by permit, lease, or otherwise.

4. Owning and disposal agencies shall prepare and maintain such records as will show full compliance with the provisions of this order and with the applicable provisions of the act. Reports shall be prepared and filed in such manner as may be specified by the Administrator and approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective December 5, 1945.

W. STUART SYMINGTON,  
Administrator.

DECEMBER 5, 1945.

[F. R. Doc. 45-22143; Filed, Dec. 11, 1945; 10:49 a. m.]

[SPA Reg. 9, Amdt. 1]

## PART 8309—CONTRACTOR INVENTORY AND DISPOSALS BY OWNING AGENCIES

Surplus Property Administration Regulation 9, October 12, 1945, entitled "Contractor Inventory and Disposals by Owning Agencies" (10 F.R. 12961) is hereby amended by changing § 8309.19 to read as follows:

§ 8309.19 *Donation, abandonment, or destruction of property.* Owning agencies may donate, abandon, or destroy surplus property only in accordance with the provisions of Part 8319.

This amendment shall become effective December 11, 1945.

W. STUART SYMINGTON,  
Administrator.

DECEMBER 7, 1945.

[F. R. Doc. 45-22145; Filed, Dec. 11, 1945; 10:49 a. m.]

[SPA Reg. 19]

## PART 8319—DONATION, DESTRUCTION, OR ABANDONMENT OF SURPLUS PERSONAL PROPERTY

This part contains Surplus Property Administration Regulation 19. The fol-

lowing Surplus Property Board Special Orders are hereby superseded and rescinded as of the effective date of this part: Special Order 4, April 24, 1945 (10 F.R. 4776); Special Order 7, May 15, 1945 (10 F.R. 5850); Special Order 15, July 31, 1945 (10 F.R. 9701); Special Order 18, August 21, 1945 (10 F.R. 11039); and Special Order 20, September 7, 1945 (10 F.R. 11693). No action taken prior to the effective date of this part pursuant to the provisions of any of such orders shall be impaired or invalidated hereby, and any findings made by a Government agency prior to the effective date of this part pursuant to the provisions of any of such orders may be relied upon in disposing of property hereunder to the same extent as if such findings had been made pursuant to the provisions of this part.

- Sec.  
8319.1 Definitions.  
8319.2 Scope.  
8319.3 Findings justifying donation, destruction, or abandonment.  
8319.4 Donations under Surplus Property Act of 1944.  
8319.5 Donations under laws other than the Surplus Property Act of 1944.  
8319.6 Abandonment or destruction.  
8319.7 Abandonment or destruction without notice.  
8319.8 Demilitarization of surplus combat matériel.  
8319.9 Regulations by agencies to be reported to the Surplus Property Administrator.  
8319.10 Records and reports.

AUTHORITY: §§ 8319.1 to 8319.10, inclusive, issued under authority of the Surplus Property Act of 1944, 58 Stat. 765, 50 U.S.C. App. Sup. 1611, and under Pub. Law 181, 79th Cong., 1st Sess.

§ 8319.1 *Definitions*—(a) *Terms defined in act.* Terms not defined in paragraph (b) of this section which are defined in the Surplus Property Act of 1944 shall in this part have the meaning given them in the act.

(b) *Other terms.* (1) "Combat matériel" means ammunition and explosives of all kinds, gases, lethal weapons, fire-control equipment, tanks and similar equipment, and accessories and components of the foregoing.

(2) "Nonprofit educational or charitable institution" means any educational or charitable institution, organization, or association, which has been held exempt from taxation under section 101 (6) of the Internal Revenue Code.

(3) "Reviewing authority" means a local, regional or departmental board of review of a Government agency; it may consist of one or more persons.

(4) "Salvage" means property that is in such a worn, damaged, deteriorated or incomplete condition, or is of such a specialized nature, that it has no reasonable prospect of sale as a unit, but has some value in excess of its basic material content because it may contain serviceable components. Salvage includes used containers and cable reels. It should be noted that property is not "salvage" merely because it is worn, damaged, deteriorated, incomplete, or of a specialized nature.

(5) "Scrap" means property that has no reasonable prospect of sale except for its basic material content.

(6) "State or local government" means any State, territory or possession of the



United States, the District of Columbia, and any political subdivision or instrumentality thereof.

§ 8319.2 *Scope.* This part shall apply within the continental United States, its territories and possessions to the destruction or abandonment of any surplus personal property, except records, documents, archives, and confidential papers, and to the donation of any surplus personal property.

§ 8319.3 *Findings justifying donation, destruction, or abandonment.* Except as to property disposed of under §§ 8319.4 (b), 8319.5, and 8319.7, no property, including scrap, salvage, and waste, shall be donated, destroyed, or abandoned by an owning or disposal agency unless it shall have been affirmatively found either by the appropriate disposal agency or by the owning agency that: (a) such property has no commercial value; or (b) the estimated cost of its care, handling, and disposition would exceed the estimated proceeds of its sale for any purpose. Property shall be deemed to have no commercial value for the purposes of this part if it has no reasonable prospect of sale for any purpose, including sale as scrap, salvage, or otherwise. Such findings shall be reduced to writing by the finding agency. Whenever property proposed to be disposed of hereunder by any agency at any one location at any one time had an original cost (estimated if not known) of more than \$1,000, the finding shall be approved by a reviewing authority before any such disposal. Whenever property proposed to be disposed of hereunder by an owning agency at any one location at any one time had an original cost (estimated if not known) of more than \$25,000, the concurrence or approval of the appropriate disposal agency in the findings of the owning agency shall be required.

§ 8319.4 *Donations under Surplus Property Act of 1944.*—(a) *Authority to donate.* Subject to the provisions of paragraph (b) of this section, a disposal agency or an owning agency may donate property in its possession or control, as to which findings have been made in compliance with the provisions of § 8319.3, to any donees within the following classes: (1) agencies or institutions supported by the Federal Government; (2) agencies or institutions supported by any State or local government; and (3) nonprofit educational or charitable institutions. In making donations of property under this paragraph disposal agencies shall seek the advice of Federal Security Agency to the end that such donations shall to the extent feasible be made to those institutions which are in the greatest need of the property.

(b) *American Red Cross property.* Any property which was processed, produced, or donated by the American National Red Cross for any Government agency may be donated by an owning or disposal agency to the American National Red Cross upon its request, solely for charitable purposes. No such property shall be disposed of either under the Surplus Property Act of 1944 or under any other law except after notice to

and consultation with the American National Red Cross.

(c) *Disposal costs.* The donating agency shall require any donee to pay all costs of packing and shipping to the donee.

§ 8319.5 *Donations of property under laws other than the Surplus Property Act.* Donations authorized by laws other than the Surplus Property Act of 1944 may be made by owning agencies, provided that donations under the Act of February 28, 1936 (49 Stat. 1147; 10 U. S. C. 1258), and under the Act of May 23, 1930, as amended by the Act of February 27, 1936 (46 Stat. 378; 49 Stat. 1144; 34 U. S. C. 546c), may be made only with the approval of the Federal Security Agency, subject to a right of appeal to the Surplus Property Administrator. Disposal agencies shall notify the owning agencies of any types of property in short supply which should be excluded from donation programs, and thereafter such property shall be excluded from such programs unless included with the approval of the Surplus Property Administrator.

§ 8319.6 *Abandonment or destruction.*—(a) *Notice of proposed abandonment or destruction.* Except as provided in § 8319.7, property shall not be destroyed or abandoned by any owning or disposal agency until thirty (30) days after publication of notice of such proposed destruction or abandonment. Such notice shall contain a general description of the property to be destroyed or abandoned and shall be published once in a newspaper having a general circulation in the area in which the property is located. Such notice shall contain an offering to sell the property or to donate it to eligible donees under § 8319.4. A copy of such notice shall be given to the Surplus Property Administrator at the beginning of such thirty (30) day period. The Surplus Property Administrator finds that such notice will constitute the reasonable efforts required by section 13 (b) of the Surplus Property Act to dispose of such property otherwise than by destruction.

(b) *Authority to abandon or destroy.* Property, as to which findings have been made in compliance with the provisions of § 8319.3 and notice has been given as provided in paragraph (a) of this section, may be abandoned or destroyed by an owning or disposal agency when such agency shall find that donation pursuant to the provisions of § 8319.4 is not feasible. Such finding shall be reduced to writing by such agency before any such abandonment or destruction is made. Whenever property proposed to be abandoned or destroyed hereunder by any agency at any one location at any one time had an original cost (estimated if not known) of more than \$1,000, the finding shall be approved by a reviewing authority before any such abandonment or destruction. No abandonment or destruction shall be made in a manner which is detrimental or dangerous to public health or safety or which will cause an infringement of the rights of other persons.

§ 8319.7 *Abandonment or destruction without notice.* Property may be abandoned or destroyed by an owning or disposal agency without public notice upon a finding by a responsible officer, approved by a reviewing authority, that the immediate destruction or abandonment of the property is necessary or desirable because of its nature or because of the expense or difficulty of its care and handling. Such abandonment or destruction shall be deemed to be authorized under this section, (a) whenever the value of the property is so little or the cost of its care and handling is so great that its retention for thirty (30) days to advertise for donees is clearly not justified, or (b) whenever abandonment or destruction is required by military necessity or by considerations of health, safety, or security. Such finding shall be reduced to writing by such agency. Whenever property proposed to be destroyed at any one location at any one time had an original cost (estimated if not known) of less than \$100, it shall be presumed for the purposes of this section that its immediate destruction or abandonment without notice is justified by reason of the expense or difficulty of its care and handling. The right to abandon or destroy under this section shall not be deemed to preclude the donation of any property as to which appropriate findings have been made.

§ 8319.8 *Demilitarization of surplus combat matériel.* The Surplus Property Administrator recognizes that combat matériel often must be mutilated, disarmed, or otherwise demilitarized before disposal. In the interest of public health and safety and of national defense, a considerable amount of such property must be rendered innocuous, made unfit for further military use, or stripped of any confidential or secret characteristics. The War Department and the Navy Department in their discretion may mutilate, disarm, or otherwise demilitarize surplus combat matériel. Such demilitarization shall be accomplished in such manner as to preserve so far as possible any civilian utility or commercial value of the property. Any such property which is suitable for civilian use after demilitarization shall be reported to the appropriate disposal agency in accordance with the provisions of Part 8301.<sup>1</sup> Any such property which is not suitable for civilian use after demilitarization but which has commercial value or of which the estimated cost of care, handling, and disposition does not exceed the estimated proceeds, may be disposed of by the owning agency as scrap or salvage in accordance with the provisions of Part 8309.<sup>2</sup> Any such property which has no commercial value after demilitarization, or of which the estimated cost of care, handling, and disposition does exceed the estimated proceeds, shall be disposed of in accordance with the provisions of this part.

§ 8319.9 *Regulations by agencies to be reported to the Surplus Property Administrator.* Each owning and disposal

<sup>1</sup> SPA Reg. 1 (10 F. R. 14064).

<sup>2</sup> SPA Reg. 9 (10 F. R. 12961).



agency shall file with the Surplus Property Administrator copies of all regulations, orders, and instructions of general applicability which it may issue in furtherance of the provisions, of any of them, of this part.

§ 8319.10 *Records and reports.* Owning and disposal agencies shall prepare and maintain such records as will show full compliance with the provisions of this part and the applicable provisions of the act. Reports shall be prepared and filed with the Surplus Property Administrator in such manner as may be specified by order issued under this part subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This part shall become effective December 11, 1945.

W. STUART SYMINGTON,  
Administrator.

DECEMBER 7, 1945.

[F. R. Doc. 45-22146; Filed, Dec. 11, 1945;  
10:49 a. m.]

[SPA Reg. 19, Order 1]

PART 8319—DONATIONS, DESTRUCTION, OR  
ABANDONMENT OF SURPLUS PERSONAL  
PROPERTY

REPORTS

Pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765; 50 U.S.C. App. Sup. 1611) and Public Law 181, 79th Congress, 1st Session; It is hereby ordered, That:

1. Disposal agencies shall report donations under the authority of this part to the Surplus Property Administrator on the appropriate form designated by Order 8 under Part 8301.<sup>1</sup>

2. Owning agencies shall report donations under the authority of this part to the Surplus Property Administrator on the appropriate form designated by Order 2 under Part 8309.<sup>2</sup>

This order shall become effective December 11, 1945.

W. STUART SYMINGTON,  
Administrator.

DECEMBER 7, 1945.

[F. R. Doc. 45-22144; Filed, Dec. 11, 1945;  
10:49 a. m.]

TITLE 33—NAVIGATION AND  
NAVIGABLE WATERS

Chapter II—Corps of Engineers,  
War Department

PART 204—DANGER ZONE REGULATIONS

WATERS OF ATLANTIC OCEAN; UNITED STATES  
MARINE CORPS FIRING RANGE IN VICINITY  
OF NEW RIVER INLET, N. C.

Pursuant to the provisions of Section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), the regulations governing the use and navigation of waters of the Atlantic Ocean

between Bogue Inlet and Cape Fear, North Carolina, comprising firing ranges of the United States Army and Marine Corps, are hereby modified by the elimination of Sectors Nos. 2, 3, and 4, formerly used by the Anti-Aircraft Artillery Training Center, Camp Davis, North Carolina, the title and regulations being amended to read as follows:

§ 204.55 *Waters of Atlantic Ocean; United States Marine Corps firing range in vicinity of New River Inlet, N. C.*—(a) *The danger zone.* That portion of the Atlantic Ocean within a sector of a circle bounded by radii of 25,000 yards bearing 85° true and 220° true, respectively, from Hurst Beach, Onslow County, North Carolina (latitude 34°34'15" N., longitude 77°16'10" W.), and the included arc.

(b) *The regulations.* (1) Sailing vessels or any watercraft having a speed of less than 5 miles per hour shall keep clear of the danger zone at all times after notice of firing has been given. Any vessel or other watercraft propelled by mechanical power at a speed greater than 5 miles per hour may enter the danger zone without restriction except when the signals described in subparagraphs (4) and (5) below are being displayed. When these signals are displayed, all vessels in the danger zone shall clear immediately and no vessel shall enter the danger zone until the signals indicate that firing has ceased.

(2) Firing over the range will take place during both daylight and nighttime hours, at irregular periods throughout the year.

(3) Two days in advance of the day when firing is scheduled to begin, the Commanding General, Marine Corps Headquarters, Camp Lejeune, will warn the public of the contemplated firing through the public press, the Coast Guard, the Cape Fear Pilots Association at Southport, North Carolina, and the Pilots Association at Morehead City, North Carolina.

(4) A tower will be erected near the shore in the sector at least 50 feet in height. On days when firing is to take place a red flag will be displayed on the tower. This flag will be displayed before 8:00 a. m. and will be removed when firing ceases for the day.

(5) During night firing red lights will be displayed on the tower and searchlights will be employed as barrier lights to enable safety observers to detect vessels which may attempt to enter the danger zone.

(6) These regulations will be enforced by the Commanding General, United States Marine Corps Headquarters, Camp Lejeune, North Carolina, and such agencies as he may designate. (Sec. 7, River and Harbor Act, August 8, 1917, 40 Stat. 226; U. S. C. 1) [Regs. 23 November 1945 (CE 800.2121 (Atlantic Ocean-North Carolina)—SPEWR)]

[SEAL] EDWARD F. WITSELL,  
Major General,  
Acting The Adjutant General.

[F. R. Doc. 45-22136; Filed, Dec. 10, 1945;  
4:27 p. m.]

TITLE 38—PENSIONS, BONUSES, AND  
VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 36—REGULATIONS UNDER SERVICE-  
MEN'S READJUSTMENT ACT OF 1944

AUTHORIZATION OF SUBSISTENCE ALLOWANCE  
TO VETERANS PURSUING COURSES OF  
EDUCATION OR TRAINING

To insure expedition in authorizing subsistence allowance to eligible veterans, the following procedures will be observed:

- Sec.  
36.265 Delegation of authority for authorizing payments.  
36.266 Preparation of authorizations.  
36.267 Requirement of Certificate of Eligibility and Entitlement, Form 1953.  
36.268 Special procedures in certain cases.  
36.269 Measures for assuring prompt payment.

AUTHORITY: §§ 36.265 to 36.269, inclusive, issued under 58 Stat. 284; 38 U.S.C. 693.

§ 36.265 *Delegation of authority for authorizing payments.* Effective immediately, there is hereby delegated to the vocational rehabilitation and education division, field offices, and to the Registration and Research Service, central office, jurisdiction and authority for authorizing the payment of subsistence allowance in the cases of veterans pursuing education or training under Part VIII, Title II, Public No. 346, 78th Congress. Existing issues and instructions in conflict herewith are modified accordingly.

§ 36.266 *Preparation of authorizations.* Original, amended, and supplemental authorizations of subsistence allowance will be executed on Form 1907c, over the signature of the registration officer in every case, who will be responsible as authorizing officer. Pending revision of Form 1907c, this form will be executed in the manner now provided and in addition the authorization will be entered in the space allocated under "Remarks" stating the name and address of the payee, the amount authorized, the commencement date of the award, and when indicated, the termination date of the award.

(a) These authorizations will be executed in an original and three carbon copies and distributed as follows: (1) The original direct to finance division for payment and thence to the claims file; (2) a copy for the rehabilitation and education file; (3) a copy to the Readjustment Account Control Subdivision, Veterans' Administration, 15th Floor, No. 2 Park Avenue, New York 16, New York, thence to central office, Washington 25, D. C., for filing in the dummy file; (4) a copy direct to the director of budget and planning by air mail at the close of business each day in an envelope bearing a legend "Special Attention, Forms 1907c." (Pending the issuance of a quadruplicate form, the present form may be separated to provide this additional copy which will be over stamped "For Statistical Purposes.")

(b) With original authorizations, there will be prepared a subsistence allowance award account card, Form 1390, with the necessary entries, 3" x 5" payee index

<sup>1</sup> 10 F.R. 14628.

<sup>2</sup> December 7, 1945.



card showing the same data as the Form 1390, together with such other records as are required under effective procedure concerning original and supplemental awards.

§ 36.267 *Requirement of Certificate of Eligibility and Entitlement, Form 1953.* In all cases where the claims file is available in the operating office, subsistence allowance will be authorized in the appropriate amount and as of the appropriate commencement date immediately upon the receipt of an authentic Certificate of Eligibility and Entitlement, Form 1953, properly endorsed by an approved institution showing entrance date of the veteran into a course of education or training.

§ 36.268 *Special procedures in certain cases.* In the cases of veterans who are pursuing a course of education or training in schools, colleges and universities, the following special procedures will obtain:

(a) Authorization of subsistence allowance will not be withheld because the claims file is not available in the operating office, but authorization will be made in such cases. In the absence of the claims file, immediately upon the receipt of a properly endorsed certificate of eligibility and entitlement in such a case the operating office shall proceed immediately to authorize subsistence allowance at the basic monthly rate of \$50 for a full-time course commencing as of the date of the veteran's entrance into education or training as shown by the Form 1953. There shall be prepared in such cases the finance award account card, Form 1390, and there shall be set up a temporary registration card, so identified, and a temporary rehabilitation and education file. Immediately after the completion of authorization for payment, the operating office shall request, by telegram, the transfer of the principal records from the holding office. These temporary registration cards will be reviewed every 60 days until the folder is received. Promptly upon receipt of the claims file and other principal records by transfer from the holding office, a determination will be made in accordance with established criteria and, where indicated, an amended authorization issued. Appropriate entries shall be made upon the original registration card and the temporary registration card destroyed.

(b) Immediately upon receipt of this instruction, managers of regional offices will notify all approved schools, colleges and universities of this special procedure and caution such institutions to forward without delay Form 1953, and attachments, within 24 hours after the veteran has commenced his training. Managers are directed to arrange with the schools, colleges and universities a special envelope in which these certificates will be forwarded to the regional office so that there may be no delay in the mail room in forwarding the notices of commencement of training to the registration section of the vocational rehabilitation and education division.

tion of the vocational rehabilitation and education division.

§ 36.269 *Measures for assuring prompt payment.* The purpose of this instruction is to assure that every veteran will receive his first payment of subsistence allowance within a period of 30 days after commencement of training, except where the amount due for the prior month is less than \$5.00, in which event the initial award will be adjusted through the current month. Upon receipt of the award in the finance division, the provisions of Veterans Administration finance procedure relating to payments on original awards are for observance subject to the above exception. The manager of each regional office and Veterans Administration center is directed to so arrange the operations within his office to achieve this purpose. It will be the responsibility of the managers to reassign on-duty personnel or to fill existing vacancies, and to request new or additional positions as may be required.

[SEAL]

OMAR N. BRADLEY,  
General, U. S. Army,  
Administrator of Veterans Affairs.

DECEMBER 5, 1945.

[F. R. Doc. 45-22157; Filed, Dec. 11, 1945;  
11:28 a. m.]

## TITLE 46—SHIPPING

### Chapter II—United States Maritime Commission

#### PART 221—DOCUMENTATION, TRANSFER OR CHARTER OF VESSELS

[Rev. G. O. 34 and G. O. 56, Revocation].

SALE, LEASE, CHARTER, DELIVERY, OR TRANSFER OF VESSELS TO ALIENS AND AGREEMENTS THEREFOR

General Order 34, Revised (§§ 221.1 to 221.5, inclusive, 6 F.R. 2752; 46 CFR Cum. Supp. 11218) and General Order 56 (§ 221.10, 7 F.R. 7100; 46 CFR Cum. Supp. 11218) are hereby revoked.

(52 Stat. 964; 40 Stat. 901)

By order of the United States Maritime Commission.

A. J. WILLIAMS,  
Secretary.

DECEMBER 6, 1945.

[F. R. Doc. 45-22158; Filed, Dec. 11, 1945;  
11:35 a. m.]

#### PART 221—DOCUMENTATION, TRANSFER OR CHARTER OF VESSELS

[G. O. 59]

SALE, LEASE, CHARTER, DELIVERY, OR TRANSFER OF VESSELS TO ALIENS AND AGREEMENTS THEREFOR

§ 221.7 *Approval of charters of certain vessels to aliens.* The United States Maritime Commission hereby approves, under sections 9 and 37 of the Shipping Act, 1916, as amended (52 Stat. 964; 40

Stat. 901; 46 U. S. C. 808 and 835), the charter to a person not a citizen of the United States of any vessel (including space in such vessel) documented under the laws of the United States or the last documentation of which was under the laws of the United States or owned in whole or in part by a citizen of the United States or by a corporation organized under the laws of the United States or of any State, Territory, District, or possession thereof, such charter to be for a period of not more than twelve months or for a voyage or voyages the duration of which will probably not exceed twelve months, except a charter of any such vessel.

(a) By demise or bareboat for use in the United States Coastwise (including intercoastal) trade, and

(b) For use in the fisheries.

(52 Stat. 964; 40 Stat. 901)

By order of the United States Maritime Commission.

[SEAL]

A. J. WILLIAMS,  
Secretary.

[F. R. Doc. 45-22159; Filed, Dec. 11, 1945;  
11:35 a. m.]

### Chapter III—War Shipping Administration

[G. O. 45, Supp. 9]

#### PART 306—GENERAL AGENTS AND AGENTS FREIGHT BROKERAGE AND COMMISSIONS ON FARES

Section 306.123 *Freight brokerage*, paragraph (a) *Rates*, as amended, is amended by striking out the first sentence and inserting in lieu thereof, the following sentence:

(a) *Rates.* Brokerage will be paid at the customary rates, but not in excess of the rates provided in this paragraph (a) except as may be specifically authorized by the Director of Traffic, War Shipping Administration, with respect to homeward and intermediate traffic.

Section 306.124 *Commissions on fares* is amended to read:

§ 306.124 *Commissions on fares.* General Agents, Agents and Berth Agents are authorized to pay in all trades to bona fide travel or tourist agents a commission of 5% on fares paid by or for passengers traveling for private or commercial account. Commissions in excess of this amount may be paid when specifically authorized by the Director of Traffic, War Shipping Administration. No commission shall be allowed on fares paid by or for repatriated seamen traveling as passengers.

(E.O. 9054, 3 CFR Cum. Supp.)

[SEAL]

E. S. LAND,  
Administrator.

NOVEMBER 7, 1945.

[F. R. Doc. 45-22120; Filed, Dec. 10, 1945;  
12:08 p. m.]



TITLE 49—TRANSPORTATION AND  
RAILROADSChapter I—Interstate Commerce  
Commission

[4th Rev. SO 180]

## PART 95—CAR SERVICE

## DEMURRAGE ON REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of December A. D. 1945.

It appearing, that refrigerator cars are being delayed unduly while held for orders, bill of lading, payment of freight charges, reconsignment, diversion, re-shipment, inspection, forwarding directions, loading and unloading, thus impeding and diminishing the use, control, supply, movement, distribution, exchange, interchange, and return of such cars; in the opinion of the Commission an emergency exists requiring immediate action to prevent a shortage of railroad equipment and congestion of traffic. It is ordered, that:

*Demurrage charges on refrigerator cars.* (a) (1) When demurrage detention occurs, for which charges are or may be lawfully provided by tariffs (subject to modification by service orders), on a refrigerator car held for orders, bill of lading, payment of freight charges, reconsignment, diversion, re-shipment, inspection, forwarding directions, loading or unloading, the demurrage charges shown in paragraph (a) (2) of this order shall be applicable in lieu of such tariff charges.

(2) Demurrage charges shall be \$11.00 per car per day or a fraction thereof for the first day; \$22.00 per car per day or a fraction thereof for the second day; and \$44.00 per car per day or a fraction thereof for each succeeding day.

(b) *Application.*—(1) *Average agreements.* Detention occurring on and after the effective date of this order on all refrigerator cars held for loading or unloading shall not be included in, or computed on the basis of, any average agreement.

(2) *Intrastate.* The provisions of this order shall apply to intrastate as well as interstate and foreign traffic.

(3) *Service orders.* The provisions of this order shall not be construed to alter the provisions of Service Order No. 70 (8 F.R. 8515) of February 3, 1942, as amended (8 F.R. 8515) or Revised Service Order No. 112 (9 F.R. 11278-79) of September 11, 1944, or Service Order No. 135 (8 F.R. 9569) as amended (8 F.R. 10941). The provisions of this order shall not apply to detention on refrigerator cars utilized in accordance with the provisions of Service Order No. 104 (8 F.R. 1036) of January 19, 1943, as amended. (8 F.R. 5270, 11852, 12100, 17428; 9 F.R. 947; 10 F.R. 9295)

(4) *Computation of demurrage on effective date of order.* The number of days a refrigerator car has been held prior to the effective date of this order, counted according to demurrage tariff rules, shall determine the charges applicable on that refrigerator car after the effective date of this order.

(5) *Demurrage charges substituted for charges for storage of freight in refrigerator cars.* (i) The operation of all tariff rules, regulations, and charges for storage of freight in refrigerator cars at or short of ports consigned or reconsigned for export, coastwise or intercoastal movement is suspended insofar as inconsistent with this order.

(ii) In lieu of the charges for storage of freight in refrigerator cars at or short of ports suspended in subparagraph (5) (i) above, the applicable charges for detention of refrigerator cars held at or short of ports for unloading freight consigned or reconsigned for export, coastwise or intercoastal movement shall be the demurrage charges prescribed in paragraph (a) of this order.

(6) *Definition of refrigerator car.* The term "refrigerator car" as used herein means freight equipment described under the caption Class "R"—Refrigerator Car Type in the Official Railway Equipment Register.

(c) *Extreme weather.* (1) During the period when weather conditions exist as described in Rule 8, section A, Agent B. T. Jones' Tariff I. C. C. No. 3815, the provisions of this order are suspended. In lieu thereof the rules, regulations, and charges provided in lawfully published tariffs shall apply.

(2) When because of rising waters it is not practicable, or because of flood conditions it is impossible for railroads to set refrigerator cars for delivery at the usual places contemplated by lawfully published tariffs, the provisions of this order are suspended on such cars. In lieu thereof the rules, regulations, and charges provided in lawfully published tariffs shall apply.

(d) *Effective date.* This order shall become effective at 7:00 a. m., December 15, 1945.

(e) *Expiration date.* This order shall expire at 7:00 a. m., February 15, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission.

(f) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(g) *Announcement of suspension.* Each railroad, or its agent shall publish, file, and post a supplement to each of its tariffs affected thereby, 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 the suspension of the operation of any of the provisions therein, and establishing the substituted provisions set forth herein. (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 Third Revised Service Order No. 180 on the effective date hereof; that a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to

the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-22147; Filed, Dec. 11, 1945; 10:53 a. m.]

## Notices

## DEPARTMENT OF AGRICULTURE.

## Rural Electrification Administration.

[Administrative Order 989]

## ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 23, 1945.

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

Project designation:	Amount
Arkansas 31D Ashley.....	\$190,000
Indiana 81F Sullivan.....	160,000
Indiana 88F Kosciusko.....	25,000
Iowa 32N Butler.....	165,000
Kansas 26G Coffey.....	101,000
North Carolina 39H Union.....	211,000
Oklahoma 20G Garvin.....	50,000
South Carolina 27L Marlboro.....	196,000
South Dakota 17C Hamlin.....	100,000
Tennessee 48E Lauderdale.....	262,000
Texas 54T Wood.....	100,000

[SEAL]

WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 45-22148; Filed, Dec. 11, 1945; 11:18 a. m.]

[Administrative Order 990]

## ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 30, 1945.

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

Project designation:	Amount
South Carolina 47B Bamberg.....	\$10,000

[SEAL]

WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 45-22149; Filed, Dec. 11, 1945; 11:18 a. m.]

[Administrative Order 991]

## ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 30, 1945.

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



Project Designation:	Amount
Iowa 34T Jones.....	\$325,000
Nebraska 56R Cedar-Knox Dis-	
trict Public.....	260,000
Oregon 29A Morrow.....	510,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 45-22150; Filed, Dec. 11, 1945;  
11:18 a. m.]

### CIVIL AERONAUTICS BOARD.

[Docket No. 548 et al.]

NATIONAL AIRLINES, INC., ET AL.; MISSIS-  
SIPPI VALLEY CASE

#### NOTICE OF FURTHER HEARING

In the matter of the applications of National Airlines, Inc., and other applicants for certificates and amendments of certificates of public convenience and necessity, known as the Mississippi Valley Case, under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given that hearing in the above-entitled proceeding adjourned at New Orleans, La., on November 21, 1945, will be reconvened on December 17, 1945, in the Foyer of the Commerce Department Auditorium, Washington, D. C., before Examiners Ferdinand D. Moran and James S. Keith, for the purposes of:

- (1) Hearing on United's rebuttal case in opposition to Continental's proposal for Kansas City-Chicago and Kansas City-St. Louis service, Dockets Nos. 1693 and 1694.
- (2) To complete consideration of National's applications in Dockets Nos. 1163 and 1384.
- (3) To complete hearing on Spartan's application in Docket No. 1533, such hearing being limited to one witness sponsoring certain public convenience and necessity exhibits heretofore identified.

Dated at Washington, D. C., December 10, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 45-22181; Filed, Dec. 11, 1945;  
11:48 a. m.]

### FEDERAL POWER COMMISSION.

[Docket Nos. G-231, G-651, G-664 and  
G-669]

NATURAL GAS PIPELINE CO. OF AMERICA  
ET AL.

ORDER CONTINUING PROCEEDINGS, CONSOLI-  
DATING PROCEEDINGS AND CHANGING PLACE  
OF HEARING

DECEMBER 5, 1945.

In the matters of Natural Gas Pipeline Company of America and Texoma Natural Gas Company, Docket Nos. G-231 and G-651; Chicago District Pipeline Company, Docket No. G-664; Michigan-Wisconsin Pipe Line Company, Docket No. G-669.

(a) Upon consideration of the applications in the above-docketed proceedings, as originally filed, and as amended, or supplemented; and

(b) Upon consideration of the joint petition of Western Railroads<sup>1</sup> and Association of American Railroads, filed November 30, 1945; the petition of Coal Drivers, Helpers and Handlers Union, Local 704, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, A. F. of L., filed December 3, 1945; the petition of International Brotherhood of Firemen and Oilers, Union Local No. 7, A. F. of L., filed December 3, 1945; the petition of Hoisting, Portable Shovel and Pacing Engineers, Local No. 150, International Union of Operating Engineers, A. F. of L., filed December 3, 1945; the petition of International Union of Operating Engineers, Local No. 399, A. F. of L., filed December 3, 1945; and the petition of Chicago Coal Merchants Association, filed December 4, 1945, for continuance of the hearing in the above-docketed matters to a date subsequent to the completion of the Natural Gas Investigation, Docket No. G-580; and

(c) Upon consideration of the joint petition of National Coal Association, United Mine Workers of America, Order of Railway Conductors, Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, and Switchmen's Union of North America, filed November 30, 1945; requesting:

(A) That Docket Nos. G-651, G-664 and G-669 be consolidated for hearing, and if the matters in Docket No. G-231 are to be considered in conjunction with the application in Docket No. G-669, that said Docket No. G-231 be included in such consolidation.

(B) That hearings in the above-entitled proceedings be indefinitely postponed to be reset at the convenience of the Commission after the conclusion and report of the Commission in the Natural Gas Investigation in Docket No. G-580; and

(d) Upon consideration of the petition of Natural Gas Pipeline Company of America, filed November 15, seeking leave to intervene in the proceeding in the Matter of Michigan-Wisconsin Pipeline Company, Docket No. G-669, wherein the petitioner states as follows:

2. The above Applicant, Michigan-Wisconsin Pipe-Line Company seeks in the above-styled proceeding a permit authorizing the construction of a natural-gas transportation system, extending from the Hugoton gas field in Hansford County, Texas, to a compressor station site, designated as No. 7 Line Compressor Station on the Fox River some thirty miles east of Joliet, Illinois, thence to a gas storage field in Michigan, with con-

<sup>1</sup> Western Railroads includes The Alton Railroad, Atchison, Topeka and Santa Fe Railway Company, Chicago & Eastern Illinois Railroad Company, Chicago & North Western Railway Company, Chicago, Burlington & Quincy Railroad Company, Chicago Great Western Railway Company, Chicago & Illinois Midland Railway Company, Chicago, Milwaukee, St. Paul and Pacific Railroad Company, The Chicago, Rock Island and Pacific Railway Company, Illinois Central Railroad Company, Illinois Terminal Railroad Company, Litchfield and Madison Railway Company, The Minneapolis & St. Paul Railway Company, Missouri Pacific Railroad Company and Wabash Railroad Company

nections from said field to the City of Detroit, together with numerous lateral lines thereto, all as indicated on a map attached to its application herein; including importantly a large lateral line (20-inch diameter) extending from said No. 7 line Compressor Station to the Wisconsin line, with sublaterals therefrom to various municipalities in the State of Wisconsin. The location of said proposed pipeline system, for a distance approximately between Chariton, Iowa, and Joliet, Illinois, runs roughly parallel and within fifty miles from the principal natural gas pipeline system of Petitioner; its said 20-inch lateral line roughly parallels the 20-inch lateral line on Petitioner's pipeline system and reaches the Wisconsin line a short distance from the terminal thereof.

3. Applicant proposes to serve, presently and within the next five years, the following municipalities and market areas now served by Petitioner, that is:

Towns	Counties	States
Moline and Rock Island.	Rock Island.....	Illinois.
Davenport.	Scott.....	Iowa.
Cedar Rapids.....	Linn.....	Do.
Ottumwa.....	Wapello.....	Do.
Iowa City.....	Johnson.....	Do.
Oskaloosa.....	Mahaska.....	Do.
Shenandoah.....	Page.....	Do.
Red Oak.....	Montgomery.....	Do.
Indianola.....	Warren.....	Do.
Winterset.....	Madison.....	Do.

Applicant proposes to serve, presently and within five years, certain market areas and municipalities in the State of Wisconsin, which lie within service areas economically subject to service by Petitioner's said pipeline system, as same is now constructed or may hereafter be enlarged. Applicant lists market areas subject to service by the proposed pipeline system, some of which areas are either presently served by Petitioner, or are within the service areas properly and economically to be served by Petitioner's natural gas pipeline system.

4. Petitioner states that it did heretofore on February 10, 1942, file with this Commission an application for a certificate of public convenience and necessity covering the construction of certain additional facilities and the operation thereof for the delivery and sale of natural gas in the State of Wisconsin, which application has been assigned Docket No. 231; that Petitioner will file with this Commission just as soon as possible an application amendatory of the application heretofore filed in Docket No. G-231 so as to take cognizance of changed conditions which have occurred since the filing of the said prior application.

5. Applicant is therefore a competitor of Petitioner in the proposed transportation and sale of natural gas for which, and the acquisition of facilities therefore, certificate is sought; its participation in the above-styled proceeding may otherwise be in the public interest; Petitioner is entitled, under Section 50.14 of the Provisional Rules of the Commission, to file this petition to intervene therein. The position and interest of Petitioner is to oppose the granting of the certificate sought, to the extent it authorizes the construction of facilities for the transportation and sale of natural gas in markets presently served by Petitioner's pipeline system and service areas properly and economically pertaining thereto, referred to in Docket No. G-231 and the said amendment to be filed therein;

It appears to the Commission that:

(A) On December 3, 1945, Natural Gas Pipeline Company of America, now joined by Texoma Natural Gas Company, filed an application for a certificate of



public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, amending the application filed by Natural Gas Pipeline Company of America on February 9, 1942, to construct facilities described in the amended application "to make available at the Illinois-Wisconsin State line quantities of natural gas for delivery to other natural-gas companies which may desire to purchase the same for ultimate delivery to the cities of Milwaukee, Racine, Kenosha, Madison, Janesville, and other cities in the State of Wisconsin, and areas adjacent thereto, \* \* \* this application conditioned, however, on the granting by this Honorable Commission of a certificate of public convenience and necessity substantially as prayed for in said Docket No. G-651."

(B) The application of Natural Gas Pipeline Company of America and Texoma Natural Gas Company, Docket No. G-651, and the application of Chicago District Pipeline Company, Docket No. G-664, each is made contingent upon the granting by the Commission of a certificate of public convenience and necessity in both proceedings, and these applicants have requested that the proceedings be consolidated for purpose of hearing.

(C) The proposed construction and operation of the facilities covered by the application of Michigan-Wisconsin Pipe Line Company, Docket No. G-669, would be utilized in part to supply natural gas to areas now being served by Natural Gas Pipeline Company of America and to areas which Natural Gas Pipeline Company of America proposes to serve if granted certificates of public convenience and necessity in the proceedings in Docket Nos. G-231 and G-651.

(D) The above-docketed proceedings may involve substantially similar issues and facts.

(E) Section 7 (c) of the Natural Gas Act requires the Commission in all cases, other than proceedings upon "grandfather" applications, to set matters of applications for certificates of public convenience and necessity for hearing and render a decision thereon in accordance with the provisions of section 7 (e).

(F) The coal, railroad, labor, and related interests who have been permitted to intervene in these proceedings will be afforded opportunity to present all evidence relevant and material to the matters involved and the issues presented in the proceedings.

(G) Under the circumstances it is inappropriate to grant the petitions filed herein for continuance of the hearing upon the consolidated proceedings, as hereinafter ordered, until after the completion of the Natural Gas Investigation, Docket No. G-580. Good cause, however, does exist for postponing the hearing in the consolidated proceedings, as hereinafter ordered, to January 8, 1946.

The Commission finds that:

(I) Good cause exists for consolidating all the above-docketed matters for the purpose of hearing thereof.

(II) It is appropriate in the public interest that the hearing in Docket Nos. G-651 and G-664 now set for Chicago, Illinois, on December 10, 1945, be trans-

ferred to Washington, D. C., and the date of hearing be changed as herein-after ordered.

The Commission orders that:

(1) All of the above-docketed proceedings be and they hereby are consolidated for purposes of hearing.

(2) A public hearing in the consolidated proceedings be held commencing on January 8, 1946, at 10:00 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in these proceedings.

(3) Interested State Commissions may participate in this hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 45-22139; Filed, Dec. 11, 1945;  
10:03 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 500A-177]

#### COPYRIGHTS OF CERTAIN GERMAN NATIONALISTS

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

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as other owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in

every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or re-vesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian, to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C. on October 30, 1945.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.



## EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Differential-gleichungen, Lösungsmethoden und Lösungen, 1943-44. V. 1: Gewöhnliche Differentialgleichungen. 2. Aufl. 1943. (Mathematik und ihre Anwendungen in Monographien und Lehrbüchern. Bd. 18) (Copyrighted 1942) V. 2: Partielle Differentialgleichungen erster Ordnung für eine gesuchte Funktion, 1944. (Copyrighted 1944).	Erich Kamke (nationality not established).	Akademische Verlagsgesellschaft Leipzig, Germany (nationality German).	Owner.
A For. 2495	Langenscheidts taschenwörterbuch der russischen und deutschen sprache. 1. t. Russisch-deutsch. 1929.	Karl Blattner (nationality Swiss)	Langenscheidt'sche verlagsbuchhandlung Berlin-Schöneberg, Germany (nationality German).	Owner.
A For. 6822	Langenscheidts taschenwörterbuch der russischen und deutschen sprache. 2. t. Deutsch-russisch, 1929.	Karl Blattner (nationality Swiss)	Langenscheidtsche verlagsbuchhandlung Berlin-Schöneberg, Germany (nationality German).	Owner.

[F. R. Doc. 45-22071; Filed, Dec. 10, 1945; 10:31 a. m.]

[Vesting Order 5273]

## HUGO GRAFE AND RADIO PATENTS CORP.

In re: Interest of Hugo Grafe in Patent No. 1,921,017 and in an agreement with Radio Patents Corporation.

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

1. That Hugo Grafe is a resident of Germany and a national of a foreign country (Germany);

2. That the property described in subparagraph 3 (a) and (b) hereof is property of Hugo Grafe;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

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

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

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

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

tained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

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

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

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

## EXHIBIT A

(a) The undivided three-fourths ( $\frac{3}{4}$ ) interest of Hugo Grafe, in and to the following United States Letters Patent:

Patent No., Date, Inventor and Title

1,921,017; 8/8/33; Paul Weber; Toy Gun.

Including all royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, to which the owner of such undivided interest is entitled.

(b) All interests and rights, including all accrued royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor, created in Hugo Grafe by virtue of an agreement entered into on March 25, 1932 (including all modifications thereof and supplements thereto, if any), by and between Hugo Grafe and Radio Patents Corporation which agreement relates, among other things, to United States Letters Patent No. 1,921,017.

[F. R. Doc. 45-22073; Filed, Dec. 10, 1945; 10:31 a. m.]

[Vesting Order 500A-178]

## COPYRIGHTS OF CERTAIN GERMAN NATIONALS

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

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Ex-

hibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or re-vesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or



the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of

and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

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

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

#### EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown.....	Langenscheidts Taschenwörterbuch der deutschen und spanischen Sprache, Zweiter Teil, Deutsch-Spanisch, 20 Auflage, 1927.	Dr. Eberhard Vogel, editor (nationality not established).	Langenscheidtsche Verlagsbuchhandlung (Prof. G. Langenscheidt), Berlin-Schöneberg, Germany (nationality German).	Owner.
Unknown.....	Langenscheidts Taschenwörterbuch der spanischen und deutschen Sprache, Erster Teil, Spanisch-Deutsch, 20 Auflage, 1927.	Dr. Eberhard Vogel, editor (nationality not established).	Langenscheidtsche Verlagsbuchhandlung (Prof. G. Langenscheidt), Berlin-Schöneberg, Germany (nationality German).	Owner.
Unknown.....	Wienwörtlich, 2. Auflage, 1935.	Josef Weinheber (nationality not established).	Adolf Luser Verlag Wien/Leipzig, Germany (nationality German).	Owner.
A for 40192.....	Langenscheidt's Universal Dictionary, English-French, French-English, 1938.	Unknown.....	Langenscheidtsche Verlagsbuchhandlung Berlin, Schöneberg, Germany (nationality German).	Owner.
Unknown.....	Grundlagen der Atomphysik. Eine Einführung in das Studium der Wellenmechanik. 2. erweiterte Aufl., 1943.	Hans A. Bauer (nationality not established).	Julius Springer Wien, Germany (nationality German).	Owner.
Unknown.....	Elektronenröhren als Anfangsstufen-Verstärker. 2. erweiterte Aufl., 1944, vol. 3.	Horst Rother and Werner Kleen (nationalities not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German).	Owner.
Unknown.....	Elektronenröhren als Schwingungserzeuger und Gleichrichter, 1941, Vol. 5.	Horst Rother and Werner Kleen (nationalities not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality German).	Owner.

[F. R. Doc. 45-22072; Filed, Dec. 10, 1945; 10:31 a. m.]

[Vesting Order 5279]

LANGBEIN-PFANHAUSER-WERKE A. G.

In re: United States Patent Application owned by Langbein-Pfanhauser-Werke A. G.

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

1. That Langbein-Pfanhauser-Werke A. G. is a corporation organized and existing under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Langbein-Pfanhauser-Werke A. G.;

3. That the property described as follows: The United States Patent Application identified as follows:

Serial No.; Filing Date; Inventors and Title

571,640; 1/6/45; Arnold A. Egli and Carl Bokenkamp; Printing cylinders.

together with the entire right, title and interest throughout the United States and its territories in and to, including the right to file applications in the United States Patent Office for letters patent for, the invention or inventions shown or described in such application,

is property of a national of a foreign country (Germany);

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

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated,

and for the benefit of the United States.

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

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

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

Executed at Washington, D. C. on October 15, 1945.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-22074; Filed, Dec. 10, 1945; 10:31 a. m.]

[Vesting Order 5306]

ROLAND KOMMANDIT-GESELLSCHAFT OSTHOFF & CO., AND ERNST OSTHOFF

In re: Interests of Roland Kommandit-Gesellschaft Osthoff & Co. and/or Ernst Osthoff in certain good will and trademark.

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

1. That Roland Kommandit-Gesellschaft Osthoff & Co., a business enterprise having its principal place of business at Essen, Germany, is a national of a designated enemy country (Germany);

2. That Ernst Osthoff, whose last known address is Essen, Germany, is a national of a designated enemy country (Germany);

3. That the property described in subparagraph 4 hereof is property of Roland Kommandit-Gesellschaft Osthoff & Co. and/or Ernst Osthoff;

4. That the property described as follows: All right, title and interest of whatsoever kind or nature, including, without limitation, any reversionary interest, under the statutory or common law of the United States and of the several states thereof, of Roland Kommandit-Gesellschaft Osthoff & Co. and/or Ernst Osthoff, in and to any and all good will of the business in the United States of American Felsol Company (including, but not limited to, a secret process for manufacturing medicine used in the treatment of asthmatic affections and sold under the name "Felsol"), and in and to any and all registered trademarks (including, but not limited to, Registration No. 199,793, renewed June 16, 1945), and unregistered trade-marks and trade names appurtenant to said business and in



and to every license, agreement, privilege, power and right of whatsoever kind or nature arising under or with respect thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, and/or is property payable or held with respect to trade-marks or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a designated enemy country (Germany);

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

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

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

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

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

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

Executed at Washington, D. C., on October 30, 1945.

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

[F. R. Doc. 45-22075; Filed, Dec. 10, 1945; 10:31 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[RPS 40, Order 33]

HARDWARE PRODUCTS, INC.

#### 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 § 1346.1 (b) (3) of Revised Price Schedule No. 40; It is ordered:

(a) The maximum net prices, f. o. b. point of shipment, for sales by the manu-

facturers and jobbers of the pneumatic general door closer manufactured by Hardware Products, Inc. and as described in the application dated November 7, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

On sales to jobbers (per dozen) ---- \$13.20  
On sales to retailers (per dozen) ---- 17.60

(b) The maximum price for sales by any person to consumers of the pneumatic general door closer manufactured by Hardware Products, Inc., shall be: \$2.20 each.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which the manufacturer and jobbers extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during October 1-15, 1941. Retailers shall extend the same price differentials they extended or would have extended during March 1942 on comparable builder's hardware items.

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

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

This order shall become effective December 11, 1945.

Issued this 10th day of December, 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22096; Filed, Dec. 10, 1945; 11:34 a. m.]

[RPS 40, Order 34]

JOHNSON INDUSTRIES, INC.

#### 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 § 1346.1 (b) (3) of Revised Price Schedule No. 40, it is ordered:

(a) *Manufacturers' maximum prices.*

(1) The maximum list price, f. o. b. point of shipment, for sales by Johnson Industries, Inc. of its BB 300 Sash Lift manufactured by it and as described in the application which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be: \$1.80 per dozen.

(2) The maximum list price set forth in (1) above is subject to the following discounts:

On sales to jobbers—50 percent.  
On sales to retailers—33½ percent.

(b) *Jobbers' maximum prices.* The maximum price for sales by jobbers of the BB 300 Sash Lift manufactured by the Johnson Industries, Inc., shall be:

On sales to retailers—\$1.20 per dozen.  
On sales to consumers—15 cents each.

(c) *Retailers' maximum prices.* The maximum price for sales by retailers of the BB 300 Sash Lift manufactured by the Johnson Industries, Inc., shall be: On sales to consumers—15 cents each.

(d) The maximum prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which the manufacturer and jobbers extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during October 1-15, 1941. Retailers shall extend the same price differentials extended or rendered on sales of comparable items during March 1942.

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

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

This order shall become effective December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22097; Filed, Dec. 10, 1945; 11:35 a. m.]

[RPS 40, Order 35]

C. L. GONGLER MACHINE CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1346.1 (b) (3) of Revised Price Schedule No. 40, it is ordered:

(a) *Manufacturers' maximum prices.*

(1) The maximum list prices f. o. b. point of shipment, for sales by C. L. Gongler Machine Company of Nos. 10, 11, 20 and 21 Keyless Padlocks manufactured by it and as described in the application dated October 24, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be: \$10.00 per dozen.

(2) The maximum list prices set forth in (1) above are subject to the following discounts on sales to jobbers—50-10 percent.

(b) *Jobbers' maximum prices.* The maximum price for sales by jobbers of the Nos. 10, 11, 20 and 21 Keyless Padlocks manufactured by the C. L. Gongler Machine Company shall be: On sales to retailers, \$6.00 per dozen.

On sales to consumers, \$0.75 each.

(c) *Retailers' maximum prices.* The maximum price for sales by retailers to consumers of the Nos. 10, 11, 20 and 21 Keyless Padlocks manufactured by the C. L. Gongler Machine Company shall be \$0.75 cents each.



(d) The maximum prices established by this order shall be subject to all other discounts and allowances and the rendition of services which are at least as favorable as those which the manufacturer and jobbers extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during the period October 1-15, 1941. Retailers are required to extend the same price differentials they extended or rendered on similar commodities during March 1942.

(e) Each seller covered by this order, except a retailer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except retailers, upon resale.

(f) The C. L. Gongler Machine Company shall print on the box containing the padlocks covered by this order, substantially the following:

OPA Maximum Retail Price \$0.75

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

This order shall become effective December 11, 1945.

Issued this 10th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22098; Filed, Dec. 10, 1945;  
11:35 a. m.]

[Order 94 Under 3 (e)]

U. S. DEAHL AND CO.

#### AUTHORIZATION OF MAXIMUM PRICES

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

(a) Maximum delivered prices for sales of "Repel," a water repellent for cloth articles, in the following sizes manufactured by U. S. Deahl and Company, 222 West Ontario, Chicago 10, Ill., are established as follows:

Size	On delivered sales to—			Per gallon
	Re-sellers	Consumers	Industrial users	
6-oz. bottle	\$0.20	\$0.30		
17½-oz. bottle	.50	.75		
1-gallon packing				\$2.25
5-gallon packing				2.00
25-gallon packing				1.75
55-gallon packing				1.50

(b) No extra charge may be made for containers.

(c) Each seller, (except a retailer, shall notify each of his purchasers in writing at or before the issuance of the first invoice after the effective date of this order of the maximum prices established by this order for each such seller, as well as the maximum prices established for purchasers upon resale and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of the aforesaid commodity, after the effective date of this order, the manufacturer shall mark or cause to be marked thereon the following legend:

Maximum Retail Price—\$-----

The blank in the quoted phrase shall be filled in with the applicable maximum retail price.

This order shall become effective December 11, 1945.

Issued this 10th day of December, 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22092; Filed, Dec. 10, 1945;  
11:34 a. m.]

[Order 95 Under 3 (e)]

S. C. JOHNSON AND SON

#### AUTHORIZATION OF MAXIMUM PRICES

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

(a) Maximum prices for sales in 7.5 ounce, 12 ounce and quart sizes of "Johnson's Furniture Cream Polish," manufactured by S. C. Johnson and Son, Racine, Wis., are established as follows:

#### FOR SALES BY THE MANUFACTURER

Size	To wholesalers			To retailers		
	Unit	Carton	Pack per carton	Unit	Carton	Pack per carton
7.5 ounce	\$0.15	\$1.80	12	\$0.17	\$2.00	12
12-ounce	.225	2.77	12	.27	3.08	12
quart	.475	2.83	6	.525	3.14	6

#### FOR SALES BY WHOLESALE

Size	To retailers		
	Unit	Carton	Pack per carton
7.5-ounce	\$0.175	\$2.10	12
12-ounce	.27	3.24	12
quart	.55	3.30	6

#### SALES TO CONSUMER

Size	Price (each)
7.5-ounce	\$0.25
12-ounce	.39
quart	.79

The above prices are subject to the same discounts, allowances and trade practices as prevailed on each seller's sales of said product in the one pint size.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity in each of its sizes to a wholesaler or retailer, the manufacturer shall furnish such wholesaler or retailer with a written notice containing a schedule of maximum prices set out in Paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of the aforesaid commodity, in each of its sizes, after the effective date of this or-

der, the manufacturer shall mark or cause to be marked thereon the following legend:

Maximum Retail Price—----- cents

The blank in the quoted phrase shall be filled in with the applicable maximum retail price.

This order shall become effective December 11, 1945.

Issued this 10th day of December, 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22093; Filed, Dec. 10, 1945;  
11:34 a. m.]

[Order 96 Under 3 (e)]

ETHYL CORP.

#### AUTHORIZATION OF MAXIMUM PRICES

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

(a) Maximum prices for sales in the sizes set forth below for Ethyl Cleaner, an automobile cleaner, produced by Ethyl Corporation, Chrysler Building, 405 Lexington Avenue, New York, N. Y., are established as follows:

(1)

Bottle size	Bottles per standard case	On sales to—			
		Consumers (per bottle)	Retailers (per bottle)		
			Broken case lots	Case lots <sup>1</sup>	(Less than 10 cases)
4-ounce	36	\$0.25	\$0.17	\$0.15	\$1.80
¼-gallon	6	2.25	1.51	1.35	16.20
5-gallon	1	18.50		11.10	133.20

<sup>1</sup> The prices in less than 10 case sales also apply to sales to jobbers.

Bottle size	Bottles per standard case	10 to 25 cases	25 cases up to carload	Carload and over			
		On sales to—					
		Jobber	Distributor	Jobber	Distributor		
		Jobber	Distributor	Jobber	Distributor		
4-ounce .....	36	<i>Per dozen</i> \$1.53	<i>Per dozen</i> \$1.44	<i>Per dozen</i> \$1.44	<i>Per dozen</i> \$1.38	<i>Per dozen</i> \$1.34	<i>Per dozen</i> \$1.27
1/4-gallon .....	6	13.77	12.96	12.96	12.42	12.00	11.41
5-gallon .....	1	113.22	106.56	106.56	102.12	98.62	93.50

These prices are subject to 2% cash, 10th prox., f. o. b. producer's factory with full freight allowed to distributor's or jobber's city freight station.

(2) All prices shall be subject to the discounts, allowances and trade practices (other than specified in one above) of the seller in effect in March 1942.

(3) No extra charge may be made for containers.

(b) Each seller, except a retailer, shall notify each of his purchasers in writing



at or before the issuance of the first invoice after the effective date of this order of the maximum prices established by this order for each such seller as well as the maximum prices established for purchases upon resale and a statement that they have been established by the Office of Price Administration.

(c) Prior to making any delivery of the aforesaid commodity after the effective date of this order, the manufacturer shall mark or cause to be marked thereon the following legend:

Maximum Retail Price—\$-----

The blank in the quoted phrase shall be filled in with the applicable maximum retail price.

This order shall become effective December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22094; Filed, Dec. 10, 1945;  
11:34 a. m.]

[Order 97 Under 3 (e)]

HUDSON MOTOR CAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

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

(a) Maximum delivered prices for sales of "Part No. 165955" in one ounce bottles and "Part No. 165956" in 4 ounce bottles, a waterproofing liquid for ignition cables, batteries, spark plugs, etc., sold by the Hudson Motor Car Company, Detroit, Mich., are established as follows:

Part No.	Part Name	On delivered sales to—		
		Distribu- tor	Dealer	Con- sumer
165955	1 ounce.....	\$0.37	\$0.45	\$0.75
165956	4 ounce.....	.75	.90	1.50

(b) No extra charge may be made for containers.

(c) Each seller, except a retailer, shall notify each of his purchasers in writing at or before the issuance of the first invoice after the effective date of this order of the maximum prices established by this order for each such seller as well as the maximum prices established for purchases upon resale and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of the aforesaid commodity, after the effective date of the order, Hudson Motor Car Company shall mark or cause to be marked thereon the following legend:

Maximum Retail Price—\$-----

The blank in the quoted phrase shall be filled in with the applicable maximum retail price.

This order shall become effective December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22095; Filed, Dec. 10, 1945;  
11:34 a. m.]

[RMPR 136, Order 557]

OHIO GEAR CO.

#### APPROVAL OF MAXIMUM PRICES

Order No. 557 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. The Ohio Gear Company. Docket No. 6083-136.21-577.

For 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 to purchasers of the same class just prior to the issuance of this order for sales of the following items by The Ohio Gear Company of Cleveland, Ohio shall be increased by the following dollar amounts:

	Maximum dollar amount
Worm gear speed reducers 6 1/4 center distance .....	\$24.80
Small double speed reducer number DOT .....	3.12
Special reducers made to picker X-ray design as per their B/P 10784 including pinion A-25019 .....	3.36
Special reducers made to picker X-ray design as per their B/P 26525 .....	4.83

(b) The maximum prices for sales of worm gear speed reducers 6 1/4 center distance and small double speed reducers number DOT 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) The Ohio Gear Company shall notify each person who buys worm gear speed reducers 6 1/4 center distance and small double speed reducers number DOT for resale of the dollar-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 December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22099; Filed, Dec. 10, 1945;  
11:35 a. m.]

[RMPR 136, Order 558]

TISON TRAILER CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136, *It is ordered:*

(a) Tison Trailer Company, 2180 Folsom Street, San Francisco, California, may sell, f. o. b. plant, each Tison trailer described in subparagraph (2) below, at a price not to exceed the price contained in subparagraph (1) below, plus federal excise taxes, on its sale or delivery of the trailer and the cost of transporting the trailer to the purchaser, if any, and the applicable allowance in subparagraph (3).

(1) Prices.

Model No. A .....	\$127.00
Model No. B .....	133.50

(2) Descriptions. Model No. A; two wheel utility trailer; all steel frame and body; spring construction; 6' long x 4' wide x 15 1/2" high; 3/4 ton capacity; equipped with 6.00 x 16 4-ply synthetic tires, hinged tail-gate, safety chains, fenders. Model No. B; same as Model No. A; equipped with a removable frame for fitting a cover and a device to support that frame.

(3) Allowance. A charge which shall not exceed \$27.36 for an optional accessory identified as a metal insulated unit to be used as a refrigerator.

(b) Tison Trailer Company is authorized to suggest to resellers resale prices for the trailers and optional accessory, described in paragraph (a) (2) and (3), consisting of the following:

(1) Prices.

Model No.	Class of purchaser	
	Distribu- tor	Dealer
A .....	\$145.20	\$181.50
B .....	152.55	190.70
Optional accessory .....	31.28	39.10

(2) Charges. (i) A charge for transportation, if any, not to exceed the actual rail freight charge from the factory at San Francisco, California, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charge made by Tison Trailer Company to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payments of state and local taxes on the purchase, sale or delivery of the trailers.

(c) A reseller of Tison trailers in any of the territories or possessions of the United States is authorized to sell each of the trailers described in paragraph (a), at a price not to exceed the applicable price established in paragraph (b), to which it may add a sum equal to the expense incurred by or charged to it for payment of territorial and insular taxes, on the purchase, sale or introduction of the trailer; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing wharfage and terminal operations.

(d) All requests not granted herein are denied.

(e) 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 the case of a decrease in 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 December 11, 1945.

Issued this 10th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22100; Filed, Dec. 10, 1945;  
11:36 a. m.]

[RMPR 136, Order 559]

BARBER-GREENE CO.

#### AUTHORIZATION OF MAXIMUM PRICES

Order No. 559 under Revised Maximum Price Regulation 136. Machines, parts, and industrial equipment. Barber-Greene Company. Docket No. 6083-136.21-519.

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 Portable Coal Conveyors by the Barber-Greene Company, Aurora, Ill. shall be determined as follows:

The manufacturer shall multiply by 100% the maximum price he had in effect to a purchaser of the same class on October 1, 1941.

(b) In the event that any item covered by this order has been modified since October 1, 1941 and a new maximum price established in accordance with section 8 of Revised Maximum Price Regulation No. 136, the manufacturer may add any increase determined under section 8 to and is required to subtract any decrease determined under section 8 from the maximum prices as computed under paragraph (a) above.

(c) The maximum prices for sales of these products 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.

(d) The Barber-Greene Company shall notify each person who buys these products 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.

(e) All requests not granted herein are denied.

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

This order shall become effective December 11, 1945.

Issued this 10th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22101; Filed, Dec. 10, 1945;  
11:36 a. m.]

[MPR 170, Order 11]

ARMSTRONG PETROLEUM 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 Type WP anti-freeze shall be those set forth below. (As used herein "Type WP anti-freeze" means a watered permanent anti-freeze containing 40% ethylene glycol by weight and sold by Armstrong Petroleum Company, Oklahoma City, Okla.)

Sales by Armstrong Petroleum Company to dealers: \$0.65 per gallon, delivered in drums, drums included.

Retail sales: \$1.00 per gallon installed.

(b) With or prior to the first delivery of Type WP anti-freeze after the effective date of this order Armstrong Petroleum Company shall furnish the dealer with a written notice of the schedule of maximum prices set forth in paragraph (a) together with a statement that they have been approved by the Office of Price Administration.

(c) Prior to making any delivery of Type WP anti-freeze after the effective date of this order Armstrong Petroleum Company shall mark or cause to be marked on each container substantially the following legend:

Type WP anti-freeze (40% ethylene glycol).  
Retail ceiling price, \$1.00.

This order shall become effective December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22102; Filed, Dec. 10, 1945;  
11:36 a. m.]

[MPR 188, Rev. Order 4655]

AL VERB

#### 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 § 1499.153 of Maximum Price Regulation No. 188, *It is ordered:* Order No. 4655 under Maximum Price Regulation No. 188 is revised and amended to read as set forth herein.

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Al Verb, 809 Locust Street, Philadelphia 7, Pa.

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

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Crystal table lamp with silver plated base and cap:				
20" high.....	535.....	\$9.14	\$10.75	\$19.25
25" high.....	540.....	7.86	9.25	16.65
19" high.....	542.....	4.46	5.25	9.43
Silverplated commode type lamp, 19" and 22" high	546, 547, 548.	3.06	3.60	6.50

These maximum prices are for the articles described in the manufacturer's application dated November 8, 1945.

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

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration under the Fourth Pricing Method, § 1499.153 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 revised 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 manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this revised 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 revised order shall be established under the provisions of section 4.5 of SR 14J.

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

(f) This revised order shall become effective on the 11th day of December, 1945.

Issued this 10th day of December, 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22103; Filed, Dec. 10, 1945;  
11:37 a. m.]

[MPR 188, Order 4756]

PRACTICAL ELECTRIC PRODUCTS, 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 aluminum table broilers manufactured by Practical Electric Products, Incorporated, 330 East 143th Street, New York 51, 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.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 or more units)	Retailers (less than 6 units)	Consumers
Aluminum table broiler with nickel plated grill and fittings equipped with broiler cord set.....	AMC	Each \$6.75	Each \$8.02	Each \$8.74	Each \$12.95

These maximum prices are for the articles described in the manufacturer's application dated October 25, 1945. These prices include the Federal excise tax.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days. 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 either of the following statements with the correct order number, model number and retail price properly filled in:

Order No. 4756  
Model No. ....  
OPA Retail Ceiling Price—\$.....  
Federal Excise Tax Included  
Do Not Detach or Obliterate

OR

Practical Electric Products, Inc.  
330 East 148th Street  
New York 51, New York  
Model No. ....  
OPA Retail Ceiling Price—\$.....  
Federal Excise Tax Included  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer 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 December, 1945.

Issued this 10th day of December, 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22104; Filed, Dec. 10, 1945;  
11:37 a. m.]

[MPR 188, Order 4757]

C. F. PIEHL 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 § 1499.157 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 electric heating pads manufactured by C. F. Piehl Company, 69 North Clinton Avenue, Bay Shore, 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.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 or more units)	Retailers (less than 6 units)	Consumers
Electric heating pad, 60 watt.	Economy	Each \$1.45	Each \$1.71	Each \$1.85	Each \$2.75

These maximum prices are for the articles described in the manufacturer's application dated October 9, 1945. These prices include the Federal excise tax.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days. 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 either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4751  
Model No. ....  
OPA Retail Ceiling Price—\$.....  
Federal Excise Tax Included  
Do Not Detach or Obliterate

OR

C. F. Piehl Company  
60 North Clinton Avenue  
Bay Shore, New York  
Model No. ....  
OPA Retail Ceiling Price—\$.....  
Federal Excise Tax Included  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer 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 December 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Loc. 45-22105; Filed, Dec. 10, 1945;  
11:37 a. m.]

[MPR 188, Order 4758]

KNAPP MONARCH 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 § 1499.157 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 thermas manufactured by the Knapp Monarch Company, Bent and Potomac Streets, St. Louis, Mo.

(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)	Chain and department stores	Other retailers	Consumers
Therma jug with spout.....	48A500	Each \$1.78	Each \$2.13	Each \$2.37	Each \$3.95
Therma jug with faucet.....	48B500	Each 2.23	Each 2.67	Each 2.97	Each 4.95

These maximum prices are for the articles described in the manufacturer's application dated November 29, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. These prices are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days. 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 with the retail prices properly filled in:

Model No. ....  
OPA Retail Ceiling Price—\$.....  
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 December 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22106; Filed, Dec. 10, 1945;  
11:37 a. m.]



[MPR 188, Order 4759]

EKCO PRODUCTS CO.

## APPROVAL OF MAXIMUM PRICES

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

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Ekco Products Company, 1949 North Cicero Avenue, Chicago 39, Ill.

(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—	
		Chain and jobbers	Consumers
Knife, stainless steel.....	970	Dozen \$0.80	Each \$0.10
Fork, stainless steel.....	970	Dozen .80	Each .10

These maximum prices are for the articles described in the manufacturer's application dated November 8, 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 in 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, 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—\$0.10 each  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer 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 December 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22107; Filed, Dec. 10, 1945;  
11:37 a. m.]

[MPR 188, Order 4760]

WESTINGHOUSE 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 § 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 electric fans manufactured by the Westinghouse Electric Company, 653 Page Boulevard, Springfield 2, Mass.

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

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (3 or more units)	Retailers (less than 3 units)	Consumers
Non oscillating fan....	10LA	Each \$4.925	Each \$5.82	Each \$6.27	Each \$9.40

These maximum prices are for the article described in the manufacturer's application dated November 21, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. These prices include Federal excise tax. These prices are subject to a cash discount of 2% for payment in 10 days, net 30 days. 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 maximum prices for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail price filled in:

Westinghouse Electric Co.  
653 Page Blvd.  
Springfield 2, Mass.  
Model No. ....

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

or

Model No. ....  
Order No. ....

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

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writ-

ing 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 December 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22108; Filed, Dec. 10, 1945;  
11:38 a. m.]

[MPR 254, Order 10]

THE HIGH STANDARD MANUFACTURING CORP.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1379.4 of Maximum Price Regulation No. 254; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of Model H. D. M. Pistol manufactured by The High Standard Manufacturing Company, New Haven, Conn.

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

Article	Model	Maximum prices for sales by all persons to—		
		Jobbers <sup>1</sup> (exclusive of Federal excise tax)	Retailers <sup>1</sup> (inclusive of Federal excise tax)	Consumers <sup>1</sup> (inclusive of Federal excise tax)
Pistol.....	H. D. M....	Each \$28.81	Each \$39.17	Each \$51.17

<sup>1</sup> These prices include all adjustments permitted by Amendment 4 to Maximum Price Regulation No. 254.

The terms are 2 percent 10 days, f. o. b. factory.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 254 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries on and after the effective date of this order.

(4) The prices established by this order are subject to each seller's customary terms and conditions of sale on sales of similar articles to each class of purchaser. They include the adjustment of maximum prices permitted by § 1379.4a of Maximum Price Regulation No. 254.

(b) At the time of, or prior to, the first invoice to a purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum price and conditions established by this order for resales by the purchaser. This notice may be given in any convenient form.

(c) All provisions of Maximum Price Regulation No. 254 not inconsistent with



the provisions of this order are applicable to the sales of the article for which maximum prices are established by this order.

(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 December 1945.

Issued this 10th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22109; Filed, Dec. 10, 1945;  
11:33 a. m.]

[MPR 580, Amdt. 1 to Order 12]

GANTNER & MATTERN CO.

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Amendment 1 to Order 12. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-48.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 12 is amended in the following respects:

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

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Gantner & Mattern Co., 1453 Mission St., San Francisco 3, Calif., having the brand name "Gantner" and described in the manufacturer's application dated April 10, 1945:

LADIES' BEACHWEAR	Manufacturer's selling price (per dozen):	Retail ceiling price (per unit)
	\$18.00 to \$18.50	2.50
	\$21.00 to \$22.50	2.95
	\$30.00	3.95
	\$34.00 to \$36.00	5.00
	\$42.00 to \$43.20	5.95
	\$48.00 to \$51.00	6.95
	\$54.00	7.95
	\$61.20	8.95
	\$67.20	10.00
	\$72.00	10.95
	\$84.00	12.95

MEN'S BEACHWEAR	Manufacturer's selling price (per dozen):	Retail ceiling price (per unit)
	\$7.50	1.00
	\$14.50 to \$14.75	1.95
	\$17.40 to \$18.00	2.50
	\$21.20 to \$21.60	2.95
	\$24.00 to \$25.20	3.50
	\$28.40	3.95
	\$32.40	4.50
	\$34.50 to \$36.00	5.00
	\$38.40	5.50
	\$42.00	6.00
	\$48.00	6.50
	\$54.00	7.50

BOYS' BEACHWEAR	Manufacturer's selling price (per dozen):	Retail ceiling price (per unit)
	\$14.40 to \$14.75	1.95
	\$17.40 to \$18.00	2.50
	\$21.20	2.95
	\$24.00 to \$24.60	3.50
	\$28.40 to \$30.00	3.95

JUVENILE BEACHWEAR	Manufacturer's selling price (per dozen):	Retail ceiling price (per unit)
	\$7.80 to \$8.00	1.00
	\$10.80	1.50
	\$12.60 to \$12.75	1.65
	\$14.40 to \$15.75	1.95
	\$17.40	2.50
	\$18.00	2.50

#### JUVENILE BEACHWEAR—Continued.

Manufacturer's selling price (per dozen)—Continued	Retail ceiling price (per unit)
\$22.50	2.95
\$24.00	3.50
\$30.00	3.95
\$34.50	5.00

#### GIRLS' BEACHWEAR

Manufacturer's selling price (per dozen)	Retail ceiling price (per unit)
\$15.00	1.95
\$18.00	2.50
\$22.50	2.95
\$28.00 to \$30.00	3.95
\$36.00	5.00
\$43.20 to \$45.00	5.95
\$49.20	6.95

The retail ceiling price of an article stated in this paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

2. Paragraph (b) is amended to read as follows:

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

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

(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 and any amendment thereto.

4. Paragraph (e) is amended to read as follows:

(e) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

This order shall become effective December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22110; Filed, Dec. 10, 1945;  
11:39 a. m.]

[MPR 580, Amdt. 1 to Order 26]

CHICOPEE MANUFACTURING CO.

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, amendment 1 to Order 26. Establishing Ceiling Prices at Retail for Certain Articles. Docket No. 6063-580-13-382.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 26 is amended in the following respects:

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

(b) The retail ceiling prices established by this order shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

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

(d) On or before the first delivery to any purchaser for resale of each article

for which a price is established by paragraph (a), the seller shall send the purchaser a copy of this order and any amendment thereto, and a statement showing the articles covered by this order and their retail ceiling prices as established in paragraph (a).

3. Paragraph (e) is amended to read as follows:

(e) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

This amendment shall become effective December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22111; Filed, Dec. 10, 1945;  
11:39 a. m.]

[MPR 580, Amdt. 1 to Order 54]

CLUETT, PEABODY AND CO., INC.

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, amendment 1 to Order 54. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-07.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 54 is amended in the following respects:

1. Paragraph (a) is amended by adding to the application filed by Cluett, Peabody and Company, Inc., on March 26, 1945, the following additional articles:

Article	Brand name	Manufacturer's selling price	Retail ceiling price
Men's Dress Shirt	Arrow	\$18.00 24.00 34.50	\$2.50 3.50 5.00

2. Paragraph (a) is further amended by adding the following undesignated paragraph:

The retail ceiling price established for an article in this paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold after the effective date of this order.

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

(b) The retail ceiling prices established in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

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

(d) On or before the first delivery to any purchaser for resale of each article for which a price is established by paragraph (a), the seller shall send the purchaser a copy of this order, any amendments thereto, and a statement showing the articles covered by this order and



their retail ceiling prices as established by paragraph (a).

5. Paragraph (e) is amended to read as follows:

(e) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to the sales for which retail ceiling prices are established by this order.

This amendment shall become effective December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22112; Filed, Dec. 10, 1945;  
11:38 a. m.]

[MPR 580, Amdt. 1 to Order 62]

MANHATTAN SHIRT CO.

#### APPROVAL OF MAXIMUM PRICES

Maximum Price Regulation 580, Amendment 1 to Order 62. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-366.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 62 is amended in the following respects:

1. Paragraph (a) is amended by adding to the application filed by The Manhattan Shirt Company, dated April 4, 1945, the following ceiling prices for men's apparel listed below:

#### BRAND NAME—"MANSCO"

Article	Manufacturer's selling price	Retail ceiling price
Undershirts.....	\$5.35	\$ 7.75
Shorts.....	10.50	1.50
Union suits.....	14.00	2.00
	12.50	1.75

#### BRAND NAME—"MANHATTAN"

Business shirts.....	\$18.25	\$2.50
	18.50	2.50
	22.00	3.10
	23.89	3.35
	24.25	3.43
	24.50	3.43
	24.75	3.50
	25.50	3.50
	26.63	3.85
	27.13	3.85
	27.50	3.88
	30.00	4.50
	30.50	4.50
	31.00	4.50
	35.00	5.00
	35.50	5.00
	36.50	5.00
	37.50	5.25
	39.00	5.50
	42.00	6.00
	44.00	7.50
Pajamas.....	18.00	2.50
	21.00	2.95
	28.25	3.95
	36.00	5.00
	48.00	6.95
	64.00	8.95
	70.00	10.00
Sport shirts.....	28.50	4.00
	25.25	3.50
	39.00	5.50
	53.00	7.35
	57.50	8.00
	54.00	7.50
	60.00	8.50
	62.50	8.75
	71.50	10.00
	72.00	10.00
Water-repellent jackets.....	64.00	8.95
Necktie and handkerchief sets.....	28.50	4.00
Handkerchiefs.....	2.00	.30

Paragraph (a) is further amended by adding:

2. The retail ceiling price of an article manufactured for the first time after the effective date of this order and which is sold by the manufacturer at the same price as another article of the same type with the same brand or company name and for which a retail ceiling price has been established by this paragraph (a) shall be the retail ceiling price listed for that other article in paragraph (a).

3. Paragraph (d) is amended to read:

(d) On or before the first delivery to any purchaser for resale of each article for which a price is established by paragraph (a), the seller shall send the purchaser a copy of this order and any amendment thereto, and a statement showing the articles covered by this order and their retail ceiling prices as established by paragraph (a).

This amendment shall become effective December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22113; Filed, Dec. 10, 1945;  
11:39 a. m.]

[MPR 580, Amdt. 2 to Order 166]

BIENEN-DAVIS

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Order 166, Amdt. 2. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-392.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) of Order No. 166 is amended in the following respects:

1. Between the main heading "Ladies Handbags" and the subheadings "Manufacturer's Selling Price" and "Retail Ceiling Price" insert the heading "East of Denver."

2. Add the following:

#### DENVER AND WEST

Manufacturer's selling price:	Retail ceiling price
\$7.50.....	\$13.50
\$8.50.....	16.50
\$9.00.....	17.95
\$10.50.....	19.95
\$12.50.....	22.95
\$13.50.....	25.00
\$15.00.....	29.95
\$16.50.....	32.95
\$18.50.....	35.00
\$20.00.....	39.95
\$22.50.....	42.50
\$25.00.....	49.50

This amendment shall become effective December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22114; Filed, Dec. 10, 1945;  
11:38 a. m.]

[MPR 580, Amdt. 1 to Order 218]

DUTCHESS UNDERWEAR CORP.

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Amendment 1 to Order 218. Establish-

ing ceiling prices at retail for certain articles. Docket No. 6063-580-13-383.

For the reasons set forth in the accompanying opinion, paragraph (a) of Order No. 218 is amended in the following respects:

1. Under the heading "Brand Name," delete the words "Twin Bar" and insert the words "Twin Bar or Two Bar."

2. Add the following:

	Manufacturer's selling price	Retail ceiling price	Manufacturer's selling price	Retail ceiling price
DUTCHESS "FEATHERWEIGHT"				
5500 Bra.....	\$4.50	\$6.65		
5534/1 Tite.....	5.25	.75	\$6.25	\$1.00
5534/2 Tite.....	5.25	.75	6.25	1.00
5538 Brief.....	5.25	.75		
5532 Stepin.....	5.25	.75	6.25	1.00
1801 Vest.....	4.50	.65	5.25	.75
1806/1 Tite, short.....	4.50	.65		
1806/2 Tite, medium.....	4.50	.65	5.25	.75
1805 Suit.....	9.00	1.35	11.00	1.65
50 PERCENT WOOL-50 PERCENT NYLON				
T81 Vest.....	11.00	1.65	13.00	1.95
T96 Pant.....	11.00	1.65	13.00	1.95
T96/3 Pant.....	13.00	1.95	15.00	2.25
T95 Suit.....	21.00	2.95	24.00	3.50
9488 Slip.....	9.75	1.39		
9470 Gown.....	14.25	2.25	16.50	2.25
9490 Pajama.....	17.25	2.50		
"TWIN BAR" OR "TWO BAR"				
9532 Stepin.....	10.50	1.50		
9534/1 Tite.....	10.50	1.50		
9534/2.....	10.50	1.50		

This amendment shall become effective December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22115; Filed, Dec. 10, 1945;  
11:39 a. m.]

[MPR 580, Order 268]

PIEDMONT SHIRT CO.

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Order 263. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-386.

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 articles manufactured by Piedmont Shirt Company, Greenville, S. C., having the brand name "Wings", and described in the manufacturer's application dated November 6, 1945:

#### MEN'S SHIRTS—UNSIMPLIFIED

Style name	Manufacturer's selling price	Retail ceiling price
Blue label.....	\$18.00	\$2.50
Brown label.....	22.50	3.00

#### MEN'S SHIRTS—SIMPLIFIED

Blue label.....	\$17.67	\$2.45
Brown label.....	22.09	2.94



(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after January 15, 1946, Piedmont Shirt Company must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)  
OPA Price \$-----

On and after February 15, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to February 15, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) 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.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22116; Filed, Dec. 10, 1945;  
11:38 a. m.]

[MPR 591, Order 162]

#### C. AND R. MANUFACTURING CO.

##### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, for sales by any person of the Model No. 1—Furnace Lighter manufactured by the C. and R. Manufacturing Company of Grand Rapids, Mich., and as described in the application dated September 21, 1945 which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Jobbers	Retailers	Consumers
Model No. 1—Furnace lighter including flexible armour hose.....	\$3.25	\$4.33	\$6.50

(b) The maximum net prices specified in (a) above on sales to jobbers and retailers by the C. and R. Manufacturing Company are f. o. b. point of manufacture.

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

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

(e) The C. and R. Manufacturing Company shall attach a tag to the item covered by this order, containing substantially the following information:

OPA Maximum Retail Price \$6.50

Plus freight and crating as provided in Order No. 162 under Maximum Price Regulation No. 591.

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

This order shall become effective December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22117; Filed, Dec. 10, 1945;  
11:39 a. m.]

[MPR 591, Order 163]

#### LOUDON MANUFACTURING CO.

##### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following home freezer and wall case manufactured by the Loudon Manufacturing Company of Minneapolis, Minn., and as described in the application dated November 15, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
Model HFD-100 home freezer, 40 cu. ft. frozen food display wall 10" x 36" x 6.2 high....	\$340	\$408	\$680
	750	900	1,500

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except retailers, including allowable transportation and crating charges.

(f) The Loudon Manufacturing Company of Minneapolis, Minn., shall stencil on the lid or cover of the home freezer and wall case covered by this order, substantially the following:

OPA Maximum Retail Price \$-----

Plus freight and crating as provided in Order No. 163 under Maximum Price Regulation No. 591.

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

This order shall become effective December 11, 1945.

Issued this 10th day of December 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-22118; Filed, Dec. 10, 1945;  
11:40 a. m.]

[RPS 40, Order 32]

#### BUILDERS' HARDWARE AND INSECT SCREEN CLOTH

##### AUTHORIZATION OF MAXIMUM PRICES FOR SALES OF 18" X 14" MESH BRONZE INSECT SCREEN CLOTH

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1346.1 (b) (3) of Revised Price Schedule No. 40, *it is ordered:*

(a) *Manufacturers' maximum prices for all states and the District of Columbia, except those states listed in (b) below:*

(1) The maximum list price, f. o. b. point of shipment, for sales by any manufacturer of 18" x 14" mesh .0113 diameter bright bronze insect screen cloth, shall be: \$11.80 per 100 square feet.

(2) The maximum list price set forth in (1) above shall be subject to the following functional discounts:

	Percent
On sales in carloads.....	47-15
On sales in less-than-carloads.....	47-12½
On direct shipments.....	47-10



(b) *Manufacturers' maximum prices for the States of Arizona, California, Idaho, Nevada, Oregon, and Washington.* (1) The maximum delivered price to Pacific Coast water terminals for sales by any manufacturer of 18" x 14" mesh .0113 diameter bright bronze insect screen cloth, shall be:

	Per 100
On sales in carloads.....	5.68
On sales in less-than-carloads.....	5.84
On direct shipments.....	5.99

(c) *Jobbers' maximum prices.* (1) The maximum delivered price for sales by jobbers of 18" x 14" mesh .0113 diameter bright bronze insect screen cloth in all states and the District of Columbia, except in the states listed in (2) below, shall be: \$6.65 per 100 square feet, plus actual freight paid to obtain delivery, but in no event exceeding common carrier rates.

(2) The maximum delivered price for sales by jobbers of 18" x 14" mesh .0113 diameter bright bronze insect screen cloth in the States of Arizona, California, Idaho, Nevada, Oregon, and Washington, shall be: \$7.00 per 100 square feet, plus actual freight paid to obtain delivery, but in no event exceeding common carrier rates.

(d) *Retailers' maximum prices.* (1) The maximum price for sales by retailers of 18" x 14" mesh .0113 diameter bright bronze insect screen cloth in all states and the District of Columbia, except in states listed in (d) (2) below, shall be:

	Cents per sq. ft.
On sales in 100 linear feet rolls.....	8
On sales in less than 100 linear feet rolls.....	9

(2) The maximum price for sales by retailers of 18" x 14" mesh .0113 diameter bright bronze insect screen cloth in the states of Arizona, California, Idaho, Nevada, Oregon, and Washington, shall be:

	Cents per sq. ft.
On sales in 100 linear feet rolls.....	8½
On sales in less than 100 linear feet rolls.....	9½

(e) *Discounts and allowances, price differentials and transportation allowances and services.* (1) *Manufacturers and jobbers.* Manufacturers and jobbers shall extend cash discounts and allowances, including transportation allowances and price differentials, and shall render services at least as favorable as were extended or rendered or would have been extended or rendered on sales of comparable bronze insect screen cloth during the period October 1-15, 1941. Manufacturers and jobbers may add the same differentials over bright bronze finish which were in effect for the different finishes during the period October 1-15, 1941 of comparable bronze insect screen cloth.

(2) *Retailers.* Retailers shall extend price differentials and render services at least as favorable as were extended or rendered or would have been extended or rendered on sales of comparable bronze insect screen cloth during March 1942. Retailers may add the same differentials over bright bronze finish which were in

effect for different finishes during March 1942 on comparable bronze insect screen cloth.

(f) *Notification to purchasers.* Each seller covered by this order, except retailers, shall notify each of his purchasers at or before the issuance of the first invoice after the effective date of this order of the maximum prices established for sales by him and of resellers' maximum prices.

(g) All maximum prices for sales covered by this order established or authorized prior to the effective date of this order are revoked and superseded by this order.

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

This order shall become effective December 15, 1945.

Issued this 11th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22166; Filed, Dec. 11, 1945;  
11:43 a.m.]

[MPR 86, Order 24]

#### SALES BY AND TO MAIL ORDER HOUSES

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 Maximum Price Regulation No. 86, It is ordered:

(a) The provisions of sections 18 and 19 of Maximum Price Regulation No. 86 as they apply to mail order houses and manufacturers who sell private brand machines covered by Maximum Price Regulation No. 86 to mail order houses are modified in the following respects:

(1) Persons making mail order sales to consumers of machines covered by Maximum Price Regulation No. 86 from a mail order catalogue, and who do not customarily furnish mail order purchasers with a sales invoice, may make mail order sales of such machines without supplying such purchasers with a sales invoice.

(2) Persons making mail order sales to consumers of machines covered by Maximum Price Regulation No. 86 from a mail order catalogue are not required to attach any retail ceiling price tag or label to machines sold in that way, provided that the seller's catalogue correctly states that the price shown for the machine is not greater than the seller's OPA retail ceiling price for the particular sale.

(3) A mail order seller who sells private brand machines covered by Maximum Price Regulation No. 86 from retail store outlets must, prior to offering such a machine for sale in any of its retail stores, attach to the machine a tag or label which meets the requirements of section 19 (a) of that regulation.

(4) Manufacturers who sell private brand machines covered by Maximum Price Regulation No. 86 to mail order houses are not required to attach any retail ceiling price tag or label to such machines.

(b) All the provisions of Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of articles covered by this order except to the ex-

tent that those provisions are modified by this order.

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

(d) This order shall become effective on the 15th day of December 1945.

Issued this 11th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22168; Filed, Dec. 11, 1945;  
11:41 a.m.]

[MPR 592, Amdt. 20 to Order 1]

#### SPECIFIED CONSTRUCTION MATERIALS AND REFRACTORIES

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

A new section 7.12 is added to Article VII to read as follows:

SEC. 7.12 *Modification of maximum prices for certain deliveries outside a plant's normal market area.*—(a) *Applicability of this section.* This section applies to a manufacturer of a product listed in (b), below, only where all of the following criteria are met:

(1) Shipment of the product is being made from a plant to a destination outside the normal marketing area of that plant. As used in this section "normal marketing area" for a plant means the area in which the product was regularly offered for shipment from that plant during the year 1944.

(2) Shipment is being made to an industrial user and not to a purchaser for resale in substantially the same form.

(3) It appears that for reasons beyond the manufacturer's control the product is not available to the purchaser from his normal source of supply.

(4) The manufacturer files the report required by paragraph (d), below.

(b) *Products covered by this section.* (1) Crude gypsum sold for cement retarder use.

(c) *Maximum prices.* The maximum price for an out-of-area shipment by a manufacturer who is eligible for treatment under this section shall be a price not in excess of the maximum f. o. b. plant price established under Maximum Price Regulation 592 plus actual freight to the point of destination outside the normal marketing area.

For those plants which sell on a delivered price basis or on a freight equalized or allowed basis, the f. o. b. plant price shall be the average realized price for the product at the plant during the calendar year 1944, computed by dividing sales in dollars after deduction of freight paid or allowed but prior to the deduction of other customary sales discounts or allowances, by the number of physical units sold.

(d) *Reports and approvals of maximum prices.* Before offering for sale or delivery for the first time a commodity at a maximum price determined under this section, the manufacturer must file a report with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., setting forth the following:



(1) The commodity which is the subject of the proposed out-of-area sale.

(2) Location of plant from which shipment of the commodity is to be made.

(3) The shipping plant's "normal marketing area" (the area in which the product was regularly offered for shipment from that plant during 1944.)

(4) Functional type of purchaser to whom shipment is proposed.

(5) A statement of the reasons why the product is not available to the proposed purchaser from his normal source of supply, and whether this condition is expected to be temporary or permanent.

The proposed determination of maximum prices pursuant to this section shall be deemed to be approved automatically on the expiration of 15 days after the mailing of this report unless within that time the Office of Price Administration notifies the manufacturer that the application of this section is not deemed necessary under the circumstances to maintain supply of the commodity in question.

This amendment shall become effective December 15, 1945.

Note: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22175; Filed, Dec. 11, 1945;  
11:41 a. m.]

#### Regional and District Office Orders.

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register November 30, 1945.

#### REGION II

Baltimore Order 4-F, Amendment 65, covering fresh fruits and vegetables in the Baltimore, Maryland area. Filed 10:03 a. m.

Baltimore Order 10-F, Amendment 21, covering fresh fruits and vegetables in the entire State of Maryland except Baltimore City and adjoining area. Filed 10:03 a. m.

District of Columbia Order 5-F, Amendment 37, covering fresh fruits and vegetables in the Washington, D. C. area. Filed 10:04 a. m.

Newark Order 7-F, Amendment 32, covering fresh fruits and vegetables in certain counties in New Jersey and the Borough of North Plainfield in Somerset county, New Jersey. Filed 10:00 a. m.

New York Orders 6-D and 7-D, covering butter and cheese in the New York and Newark Districts. Filed 10:00 a. m.

Scranton Order 4-F, Amendment 51, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:00 a. m.

Williamsport Order 26, 27 and 28, Amendments 5, 4 and 5, covering dry groceries in certain counties in Pennsylvania. Filed 9:59, 9:59 and 9:58 a. m.

Williamsport Order 7-W, Amendment 5, covering dry groceries in certain counties in Pennsylvania. Filed 9:57 a. m.

No. 242—6

#### REGION III

Columbus Orders 15 and 16, Amendment 17, covering dry groceries in the Columbus District area. Filed 9:57 a. m. and 9:55 a. m.

Columbus Order 5-W, Amendment 4, covering dry groceries in the Columbus District area. Filed 9:55 a. m.

Detroit Order 5-F, Amendment 45, covering fresh fruits and vegetables in Wayne and Macomb counties. Filed 9:54 a. m.

Detroit Order 5-F, Amendment 46, covering fresh fruits and vegetables in certain counties in Michigan. Filed 9:54 a. m.

Grand Rapids Order 14-F, (Appendix A), covering fresh fruits and vegetables in the Urban area A. Filed 9:51 a. m.

Grand Rapids Order 14-F, (Appendix B), covering fresh fruits and vegetables in the Urban area B. Filed 9:50 a. m.

Grand Rapids Order 14-F, (Appendix C), covering fresh fruits and vegetables in the Urban area C. Filed 9:50 a. m.

Grand Rapids Order 14-F, (Appendix D), covering fresh fruits and vegetables in the Rural area D. Filed 9:50 a. m.

Indianapolis Order 1-D, covering butter and cheese in certain counties in Indiana and College Corner & Union city, Ohio. Filed 9:49 a. m.

Indianapolis Order 2-D, covering butter and cheese in certain counties in Indiana and College Corner & Union city, Ohio. Filed 9:48 a. m.

Lexington Order 5-F, Amendment 35, covering fresh fruits and vegetables in the Fayette county Kentucky area. Filed 9:47 a. m.

Lexington Order 6-F, Amendment 35, covering fresh fruits and vegetables in Campbell and Kenton counties, Kentucky. Filed 9:47 a. m.

Lexington Order 7-F, Amendment 35, covering fresh fruits and vegetables in Boyd county, Kentucky. Filed 9:46 a. m.

Louisville Order 12-F, Amendment 44, covering fresh fruits and vegetables in Jefferson county, Kentucky and Clark and Floyd counties, Indiana. Filed 9:46 a. m.

#### REGION III

Louisville Order 12-F, Amendment 46, covering fresh fruits and vegetables in Jefferson county, Kentucky, and Clark and Floyd counties, Indiana. Filed 9:46 a. m.

Louisville Order 17-F, Amendment 10, covering fresh fruits and vegetables in certain designated counties in Kentucky. Filed 9:46 a. m.

Louisville Order 17-F, Amendment 12, covering fresh fruits and vegetables in certain designated counties in Kentucky. Filed 9:45 a. m.

Louisville Order 18-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:44 a. m.

Louisville Order 18-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:44 a. m.

Louisville Order 19-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:44 a. m.

Louisville Order 19-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:43 a. m.

Louisville Order 20-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:42 a. m.

Louisville Order 20-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:39 a. m.

Louisville Order 20-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:39 a. m.

#### REGION IV

Atlanta Order 15-F, Amendment 5, covering fresh fruits and vegetables in certain

counties in the Atlanta District area. Filed 9:39 a. m.

Birmingham Order 5-F, Amendment 5, covering fresh fruits and vegetables in Jefferson county. Filed 9:37 a. m.

Birmingham Order 5-F, Amendment 7, covering fresh fruits and vegetables in Jefferson county. Filed 9:37 a. m.

Birmingham Order 23, Amendment 2, covering dry groceries in the Birmingham District for Groups 1 and 2 retailers. Filed 9:37 a. m.

Birmingham Order 24, Amendment 2, covering dry groceries in the Birmingham District for Groups 1 and 2 retailers. Filed 9:37 a. m.

Birmingham Order 6-W, Amendment 1, covering dry groceries in the Birmingham District area. Filed 9:37 a. m.

Jacksonville Order 14-F, Amendment 6, covering fresh fruits and vegetables in the Municipal limits of the city of Jacksonville, Florida. Filed 9:35 a. m.

Kansas City Order 4-F, Amendment 17, covering fresh fruits and vegetables in Johnson and Wyandotte counties, Kansas; Jackson county, Missouri and the City of North Kansas City, Missouri. Filed 9:32 a. m.

Kansas City Order 9-5, Amendment 1, covering fresh fruits and vegetables in Buchanan county, Missouri. Filed 9:32 a. m.

Kansas City Order 10-F, Amendment 1, covering fresh fruits and vegetables in Greene county, Missouri. Filed 9:32 a. m.

Memphis Order 9-F, Amendment 2, covering fresh fruits and vegetables in the Memphis District area, except Shelby county. Filed 9:35 a. m.

Memphis Order 2-D, covering butter sold by Groups 3 and 4 Stores in the Memphis District area. Filed 9:34 a. m.

Memphis Order 28, Amendment 1, covering dry groceries sold by Groups 3 and 4 in the Memphis District area. Filed 9:34 a. m.

Montgomery Order 26-F, Amendment 6, covering fresh fruits and vegetables in Mobile county, Alabama. Filed 9:33 a. m.

Montgomery Order 27-F, Amendment 7, covering fresh fruits and vegetables in Montgomery county, Alabama. Filed 9:33 a. m.

Montgomery Order 28-F, Amendment 6, covering fresh fruits and vegetables in Houston county, Alabama. Filed 9:33 a. m.

Montgomery Order 29-F, Amendment 6, covering fresh fruits and vegetables in Dallas county, Alabama. Filed 9:32 a. m.

#### REGION V

Wichita Order 13-F, Amendment 2, covering fresh fruits and vegetables in Sedgwick County, Kansas. Filed 10:08 a. m.

#### REGION VIII

San Francisco Order 17-F, Amendment 3, covering fresh fruits and vegetables in the City of Fresno. Filed 2:35 p. 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. 45-22176; Filed, Dec. 11, 1945;  
11:40 a. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register December 4, 1945.



## REGION I

Concord Order 17, Amendment 3, covering dry groceries sold by Group 1 and 2 Stores in the State of New Hampshire. Filed 9:34 a. m.

Concord Order 4-W, Amendment 3, covering dry groceries in the State of New Hampshire. Filed 9:34 a. m.

Hartford Order 5-F, Amendment 30, covering fresh fruits and vegetables in Waterbury and Watertown. Filed 9:29 a. m.

Hartford Order 6-F, Amendment 30, covering fresh fruits and vegetables in the Hartford area. Filed 9:33 a. m.

Hartford Order 7-F, Amendment 30, covering fresh fruits and vegetables in the New Haven area. Filed 9:33 a. m.

Hartford Order 8-F, Amendment 30, covering fresh fruits and vegetables in the Bridgeport area. Filed 9:33 a. m.

New England Order 7-F, Amendment 28, covering fresh fruits and vegetables in the Boston area. Filed 10:12 a. m.

New England Order 8-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:52 a. m.

New England Order 9-F, Amendment 26, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:51 a. m.

New England Order 10-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:51 a. m.

New England Order 11-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:50 a. m.

New England Order 12-F, Amendment 12, covering fresh fruits and vegetables in the Commonwealth of Massachusetts except the counties of Dukes and Nantucket and certain Marketing areas. Filed 9:50 a. m.

New England Order 13-F, Amendment 7, covering fresh fruits and vegetables in the Brockton area. Filed 9:50 a. m.

## REGION II

Albany Order 10-F, Amendment 25, covering fresh fruits and vegetables in certain cities in New York and the Town of Green Island, New York. Filed 9:23 a. m.

Altoona Order 2-F, Amendments 49 and 50, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:16 and 9:17 a. m.

Binghamton Order 2-F, Amendment 61, covering fresh fruits and vegetables in certain counties in New York. Filed 9:23 a. m.

Buffalo Order 3-F, Amendment 38, covering fresh fruits and vegetables in the cities of Buffalo and Lackawanna, Village of Kenmore and Towns of Amherst, Cheektowaca, Tonawanda and West Seneca, New York. Filed 9:23 a. m.

Buffalo Order 4-F, Amendment 38, covering fresh fruits and vegetables in Rochester, East Rochester, Fairport and Pittsford, New York. Filed 9:23 a. m.

Buffalo Order 5-F, Amendment 5, covering fresh fruits and vegetables in the counties of Allegany, Cattaraugus and Chautauqua, N. Y. Filed 9:24 a. m.

Newark Order 7-F, Amendment 33, covering fresh fruits and vegetables in certain counties in New Jersey and the Borough of North Plainfield in Somerset county, New Jersey. Filed 9:18 a. m.

New York Order 9-F, Amendment 42, covering fresh fruits and vegetables in the five Boroughs of New York City. Filed 9:17 a. m.

New York Order 10-F, Amendment 42, covering fresh fruits and vegetables in all of Nassau and Westchester counties, New York. Filed 9:17 a. m.

New York Order 13-F, Amendment 14, covering fresh fruits and vegetables in the counties of Dutchess, Orange, Putnam, Rockland, Suffolk and Ulster. Filed 9:18 a. m.

## REGION III

Trenton Orders 7-C and 8-C, covering poultry in the Trenton, New Jersey District. Filed 9:35 and 9:40 a. m.

Trenton Order 12-F, Amendment 36, covering fresh fruits and vegetables in certain areas in New Jersey. Filed 9:35 a. m.

Trenton Order 12-F, Amendment 37, covering fresh fruits and vegetables in certain areas in New Jersey. Filed 9:35 a. m.

## REGION III

Charleston Order 7-F, Amendment 40, covering fresh fruits and vegetables in Lincoln, Logan, Mingo & Wayne counties except the city of Huntington in Wayne county, West Virginia. Filed 9:24 a. m.

Charleston Order 9-F, Amendment 40, covering fresh fruits and vegetables in Cabell county & the city of Huntington in Wayne county, West Virginia. Filed 9:24 a. m.

Charleston Order 10-F, Amendment 40, covering fresh fruits and vegetables in Calhoun, Jackson, Mason, Pleasants, Ritchie, Roane, Wirt & Wood counties, West Virginia. Filed 9:24 a. m.

Charleston Order 11-F, Amendment 40, covering fresh fruits and vegetables in Berkeley, Jefferson & Morgan counties, West Virginia. Filed 9:25 a. m.

Charleston Order 15-F, Amendment 37, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:25 a. m.

Charleston Order 16-F, Amendment 37, covering fresh fruits and vegetables in Boone, Fayette, Kanawha, Putnam and Raleigh counties, West Virginia. Filed 9:25 a. m.

Charleston Order 17-F, Amendment 36, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:25 a. m.

Columbus Order 4-C, covering poultry in certain counties in Ohio. Filed 9:26 a. m.

Grand Rapids Order 14-F (Appendix A), Amendment 102, covering fresh fruits and vegetables in the city of Grand Rapids, Michigan. Filed 9:41 a. m.

Grand Rapids Order 14-F (Appendix B), Amendment 102, covering fresh fruits and vegetables in the cities of Battle Creek, Kalamazoo and Muskegon, Michigan. Filed 9:42 a. m.

Grand Rapids Order 14-F (Appendix C), Amendment 76, covering fresh fruits and vegetables in certain counties in Michigan except the cities of Battle Creek, Grand Rapids, Kalamazoo and Muskegon. Filed 9:42 a. m.

Toledo Order 11, Amendment 5, covering dry groceries in the Toledo, Ohio, area. Filed 9:43 a. m.

Toledo Order 12, Amendment 4, covering dry groceries in the Toledo, Ohio area for Groups 3 and 4 retailers. Filed 9:43 a. m.

Toledo Order 13, Amendment 3, covering dry groceries in the Toledo, Ohio area. Filed 9:44 a. m.

Toledo Order 3-F, Amendments 17 and 18, covering fresh fruits and vegetables in certain counties and townships in Ohio. Filed 9:43 and 9:27 a. m.

Toledo Order 4-F, Amendments 17 and 18, covering fresh fruits and vegetables in certain counties in Ohio except the townships of Lake, Ross, Rossford and Perrysburg, Ohio. Filed 9:43 and 9:27 a. m.

## REGION IV

Atlanta Order 12-F, Amendment 6, covering fresh fruits and vegetables in the Atlanta-Decatur Metropolitan Trade area. Filed 9:45 a. m.

Atlanta Order 13-F, Amendment 5, covering fresh fruits and vegetables in certain counties in the Atlanta District area. Filed 9:46 a. m.

Atlanta Order 13-F, Amendment 6, covering fresh fruits and vegetables in certain areas outside of the Atlanta-Decatur Trade area. Filed 9:46 a. m.

Atlanta Order 14-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Georgia. Filed 9:46 a. m.

Atlanta Order 15-F, Amendment 6, covering fresh fruits and vegetables in Bibb and Muscogee counties, Georgia and Phenix City, Alabama. Filed 9:47 a. m.

Jackson Order 7-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 9:30 a. m.

Jacksonville Order 15-W, Amendment 3, covering dry groceries in certain counties in Florida. Filed 9:29 a. m.

## REGION IV

Jacksonville Order 16-W, Amendment 3, covering dry groceries in certain counties in Florida. Filed 9:29 a. m.

Jacksonville Order 43, Amendment 3, covering dry groceries certain counties in Florida. Filed 9:28 a. m.

Jacksonville Order 44, Amendment 3, covering dry groceries in certain counties in Florida. Filed 9:28 a. m.

Jacksonville Order 45, Amendment 3, covering dry groceries in certain counties in Florida. Filed 9:28 a. m.

Montgomery Order 26-F, Amendment 7, covering fresh fruits and vegetables in Mobile county, Alabama. Filed 9:20 a. m.

Montgomery Order 27-F, Amendment 8, covering fresh fruits and vegetables in Montgomery county, Alabama. Filed 9:22 a. m.

Montgomery Order 28-F, Amendment 7, covering fresh fruits and vegetables in Houston county, Alabama. Filed 9:22 a. m.

Montgomery Order 29-F, Amendment 7, covering fresh fruits and vegetables in Dallas county, Alabama. Filed 9:22 a. m.

Roanoke Order 13-F, Amendment 7, covering fresh fruits and vegetables in certain cities and counties in Virginia and all towns and Municipalities located therein. Filed 9:32 a. m.

## REGION V

Oklahoma City Order 8-F, Amendments 6 and 7, covering fresh fruits and vegetables in Oklahoma, Pottawatomie, Garfield, Tulsa and Muskogee counties, Oklahoma. Filed 9:32 a. m.

St. Louis Order 5-F, Amendment 6, covering fresh fruits and vegetables in the St. Louis District except the city of St. Louis and the county of St. Louis, Missouri. Filed 9:31 a. m.

## REGION VI

Chicago Order 2-F, Amendment 87, covering fresh fruits and vegetables in Cook, Du Page, Kane, Lake McHenry counties, Illinois and Lake county, Indiana. Filed 9:48 a. m.

Chicago Order 12, Amendment 1, covering fresh fruits and vegetables in Cook, Du Page, Kane, Lake McHenry counties, Illinois and Lake county, Indiana. Filed 9:49 a. m.

Chicago Order 13, Amendment 1, covering dry groceries in the Chicago Metropolitan area. Filed 9:48 a. m.

Chicago Order 5-W, Amendment 1, covering dry groceries in Cook, Du Page, Kane, Lake and McHenry counties, Illinois, and Lake county, Indiana. Filed 9:48 a. m.

Chicago Order 13, covering dry groceries in certain counties in Illinois and the county of Lake, Indiana. Filed 9:49 a. m.

Chicago Order 1-D, Amendment 1, covering butter and cheese in certain counties in Illinois and Lake in Indiana. Filed 9:48 a. m.

Chicago Order 2-D, Amendment 1, covering butter and cheese in certain counties in Illinois and Lake, in Indiana. Filed 9:47 a. m.



Chicago Order 1-M, covering bottled beer and ale in the Chicago Metropolitan area. Filed 9:47 a. m.

Peoria Order 1-C, covering poultry in certain counties in Illinois. Sold by Groups 1 and 2 Stores. Filed 9:31 a. m.

Peoria Order 2-C, covering poultry in certain counties in Illinois. Sold by Groups 3 and 4 Stores. Filed 9:30 a. m.

#### REGION VIII

Phoenix Order 9-F, Amendment 16, covering fresh fruits and vegetables in the Phoenix area. Filed 10:01 a. m.

Phoenix Order 10-F, Amendment 12, covering fresh fruits and vegetables in the Tucson area. Filed 10:00 a. m.

#### REGION VIII

Phoenix Order 11-F, Amendment 11, covering fresh fruits and vegetables in the Co-chise area. Filed 9:58 a. m.

Phoenix Order 11-F, Amendment 12, covering fresh fruits and vegetables in the Co-chise area. Filed 9:58 a. m.

Seattle Order 30, Amendment 8, covering dry groceries in certain areas in the State of Washington. Filed 9:57 a. m.

Seattle Order 33, Amendment 9, covering dry groceries in certain areas in the State of Washington. Filed 9:57 a. m.

Seattle Order 34, Amendment 7, covering dry groceries in certain areas in the State of Washington. Filed 9:57 a. m.

Seattle Order 1-W, Amendment 15, covering dry groceries in certain areas in the State of Washington. Filed 9:56 a. m.

Seattle Order 2-W, Amendment 11, covering dry groceries in certain areas in the State of Washington. Filed 9:56 a. m.

Spokane Order 8-F, Amendment 42, covering fresh fruits and vegetables in certain areas of Spokane county, Washington. Filed 9:56 a. m.

Spokane Order 9-F, Amendment 42, covering fresh fruits and vegetables in certain areas in Kootenai county, Idaho. Filed 9:55 a. m.

Spokane Order 10-F, Amendment 41, covering fresh fruits and vegetables in certain areas of Shoshone and Kootenai counties, Idaho. Filed 9:55 a. m.

Spokane Order 11-F, Amendment 41, covering fresh fruits and vegetables in certain areas of Latah county, Idaho and Whitman county, Washington. Filed 9:54 a. m.

Spokane Order 12-F, Amendment 42, covering fresh fruits and vegetables in certain areas of Anotin county, Washington and Nez Perce county, Idaho. Filed 9:54 a. m.

Spokane Order 13-F, Amendment 45, covering fresh fruits and vegetables in certain areas of Columbia and Walla Walla counties, Washington. Filed 9:53 a. m.

Spokane Order 14-F, Amendment 43, covering fresh fruits and vegetables in certain areas of Benton and Franklin counties, Washington. Filed 9:52 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. 45-22177; Filed, Dec. 11, 1945;  
11:40 a. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register December 6, 1945.

#### REGION I

Augusta Order 3-F, Amendment 28, covering fresh fruits and vegetables in Portland,

South Portland, and Westbrook. Filed 9:43 a. m.

Augusta Order 5-F, Amendment 27, covering fresh fruits and vegetables in Bangor and Brewer. Filed 9:43 a. m.

Concord Order 9-F, Amendment 32, covering fresh fruits and vegetables in Manchester, Nashua, Concord, Rochester, Somersworth, Dover, Portsmouth. Filed 9:43 a. m.

Concord Orders 21-C and 22-C, Amendment 3, covering poultry in the State of New Hampshire. Filed 9:43 and 9:42 a. m.

Providence Order 3-F, Amendment 30, covering fresh fruits and vegetables in the Providence, Rhode Island, Metropolitan area. Filed 9:42 a. m.

#### REGION II

Camden Order 3-F, Amendment 60, covering fresh fruits and vegetables in Camden, Burlington, Gloucester, Salem and Cumberland counties. Filed 9:42 a. m.

Camden Order 4-F, Amendment 60, covering fresh fruits and vegetables in Atlantic and Cape May counties, New Jersey. Filed 9:41 a. m.

District of Columbia Order 5-F, Amendment 38, covering fresh fruits and vegetables in the District of Columbia area. Filed 9:41 a. m.

Philadelphia Order 6-F, Amendment 56, covering fresh fruits and vegetables in the city and county of Philadelphia. Filed 9:40 a. m.

Philadelphia Order 11-F, Amendment 31, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:40 a. m.

Philadelphia Order 12-F, Amendment 31, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:40 a. m.

Syracuse Order 3-F, Amendment 57, covering fresh fruits and vegetables in the cities of Syracuse, Watertown, & Utica and their free delivery zones. New York. Filed 9:40 a. m.

Syracuse Order 3-F, Amendment 58, covering fresh fruits and vegetables in the cities of Syracuse, Watertown, & Utica and their free delivery zones. New York. Filed 9:39 a. m.

Syracuse Order 4-F, Amendment 44, covering fresh fruits and vegetables in certain counties in New York with the exception of: the cities of Syracuse, Watertown, Utica & their free delivery zones. Filed 9:38 a. m.

Syracuse Order 4-F, Amendment 45, covering fresh fruits and vegetables in certain counties in New York with the exception of: the cities of Syracuse, Watertown, Utica & their free delivery zones. Filed 9:37 a. m.

Wilmington Order 4-F, Amendment 63, covering fresh fruits and vegetables in the entire State of Delaware. Filed 9:37 a. m.

#### REGION III

Charleston Order 7-F, Amendment 41, covering fresh fruits and vegetables in certain counties in West Virginia except the city of Huntington in Wayne county, West Virginia. Filed 9:36 a. m.

Charleston Order 9-F, Amendment 41, covering fresh fruits and vegetables in Cabell county & the city of Huntington in Wayne county, West Virginia. Filed 9:36 a. m.

Charleston Order 10-F, Amendment 41, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:36 a. m.

#### REGION III

Charleston Order 11-F, Amendment 41, covering fresh fruits and vegetables in Berkeley, Jefferson and Morgan counties, West Virginia. Filed 9:36 a. m.

Grand Rapids Order 14-F (Appendix C), Amendment 73-A, covering fresh fruits and vegetables in the Urban area C. Filed 9:47 a. m.

#### REGION IV

Jackson Order 1-D, 2-D, and 3-D, covering butter sold by Groups 1 and 2, 3 and 4 and 3A and 4A, in the Mississippi area. Filed 9:44, 9:44, and 9:43 a. m.

Richmond Order 2-O, covering eggs in Norfolk and certain adjacent areas within the Richmond District. Filed 4:47 p. m.

#### REGION V

Dallas Order 19, Amendment 1, covering dry groceries in Bell, Bosque, Coryell, Falls, Hill and McLennan counties, Texas. Filed 9:44 a. m.

Dallas Order 4-W, Amendment 1, covering dry groceries in Bell, Bosque, Coryell, Falls, Hill and McLennan counties, Texas. Filed 9:46 a. m.

#### REGION VII

Denver Order 69, Amendment 1, covering dry groceries in the Colorado Springs-Pueblo-Trinidad area. Filed 9:54 a. m.

Denver Order 70, Amendment 1, covering dry groceries in the Grand Junction area. Filed 9:54 a. m.

Denver Order 71, Amendment 1, covering dry groceries in the Canon City-Lamar-Rocky Ford-Salida area. Filed 9:53 a. m.

Denver Order 72, Amendment 1, covering dry groceries in the Craig-Leadville area. Filed 9:53 a. m.

Denver Order 72, Amendment 2, covering dry groceries in the Craig-Leadville area. Filed 9:52 a. m.

Denver Order 73, Amendment 1, covering dry groceries in the Durango area. Filed 9:52 a. m.

Denver Order 74, Amendment 1, covering dry groceries in the Boulder-Fort Collins-Fort Morgan-Greeley area. Filed 9:52 a. m.

Denver Order 75, Amendment 1, covering dry groceries in the Burlington-Julesburg-Limon-Sterling area. Filed 9:52 a. m.

Denver Order 76, Amendment 1, covering dry groceries in the Gunnison-Meeker-Silverton area. Filed 9:52 a. m.

Denver Order 77, Amendment 1, covering dry groceries in the Delta-Montrose-Glenwood Springs area. Filed 9:51 a. m.

Denver Order 78, Amendment 1, covering dry groceries in the Alamosa-Creede-Monte Vista area. Filed 9:51 a. m.

Denver Order 79, Amendment 1, covering dry groceries for Group 4 area No. 1. Filed 9:51 a. m.

Denver Order 80, Amendment 1, covering dry groceries for Group 4 area No. 2. Filed 9:50 a. m.

Denver Order 12-W, Amendment 1, covering dry groceries in the Denver area. Filed 9:49 a. m.

Denver Order 13-W, Amendment 1, covering dry groceries in the Colorado Springs-Pueblo-Trinidad area. Filed 9:48 a. m.

Denver Order 14-W, Amendment 1, covering dry groceries in the Grand Junction area. Filed 9:48 a. m.

Denver Order 15-W, Amendment 1, covering dry groceries in the Durango area. Filed 9:48 a. m.

#### REGION VIII

Phoenix Order 9-F, Amendment 7, covering fresh fruits and vegetables in the Phoenix area. Filed 9:47 a. m.

Phoenix Order 9-F, Amendment 8, covering fresh fruits and vegetables in the Phoenix area. Filed 9:47 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. 45-22179; Filed, Dec. 11, 1945;  
11:40 a. m.]



[Region IV Order G-4 Under Gen. Order 61]

#### USED LUMBER IN STATE OF VIRGINIA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by General Order No. 61, it is hereby ordered:

#### ARTICLE I—COVERAGE OF THIS ORDER

**SECTION 1. Products, transactions and area covered.** This order applies to sales or purchases by any person of the categories of used lumber for which maximum prices are established in this order, when made for delivery in the following area: All of that area lying within the geographical limits of the State of Virginia.

This order does not apply to sales of used plywood.

#### ARTICLE II—DEFINITIONS

**SEC. 2. Used lumber.** Used lumber means lumber and lumber products (except used plywood) which have been recovered from, and were at one time a part of, a building, structure or fabricated item made wholly or partially of lumber.

**SEC. 3. Categories of used lumber.** Maximum prices are established in this order for the categories of used lumber described below, including such lumber when run to standard or special patterns; but such descriptions are not intended to, and do not, include items customarily produced and sold as moldings, millwork or plywood.

(a) **Boards.** Used lumber of less than 2" nominal thickness not exceeding 12" in nominal width ("nominal thickness" means thickness of the piece before planing. Actual thickness, after planing to produce an even and uniform surface, is generally  $\frac{1}{4}$ " to  $\frac{3}{8}$ " less than nominal thickness).

(b) **Dimension.** Used lumber of 2" nominal thickness not exceeding 12" in nominal width.

(c) **Planks or small timbers.** Used lumber of over 2" and up to and including 4" nominal thickness and of 12" or less nominal width; also, nominal thickness over 4" up to and including 6" in all nominal widths up to and including 8".

(d) **Large timbers.** Used lumber of nominal sizes larger than 6" x 8"; also, nominal thicknesses of more than 2" when wider than 12".

(e) **Flooring.** Used lumber planed to approximately  $\frac{25}{32}$ " thickness, and which has tongue and groove or other construction commonly used for flooring.

(f) **Scrap lumber** is used lumber of any of the other categories described in this section which, because of defects in quality or deficiencies in size, do not meet the grade specifications in section 4.

Plywood, which is exempt from this order, is defined to be three or more thin layers of lumber, glued together with the grain of each layer at an angle to that of the adjoining layer, to form a material having the general characteristics of a thin board.

**SEC. 4. Grades.** The following are the grades of used lumber referred to in Appendix A.

(a) **Grades of boards, dimension, planks and timbers.**

(1) **First Grade** is used lumber in the form of boards, dimension, planks or timbers which are at least 5' in length, and which are sound, strong, of uniform width and thickness, suitable for substantial construction purposes, free from loose or rotten knots, knotholes and rot, and without other defects which might materially impair the strength of the piece, from which all nails, bolts, cement, plaster or other foreign matter have been removed, and which has been surfaced to standard or special patterns.

(2) **Secondary grade** is used lumber in the form of boards, dimension, planks or timbers, which individually are at least 5' in length, and which though failing to qualify as first grade are reasonably good construction lumber. They must be free from rot, but may contain loose knots, knotholes or other defects which do not interfere with their use for construction purposes, from which all nails, bolts, cement, plaster or other foreign matter have been removed, and which has been surfaced to standard or special patterns. Each piece of used lumber sold as secondary grade must show more than 50 percent of first grade used lumber in lengths of at least 5 feet.

(3) **Third grade lumber** is used lumber meeting the general requirements of first and/or secondary grades but from which nails, bolts, cement, plaster or other foreign matter have not been removed, and used lumber which does not meet the requirements of first or secondary grades, and which has been surfaced to standard or special patterns.

(b) **Grades of flooring.** (1) **Reclaimed flooring** is used flooring of  $\frac{25}{32}$ " or  $\frac{13}{16}$ " thickness, entirely free of nails or other foreign matter and with upper face whole or free from voids or splits. A tolerance of  $\frac{1}{8}$ " in thickness will be permitted where flooring is worn or sanded. Not more than 25 percent of the tongue may be missing on any piece nor more than 25 percent of the lower surface representing the upper part of the groove.

(2) **Unreclaimed flooring** is used flooring which meets the specifications for reclaimed flooring except that nails or other foreign matter have not been removed.

**SEC. 5. Persons.** The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or their legal successors or representatives; the United States, or any government, or any of its political subdivisions, or any agency of the foregoing.

**SEC. 6. Sales.** "Sale" includes a barter, exchange, lease or transfer, and an agreement or offer to sell, barter, exchange, lease or transfer.

**SEC. 7. Established yard.** Seller's established yard means premises occupied by the seller for the purpose of regularly and continually maintaining a stock of new and/or used lumber from various unrelated sources of supply.

#### ARTICLE III—SPECIFIC REQUIREMENTS

**SEC. 8. Posting ceiling prices.** Every person selling used lumber for delivery in, or from stocks located in, the area covered by this order shall obtain from the Office of Price Administration at least two copies of the price schedule fixed in this order. One copy of such order must be posted and maintained in a prominent place at or near each location in the area where used lumber is offered for sale, in such manner that it can be easily read, and that purchasers can approach it within a distance of two feet. One other copy must be kept available so that it may be shown to and read by any customer at his request.

**SEC. 9. Sales slips and receipts.** Where a sale of used lumber is covered by this order and the total price of the sale is \$5 or more, the seller shall, regardless of his previous practice and whether or not requested by buyers, give to the buyer a sales slip, bill, receipt, or other written evidence of the sale, setting forth the following:

Name and address of seller.

Buyer's name.

Place of delivery.

Location from which stock is sold (seller's yard or site other than seller's yard).

Description of items sold and itemized prices (in terms of categories, grades, lengths, quantities and any other specification affecting the price).

Total price.

Additions (for delivery or other extra).

**SEC. 10. Records and reports.** Every person who makes a sale of used lumber shall keep a record of such sale showing the name of the buyer and place of delivery, date of the sale, the grades sold, the quantities sold and the price charged in the same detail as required in section 9. Such records shall be kept for a period of 2 years or for the duration of the Emergency Price Control Act of 1942, as amended, whichever be the shorter.

#### ARTICLE IV—PROHIBITED PRACTICES AND PENALTIES

**SEC. 11. Sales of used lumber at higher than maximum prices prohibited.** (a) On and after the effective date of this order, regardless of any contract or obligation, no person shall make a sale or delivery of used lumber of the varieties covered by this order and no person shall buy or receive such used lumber under a sale, at prices higher than the maximum prices fixed by this order; and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

**SEC. 12. Prohibited practices.** Any practice which is designed to get the effect of a higher than ceiling price is as much a violation of this order as a direct over-the-ceiling charge. This applies to changes in credit practices and cash discounts and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like. Such practices include, but are not limited to, the following:

(a) Getting the effect of a higher price by changing the credit practices from



what they were in March 1942. This includes decreasing credit periods, or making greater charges for extension of credit.

(b) Refusing to sell except in small quantities, or with or without delivery under circumstances which bring the seller an extra return.

(c) Wrongly grading used lumber for which maximum prices are fixed in this order; or incorrectly or incompletely recording the information required by section 9 to be set forth on the sales slip, receipt or other evidence of sale.

(d) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(e) Charging, paying or receiving a commission for the service of procuring, buying, selling, or locating used lumber covered by this order, or for any related service which does not involve actual physical handling of used lumber, if the commission plus the purchase price results in a total payment by the buyer of such used lumber which is higher than the maximum price permitted by this order. For the purpose of this order, a commission is any compensation, however designated, which is paid, wholly or in part, for the procurement of lumber, and which is based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

**SEC. 13. Penalties.** (a) Any person violating any provision of this order is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license provided for in the Emergency Price Control Act of 1942, as amended.

(b) Any person making a sale of used lumber covered by this order for which the total price is higher than \$5 and who either fails to give the buyer a sales slip, paid bill, receipt or other evidence of sale, or although such document is given, fails to set forth in it the information required to be set forth by section 9, so that a determination can be made as to whether or not the price charged was proper, shall be limited to making a charge of \$5 per M'BM for all lumber delivered under such sale. The application or enforcement of this provision to a sale or against a seller shall not exclude the application or enforcement of the penalties provided in paragraph (a) of this section.

#### ARTICLE V.—MAXIMUM PRICES

**SEC. 14. Ceiling prices for any category of used lumber for which maximum prices are not fixed in this order are subject to the General Maximum Price Regulation unless subsequently fixed by regional or district order.**

**SEC. 15. Maximum prices—(a) Local sales out of seller's established yard.** The maximum prices set forth in the table appearing in Appendix "A" shall apply to all sales of used lumber of the categories covered by this order, when the used lumber, at the time the order is taken, is part of a stock at the seller's established yard, and delivery is made either at the yard, or by truck, within a radius of thirty miles of such yard. If

rail shipment either by the seller or buyer should be made, see paragraph (c) (2) of this section.

(b) *Local sales from site other than the seller's established yard.* When a sale is made for delivery from stock located at a site other than the seller's established yard, and delivery is made either at the site, or by truck within a radius of thirty miles of such site, the maximum prices applicable to such sale shall be \$2.00 per M'BM less than the prices set forth in Appendix "A". If rail shipment either by the seller or buyer should be made, see paragraph (c) (2) of this section.

(c) *Other than local sales—(1) When delivery is by truck.* When a sale is made for delivery by truck to the buyer at a point located further than thirty miles from the place where the shipment originates, the maximum price applicable to such sale shall be \$5 per M'BM less than the price fixed for a local sale from such place under paragraph (a) or (b) above.

(2) *When rail transportation is involved.* When a sale is made which involves shipment by rail of used lumber, either by the buyer or seller, from the seller's established yard or from a site other than such yard, the maximum price applicable to such sale shall be \$5 per M'BM less than the price fixed for a local sale from such place under paragraphs (a) and (b) above.

**SEC. 16. Additions for delivery.** (a) If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller may not charge for making the delivery. If delivery is requested and refused, the maximum price must be reduced by the actual cost incurred by the purchaser for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942, the seller may add a charge for delivery as follows:

(1) Where delivery is by common or contract carrier, the actual amount paid to the carrier by the seller may be charged.

(2) Where delivery up to 100 miles is by truck owned or controlled by the seller, the amount added for delivery may not be higher than 10 cents per M'BM for each mile from point of origin to place of delivery, but not for any part of the return trip. When truck delivery over 100 miles is to be made, the addition may not be more than 10 cents per M'BM for each mile from the point of origin to the nearest possible point of rail loading-out plus the amount of rail transportation from there to destination.

(3) A minimum charge of 75 cents may be made on any delivery, where the permissible charges do not amount to 75 cents.

(c) If the buyer elects to take delivery at the site of the lumber or at the seller's established yard, no reduction in price shall be required for that reason. This does not, however, affect the application of the provisions of section 15 (b).

This order may be amended, modified or revoked at any time.

This order shall be effective October 25, 1945.

Issued: October 12, 1945.

ALEXANDER HARRIS,  
Regional Administrator.

#### APPENDIX A—MAXIMUM PRICES FOR USED LUMBER PER M'BM IN THE STATE OF VIRGINIA

##### A. BOARDS, DIMENSIONS, PLANKS AND TIMBERS

	First grade		Second-grade		Third grade	
	5' to 20'	Over 20'	5' to 20'	Over 20'	5' to 20'	Over 20'
Boards:						
8" and under wide.	\$33	\$35	\$27	\$29		
10" to 12" wide.	36	38	29	31		
All widths.					\$21	\$23
Dimension:						
8" and under wide.	32	34	27	29		
10" to 12" wide.	34	36	28	30		
All widths.					20	22
Planks and small timbers.	35	39	31	35	23	27
Large timbers:						
7 x 8" and 8 x 8"	35	40	31	36	23	28
Larger sizes.	40	45			26	31

##### B. FLOORING—ALL LENGTHS

	Reclaimed	Unreclaimed
Softwood flooring.		\$23
Hardwood flooring.	\$32	23

##### C. SCRAP LUMBER

If maximum prices for sales of unprocessed firewood to dealers have been established for an area in which the selling establishment is located, such maximum prices shall apply to scrap lumber, otherwise \$5 per M' b, m. shall be the maximum price.

##### D. SMALL SALES

For sales amounting in total for all items of less than \$10, the prices in A and B above may be increased by ten percent.

[F. R. Doc. 45-22025; Filed, Dec. 7, 1945; 2:43 p. m.]

[Region VI Order G-16 Under RMPR 122, Appendix 26]

#### SOLID FUELS WITHIN CERTAIN SPECIFIED AREAS IN QUINCY, ILL.

(a) *Applicability.* This Appendix No. 26 applies to sales of solid fuels delivered within the city limits of Quincy, Illinois.

(b) *Price schedule.* (1) Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices for "domestic delivered" sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Discounts are set forth in section (c). Service charges are set forth in section (d). Charges for treatment of coal are set forth in section (e). Definitions are set forth in section (f). Sales in lots of fractions of a ton or tons shall be governed by the price schedule as follows:

(i) On "domestic 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 \$10.90, the price of ½ ton would be \$5.45 plus 25¢ or a total of \$5.70, the price of ¾ ton would be \$8.18 plus 25¢ or a total of \$8.43.

(ii) On "domestic 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 \$10.90, the price of 1½ tons would be \$16.35.

## PRICE SCHEDULE

	Domestic delivered per ton
I. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):	
1. Lump and egg size group Nos. 1, 2, and 3, all single screened lump coal bottom size larger than 2" and all double screened egg coal bottom size larger than 3", price classification A, mine index Nos. 49 and 50 only	\$10.90
2. Lump—Size group No. 2, all single screened lump coal bottom size larger than 3" but not exceeding 5", price classifications B through E inclusive	10.55
II. High volatile bituminous coal from district No. 9 (western Kentucky):	
1. Lump and egg size group Nos. 1-6 inclusive, all single screened lump coals and all double screened raw, washed, or air-cleaned egg coals top size larger than 2":	
(a) No. 14 and stray seams	7.61
(b) No. 9 and 11 seams	7.36
III. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict deep machine mines. Price group Nos. 1, 2 and 8:	
1. Lump and egg size group Nos. 1-5 inclusive. All lump and egg coals bottom size larger than 1½" (including 6" lump, 6 x 3 egg and 3 x 2 small egg	7.75
2. Stove size group No. 8. All stove coal bottom size larger than ¾" and top size larger than 1½" but not exceeding 2" washed or raw. (Including 2" x 1¼")	7.40
3. Special stoker size group Nos. 21, 22 and 28. All washed or air cleaned nut and pea coal bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding ¾" (including such trade names as G14, Par-Fuel-Air-Flow, Super V, etc.)	6.95
4. Washed or dedusted screenings (common trade names—S. P. stoker, commercial stoker and universal stoker), size groups 23, 24, 26 and 27, all washed, air cleaned or dry dedusted screenings top size not exceeding 2"	6.65
B. Central subdistrict deep machine mines price group Nos. 12 and 13:	
1. Lump and egg size groups Nos. 1, 2 and 3, all lump and egg coals bottom size larger than 2" washed or raw	6.30
C. Belleville subdistrict hand loading mines and mine index Nos. 48 and 1317, price group Nos. 16-22 inclusive:	
1. Lump and egg size groups Nos. 1, 2 and 3. All lump and egg coals bottom size larger than 2" washed or raw	6.85

## PRICE SCHEDULE—Continued.

III. High volatile bituminous coal from district No. 10—Continued.	
D. Belleville subdistrict, strip mines price groups Nos. 16-22 inclusive:	
1. Lump and egg size groups Nos. 1, 2 and 3. All lump and egg coals bottom size larger than 2" washed or raw	\$6.50
IV. Byproduct coke solvay or koppers: 1. Egg, stove and nut	15.25
V. Pennsylvania anthracite: 1. Egg, stove and nut	17.60

(2) To the above maximum prices there may be added the Retailers' Occupation Tax of the State of Illinois, and also the Federal Transportation Tax of 4¢ per ton.

(3) "Commercial sales" shall continue to be priced under the provisions of Revised Maximum Price Regulation No. 122.

(c) Discounts. The maximum prices set forth in section (b) (1) shall be subject to the following discount:

(1) On sales of coal picked up at the dealer's yard, 75 cents per ton.

(d) Immediately below and as a part of this section (e) is a schedule of service charges which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated on the dealer's invoice.

Schedule of service charges	Per ton	Extra charge per flight—per ton
(1) Carry or wheel coal from curb	Cents 50	Cents 50
(2) Carry or wheel coke from curb	75	75

(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 Appendix No. 26; *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) Definitions. (1) "Commercial sales" means sales made to commercial and industrial users such as hotels, industrial plants, office buildings, large department stores, and to institutional users such as hospitals, public institutions and public buildings.

(2) "Domestic sales" mean all sales other than "commercial sales".

Except as otherwise provided herein or as the context may otherwise require, all terms used in this appendix shall bear the meaning given them in Revised

Domestic delivered per ton

Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942; if not therein defined, they shall be given their customary trade meaning.

This Appendix No. 26 to Order No. G-16 shall become effective November 28th, 1945.

Issued this 21st day of November 1945.

R. E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-22020; Filed, Dec. 7, 1945; 2:42 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 74]

## SOLID FUELS WITHIN CERTAIN SPECIFIED AREAS—SIOUX FALLS, S. DAK., AREA

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

In Appendix No. 1, which covers the Sioux Falls, South Dakota area the deletion of subparagraph VIII, Briquettes, by Amendment No. 70 to Order No. G-16 is hereby revoked and subparagraph VIII, Briquettes is hereby reinstated to read as follows:

	Domestic per 1 ton	Delivered per ½ ton
VIII. Briquettes:		
1. Standard	\$15.15	\$7.85
2. Low volatile (made from district No. 7 low volatile coal and anthracite):		
a. Glen Rogers	15.70	8.10
b. Berwind	15.50	8.00
c. Stott	15.44	7.97

This Amendment No. 74 to Order No. G-16 shall become effective immediately.

Issued this 21st day of November 1945.

R. E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-22021; Filed, Dec. 7, 1945; 2:42 p. m.]

[Peoria Order G-2 Under Gen. Order 68]

## HARD BUILDING MATERIALS IN BLOOMINGTON, ILL. AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, it is ordered:

SECTION 1. *What this order covers.* This order establishes dollars-and-cents ceiling prices for all retail sales made by any seller, except a manufacturer, of commodities specified in Appendix A below delivered to the purchaser in the Bloomington, Illinois area. The Bloomington, Illinois area for the purposes of this order consists of the area within the City limits of the City of Bloomington, Illinois and also the area in McLean County, Illinois lying outside such city limits and within a radius of six (6) miles from the County Court House located in Bloomington, Illinois, which area includes the City of Normal, Illinois.



SEC. 2. *Definition of retail sales.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any person for resale on an installed basis.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in section 3. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation, 3d RMPR 13, MPR 44, (except as to sales covered by MPR 525), MPR 293, (except as to sales covered by MPR 525), and MPR 281, shall continue to apply to sales covered by this order.

SEC. 4. *Discounts, allowance and delivery practices.* (a) The seller shall grant a cash discount of two (2) percent if paid within ten (10) days from date of sale, with respect to all sales of commodities specified in Appendix A to all classes of purchasers.

(b) The maximum prices fixed by this order are maximum delivered prices and no amount may be added for deliveries in the area covered by this order.

SEC. 5. *Posting of maximum prices.* Every seller making sales covered by this order shall post a copy of the list of maximum prices fixed by this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. An additional copy of Appendix A is attached to this order and the posting required hereby shall be accomplished by removing the second copy of Appendix A attached to this order and posting it in a conspicuous place where it is plainly visible to all purchasers.

SEC. 6. *Sales slips and records.* Every seller, shall give the purchaser a receipt showing the date, name and address of the seller, the description, quantity, and price of each item sold. The description shall be in sufficient detail in order to determine whether the price charged has been properly computed under this order. He must keep for at least six months after delivery a duplicate copy of each sale slip delivered by him pursuant to this section. Each such seller shall also keep such records of each sale as he customarily kept.

SEC. 7. On and after the effective date of this order, any person covered by this order, who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No person subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. No person subject to this order may, as a condition of selling any particular hard building material item, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

This order may be modified, amended, or revoked at any time.

Appendix. The appendix, containing the dollars-and-cents ceiling prices established by this order is attached hereto, marked "Exhibit A" and made a part hereof.

This order shall become effective December 10, 1945.

Issued this 30th day of November 1945.

BEN J. BECKER,  
Acting District Director.

#### EXHIBIT A

APPENDIX A—CEILING PRICES FOR RETAIL SALES OF HARD BUILDING MATERIALS, EFFECTIVE DATE, DECEMBER 10, 1945

[Area covered: The area within the city limits of the city of Bloomington, Ill. and also the area in McLean County, Ill., lying outside such city limits and within a radius of six (6) miles from the County Court House located in Bloomington, Ill., which area includes the City of Normal, Ill. Dollars-and-cents ceiling prices.]

Commodity	Unit	Maximum price <sup>1</sup>
Plaster, hard wall.....	100-pound bag.....	\$1.10
Do.....	50-pound bag.....	.65
Do.....	Ton.....	20.00
Plaster, gauging (superwhite).....	100-pound bag.....	1.75
Plaster, gauging, local.....	do.....	1.10
Plaster, no lading.....	do.....	1.75
Cement, Keene's.....	do.....	2.55
Lime, finishing.....	50-pound bag.....	.60
Gypsum, lath, 3/4".....	Square feet.....	.028
Metal lath, 2.2 lb. (painted diamond mesh).....	Square yard.....	.25
Metal lath, 2.5 lb. (painted diamond mesh).....	do.....	.28
Metal lath, 3.4 lb. (painted diamond mesh).....	do.....	.30
Metal lath, corner bead expanded type.....	Linear foot.....	.05
Portland cement, standard (paper bags).....	94-pound bag.....	.80
Masonry mortar (paper sacks).....	70-pound bag.....	.70
Mason's hydrated lime.....	50-pound bag.....	.60
Waterproof cement (gray).....	94-pound bag.....	1.10
Fire brick, 9" first quality, dry press, straight Missouri.....	1,000.....	77.50
Fire clay.....	100-pound bag.....	1.25
Clay drain tile, 4".....	Linear foot.....	.057
Clay drain tile, 6".....	do.....	.101
Vitrified clay sewer pipe, No. 188 4".....	do.....	.19
Vitrified clay sewer pipe, No. 188 6".....	do.....	.28
Flue lining, 8" x 8".....	do.....	.37
Flue lining, 8" x 12".....	do.....	.555
Flue lining, 12" x 12".....	do.....	.68
Gypsum wallboard, 3/4".....	Square feet.....	.048
Gypsum sheathing, 1/2".....	do.....	.045
Asphalt roofing, 90 lb. mineral surface.....	Per square.....	2.55
Asphalt or tarred felting, 15 lb. 432 sq. ft. ....	Per roll.....	2.55
Asphalt or tarred felting, 30 lb. 216 sq. ft. ....	do.....	2.55
Asphalt shingles, 210 lb. (3 in 1) thick butt.....	Per square.....	6.12
Asphalt shingles, 165 lb. 2 tab-hexagon.....	do.....	4.90
Fibre insulation board, 1/2" standard lath and board.....	Square foot.....	.055
Fibre insulation board 2 3/4" asphalt sheathing.....	do.....	.065
Standard density synthetic fibre board, 1/2" tempered, standard size.....	do.....	.095
Thermal insulation blankets (paper backed) balsam wool, standard.....	do.....	.05
Thermal insulation blankets (paper backed) balsam wool, double thick.....	do.....	.0725
Thermal insulation, batts (paper backed), 2" thick.....	do.....	.05
Thermal insulation, batts (paper backed), full, thick.....	do.....	.07
Thermal insulation, loose, in bags (plain).....	35-pound bag.....	1.00
Vitrified tile, 4" T's, L's, and Y's.....	Each.....	.76
Vitrified tile, T's, L's, and Y's, 6".....	do.....	1.13

<sup>1</sup> All sales subject to 2 percent cash discount if paid within 10 days from date of sale.

[F. R. Doc. 45-22046; Filed, Dec. 7, 1945; 2:51 p. m.]

[Green Bay Order G-1 Under Gen. Order 68]

#### SPECIFIED BUILDING MATERIALS IN GREEN BAY-DE PERE, WIS., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, it is ordered:

SECTION 1. *What this order covers.* This order covers all retail sales made by any seller, except a manufacturer, of commodities specified in Appendix A, delivered to the purchaser in the Green Bay-De Pere Area. The Green Bay-De Pere area for the purposes of this order consists of the corporate limits of the cities of Green Bay and De Pere, Wisconsin, and the townships of Allouez, Ashwaubenon, and that portion of the township of Preble lying West of Range twenty-one (21) East.

SEC. 2. *Definition of retail sales.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any person for resale on an installed basis.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in section 3. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation, 3d Revised Maximum Price Regulation 13, Maximum Price Regulation 44 (except as to sales covered by Maximum Price Regulation 525), Maximum Price Regulation 293 (except as to sales covered by Maximum Price Regulation 525), and Maximum Price Regulation 281 shall continue to apply to sales covered by this order.

SEC. 4. *Discounts, allowance and delivery practices.* Maximum prices set forth in the attached appendix are for delivered sales. You shall continue to make all allowances and discounts established under the General Maximum Price Regulation for each class of customer which you may have, except that building contractors shall receive a flat discount of five percent.

SEC. 5. *Posting of maximum prices.* Every seller making sales covered by this order shall post a copy of the list of maximum prices fixed by this order in each of his places of business in the area covered by this order, in a manner plainly visible to all purchasers.

Notification. Every seller making sales covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order.

SEC. 6. *Sales slips and records.* Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer, such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller, the description, quantity, and price of each item sold. The description shall be in sufficient detail in order to determine whether the price charged has been properly computed under this



order. If he customarily prepared his sales slips in more than one copy, he must keep for at least six months after delivery a duplicate copy of each sale slip delivered by him pursuant to this section. Each such seller shall also keep such records of each sale as he customarily kept.

SEC. 7. On and after the effective date of this order, any person covered by this order, who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No person subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. No person subject to this order may, as a condition of selling any particular building material item, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

SEC. 8. This order may be modified, amended, or revoked at any time. This order shall become effective December 1, 1945.

Issued this 27th day of November 1945.

F. L. EARP,  
District Director.

#### APPENDIX A

Material	Unit	Price
Finishing lime.....	Ton	\$24.50
Finishing lime.....	50-lb. bag	.70
Gypsum lath 3/4".....	MSM	28.00
Metal lath 2.5 lb. painted diamond mesh.....	Sq. yd.	.25 1/2
Metal lath 3.4 painted diamond mesh.....	Sq. yd.	.29 1/4
Metal lath corner bead expanded type.....	Lineal ft.	.04
Portland cement, st'd, (paper bags).....	Bbl.	2.75
Portland cement, st'd, (paper bags).....	Sack	.70
Portland cement, st'd, (cloth bags).....	Bbl.	2.60
Portland cement, st'd, (cloth bags).....	Sack	.70
Masonry mortar (paper sacks).....	Bbl.	2.66
Masonry mortar (paper sacks).....	Sack	.70
Mason's hydrated lime.....	Bag	.50
Waterproof cement (gray).....	Sack	1.08
Gypsum block-partitions 3" hollow.....	Each	.08 1/2
Gypsum block-partitions 4" hollow.....	Each	.10
Fire clay (100 lb. bags).....	100-lb. bags	1.25
Clay drain tile 4".....	Lineal ft.	.06
Vitrified clay sewer pipe No. 18S-4".....	Lineal ft.	.20
Vitrified clay sewer pipe No. 18S-6".....	Lineal ft.	.20 1/2
Flue lining 9 x 9.....	Lineal ft.	.40
Flue lining 9 x 13.....	Lineal ft.	.59
Flue lining 13 x 13.....	Lineal ft.	.75
Gypsum wallboard 3/2".....	MSM	48.00
Gypsum wallboard 3/2".....	MSM	48.00
Gypsum sheathing 1/2".....	MSM	44.50
Asphalt roofing—30 lb. mineral surface.....	Roll	2.45
Asphalt or tarred felt—15 lb.....	Roll	2.40
Asphalt or tarred felt—30 lb.....	Roll	2.40
Asphalt shingles—210 lb. (3 in 1) thickbutt.....	Square	5.92
Asphalt shingles—165 lb. 2 tab. hexagon.....	Square	4.70
Fibre insulation board 1/2" st'd lath and board.....	MSM	46.00
Fibre insulation board 2 5/8" st'd asphalt sheathing.....	MSM	60.00
Asbestos cement siding 12 x 24 or 27" standard colors.....	Square	8.25

<sup>1</sup> Price does not include permitted 10¢ per sack deposit charge for bags.

#### APPENDIX A—Continued

Material	Unit	Price
Thermal insulation-blankets (paper backed) medium (2" minimum).....	MSM	\$45.00
Thermal insulation-blankets (paper backed) single.....	MSM	42.50
Thermal insulation-blankets (paper backed) full-thick.....	MSM	60.00
Thermal insulation-batts (paper backed) 2" thick.....	MSM	45.00
Thermal insulation-batts (paper backed) full-thick.....	MSM	60.00

[F. R. Doc. 45-22047; Filed, Dec. 7, 1945; 2:52 p. m.]

[Milwaukee Order G-1 Under Gen. Order 68]

#### CERTAIN BUILDING AND CONSTRUCTION MATERIALS IN MILWAUKEE COUNTY AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, it is ordered:

SECTION 1. *What this order covers.* This order covers all retail sales made by any seller, except a manufacturer, of commodities specified in Appendix A below delivered to the purchaser in the County of Milwaukee, State of Wisconsin.

SEC. 2. *Definition of retail sales.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any person for resale on an installed basis.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in section 3. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation, 3rd Revised Maximum Price Regulation 13, Maximum Price Regulation 44 (except as to sales covered by Maximum Price Regulation 525), Maximum Price Regulation 293 (except as to sales covered by Maximum Price Regulation 525), and Maximum Price Regulation 281 shall continue to apply to sales covered by this order.

SEC. 4. *Posting of maximum prices.* Every seller making sales covered by this order shall post a copy of the list of maximum prices fixed by this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers.

SEC. 5. *Sales slips and records.* Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer, such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller, the description, quantity, and price of each item sold. The description shall be in sufficient detail in order to determine whether the price charged has been properly computed under this order. If he customarily prepared his sales slips in more than one copy, he must keep for at least six months after delivery a duplicate copy of

each sales slip delivered by him pursuant to this section. Each such seller shall also keep such records of each sale as he customarily kept.

SEC. 6. On and after the effective date of this order, any person covered by this order, who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No person subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. No person subject to this order may, as a condition of selling any particular building material item, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

SEC. 7. This order may be modified, amended, or revoked at any time.

This order shall become effective December 1, 1945.

Issued this 28th day of November 1945.

H. T. SMITH,  
District Director.

#### APPENDIX A (MILWAUKEE) EFFECTIVE DECEMBER 1, 1945

Commodity	Contractor's large order	Contractor's small order	Consumer
Plaster base coat, sanded, unit 100-lb. bag.....	0.50	0.50	0.82
Plaster base coat, unsanded, unit 100-lb. bag.....	.90	.90	1.10
Plaster sand float finish, unit 100-lb. bag.....	.85	.85	1.05
Plaster bonding, unit 100-lb. bag.....	1.00	1.00	1.20
Keene's cement, unit 100-lb. bag.....	1.40	1.45	1.70
Plaster trowel finish, unit 100-lb. bag.....	1.50	1.50	1.80
Plaster gauging, unit 100-lb. bag.....	.85	.85	1.05
Plaster moulding, unit 100-lb. bag.....	1.15	1.20	1.45
Finishing lime fibred, unit 50-lb. bag.....	.53	.53	.65
Finishing lime unfibred, unit 50-lb. bag.....	.48	.48	.60
Gypsum lath 3/4", unit 1,000 sq. ft.....	22.50	22.50	28.00
Metal lath 3.4-lb., painted diamond mesh copper bearing, unit sq. yd.....	.25	.25	.27
Metal lath 3.4-lb., galvanized, unit per sq. yd.....	.27	.27	.29
Metal lath 2.75-lb. flat rib painted copper bearing, unit sq. yd.....	.25	.25	.27
Metal lath 3.4-lb. 3/4" high rib painted copper bearing, unit per sq. yd.....	.27	.27	.29
Metal lath 3.4-lb. 3/4" high rib galvanized, unit per sq. yd.....	.29	.29	.31
Corner bead expanded type, unit 1,000 ft.....	37.00	37.00	60.00
Corner bead arched, unit 1,000 ft.....	26.00	26.00	40.00
Corner bead scalloped, unit 1,000 ft.....	30.00	30.00	50.00
Portland cement standard paper bags, unit 94-lb.....	.71	.71	.85
Portland cement standard cloth bags, unit 94-lb.....	.78	.78	.....
Mason's hydrated lime, unit 50-lb.....	.42	.42	.55
Masonry mortar, unit paper bag.....	.64	.64	.75
Waterproof cement, gray, unit paper bag.....	.86	.86	1.05
Gypsum block partitions, 3" hollow, unit 1,000 sq. ft.....	70.00	75.00	84.00
Gypsum block partitions, 4" hollow, unit 1,000 sq. ft.....	85.00	90.00	102.00
Gypsum block partitions, 6" hollow, unit 1,000 sq. ft.....	150.00	162.00	180.00



## APPENDIX A (MILWAUKEE) EFFECTIVE DECEMBER 1, 1945—Continued

Commodity	Contractor's large order	Contractor's small order	Consumer
Concrete block, cinder 10", unit per block	0.20	0.20	-----
Concrete block, sand 10", unit per block	.20	.20	-----
Concrete block, haydite, waylite, celocrete 10", unit per block	.22	.22	-----
Concrete block, sand 12", unit per block	.22	.22	-----
Concrete block, cinder 12", unit per block	.22	.22	-----
Concrete block, haydite, waylite, celocrete 12", unit per block	.24	.24	-----
Concrete block, sand 8", unit per block	.18	.18	-----
Concrete block, cinder 8", unit per block	.18	.18	-----
Concrete block, haydite, waylite, celocrete 8", unit per block	.19	.19	-----
Concrete block, cinder 6", unit per block	.16	.16	-----
Concrete block, sand 6", unit per block	.16	.16	-----
Concrete block, haydite, waylite, celocrete 6", unit per block	.17	.17	-----
Concrete block, cinder 4", unit per block	.12	.12	-----
Concrete block, sand 4", unit per block	.12	.12	-----
Concrete block, haydite, waylite, celocrete 4", unit per block	.13	.13	-----
Vitrified clay sewer pipe No. 18, 4"	.159	.159	0.189
Vitrified clay sewer pipe No. 18, 6"	.2385	.2385	.28
Flue lining, 9" x 9"	.32	.32	.40
Flue lining, 9" x 13"	.475	.475	.55
Flue lining, 13" x 13"	.61	.61	.70
Gypsum wallboard, 3/8", unit 1,000 sq. ft.	40.00	40.00	45.00
Gypsum wallboard, 1/2", unit 1,000 sq. ft.	45.00	45.00	45.00
Gypsum sheathing 1/2", unit 1,000 sq. ft.	40.30	40.30	44.50
Asphalt roofing 90-lb. mineral surface, per roll 100 sq. ft.	2.25	2.25	2.50
Asphalt or tarred felt, unit per roll, 15-lb.	2.25	2.25	2.50
Asphalt or tarred felt, unit per roll 30-lb.	2.25	2.25	2.50
Asphalt shingles, 210-lb (3 in 1) thick butt, unit per square	5.40	5.40	6.00
Asphalt shingles, 165-lb. 2 tab hexagon, unit per square	4.50	4.50	5.00
Split roll roofing, 105-lb. diamond point or shadow, unit per roll	2.75	2.75	-----
Fibre insulation board, 1/2" standard lath and board, unit 1,000 sq. ft.	45.00	45.00	50.00
Fibre insulation board 2 5/8" asphalt sheathing, unit 1,000 sq. ft.	58.00	58.00	65.00
Thermal insulation blankets, paper backed medium, unit 1,000 sq. ft.	45.00	45.00	50.00
Thermal insulation blankets, paper backed single, unit 1,000 sq. ft.	40.00	40.00	45.00
Thermal insulation blankets, paper backed thick, unit 1,000 sq. ft.	60.00	60.00	65.00
Thermal insulation batts, 2" paper backed, unit 1,000 sq. ft.	45.00	45.00	50.00
Thermal insulation batts, full thick, unit 1,000 sq. ft.	61.00	61.00	68.00

These prices must be posted in your place of business in a manner plainly visible to all purchasers.

[F. R. Doc. 45-22048; Filed, Dec. 7, 1945; 2:52 p. m.]

[Region VII 3d Rev. Order G-24 Under RMPR 122, Amdt. 11]

## SOLID FUELS IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion,

No. 242—7

this Amendment No. 11 to Third Revised Order No. G-24 under Revised Maximum Price Regulation No. 122 is issued.

1. Subparagraph (7) of Part I, Mines in District 17, is hereby amended to read as follows:

Operator	Subdistrict	Index No.	Size groups	Amount	Effective date
(7) Colowyo Coal Co.; Red Wing.	5	362	1 and 2.... 3..... 4..... 5 and 6.... 7 through 12..... 13..... 15..... 16..... 17 and 18.... 19.....	Cents 25 30 20 30 25 30 15 5 20 20	10/16/45 10/16/45 10/16/45 10/16/45 10/16/45 10/16/45 10/16/45 10/16/45 10/16/45 10/16/45

2. Effective date. This Amendment No. 11 is hereby made effective retroactively as of November 1, 1945.

Issued this 20th day of November 1945.

RICHARD Y. BATTERTON,  
Regional Administrator.

[F. R. Doc. 45-22022; Filed, Dec. 7, 1945; 2:42 p. m.]

[Region VII, Order G-92 Under RMPR 188]

## WELCH INDUSTRIES, INC.

## AUTHORIZATION OF MAXIMUM PRICES

Authorized maximum prices for a gym swing manufactured by Welch Industries, Inc., of Colorado Springs, Colorado, when sold by the manufacturer and specified resellers.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this order No. G-92 is issued.

(a) What this order does. This Order No. G-92 establishes maximum prices for sales by the manufacturer to retailers and for sales by any seller to an ultimate consumer or user. If the manufacturer sells to a wholesaler, jobber, or any other reseller who does not sell direct to the consumer, such reseller has for his maximum price the authorized maximum price hereby established for the manufacturer, and will be quite without any profit margin whatsoever, except such as may be afforded him by trade discount allowed by the manufacturer.

(b) Authorized maximum prices. Upon and after the effective date of this Order No. G-92, the maximum prices for the Gym Swing, Model No. HPS-1, manufactured by Welch Industries, Inc., of 8000 North Nevada, Colorado Springs, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Each
(1) When sold by the manufacturer to a retailer.....	\$15
(2) When sold by any seller to an ultimate consumer or user.....	25

NOTE: (i) The maximum price as above set forth for sales by the manufacturer to a retailer is subject to a discount of 1% for payment within 10 days from date of invoice.

(ii) The above prices are for sales f. o. b. shipping point, and include all costs incident to wrapping, packing, boxing, and carting.

(c) Manufacturer must tag with maximum price at retail level. The manufacturer must attach to each of the Gym Swings in question, by any suitable means, a tag or label plainly marked "Maximum price when sold by any seller to an ultimate consumer or user, \$25."

(d) Applicability of other regulations. The maximum prices established by this Order No. G-92 for sales of the commodity in question at the specified levels supersede all other maximum price regulations.

(e) Geographical applicability. The maximum prices authorized by this Order No. G-92 for resellers are applicable only to sales made within this Region VII, which includes the States of Colorado, Montana, New Mexico, Utah, and Wyoming, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

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

(g) Right to revoke or amend. This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-92 shall become effective on the 27th day of November, 1945.

Issued this 27th day of November, 1945.

RICHARD Y. BATTERTON,  
Regional Administrator.

[F. R. Doc. 45-22049; Filed, Dec. 7, 1945; 2:45 p. m.]

[Region VIII Order G-1 Under RMPR 507, Amdt. 9]

## SEAFOOD IN SAN FRANCISCO REGION

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-1 under Revised Maximum Price Regulation No. 507 is amended as follows:

In the table in paragraph (d) a footnote reference 2 is added to the items "crabs (cooked in shell)" and "crab meat"; and footnote 2 is added to read as follows:

\* On and after October 31, 1945, and until further notice, this order does not apply to this item, and the markups in this table are suspended during that period.



This amendment shall become effective this 31st day of October 1945.

Issued this 13th day of November 1945.

GUY R. KINSLEY,  
Acting Regional Administrator.

[F. R. Doc. 45-22045; Filed, Dec. 7, 1945;  
2:51 p. m.]

[Region VIII Order G-7 Under RMPR 136,  
Amdt. 1]

#### STAR MARINE ENGINE WORKS

##### ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-7 under Revised Maximum Price Regulation No. 136 is amended in the following respect:

(1) The third line under the heading "Manifolds" in Paragraph (a) is amended to read as follows:

Chrysler 6 (up to year 1936) \$35.00 \$24.50

This amendment to Order No. G-7 shall become effective October 28, 1945.

Issued this 20th day of November 1945.

BEN. C. DUNIWAY,  
Regional Administrator.

[F. R. Doc. 45-22044; Filed, Dec. 7, 1945;  
2:51 p. m.]

[Region VIII 2d Rev. Order G-23 Under  
18 (c)]

#### FRUITS AND VEGETABLES IN CALIFORNIA

Adjusted maximum prices for the transportation of certain fruits and vegetables by motor carriers other than common carriers.

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 § 1499.18 (c) as amended of the General Maximum Price Regulation, it is hereby ordered that Revised Order No. G-23 under § 1499.18 (c) as amended of the General Maximum Price Regulation be revised so as to read in its entirety as follows:

(a) The adjusted maximum prices which may be charged by any carrier other than a common carrier for the service of transporting by motor truck any of the fruits and vegetables listed in paragraph (b) when the point of origin is any roadside pickup within the area described in paragraph (c) and the destination is a cannery, packing plant, packing shed, precooling plant, or processing plant within the area described in paragraph (c), including the service of returning empty boxes to the point of origin, and including loading and unloading, shall be the rates specified in Appendix A attached hereto for the applicable distance between point of origin and point of destination and for the applicable weight of fruit or vegetables carried in the truck; *Provided*, That in the case of grapes delivered to wineries, contracts may be made to allow customary unloading by buyers.

(b) This order shall apply to the hauling of peaches, pears, tomatoes, apricots, cherries, apples, grapes, unprocessed olives and plums.

(c) This order shall apply in the State of California.

(d) In determining the distance between any two points for the purposes of this order, the constructive highway mileages set forth in Distance Table No. 3 issued by the Railroad Commission of the State of California on December 27, 1938 in connection with its Decision No. 31605, as said table has been amended and supplemented up to the date of this order, shall be used.

(e) When the person contracting to pay for any transportation service subject to this order shall require a load to be transported from more than one roadside pickup point to a single point of destination, the maximum price shall be computed according to the weight for the entire load and according to the constructive mileage for the shortest route by which it is possible to travel from one pickup point to all other pickup points successively and thence to the point of destination, and the carrier may add a further charge of \$1.00 for each pickup in excess of one.

(f) This order may be amended, revoked, or corrected at any time.

(g) This Second Revised Order No. G-23 shall become effective as of July 25, 1945.

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

Issued this 19th day of November 1945.

BEN C. DUNIWAY,  
Regional Administrator.

#### APPENDIX A—ADJUSTED MAXIMUM PRICES IN CENTS PER HUNDRED POUNDS

Miles		Up to 18,000 pounds	18,000 to 30,000 pounds	Over 30,000 pounds
Over	But not over			
0	5	10.0	8.0	7.5
5	10	10.0	9.0	8.5
10	15	11.0	10.0	9.0
15	20	11.0	10.5	9.5
20	25	12.0	11.0	10.0
25	30	13.0	11.5	11.0
30	35	14.0	12.0	11.5
35	40	15.0	13.0	12.0
40	45	15.5	14.0	13.0
45	50	16.5	15.0	14.0
50	60	18.0	16.0	15.0
60	70	19.0	17.0	16.0
70	80	20.0	18.0	17.0
80	90	21.5	19.0	18.0
90	100	22.5	20.5	19.0
100	110	23.5	21.5	20.0
110	120	25.5	22.5	21.0
120	130	26.5	23.5	22.0
130	140	27.5	24.5	23.0
140	150	28.5	25.5	24.0
150	160	29.5	26.5	25.0
160	170	30.5	27.5	26.0
170	180	32.0	29.0	27.0
180	190	33.0	30.0	28.0
190	200	34.0	31.0	29.0
200	220	35.5	32.5	30.5
220	240	37.5	34.0	32.0
240	260	39.0	35.5	33.5
260	280	40.5	37.0	35.0
280	300	42.5	39.0	36.5
300	325	45.0	41.0	38.5
325	350	48.0	44.0	40.5
For each 25 miles in excess of 350 miles, add		3.0	2.5	2.0

*Provided*, The above maximum price distance rates shall apply on grapes moving to wineries only if they originate at a roadside pickup.

Carriers subject to War Labor Board Ruling TL 3102 may add a surcharge of 5% to the sum obtained by multiplying the gross weight of each shipment by the maximum price distance rates shown above. Such surcharge is retroactive to July 25, 1945.

[F. R. Doc. 45-22027; Filed, Dec. 7, 1945;  
2:45 p. m.]

[Region VIII Order G-34 Under 3 (e),  
Amdt. 1]

#### HARPER-MEGGEE, INC.

##### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (e) (2) of the General Maximum Price Regulation, as amended, and Order No. G-34 under § 1499.3 (e) (2) of the General Maximum Price Regulation, as amended, *It is hereby ordered*, That Order No. G-34 under § 1499.3 (e) (2) of the General Maximum Price Regulation, as amended, be amended as follows: paragraph (e) shall read as follows:

(a) The maximum price for sales at retail of Parkway Stroller, Model No. 1500, distributed by Harper-Meggee, Inc., of Seattle, Washington, by sellers subject to the General Maximum Price Regulation who cannot determine their maximum prices under § 1499.2 of the General Maximum Price Regulation, shall be \$11.10 each, less discounts, allowances and price differentials no less favorable than those customarily granted by the sellers.

This amendment number 1 shall become effective November 30, 1945.

Issued this 21st day of November 1945.

BEN. C. DUNIWAY,  
Regional Administrator.

[F. R. Doc. 45-22043; Filed, Dec. 7, 1945;  
2:50 p. m.]

[Region VIII Order G-38 Under 3 (e)]

#### E. F. KRAUSE WIRE CORP.

##### ADJUSTMENT OF MAXIMUM PRICES

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 § 1499.3 (e) (2) of the General Maximum Price Regulation, *It is hereby ordered*:

(a) The maximum prices for sales to wholesalers, to retailers, and at retail of Toy Scooter Number S-1, manufactured by E. F. Krause Wire Corporation of Los Angeles, California, by sellers subject to the General Maximum Price Regulation who cannot determine their maximum prices under § 1499.2 of the General Maximum Price Regulation, shall be as follows:

Item	Maximum price to		
	Wholesalers	Retailers	Retail
Toy scooter No. S-1	Each \$3.95	Each \$5.25	Each \$7.85

(b) The above prices shall include discounts, allowances, and price differentials no less favorable than those customarily granted by the seller.

(c) This order shall apply to sales in the States of California, Washington, Nevada, Oregon, except Malheur County,



and Arizona, except those portions of Coconino County and Mohave County 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.

(d) This order shall be subject to revocation or amendment at any time hereafter either by special order or by any price regulation issued hereafter or by any supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(e) This order shall become effective November 30, 1945.

Issued this 23d day of November 1945.

BEN C. DUNIWAY,  
Regional Administrator.

[F. R. Doc. 45-22022; Filed, Dec. 7, 1945;  
2:45 p. m.]

[Region VIII 2d Rev. Order G-57 Under  
18 (c)]

#### HAY IN CALIFORNIA

Adjusted maximum prices for the transportation of hay in California by motor carriers other than common carriers.

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 § 1499.18 (c) as amended of the General Maximum Price Regulation; *It is hereby ordered*, That Revised Order No. G-57 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended and revised so as to read in its entirety as follows:

(a) The adjusted maximum prices which may be charged by any carrier other than a common carrier for the service of transporting hay by motor truck when the point of origin and the point of destination are within the State of California shall be as follows:

(1) Where the hay is picked up on the field or under other conditions requiring more than one stop for loading purposes and where the distance does not exceed 30 miles, the maximum rates specified in Column I of Appendix A attached hereto shall apply.

(2) For transportation from any point of origin within any of the production areas described in Appendix B attached hereto to any of the consumption areas described in Appendix B, the maximum rates specified in Appendix B shall apply.

(3) For transportation not covered by sub-paragraphs (1) and (2), the maximum rates specified in Column II of Appendix A shall apply.

(b) The maximum rates herein specified include all loading, and also include unloading where the shipment is to be placed at a point not more than 25 feet distant from the carrier's equipment. Where delivery at a point more than 25 feet distant from the equipment is required, an additional charge not to exceed 35¢ per ton may be made for such unloading and stacking of hay.

(c) In determining the distance between any two points for purposes of this

order, the constructive highway mileages set forth in Distance Table No. 3 issued by the Railroad Commission of the State of California on December 27, 1938 in connection with its Decision No. 31605, as said table has been amended and supplemented up to the date of this order, shall be used.

(d) Order No. G-12 (formerly Order No. 16) under § 1499.18 (c) as amended of the General Maximum Price Regulation, issued by the Regional Administrator on February 25, 1943, fixing adjusted maximum prices for the transportation of alfalfa hay by truck in certain localities in Southern California, is hereby revoked.

(e) This order may be amended, revoked, or corrected at any time.

This Second Revised Order No. G-57 shall become effective July 25, 1945.

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

Issued this 19th day of November 1945.

BEN C. DUNIWAY,  
Regional Administrator.

#### APPENDIX A—ADJUSTED MAXIMUM PRICES IN DOLLARS PER TON OF 2,000 POUNDS—HAY DISTANCE RATES

Miles		Column I	Column II
Over	But not over		
0	5	\$2.60	\$1.78
5	10	2.70	1.80
10	15	2.80	1.99
15	20	2.90	2.10
20	25	3.00	2.20
25	30	3.10	2.31
30	40		2.52
40	50		2.73
50	60		2.94
60	70		3.15
70	80		3.36
80	90		3.57
90	100		3.78
100	120		4.09
120	140		4.41
140	160		4.72
160	180		5.04
180	200		5.35
200	225		5.67
225	250		5.98
250	275		6.30
275	300		6.61
300	325		6.93
325	350		7.24
350	375		7.56
375	400		7.87
400	425		8.19
425	450		8.51

For each block of 25 miles over 450 miles add \$0.30 per ton—a charge of \$1 per ton of 2,000 pounds will be added to Column I rates, when transporting hay loose.

#### APPENDIX B.—ADJUSTED MAXIMUM PRICES IN DOLLARS PER TON OF 2,000 POUNDS FROM PRODUCTIVE TO CONSUMPTION AREAS—HAY AREA RATES

Production areas	Consumption areas				
	San Diego	Escondido	Haynes bell-flower	San Fernando valley	Chino
Imperial Valley	\$5.00	\$5.30	\$5.75	\$6.05	\$5.25
Palo Verde Valley	6.95	6.65	6.05	6.35	5.50
Coachella Valley	5.35	5.05	4.75	5.05	4.25
Perris-Hemet	4.10	3.80	3.70	4.00	3.20
Antelope Valley	5.70	5.40	4.05	3.75	4.30
South Kern	6.75	6.45	5.10	4.80	5.35
North Kern	7.35	7.05	5.70	5.40	5.95
Tulare	7.90	7.50	6.15	5.85	6.30
Fresno	8.30	8.00	6.65	6.35	6.90
Madera	8.60	8.30	6.95	6.65	7.20
Los Banos	9.25	8.95	7.60	7.30	7.75

#### DESCRIPTION OF AREAS

##### Production Areas

1. Imperial Valley area includes that area bounded on the south by the International Boundary Line; on the east by the East High Line Canal to the point at which it intersects the main line of the Southern Pacific four miles east of Niland; on the north by the main line (transcontinental route) of the Southern Pacific Company; and on the west by a series of imaginary lines drawn from Southern Pacific Station of Wister to Kane Springs on U. S. Highway No. 99; thence south to Plaster City on U. S. Highway 80; thence south to the International Boundary Line.

2. Palo Verde Valley area includes that area lying within a radius of 25 miles of the city of Blythe.

3. Coachella Valley area includes that area lying between the Little San Bernardino Mountains and Cottonwood Mountain on one hand, and the San Jacinto and Santa Rosa Mountains on the other; and bounded on the northwest by Edom on U. S. Highway No. 99 and Indian Wells on State Highway No. 111, and on the southeast by the Riverside-Imperial County Line on U. S. Highway No. 99 and Southern Pacific Company station of Mortmar on State Highway 111.

4. Perris-Hemet area includes all of that portion of Riverside County within a radius of 20 miles of Winchester, including Perris, San Jacinto and Hemet.

5. Antelope Valley area includes that area lying within the following boundaries: Commencing at a point 10 miles east of Mojave on U. S. Highway No. 466; thence southerly along an imaginary line paralleling State Highway No. 7, passing through Redman to Littlerock; thence northwesterly along State Highway No. 138 from Littlerock through Palmdale and Elizabeth Lake to its intersection with the Los Angeles Aqueduct; thence northeasterly along the Los Angeles Aqueduct to its intersection with U. S. Highway No. 466; thence southeasterly along U. S. Highway No. 466 to point of beginning.

6. South Kern area includes all of that portion of the San Joaquin Valley south of an imaginary line running approximately parallel with Kern River through Bakersfield and Tupman, generally referred to as Arvin, Weed Patch, Edison, Panama and Old River Districts.

7. North Kern area includes all of Kern County lying between the Sierra Nevada Mountains on the east, the Coast Range Mountains on the west, an imaginary line running through Bakersfield and Tupman on the south, and the north boundary line of Kern County including those areas generally referred to as Shafter, Wasco, McFarland, Rosedale and Buttonwillow Districts.

8. Tulare area includes all of that portion of Tulare and Kings Counties located between the Sierra Nevada Mountains on the east, the Coast Range Mountains on the west, the northern boundary line of Kern County on the south and Highway No. 198 on the north, including those areas generally referred to as Earlimart, Porterville, Lindsay, Tulare, Corcoran and Stratford.

9. Fresno area includes all of that portion of Tulare, Kings and Fresno Counties lying between and bounded by Highway No. 198 on the south, on the west by Highway No. 33, on the north by Highway No. 180, and on the east by the Sierra Nevada Mountains, including those areas generally referred to as Reedley, Dinuba, Kingsburg, Layton, Riverdale, San Joaquin and Kerman Districts.

10. Madera area includes all of that portion of Madera and Fresno Counties west of the Sierra Nevada Mountains and north of Highway No. 180 and east of an imaginary line starting at Whites Bridge on Highway 180, running north to the San Joaquin River.

11. Los Banos area includes all of that area for a distance of 10 miles on either side of Highway No. 33 from a point 6 miles south of Mendota to a point 6 miles west of Los



Banos, except where the distance between Highway No. 33 and the San Joaquin River is less than 10 miles, in which case it will include all of the area between the river and the highway.

#### Consumption areas

1. San Diego area includes that area embraced by the following imaginary line starting at the northerly junction of U. S. Highways 101E and 101W (4 miles north of La Jolla); thence easterly to Miramar on State Highway No. 395; thence southeasterly to Lakeside on the El Cajon-Ramona Highway; thence southerly to Bostonia on U. S. Highway No. 80, thence southeasterly to Jamul on State Highway No. 94; thence due south to the International Boundary Line; thence west to the Pacific Ocean; thence north along the coast line to point of beginning.

2. Escondido area includes that area embraced by the following boundaries: Commencing at a point where U. S. Highway No. 101 intersects State Highway No. 78; thence easterly and southeasterly along State Highway No. 78 to Ramona; thence due south along an imaginary line to Lakeside; thence northwesterly to Miramar on State Highway No. 395; thence westerly to the northerly junction of the U. S. Highways 101E and 101W (4 miles north of La Jolla); thence northwesterly on U. S. Highway 101 to point of beginning.

3. Hynes-Bell Flower Area includes that area embraced by the following: commencing at Newport Beach, thence northeasterly and northerly along State Highway No. 55 to the City of Olive; thence westerly on Center Street to where it intersects Los Angeles Street in the City of Anaheim; thence northerly and westerly on U. S. Highway 101 to where it intersects State Highway No. 39; thence northerly on State Highway No. 39 to where it intersects south boundary line of Angeles National Forest; thence westerly following said Angeles National Forest boundary until it intersects State Highway No. 2; thence southwesterly on State Highway No. 2 to where it intersects Colorado Street in the City of Glendale; thence west to where Colorado Street intersects San Fernando Road; thence southeasterly on San Fernando Road to the intersection of Los Feliz Blvd. and San Fernando Road; thence southwesterly on Los Feliz Blvd. to where it intersects Western Ave.; thence due south on Western Ave. to where it intersects Sunset Blvd.; thence west and southwesterly along Sunset Blvd. to the point where Sunset Blvd. meets the Pacific Ocean; thence southeasterly along the coast line to point of beginning.

4. Chino Area includes all of that portion of Los Angeles, Orange and San Bernardino Counties lying east of the eastern boundary of the Hynes-Bellflower District, bounded on the south by Highway No. 18 from Olive to Corona, on the east by a county highway running north from Corona through Norco, Mira Loma to Etiwanda and on the north by Highway No. 66 to the point where it crosses the eastern boundary line of the Hynes-Bellflower District.

5. San Fernando Area includes that area embraced by the following: Commencing at the point where State Highway No. 27 (Topanga Canyon Road) meets the Pacific Ocean; thence northerly along said highway through Girard until it intersects Los Angeles City Boundary Line approximately two miles north of Chatsworth; thence north-easterly following said boundary line until it meets the southern boundary of the Angeles National Forest at a point approximately two miles west of Olive View Sanitarium; thence easterly following said Angeles National Forest boundary until it intersects State Highway No. 2, thence southwesterly on State Highway No. 2 to where it intersects Colorado Street in the City of Glendale; thence west to where Colorado Street intersects San Fernando Road; thence southeasterly on San Fernando Road to the intersec-

tion of Los Feliz Blvd. and San Fernando Blvd.; thence southwesterly on Los Feliz Blvd. to where it intersects Western Ave.; thence due south on Western Ave. to where it intersects Sunset Blvd.; thence west and southwesterly along Sunset Blvd. to the point where Sunset Blvd. meets the Pacific Ocean; thence westerly following the coast line to the point of beginning.

[F. R. Doc. 45-22042; Filed, Dec. 7, 1945; 2:50 p. m.]

[Region II Order G-6 Under MPR 328, Amdt. 2]

#### FLUID MILK IN WILMINGTON, DEL.

For the reasons set forth in an opinion issued and filed with the Federal Register, and under the authority vested in the Regional Administrator by § 1351.408 of Maximum Price Regulation No. 329, as amended, and with the approval of the Secretary of Agriculture; *It is ordered*, That Order No. G-6 be amended by changing paragraph (a) (2) to read as follows:

(2) \$3.93 per cwt., f. o. b. purchaser's receiving station or processing plant, for fluid milk having a butterfat content of 4%, plus or minus \$0.05 per cwt., for each one-tenth of 1% butterfat content above or below 4%, as the case may be: *Provided, however*, That in the event the purchaser pays the "cost of transportation" of the milk from the producer's farm to such receiving station or processing plant, such "cost of transportation" shall be deducted from the price. If the milk is transported by any mode of transportation other than common or contract carrier, such "cost of transportation" shall be computed at the lowest rates for the available common or contract carrier.

This Amendment No. 2 to Order No. G-6, may be revoked, amended or corrected at any time.

This order shall become effective September 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155)

Issued this 7th day of December, 1945.

LEO F. GENTNER,  
Regional Administrator.

Approved: December 6, 1945.

H. L. FOREST,  
Acting Director, Dairy Branch,  
Production and Marketing  
Administration, U. S. Dept. of  
Agriculture.

[F. R. Doc. 45-22058; Filed, Dec. 7, 1945; 4:36 p. m.]

[Region VII Order G-36 Under 18 (c), Amdt. 6]

#### FLUID MILK IN THE STATE OF NEW MEXICO

Order No. G-36 under § 1499.18 (c) of the General Maximum Price Regulation, including Amendments Nos. 1 to 5; Amendment No. 6. General order modifying wholesale and retail prices for fluid milk in the State of New Mexico; Docket No. 7-SR 15-75 (a) (9)-11a.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 6 is issued.

1. Subparagraph (4) of paragraph (c), "Definitions", is hereby amended to read as follows:

(4) "District No. 1 of the State of New Mexico" means all that area contained within the Counties of Harding, Mora, San Juan, and Rio Arriba (except the portion contained within that area ten miles in width and immediately adjacent to the northern boundary line of Santa Fe County, including all of the Town of Espanola, and the Town of Chama, and all that area within a radius of 20 miles thereof, not, however, to include any part of the State of Colorado).

2. Subparagraph (8) of paragraph (c), "Definitions", is hereby amended to read as follows:

(8) "District No. 5 of the State of New Mexico" means all that area contained within the Counties of Hidalgo, Luna, McKinley, and Santa Fe, and those portions of Rio Arriba County contained within that area ten miles in width and immediately adjacent to the northern boundary line of Santa Fe County, including all of the Town of Espanola, and the Town of Chama and all that area within a radius of 20 miles thereof, not, however, to include any part of the State of Colorado; the municipality of Magdalena in the County of Socorro; and the municipality of Santa Rosa in the County of Guadalupe and a distance of five miles beyond the corporate limits thereof at all points; and the Town of Alamogordo in the County of Otero, and a distance of five miles beyond the corporate limits thereof at all points.

*Effective date.* This Amendment No. 6 shall become effective on the 7th day of December 1945.

Issued this 7th day of December 1945.

RICHARD Y. BATTERTON,  
Regional Administrator.

Approved: December 6, 1945.

H. L. FOREST,  
Acting Director, Dairy Branch,  
Production and Marketing  
Administration, U. S. Department  
of Agriculture.

[F. R. Doc. 45-22057; Filed, Dec. 7, 1945; 4:36 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register December 6, 1945.

##### REGION IV

Richmond Order 2-O, covering eggs in Norfolk and certain adjacent areas in the Richmond District. Filed 4:47 p. m.

Richmond Order 3-O, covering eggs in Greene and Madison area. Filed 4:46 p. m.

Savannah Order 15-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Georgia. Filed 4:38 p. m.



## REGION V

Kansas City Order 9-F, Amendment 2, covering fresh fruits and vegetables in Buchanan county, Missouri. Filed 4:48 p. m.

Kansas City Order 10-F, Amendment 2, covering fresh fruits and vegetables in Greene county, Missouri. Filed 4:48 p. m.

Kansas City Order 11-F, Amendment 2, covering fresh fruits and vegetables in Jasper county, Missouri. Filed 4:48 p. m.

Little Rock Order 10-F, Amendment 19, covering fresh fruits and vegetables in Garland county, Arkansas. Filed 4:47 p. m.

Little Rock Order 12-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Arkansas. Filed 4:47 p. m.

Little Rock Order 13-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Arkansas and Bowie county, Texas. Filed 4:47 p. m.

New Orleans Orders 27 & 28, Amendments 2 & 4, covering dry groceries in certain areas in Louisiana. Sold by Groups 1 & 2 & 3 & 4 Stores. Filed 4:45 & 4:43 p. m.

New Orleans Order 29, Amendment 2, covering dry groceries in certain Parishes in the State of Louisiana. Filed 4:42 p. m.

Shreveport Order 19, Amendment 2, covering dry groceries in certain Parishes in Louisiana. Filed 4:41 p. m.

St. Louis Order 4-F, Amendment 19, covering fresh fruits and vegetables in the city of St. Louis & county of St. Louis, Missouri. Filed 4:42 p. m.

## REGION VI

Milwaukee Order 8-F, Amendment 36, covering fresh fruits and vegetables in Dane county, Wisconsin. Filed 4:41 p. m.

Milwaukee Order 9-F, Amendment 36, covering fresh fruits and vegetables in Sheboygan & Fond Du Lac counties, Wisconsin. Filed 4:40 p. m.

Milwaukee Order 11-F, Amendment 28, covering fresh fruits and vegetables in Milwaukee county and the cities of Racine & Kenosha, Wisconsin. Filed 4:40 p. m.

Milwaukee Order 12-F, Amendment 9, covering fresh fruits and vegetables in the cities of La Crosse & Sparta, Wisconsin. Filed 4:39 p. m.

## REGION VII

Denver Order 4-F, Amendment 23, covering fresh fruits and vegetables in the Denver area. Filed 4:39 p. m.

Denver Order 5-F, Amendment 23, covering fresh fruits and vegetables in the Pueblo area. Filed 4:38 p. m.

Denver Order 6-F, Amendment 23, covering fresh fruits and vegetables in the Colorado Springs-Manitou area. Filed 4:38 p. m.

## REGION VIII

Denver Order 7-F, Amendment 23, covering fresh fruits and vegetables in the Boulder-Fort Collins-Greeley area. Filed 4:38 p. m.

## REGION VIII

Los Angeles Order 1-D, Amendment 1, covering butter and cheese. Filed 4:49 p. 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. 45-22178; Filed, Dec. 11, 1945; 11:40 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-117, 59-72, 43-160]

COLUMBIA GAS & ELECTRIC CORP. ET AL.

NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME AND ORDER OF CONSOLIDATION AND OF HEARING

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pennsylvania, on the 7th day of December 1945.

In the matters of Columbia Gas & Electric Corporation, File No. 54-117; Columbia Gas & Electric Corporation and its subsidiary companies, respondents, File No. 59-72; Columbia Gas & Electric Corporation, File No. 43-160.

Notice is hereby given that Columbia Gas & Electric Corporation (Columbia), a registered holding company and a subsidiary of The United Corporation, also a registered holding company, has filed separate applications, pursuant to the Public Utility Holding Company Act of 1935, seeking (i) a one-year extension of time pursuant to section 11 (c) of the act within which to comply with this Commission's order dated November 29, 1944 (File No. 59-72) pursuant to section 11 (b) (1) of the act directing Columbia to limit the operations of its holding company system by severing its relationship with certain companies named in said order; and (ii) an extension of time within which to comply with a condition contained in this Commission's order dated January 25, 1939 (File No. 43-160), as amended by subsequent orders of this Commission, requiring that the balance contained in Columbia's "Special Capital Surplus Account" be restored to common capital stock of the company as of December 31, 1945. The extension of time requested is until steps to be taken by Columbia to comply with this Commission's divestment order of November 29, 1944 are nearer completion.

All interested persons are referred to said applications, which are on file in the offices of this Commission, for details concerning said applications.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to the instant applications of Columbia; and

It further appearing to the Commission that the proceedings on the instant applications of Columbia are related and should be consolidated for the purpose of hearing and ultimate disposition only;

It is hereby ordered, That the consolidated proceedings under the Commission's File Nos. 59-72 and 54-117 be, and the same hereby are, consolidated with the proceedings under its File No. 43-160 for the purposes of hearing and disposition of the instant applications only and that a hearing on said consolidated proceedings under the applicable provisions of the act and rules of the Commission thereunder be held on December 20, 1945, at 10 a. m., e. s. t. at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that date by the hearing room clerk in room 318.

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 to preside is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the 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 applications, particular attention will be directed at said hearing to the following matters:

(1) Whether Columbia has exercised due diligence to comply with the Commission's order of November 29, 1944;

(2) Whether and to what extent a further extension of time for compliance with said orders of January 25, 1939, and November 29, 1944, is necessary or appropriate in the public interest or for the protection of investors and consumers;

It is further ordered, That any person or persons desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of this Commission on or before December 18, 1945, his application therefor, as provided in Rule XVII of the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of this order by mailing copies thereof by registered mail to The United Corporation and Columbia Gas & Electric Corporation and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 45-22141; Filed, Dec. 11, 1945; 10:45 a. m.]

[File No. 70-1200]

C. W. MURCHISON ET AL.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of December, A. D., 1945.

In the matter of C. W. Murchison, Frances H. Lattner, Forrest C. Lattner, Effie Marie Cain, and Glenn C. Hyde, File No. 70-1200.

Notice is hereby given that an application has been filed pursuant to sections 9 (a) (2) and 10 of the Public Utility Holding Company Act of 1935 by C. W. Murchison, Frances H. Lattner, Forrest C. Lattner, Effie Marie Cain and Glenn C. Hyde.

Notice is further given that any interested person may not later than December 21, 1945, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said application, as filed or as amended, may be granted as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application which is on file in the office of this Commission, for a statement of the transactions therein proposed which are summarized as follows:



C. W. Murchison, Frances H. Lattner, Forrest C. Lattner, Effie Marie Cain and Glenn C. Hyde own 11,000 shares (36.67%), 4,500 shares (15%), 1,800 shares (6%), 4,000 shares (13.33%) and 3,538 shares (11.79%), respectively, of the outstanding 30,000 shares of common stock of \$10 par value of Gulf Public Service Co., Inc. ("Gulf"). The latter, a Louisiana corporation, is both a public utility company and an exempted holding company, owning all the outstanding securities of Louisiana Public Utilities Co., Inc. Gulf intends, among other things, to issue 75,000 shares of new common stock of the par value of \$4.00 per share in exchange for all of its presently outstanding common stock of the par value of \$10.00 per share, and to declare and pay a stock dividend comprised of 435,000 shares of new common stock of the par value of \$4 per share. Applicants propose to acquire, as a result of the above transactions, shares of the new common stock of Gulf as follows:

	Shares
C. W. Murchison (36.67%)	187,000
Frances H. Lattner (15%)	76,500
Forrest C. Lattner (6%)	30,800
Effie Marie Cain (13.33%)	68,000
Glenn C. Hyde (11.79%)	60,148

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-22142; Filed, Dec. 11, 1945;  
10:45 a. m.]

## WAR SHIPPING ADMINISTRATION.

### NOTICE OF TANKER REDELIVERY PROGRAM

NOVEMBER 2, 1945.

To: All owners of tank vessels under charter to WSA under time charter forms WARSHIPOLTIME (Rev.) 102, (Rev.) Forflag, and (Rev.) New Vessels.

To expedite the redelivery of tank vessels, the Administrator, War Shipping Administration, hereinafter referred to as WSA or as charterer, does hereby offer to each owner the option of settling and compromising certain redelivery claims in accordance with Plan I as hereinafter set forth, provided, such owner elects to accept this option, in the manner hereinafter prescribed, within ten (10) days from the date of receipt of this notice, unless extended by the Administrator.

#### PLAN I

A. Under this Plan, the charterer, in order to avoid the necessity of removing installations and equipment, the performance of such repairs and restorations as are required under the charter, the delay incident to surveys and adjustments of claims and otherwise to minimize expense by abandoning certain items to the owner and making lump sum settlement of certain of its obligations, offers (a) to convey title to such owner on a "where-is-as-is" basis of certain U. S. Government property as hereinafter more fully set forth which may be on board each such vessel on date of redelivery; and (b) to pay to each owner for each such vessel a lump sum, on the following basis:

(1) Vessels of 12,000 DWT and over—a lump sum as determined in accordance with subparagraph 2 hereof, plus an amount equal to fifteen days' full charter hire (use rate plus service rate) calculated at the rate in effect under the applicable charter on the date of redelivery for each vessel.

(2) (a) The lump sum payable to owners shall be \$50,000 for each vessel having a degaussing system installed inside or under the forecastle or inside or under the poop deck, and \$44,000 for each vessel with a degaussing system completely on the weather deck, except for the lead-in to the power source and to bridge controls, *Provided, however*, That said sums shall be adjusted as herein-after set forth.

(b) The owner, not later than February 1, 1946, or within 10 days after redelivery if the vessel is delivered subsequent thereto, shall, by written notice, elect which of the items listed 1 to 6 herein below it will retain on such vessel, and for each such item that the owner elects to retain an amount corresponding to that set out opposite the specific item below shall be deducted from the lump sum payable to the owner pursuant to subparagraph 2 (a) above; a similar deduction shall be made from the lump sum for each of the items 1 to 6 which were not installed upon such vessel. All items which the owner does not elect to retain shall be removed to the extent set forth in (c) below.

1. Gun foundations, platforms and accessories	\$7,000
2. Ammunition magazines, including ventilation trunks, sprinkling systems, and other repairs or removals in connection herewith	2,500
3. Defending items, excluding degaussing equipment but including additional lighting, splinter protection, additional Coast Guard requirements, etc.	10,000
4. Spar decks	7,000
5. Additional life boats, rafts, davits and skids	4,000
6. Gun crew quarters	4,500

(c) Unless an owner has elected to retain all such items 1 to 6 above, it shall, not later than December 31, 1946, submit an affidavit to the Director, Division of Redelivery of Chartered Vessels, War Shipping Administration, Washington, D. C., certifying that it has substantially removed the items it has not elected to retain, or setting forth reasonable cause why the said Director should give additional time for the removal of such items. In the event that the owner has not effected the removal of such items required to be removed within the afore-described period, or within such extended period as the said Director may allow, the owner shall promptly refund to the charterer an amount equal to the sum of those amounts set forth in subparagraph 2 (b) opposite the items whose removal was not accomplished.

"Remove" as used herein shall mean removal to the extent consistent with sound commercial practice, but shall not be construed to require the removal of any installations or portions thereof which are required to be retained or used by any governmental instrumentality, or

which were installed during construction as a National Defense feature.

(3) An owner upon whose vessel the charterer has installed cold starting equipment including specially installed 75 k. w. diesel generator set after delivery; (a) shall have the option exercisable upon acceptance of this Plan or upon redelivery of the vessel, whichever occurs later, of purchasing such equipment for \$7,000; or (b) if the owner does not exercise such option to purchase it shall, at its expense, completely remove and deliver such cold starting equipment to the charterer at the port of removal, or such other port as may be mutually agreed upon, in consideration whereof the lump sum payable to the owner as computed above shall be increased by \$3,000.

(4) As to vessels less than 12,000 DWT but not less than 6,000 DWT, the net lump sum payable to the owner shall be determined as in subparagraph (2) above but shall be reduced at the rate of 1% for each 200 DWT or fraction thereof, and the amount equal to charter hire shall be determined as in subparagraph (1) but shall be reduced at the rate of 1/4 of a day charter hire for each 200 DWT or fraction thereof.

(5) With respect only to those vessels on which all of the work hereunder is accomplished on the West Coast there shall be paid to the owner an additional sum equal to 6% of the sum payable pursuant to subparagraphs (1), (2), (3) (b) or (4) above, exclusive of the amount equal to charter hire. This additional amount shall be paid only upon proof by the owner that all of such work was accomplished on the West Coast.

*Provided, however*, That in consideration of the foregoing:

(a) The owner agrees to release the United States from all claims of whatsoever kind or nature which it may have against the United States at the time of redelivery with respect to charterer's obligations under the charter or any amendments thereof, or any indemnity agreements made in connection therewith, to repair any damage to the vessel, or to restore the same at time of redelivery (including any obligation to redeliver the vessel with tanks suitable for the carriage of clean cargo) or to pay charter hire for any period of time required to make such repairs or restorations: *Provided, however*, That such release shall not cover the following:

(1) Damage of the nature covered by WSA form of insurance policy known as WARSHIPREQ Policy (3/25/44), or damage of a non-fortuitous nature resulting from directions or orders of the kind referred to in Section III of Schedule A to such charter, which except for its non-fortuitous nature would have been recoverable under such policy. Such damage shall be determined at first drydocking on or after redelivery or after acceptance of this plan, whichever is later. Regardless of whether caused or contributed to by government orders, nothing in this subparagraph (1) shall be deemed to require the WSA to pay if not recoverable under the insurance policies for damage from ordinary war abuse, including but not limited to improper maintenance, excessive loading, operating vessels at ex-



cessive or critical speeds, transportation of injurious cargoes, and wastage of plates because of presence of government structures, installations or otherwise.

(2) Adjustments upon redelivery required by Section B of the First Article of Part III of the Second Disputes Addendum.

(b) The owner and all its subsidiary companies elect, in the manner herein-after prescribed and within 10 days from receipt of this notice, to accept this Plan I for all tankers covered by the forms of charter hereinabove referred to, except tank vessels (a) whose defense or other government installations have been substantially or wholly removed, as determined by WSA, at the expense of WSA prior to the date of acceptance; (b) redelivered in foreign ports; (c) excluded by special action of the Administrator; and (d) having a DWT capacity of less than 6,000 DWT. All the above excepted classes of vessels shall, unless otherwise agreed, be redelivered in accordance with the terms of the applicable charter.

(c) Except as to redeliveries already effected and vessels in continental United States ports of redelivery at the time of election, redelivery under this plan is to be effective upon arrival of the vessel at a safe berth or anchorage in the port of redelivery if the vessel is in ballast or if loaded upon completion of discharge of cargo. The port of redelivery shall be fixed in the manner prescribed in the charter. Upon such redelivery, the owner will execute a redelivery receipt for each vessel in the form attached as Schedule B, setting forth the effective time of such redelivery.

B. (1) Any owner who desires to accept this Plan I shall signify his acceptance by written or telegraphic communication in substantially the following form, addressed to the Director, Division of Redelivery of Chartered Vessels, War Shipping Administration, Washington, D. C.:

Reference is made to WSA Notice of Tanker Redelivery Program dated November 2, 1945. You are hereby notified that we elect to have our vessels redelivered in accordance with Plan I and that our subsidiary companies are taking parallel action. This communication shall constitute acceptance by us of all terms and conditions of Plan I as outlined in such notice, including the release of claims therein provided for. As to the following vessels heretofore redelivered we desire to purchase the cold starting equipment including the specially installed 75 k. w. generator set.

(2) The acceptance by any owner of Plan I in the manner above prescribed shall constitute a compromise settlement agreement with the United States covering the claims released by the owner as above set forth, but except as modified by such settlement agreement, the terms of the controlling charter party shall not be affected. WSA may, however, reject any acceptance by an owner within ten (10) days from receipt thereof in the event any affiliate company of such owner has failed to accept this Plan I for vessels owned by it.

(3) In the event that the Congress of the United States prior to March 1, 1946, adopts legislation pursuant to which any vessel covered by Plan I is eligible, ex-

cept for the compromise and settlement provided herein, to be exchanged or traded in as a credit on the price of any vessel to be acquired pursuant to such legislation, the owner by written notice to the WSA may rescind as of the date of election of Plan I the compromise and settlement with respect to any vessel accepted for trade in or exchange pursuant to such legislation. In the event an owner rescinds the compromise and settlement as above provided, the owner shall refund any payments made, but shall nevertheless be bound by the release of claims provided by this Plan.

(4) Notwithstanding redelivery of the vessels under this Plan, the sums payable by the charterer hereunder shall not accrue or become due or payable until March 1, 1946, as to vessels redelivered prior to such date and until the dates of actual redelivery as to vessels subsequently redelivered. Although the formula used in determining the amount of the lump sum settlement involves an element calculated at charter hire rates, it is the fact and intention of the parties that this lump sum settlement is not in payment of articles or services but is in discharge of certain claims under the charter. Nothing in this paragraph shall be construed to give the WSA or the owner the right to withdraw the offer or acceptance of settlement except in the contingencies elsewhere provided herein.

(5) In the event that any redelivered vessel is lost between the date of redelivery and December 31, 1946, the amount payable to owner shall be reduced by the amounts indicated in paragraph A (2) (b) for the items listed therein, which have not been substantially removed as defined in paragraph A (2) (c) unless deduction therefor has previously been made for such items.

C. In order to minimize expense to the United States it is the policy and intention of the charterer as part of this compromise and settlement agreement to, and it does hereby, abandon and convey title to the owner on a "where-is-as-is" basis to all of the items enumerated in Schedule A and Items 1 to 6, paragraph A (2) (b), inclusive.

Prior to March 1, 1946, or within 30 days after redelivery whichever is later, the charterer shall give written notice to the owner of any Government equipment other than that enumerated in Schedule A and paragraph A (2) (b) which it desires to retain and in the absence of such notice all such property on board shall be deemed abandoned and conveyed to the owner and the owner shall also be entitled to any proceeds from scrapping of such items as part of this compromise and settlement agreement. If, prior to receiving such notice as to any such item; the owner desires to remove or otherwise dispose of such item, the owner shall notify the charterer in writing. Failure by the charterer within 20 days after such notification to advise the owner in writing that it elects to retain such item shall constitute an election to abandon and convey the same to the owner.

If the charterer notifies the owner that it elects to retain any of such equip-

ment the owner shall make the vessel available to the charterer at a time and place mutually agreed and the charterer shall remove such equipment at its expense.

It is understood that there shall be no liability on the part of WSA for maintenance or as a result of the equipment being aboard the vessel, nor shall the owner be responsible to WSA for maintenance or upkeep of the equipment not abandoned by the charterer.

D. This Plan shall not be effective with respect to any vessel which is lost or requisitioned for title before redelivery.

#### PLAN II

With respect to any owner who does not elect to have his vessels redelivered under Plan I within the time and in the manner herein prescribed or any of whose vessels are excluded from the operation of Plan I redelivery will be effected in accordance with the requirements of the governing charter party, it being the intention of the Administration not to effect redelivery until repairs and restoration which are for the charterer's account have been accomplished at the expense of the United States, without prejudice, however, to the charterer's right in suitable cases to make lump sum tenders in lieu thereof. Every effort shall be made by the charterer to complete the redelivery program at the time contemplated in connection with telegraphic notice of redelivery previously transmitted to each owner. However, because of the congestion of dry-dock facilities, shortage of surveyors and other factors beyond the control of the charterer, it may be necessary to postpone redelivery dates in certain cases. In such event, charters shall continue in effect until redelivery has been tendered.

In order to minimize the expense to the United States of removal, the charterer offers to abandon and to convey to the owner effective upon redelivery on a "where-is-as-is" basis by groups, the items of equipment and related installations set forth in Schedule C, the owner to agree to release the United States from any and all obligations to remove such equipment and to restore or repair the vessel to the extent necessitated thereby, and to agree that the charterer may apply as a credit against sums due or becoming due to the owner under the charter the amounts set forth against the appropriate groupings under Schedule C, such credit to be noted on the first vouchers filed by the owner after redelivery of each vessel. An owner who does not accept Plan I or any of whose vessels have been excluded from Plan I may have his fleet of vessels (or those excepted from Plan I as the case may be) redelivered to him under this Plan II except as to such vessels as are excepted from this Plan II by the Administrator. As to all vessels other than those excepted by the charterer hereunder any owner electing Plan II shall accept title to the degaussing equipment on each vessel and in consideration of the owner releasing the charterer of the obligation to remove the degaussing and restore the vessel in connection there-



with the charterer will pay to the owner a lump sum of \$10,000 if the vessels degaussing equipment was installed inside or under the forecastle or inside or under the poop deck, and \$4,000 if installed completely on the weather deck except for the lead-in to the power source and to bridge controls.

Any owner who desires to accept this Plan II shall so indicate within ten (10) days from the receipt of this notice by written or telegraphic communication addressed to the Director, Division of Redelivery of Chartered Vessels, War Shipping Administration, Washington, D. C., reading substantially as follows:

Referring to the WSA Notice of Tanker Redelivery Program dated November 2, 1945, we elect to proceed under Plan II thereof, and in that connection accept your offer to transfer to us title to the equipment set forth in Schedule A under Group 1 with respect to all vessels and, as listed hereunder the Groups indicated for the individually named vessels, and agree to the terms and conditions of such offer as set forth under Plan II of such notice, including the release of claims therein provided for. Listing of Groups (in addition to Group 1) for individual vessels follows:

All risks of loss or damage to such equipment is assumed by us from the date of redelivery. This acceptance shall apply only in cases where such equipment is owned by the United States and shall apply to all vessels owned by this company to the extent that such equipment may be found on board of such vessels upon redelivery.

In the event that the Congress of the United States prior to March 1, 1946, adopts legislation pursuant to which any vessel covered by Plan II or exempted from the provisions of Plan I or Plan II would be eligible (except for repairs and restoration upon redelivery accomplished by the charterer or any compromise settlement with respect to the obligations of the charterer to repair and restore the vessel upon redelivery) to be exchanged or traded in as a credit on the price of

any vessel to be acquired pursuant to such legislation, the owner may, with respect to any vessel accepted for trade in or exchange pursuant to such legislation, by written notice to the WSA rescind any such compromise settlement as of its effective date or shall, subject to approval of the charterer, be deemed to have accepted redelivery of the vessel as if no such repairs and restoration had been accomplished by the charterer. In the event that such owner gives such written notice to the WSA as above provided, the owner shall be obligated to refund any sums theretofore received on account of any such compromise settlement or, if charterer's approval is given as aforesaid, shall be obligated to pay to the charterer the cost of such repairs and restoration (including such portion of charter hire paid or allowed as is applicable to same). In either such case, the owner shall nevertheless be bound by the release provided in the compromise settlement or by the release provided upon redelivery of the vessel after repairs and restoration.

[SEAL]

E. S. LAND,  
Administrator.

SCHEDULE A<sup>1</sup>—EQUIPMENT INSTALLED BY  
W. S. A. ON PRIVATELY-OWNED TANKERS

1. Degaussing Equipment (including generators).
2. Motor Lifeboats (including contents) and davits.
3. Lifeboats (including contents) & Gravity Davits.
4. Lifeboats (including contents) & Crescent Davits.
5. Flood Lights (6 spot lights).
6. Gun Crew Quarters.
7. Spar Deck-Aeroplane Stools.
8. Hoses, Life Rafts, Life Floats, General Alarm System, Public Address System, Scott Radio (4 speakers), Signal Search Lights, Phone Bridge to E. R.

<sup>1</sup> The above items include related installations.

SCHEDULE B—FORM OF REDELIVERY RECEIPT  
WAR SHIPPING ADMINISTRATION

Date: \_\_\_\_\_  
This is to certify that the S/S Tanker " \_\_\_\_\_ " under Time Charter (Contract WSA \_\_\_\_\_) was on the \_\_\_\_\_ day of \_\_\_\_\_, 1945, at \_\_\_\_\_ redelivered at the port of \_\_\_\_\_ by War Shipping Administration, charterers, to \_\_\_\_\_ owners, having on board \_\_\_\_\_ barrels fuel oil.

Condition of tanks: Gas free \_\_\_\_\_; soiled \_\_\_\_\_, or clean and fit to carry clean products.

Owner hereby releases the charterer of all claims it may have against the United States under the terms of the charter to the extent indicated in Plan I of WSA Notice of Tanker Redelivery Program, dated November 2, 1945.

WAR SHIPPING ADMINISTRATION,  
By \_\_\_\_\_  
Owners  
By \_\_\_\_\_

SCHEDULE C

1. Degaussing Equipment, including generators and control panels \$125.00
2. (a) Motor lifeboats and contents with Gravity Davits 2,100.00
- (b) Motor lifeboats and contents with Crescent Davits 400.00
3. (a) Lifeboats and contents with Gravity Davits 2,000.00
- (b) Lifeboats and contents with Crescent Davits 300.00
4. Flood Lights (6 spot lights) 100.00
5. Gun Crew Quarters 100.00
6. Spar Deck 100.00
7. Hoses, life rafts, life floats, general alarm system, public address system, Scott Radio and speaker, signal and search lights, phone bridge to engine room 300.00

[F. R. Doc. 45-22180; Filed, Dec. 11, 1945; 11:35 a.m.]