FEDERAL REGISTER

VOLUME 11 NUMBER 6

Washington, Wednesday, January 9, 1946

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

PART 725—PROCLAMATION OF THE NATIONAL MARKETING QUOTA FOR FLUE-CURED TOBACCO AND FOR BURLEY TOBACCO FOR THE 1946–47 MARKETING YEAR

FLUE-CURED TOBACCO

Whereas, on November 27, 1945, the Secretary proclaimed a national marketing quota for flue-cured tobacco for the marketing year beginning July 1, 1946, of 856,800,000 pounds, and

Whereas, section 312 (a) of the Agricultural Adjustment Act of 1938, as amended, provides that such national marketing quota may be increased by not more than 20 percent if it is determined that an increase is necessary in order to meet market demands, and

Whereas, The Secretary has caused an investigation to be made and has determined that it is necessary to increase the national marketing quota for flue-cured tobacco by 10 percent in order to meet market demands:

Now therefore, it is hereby proclaimed that:

§ 725.203 *Proclamation increasing the national marketing quota for flue-cured tobacco for the marketing year beginning July 1, 1946.* The amount of the national marketing quota for flue-cured tobacco for the marketing year beginning July 1, 1946, as proclaimed on November 27, 1945,[1] is increased by 10 percent.

(52 Stat. 46, 53 Stat. 1261, 54 Stat. 392, 56 Stat. 121; 7 U.S.C. 1312 (a); Public Law 118, 78th Cong., approved July 7, 1943; 57 Stat. 387, as amended by Pub. Law 276, 78th Cong., approved March 31, 1944, 58 Stat. 136)

Issued at Washington, D. C., this 7th day of January 1946. Witness my hand and the seal of the Department of Agriculture.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46–436; Filed, Jan. 8, 1946; 11:22 a. m.]

[1] 10 F. R. 14685.

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 904—MILK IN THE GREATER BOSTON, MASSACHUSETTS, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and of the order, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, Marketing area (8 F.R. 3109, 8294; 9 F.R. 4972), hereinafter referred to as the "order," it is hereby determined that §§ 904.8 (d) (2) and 904.10 (g) of the order do not tend to effectuate the declared policy of the act with respect to milk received by a handler who sells or distributes less than 10 percent of his total receipts of milk as Class I in the marketing area from January 1, 1946, to January 31, 1946, both dates inclusive.

It is therefore ordered, That §§ 904.8 (d) (2) and 904.10 (g) of the order be, and they hereby are, suspended from January 1, 1946, to January 31, 1946, both dates inclusive.

Issued at Washington, D. C., this 7th day of January 1946.

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

[F. R. Doc. 46–437; Filed, Jan. 8, 1946; 11:23 a. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 4–9, as Amended, Termination]

PART 1450—TOBACCO

CIGAR FILLER AND BINDER TYPES OF TOBACCO

War Food Order No. 4–9 (10 F.R. 8201), as amended (10 F.R. 10419, 13359, 14685), is hereby terminated.

This order shall become effective at 8:01 a. m., e. s. t., January 9, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 4–9, as amended, prior to the effective time hereof, all provisions of such order, as amended, in effect prior to the effective time hereof shall continue in full force

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REGULATIONS AND NOTICES

FEDERAL REGISTER

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A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Documents carried in the Cumulative Supplement by uncodified tabulation only are not included within the purview of this list.

CODIFICATION GUIDE—Continued

and effect for the purpose of sustaining any action, suit, or other proceeding, with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO No. 4, as amended, 8 F.R. 335, 11331; 9 F.R. 4321, 4319, 9584; 10 F.R. 103, 126, 10419)

Issued this 7th day of January 1946.

[SEAL] C. W. KITCHEN,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 46-438; Filed, Jan. 8, 1946; 11:23 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

Subchapter E—Credit to Indians

PART 21—GENERAL CREDIT TO INDIANS

Sec.

AUTHORITY: §§ 21.0 to 21.15, inclusive, issued under authority contained in sec. 10 of the act of June 18, 1934 (48 Stat. 986, 25 U.S.C. sec. 470); act of July 12, 1943 (57 Stat. 459); act of June 28, 1944 (Pub. Law 369, 78th Congress, 2d sess.); sec. 6 of the act of June 26, 1936 (49 Stat. 1967, 25 U.S.C. secs. 501-509); sec. 1 of the act of May 1, 1936 (49 Stat. 1250, 25 U.S.C. sec. 473a).

§ 21.0 *Repeal.* Sections 22.1 to 22.6 inclusive; 23.1 to 23.18 inclusive; 24.1 to 24.17 inclusive; 25.1 to 25.25 inclusive; 26.1 to 26.24 inclusive; and 29.1 to 29.26 inclusive of Parts 22, 23, 24, 25, 26, and 29 of Chapter I, Subchapter E, Credit to Indians, of Title 25, CFR are hereby repealed.

Sections 21.1 to 21.52 inclusive of Part 21 of Chapter I, Subchapter E, Credit to Indians, are likewise repealed, and the following new §§ 21.0 to 21.15 inclusive, in this part, are substituted in lieu thereof.

§ 21.1 *Purpose.* The purpose of this part is to prescribe the terms and conditions of loans to Indian chartered corporations, unincorporated tribes and bands, credit and cooperative associations, and individual Indians from the United States, in order to promote the economic development of the borrower.

§ 21.2 *Eligible borrowers.* Loans may be made from revolving credit funds to Indian chartered corporations;[1] recognized tribes and bands; credit associations organized pursuant to the Oklahoma Indian Welfare Act or whose form of organization has been approved by the Secretary; cooperative associations whose members are not eligible to borrow from incorporated or unincorporated tribes or bands; members of Indian tribes or their descendants of at least ¼ degree of Indian blood, who are not members of a corporation, tribe, or band, which is conducting credit operations, and who are not eligible for loans from a credit association.

§ 21.3 *Application.* An applicant for a loan will submit an application on a form approved by the Secretary or his authorized representative. Such application will indicate the purposes for which the loan is to be used, the period of the loan, the interest to be paid, the security to be offered, and the procedures to be followed in handling and repaying the loan.

§ 21.4 *Purpose of loans.*[2] Borrowers from the United States may use funds to make loans to individual members, cooperative associations, subordinate bands, and enterprises of their members for any purpose which will promote the economic development of the group or individual, or to finance corporate or tribal enterprises.

§ 21.5 *Approval of loans.* Loan agreements must be executed on a form approved by the Secretary or his authorized representative. The borrower will furnish security, if available, up to an amount adequate to protect the loan. The Secretary or his authorized representative will approve the loan by issuing a commitment order covering the terms and conditions for making the loan. Any modification of the terms of the contract must be agreed to in writing by the borrower and the Secretary or his authorized representative.

§ 21.6 *Interest.* Corporations, unincorporated tribes and bands, and credit associations shall pay 1 percent interest annually on loans from the date made until paid, on the basis of 360 days per annum. Individual borrowers and cooperative associations shall be charged interest at a rate of 3 percent annually. Borrowers from Indian organizations shall pay the rate of interest specified in the governing loan agreement, but not less than 1 percent.

§ 21.7 *Records and reports.*[2] Borrowers shall keep separate records and accounts of their credit activities and make signed reports as directed by the Commissioner.

§ 21.8 *Maturity.* The period of maturity of the loan should be determined according to the circumstances, except that thirty years shall be the maximum.

§ 21.9 *Security.* A mortgage, chattel mortgage, lien, or conditional sales contract on property acquired with the proceeds of the loan may be required as security for the loan. Where the loan is made for the purpose of financing the advance of credit, it may be secured through the assignment of notes, mortgages, chattel mortgages, or liens, and such other securities as the Secretary or his authorized representative may approve. Unless otherwise provided in the loan agreement, title to all property purchased with loans shall be taken in the name of the United States in trust for the borrower.

§ 21.10 *Penalties on default.* Failure on the part of any borrower to conform to the terms of the loan agreement will be deemed grounds for any one or all of the following steps to be taken, at the

[1] This includes the organization of groups in Alaska having a common bond of occupation, association or residence within a well-defined neighborhood.

[2] These sections refer to borrowers other than individual borrowers from the United States.

option of the Secretary or his authorized representative, if the loan agreement so provides:

(a) Discontinue any further advances of funds contemplated by the loan agreement.

(b) Take possession of any or all collateral given as security, and in the case of individuals and cooperative associations, the property purchased with borrowed funds.

(c) Prosecute legal action against the borrower, or against officers of corporations, unincorporated tribes and bands, and credit and cooperative associations.

(d) Declare the entire amount advanced immediately due and payable.

(e) Prevent further disbursement of credit funds under the control of the borrower.

(f) Withdraw any unobligated funds from the borrower.[2]

(g) In the case of corporations, unincorporated tribes and bands, and credit associations, require that all repayments on loans made be applied to liquidate the indebtedness to the United States.

(h) In the case of credit associations, take possession of the assets of the borrower and exercise or arrange for the exercise of its powers until the indebtedness to the United States is liquidated, or until the Secretary has received acceptable assurance of its repayment and of compliance with the loan agreement.

(i) In the case of corporate and tribal enterprises and cooperative associations, where the loan agreement so provides, to liquidate or operate, or arrange for the operation of the enterprise or association, until its indebtedness is paid, or until the Secretary has received acceptable assurance of its repayment and of compliance with the loan agreement.

§ 21.11 *Assignment.* A borrower may not assign his loan agreement or any interest therein to a third party without the consent of the Secretary or his authorized representative.

§ 21.12 *Tribal industrial assistance funds.* (a) Tribal industrial assistance funds may be transferred to corporations and unincorporated tribes and bands, when authorized by Congress and agreed to by the corporation, tribe, or band, and may be used for the same purposes as revolving credit funds. No interest shall be paid to the United States on such funds.

(b) Loans of tribal industrial assistance funds may be made to individuals and cooperative associations under the same conditions as loans of revolving credit funds.

(c) Support loans may be made to old, indigent, or disabled allottees, and loans may be made for burial expenses where the deceased Indian was an allottee, from tribal industrial assistance funds. Interest may be waived on such loans.

(d) Individuals need not be of at least ¼ degree of Indian blood in order to receive loans of tribal industrial assistance funds, but must be members of the corporation, tribe, or band to which the funds belong.

(e) Loans to Menominee Indians from Menominee tribal funds shall bear interest at two percent per annum.

§ 21.13 *Relending by borrower.* Funds loaned by the United States to a corporation, unincorporated tribe or band, or credit association, may be reloaned by it, with the approval of a representative of the Commissioner, unless the Commissioner authorizes the corporation, tribe, band, or association, to approve applications for particular loans up to a specified amount.

§ 21.14 *Repayments.* Repayments on loans by the United States shall be made to the bonded Government disbursing agent or his authorized representative, who shall issue an official receipt therefor.

§ 21.15 *Cooperative associations.* The Secretary may issue charters to cooperative associations of ten or more members in Oklahoma whose articles of association and bylaws have been approved by him.

HAROLD L. ICKES,
Secretary of the Interior.

DECEMBER 18, 1945.

[F. R. Doc. 46-427; Filed, Jan. 8, 1946; 10:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Operations Order 69]

WASHINGTON

ESTABLISHMENT OF BOARD OF APPEAL AREA

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, and in accordance with the recommendation of Captain P. H. Winston, State Director of Selective Service for the State of Washington, I hereby order:

1. That the State Director of Selective Service for the State of Washington is hereby authorized to disestablish the board of appeal areas for Boards of Appeal numbered 1 and 3 of the State of Washington, and to establish one board of appeal area having more than 70,000 registrants as the result of the first registration, which board of appeal area shall be coextensive with the State of Washington.

2. That the following named members of the present Boards of Appeal numbered 1 and 3 for the State of Washington are hereby transferred to the Board of Appeal for the State of Washington:

Judge James B. Kinne, Chairman, Michael Dederer, Samuel S. DeMoss, Philip S. Nelson and Benjamin F. Smith.

LEWIS B. HERSHEY,
Director.

JANUARY 5, 1946.

[F. R. Doc. 46-351; Filed, Jan. 7, 1946; 3:03 p. m.]

[Operations Order 70]

TEXAS

ESTABLISHMENT OF BOARD OF APPEAL AREA

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, and in accordance with the recommendation of Brig. Gen. J. Watt Page, State Director of Selective Service for the State of Texas, I hereby order:

1. That the State Director of Selective Service for the State of Texas is hereby authorized to disestablish the board of appeal areas for Boards of Appeal numbered 1 through 12 of the State of Texas, and to establish one board of appeal area having more than 70,000 registrants as the result of the first registration, which board of appeal area shall be coextensive with the State of Texas.

LEWIS B. HERSHEY,
Director.

JANUARY 5, 1946.

[F. R. Doc. 46-352; Filed, Jan. 7, 1946; 3:03 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, and Pub. Law 270, 79th Cong.; 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 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, Direction 7]

DISPOSAL OF CERTAIN SURPLUS BUILDING MATERIALS FOR THE RECONVERSION HOUSING PROGRAM

The following direction is issued pursuant to Priorities Reg. 13:

(a) *What this direction does.* There is urgent need for critical building materials listed in Schedule A of Priorities Regulation 33 for the Reconversion Housing Program, and these materials are not now readily obtainable in sufficient quantities from new production. The purpose of this direction is to earmark certain materials held by Reconstruction Finance Corporation as surplus property, and to make them available primarily for use in the Reconversion Housing Program or for resale for that purpose. It permits sales by RFC only to buyers who give the certification described, except that 30% of any lot may be disposed of during the first 10 days after it is available for sale to buyers who enjoy preference under the Surplus Property Act.

(b) *Materials covered by this direction.* This direction applies only to the building materials listed below, which are held by RFC as surplus property. However, it does not apply to any item of these materials which the RFC has determined is not suitable for the Reconversion Housing Program under Priorities Regulation 33, either in its present form or after further processing.

Common and face brick
Structural tile
Gypsum board
Gypsum lath
Cast iron soil pipe and fittings
Cast iron radiation
Bathtubs
Lumber
Millwork

(c) *Restriction on sales by RFC.* The Reconstruction Finance Corporation may not sell the building materials described in paragraph (b) above except to purchasers described below:

(1) During the first 10 days after RFC has determined that any lot of these materials is available for sale, RFC may sell up to 30% of that lot to buyers who enjoy preference pursuant to the Surplus Property Act and applicable regulations of the Surplus Property Administration.

(2) The other 70% and any unsold balance under paragraph (c) (1) may only be sold to buyers who give a certificate with their purchase orders in substantially the following form:

The undersigned certifies to the RFC and to CPA, subject to the criminal penalties of section 35 (A) of the United States Criminal Code, that (1) he has been assigned an HH or CC preference rating under applicable CPA regulations for the building materials covered by this purchase order and that he will use the materials only for the purpose for which the rating was assigned; or (2) that during the period ending 30 days after receipt the materials will be disposed of only on orders rated HH or CC and thereafter only in accordance with applicable CPA orders and regulations.

The standard certificate provided in Priorities Regulation 7 may not be used in place of this certificate.

(d) *Obligations of persons giving certificate.* Any person giving the certificate described in paragraph (c) may use or dispose of the materials he gets with the certificate only in accordance with its terms. In addition, he must comply with all applicable CPA orders and regulations.

Issued this 7th day of January 1946.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Administrator.

[F. R. Doc. 46-417; Filed, Jan. 7, 1946; 4:32 p. m.]

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

[Priorities Reg. 22, as Amended, Jan. 8, 1946]

DELIVERIES INTO THE DOMINION OF CANADA

§ 944.43 (a) Preference ratings for deliveries to be made into the Dominion of Canada from the United States will be authorized by the Civilian Production Administration only upon the recommendation of the Canadian Priorities Officer.

(b) Any person in Canada authorized to use a rating may do so by endorsing the following certification on his purchase order:

The undersigned purchaser certifies, subject to the penalties of section 15 of the Canadian Wartime Industries Control Regulations, to the seller, to the Canadian Priorities Officer, and to the Civilian Production Administration that, to the best of his knowledge and belief, the undersigned is authorized, under applicable Canadian orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating which the undersigned has placed on this order.

(c) The certification shall be signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for the purpose.

(d) The above certification must be used instead of any other certification where a rating is used by a person in Canada. Any certification which is specified for any other purpose by any regulation or order (except one requiring administrative action such as an allocation or express authorization) may be omitted from purchase orders endorsed with the above certification.

(e) Purchase orders bearing the above certification must be given the same effect by suppliers in the United States as orders carrying preference ratings and originating within the United States.

(f) No person shall use the above certification, or any preference rating on an order placed with a supplier in the United States calling for delivery to Canada unless such use is authorized under Canadian orders.

(g) Suppliers in the United States who receive rated orders for delivery into the Dominion of Canada bearing the above form of certification may extend the ratings to the same extent as ratings originating in the United States, but must use the regular form of certification provided for use within the United States.

(h) This regulation does not apply to materials exported directly to agencies of the United States Government in Canada.

Issued this 8th day of January 1946.

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

[F. R. Doc. 46-444; Filed, Jan. 8, 1946; 11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1352—FLOOR COVERINGS

[MPR 65, Amdt. 3]

RESALE OF FLOOR COVERINGS

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

Maximum Price Regulation No. 65 is amended in the following respects:

1. Section 1352.51 is amended to read as follows:

§ 1352.51 *Distributors' maximum prices for wool floor coverings.* Regardless of any contract, agreement, lease, or other obligation, no distributor shall sell or deliver any unit of wool floor covering at a price higher than the maximum price established or adjusted under this regulation.

A distributor's maximum price (exclusive of all adjustment charges) for sales to each class of purchaser of any unit of wool floor covering shall be:

(a) (1) The highest zone price (exclusive of all adjustment charges) quoted for such a sale by the manufacturer of such unit in his last low-basis price list in which the article was listed; or

(2) If the manufacturer's last low-basis price list in which the article was listed does not state prices on a zone basis, the distributor's maximum price shall be the f. o. b. mill price (exclusive of all adjustment charges) quoted for such a sale in that low basis-price list, plus the differential over the manufacturer's f. o. b. mill price which the distributor charged in October 1941 on his sales in each zone of wool floor coverings of the same weight.

(b) If the distributor's maximum price (exclusive of all adjustment charges) for a particular sale cannot be determined under paragraph (a) of this section, that maximum price shall be the price approved in writing by the Office of Price Administration, after the distributor has submitted to it an application stating:

(1) The date of the application.

(2) The manufacturer's name, number or other identification of the article.

(3) The manufacturer's name and address.

(4) The proposed maximum price.

After receipt of such application, the Office of Price Administration will issue an order establishing maximum prices for the distributor's sales of the article which will be in line with the level of maximum prices established by or under this section. The distributor may not sell, or offer to sell, or deliver the article until after the issuance of such order.

2. Section 1352.51a is added to read as follows:

§ 1352.51a *Permitted adjustment charges.* A distributor may increase a maximum price established under § 1352.51 of this regulation by the same amount as that by which the manufacturer increased his maximum price to the same class of purchaser under the authority of § 1352.1a of Revised Price Schedule No. 57, provided the amount of such increase is separately stated as an adjustment charge on each invoice or other written evidence of sale.

3. Section 1352.51b is added to read as follows:

§ 1352.51b *Records.* Every distributor who determines his maximum price under § 1352.51 (a) (2) of this regulation shall retain records showing the zone differentials which he customarily charged during October 1941, for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

4. Section 1352.51c is added to read as follows:

§ 1352.51c *Establishment of maximum prices in certain cases.* If any seller subject to this regulation fails to maintain records showing the determination of maximum prices as required by this regulation, or fails to make the application for price approval which this regulation requires in certain instances, the Office of Price Administration may, either upon application, or upon its own motion, issue orders under this section, establishing maximum prices which are in line with the level of maximum prices established by this regulation. Maximum prices, so established, shall be effective as of the date of first sale.

5. Section 1352.51d is added to read as follows:

§1352.51d *Invoices.* Any distributor selling an article the maximum price of which has been adjusted in accordance with § 1352.51a of this regulation shall furnish to each purchaser for resale an

invoice or other written evidence of sale setting forth the following:

(a) The date of sale.

(b) The seller's name and address.

(c) The purchaser's name and address.

(d) The name, number or other identification of the article sold.

(e) The quantity of the article sold.

(f) The seller's maximum price for the article established under § 1352.51 of this regulation.

(g) The amount of the adjustment charge made in accordance with § 1352.51a of this regulation, if any.

(h) The total sales price.

(i) The terms of sale.

(j) The nature and amount of any additional charge.

A copy of such invoice or other written evidence of sale must be kept by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Act of 1942, as amended, remains in effect.

No distributor may sell any article at a maximum price adjusted under § 1352.51a of this regulation unless both his maximum price and the amount of the adjustment charge are separately stated on each invoice or other written evidence of sale.

This amendment shall become effective on January 4, 1946.

NOTE: The record keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-235; Filed, Jan. 4, 1946; 4:23 p. m.]

PART 1365—HOUSEHOLD FURNITURE

[3d Rev. MPR 213]

NEW COIL AND FLAT BEDSPRINGS AND METAL BEDS

Second Revised Maximum Price Regulation No. 213 is revised and amended to read as follows:

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

ARTICLE I—PROHIBITIONS AND SCOPE OF THE REGULATION

Sec.

1. Sales of new coil and flat bedsprings, and metal beds, at higher than maximum prices prohibited.
2. Articles, transactions, and persons to whom this regulation applies.
3. Relationship to other regulations.
4. Geographical applicability.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

5. Manufacturers' maximum prices for bedsprings described in Appendix A and B, and for metal beds described in Appendix C.
6. Jobbers' maximum prices for bedsprings described in Appendix A and B, and for metal beds described in Appendix C.
7. Retailers' maximum (ceiling) prices for bedsprings described in Appendix A and B, and for metal beds described in Appendix C.
8. Credit charges.
9. Maximum prices for articles not listed in Appendices A, B or C.

ARTICLE III—MISCELLANEOUS

10. Retail price label.
11. Sales slips, receipts, and invoices.
12. Evasion.
13. Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.
14. Enforcement.
15. Petitions for amendment.
16. Appendices A, B and C.
17. Terms of sale.
18. Reports.

ARTICLE I—PROHIBITIONS AND SCOPE OF THE REGULATION

SECTION 1. *Sales of new coil and flat bedsprings, and metal beds, at higher than maximum prices prohibited.* (a) On or after the effective date of this regulation, regardless of any contract or other obligation, no person shall sell or deliver whether for his own account or the account of another, and no person shall buy or receive in the course of trade or business, any article covered by this regulation at a price higher than the maximum price fixed by this regulation and no person shall agree, offer, solicit, or attempt to do any of these things.

(b) Prices lower than the maximum prices may be charged and paid.

SEC. 2. *Articles, transactions, and persons to whom this regulation applies—*(a) *Articles covered by this regulation.* This regulation covers all kinds of new coil, and flat bedsprings and all new metal beds, except those mentioned in paragraph (b) of this section. A coil or flat bedspring is an open (non-upholstered) bedspring made of steel or wood or steel and wood or any other material or combination of materials. The term "new" means that none of the materials in the article has been previously used.

(b) *Articles not covered by this regulation.* This regulation does not cover:

(1) Gatch bedsprings.

(2) New, used (including reconditioned), upholstered bedsprings.

(3) Used (including reconditioned) coil and flat bedsprings.

(4) Bedsprings which are made as an integral part of a bed (that is, bedsprings which are made to fit into or onto a set of bed ends and are only sold by the manufacturer with such bed ends or as a replacement for a bedspring previously sold by the manufacturer with such bed ends).

(5) Metal beds where the bedspring is an integral part of the bed.

(6) Used (including reconditioned) metal beds.

(c) *Transactions covered by this regulation.* This regulation covers all sales of new coil and flat bedsprings, and new metal beds, by any person to any person, including sales made at auction.

(d) *Persons covered by this regulation.* Any person who sells, including an auctioneer, and any person who buys in the course of trade or business, any new coil or flat bedspring, or a new metal bed, is subject to this regulation. The term "person" includes: An individual, partnership, corporation, or any other organized group; their legal successors, assignees, or representatives; the United States or any government or any of its political subdivisions; or any agency of the foregoing.

(e) *Terminology used in regulation.* For the sake of simplicity, a new metal coil or flat bedspring is hereafter referred to in this regulation as a "bedspring" and for all purposes of this regulation the term "bedspring" shall be taken to mean new coil or flat bedspring.

SEC. 3. *Relationship to other regulations—*(a) *Maximum Price Regulation No. 213, Revised Maximum Price Regulation No. 213, and Second Revised Maximum Price Regulation No. 213.* Second Revised Maximum Price Regulation No. 213 is revised and amended by this regulation. The provisions of Maximum Price Regulation No. 213, Revised Maximum Price Regulation No. 213 and Second Revised Maximum Price Regulation No. 213 shall not apply to the sale and delivery of any article covered by this regulation after the effective date of this regulation, except that all orders issued prior to the effective date of this regulation under Maximum Price Regulation No. 213 and Revised Maximum Price Regulation No. 213 or Second Revised Maximum Price Regulation No. 213 shall be continued in full force and effect.

(b) *The General Maximum Price Regulation.* The provisions of the General Maximum Price Regulation, all amendments and supplementary regulations thereto and orders issued thereunder shall not apply to the sale and delivery of any article covered by this regulation after the effective date of this regulation.

(c) *Maximum Price Regulation No. 188.* The provisions of Maximum Price Regulation No. 188, all amendments and orders issued thereunder shall not apply to the sale and delivery of any article covered by this regulation after the effective date of this regulation.

(d) *Second Revised Maximum Export Price Regulation.* The maximum price at which a person may export any bedspring or metal bed shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation, or any revisions thereto, issued by the Office of Price Administration.

SEC. 4. *Geographical applicability.* The provisions of this regulation shall be applicable to sales in the 48 States and the District of Columbia.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 5. *Manufacturers' maximum prices for bedsprings described in Appendix A and B, and for metal beds described in Appendix C.* This section establishes manufacturers' maximum prices for the standard classes of bedsprings described in section 16, Appendix A and B of this regulation, and for the standard classes of metal beds described in Appendix C. Manufacturers' maximum prices for other classes of bedsprings or metal beds are determined under section 9 of this regulation. Section 10 of this regulation sets forth the obligations of the manufacturer in regard to the tagging of each bedspring or metal bed with the retail maximum (ceiling) price. A manufacturer is a person operating a business which fabricates or assembles a bedspring or metal bed.

(a) *Manufacturers' f. o. b. factory LCL maximum prices to retailers for bedsprings listed in Appendix A.* The manufacturers' f. o. b. factory LCL maximum

price to retailers for each of the bedsprings listed in Appendix A is the price set opposite the description of the bedspring in section 16, Appendix A, of this regulation.

(b) *Manufacturers' f. o. b. factory LCL maximum prices to retailers for bedsprings listed in Appendix B.* The manufacturers' f. o. b. factory LCL maximum price to retailers for each of the bedsprings listed in Appendix B is the price set opposite the description of the bedspring in section 16, Appendix B, of this regulation.

(c) *Manufacturers' f. o. b. factory LCL maximum prices to retailers for metal beds listed in Appendix C.* The manufacturers' f. o. b. factory LCL maximum price to retailers for each of the metal beds listed in Appendix C is the price which he calculates by use of the schedules in section 16, Appendix C, of this regulation.

(d) *Differentials from f. o. b. factory LCL maximum prices to retailers for all sales including those to jobbers and retailers.* (1) *Jobber and quantity discounts.* A manufacturer's f. o. b. factory LCL maximum price to retailers set forth in section 16 of this regulation shall be subject to the same jobber, carload and other quantity discounts which the manufacturer made from his regularly quoted f. o. b. factory LCL price to retailers for the most comparable bedspring or metal bed, whichever is applicable, during March 1942. "Regular quoted price" to retailers is the highest price at which the manufacturer made a substantial number of his sales to retailers.

(2) *Delivered maximum prices and warehouse maximum prices.* To determine a manufacturer's warehouse maximum price or his delivered maximum price for a bedspring or metal bed listed in section 16 of this regulation, a manufacturer shall follow the three steps stated below:

(i) *First.* The manufacturer shall choose from the bedsprings or metal beds which he sold during March 1942 the bedspring or metal bed most comparable to the one being priced.

(ii) *Second.* The manufacturer shall determine the dollar amount by which his delivered or f. o. b. warehouse price for the sale of the most comparable article under the same conditions in March 1942 exceeded his March 1942 regularly quoted f. o. b. factory LCL price to retailers.

(iii) *Third.* The manufacturer shall then add the dollar amount determined in (ii) above to the f. o. b. factory LCL maximum price to retailers for the bedspring or metal bed listed in section 16 of this regulation. The resulting total is the manufacturer's delivered maximum price or his warehouse maximum price, as the case may be.

(e) *Terms.* A maximum price established for a manufacturer by this regulation shall be a price for payment within the same period as in the case of the manufacturer's price for the most comparable article during March 1942, and shall be subject to the same discounts for payment within the same shorter periods.

SEC. 6. *Jobbers' maximum prices for bedsprings described in Appendix A and B, and for metal beds described in Appendix C.* This section establishes jobbers' maximum prices for the standard classes of bedsprings and metal beds described in section 16, Appendices A, B and C of this regulation. Jobbers' maximum prices for other classes of bedsprings and metal beds are determined under section 9 of this regulation. Section 10 of this regulation sets forth the obligations of jobbers in regard to the tagging of each bedspring and metal bed with the retail maximum (ceiling) price. A jobber is a person who receives delivery of a bedspring or metal bed and resells it without substantially changing its form to a person other than the ultimate consumer.

(a) *Jobbers who sold the same manufacturer's bedsprings or metal beds in March 1942.* To determine a jobber's maximum price for a sale under certain conditions of a particular manufacturer's bedspring or metal bed listed in section 16 of the regulation, the jobber shall follow the three steps stated below:

(1) *First.* The jobber shall choose the most comparable bedspring or metal bed, whichever is applicable, made by the same manufacturer which the jobber was selling in March 1942.

(2) *Second.* The jobber shall determine the dollar amount by which his price for the sale of this most comparable article under the same conditions in March 1942 exceeds the manufacturer's March 1942 regularly quoted f. o. b. factory LCL price to retailers for that article "Regular quoted price" to retailers is the highest price at which the manufacturer made a substantial number of his sales to retailers.

(3) *Third.* The jobber shall then add the dollar amount determined in (2) above to the manufacturer's f. o. b. factory LCL maximum price to retailers listed in section 16 of this regulation. The resulting total is the jobber's maximum price.

If the manufacturer did not have a regularly quoted f. o. b. factory LCL price to retailers in March 1942, the jobber shall determine his maximum price under the three steps stated above, except that in the second step, he shall substitute the manufacturer's "regularly quoted f. o. b. factory carload price to retailers" for the manufacturer's "regularly quoted f. o. b. factory LCL price to retailers' and in the third step, he shall substitute the manufacturer's "f. o. b. factory carload maximum price to retailers", for the manufacturer's "f. o. b. factory LCL maximum price to retailers".

(b) *Jobbers who did not sell the same manufacturer's bedsprings or metal beds in March 1942.* If a jobber did not sell the same manufacturer's bedspring or metal bed in March 1942, his warehouse maximum price or his delivered maximum price for an article listed in section 16 of this regulation shall be the maximum price established below:

(1) *Delivered maximum price.* The jobber's delivered maximum price shall be the manufacturer's delivered maximum price for the same article to the same point of delivery. If the manufacturer does not have such a delivered maximum price the jobber's delivered maximum price shall be determined as follows:

(i) *First.* The jobbers shall take the manufacturer's f. o. b. factory LCL maximum price to retailers set forth in section 16 of this regulation, for the same article, and

(ii) *Second.* The jobber shall add the freight cost actually incurred by him for shipment of the article from the manufacturer's factory to the jobber's point of delivery. The resulting sum is the jobber's delivered maximum price; except that the freight cost which may be added shall not exceed the freight charges for direct shipment of such an article from the manufacturer's factory to the jobber's point of delivery by the least expensive readily available public carrier.

(2) *Warehouse maximum price.* The jobber's f. o. b. warehouse maximum price shall be the manufacturer's warehouse maximum price for the same article f. o. b. warehouse in the same city. If the manufacturer has no such warehouse maximum price, the jobber's warehouse maximum price shall be determined as follows:

(i) *First.* The jobber shall take the manufacturer's f. o. b. factory LCL maximum price to retailers set forth in section 16 of this regulation for the same article and

(ii) *Second.* The jobber shall add the freight costs actually incurred by him for shipment of the article from the manufacturer's factory to the jobber's warehouse. The resulting sum shall be the jobber's warehouse maximum price; except that the freight cost which may be added shall not exceed the freight charges for direct shipment of such an article from the manufacturer's factory to the jobber's warehouse by the least expensive readily available public carrier.

SEC. 7. *Retailer's maximum (ceiling) prices for bedsprings described in Appendix A and B, and for metal beds described in Appendix C.* The maximum (ceiling) retail price for an article listed in section 16 of this regulation is the maximum (ceiling) retail price set opposite the description of that article in that section. These maximum retail prices include all services furnished by the retail seller except those which section 8 of this regulation permits to be added as separate charges. Retailer's maximum prices for other classes of bedsprings and metal beds are determined under section 9 of this regulation. Section 10 of this regulation sets forth the obligations of retailers in regard to the tagging of each bedspring and metal bed with the retail maximum (ceiling) price. A retailer is the person who sells the bedspring and metal bed to an ultimate consumer.

SEC. 8. *Credit charges.* Charges for the extension of credit may be added to the maximum (ceiling) retail prices established by this regulation only to the extent permitted by the subject to the requirements of this section.

(a) Sellers who in March 1942 collected a separately stated additional charge for the extension of credit on

sales of bedsprings, metal beds, or similar types of articles may collect a charge for the extension of credit on sales under this regulation, not exceeding such charge in March 1942 on a similar sale on similar terms to the same class of purchaser. Sellers who did not so state and collect an additional charge may collect a charge for the extension of credit only on instalment-plan sales; and the charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the same class of purchaser in March 1942 by the seller's closest competitor who made such a separately stated charge.

An instalment-plan sale, as used in the above paragraph, means a sale where the unpaid balance is to be paid in instalments over a period of either (1) Six weeks or more from the date of sale in the case of weekly instalments, or (2) Eight weeks or more in the case of other than weekly instalments.

(b) All charges for the extension of credit shall be quoted and stated separately. Any charge which is not quoted and stated separately, or which otherwise does not conform to this section, shall, for the purpose of this regulation, be considered to be part of the price charged for the article sold.

(c) No seller may require as a condition of sale that the purchaser must buy on credit.

SEC. 9. *Maximum prices for articles not listed in Appendices A, B, or C*—(a) *Maximum prices previously set by order.* Maximum prices for an article, or an extra feature, which does not fall into a class listed in section 16 of this regulation, established for manufacturers, jobbers, and retailers by orders under Maximum Price Regulation No. 213, Revised Maximum Price Regulation No. 213, or Second Revised Maximum Price Regulation No. 213 shall continue in full force and effect.

(b) *Maximum prices which have not been set by order.* If maximum prices for an article, or any extra feature, which does not fall into a class listed in section 16 of this regulation have not been established by an order mentioned in paragraph (a) of this section the following provisions shall apply:

(1) *Manufacturers.* (i) After January 11, 1946, a manufacturer shall not sell, offer to sell, deliver or offer to deliver any article, or any extra feature, covered by this regulation for sales of which maximum prices have not been established under paragraph (a) of this section, or under section 16, or under an order of the Office of Price Administration, until he has applied to the Office of Price Administration, Washington 25, D. C., for the establishment of his maximum prices for such sales, and for the establishment of a retail ceiling price for such sale, and until such maximum prices have been established by an order of the Office of Price Administration, or the waiting period referred to below has terminated, and the manufacturer has received no notification from the Office of Price Administration. The application shall set forth (unless the information has already been furnished to the Office of Price Administration, in which case the date and the office to which it was furnished, shall be stated):

The date of the application.

The manufacturer's name and address.

The model designation of the article or extra feature to be priced.

The reason why the article or extra feature to be priced cannot be priced under any other section of this regulation.

The detailed specifications and illustration of both the article or extra feature to be priced and the most comparable article or extra feature listed in section 16.

An itemized breakdown of the manufacturer's current unit direct cost of the article to be priced, showing separately according to his own system of accounts or regularly prepared operating statements, all major component unit direct cost factors and the number of units of production upon which the unit direct costs were based. For the purpose of this section, unit direct costs include direct labor and direct material costs, but do not include factory burden (sometimes called factory over-head or indirect manufacturing expenses), packaging and crating costs, royalties and patterns, tool and die cost, and items of administrative, general and selling expenses.

An itemized breakdown of the manufacturer's current unit direct cost (as described above) of the model, specifically priced in this regulation in section 16, which is most nearly comparable to the article or extra feature being priced.

A copy of each price list in effect during March 1942 showing the article or extra feature listed in section 16, most nearly comparable to the article being priced, and all price differentials covering variations in constructions, together with illustrations. (If the manufacturer was not making and selling new coil and flat bedsprings or metal beds, whichever is applicable in March 1942, he shall send a copy of his first price list which was in effect after March 1942, giving the same information, together with illustration.)

A statement of the manufacturer's customary discounts, allowances and other price differentials to different classes of purchasers in effect for sales of the kind of article or extra feature in question during March 1942, or if the manufacturer was not making and selling such articles during March 1942, the same information for the first period after March 1942 during which the manufacturer was engaged in this business.

The proposed maximum prices and the proposed retail ceiling price to each class of purchaser for the article or extra feature to be priced, and a statement of why the manufacturer believes those prices to be in line with the level of maximum prices established by the regulation.

Those proposed maximum prices shall be calculated as follows:

Step 1: The manufacturer shall determine the "unit direct cost" for the article being priced.

Step 2: The manufacturer shall select from the comparables for which maximum prices to retailers have already been established, in section 16, the comparable which has a unit direct cost closest to the unit direct cost of the article or extra feature being priced.

Step 3: The manufacturer shall determine the percentage markup over unit direct cost for the comparable selected.

Step 4: The manufacturer shall apply to the unit direct cost of the article or extra feature being priced that percentage markup. The resulting price shall be the f. o. b. factory, LCL maximum prices for sales of the new article or extra feature to retailers.

Step 5: The manufacturer shall calculate the retail ceiling price of the article or extra feature by multiplying his proposed f. o. b. factory, LCL maximum price to retailers by 191 percent, and rounding the result to the nearest five cents.

(ii) In the absence of a contrary direction from the Office of Price Administration within 15 days after mailing his application, the manufacturer may offer the article or extra feature in question for sale at the proposed maximum prices stated therein, provided he pretickets the article with the proposed retail ceiling price which he reported. If such proposed maximum prices are correctly computed they shall be subject to adjustment (but not retroactively) at any time by order of the Office of Price Administration if it appears that the maximum prices so established are out of line with the general level of prices established by this regulation. If the prices are incorrectly computed, the maximum prices for a sale, offer to sell, or delivery of an article or extra feature made pursuant to the incorrect report shall be the maximum prices which are properly computed under the formula contained in this paragraph (1).

(2) *Jobbers.* No jobber may sell, offer to sell or deliver any article covered by this regulation for which a maximum price is not set in section 16 or by an order mentioned in paragraph (a) of this section until a maximum price has been established by order of the Office of Price Administration on application filed by the jobber with the Office of Price Administration in Washington, D. C. The Office of Price Administration shall, upon application of the jobber, or upon his own motion, establish by order maximum prices for an article which does not fall into a class listed in section 16 and for which a maximum price has not been set by an order mentioned in paragraph (a) of this section. The order shall establish maximum prices for jobbers and retailers in line with the maximum prices set under this regulation for articles listed in section 16. On submitting an application, the jobber shall provide the following information:

(i) The name and address of the manufacturer and jobber.

(ii) Complete specifications and illustrations of the article being priced.

(iii) Manufacturer's f. o. b. factory, LCL maximum price for the article.

(iv) The same manufacturer's f. o. b. factory LCL price for the most comparable article sold to the jobber.

(v) The jobber's maximum price for this article.

(vi) Requested maximum price of the article being priced to each class of purchaser.

(3) *Retailers.* The retail ceiling price for an article in a retailer's stock on January 12, 1946, which is not covered by section 16 of this regulation and for which a retail ceiling price has not been established under (a) or (b) of this section shall be the price properly determined as the retailer's maximum (ceiling) price under the General Maximum Price Regulation or under Maximum Price Regulation No. 580, whichever is applicable. Retailers should note that the retail maximum (ceiling) price for an article covered by this regulation can be based on the General Maximum Price

Regulation or on Maximum Price Regulation No. 580 only where all three of the following conditions exist: (i) The actual unit being priced is in the retailer's stock on the effective date of this regulation: (ii) the article does not meet the specifications of any class listed in section 16, of this regulation: (iii) a maximum (ceiling) retail price for the article has not been established by order prior to the effective date of the regulation. All articles covered by this regulation delivered to a retailer after the effective date of this regulation should already have the retailer's maximum (ceiling) price tagged on the article before the retailer receives delivery. If a retailer has any doubt about his retail maximum (ceiling) price for an article covered by this regulation, he should consult his nearest Office of Price Administration Office. (iv) If a sale, offer to sell, or delivery, of an article covered by this regulation is made prior to the filing of an application, or issuance of an order of the Office of Price Administration, or prior to the expiration of the waiting period, in violation of the provisions of this section, then, the maximum price applicable to such sale, offer or delivery shall be the maximum price which the Office of Price Administration establishes by subsequent order.

SEC. 10. *Retail price label.* (a) No person shall sell, offer to sell, or deliver, and no person shall receive delivery of an article covered by this regulation in the course of trade or business unless there is securely attached to such article a durable tag containing in easily readable lettering the following:

O. P. A. has established a retail ceiling price of $_____ (insert correct figure) for this (insert "bedspring" or "metal bed"). Lower prices may be charged.

This tag may not be removed until after delivery to the consumer.

Every article delivered to a jobber or a retailer, after the effective date of this regulation must have the tag described above securely attached to it at all times while in his stock (including those in warehouse or storage).

(b) A manufacturer or jobber offering an article at a maximum price established by this regulation shall attach the tag described in paragraph (a) above to it. In most cases the person who must attach the tag will be the manufacturer but in those cases where articles are in the stock of jobbers or retailers, when this regulation becomes effective, they must attach the tag. As stated in paragraph (a) it shall be the responsibility of each jobber and retailer to see to it that a tag as described in paragraph (a) is attached to every bedspring and metal bed in his stock.

SEC. 11. *Sales slips, receipts and invoices.* (a) Regardless of his former practice, after the effective date of this regulation, every person selling a new bedspring or metal bed other than at retail shall furnish the purchaser of each article with a sales slip, receipt, invoice or other similar written evidence of purchase, showing the class of the article, date of sale, price charged, nature and amount of any additional charges, and the name and address of the purchaser. This sales slip, receipt, or invoice or other written evidence of purchase shall be kept by the purchaser and a carbon copy of it kept by the seller for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Any person selling a bedspring or a metal bed at retail who has customarily given a purchaser a sales slip, receipt, or similar written evidence of purchase shall continue to do so. Upon a request of a purchaser for a sales slip, any seller regardless of previous custom shall give the purchaser a receipt showing the date, name and address of the seller, the name, number or other identification of the article sold, and the price received for it.

SEC. 12. *Prohibited practices.* Any practice which is a device to get the effect of a higher than maximum price without actually raising the dollars and cents price is as much a violation of this regulation as an outright charge of more than the maximum price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, bulk or combination sales, or by any other means.

SEC. 13. *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. A seller's license may be suspended for violations 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.

SEC. 14. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942 as amended, and proceedings for the suspension of licenses.

SEC. 15. *Petitions for amendment.* Any person seeking a modification of any provisions of this regulation may file a petition for amendment in accordance with provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

SEC 16. *Appendices A, B and C.*

APPENDIX A

This appendix sets forth the specifications and maximum prices for certain basic models of new coil and flat bedsprings. All weights, sizes and dimensions of the parts, are minimum only, and may be exceeded.

(a) *General construction specifications.* The specifications set forth in this section are for the full size 4'6" bedspring. Other widths are to conform to above specifications except for the number of coils, weight of wire, and number of steel bands which may vary in the same proportions as such specifications of the manufacturer's most comparable bedspring with a steel frame of any other width customarily varied from the specifications of the 4'6" size during the most recent period of production. These bedsprings shall be so constructed that:

All coils and helicals shall be high carbon spring steel wire.

All crimps, wire slats, and cable shall be Bessemer or low carbon steel wire.

All border wire shall be Bessemer steel rod or low carbon steel.

All angles, tubes, risers and flat stock shall be rerolled rail steel or secondary grade billets.

All wood frame members shall be of maple, oak, ash or wood of equivalent strength and serviceability.

All joints in coil bedspring wood frames shall be mortise and tenon, or notched and lap joint construction.

Flat bedspring wood frames shall be adequately braced and assembled with carriage bolts or other suitable fasteners.

(b) *Particular minimum specifications and maximum prices.* The f. o. b. factory LCL maximum price, and the cash retail maximum price are set forth opposite the particular minimum specifications of each basic bedspring model contained in the table below: [1]

	F. o. b. factory l. c. l. maximum price net 30 days	Cash retail maximum price
Class 101 steel frame, crimp top, coil bedspring	$4.76	$9.00
Coils—Single deck 80, 81, 88 or 90, weight 11½ pounds. Top crimps #14½ ga. Border wire #3 ga. Border crimps #14½ ga. Bottom: Continuous angle or four piece angle type. Frame—1" x 1" x 7/64" angle. Slats—4—1" x #12 ga. flat stock, all others #9 ga. wire; or 2—1" x 5/8" x 7/64" angle, all others #9 ga. wire. Lengthwise crimps—#11½ ga. under each row of coils; or #12 ga. where a full slat bottom is made. Finish—Oil base paint.		
Class 102 steel frame, helical top, coil bedspring	5.30	10.00
Coils—single deck 80, 81, 88, or 90 weight 11½ pounds. Helicals #17 ga. Border wire #0 ga. Border crimps #14½ ga. Bottom: Continuous angle or four-piece angle type. Frame—1" x 1" x 7/64" angle. Slats: 4—1" x #12 ga. flat stock, all others #9 ga. wire. or 2—1" x 5/8" x 7/64" angle, all others #9 ga. wire. Lengthwise crimps—#11½ ga. under each row of coils or #12 ga. where a full slat bottom is made. Finish: Oil base paint.		
Class 103 steel frame, link wire, fabric bedspring	4.40	8.50
Fabric: Standard 2" x 4" link, 14 ga. or an equivalent fabric, attached to frame by helicals. Edge bands: 5/8" x .032". Frame: Sleigh runner type. Side rails—1¼" O. D. round tube. End rails—2" x 1⅜" x ⅛" angle. Formed angle riser type. Side rails—1½" x 1½" oval tube, or 1¼" round tube. End rails—2" x 1½" x ⅛" angle. Risers—Formed angle. One-piece end rail and riser type. Side rails—1¼" round tube. End rails—2" x 1⅜" x ⅛" angle. Finish: Oil base paint.		

[1] See footnote at end of table.

	F. o. b. factory l. c. l. maximum price net 30 days	Cash retail maximum price
Class 104 steel frame, cable fabric, flat bedspring	$5.90	$11.00
Fabric: 21 double lengths of 7 strand #22 ga. cable or a cable of equivalent weight, assembled by links, attached to end rails by helicals.		
Edge bands ⅝" x .032" or four lengths of cable close connected.		
Frame:		
Sleigh runner type.		
Side rails—1¼" O. D. round tube.		
End rails—2" x 1⅜" x ⅛" angle.		
Formed angle riser type.		
Side rails—1½" x 1⅛" oval tube, or 1¼" round tube.		
End rails—2" x 1⅜" x ⅛" angle.		
Riser—Formed angle.		
One piece end rail and riser type.		
Side rails—1¼" round tube.		
End rails—2" x 1⅜" x ⅛" angle.		
Finish: Oil base paint.		
Class 105 steel frame, band top, flat bedspring	6.30	12.00
Fabric: 21 bands ⅝" x .020" assembled by links or helicals, attached to frame by helicals.		
Edge Bands: ⅝" x .032".		
Frame:		
Sleigh runner type.		
Side rails—1¼" O. D. round tube.		
End rails—2" x 1⅜" x ⅛" angle.		
Formed angle riser type.		
Side rails—1½" x 1⅛" oval tube or 1¼" round tube.		
End rails—2" x 1⅜" x ⅛" angle.		
Risers—Formed angle.		
One piece end rail and riser type.		
Side rails—1¼" round tube.		
End rails—2" x 1⅜" x ⅛" angle.		
Finish: Oil base paint.		
Class 106 wood frame, crimp top, coil bedspring	5.45	9.50
Coils: 80, 81, 88 or 90 weight 11½ lbs.		
Top crimps: #14½ ga.		
Border wire: #3 ga.		
Border crimps: #14½ ga.		
Wood frame:		
Side rails—1³⁄₁₆" x 1¾".		
Cross slats—1³⁄₁₆" x 1¼" under each row of coils.		
Bottom crimps: #14½ ga.		
Frame finish: Oil base paint.		
Class 107 wood frame, helical top, coil bedspring	6.00	10.50
Coils 80, 81, 88 or 90, weight 11½ lbs.		
Helicals: #17 ga.		
Border wire: #0 ga.		
Border crimps: #14½ ga.		
Wood frame:		
Side rails—1³⁄₁₆" x 1¾".		
Cross rails—1³⁄₁₆" x 1¼" under each row of coils.		
Crimps: Minimum #14½ ga.		
Frame finish: Oil base paint.		
Class 108 wood frame, link wire fabric, flat bedspring	5.45	9.50
Fabric: Standard 2" x 4" link wire #14 ga., or an equivalent fabric, attached to frame by helicals.		
Edge bands: ⅝" x .032".		
Frame:		
Side rails—1⅜" x 3".		
End rails—1⅜" x 3".		
Elevation blocks—Of a size to produce a rise of 2¼".		
Frame finish: Oil base paint.		
Class 109 wood frame, cable fabric, flat spring	7.00	12.50
Fabric: 21 double lengths of 7 strand #22 ga. cable, or a cable of equivalent weight assembled by links, attached to end rails by helicals.		
Edge bands ⅝" x .032" or four lengths of cable close connected.		
Frame:		
Side rails—1⅜" x 3".		
Ends rails—1⅜" x 3".		
Elevation blocks—Of a size to produce a rise of 2¼".		
Frame finish: Oil base paint.		
Class 110 wood frame, band top, flat bedspring	$7.30	$13.00
Fabric: 21 bands ⅝" x .020" assembled by links or helicals, attached to frame by helicals.		
Edge bands: ⅝" x .032".		
Frame:		
Side rails—1⅜" x 3".		
End rails—1⅜" x 3".		
Elevation blocks—Of a size to produce a rise of 2¼".		
Frame finish: Oil base paint.		
Class 111 steel frame, helical top, double deck coil bedspring	6.60	12.75
Coils 88 or 90, double deck close wound or open centers, excepting border coils—weight 18 pounds.		
Center ties close wound center coils—#11½ ga. wire two-way tie or		
Open wound center coils—#14 ga. crimp wire four way tie.		
Helicals #17 ga.		
Border wire #0 ga.		
Border crimps #14½ ga. wire, clips, or equivalent.		
Bottom:		
Continuous angle or four piece angle type:		
Frame—1⅛" x 1⅛" x 7⁄64 ga. or equivalent.		
Slats—All 1" x #12 ga., 1½" drop.		
Lengthwise crimps—#12 ga.		
Finish: Oil base paint.		
Class 112 steel frame, helical top, semidouble deck coil bedspring	6.30	12.25
Coils 88 or 90, semidouble deck, open wound center coils, excepting border coils, weight 15 lbs.		
Center ties—#14½ ga. round wire tie running lengthwise and widthwise		
Helicals #17 ga.		
Border wire—#0 ga.		
Border crimps—#14½ ga. wire clips or equivalent.		
Bottom: Continuous angle or four piece angle or four piece angle type:		
Frame—1⅛" x 1⅛" x 7⁄64" or equivalent.		
Slats—All 1" x #12 ga., 1" drop.		
Lengthwise Crimps #12 ga.		
Finish: Oil base paint.		

[1] The f. o. b. factory maximum prices in the Far West Zone shall be determined by adding the following amounts to the corresponding prices as listed. "Far West Zone" for the purpose of this regulation means the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos, and Reeves.

Class:	*F. o. b. factory l. c. l. maximum price*
101–108 inclusive bedspring	$0.50
108–110 inclusive bedspring	.30
111 bedspring	.75
112 bedspring	.65

The cash retail maximum prices for sales in the Far West Zone shall be determined by adding the following amounts to the corresponding prices listed.

Class:	*Cash retail maximum price*
101–105 inclusive bedspring	$0.85
106–110 inclusive bedspring	.50
111 bedspring	1.25
112 bedspring	1.25

(c) *Additions to or deductions from maximum prices in (b) above—(1) Maximum prices for additional features.* The following may be added to the f. o. b. factory less-than-carload maximum prices and the cash retail maximum prices of the coil bedsprings, set forth above:

Type of extra feature	F. o. b. factory l. c. l. maximum price differential	Cash retail maximum price differential
Angle top border	$0.65	$1.25
Center border wire	.55	1.05
Convolute face coils	.30	.55
Double deck edge coils	.30	.55
Helical center	.60	1.15
Each additional 8 coils on an 88 coil arrangement; or each additional 9 coils on a 90 coil arrangement	.40	.75
1 pair of band stabilizers	.30	.55
1 pair of wire stabilizers	.15	.25
Full platform top "A"	1.10	2.10
Partial platform top "A"	.60	1.15
Full platform top "B"	1.30	2.50
Partial platform top "B"	.80	1.50
Full platform top "C"	1.50	2.85
Partial platform top "C"	1.00	1.90
Copper or bronze finish	.50	.95
Aluminum finish	(1)	(1)

[1] No extra charge.

(2) *Deductions.* For coil springs with 80 or 81 coils (double deck), deduct $0.40 from the prices set forth in (b), above.

(3) *Minimum specifications of extra features.* (i) Angle top border: A top border, around the entire body of the spring, of ¾" x ¾" x 7⁄64", steel angle or equivalent fastened to top of outside coils.

(ii) Center border wire: An auxiliary border wire, completely around the spring midway of its height, of #3½ gauge low carbon or #7 gauge high carbon or heavier to which the center decking or outside coils are attached.

(iii) Convolute face coils. All except border coils to have three loop or more volute or flat top.

(iv) Double deck edge coils. All border coils to be double deck construction.

(v) Helical center: The center deck of all coils except border coils to be tied four ways with helical coils of #17 gauge or heavier high carbon spring steel wire.

(vi) Stabilizer: A device, made of wire or steel bands, fastened to and connecting the border frame to the base frame in a manner adequate to prevent sway.

Steel bands must be 1" x 12 ga., or equivalent.

(vii) Platform Top A: Shall consist of ⅝" x .020 steel bands interlaced lengthwise and widthwise through the top of all coils except border coils and attached to the border coils by crimping or by helicals.

(viii) Platform Top B: Shall consist of ⅝" x .020 steel bands passing over all coils but the border coils; riveted to, welded to or slotted through each other; and attached by helicals to the border coils.

(ix) Platform Top C: May be any of the following types:

Type C–1: Shall consist of ⅝" x .020 steel bands paralleling both lengthwise and widthwise all rows of coils; attached to each other by plates or by helicals and attached to all coils by helicals.

Type C–2: Shall correspond to the specifications of Type C–1 except that the widthwise bands may be replaced by long helicals.

Type C–3: Shall consist of a succession of units of two ⅝" x .020 steel bands individually crossed over the tops of all coils except the border coils with each unit attached by helicals to adjacent units and to the coils.

Type C–4: Shall consist of metal plates individually crimped to the top of each coil except the border coils and of ⅝" x .020 steel bands or helicals running lengthwise or crosswise and attached by helicals to the ends or side border coils.

Type C–5: Shall consist of a woven wire mesh covering the entire surface of the spring and securely attached to the border wire.

(x) A Partial Platform top is: A platform top of the same construction as a full platform but it is assembled in one of three ways, either:

(*a*) To extend full length of coil surface (omitting the widthwise elements) or

(*b*) To extend full width of coil surface (omitting the lengthwise element) or

(*c*) To cover one-third of the coil area of the spring.

APPENDIX B—CLASSES A TO L INCLUSIVE

The general construction specifications for all bedsprings of Classes A to L, inclusive, are set forth below in paragraph (d) of this section. The particular and identifying specifications together with the basic maximum prices of each bedspring from Classes A to L, inclusive are set forth in paragraph (e) of this section. Certain additions to these basic maximum prices are set forth in paragraph (f).

The specifications set forth in this Section are for the full size 4'6" bedspring. Other widths are to conform to above specifications except for the number of coils, weight of wire, and number of steel bands which may vary in the same proportions as such specifications of the manufacturer's most comparable bedspring with a steel frame of any other width customarily varied from the specifications of the 4'6" size during the most recent period of production.

(d) *General construction specifications.* A bedspring. Classes A to L inclusive, shall be so constructed that:

All coils and helicals shall be high carbon spring steel wire.

All crimps, wire slats, and cable shall be Bessemer or low carbon steel wire.

All border wire shall be Bessemer steel rod or low carbon steel.

All wood frame members shall be of maple, oak, ash or wood of equivalent strength and serviceability.

All joints in coil bedspring wood frames shall be mortise and tenon, or notched and lap joint construction.

Flat bedspring wood frames shall be adequately braced and assembled with carriage bolts or other suitable fasteners.

(e) *Particular specifications and maximum prices.* The particular specifications of the new bedsprings, Classes A to L inclusive, are listed below; with the f. o. b. factory LCL and cash retail maximum prices set opposite each bedspring.[1]

	Maximum f. ob. fact. l. c. l. price	Maximum cash retail price
Class A. wood frame, crimp top, single deck coil bedspring. Coils—80, 81, 88, 90 single deck, minimum #12 ga. Top assembly—Crimp wire. Border wire—#3 ga. Frame: Side rails 1 5/16" x 1 3/4" Cross members 1 5/16" x 1 1/4" under each row of coils. Weight of wire—Minimum 20 lbs.	$5.45	$9.50
Class B. wood frame, helical top, single deck coil bedspring. Coils—80, 81, 88 or 90 single deck, minimum #12 ga. Top assembly—Cross helicals, minimum #17 ga. Border wire—#0 ga. Frame: Side rails 1 5/16" x 1 3/4" Cross members 1 5/16" x 1 1/4" under each row of coils. Weight of wire—Minimum 24 lbs.	6.00	10.50
Class C. Wood frame, helical top, semi-double deck coil bedspring. Coils—88 or 90 semi-double deck except border coils, minimum #12 ga. Top assembly—Cross helicals, minimum #17 ga. Border wire—Minimum #0 ga. Center wire tie—Round wire through all semi-double deck coils. Frame: Side rails 1 5/16" x 1 3/4". Cross members 1 5/16" x 1 1/4" under each row of coils. Weight of wire—Minimum 27 lbs.	$7.00	$12.50
Class D. Wood frame, helical top double deck coil bedspring. Coils—88 or 90 close wound center double deck coils, excepting border coils, minimum #12 ga. Top assembly—Cross helical, minimum #17 ga. Border wire—Minimum #0 ga. Center wire tie—Round or flat wire running 2 ways through all double coils. Frame: Side rails 1 5/16" x 1 3/4". Cross members 1 5/16" x 1 1/4" under each row of coils. Weight of wire—Minimum 29 lbs.	7.30	13.00
Class E. Wood frame, crimp top single deck coil bedspring. Coils—80, 81, 88, or 90 single deck minimum #12 ga. Top assembly—Crimp top. Border wire—Minimum #5. Frame: Side rails 1 5/16" x 1 3/4". Cross members 1 5/16" x 1 1/4" under each row of coils. Weight of wire—Minimum 14 lbs.	5.30	9.25
Class F. Wood frame, crimp top, single deck coil bedspring with wood border. Coils—80, 81, 88, or 90 single deck, minimum #12 ga. Top assembly—Crimp wire. Border—Minimum 3/4" x 3/4" elm, hickory, oak, maple, or other wood and dimensions of equivalent strength and serviceability. Frame: Side rails 1 5/16" x 1 3/4". Cross members 1 5/16" x 1 1/4" under each row of coils. Weight of wire—Minimum 14 lbs.	5.85	10.25
Class G. Wood frame, helical top, single deck coil bedspring. Coils—80, 81, 88, or 90 single deck, minimum #17 ga. Top assembly—Cross helical minimum #17 ga. Border wire—Minimum #7 high carbon steel wire. Border frame bracing—Minimum braced at 2 points on each side and at 1 point on each end. Frame: Side rails 1 5/16" x 1 3/4". Cross members 1 5/16" x 1 1/4" under each row of coils. Weight of wire—Minimum 14 3/4 lbs.	5.85	10.25
Class H. Wood frame, helical top, single deck, coil bedspring with wood border. Coils—80, 81, 88, or 90 single deck, minimum #12 ga. Top assembly—Cross helical minimum #17 ga. Border—Minimum 3/4" x 3/4" elm, hickory, maple, oak, or wood and dimensions of equivalent strength and serviceability. Frame: Side rails 1 5/16" x 1 3/4". Cross members 1 5/16" x 1 1/4" under each row of coils. Stabilizer—2 pair. Weight of wire—Minimum 14 lbs.	6.60	11.50
Class I. Wood frame, link fabric, flat bedspring. Frame: Side rails minimum 1 3/4" x 3". End rails minimum 1 3/4" x 3". Elevation blocks—Of a size to result in a minimum rise of 2 1/4". Fabric—Standard 2" x 4" link wire, minimum gauge #14 or a link wire fabric of equivalent strength and serviceability, attached to end rails by means of helicals. Edge bands.—Minimum 1" x 0.042" steel bands.	$5.45	$9.50
Class J. Wood frame, cable wire, flat bedspring. Frame: Side rails minimum 1 3/4" x 3". End rails minimum 1 3/4" x 3". Elevation blocks—Of a size to result in a minimum rise of 2 1/4". Fabric—Minimum 21 double lengths of 7 strand #22 ga. steel wire cable assembled by means of links, fabric to be attached to end rails by means of helicals. Edge bands—Minimum 1" x 0.042" steel bands.	7.00	12.50
Class K. Wood frame, narrow band top, flat bedspring. Frame: Side rails minimum 1 3/4" x 3". End rails minimum 1 3/8" x 3". Elevation blocks—Of a size to result in a minimum rise of 2 1/4". Fabric—Minimum 23 steel bands 5/8" x 0.020" assembled by means of links or helicals. Fabric to be attached to end rails by means of helicals. Edge bands—Minimum 1" x 0.042" steel bands.	7.30	13.00
Class L. Wood frame, wide band top, flat bedspring. Frame: Side rails 1 3/4" x 3" minimum. End rails 1 3/8" x 3" minimum. Elevation blocks—Of a size to result in a minimum rise of 2 1/4". Fabric—Minimum 20 steel bands 1 1/4" x 0.030" assembled by means of links or helicals, fabric to be attached to end rails by means of helicals. Edge bands—Minimum 1 1/4" x 0.035" steel bands.	7.60	13.50

[1] See footnote at end of table.

[1] F. o. b. factory l. c. l. maximum prices in the Far West zone shall be determined by adding $0.30 per bedspring to classes A, B, E, F, G, H, I, J, K, and L bedsprings and $0.40 per bedspring to classes C and D bedsprings. "Far West zone" for the purpose of this regulation means the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos, and Reeves.

Cash retail maximum prices in the Far West zone shall be determined by adding $0.50 per bedspring to classes A, B, E, F, G, H, I, J, K, and L bedsprings and $0.70 to classes C and D bedsprings.

(f) *Additions to maximum prices.* There may be added to the maximum FOB factory LCL and cash retail price of Classes A, B, C, and D coil bedsprings as set forth in paragraph (d) above, the following:

	F. o. b. factory l. c. l. price	Cash retail price
For a full platform top	$1.05	$1.75
For a partial platform top	.60	1.00
For a pair of stabilizers	.15	.25

(g) *Specification definitions.* (1) "Full platform top" means the steel bands on top

of a coil spring of the following minimum specifications: Platform top to cover the entire coil area (excepting border coils) and to consist of the following numbers of ⅝" x .020" steel bands.

	Cross bands	Length bands
80-coil bedspring	8	6
81-coil bedspring	7	7
88-coil bedspring	9	6
90-coil bedspring	8	7

(2) "Partial platform top" means the steel bands on top of a coil spring of the following minimum specifications: Platform top to extend full length of coil surface (excepting border coils) and to consist of the following number of ⅝" x .020" steel bands:

	Length bands
80-coil bedspring	6
81-coil bedspring	7
88-coil bedspring	6
90-coil bedspring	7

or platform top to extend full width of coil surface (excepting border coils) and to consist of the following number of ⅝" x .020" steel bands:

	Cross bands
80-coil bedspring	8
81-coil bedspring	7
88-coil bedspring	9
90-coil bedspring	8

or platform top to cover ⅓ of the coil area of the spring and to consist of the following number of ⅝" x .020" steel bands:

	Cross bands	Short length bands
80-coil bedspring	4	6
81-coil bedspring	3	7
88-coil bedspring	5	6
90-coil bedspring	4	7

(3) "Stabilizer" means a device fastened to and connecting the border frame to the base frame in a manner adequately to prevent sway.

(4) "Hardware and accessories" means any metal appurtenance attached to or used in the assembly of the bedspring, such as nails, screws, platform top, stabilizers, etc., but does not include wire which is part of the bedspring proper.

(h) *Permitted variations of specifications.* (1) If a manufacturer is unable to manufacture a bedspring fulfilling all of the requirements of any bedspring which is priced in this appendix, then upon specific authorization in writing by the Office of Price Administration any manufacturer may vary the specifications of the classes of bedsprings from those set forth in this appendix in the following ways by:

(i) Substituting a different gauge of wire which is of equivalent serviceability.

(ii) Substituting a wood frame of different design or construction which is of equivalent strength or serviceability.

(iii) Substituting a different type of spring fabric which is of equivalent strength and serviceability.

(2) The maximum price for a bedspring manufactured with all of the specifications of a class of bedsprings set forth in this appendix except for variations in specifications permitted in paragraph (h) shall be the price set forth in this appendix for that class of bedspring, provided that such altered bedspring does not cost less than a bedspring fulfilling all of the requirements of that class of bedspring as set forth in this appendix. If such altered bedspring costs less then it shall be priced according to provisions of section 9 or 10 of this regulation.

APPENDIX C

This appendix sets forth the specifications and maximum prices for certain basic models of metal beds. All weights, sizes and dimensions of the parts, are minimum only, and may be exceeded.

(i) *Particular minimum specifications and maximum prices.* The F. O. B. factory LCL maximum price, and the cash retail maximum price are set forth opposite the particular minimum specifications of each basic metal bed model contained in the table below.[1]

	F. o. b. factory l. c. l. maximum price[2]	Cash retail maximum price[2]
Class I—Long filler and short filler (gallery type) bed, frame only, in brown enamel—no fillers	$4.00	$7.65
NOTE: The maximum price of any bed with this type frame is determined by adding to the above prices the appropriate extras listed below the specifications.		
Frame—1⁹/₁₆" x 20 ga. round tubing, one piece, straight top rail. Head end—10' long. Foot End—7'6" long.		
Cross rods—Head and foot ends —⅝" x 20 ga. round tubing.		
End rails—(Short filler type bed only) (head end). ¾" x ¾" x 11 ga. angle, or ⅝" x 20 ga. round tubing, or its equivalent in section.		
Side rails—1½" x 1½" or 2" x 1¾" x ⅛" angle.		
Corner locks—2" x 1¾" x ⅛" angle or equivalent.		
Casters—minimum 1" wheel.		
Finish—Brown enamel.		
Class II—Modern type full panel bed in brown enamel	6.30	12.00
Posts—1³¹/₁₆" x 20 ga. square tubing. Head end 38" long. Foot end 24" long.		
Panel—20 ga. hot rolled sheet or equivalent, length 16" finished.		
End rail—head only—¾" x ¾" x ⅛" angle.		
Side rails—2" x 1⅜" x ⅛" or 1½" x 1½" x ⅛" angle.		
Corner locks—2" x 1⅜" x ⅛" angle or equivalent.		
Casters—minimum 1" wheel.		
Finish—Brown enamel.		

[1] These maximum prices apply to 4/6, 4/0 and 3/3 sizes.
[2] For sales in the Far West Zone (as defined in Appendix A) the following may be added:

	To mfr's. f. o. b. price	To retail maximum price
Class I bed	$0.50	$0.85
Class II bed	.65	1.25

(j) *Additions to maximum prices in (i) above.* The following may be added to the F. O. B. factory LCL maximum prices, and the cash retail maximum prices of the metal beds set forth above:

Type of extra feature	F. o. b. factory l. c. l. maximum price differential	Cash retail maximum price differential
Extras—Applicable to class I bed:		
Square tubing (over round)	$0.15	$0.30
Grace line or shaped tubing (over round)	.30	.55
Four Grace line or shaped posts, square cross rods	15	.30
Windsor or oval (semi-windsor) shape	.35	.65
⅜ tubing fillers per pair (1 head and 1 foot) [1]	.10	.20
½ tubing fillers per pair (1 head and 1 foot)	$0.13	$0.25
⅝ tubing fillers per pair (1 head and 1 foot)	.17	.30
¾ tubing fillers per pair (1 head and 1 foot)	.21	.40
1" tubing fillers per pair (1 head and 1 foot)	.24	.45
NOTE: Extra for heavier filler includes heavier cross rods:		
Flat beaded fillers per inch width of material per pair	.08	.15
Rectangular or shaped fillers per inch of perimeter per pair	.08	.15
Panels, per inch of width, per pair (1 head and 1 foot)	.08	.15
White and pastel shades	.25	.45
Extras—Applicable to class II bed:		
Mitres, per pair	.30	.55
Broken outlines	.30	.55
Aprons, full or 2 legs	.40	.75
Waterfall shape—hollow back	.55	1.05
Exposed waterfall post	.30	.55
Waterfall shape, formed rail type	.75	1.45
Waterfall and enclosed posts	1.50	2.85
Enclosed posts, straight, continuous	1.50	2.85
Enclosed posts, modern oval (including oval frame)	2.00	3.80
Extra height per inch	.15	.30
1½" post	.15	.30
Extras—Applicable to classes I and II beds:		
Plain blended finish (spray grain)	.35	.65
Two-tone blended finish (spray grain)	.45	.85
Plate finish (one-tone)	.90	1.70
Plate finish (two-tone)	1.50	2.85
Hand grain [2]—single tone	1.75	3.35
Hand grain [2]—two-tone	2.50	4.75

[1] Extras are over brown enamel finish and include any striping, or stencilling.

[2] Hand grain must be an accurate reproduction of wood grain.

SEC. 17. *Terms of sale.* The maximum prices established by Appendices A, B, and C of this regulation are subject to the terms, discounts, and allowances, including any PM (Premium Money) made by the manufacturer in March 1942, on his sales to each class of purchaser, or to persons within any class of purchasers.

SEC. 18. *Reports*—(a) (1) *Bedsprings.* On or before January 25, 1946 each manufacturer shall file a signed report with the Office of Price Administration, Washington 25, D. C., with respect to each bedspring covered by this regulation which the manufacturer has offered for sale during the period from August 12, 1945 to October 10, 1945, unless he has already supplied such information, and unless the maximum price was determined under section 9 or 10, which report shall contain the following:

(i) The date of the report.

(ii) The manufacturer's name and address.

(iii) The manufacturer's name, number or other designation of the article.

(iv) The specifications of the article.

(v) A photograph of the article.

(vi) The manufacturer's maximum prices for sales of the article to each class of purchaser to which he sells.

(vii) The terms, discounts, and allowances, including any PM (Premium Money), offered by the manufacturer on sales to each class of purchaser or to persons within any class of purchaser.

(viii) A statement of how the maximum price was determined, together with

the calculations made in determining the maximum price.

(ix) The manufacturer's f. o. b. factory less-than-carload selling price to retailers for the article in March 1942; and his discounts to other classes of purchasers.

(2) For all bedsprings not offered for sale during the period from August 12, 1945 to October 10, 1945, the manufacturer must file a report for such article with the Office of Price Administration, Washington 25, D. C., setting forth the information specified in (1) within ten days after the article is first offered for sale after October 12, 1945.

(b) *Metal beds.* Before offering a metal bed for sale, each manufacturer shall file a signed report with the Office of Price Administration, Washington 25, D. C., with respect to such metal bed which report shall contain the information specified in (a) (1) above.

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

This regulation shall become effective on January 12, 1946.

Issued this 7th day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-418; Filed, Jan. 7, 1946; 4:37 p. m.]

PART 1444—ICE BOXES

[MPR 399, Amdt. 24]

NEW ICE BOXES

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

Maximum Price Regulation No. 399 is amended in the following respects:

1. Section 15, Table B (1) *Retail ceiling prices for sales of ice boxes by mail order houses when selling from a mail order catalogue* is amended by adding ceiling prices for the new models of ice boxes set forth below:

TABLE B (1)—RETAIL CEILING PRICES FOR SALES OF ICE BOXES WHEN SELLING FROM A MAIL ORDER CATALOGUE

These ceiling prices are f. o. b. shipping point

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Ceiling price	Manufacturer	Brand	Model	Rated ice capacity (pounds)	Ceiling price
Montgomery Ward & Co., Inc.	Wards	4026	50	$30.65	Montgomery Ward & Co., Inc.	Wards	Deluxe	100	$57.90
	do	4027	75	35.95		do	4032	75	29.95
	do	4028	100	43.20		do	4033	100	34.90
	do	Deluxe	50	36.20		do	4034	75	38.10
	do	Deluxe	75	43.00		do	4035	100	41.00

2. Section 15, Table B (2) *Retail ceiling prices for sales of ice boxes by mail order houses when selling from a mail order catalogue* is amended by adding to the heading of the table the warehouse shipping points "Baltimore", "Albany", "St. Paul", "Denver", "Portland" and "Oakland" and adding ceiling prices for the new models of ice boxes set forth below:

TABLE B (2)—RETAIL CEILING PRICES FOR SALES OF ICE BOXES BY MAIL ORDER HOUSES WHEN SELLING FROM A MAIL ORDER CATALOGUE

(These ceilings are f. o. b. warehouse shipping points)

Manufacturer	Brand	Model	Rated ice capacity	F. o. b. factory	Los Angeles	Seattle	Kansas City	Atlanta	Memphis	Dallas	Philadelphia	Boston	Chicago	Minneapolis	Baltimore	Albany	St. Paul	Denver	Fort Worth	Portland	Oakland
Sears, Roebuck	Sears	986	50	$34.50	$36.75	$36.75	$35.00	$35.75	$35.50	$36.00	$35.75	$35.75	$34.75	$35.25							
	do	971-2D	75	44.50	47.00	47.00	45.00	45.90	45.50	46.25	45.90	46.00	44.75	45.25							
	do	964-2D	100	51.50	54.50	54.50	52.25	53.25	52.85	52.70	53.25	53.25	51.85	52.50							
Montgomery Ward & Co., Inc.	Ward	4026	50	30.65			37.50						34.65		$37.10	$37.15	$35.65	$34.70	$34.70	$42.20	$40.20
	do	4027	75	35.95			44.60						39.85		43.10	43.15	40.95	39.50	39.50	50.20	50.20
	do	4028	100	43.20			53.40						47.85		51.90	51.95	49.25	48.55	48.55	59.90	59.90
	do	Deluxe	50	36.20			45.10						39.85		43.30	43.35	40.50	39.70	39.70	50.20	50.20
	do	Deluxe	75	43.00			53.30						47.05		51.15	51.20	48.35	47.20	47.20	59.70	59.70
	do	Deluxe	100	57.90			71.50						63.00		68.75	68.80	64.85	63.50	63.50	80.30	80.30
	do	4032	75	29.95											35.05	34.45					
	do	4033	100	34.90											40.85	40.20					
	do	4034	75	38.10											44.35	43.70					
	do	4035	100	41.00											47.65	46.90					

3. Section 16, Table C, *Ceiling prices in each state for all other sales of ice boxes at retail,* is amended by adding to the portion of the table under the subheading "Mail Order and Other Private Brands Sold Through Retail Stores" ceiling prices for six new model ice boxes set forth below:

TABLE C—CEILING PRICES IN EACH STATE FOR ALL OTHER SALES OF ICE BOXES AT RETAIL

No amount may be added to these ceiling prices for delivery to the buyer. Mail order and other private brands sold through retail stores.

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Alabama	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	District of Columbia	Florida	Georgia	Idaho	Illinois
Montgomery Ward & Co., Inc.	Standard	K-539	50	$37.65	$38.60	$38.60	$38.00	$38.45	$38.10	$38.00	$38.00	$38.00	$38.10	$38.00	$38.45	$37.65
	do	K-540	75	44.00	45.15	45.15	44.40	45.00	44.60	44.40	44.40	44.40	44.60	44.40	45.00	44.00
	do	K-541	100	52.75	54.10	54.10	53.25	53.95	53.45	53.25	53.25	53.25	53.45	53.25	53.95	52.75
	DeLuxe	K-542	50	44.40	45.60	45.60	44.85	45.40	45.00	44.85	44.85	44.85	45.00	44.85	45.40	44.40
	do	K-543	75	52.75	54.15	54.15	53.25	53.95	53.45	53.25	53.25	53.25	53.45	53.25	53.95	52.75
	do	K-544	100	70.95	72.85	72.85	71.65	72.60	71.95	71.65	71.65	71.65	71.95	71.65	72.60	70.95

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Indiana	Iowa	Kansas	Kentucky	Louisiana	Maine	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri
Montgomery Ward & Co., Inc.	Standard	K-539	50	$37.65	$37.65	$37.65	$37.85	$37.85	$38.10	$38.10	$38.00	$38.00	$37.65	$37.85	$38.00	$37.65
	do	K-540	75	44.00	44.00	44.00	44.25	44.25	44.60	44.60	44.40	44.40	44.00	44.25	44.40	44.00
	do	K-541	100	52.75	52.75	52.75	53.05	53.05	53.45	53.45	53.25	53.25	52.75	53.05	53.25	52.75
	DeLux	K-542	50	44.40	44.40	44.40	44.65	44.65	45.00	45.00	44.85	44.85	44.40	44.65	44.85	44.40
	do	K-543	75	52.75	52.75	52.75	53.10	53.10	53.45	53.45	53.25	53.25	52.75	53.10	53.25	52.75
	do	K-544	100	70.95	70.95	70.95	71.40	71.40	71.95	71.95	71.65	71.65	70.95	71.40	71.65	70.95

TABLE C—CEILING PRICES IN EACH STATE FOR OTHER SALES OF ICE BOXES AT RETAIL—Continued

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Montana	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York	North Carolina	North Dakota	Ohio	Oklahoma	Oregon
Montgomery Ward & Co., Inc.	Standard	K-539	50	$37.65	$38.45	$37.85	$38.45	$38.00	$38.00	$38.45	$38.00	$38.00	$38.00	$37.65	$38.00	$38.45
	do	K-540	75	44.00	45.00	44.25	45.00	44.40	44.40	45.00	44.40	44.40	44.40	44.00	44.40	45.00
	do	K-541	100	52.75	53.95	53.05	53.95	53.25	53.25	53.95	53.25	53.25	53.25	52.75	53.25	53.95
	DeLux	K-542	50	44.40	45.40	44.65	45.40	44.85	44.85	45.40	44.85	44.85	44.85	44.40	44.85	45.40
	do	K-543	75	52.75	53.95	53.10	53.95	53.25	53.25	53.95	53.25	53.25	53.25	52.75	53.25	53.95
	do	K-544	100	70.95	72.60	71.40	72.60	71.65	71.65	72.60	71.65	71.65	71.65	70.95	71.65	72.60

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Pennsylvania	Rhode Island	South Carolina	South Dakota	Tennessee	Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming
Montgomery Ward & Co., Inc.	Standard	K-539	50	$37.65	$37.85	$38.00	$38.00	$38.00	$37.85	$38.10	$38.45	$38.00	$38.00	$38.45	$37.85	$37.65	$38.10
	do	K-540	75	44.00	44.25	44.40	44.40	44.40	44.25	44.60	45.00	44.40	44.40	45.00	44.25	44.00	44.60
	do	K-541	100	52.75	53.05	53.25	53.25	53.25	53.05	53.45	53.95	53.25	53.25	53.95	53.05	52.75	53.45
	DeLux	K-542	50	44.40	44.65	44.85	44.85	44.85	44.65	45.00	45.40	44.85	44.85	45.40	44.65	44.40	45.00
	do	K-543	75	52.75	53.10	53.25	53.25	53.25	53.10	53.45	53.10	53.25	53.25	53.95	53.10	52.75	53.45
	do	K-544	100	70.95	71.40	71.65	71.65	71.65	71.40	71.95	72.60	71.65	71.65	72.60	71.40	70.95	71.95

This amendment shall become effective on the 12th day of January 1946.

Issued this 7th day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-419; Filed, Jan. 7, 1946; 4:37 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 1 to Supp. 15[1]]

CERTAIN FRUIT PRESERVES, JAMS AND JELLIES AND APPLE BUTTER

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

The text of section 9 preceding paragraph (a) is amended to read as follows:

Within 10 days after the date of the first sale of an item for which he figures his maximum price under section 4 (b) or (c) or section 5 (b) or (c) of this supplement, the processor shall file with the Office of Price Administration, Washington, D. C., a report in duplicate and signed by him, showing:

This amendment shall become effective as of November 28, 1945.

NOTE: All 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 8th day of January 1946.

CHESTER BOWLES,
Administrator.

Approved: December 19, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 46-446; Filed, Jan. 8, 1946; 11:27 a. m.]

PART 1444—ICE BOXES

[MPR 399, Amdt. 25]

NEW ICE BOXES

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

Maximum Price Regulation No. 399 is amended in the following respects:

1. Section 14, Table A, *retail ceiling prices in each State for sales of ice boxes by ice companies and retail establishments controlled by ice companies,* is amended by correcting the ceiling prices for The Coolerator Company's Model C-7 ice box to read as shown below and by amending the listing of the Ice Cooling Appliance Corporation's models and the ceiling prices shown for them to read as shown below:

TABLE A—RETAIL CEILING PRICES IN EACH STATE FOR SALES OF ICE BOXES BY ICE COMPANIES AND RETAIL ESTABLISHMENTS CONTROLLED BY ICE COMPANIES

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Alabama	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	District of Columbia	Florida	Georgia	Idaho	Illinois
Coolerator Co., The	Coolerator	C-7	75	$75.95	$76.75	$77.25	$76.75	$77.25	$76.75	$76.95	$77.25	$76.95	$77.50	$76.95	$77.25	$75.95
Ice Cooling Appliance Corp.	Vitalaire	V-5	25	44.50	44.50	44.75	44.50	44.75	44.50	44.50	44.50	44.50	44.50	44.50	44.50	44.50
	do	V-7	50	52.95	52.95	54.25	52.95	54.25	52.95	52.95	52.95	52.95	52.95	52.95	52.95	52.95
	do	V-9	75	71.50	71.75	73.25	71.75	73.25	72.25	71.75	71.75	71.75	72.75	72.25	73.25	71.50
	Automatic	V-50	50	41.25	41.25	41.50	41.25	41.50	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25
	do	V-75D	75	57.25	57.25	58.50	57.25	58.50	57.50	57.25	57.25	57.25	57.75	57.25	58.25	57.25
	Vitalaire	V-3	50	41.25	41.25	41.50	41.25	41.50	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25
	do	V-41	75	57.25	57.25	58.50	57.25	58.50	57.50	57.25	57.25	57.25	57.75	57.25	58.25	57.25

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Indiana	Iowa	Kansas	Kentucky	Louisiana	Maine	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri
Coolerator Co., The	Coolerator	C-7	75	$75.95	$76.50	$75.95	$76.95	$76.25	$77.25	$77.50	$76.95	$77.25	$76.25	$75.95	$76.75	$75.95
Ice Cooling Appliance Corp.	Vitalaire	V-5	25	44.50	44.50	44.50	44.50	44.50	44.50	44.50	44.50	44.50	44.50	44.50	44.50	44.50
	do	V-7	50	52.95	52.95	52.95	52.95	52.95	52.95	52.95	52.95	52.95	52.95	52.95	52.95	52.95
	do	V-9	75	71.50	71.50	71.50	71.75	71.50	72.25	72.25	71.75	72.25	71.50	71.50	71.75	71.50
	Automatic	V-50	50	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25
	do	V-75D	75	57.25	57.25	57.25	57.25	57.25	57.50	57.50	57.25	57.25	57.25	57.25	57.25	57.25
	Vitalaire	V-3	50	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25
	do	V-41	75	57.25	57.25	57.25	57.25	57.25	57.50	57.50	57.25	57.25	57.25	57.25	57.25	57.25

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Montana	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York	North Carolina	North Dakota	Ohio	Oklahoma	Oregon	Pennsylvania
Coolerator Co., The	Coolerator	C-7	75	$75.95	$77.25	$76.25	$77.25	$77.25	$76.95	$77.25	$76.75	$76.95	$75.95	$76.50	$76.75	$77.25	$76.75
Ice Cooling Appliance Corp.	Vitalaire	V-5	25	44.50	44.50	44.50	44.75	44.50	44.50	44.75	44.50	44.50	44.50	44.50	44.50	44.75	44.50
	do	V-7	50	52.95	53.95	52.95	54.25	52.95	52.95	54.25	52.95	52.95	52.95	52.95	52.95	54.25	52.95
	do	V-9	75	71.50	73.25	71.75	73.25	72.75	71.75	73.25	71.75	71.75	72.25	71.50	72.25	73.25	71.75
	Automatic	V-50	50	41.25	41.25	41.25	41.50	41.25	41.25	41.50	41.25	41.25	41.25	41.25	41.25	41.50	41.25
	do	V-75D	75	57.25	58.00	57.25	58.50	57.25	57.25	58.50	57.25	57.25	57.25	57.25	57.25	58.50	57.25
	Vitalaire	V-3	50	41.25	41.25	41.25	41.50	41.25	41.25	41.50	41.25	41.25	41.25	41.25	41.25	41.50	41.25
	do	V-41	75	57.25	58.00	57.25	58.50	57.25	57.25	58.50	57.25	57.25	57.25	57.25	57.25	58.50	57.25

[1] 10 F.R. 14437.

TABLE A—RETAIL CEILING PRICES IN EACH STATE FOR SALES OF ICE BOXES BY ICE COMPANIES AND RETAIL ESTABLISHMENTS CONTROLLED BY ICE COMPANIES—Continued

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Rhode Island	South Carolina	South Dakota	Tennessee	Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming
Coolerator Co., The	Coolerator	C-7	75	$75.95	$77.25	$76.95	$76.25	$76.50	$77.25	$77.25	$77.25	$77.25	$77.25	$76.75	$75.95	$76.75
Ice Cooling Applicance Corp.	Vitalaire	V-5	25	44.50	44.50	44.50	44.50	44.50	44.50	44.50	44.50	44.50	44.50	44.50	44.50	44.50
	do	V-7	50	52.95	52.95	52.95	52.95	52.95	52.95	53.95	52.95	52.95	52.95	52.95	52.95	52.95
	do	V-9	75	71.50	72.25	72.25	71.75	71.50	72.75	73.25	72.75	71.75	73.25	71.75	71.50	72.75
	Automatic	V-50	50	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.50	41.25	41.25	41.25
	do	V-75D	75	57.25	57.25	57.25	57.25	57.25	57.75	58.00	57.25	57.25	58.50	57.25	57.25	57.50
	Vitalaire	V-3	50	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.50	41.25	41.25	41.25
	do	V-41	75	57.25	57.25	57.25	57.25	57.25	57.75	58.00	57.25	57.25	58.50	57.25	57.25	57.50

2. Section 16, Table C, *Retail ceiling prices in each state for all other sales of ice boxes at retail*, is amended by correcting the ceiling prices for The Coolerator Company's Model C–7 ice box to read as shown below and by amending the listing of the Ice Cooling Appliance Corporation's models and the ceiling prices shown for them to read as shown below:

TABLE C—RETAIL CEILING PRICES IN EACH STATE FOR ALL OTHER SALES OF ICE BOXES AT RETAIL

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Alabama	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	District of Columbia	Florida	Georgia	Idaho	Illinois
Coolerator Co., The	Coolerator	C-7	75	$84.50	$85.25	$85.75	$85.25	$85.75	$85.25	$85.50	$85.75	$85.50	$86.00	$85.50	$85.25	$84.50
Ice Cooling Appliance Corp.	Automatic	H-8	50	42.50	43.25	44.00	43.25	44.00	43.50	43.25	43.25	43.25	43.75	43.50	44.00	43.00
	do	H-10	75	49.50	50.25	51.00	50.25	51.00	50.50	50.25	50.25	50.25	50.75	50.50	51.00	50.00
	do	H-10-2D	75	53.00	53.75	54.50	53.75	54.50	54.00	53.75	53.75	53.75	54.25	54.00	54.50	53.50
	do	H-12	100	59.25	60.50	61.75	60.50	61.75	60.75	60.50	60.50	60.50	61.00	60.50	61.50	60.00
	do	H-12-2D	100	63.25	64.75	66.25	64.75	66.25	65.25	64.75	64.75	64.75	65.75	65.25	66.25	64.25
	do	H-5	25	47.50	48.25	49.00	48.25	49.00	48.50	48.25	48.25	48.25	48.75	48.50	49.00	48.00
	do	H-7	50	56.50	57.75	59.00	57.75	59.00	58.00	57.75	57.75	57.75	58.25	57.75	58.75	57.25
	do	H-9	75	76.95	78.50	80.00	78.50	80.00	79.00	78.50	78.50	78.50	79.50	79.00	80.00	78.00
	do	H-5S	25	49.95	50.75	51.50	50.70	51.55	51.00	50.75	50.75	50.75	51.25	51.00	51.50	50.50
	do	H-7S	50	59.50	60.25	61.00	60.25	61.00	60.50	60.25	60.25	60.25	60.75	60.50	61.00	60.00
	do	H-9S	75	79.95	81.50	83.00	81.50	83.00	82.00	81.50	81.50	81.50	82.50	82.00	83.00	81.00
	Vitalaire	V-5	25	49.95	50.75	51.50	50.75	51.50	51.00	50.75	50.75	50.75	51.25	51.00	51.50	50.50
	do	V-7	50	59.50	60.75	62.00	60.75	62.50	61.00	60.75	60.75	60.75	61.25	60.75	61.75	60.25
	do	V-9	75	79.50	81.00	82.50	81.00	82.50	81.50	81.00	81.00	81.00	81.00	81.50	82.50	80.50
	do	V-41	75	63.95	65.25	66.50	65.25	66.50	65.50	65.25	65.25	65.25	65.75	65.25	66.25	64.75
	do	V-3	50	46.50	47.25	48.00	47.25	48.00	47.50	47.25	47.25	47.25	47.75	47.50	48.00	47.00
	Automatic	V-50	50	46.50	47.25	48.00	47.25	48.00	47.50	47.25	47.25	47.25	47.75	47.50	48.00	47.00
	do	V-75D	75	63.95	65.25	66.50	65.25	66.50	65.50	65.25	65.25	65.25	65.75	65.25	66.25	64.75

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Indiana	Iowa	Kansas	Kentucky	Louisiana	Maine	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri
Coolerator Co., The	Coolerator	C-7	75	$84.50	$85.00	$84.50	$85.00	$84.75	$85.75	$86.00	$85.50	$85.75	$84.75	$84.50	$85.25	$84.50
Ice Cooling Appliance Corp.	Automatic	H-8	50	42.50	43.00	43.00	43.25	43.00	43.50	43.50	43.25	43.50	43.00	43.00	43.25	43.00
	do	H-10	75	49.50	50.00	50.00	50.25	50.00	50.50	50.50	50.25	50.50	50.00	50.00	50.25	50.00
	do	H-10-2D	75	53.00	53.50	53.50	53.75	53.50	54.00	54.00	53.75	54.00	53.50	53.50	53.75	53.50
	do	H-12	100	59.25	60.00	59.75	60.25	60.00	60.75	60.75	60.50	60.50	60.00	60.00	60.50	60.00
	do	H-12-2D	100	63.25	64.25	64.25	64.75	64.25	65.25	65.25	64.75	65.25	64.25	64.25	64.75	64.25
	do	H-5	25	47.50	48.00	48.00	48.25	48.00	48.50	48.50	48.25	48.50	48.00	48.00	48.25	48.00
	do	H-7	50	56.50	57.25	57.00	57.50	57.25	58.00	58.00	57.75	57.75	57.25	57.25	57.75	57.25
	do	H-9	75	76.95	78.00	78.00	78.50	78.00	79.00	79.00	78.50	79.00	78.00	78.00	78.50	78.00
	do	H-5S	25	49.95	50.50	50.50	50.75	50.50	51.00	51.00	50.75	51.00	50.50	50.50	50.75	50.50
	do	H-7S	50	59.50	60.00	60.00	60.25	60.00	60.50	60.50	60.25	60.50	60.00	60.00	60.25	60.00
	do	H-9S	75	79.95	81.00	81.00	81.50	81.00	82.00	82.00	81.50	82.00	81.00	81.00	81.50	81.00
	Vitalaire	V-5	25	49.95	50.50	50.50	50.75	50.50	51.00	51.00	50.75	51.00	50.50	50.50	50.75	50.50
	do	V-7	50	59.50	60.25	60.00	60.50	60.25	61.00	61.00	60.75	60.75	60.25	60.25	60.75	60.25
	do	V-9	75	79.50	80.50	80.50	81.50	80.50	81.50	81.50	81.00	81.50	80.50	80.50	81.00	80.50
	do	V-41	75	63.95	64.75	64.50	65.00	64.75	65.50	65.50	65.25	65.25	64.75	64.75	65.25	64.75
	do	V-3	50	46.50	47.00	47.00	47.25	47.00	47.50	47.50	47.25	47.50	47.00	47.00	47.25	47.00
	Automatic	V-50	50	46.50	47.00	47.00	47.25	47.00	47.50	47.50	47.25	47.50	47.00	47.00	47.25	47.00
	do	V-75D	75	63.95	64.75	64.50	65.00	64.75	65.50	65.50	65.25	65.25	64.75	64.75	65.25	64.75

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Montana	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York	North Carolina	North Dakota	Ohio	Oklahoma	Oregon	Pennsylvania
Coolerator Co., The	Coolerator	C-7	75	$84.50	$85.75	$84.75	$85.75	$85.75	$85.50	$85.75	$85.25	$85.50	$84.50	$85.00	$85.25	$85.75	$85.25
Ice Cooling Appliance Corp.	Automatic	H-8	50	42.50	44.00	43.25	44.00	43.50	43.25	44.00	43.25	43.25	43.50	43.00	43.50	44.00	43.25
	do	H-10	75	49.50	50.25	50.25	51.00	50.50	50.25	51.00	50.25	50.25	50.50	50.00	50.50	51.00	50.25
	do	H-10-2D	75	53.00	53.75	53.75	54.50	54.00	53.75	54.50	53.75	53.75	54.00	53.50	54.00	54.50	53.75
	do	H-12	100	59.25	61.50	60.25	61.75	60.50	60.50	61.75	60.50	60.50	60.50	59.75	60.50	61.75	60.25
	do	H-12-2D	100	63.25	66.25	64.75	66.25	65.25	64.75	66.25	64.75	64.75	65.25	64.25	64.75	66.25	64.75
	do	H-5	25	47.50	49.00	48.25	49.00	48.50	48.25	49.00	48.25	48.25	48.50	48.00	48.50	49.00	48.25
	do	H-7	50	56.50	58.75	57.50	59.00	57.75	57.75	59.00	57.75	57.75	57.75	57.00	57.75	59.00	57.50
	do	H-9	75	76.95	80.00	78.50	80.00	79.00	78.50	80.00	78.50	78.50	79.00	78.00	79.00	80.00	78.50
	do	H-5s	25	49.95	51.50	50.75	51.50	51.00	50.75	51.50	50.75	50.75	51.00	50.50	51.00	51.50	50.75
	do	H-7s	50	59.50	61.00	60.25	61.00	60.50	60.25	61.00	60.25	60.25	60.50	60.00	60.50	61.00	60.25
	do	H-9s	75	79.95	83.00	81.50	83.00	82.00	81.50	83.00	81.50	81.50	82.00	81.00	82.00	83.00	81.50
	Vitalaire	V-5	25	49.95	51.50	50.75	51.50	51.00	50.75	51.50	50.75	50.75	51.00	50.50	51.00	51.50	50.75
	do	V-7	50	59.50	61.75	60.50	62.00	60.75	60.75	62.00	60.75	60.75	60.75	60.00	60.75	62.00	60.50
	do	V-9	75	79.50	82.50	81.00	82.50	81.50	81.00	82.50	81.00	81.50	80.50	81.50	82.50	81.00	
	do	V-41	75	63.95	66.25	65.00	66.50	65.25	65.25	66.50	65.25	65.25	65.25	64.50	65.25	66.50	65.00
	do	V-3	50	46.50	48.00	47.25	48.00	47.50	47.25	48.00	47.25	47.25	47.50	47.00	47.50	48.00	47.25
	Automatic	V-50	50	46.50	48.00	47.25	48.00	47.50	47.25	48.00	47.25	47.25	47.50	47.00	47.50	48.00	47.25
	do	V-75D	75	63.95	66.25	65.00	66.50	65.25	65.25	66.50	65.25	65.25	65.25	64.50	65.25	66.50	65.00

TABLE C—RETAIL CEILING PRICES IN EACH STATE FOR ALL OTHER SALES OF ICE BOXES AT RETAIL—Continued

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Rhode Island	South Carolina	South Dakota	Tennessee	Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming
Coolerator Co., The	Coolerator	C-7	75	$84.50	$85.75	$85.50	$84.75	$85.00	$85.75	$85.75	$85.75	$85.75	$85.75	$85.25	$84.50	$85.25
Ice Cooling Appliance Corp	Automatic	H-8	50	42.50	43.50	43.25	43.50	43.00	43.50	44.00	43.50	43.25	44.00	43.25	42.75	43.50
	do	H-10	75	49.50	50.50	50.50	50.25	50.00	50.50	51.00	50.50	50.25	51.00	50.25	49.75	50.50
	do	H-10-2D	75	53.00	54.00	54.00	53.75	53.50	54.00	54.50	54.00	53.75	54.50	53.75	53.25	54.00
	do	H-12	100	59.25	60.50	60.75	60.50	60.25	61.00	61.50	60.75	60.75	61.75	60.25	59.75	61.00
	do	H-12-2D	100	63.25	65.25	65.25	64.75	64.25	65.25	66.25	65.25	64.75	66.25	65.25	63.75	65.25
	do	H-5	25	47.50	48.50	48.50	48.25	48.00	48.50	49.00	48.50	48.25	49.00	48.25	47.75	48.50
	do	H-7	50	56.50	57.75	58.00	57.75	57.50	58.25	58.75	58.00	58.00	59.00	57.50	57.00	58.25
	do	H-9	75	76.95	79.00	79.00	78.50	78.00	79.00	80.00	79.00	78.50	79.00	78.50	77.50	79.00
	do	H-5S	25	49.95	51.00	51.00	50.75	50.50	51.00	51.50	51.00	50.75	51.50	50.75	50.25	51.00
	do	H-7S	50	59.50	60.50	60.50	60.25	60.00	60.50	61.00	60.50	60.25	61.00	60.25	59.75	60.50
	do	H-9S	75	79.95	82.00	82.00	81.50	81.00	82.00	83.00	82.00	81.50	83.00	81.50	80.50	82.00
	Vitalaire	V-5	25	49.95	51.00	51.00	50.75	50.50	51.00	51.50	51.00	50.75	51.50	50.75	50.25	51.00
	do	V-7	50	59.50	60.75	61.00	60.75	60.50	61.25	61.75	61.00	61.00	62.00	60.50	60.00	61.25
	do	V-9	75	79.50	81.50	81.50	81.00	80.50	81.50	82.50	81.50	81.00	82.00	81.00	80.00	81.50
	do	V-41	75	63.95	65.25	65.50	65.25	65.00	65.75	66.25	65.25	65.25	66.50	65.00	64.50	65.75
	do	V-3	50	46.50	47.50	47.50	47.25	47.00	47.50	48.00	47.50	47.25	48.00	47.25	46.75	47.50
	Automatic	V-50	50	46.50	47.50	47.50	47.50	47.00	47.50	48.00	47.50	47.25	48.00	47.25	47.75	47.50
	do	V-75D	75	63.95	65.25	65.50	65.25	65.00	65.75	66.25	65.25	65.25	66.50	65.00	64.50	65.75

This amendment shall become effective on the 12th day of January 1946.

Issued this 7th day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-420; Filed, Jan. 7, 1946; 4:38 p. m.]

PART 1352—FLOOR COVERINGS

[RPS 57, Amdt. 6]

WOOL FLOOR COVERINGS

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

Revised Price Schedule No. 57 is amended in the following respects:

1. Section 1352.1a is added to read as follows:

§ 1352.1a *Adjustment of maximum prices.* Each manufacturer of wool floor coverings may increase his maximum prices established under § 1352.1 of this revised price schedule for his sales of the wool floor coverings which he manufactures by five percent, provided that the amount of such increase is separately stated as an adjustment charge on each invoice or other written evidence of sale.

2. Section 1352.1b is added to read as follows:

§ 1352.1b *Invoices.* Every manufacturer selling wool floor coverings to a purchaser for resale shall furnish to such purchaser an invoice or other written evidence of sale which shall state:

(a) The date of sale.
(b) The seller's name and address.
(c) The purchaser's name and address.
(d) The name, number or other identification of the article sold.
(e) The quantity of the article sold.
(f) The seller's maximum price for the article established under § 1352.1 of Revised Price Schedule No. 57.
(g) The amount of any adjustment charge made under § 1352.1a of Revised Price Schedule No. 57.
(h) The total sales price.
(i) The terms of sale.
(j) The nature and amount of any additional charges.

A copy of such invoice or other written evidence of sale must be kept by the seller for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

No manufacturer may sell, offer to sell or deliver any wool floor covering which he manufactures at a maximum price adjusted under § 1352.1a of this revised price schedule unless he gives an invoice or other written evidence of sale to each purchaser for resale, and unless the seller's maximum price and the amount of the adjustment charge are separately stated on each such invoice or other written evidence of sale.

This amendment shall become effective on January 4, 1946.

NOTE: The records keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-234; Filed, Jan. 4, 1946; 4:22 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 336, Amdt. 30]

RETAIL CEILING PRICES FOR PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

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

Maximum Price Regulation No. 336 is amended in the following respects:

1. Item 18 is added in the price table in section 20 for Group 1 and 2 stores to read as follows:

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7	Zone 8, north and south	Zone 9, north and south	Zone 10
18. Chile con carne, plain (without beans):											
Type 1	43	41	41	41	40	41	41	41	42	42	42
Type 2	40	38	38	38	37	38	38	38	39	39	39
Type 3	33	32	31	31	30	31	31	32	32	32	33

2. Item 18 is added in the price table in section 20 for Group 3 and 4 stores to read as follows:

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7	Zone 8, north and south	Zone 9, north and south	Zone 10
18. Chile con carne, plain (without beans):											
Type 1	40	39	39	38	38	38	39	39	39	40	40
Type 2	38	36	36	36	35	36	36	36	37	37	37
Type 3	31	30	30	29	29	29	30	30	30	31	31

3. Item 15 in the price table in section 21 (b) is redesignated Item 15A.

4. Item 15B in the price table in section 21 (b) is added to read as follows:

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7	Zone 8, north and south	Zone 9, north and south	Zone 10
15B. Pork or breakfast sausage, smoked beef rounds (B. C.):											
Type 2	36	35	35	34	34	34	35	35	35	36	36
Type 3	28	27	27	26	26	26	27	27	27	28	28

5. Item 18 is added in the price table in section 21 (b) to read as follows:

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7	Zone 8, north and south	Zone 9, north and south	Zone 10
18. Chile con carne, plain (without beans):											
Type 1	38	36	36	36	35	36	36	36	37	37	37
Type 2	35	34	33	33	33	33	33	34	34	34	35
Type 3	29	28	28	27	27	27	28	28	28	29	29

6. Subparagraph (1) of section 23 (a) is amended by adding the words "bockwurst, fresh or scalded, containing pork, beef or veal;" to follow immediately after the semi-colon closing the phrase "fresh thuringer containing pork, beef or veal;" and immediately preceding the phrase starting with the words "fresh Italian or fresh Polish sausage . . .".

This amendment shall become effective January 14, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-445; Filed, Jan. 8, 1946; 11:27 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14E,[1] Amdt. 24]

MODIFICATION OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN TEXTILES, LEATHER AND APPAREL

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

Supplementary Regulation 14E is amended as follows:

1. Section 3.3 is amended by adding thereto a new paragraph (f) to read as follows:

(f) The provisions of this section 3.3 shall not be used to establish maximum prices on or after January 5, 1946.

2. Section 3.6 is amended by adding thereto a new paragraph (d) to read as follows:

(d) The provisions of this section 3.6 shall not be used to establish maximum prices on or after January 5, 1946.

3. Section 3.7 is amended by adding thereto a new paragraph (d) to read as follows:

(d) The provisions of this section 3.7 shall not be used to establish maximum prices on or after January 5, 1946.

4. A new section 3.13 is added to read as follows:

3.13 *Maximum prices for manufacturers' sales of footwear other than sales at retail.* On and after January 5, 1946, the maximum prices for manufacturers' sales of footwear, except sales at retail, shall be determined under the following provision.

"Footwear" means any type of outside covering for the human foot except that it does not include hosiery, footwear made entirely of wood, footwear made entirely of textiles, footwear containing no leather and which is designed to be worn over other shoes, or footwear subject to Maximum Price Regulation 132[2] (Certain Rubber Footwear).

(a) Except as modified by paragraph (b), below, if the seller had properly established a maximum price for the particular item of footwear prior to January 5, 1946, his maximum price shall be the price so established increased by the amount permitted by paragraph (e) of this section.

(b) If the seller had, prior to January 5, 1946, properly established a maximum price for the particular item of footwear under section 2 (b) of the General Maximum Price Regulation but had not delivered the item prior to April 1, 1945, the maximum price shall be the maximum price so established under section 2 (b): *Provided,* That any such maximum price shall be void on and after February 19, 1946.

(c) If the seller had not established a maximum price for the particular item of footwear prior to January 5, 1946, but the item of footwear could be priced by the seller under the provisions of section 2 (a)[3] of the General Maximum Price Regulation, his maximum price shall be the price thus determined under section 2 (a) increased by the amount permitted by paragraph (e) of this section.

(d) If the seller is unable to determine a maximum price for the particular item of footwear under the above provisions (or if the seller seeks to determine a new price for an item of footwear subject to paragraph (b) above) he shall apply to the Office of Price Administration for the approval of a maximum price for the item of footwear in line with the level of maximum prices established for footwear by this regulation. This application shall be signed by an owner or officer of the seller and shall contain all the information required by the OPA Form No. 6064-2670[4] set forth in paragraph (g), below. It shall also contain a full explanation of the reasons why the seller cannot price the item under paragraphs (a) or (c), above, and the reasons why he believes the proposed maximum price is in line with the level of maximum prices established for footwear by this regulation. The application shall be filed by the seller with the District Office of the Office of Price Administration for the District in which his main office is located.

Any item of footwear for which a maximum price is proposed under this paragraph (d) may not be sold (except as provided in section 20 (r) of the General Maximum Price Regulation) until a maximum price has been approved by the Office of Price Administration.

(e) Each seller making a sale of footwear for which the maximum price is established by paragraphs (a) or (c) of this section, may add to such price, as an adjustment charge, an amount equal to 4½ per cent of such price: *Provided,* That in connection with such sale the seller furnished to the purchaser an invoice or similar document showing:

(1) The name and address of the purchaser and seller.

(2) The date and terms of the sale.

(3) A description sufficient to identify each item sold.

(4) The quantity of each item sold.

(5) The price of each item not including the adjustment charge permitted by this paragraph.

(6) The percentage by which he has increased the maximum price determined under paragraphs (a) or (c) for each item in accordance with the provisions of this paragraph. This percentage must be designated an "OPA adjustment charge" and may be stated for each item on the invoice, for any group of items for which the increase is uniform, or at the foot of the invoice if more than one item is increased by a uniform percentage and the items which are increased by that percentage are clearly indicated.

(7) The dollar-and-cent amount of the adjustment charges added. These may be billed either separately for each item or by groups of items.

In addition, the seller must send to his purchaser on the invoice or attached thereto the following notice:

NOTICE

We are directed by the Office of Price Administration to send the following notification.

TO WHOLESALERS

In pricing any items of footwear included on this invoice (on the accompanying invoice), you must follow the provisions of section 3.14 of Supplementary Regulation 14E or § 1372.113 of Maximum Price Regulation 210, whichever is applicable.

TO RETAILERS

If your sales are governed by Maximum Price Regulation 580 you may not include as part of your net cost any "OPA adjustment charge" shown on the invoice (on the accompanying invoice). If your sales are governed by the General Maximum Price Regulation you may not increase your ceiling price properly computed under that regulation. If your sales are governed by Maximum Price Regulation 210 you must follow the provisions of § 1372.113 of that regulation.

(e) *Delegation of authority.* Each Regional Administrator, or any District Director so authorized by the appropriate Regional Administrator, may at any time approve, disapprove or revise maximum prices established or proposed under the provisions of this section 3.13 so as to bring them into line with the level of maximum prices otherwise established for footwear by this section.

(g) *Form for application for approval of maximum price.*

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[1] 10 F.R. 1183, 2014, 4156, 7117, 7497, 7667, 9337, 9540, 9963, 10021, 11401, 12601, 12812, 13271, 13692, 13826, 14506, 14742, 15007, 15036.

[2] 9 F.R. 2117; 10 F.R. 10431, 11933, 12808, 12923.

[3] Including the modification of section 2 (a) contained in section 3.1 (a) of this Supplementary Regulation 14E.

[4] Copies may be obtained from your OPA District Office or you may make copies of the form.

OPA Form 6064-2670 Form approved Budget Bureau No. 08-R1393.3

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

MANUFACTURER'S APPLICATION FOR APPROVAL OF A MAXIMUM PRICE FOR A NEW SHOE

This report is to be filed with your district office of the Office of Price Administration.

Firm name

Address

Submitted by (Signer)

Title of person signing | Date

IMPORTANT—READ INSTRUCTIONS

You are required, in making application for the approval of a maximum price, to submit cost data and other information for the new shoe specified in Parts A and C of this form. In addition, if you have a "base shoe" as defined below, you must submit the same type of information with respect to that shoe. A "base shoe" must meet the following requirements:

1—The base shoe must be a shoe of the same general type as the new shoe. (A list of types is shown in the following paragraph.)

2—The base shoe must be made by the same manufacturer as the new shoe and must be one which has a maximum price which was established under § 1499.2 (a) of the General Maximum Price Regulation.

3—The base shoe must be currently sold or, if not sold, offered for sale. However, if such a shoe is not available, it must be one which was sold, or, if not sold, offered for sale within the preceding twelve months.

4—The base shoe must have a *current* direct cost varying by not more than twenty-five percent from the *current* direct cost of the shoe being priced.

5—The base shoe must be selected from the narrowest available trade category which includes both the new shoe and the base shoe.

For the purpose of selecting the "base shoe," footwear is classified into the following nine general types: men's dress, men's work, youths' and boys', women's and growing girls', misses' and children's, athletic, men's safety shoes, women's safety shoes and house slippers. To illustrate, if the new shoe being priced is a women's novelty shoe, the general type would be women's and growing girls' shoes and the narrowest trade category would be women's novelty shoes, the next narrowest trade categories would be successively, women's staple or corrective shoes and, finally, growing girls' shoes, the seller being required to resort to the narrowest available trade category, within the broad general type, for which he already has established maximum prices. *If more than one shoe can be regarded as a "base shoe," the one whose current direct cost is closest to the current direct cost of the shoe being priced shall be taken as the "base shoe."*

INSTRUCTIONS FOR PARTS A AND B

A description of each of the base shoe and the new shoe should be submitted. (Example: Men's black calf Goodyear welt oxford, kid quarter lining, leather sole, rubber heel.)

The costs to be reported in Parts A and B of this form should be the current cost of each item. *Current direct cost means the sum of the direct labor and material costs which the seller would have to incur to produce the new shoe and the base shoe at the time he determines his maximum price for the new shoe.* In calculating direct labor cost no amount may be included which reflects a wage increase which has not been approved by the appropriate wage or salary stabilization agency in accordance with the Supplementary Wage and Salary Regulation issued by the Office of Stabilization Administrator on December 5, 1945. Material cost shall be calculated on the basis of net invoice price after trade and quantity discounts but before term discounts. *Transportation, storage warehousing, or insurance charges shall not be included in the cost of the material.* Material cost should in no event be computed at prices higher than the maximum prices established by the applicable maximum price regulations for the types and grades of materials actually used.

The materials to be reported in Sections I through IV should include only items which become a part of the finished shoe. Cases and cartons should be included in Section V. *Such items as lasts, dies, patterns, machine parts, etc. should not be included in material costs.* Miscellaneous items not listed on the form should be entered in the blank spaces provided under the appropriate section.

Material (Columns 2 and 7). Enter a complete description of the material used, for example, "Black smooth calf CLM" or "Bleached twill, 2.75 yd.". In Column 7, after the items "outer sole", "inner sole", "mid sole", "tap" and "welt", enter the material, grade and irons. After the item "heel" enter the height and kind (wood, leather, etc.).

Quantity (Column 3). Enter your regular cutting allowance for the pattern and material.

Price (Column 4). Enter the current price per foot, per yard, or per unit for the material specified in Column 2.

General findings (Section III). Include all small items used in making the shoe, such as tacks, eyelets, thread, etc.

Direct labor (Section VI). Enter the cost of direct labor in producing the shoe. Direct labor (sometimes called productive labor) covers all operations performed directly on the shoe. In addition to the operations listed in Section VI, direct labor may include such items as inspecting or crowning, leather sorting, sample making, etc.

The following are *not* items of direct labor:

1—Make-up (any sum which you must pay because the hourly, daily or weekly earnings of the piece worker at the piece work rate fall below the minimum wage you are obliged to pay that worker by law or by contract);

2—Overtime or double time premiums (the difference between the piece or time work rate and the overtime or double time rate);

3—Such labor as pattern or die boys, floor help, rack boys, cripple cutters, cobblers, elevator, custodial, and maintenance workers, firemen, engineers, truck drivers and helpers, receiving and shipping clerks, other clericals, salesmen, foremen or working foremen and other supervisory employees;

4—Labor overhead cost, such as unemployment insurance, social security, pension contribution, contribution to welfare funds, health or accident insurance, workmen's compensation and vacation and holiday pay.

Important.—Read instructions before filling out

PART A

CURRENT DIRECT COST OF NEW SHOE

Address of plant

Stock number Pattern number Style name

Description of shoe:

These costs are for (check one): One pair☐ Twelve pairs☐ One hundred pairs☐ Other (specify)☐

Parts (1)	Material (2)	Quantity (3)	Price (4)	Amount (5)	Parts (6)	Material (7)	Amount (8)
Section I					Amount forward		
Vamp					Section IV		
Quarter					Outer sole		
Tip					Midsole		
Foxing					Tap		
Strap					Welt		
Brace					Heel		
Lacestay					Top lift		
Back stay					Inner sole		
					Shank		
Tongue					Box toe		
					Counter		
Heel cover					Subtotal	X	
					Section V		
					Cases	X	
Subtotal	X	X	X		Cartons	X	
Section II							
Tongue lin					Subtotal	X	
Quarter lin					Total material		
Vamp lin							
Front lin					Section VI		
Heel stay					Cutting	X	
Lacestay					Fitting	X	
					Sole fitting	X	
Heel pad					Lasting	X	
					Bottoming	X	
Doubler					Making	X	
					Finishing	X	
Subtotal	X	X	X		Packing	X	
Section III						X	
Binding		X	X			X	
Gore		X	X			X	
Ornament		X	X		Total direct labor	X	
		X	X		Total material and direct labor		
		X	X				
Laces		X	X		Per pair cost material and direct labor		
Subtotal	X	X	X				
General findings		X	X		Proposed maximum price to each class of customer including terms of sale. (Specify classes.)		
		X	X				
		X	X				
		X	X				
		X	X				
Subtotal	X	X	X				

Important—Read instructions before filling out

PART B

CURRENT DIRECT COST OF BASE SHOE

Address of plant .....
Stock number ..... Pattern number ..... Style name .....
Description of shoe: .....
These costs are for (check one): One pair ☐ Twelve pairs ☐ One hundred pairs ☐ Other (specify) ☐

Parts (1)	Material (2)	Quantity (3)	Price (4)	Amount (5)	Parts (6)	Material (7)	Amount (8)
Section I					Amount forward		
Vamp					Section IV		
Quarter					Outer sole		
Tip					Midsole		
Foxing					Tap		
Strap					Welt		
Brace					Heel		
Lace stay					Top lift		
Back stay					Inner sole		
					Shank		
Tongue					Box toe		
					Counter		
Heel cover					Subtotal	X	
					Section V		
					Cases	X	
Subtotal	X	X	X		Cartons	X	
Section II							
Tongue lin					Subtotal	X	
Quarter lin					Total material		
Vamp lin							
Front lin					Section VI		
Heel stay					Cutting	X	
Lace stay					Fitting	X	
					Sole fitting	X	
Heel pad					Lasting	X	
					Bottoming	X	
Doubler					Making	X	
					Finishing	X	
Subtotal	X	X	X		Packing	X	
Section III						X	
Binding		X	X			X	
Gore		X	X			X	
Ornament		X	X		Total direct labor	X	
		X	X		Total material and direct labor		
		X	X				

Parts (1)	Material (2)	Quantity (3)	Price (4)	Amount (5)	Parts (6)	Material (7)	Amount (8)
Laces		X	X		Per pair cost material and direct labor		
Subtotal	X	X	X				
General findings		X	X		Maximum price to each class of customer including terms of sale. (Specify classes.)		
		X	X				
		X	X				
		X	X				
		X	X				
		X	X				
		X	X				
Subtotal	X	X	X				

PART C

SUPPLIERS OF PRINCIPAL MATERIALS USED IN THE NEW SHOE

Part of shoe	Name and address of supplier
Upper	
Quarter lining	
Outer sole	
Midsole	
Inner sole	

PART D

SUPPLIERS OF PRINCIPAL MATERIALS USED IN BASE SHOE

Part of shoe	Name and address of supplier
Upper	
Quarter lining	
Outer sole	
Midsole	
Inner sole	

PART E

EXPLANATION OF DIRECT LABOR

If the total cost of direct labor for the new shoe varies from the total cost of direct labor for the base shoe by more than 10% of the labor cost for the base shoe, explain the reason for the variation. Be specific, showing the actual differences in operations performed.

SAMPLES AND PATTERNS

Submit with this application a sample (single shoe) of the new shoe and the base shoe and a paper pattern of each of the component parts of the outside upper of the new shoe (average size, if available).

To the best of my knowledge the information submitted above is true and accurate. In my opinion the shoe for which a price approval is sought is not the same as or similar to any shoe sold, delivered, or offered for sale during March 1942 by the applicant. ("Similar" is defined in Section 2 of the General Maximum Price Regulation.)

.....
Signature

NOTE: Any person who makes any false statement or false representation in this application is liable for criminal prosecution under the laws of the United States.

This amendment shall become effective January 5, 1946.

NOTE: The reporting and record-keeping provisions of this amendment 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 5th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-289; Filed, Jan. 5, 1946; 4:30 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 6, Revocation]

DISTRIBUTION OF MILK IN PUERTO RICO

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

Restriction Order 6 (§ 1407.302) is hereby revoked, except that any violation which occurred or rights or liabilities which arose before the effective date of this order of revocation shall be governed by the order in effect at the time the violation occurred or the rights or liabilities arose.

This order of revocation shall be effective as of 12:01 a. m., January 1, 1946.

Issued this 28th day of December 1945.

JORGE BENITEZ GAUTIER,
Acting Territorial Director, Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator, Region IX.

[F. R. Doc. 46-447; Filed, Jan. 8, 1946; 11:27 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14E,[1] Amdt. 25]

MODIFICATIONS OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN TEXTILES, LEATHER AND APPAREL

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.

[1] 10 F.R. 1183, 2914, 4156, 7117, 7497, 7667, 9337, 9540, 9963, 11021, 11401, 12601.

Supplementary Regulation 14E is amended in the following respect:

Section 3.14 is added to Supplementary Regulation 14E as follows:

SEC. 3.14 *Sales of footwear at wholesale.* Under this section, sellers making sales of footwear at wholesale are permitted certain adjustments in their ceiling prices.

(a) *Articles covered by this section.* "Footwear" as used in this section means any type of outside covering for the human foot, but does not include hosiery, footwear made entirely of wood, footwear made entirely of textiles, footwear containing no leather and designed to be worn over other shoes, or footwear which is subject to Maximum Price Regulation 132.[2] (Certain Rubber Footwear.)

(b) *How to price for sales at wholesale.* The adjusted ceiling price for a sale of footwear at wholesale shall be computed by the seller as follows:

(1) The seller shall multiply the percentage of the supplier's increase found on the invoice for the footwear being priced by 56 percent.

(2) The seller shall multiply his ceiling price under the General Maximum Price Regulation by the percentage found in step (1).

(3) The seller shall add the amount found in step (2) to the General Maximum Price Regulation price. The result is the new adjusted ceiling price.

(c) *Notification.* (1) Each seller making sales at wholesale at adjusted ceiling prices permitted by paragraph (b) must furnish to the purchaser an invoice or similar document showing:

(i) The names and addresses of the purchaser and seller.

(ii) The date and terms of the sale.

(iii) A description sufficient to identify each item of footwear sold.

(iv) The quantity of each item sold.

(v) The price of each item not including any adjustments permitted by this section.

(vi) The percentage by which he increased his former ceiling price in accordance with this section. This percentage must be designated an "OPA Adjustment Charge" and may be stated for each item on the invoice, for any group of items for which the increase is uniform, or at the foot of the invoice if more than one item is increased by a uniform percentage and items which are increased by that percentage are clearly indicated.

(vii) The dollars-and-cents amounts of the adjustments. These may be billed either separately for each item or for groups of items.

(2) In addition, the seller must send to his purchaser on the invoice or attached thereto the following notice:

NOTICE

We are directed by the Office of Price Administration to notify you that if your sales are governed by MPR 580 you may not include as part of your net cost any adjustment charge shown on this invoice (attached to this invoice).

If your sales are governed by the General Maximum Price Regulation you may not increase your ceiling price properly computed under that regulation. If your sales are governed by MPR 210 you must follow the provisions of § 1372.113 of that regulation.

This amendment shall become effective January 5, 1946.

Issued this 5th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-288; Filed, Jan. 5, 1946; 4:29 p. m.]

[2] 9 F.R. 2117; 10 F.R. 10431, 11933, 12808, 12923.

Chapter XXIII—Surplus Property Administration

[General Amendment]

TRANSFER OF FUNCTIONS OF RECONSTRUCTION FINANCE CORPORATION TO WAR ASSETS CORPORATION AND OF SMALLER WAR PLANTS CORPORATION TO WAR ASSETS CORPORATION

Effective as of the close of business January 15, 1946, War Assets Corporation is designated as the disposal agency for all types of property for which the Reconstruction Finance Corporation is now the disposal agency and shall exercise the functions and discharge the duties and responsibilities heretofore assigned to the Reconstruction Finance Corporation with respect to the disposal of property. Each and all of the regulations, orders, and special orders relating thereto issued by the Surplus Property Board or by the Surplus Property Administration are hereby amended accordingly.

Effective as of the opening of business January 28, 1946, all duties assigned to the Smaller War Plants Corporation by regulations, orders, and special orders of the Surplus Property Board or the Surplus Property Administration with respect to the administration of the preferences accorded veterans by section 16 of the Surplus Property Act of 1944 are hereby transferred to the War Assets Corporation. Each and all of the regulations, orders, and special orders relating thereto are hereby amended accordingly.

W. STUART SYMINGTON,
Administrator.

JANUARY 5, 1946.

[F. R. Doc. 46-435; Filed, Jan. 8, 1946; 11:16 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 2—GENERAL RULES AND REGULATIONS

MISCELLANEOUS AMENDMENTS

Section 2.32 *Private lands* is amended by eliminating the section designation "2.61" and inserting in lieu thereof the section designation "2.62" in paragraph (e).

Section 2.61 *Discrimination in furnishing public accommodations* is redesignated as § 2.62 *Discrimination in furnishing public accommodations.*

(39 Stat. 535; 16 U.S.C. sec. 3)

Issued this 3d day of January 1946.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 46-428; Filed, Jan. 8, 1946; 10:46 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 394, Corrected Amdt. 3]

PART 95—CAR SERVICE

FREE TIME ON REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of January A. D. 1946.

Upon further consideration of Service Order No. 394 (10 F.R. 15008), as amended (10 F.R. 15073, 15354) and it appearing, that the District Court of the United States for the District of Columbia on December 21, 1945, entered a temporary restraining order providing in effect that December 23, 24, 25 and 30, 1945, shall not be included in computing free time, and that, the Interstate Commerce Commission consenting, January 1, 1946, shall also be accorded the same treatment; and it further appearing that the Distirct Court on January 5, 1946, continued said order specifically providing that Sunday, January 6, 1946, shall not be included in computing free time: *It is ordered,* That:

Service Order No. 394, as amended, be, and it is hereby, further amended by substituting the following paragraph (c) (1) for paragraph (c) (1) thereof:

(c) *Computation of time.* (1) Except as provided in Notes 1 and 2 below, all Sundays and legal holidays shall be included in computing the time provided in paragraphs (a) and (b) hereof, and shall also be included in computing detention thereafter.

NOTE 1. December 23, 24, 25, 30, 1945, and January 1, 1946, shall not be included when computing the free time periods provided in paragraphs (a) and (b) of this order.

NOTE 2. January 6, 1946, shall not be included when computing the free time periods provided in paragraphs (a) and (b) of this order.

It is further ordered, That this amendment shall become effective at 12:01 a. m., January 6, 1946; 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. 46-430; Filed, Jan. 8, 1946; 11:07 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 03-0]

PART 03—AIRPLANE AIRWORTHINESS; NORMAL, UTILITY, ACROBATIC, AND RESTRICTED PURPOSE CATEGORIES

Sec.

AUTHORITY: §§ 03.0 to 03.7, inclusive, issued under 52 Stat. 984, 1007; 49 U. S. C. 425, 551.

§ 03.0 *Scope.* An airplane shall be shown to comply with the airworthiness requirements set forth in this part and shall have no characteristic which, according to the findings of the Administrator, makes the airplane unairworthy in order to become eligible for type and airworthiness certificates; *Provided*, That,

(a) If any of these requirements become inapplicable to a particular airplane because of increased knowledge of aeronautics or of the development of unforeseen design features, the Administrator shall accept designs shown to provide an equivalent standard of safety.

(b) Other requirements with respect to airworthiness found by the Administrator to provide an equivalent standard of safety shall be accepted in lieu of the requirements set forth in this part.

§ 03.00 *Date of effectiveness.* Airplanes certificated as a type on or after November 13, 1945, shall comply either with (1) the entire provisions of Part 04 of this chapter in effect immediately prior to November 9, 1945, or (2) the entire provisions prescribed herein except that airplanes certificated under (1) may incorporate provisions of (2) when the Administrator finds the standard of safety to be equivalent to the particular and all related items of the latter.

Airplanes certificated as a type on or after January 1, 1947, shall comply with the provisions contained herein. If the prototype is not flown prior to January 1, 1947, and satisfactory evidence is presented indicating that the design work of the type was well advanced prior to November 13, 1945, and the delay of completion of the airplane was due to causes beyond the manufacturer's control, the Administrator may certificate the airplane as a type under the provisions of Part 04 which were in effect prior to November 9, 1945.

Unless otherwise specified, compliance with an amendment to this part shall be mandatory only for airplanes for which application for a type certificate has been received subsequent to the effective date of such amendment.

§ 03.01 *Airplane categories.* In this part airplanes are divided upon the basis of their intended operation into the following categories for the purposes of certification:

Normal *Suffix "N"*

Airplanes in this category are intended for non-acrobatic, non-scheduled passenger, and non-scheduled cargo operation.

Utility *Suffix "U"*

Airplanes in this category are intended for normal operations and limited acrobatic maneuvers. These airplanes are not suited for use in snap or inverted manuevers.

Acrobatic *Suffix "A"*

Airplanes in this category will have no specific restrictions as to type of maneuver permitted unless the necessity therefor is disclosed by the required flight tests.

Restricted Purpose *Suffix "R"*

Airplanes in this category are intended to be operated for restricted purposes not logically encompassed by the foregoing categories. The requirements of this category shall consist of all of the provisions for any one of the foregoing categories which are not rendered inapplicable by the nature of the special purpose involved, plus suitable operating restrictions which the Administrator finds will provide a level of safety equivalent to that contemplated for the foregoing categories.

An airplane may be certificated under the requirements of a particular category, or in more than one category, provided that all of the requirements of such categories are met. Sections of this part which apply to only one or more, but not all, categories are identified in this part by the appropriate suffixes as indicated above, added to the section number. All sections not identified by a suffix are applicable to all categories except as otherwise specified.

§ 03.02 *Airworthiness certificates.* Airworthiness certificates are classified as follows:

(a) *NC certificates.* In order to become eligible for an NC certificate, an airplane must be shown to comply with all of the requirements contained in this part for at least one category, but not the restricted purpose category.

(b) *NR certificates.* In order to become eligible for an NR certificate, an airplane must be shown to comply with all of the requirements of the restricted purpose category.

(c) *NX certificates.* An airplane will become eligible for an NX certificate when the applicant presents satisfactory evidence that the airplane is to be flown for experimental purposes and the Administrator finds it may, with appropriate restrictions, be operated for that purpose in a manner which does not endanger the general public. Airplanes used in racing and exhibition flying may be issued NX certificates under the terms of this section. The applicant shall submit sufficient data such as photographs to identify the airplane satisfactorily and, upon inspection of the airplane, any pertinent information found necessary by the Administrator to safeguard the general public.

An airplane manufactured in accordance with a type certificate (See § 03.03) and conforming with the type design will become eligible for an airworthiness certificate when, upon inspection of the airplane, the Administrator determines it so to conform and that the airplane is in a condition for safe operation. For each newly manufactured airplane this determination shall include a flight check by the applicant.

§ 03.03 *Type certificates.* A type certificate will be issued when the following requirements are met:

§ 03.031 *Data required for NC and NR certification.* The applicant for a type certificate shall submit to the Administrator the following:

Such descriptive data, test reports, and computations as are necessary to demonstrate that the airplane complies with the airworthiness requirements. The descriptive data shall be known as the type design and shall consist of drawings and specifications disclosing the configuration of the airplane and all design features covered in the airworthiness requirements as well as sufficient information on dimensions, materials, and processes to define the strength of the structure. The type design shall describe the airplane in sufficient detail to permit the airworthiness of subsequent airplanes of the same type to be determined by comparison with the type design.

§ 03.032 *Inspection and tests for NC and NR certification.* The authorized representatives of the Administrator shall have access to the airplane and may witness or conduct such inspections and tests as are necessary to determine com-

pliance with the airworthiness requirements.

§ 03.0320 *Inspection.* Inspections and tests shall include all those found necessary by the Administrator to insure that the airplane conforms with the following:

(a) All materials and products are in accordance with the specification given in the type design.

(b) All parts of the airplane are constructed in accordance with the drawings contained in the type design.

(c) All manufacturing processes, construction, and assembly are such that the design strength and safety contemplated by the type design will be realized in service.

§ 03.0321 *Flight tests.* Upon satisfactory completion of all necessary inspection and testing on the ground, and upon receipt from the applicant of a report of flight tests conducted by him, and satisfactory proof of the conformity of the airplane with the type design, such official flight tests as the Administrator finds necessary to prove compliance with this part shall be conducted.

§ 03.04 *Changes.* Changes shall be substantiated to demonstrate compliance of the airplane with the appropriate airworthiness requirements in effect when the particular airplane was certificated as a type unless the applicant chooses to show compliance with the currently effective requirements subject to the approval of the Administrator, or unless the Administrator finds it necessary to require compliance with current airworthiness requirements.

§ 03.040 *Minor changes.* Minor changes to certificated airplanes which obviously do not impair the condition of the airplane for safe operation shall be approved by the authorized representatives of the Administrator prior to the submittal to the Administrator of any required revised drawings.

§ 03.041 *Major changes.* A major change is any change not covered by minor changes as defined in § 03.040.

§ 03.042 *Service experience changes.* When the Administrator finds that service experience indicates the need for design changes, the applicant shall submit for the approval of the Administrator engineering data describing and substantiating the necessary changes. The Administrator may in such cases withhold issuances of airworthiness certificates for additional airplanes of the type involved until satisfactory corrective measures have been taken. Upon approval by the Administrator, these changes shall be considered as a part of the type design, and descriptive data covering these changes shall be furnished by the applicant to all aircraft owners concerned.

§ 03.0420 In the case of airplanes approved as a type under the terms of earlier airworthiness requirements, the Administrator may require that an airplane submitted for an original airworthiness certificate comply with such portions of the currently effective airworthiness requirements as may be necessary for safety.

§ 03.07 *Definitions.*

§ 03.070 *General.*

§ 03.0701 *Standard atmosphere.* The standard atmosphere shall be based upon the following assumptions:

(a) The air is a dry perfect gas.

(b) The temperature at sea level is 59° F.

(c) The pressure at sea level is 29.92 inches Hg.

(d) The temperature gradient from sea level to the altitude at which the temperature becomes —67° F is —0.003566° F./Ft. and zero thereabove.

(e) The density, ρ_0, at sea level under the above conditions is 0.002378 lbs. $Sec.^2/Ft.^4$.

§ 03.0702 *Hot day condition.* (See § 03.4400.)

§ 03.0703 *Airplane configuration.* This term refers to the position of the various elements affecting the aerodynamic characteristics of the airplane, such as landing gear, flaps, etc.

§ 03.071 *Weights.*

Empty weight. The actual weight used as a basis for determining operating weights. (See § 03.112.)

Maximum weight. The maximum weight at which the airplane may operate in accordance with the airworthiness requirements. (See § 03.113.)

Minimum weight. The minimum weight at which compliance with the airworthiness requirements is demonstrated. (See § 03.114.)

Maximum design weight. The maximum weight used for the structural design of the airplane. (See § 03.210.)

Minimum design weight. The minimum weight condition investigated in the structural flight load conditions, not greater than the minimum weight specified in § 03.114, Minimum Weight. (See § 03.210.)

Design landing weight. The weight used in the structural investigation of the airplane for normal landing conditions. Under the provisions of § 03.240, this weight may be equal to or less than the maximum design weight. (See § 03.240.)

Unit weights for design purposes:

Gasoline---------- 6 lbs. per U. S. gallon.
Lubricating oil------ 7.5 lbs. per U. S. gallon.
Crew and passengers---- 170 lbs. per person.

§ 03.072 *Power.*

One horsepower. 33,000 ft./lbs. per minute.

Take-off power. The take-off rating of the engine established in accordance with Part 13, "Aircraft Engine Airworthiness."

Maximum continuous power. The maximum continuous rating of the engine established in accordance with Part 13, "Aircraft Engine Airworthiness."

§ 03.073 *Speeds.*

V_t True airspeed of the airplane relative to the undisturbed air.

In the following symbols having subscripts, V denotes:

(a) "Equivalent" airspeed for structural design purposes equal to $V_t\sqrt{\rho/\rho_0}$.

(b) "True indicated" or "calibrated" airspeed for performance and operating purposes equal to indicator reading corrected for position and instrument errors.

V_{s_0} stalling speed, in the landing configuration. (See § 03.121.)

V_{s_1} stalling speed in the configurations specified for particular conditions. (See § 03.121.)

V_x speed for best angle of climb.

V_y speed for best rate of climb.

V_{mc} minimum control speed. (See § 03.1312.)

V_{s_f} computed stalling speed at design landing weight with flaps fully deflected. (See § 03.212.)

V_f design speed for flight load conditions with flaps in landing position. (See § 03.212.)

V_p design maneuvering speed. (See § 03.2110.)

V_c design cruising speed. (See § 03.2110.)

V_d design dive speed. (See § 03.2110.)

V_{ne} never exceed speed. (See § 03.6001.)

Maximum structural cruising speed. (See § 03.6002.)

§ 03.074 *Structural terms.*

Structure. Those portions of the airplane the failure of which would seriously endanger the safety of the airplane.

Design wing area, S. The area enclosed by the wing outline (including ailerons, and flaps in the retracted position, but ignoring fillets and fairings) on a surface containing the wing chords. The outline is assumed to extend through the nacelles and fuselage to the plane of symmetry.

Aerodynamic coefficients, C_L, C_N, C_M, etc., used herein, are non-dimensional coefficients for the forces and moments acting on an airfoil, and correspond to those adopted by the U. S. National Advisory Committee for Aeronautics.

C_L=airfoil lift coefficient
C_N=airfoil normal force coefficient (normal to wing chord line)
C_{NA}=airplane normal force coefficient (based on lift of complete airplane and design wing area)
C_M =pitching moment coefficient

Loads

Limit load. The maximum load anticipated in service. (See § 03.200.)

Ultimate load. The maximum load which a part of structure must be capable of supporting. (See § 03.202.)

Factor of safety. The factor by which the limit load must be multiplied to establish the ultimate load. (See § 03.201.)

Load factor or acceleration factor, n. The ratio of the force acting on a mass to the weight of the mass. When the force in question represents the net external load acting on the airplane in a given direction, n represents the acceleration in that direction in terms of the gravitational constant.

Limit load factor. The load factor corresponding to limit load.

Ultimate load factor. The load factor corresponding to ultimate load.

§ 03.1 *Flight requirements.*

§ 03.10 *General.*

§ 03.100 *Policy re proof of compliance.* Compliance with the requirements specified in § 03.1 governing functional characteristics shall be demonstrated by suitable flight or other tests conducted upon an airplane of the type, or by calculations based upon the test data referred to above; *Provided,* That the results so obtained are substantially equal in accuracy to the results of direct testing. Compliance with each requirement must be provided at the critical combination of airplane weight and center of gravity position within the range of either for which certification is desired. Such compliance must be demonstrated by systematic investigation of all probable weight and center of gravity combinations or must be reasonably inferable from such as are investigated.

§ 03.101 The applicant shall provide a person holding an appropriate pilot certificate to make the flight tests, but a designated reresentative of the Administrator may pilot the airplane in so far as that may be necessary for the determination of compliance with the airworthiness requirements.

§ 03.102 Official type tests will be discontinued until corrective measures have been taken by the applicant when either:

(1) The applicant's test pilot is unable or unwilling to conduct any of the required flight tests; or,

(2) Items of non-compliance with requirements are found which may render additional test data meaningless or are of such nature as to make further testing unduly hazardous.

§ 03.103 Adequate provisions shall be made for emergency egress and use of parachutes by members of the crew during the flight tests.

§03.104 The applicant shall submit to the representative of the Administrator a report covering all computations and tests required in connection with calibration of instruments used for test purposes and correction of test results to standard atmospheric conditions. The representative of the Administrator will conduct any flight tests which he finds to be necessary in order to check the calibration and correction report.

§ 03.11 *Weight and balance.* There shall be established, as a part of the type inspection, ranges of weight and center of gravity within which the airplane may be safely operated.

When low fuel adversely affects balance or stability, the airplane shall be so tested as to simulate the condition existing when the amount of usable fuel on board does not exceed one gallon for every 12 maximum continuous horsepower of the engine or engines installed.

§ 03.110 *Use of ballast.* Removable ballast may be used to enable airplanes to comply with the flight requirements in accordance with the following provisions:

§ 03.1100 The place or places for carrying ballast shall be properly designed, installed, and plainly marked as specified in § 03.6120.

§ 03.1101 The airplane Approved Operating Limitations shall include instructions regarding the proper disposition of the removable ballast under all loading conditions for which such ballast is necessary, as specified in § 03.61.

§ 03.112 *Empty weight.* The empty weight and corresponding center of gravity location shall include all fixed ballast, the unusable fuel supply (see § 03.4221), undrainable oil, full engine coolant, and hydraulic fluid. The weight and location of items of equipment installed when the airplane is weighed shall be noted in the Approved Operating Limitations.

§ 03.113 *Maximum weight.* The maximum weight shall not exceed any of the following:

(a) The weight selected by the applicant,

(b) The design weight for which the structure has been proven,

(c) The maximum weight at which compliance with all of the requirements specified is demonstrated, and shall not be less than the sum of the weights of the following:

(1) The empty weight as defined by § 03.112,

(2) One gallon of usable fuel (see § 03.4221) for every 7 maximum continuous horsepower for which the airplane is certificated,

(3) The full oil capacity,

(4) 170 lbs. in all seats (normal category) or 190 lbs. in all seats (utility and acrobatic category) unless placarded otherwise.

§ 03.114 *Minimum weight.* The minimum weight shall not exceed the sum of the weights of the following:

(a) The empty weight as defined by § 03.112,

(b) The minimum crew necessary to operate the airplane (170 lbs. for each crew member),

(c) One gallon of usable fuel (see § 03.4221) for every 12 maximum continuous horsepower for which the airplane is certificated,

(d) Either one gallon of oil for each 25 gallons of fuel specified in (c) or one gallon of oil for each 75 maximum continuous horsepower for which the airplane is certificated, whichever is greater.

§ 03.115 *Center of gravity position.* If the center of gravity position under any possible loading condition between the maximum weight as specified in § 03.113 and the minimum weight as specified in § 03.114 lies beyond (1) the extremes selected by the applicant, or (2) the extremes for which the structure has been proven, or (3) the extremes for which compliance with all functional requirements were demonstrated, loading instructions shall be provided in the Approved Operating Limitations as specified in § 03.62.

§ 03.12 *Performance.* The following items of performance shall be determined and the airplane shall comply with the corresponding requirements in the standard atmosphere and still air.

§ 03.121 *Definition of stalling speeds.* (a) V_{s_0} denotes the true indicated stalling speed, if obtainable, or the minimum steady flight speed at which the airplane is controllable, in miles per hour, with: (1) Engines idling, throttles closed (or not more than sufficient power for zero thrust), (2) propellers in position normally used for take-off, (3) landing gear extended, (4) wing flaps in the landing position, (5) cowl flaps closed, (6) center of gravity in the most unfavorable position within the allowable landing range, (7) the weight of the airplane equal to the weight in connection with which V_{s_0} is being used as a factor to determine a required performance.

(b) V_{s_1} denotes the true indicated stalling speed, if obtainable, otherwise the calculated value in miles per hour, with: (1) Engines idling, throttles closed (or not more than sufficient power for zero thrust), (2) propellers in position normally used for take-off, the airplane in all other respects (flaps, landing gear, etc.) in the particular condition existing in the particular test in connection with which V_{s_1} is being used, (3) the weight of the airplane equal to the weight in connection with which V_{s_1} is being used as a factor to determine a required performance.

These speeds shall be determined by flight tests using the procedure outlined in § 03.134 (a) and (b).

§ 03.1210 *Stalling speed.* V_{s_0} at maximum weight shall not exceed 70 mph for (1) single-engine airplanes and (2) multi-engine airplanes with a maximum weight of not greater than 5,000 lbs. and which do not comply with the climb requirement of § 03.123 (b).

§ 03.122 *Take-off.* The distance required to take off and climb over a 50 ft. obstacle shall be determined under the following conditions:

(a) Most unfavorable combination of weight and center of gravity location,

(b) Engines operating within the approved limitations,

(c) Cowl flaps in the position normally used for take-off.

Upon obtaining a height of 50 ft. above the level take-off surface, the airplane shall have attained a speed of not less than 1.3 V_{s_1} unless a lower speed of not less than V_x plus 5 can be shown to be safe under all conditions, including turbulence and complete engine failure.

The distance so obtained, the type of surface from which made, and the pertinent information with respect to the cowl flap position, the use of flight path control devices and landing gear retraction system shall be entered in the Approved Operating Limitations. The take-off shall be made in such a manner that its reproduction shall not require an exceptional degree of skill on the part of the pilot or exceptionally favorable conditions.

§ 03.123 *Climb*—(a) *Normal climb condition.* The steady rate of climb at sea level shall be at least 300 feet per minute, and the steady angle of climb at least 1:12 for landplanes or 1:15 for seaplanes with: (1) not more than maximum continuous power on all engines, (2) landing gear fully retracted, (3) wing flaps in take-off position, (4) cowl flaps in the position used in cooling tests specified in § 03.44.

(b) Except as stated in § 03.1210, all multi-engine airplanes shall have a steady rate of climb of at least 0.02 $V_{s_0}^2$ in feet per minute at an altitude of 5,000 feet with the critical engine inoperative and: (1) The remaining engines operating at not more than maximum continuous power, (2) the inoperative propeller in the minimum drag position, (3) landing gear retracted, (4) wing flaps in the most favorable position, (5) cowl flaps in the position used in cooling tests specified in § 03.44.

(c) *Balked landing conditions.* The steady angle of climb at sea level shall be at least 1:30 with: (1) Take-off power on all engines, (2) landing gear extended, (3) wing flaps in landing position.

If rapid retraction is possible with safety without loss of altitude and without requiring sudden changes of angle of attack or exceptional skill on the part of the pilot, wing flaps may be retracted.

§ 03.124 *Landing.* The horizontal distance required to land and to come to a complete stop (to a speed of approximately 3 m. p. h. for seaplanes or float planes) from a point at a height of 50 ft. above the landing surface shall be determined as follows:

(a) Immediately prior to reaching the 50 ft. altitude, a steady gliding approach

shall have been maintained, with a true indicated airspeed of at least 1.3 V_{s_0}.

(b) The landing shall be made in such a manner that there is no excessive vertical acceleration, no tendency to bounce, nose over, ground loop, porpoise or water loop, and in such a manner that its reproduction shall not require any exceptional degree of skill on the part of the pilot or exceptionally favorable conditions.

The distance so obtained, the type of landing surface on which made and the pertinent information with respect to cowl flap position, and the use of flight path control devices shall be entered in the Approved Operating Limitations.

§ 03.13 *Flight characteristics.* The airplane shall meet the following requirements at all normally expected operating altitudes under all critical loading conditions within the range of center of gravity and, except as otherwise specified, at the maximum weight for which certification is sought, and there shall be no flight or operating characteristic which the Administrator finds will make the airplane unairworthy.

§ 03.131 *Controllability.* The airplane shall be satisfactorily controllable and maneuverable during take-off, climb, level flight, dive, and landing with or without power. It shall be possible to make a smooth transition from one flight condition to another, including turns and slips, without requiring an exceptional degree of skill, alertness, or strength on the part of the pilot and without danger of exceeding the limit load factor under all conditions of operation probable for the type, including for multi-engine airplanes those conditions normally encountered in the event of sudden failure of any engine. Compliance with "strength of pilots" limits need not be demonstrated by quantitative tests unless the Administrator finds the condition to be marginal. In the latter case they shall not exceed maximum values found by the Administrator to be appropriate for the type but in no case shall they exceed the following limits:

	Type	Pitch	Roll	Yaw
(a) For temporary application.	Stick	60	30	150
	Wheel	75	60	150
(b) For prolonged application.		Applied to rim 10	5	20

§ 03.1310 *Longitudinal control.* The airplane shall be demonstrated to comply with the following requirements.

§ 03.13100 It shall be possible at all speeds below V_x to pitch the nose downward so that the rate of increase in airspeed is satisfactory for prompt acceleration to V_x with: (a) Maximum continuous power on all engines, the airplane trimmed at V_x, (b) power off, the airplane trimmed at 1.4 V_{s_1}, (c) wing flaps and landing gear both extended and retracted.

§ 03.13101 During each of the controllability demonstrations outlined below, it shall not require a change in the trim control or the exertion of more control force than can be readily applied with one hand for a short period. Each maneuver shall be performed with the landing gear extended.

(a) (1) With power off, flaps retracted, and the airplane trimmed at 1.4 V_{s_1}, the flaps are to be extended as rapidly as possible while maintaining the airspeed at approximately 40% above the instantaneous value of the stalling speed.

(2) Repeat (a) (1) except start with flaps extended and the airplane trimmed at 1.4 V_{s_1}, then retract the flaps as rapidly as possible.

(3) Repeat (a) (2) except using maximum continuous power.

(b) (1) With power off, the flaps retracted, and the airplane trimmed at 1.4 V_{s_1}, apply take-off power quickly while maintaining the same airspeed.

(2) Repeat (b) (1) except with the flaps extended.

(c) With power off, flaps extended, and the airplane trimmed at 1.4 V_{s_1}, obtain and maintain airspeeds within the range of 1.1 V_{s_1} to 1.7 V_{s_1} or V_f, whichever is the lesser.

§ 03.13102 It shall be possible without the use of exceptional piloting skill to maintain essentially level flight when flap retraction from any position is initiated during steady horizontal flight at 1.1 V_{s_1} with simultaneous application of not more than maximum continuous power.

§ 03.1311 *Lateral and directional control.*

§ 03.13110 It shall be possible with multi-engine airplanes to execute 15° banked turns with or against the inoperative engine from steady climb at V_y for the condition with: (a) Maximum continuous power on the operating engines, (b) rearmost center of gravity, (c) landing gear retracted and extended, (d) wing flaps in most favorable climb position, (e) maximum weight.

§ 03.13111 It shall be possible with multi-engine airplanes, while holding the wings level laterally within 5°, to execute sudden changes in heading in either direction without dangerous characteristics being encountered. This shall be demonstrated at V_y up to heading changes of 15°, except that the heading change at which the rudder force corresponds to that specified in § 03.131 need not be exceeded, with: (a) The critical engine inoperative, (b) maximum continuous power on the operating engine(s), (c) landing gear retracted and extended, (d) wing flaps in the most favorable climb condition, (e) the inoperative propeller in its minimum drag condition, (f) the airplane center of gravity at its rearmost position.

§ 03.1312 *Minimum control speed. (V_{mc}).* The minimum speed after recovery at which the airplane can be maintained in straight flight with zero yaw (or at the option of the applicant, with a bank not in excess of 5°) after any one engine is suddenly made inoperative during steady flight at that speed shall be determined and shall not exceed 1.3 V_{s_1} with: (a) Take-off or maximum available power on all engines, (b) rearmost center of gravity, (c) flaps in take-off position, (d) landing gear retracted.

In demonstrating this minimum speed, the rudder force required to maintain it shall not exceed forces specified in § 03.131, nor shall it be necessary to throttle the remaining engines. During recovery the airplane shall not assume any dangerous attitude, nor shall it require exceptional skill, strength, or alertness on the part of the pilot to prevent a change of heading in excess of 20° before recovery is complete.

§ 03.131–A *Controllability.* It shall be demonstrated that acrobatic maneuvers may be performed readily and safely. Safe entry speeds shall be determined for these maneuvers.

§ 03.132 *Trim.* The means used for trimming the airplane shall be such that after being trimmed and without further pressure upon or movement of either the primary control or its corresponding trim control by the pilot or the automatic pilot, the airplane will maintain:

(a) Lateral and directional trim in level flight at a speed of 0.9 of the high speed in level flight or at V_c, if lower, with the landing gear and wing flaps retracted.

(b) Longitudinal trim under the following conditions:

(1) During a climb with maximum continuous power at a speed between V_x and 1.4 V_{s_1}, landing gear retracted, wing flaps both retracted and in the take-off position,

(2) During a glide with power off at a speed not in excess of 1.4 V_{s_1}, landing gear extended, wing flaps both retracted and extended under the forward center of gravity position approved with the maximum authorized weight and under the most forward center of gravity position approved, regardless of weight,

(3) During level flight at any speed from V_x to 1.4 V_{s_1} to 90% of the high speed, landing gear and wing flaps retracted.

In addition to the above, multi-engine airplanes shall comply with (c) below.

(c) Longitudinal and directional trim at a speed between V_y and 1.4 V_{s_1}, during climbing flight with the critical of two or more engines inoperative, with: (1) The other engine(s) operating at maximum continuous power, (2) the landing gear retracted, (3) wing flaps retracted.

§ 03.133 *Stability.* The airplane shall be longitudinally, directionally, and laterally stable in accordance with the following sections. Suitable stability and control "feel" (static stability) may be required in other conditions normally encountered in service if flight tests show such stability to be necessary for safe operation.

§ 03.1331 *Static longitudinal stability.* In the configurations outlined in § 03.13310 below, and with the airplane trimmed as indicated, the characteristics of the elevator control forces and friction shall be as described below.

(a) A pull shall be required to obtain and maintain speeds below the specified trim speed and a push to obtain and maintain speeds above the specified trim

speed. This shall be so at any speed which can be obtained without excessive control force except that such speeds need not be greater than the appropriate maximum permissible speed or less than the minimum speed in steady unstalled flight.

(b) The airspeed shall return to within 10% of the original trim speed when the control force is slowly released from any speed within the limits defined in (a) above.

§ 03.13310 *Specific conditions.* In conditions (a), (b), and (c) below, within the speeds specified, the stable slope of stick force versus speed curve shall be such that any substantial change in speed is clearly perceptible to the pilot through a resulting change in stick force. Instrumented stick force measurements need not be made when such slope is considered by control "free" to: (1) Be satisfactorily in compliance with adequate perceptibility defined above, (2) be such that the maximum forces specified in § 03.131 are obviously not exceeded.

(a) *Landing.* The stick force curve shall have a stable slope and the stick force shall not exceed 40 lbs. at any speed between 1.1 V_{s_1} and 1.8 V_{s_1} with: (1) Wing flaps in the landing position, (2) the landing gear extended, (3) maximum weight, (4) throttles closed on all engines, (5) the airplane trimmed at 1.4 V_{s_1} with throttles closed.

(b) *Climb.* The stick force curves shall have a stable slope at all speeds between 1.2 V_{s_1} and 1.6 V_{s_1} with: (1) Wing flaps retracted, (2) landing gear retracted, (3) maximum weight, (4) 75% of maximum continuous power, (5) the airplane trimmed at 1.4 V_{s_1}.

(c) *Cruising.* (1) Between 1.3 V_{s_1} and the maximum permissible speed, the stick force curve shall have a stable slope at all speeds obtainable with a stick force not in excess of 40 lbs. with: (i) Landing gear retracted, (ii) wing flaps retracted, (iii) maximum weight, (iv) 75% of maximum continuous power, (v) the airplane trimmed for level flight with 75% of the maximum continuous power.

(2) Same as (1) above except that the landing gear shall be extended and the level flight trim speed need not be exceeded.

§ 03.1332 *Dynamic longitudinal stability.* Any short period oscillation occurring between stalling speed and maximum permissible speed shall be heavily damped with the primary controls in (1) free, and (2) in a fixed position.

§ 03.1333 *Directional and lateral stability.*

§ 03.13330 *Three control airplanes.* (a) The static directional stability, as shown by the tendency to recover from a skid with rudder free, shall be positive for all flap positions and symmetrical power conditions, and for all speeds from 1.2 V_{s_1} up to the maximum permissible speed.

(b) The static lateral stability as shown by the tendency to raise the low wing in a sideslip shall:

(1) Be positive at the maximum permissible speed,

(2) Not be negative at a speed equal to 1.2V_{s_1}.

(c) In straight steady sideslips (unaccelerated forward slips), the aileron and rudder control movements and forces shall be substantially proportional to the angle of sideslip and the factor of proportionality shall lie between satisfactory limits up to sideslip angles considered appropriate to the operation of the type. At greater angles, up to that at which the full rudder control is employed or a rudder pedal force of 150 lbs. is obtained, the rudder pedal forces shall not reverse and increased rudder deflection shall produce increased angles of sideslip.

Sufficient bank shall accompany sideslipping to indicate adequately any departure from steady unyawed flight.

(d) Any short period oscillation occurring between stalling speed and maximum permissible speed shall be heavily damped with the primary controls in (1) free, and (2) in a fixed position.

§ 03.13331 *Two (or simplified) control airplanes.* (a) The directional stability shall be shown to be adequate by demonstrating that the airplane in all configurations can be rapidly rolled from a 45° bank to a 45° bank in the opposite direction without exhibiting dangerous skidding characteristics.

(b) Lateral stability shall be shown to be adequate by demonstrating that the airplane will not assume a dangerous attitude or speed when all the controls are abandoned for a period of two minutes. This demonstration shall be made in moderately smooth air with the airplane trimmed for straight level flight at 0.9 V_h (or at V_c, if lower), flaps and gear retracted, and with rearward c. g. loading.

(c) Any short period oscillation occurring between the stalling speed and the maximum permissible speed shall be heavily damped with the primary controls in (1) free, and (2) in a fixed position.

§ 03.134 *Stalling.* Stalls shall be demonstrated under two conditions: (a) With power off, (b) with the power setting not less than that required to show compliance with § 03.123 (a).

In either condition it shall be possible, with flaps and landing gear in any position, center of gravity in the position least favorable for recovery, and with appropriate airplane weights for: (1) airplanes having independently controlled rolling and directional controls, to produce and to correct roll by unreversed use of the rolling control and to produce and correct yaw by unreversed use of the directional control during the maneuvers described below up to the time when the airplane pitches, (2) two-control airplanes having either interconnected lateral and directional controls or providing only one of these controls, it shall be possible to produce and to correct roll by unreversed use of the rolling control without producing excessive yaw during the maneuvers described below up to the time the airplane pitches.

During the recovery portions of the maneuver, pitch shall not exceed 30° below level, there shall be no loss of altitude in excess of 100 ft., and not more than 15° roll or yaw shall occur when controls are not used for one second after pitch starts and are used thereafter only in a normal manner.

Where clear and distinctive stall warning is apparent to the pilot at a speed at least 5% above the stalling speed with flaps and landing gear in any position, both in straight and turning flight, these requirements are modified as follows:

(1) It shall be possible to prevent more than 15° roll or yaw by the normal use of controls.

(2) Any loss of altitude in excess of 100 ft. or any pitch in excess of 30° below level shall be entered in the Approved Operating Limitations.

In demonstrating these qualities, the order of events shall be:

(a) With trim controls adjusted for straight flight at a speed of 1.4 V_{s_1}, reduce speed by means of the elevator control unit the speed is steady at slightly above stalling speed, then

(b) Pull elevator control back at a rate such that the airplane speed reduction does not exceed one mile per hour per second until a stall is produced as evidenced by an uncontrollable downward pitching motion of the airplane, or until the control reaches the stop. Normal use of the elevator control for recovery may be made after such pitching motion is unmistakably developed.

§ 03.1341 *Turning flight stalls.* When stalled during a coordinated 30° banked turn with 75% maximum continuous power on all engines, flaps and landing gear retracted, it shall be possible to recover to normal level flight without encountering excessive loss of altitude, uncontrollable rolling characteristics, or uncontrollable spinning tendencies. These qualities shall be demonstrated by performing the following maneuver:

After a steady curvilinear level coordinated flight condition in a 30° bank is established and while maintaining the 30° bank, the airplane shall be stalled by steadily and progressively tightening the turn with the elevator control until the airplane is stalled or until the elevator has reached its stop. When the stall has fully developed, recovery to level flight shall be made with normal use of the controls.

§ 03.1342 *Stall test; one engine inoperative.* Multi-engine airplanes shall not display any undue spinning tendency and shall be safely recoverable without applying power to the inoperative engine when stalled with: (a) The critical engine inoperative, (b) flaps and landing gear retracted, (c) the remaining engines operating at up to 75% of maximum continuous power, except that the power need not be greater than that at which the use of maximum control travel does not hold the wings laterally level in approaching the stall. The operating engines may be throttled back during the recovery from the stall.

§ 03.135–N *Spinning.* All airplanes of 4,000 lbs. or less maximum weight shall recover from a one-turn spin with controls assisted to the extent necessary to overcome friction in not more than one and one-half additional turns and without exceeding either the limiting

airspeed or the limit positive maneuvering load factor for the airplane. It shall not be possible to obtain uncontrollable spins by means of any possible use of the controls. Compliance with the above shall be demonstrated at any permissible combination of weight and center of gravity positions obtainable with all or part of the designed useful load.

All airplanes in this category, regardless of weight, shall be placarded against spins or demonstrated to be "characteristically incapable of spinning" in which case they shall be so designated. (See § 03.1350–NU).

§ 03.135–U *Spinning.* Airplanes in this category may comply either with the entire requirements of §§ 03.135–N or 03.135–A.

§ 03.135–A *Spinning.* All airplanes in this category must be capable of spinning and shall comply with the following:

At any permissible combination of weight and center of gravity position obtainable with all or part of the design useful load, the airplane shall recover from a six-turn spin with controls free in not more than four additional turns after releasing the controls. It shall be possible to recover at any point in the spinning described above by using the controls in a normal manner for that purpose in not more than one and one-half additional turns, and without exceeding either the limiting airspeed or the limit positive maneuvering load factor for the airplane. It shall not be possible to obtain uncontrollable spins by means of any possible use of the controls. If the airplane will not recover as prescribed with controls free but will recover with the controls assisted to the extent necessary to overcome friction, the airplane may be certificated with the rearmost center of gravity position 2% forward of the position used in the test.

§ 03.1350–NU When it is desired to designate an airplane as a type "characteristically incapable of spinning," the flight tests to demonstrate this characteristic shall also be conducted with: (a) A gross weight 5% in excess of the weight for which approval is desired, (b) a center of gravity at least 3% aft of the rearmost position for which approval is desired, (c) an available up elevator travel 4° in excess of that to which the elevator travel is to be limited by appropriate stops, (d) an available rudder travel 7°, in either direction, in excess of that to which the rudder travel is to be limited by appropriate stops.

§ 03.14 *Ground and water characteristics.* All airplanes shall comply with the following requirements.

§ 03.141 *Longitudinal stability and control.* There shall be no uncontrollable tendency for landplanes to nose over in any operating condition reasonably expected for the type, or when rebound occurs during landing or take-off. Wheel brakes shall operate smoothly and shall exhibit no undue tendency to induce nosing over. Seaplanes shall exhibit no dangerous or uncontrollable porpoising at any speed at which the airplane is normally operated on the water.

§ 03.142 *Directional stability and control.* (a) There shall be no uncontrollable looping tendency in 90° crosswinds up to 0.2 V_{s_0} at any necessary speed upon the ground or water.

(b) All landplanes shall be demonstrated to be satisfactorily controllable with no exceptional degree of skill or alertness on the part of the pilot in power-off landings at normal landing speed and during which brakes or engine power are not used to maintain a straight path.

(c) Means shall be provided for adequate directional control during taxiing.

§ 03.143 *Shock absorption.* The shock absorbing mechanism shall not produce damage to the structure when the airplane is taxed on the roughest ground which it is reasonable to expect the airplane to encounter in normal operation.

§ 03.144 *Spray characteristics.* For seaplanes, spray during taxiing, take-off, and landing shall at no time dangerously obscure the vision of the pilots nor produce damage to the propeller or other parts of the airplane.

§ 03.15 *Flutter and vibration.* All parts of the airplane shall be demonstrated to be free from flutter and excessive vibration under all speed and power conditions appropriate to the operation of the airplane up to at least the minimum value permitted for V_d in § 03.2110. There shall also be no buffeting condition in any normal flight condition severe enough to interfere with the satisfactory control of the airplane or to cause excessive fatigue to the crew or structural damage. However, buffeting as stall warning is considered desirable and discouragement of this type of buffeting is not intended.

§ 03.2 *Strength requirements.*

§ 03.20 *General.*

§ 03.200 *Loads.* Strength requirements are specified in terms of limit and ultimate loads. Limit loads are the maximum loads anticipated in service. Ultimate loads are equal to the limit loads multiplied by the factor of safety. When not otherwise described, loads specified are limit loads.

Unless otherwise provided, the specified air, ground, and water loads shall be placed in equilibrium with inertia forces, considering all items of mass in the airplane. All such loads shall be distributed in a manner closely approximating or conservatively representing actual conditions. If deflections under load would significantly change the distribution of external or internal loads, such redistribution shall be taken into account.

§ 03.201 *Factor of safety.* The factor of safety shall be 1.5 unless otherwise specified.

§ 03.202 *Strength and deformations.* The structure shall be capable of supporting limit loads without suffering detrimental permanent deformations. At all loads up to limit loads, the deformation shall be such as not to interfere with safe operation of the airplane. The structure shall be capable of supporting ultimate loads without failure for at least 3 seconds.

§ 03.203 *Proof of structure.* Proof of compliance of the structure with the strength and deformation requirements of § 03.202 shall be made for all critical loading conditions. Proof of compliance by means of structural analysis will be accepted only when the structure conforms with types for which experience has shown such methods to be reliable. In all other cases substantiating load tests are required. In all cases certain portions of the structure must be tested as specified in § 03.3.

§ 03.21 *Flight loads.*

§ 03.210 *General.* Flight load requirements shall be complied with at critical altitudes within the range in which the airplane may be expected to operate and at all weights between the minimum design weight and the maximum design weight, with any practicable distribution of disposable load within prescribed operating limitations stated in § 03.62.

§ 03.2101 *Definition of flight load factor.* The flight load factors specified represent the acceleration (in terms of the gravitational constant) normal to the assumed longitudinal axis of the airplane, equal in magnitude and opposite in direction to the airplane inertia load factor at the center of gravity.

§ 03.211 *Symmetrical flight conditions (flaps retracted).* The strength requirements shall be met at all combinations of airspeed and load factor on and within the boundaries of the V–n diagram of Figure 03–1 which represents the envelope of the flight loading conditions specified by the maneuvering and gust criteria of § 03.2111 and § 03.2112. This diagram will also be used in determining the airplane structural operating limitations as specified in § 03.6.

§ 03.2110 *Design airspeeds.* The design airspeeds shall be chosen by the designer except that they shall not be less than the following values:

V_c (design cruising speed):

$= 38\sqrt{W/S}$ (N and U Categories)

$= 42\sqrt{W/S}$ (A)

except that for values of W/S greater than 20, the above numerical multiplying factors may be decreased linearly with W/S to a value of 33 at W/S=100, and further provided that the required minimum value need be no greater than 0.9 of the actual high speed of the airplane at sea level with maximum continuous power.

V_d (design dive speed)

$= 1.40\ V_{c_{min}}$ (N)

$= 1.50\ V_{c_{min}}$ (U)

$= 1.55\ V_{c_{min}}$ (A)

except that for values of W/S greater than 20, the above numerical multiplying factors may be decreased linearly with W/S to a value of 1.35 at W/S=100. ($V_{c\,min}$ is the required minimum value of design cruising speed specified above.)

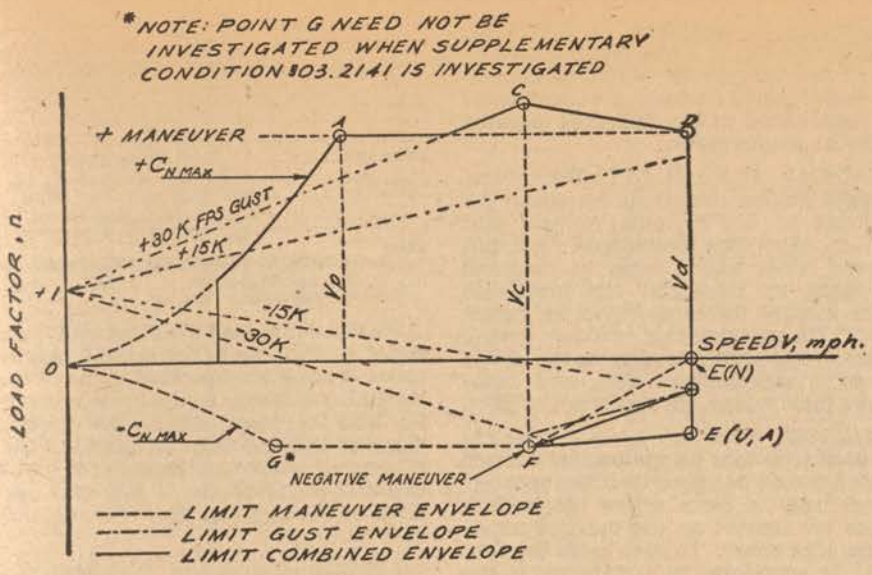
V_b (design maneuvering speed):

$= V_s\sqrt{n}$

where:

V_s = computed stalling speed with flaps fully retracted at the design weight.

n = limit maneuvering load factor used in design.



FLIGHT ENVELOPES (SEE 03.211)
LOAD FACTOR VS. VELOCITY (V-n) DIAGRAM
FIG 03-1

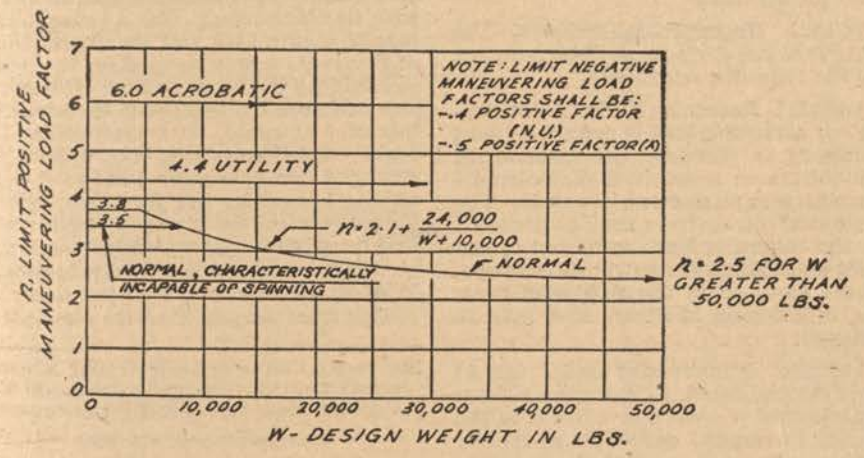


FIG 03-2 - LIMIT MANEUVERING LOAD FACTORS

§ 03.2111 *Maneuvering envelope.* The airplane shall be assumed to be subjected to symmetrical maneuvers resulting in the following limit load factors except where limited by maximum (static) lift coefficients: (a) The positive maneuvering load factor specified in § 03.21110 at all speeds up to V_d, (b) the negative maneuvering load factor specified in § 03.21110 at speed V_c; and factors varying linearly with speed from the specified value at V_c to 0.0 at V_d for the N category and —1.0 at V_d for the A and U categories.

§ 03.21110 *Maneuvering load factors.* The positive limit maneuvering load factors shall not be less than the following values (see fig. 03–2):

	Category
$n = 2.1 + \frac{24{,}000}{W + 10{,}000}$ except that n need not be greater than 3.8 and shall not be less than 2.5. For airplanes certificated as characteristically incapable of spinning, n need not exceed 3.5.	(N)
$n = 4.4$	(U)
$n = 6.0$	(A)

The negative limit maneuvering load factors shall not be less than —0.4 times the positive load factor for the N and U categories, and shall not be less than —0.5 times the positive load factor for the A category.

Lower values of maneuvering load factor may be employed only if it be proven that the airplane embodies features of design which make it impossible to exceed such values in flight. (See also § 03.131.)

§ 03.2112 *Gust envelope.* The airplane shall be assumed to encounter symmetrical vertical gusts as specified below while in level flight and the resulting loads shall be considered limit loads: (a) Positive (up) and negative (down) gusts of 30 fps nominal intensity at all speeds up to V_c, (b) positive and negative 15 fps gusts at V_d. Gust load factors shall be assumed to vary linearly between V_c and V_d.

§ 03.21120 *Gust load factors.* In applying the gust requirements, the gust load factors shall be computed by the following formula:

$$n = 1 + \frac{KUVa}{575\,(W/S)}$$

where

$$K = \frac{1}{2}\left(\frac{W}{S}\right)^{1/4} \text{ (for } W/S < 16 \text{ psf)}$$

$$= 1.33 \frac{-2.67}{\left(\frac{W}{S}\right)^{3/4}} \text{ (for } W/S > 16 \text{ psf)}$$

U = nominal gust velocity, fps. (Note that the "effective sharp edged gust" equals KU.)
V = airplane speed, mph
a = slope of lift curve, C_L per radian, corrected for aspect ratio
W/S = wing loading, psf

§ 03.211 *Airplane equilibrium.* In determining the wing loads and linear inertia loads corresponding to any of the above specified flight conditions, the appropriate balancing horizontal tail load (see § 03.2211) shall be taken into account in a rational or conservative manner.

Incremental horizontal tail loads due to maneuvering and gusts (see § 03.2212 and § 03.2213) shall be reacted by angular inertia of the complete airplane in a rational or conservative manner.

§ 03.212 *Flaps extended flight conditions.* When flaps or similar high lift devices intended for use at the relatively low air speeds of approach, landing, and take-off are installed, the airplane shall be assumed to be subjected to symmetrical maneuvers and gusts with the flaps fully deflected at the design flap speed, V_f, resulting in limit load factors within the range determined by the following conditions: (a) Maneuvering to positive limit load factor of 2.0, (b) positive and negative 15 fps gusts acting normal to the flight path in level flight. The gust load factors shall be computed by the formula of § 03.21120.

V_f shall be assumed not less than 1.4 V_s or 1.8 V_{sf}, whichever is greater, where:

V_s = the computed stalling speed with flaps fully retracted at the design weight.
V_{sf} = the computed stalling speed with flaps fully extended at the design weight.

In determining the external loads on the airplane as a whole, the thrust, slipstream, and pitching acceleration may be assumed equal to zero. In designing the flaps and supporting structure, slipstream effects must be taken into account as specified in § 03.224.

§ 03.213 *Unsymmetrical flight conditions.* The airplane shall be assumed to be subjected to rolling and yawing maneuvers as described in the following conditions. Unbalanced aerodynamic moments about the center of gravity shall be reacted in a rational or conservative manner considering the principal masses furnishing the reacting inertia forces.

§ 03.2131 *Rolling conditions.* The airplane shall be designed for (a) unsymmetrical wing loads appropriate to the category, and (b) the loads resulting from the aileron deflections and speeds specified in § 03.223, in combination with an airplane load factor of at least ⅔ of the positive maneuvering factor used in the design of the airplane.

NOTE: These conditions may be covered as noted below.

(a) Rolling accelerations may be obtained by modifying the symmetrical flight conditions shown on Figure 03–1 as follows:

Acrobatic category. In conditions A and F, assume 100% of the wing airload acting

on one side of the plane of symmetry and 60% on the other.

Normal and utility categories. In condition A, assume 100% of the wing airload acting on one side of the airplane and 70% on the other. For airplanes over 1,000 lbs. design weight, the latter percentage may be increased linearly with weight up to 80% at 25,000 lbs.

(b) The effect of aileron displacement on wing torsion may be accounted for by adding the following increment to the basic airfoil moment coefficient over the aileron portion of the span in the critical condition as determined by the note under § 03.223.

$$\Delta c_m = -.01\,\delta$$

where

Δc_m = moment coefficient increment
δ = down aileron deflection in degrees in critical condition

Only the wing and wing bracing need be investigated for this condition.

§ 03.2132 *Yawing conditions.* The airplane shall be designed for the yawing loads resulting from the vertical surface loads specified in § 03.222.

§ 03.214 *Supplementary conditions.*

§ 03.2141 *Special condition for rear lift truss.* When a rear lift truss is employed, it shall be designed for conditions of reversed airflow at a design speed.

$$V = 10\sqrt{W/S} + 10 \text{ mph.}$$

as a limit condition, a C_L value of —0.8 may be assumed and a linear downward acting pressure distribution peaking at the trailing edge and dropping off to zero at the leading edge may be used.

§ 03.2142 *Engine torque effects.* Engine mounts and their supporting structures shall be designed for engine torque effects combined with certain basic flight conditions as described in (a) and (b) below. Engine torque may be neglected in the other flight conditions.

(a) The limit torque corresponding to take-off power and propeller speed acting simultaneously with 75% of the limit loads from flight condition A. (See Figure 03–1.)

(b) The limit torque corresponding to maximum continuous power and propeller speed, acting simultaneously with the limit loads from flight condition A. (See Figure 03–1.)

The limit torque shall be obtained by multiplying the mean torque by a factor of 1.33 in the case of engines having 5 or more cylinders. For 4, 3, and 2 cylinder engines, the factors shall be 2, 3, and 4 respectively.

§ 03.2143 *Side load on engine mount.* The limit load factor in a lateral direction for this condition shall be at least equal to ⅓ of the limit load factor for flight condition A (see Figure 03–1) except that it shall not be less than 1.33. Engine mounts and their supporting structure shall be designed for this condition which may be assumed independent of other flight conditions.

§ 03.22 *Control surface loads.*

§ 03.220 *General.* The control surface loads specified in the following sections shall be assumed to occur in the symmetrical and unsymmetrical flight conditions as described in §§ 03.2113, 03.212, and 03.213. See Figures 03–3 to 03–10 for acceptable values of control surface loadings which are considered as conforming to the following detailed rational requirements.

§ 03.2201 *Pilot effort.* In the control surface loading conditions described, the airloads on the movable surfaces and the corresponding deflections need not exceed those which could be obtained in flight by employing the maximum pilot control forces specified in Figure 03–11. In applying this criterion, proper consideration shall be given to the effects of servo mechanisms, tabs, and automatic pilot systems in assisting the pilot.

§ 03.2202 *Trim tab effects.* The effects of trim tabs on the control surface design conditions need be taken into account only in cases where the surface loads are limited on the basis of maximum pilot effort. In such cases the tabs shall be considered to be deflected in the direction which would assist the pilot and the deflection shall correspond to the maximum expected degree of "out of trim" at the speed for the condition under consideration.

§ 03.221 *Horizontal tail surfaces.* The horizontal tail surfaces shall be designed for the following conditions.

§ 03.2211 *Balancing loads.* A horizontal tail balancing load is defined as that necessary to maintain the airplane in equilibrium in a specified flight condition with zero pitching acceleration. The horizontal tail surfaces shall be designed for the balancing loads occurring at any point on the limit maneuvering envelope, Figure 03–1, or in the flap conditions. The distribution of Figure 03–7 may be assumed.

§ 03.2212 *Maneuvering loads.* (a) At maneuvering speed, V_P, assume a sudden deflection of the elevator control to the maximum upward deflection as limited by the control stops or pilot effort, whichever is critical. The average loading of Fig. 03–3 and the distribution of Figure 03–8 may be used.

NOTE: In determining the resultant normal force coefficient for the tail under these conditions, it will be permissible to assume that the angle of attack of the stabilizer with respect to the resultant direction of air flow is equal to that which occurs when the airplane is in steady unaccelerated flight at a flight speed equal to V_P. The maximum elevator deflection can then be determined from the above criteria and the tail normal force coefficient can be obtained from the data given in NACA Restricted Report No. 688, "Aerodynamic Characteristics of Horizontal Tail Surfaces".

(b) Same as case (a) except that the elevator deflection is downward. The average loading of Figure 03–3 and the distribution of Figure 03–8 may be used.

(c) At all speeds above V_P, the horizontal tail shall be designed for the maneuvering loads resulting from a sudden upward deflection of the elevator, followed by a downward deflection of the elevator such that the following limit conditions of normal acceleration and angular acceleration are obtained:

Condition	Normal acceleration, n	Angular acceleration, radian/sec²
Down load	1.0	$+\frac{45}{V}n_m(n_m-1.5)$
Up load	n_m	$-\frac{45}{V}n_m(n_m-1.5)$

where

n_m = positive limit maneuvering load factor used in the design of the airplane.
V = initial pull-up speed in mph.

The total tail load for these conditions is the sum of the balancing tail load at speed, V, and the specified value of the normal load factor, n, and the maneuvering load increment due to the specified value of the angular acceleration. The maneuvering load increment of Fig. 03–4 and the distributions of Fig. 03–8 (for downloads) and Fig. 03–9 (for uploads) may be used.

§ 03.2213 *Gust loads.* The horizontal tail surfaces shall be designed for loads occurring in the following conditions: (a) Positive and negative gusts of 30 fps nominal intensity at speed, V_c, corresponding to flight condition § 03.2112 (a) with flaps retracted. The average loadings of Figure 03–5 and the distribution of Figure 03–9 may be used for the total tail loading in this condition. (b) Positive and negative gusts of 15 fps nominal intensity at speed, V_f, corresponding to flight condition § 03.212 (b) with flaps extended. In determining the total load on the horizontal tail for these conditions, the initial balancing tail loads shall first be determined for steady unaccelerated flight at the pertinent design speed, V_c or V_f. The incremental tail load resulting from the gust shall then be added

ACCEPTABLE VALUES OF LIMIT AVERAGE MANEUVERING CONTROL SURFACE LOADINGS CAN BE OBTAINED FROM FIGURE 03–3 (B) AS FOLLOWS

HORIZONTAL TAIL SURFACES

(1) Condition § 03.2212 (a): Obtain $\overline{W}$ as function of W/S and surface deflection;
Use Curve C for deflection 10° or less
Use Curve B for deflection 20°
Use Curve A for deflection 30° or more (Interpolate for other deflections)
Use distribution of Figure 03–8.

(2) Condition § 03.2212 (b): Obtain $\overline{W}$ from curve B. Use distribution of Figure 03–8.

VERTICAL TAIL SURFACES

(3) Condition § 03.2221 (a): Obtain $\overline{W}$ as function of W/S and surface deflection in same manner as outlined in (1) above, use distribution of Figure 03–8.

(4) Condition § 03.2221 (b): Obtain $\overline{W}$ from Curve C, use distribution of Figure 03–7.

(5) Condition § 03.2221 (c): Obtain $\overline{W}$ from Curve A, use distribution of Figure 03–9. (Note that condition § 03.2222 will generally be more critical than this condition.)

AILERONS

(6) In lieu of conditions (1), (2), and (3) of § 03.223, obtain $\overline{W}$ from Curve B, acting in both up and down directions. Use distribution of Figure 03–10.

FIGURE 03–3 (a).—Limit average maneuvering control surface loadings, PSF.

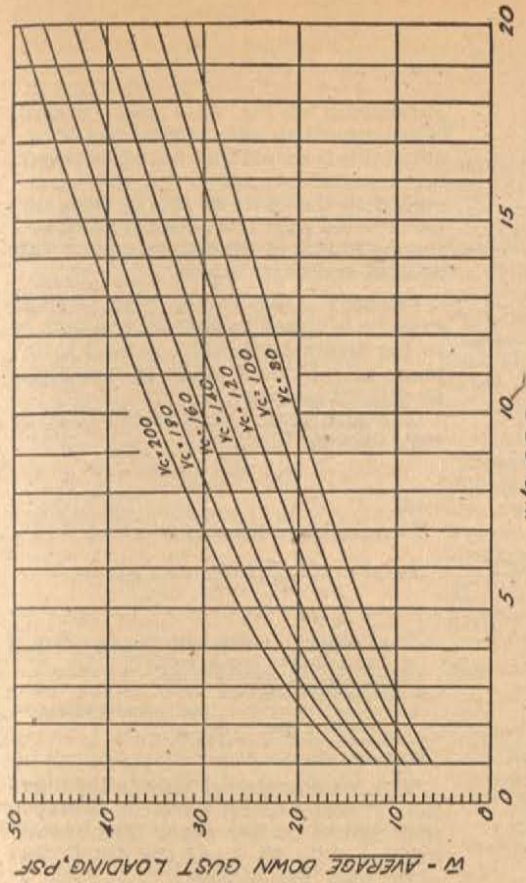


FIG. 03-5(a) - GUST LOADINGS ON HORIZONTAL TAIL SURFACE

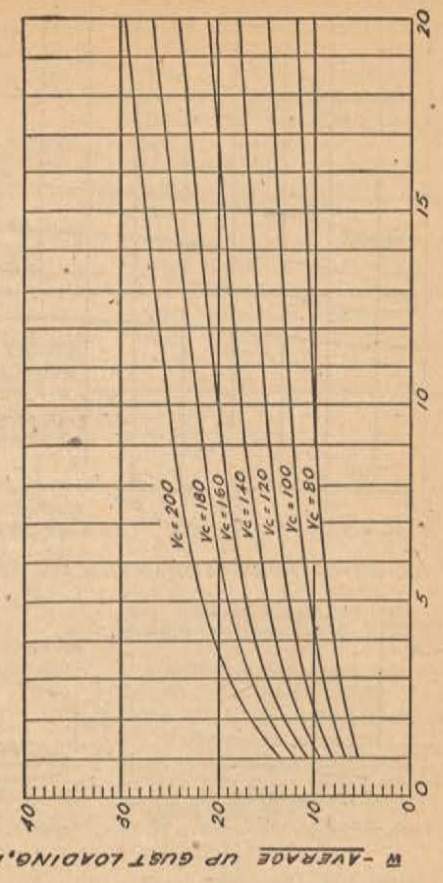


FIG. 03-5(b) - GUST LOADINGS ON HORIZONTAL TAIL SURFACE

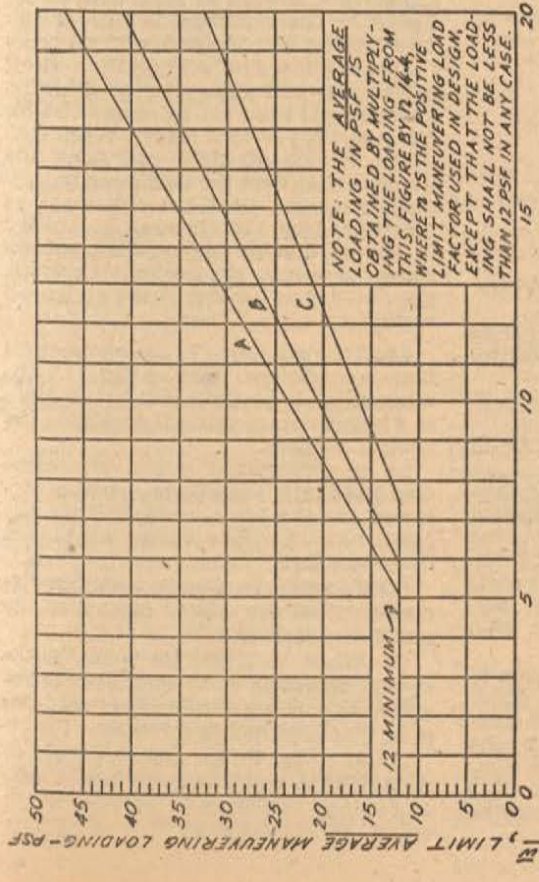


FIG 03-3(b) - LIMIT AVERAGE MANEUVERING CONTROL SURFACE LOADINGS, PSF

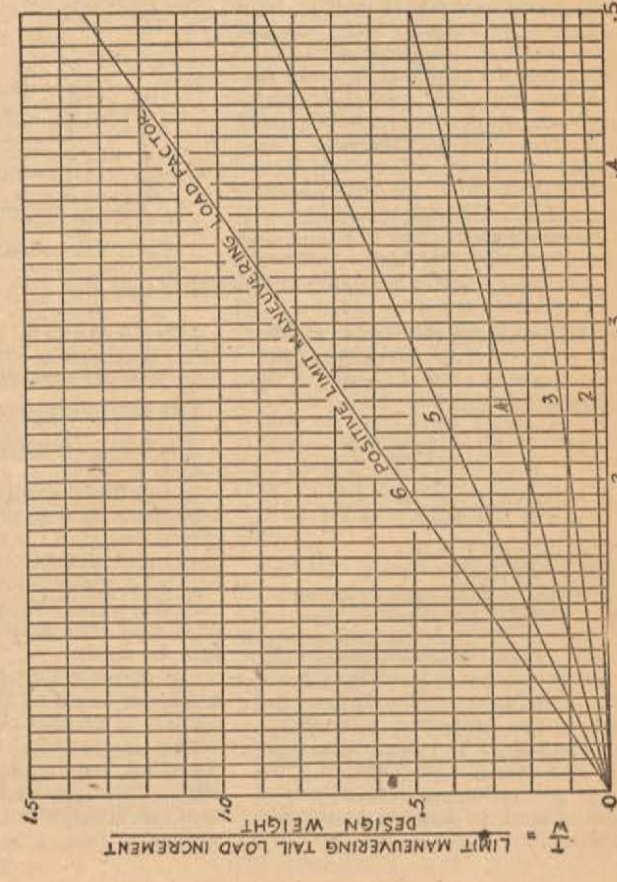


FIG. 03-4-MANEUVERING TAIL LOAD INCREMENT (REF. § 03.22(c))

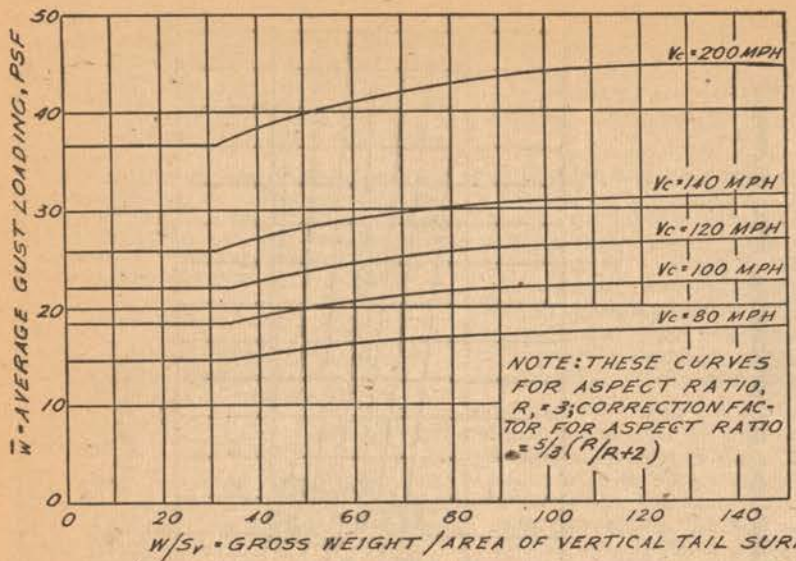


FIG. 03-6 - GUST LOADINGS ON VERTICAL TAIL SURFACE

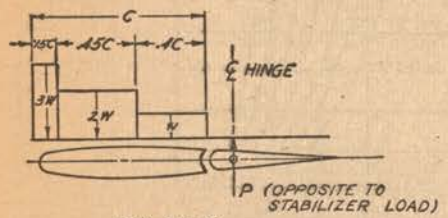


FIG. 03-7

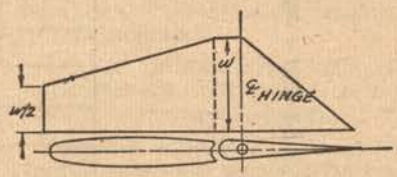


FIG. 03-8

NOTES:
(a) IN BALANCING CONDITIONS (03.2211) P = 10% OF NET BALANCING LOAD (FLAPS RETRACTED); P = 0 (FLAPS DEFLECTED)
(b) IN CONDITION 03.2221(b) P = 20% OF NET TAIL LOAD

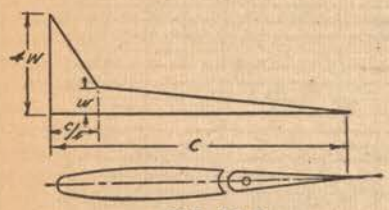


FIG. 03-9

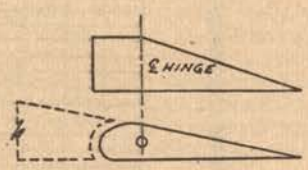


FIG. 03-10

FIGS. 03-7 TO 03-10 - CONTROL SURFACE LOAD DISTRIBUTIONS

to the initial balancing tail load to obtain the total tail load. The incremental tail load due to the gust may be computed by the following formula:

$$\Delta t = 0.1\ K\ U\ V\ S_t\ a_t\left(1-\frac{36}{R_w}\ a_w\right)$$

where

K = gust coefficient K in § 03.21120
Δt = the limit gust load increment on the tail in pounds
U = nominal gust intensity in fps
V = airplane velocity in mph
S_t = tail surface area in sq. ft.
a_t = slope of lift curve of tail surface, C_L per degree
a_w = slope of lift curve of wing, C_L per degree
R_w = aspect ratio of the wing

§ 03.2214 *Unsymmetrical loads.* The maximum horizontal tail surface loading (that is, load per unit area), as determined by the preceding subsections, shall be applied to the horizontal surfaces on one side of the plane of symmetry and the following percentages of that loading shall be applied on the opposite side:

100—10 (n—1) %, but not greater than 80%, where n is the specified positive maneuvering load factor.

§ 03.222 *Vertical tail surfaces.*

§ 03.2221 *Maneuvering loads.* At all speeds up to V_D:

(a) With the airplane in unaccelerated flight at zero yaw, assume a sudden displacement of the rudder control to the maximum deflection as limited by the control stops or pilot effort, whichever is critical. The average loading of Fig. 03–3 and the distribution of Fig. 03–8 may be used.

(b) Assume that the airplane yaws to a sideslip angle of 15°, while the rudder control is maintained at full deflection (except as limited by pilot effort) in the direction tending to increase the sideslip. The average loading of Fig. 03–3 and the distribution of Fig. 03–7 may be used.

(c) Assume that the airplane yaws to a sideslip angle of 15° while the rudder control is maintained in the neutral position (except as limited by pilot effort). The average loading of Fig. 03–3 and the distribution of Fig. 03–9 may be used. The assumed sideslip angles may be reduced if it is shown that the value chosen for a particular speed can not be exceeded in the cases of steady slips, uncoordinated rolls from a steep bank, and sudden failure of the critical engine with delayed corrective action.

§ 03.2222 *Gust loads.* The airplane shall be assumed to encounter a gust of 30 fps nominal intensity, normal to the plane of symmetry while in unaccelerated flight at speed, V_c.

The gust loading shall be computed by the following formula:

$$\overline{W}=\frac{K\ U\ V\ a}{575}$$

where

$\overline{W}$ = average limit unit pressure in psf

$K = 1.33-\frac{4.5}{\left(\frac{W}{S_v}\right)^{3/4}}$, except that K shall not be less than 1.0. A value of K obtained by rational determination may be used.

U = nominal gust intensity in fps
V = airplane speed in mph
a = slope of lift curve of vertical surface in radians corrected for aspect ratio
S_v = vertical surface area in sq. ft.
W = design weight in lbs.

This loading applies only to that portion of the vertical surfaces having a well-defined leading edge. The average loading of fig. 03–6 and the distribution of fig. 03–9 may be used.

§ 03.2223 *Outboard fins.* When outboard fins are carried on the horizontal tail surface, the tail surfaces shall be designed for the maximum horizontal surface load in combination with the corresponding loads induced on the vertical surfaces by end plate effects. Such induced effects need not be combined with other vertical surface loads. When outboard fins extend above and below the horizontal surface, the maximum vertical surface loading (load per unit area) as determined by § 03.222 shall be applied to the portion of the vertical surfaces above (or below) the horizontal surface, and 80% below (or above) the horizontal surface.

§ 03.223 *Ailerons.* In the symmetrical flight conditions (see § 03.211), the ailerons shall be designed for all loads to which they are subjected while in the neutral position.

In unsymmetrical flight conditions (see § 03.2131), the ailerons shall be designed for the loads resulting from the following deflections except as limited by pilot effort:

(1) At speed V_D, assume a sudden displacement of the aileron control to the maximum deflection.

(2) When V_c is greater than V_D, the aileron deflection at V_c shall be that required to produce a rate of roll not less than that obtained in condition (1).

(3) At speed, V_d, the aileron deflection shall be that required to produce a rate of roll not less than ⅓ of that which would be obtained at the speed and

aileron deflection specified in condition (1).

NOTE: For conventional ailerons, the deflections for conditions (2) and (3) may be computed from:

$$\delta_2 = \frac{V_p}{V_c}\delta_1; \text{ and } \delta_3 = \frac{0.5\ V_p}{V_d}\delta_1$$

where

δ_1 = total aileron deflection (sum of both aileron deflections in condition (1)).
δ_2 = total aileron deflection in condition (2).
δ_3 = total deflection in condition (3). In the equation for δ_3, the 0.5 factor is used instead of 0.33 to allow for wing torsional flexibility.

The critical loading on the ailerons should occur in conditions (2) if V_3 is less than 2 V_c and the wing meets the torsional stiffness criteria. The normal force coefficient, C_n, for the ailerons may be taken as 0.04 δ where δ is the deflection of the individual aileron in degrees. The critical condition for wing torsional loads will depend upon the basic airfoil moment coefficient as well as the speed and may be determined as follows:

$$\frac{T_3}{T_2} = \frac{(C - .01\delta_{3d})\ V_d^2}{(C_m - .01\delta_{2d})\ V_c^2}$$

where

T_3/T_2 is the ratio of wing torsion in condition (3) to that in condition (2)
δ_{2d} and δ_{3d} are the down deflections of the individual aileron in conditions (2) and (3) respectively.

When T_3/T_2 is greater than 1.0, condition (3) is critical; when T_3/T_2 is less than 1.0, condition (2) is critical. In lieu of the above rational conditions, the average loading of fig. 03–3 and the distribution of fig. 03–10 may be used.

§ 03.224 *Wing flaps.* Wing flaps, their operating mechanism, and supporting structure shall be designed for critical loads occurring in the Flap Extended Flight Conditions (see § 03.212) with the flaps extended to any position from fully retracted to fully extended. The effects of propeller slipstream corresponding to take-off power shall be taken into account at an airplane speed of not less than 1.4 V_s where V_s is the computed stalling speed with flaps fully retracted at the design weight.

§ 03.225 *Tabs.* Control surface tabs shall be designed for the most severe combination of airspeed and tab deflection likely to be obtained within the limit V–n diagram, figure 03–1, for any usable loading condition of the airplane.

§ 03.226 *Special devices.* The loading for special devices employing aerodynamic surfaces, such as slots and spoilers, shall be based on test data.

§ 03.23 *Control system loads.*

§ 03.230 *Primary flight controls and systems.* Flight control systems and supporting structures shall be designed for loads corresponding to 125% of the computed hinge moments of the movable control surface in the conditions prescribed in § 03.22, subject to the following maxima and minima:

(a) The system limit loads, need not exceed those which can be produced by the pilot or pilots and automatic devices operating the controls.

(b) The loads shall in any case be sufficient to provide a rugged system for service use, including consideration of jamming, ground gusts, taxiing tail to wind, control inertia, and friction.

Acceptable maximum and minimum pilot loads for elevator, aileron, and rudder controls are shown in figure 03–11. These pilot loads shall be assumed to act at the appropriate control grips or pads in a manner simulating flight conditions and to be reacted at the attachments to the control system to the control surface horn.

§ 03.2300 *Dual controls.* When dual controls are provided, the systems shall be designed for the pilots operating in opposition, using individual pilot loads equal of 75% of those obtained in accordance with § 03.230, except that the individual pilot loads shall not be less than the minimum loads specified in figure 03–11.

§ 03.231 *Ground gust conditions.* The following ground gust conditions are not mandatory except that they shall be investigated in cases where a deviation from the minimum control forces of figure 03–11 is desired. The following conditions are intended to simulate the loadings on control surfaces due to ground gusts and taxiing tail to wind.

The limit hinge moment, H, shall be obtained from the following formula:

$$H = Kc\ Sq$$

where
H = limit hinge moment (ft. lb.)
c = mean chord (ft) of the control surface aft of the hinge line
S = area of control surface (sq. ft) aft of the hinge line
q = dynamic pressure (psf) to be based on a design speed not less than $10\sqrt{W/S}+10$, mph, except that the design speed need not exceed 60 mph
K = factor as specified below:

Surface	*K*	*Remarks*
Aileron	+0.75	Control column locked or lashed in mid-position
	±0.50	Aileron sat full throw; + moment on one aileron, − moment on other

FIGURE 03–11—Pilot control force limits

Limit pilot loads

Control	Maximum load (for design weight, W, equal to or less than 5,000 lbs.[1]	Minimum load [2]
Aileron: Stick	67 lbs	40 lbs.
Wheel [3]	53 D in. lbs.[4]	40 D in. lbs.
Elevator: Stick	167 lbs	100 lbs.
Wheel	200 lbs	100 lbs.
Rudder	200 lbs	130 lbs.

[1] For design weights, W, greater than 5,000 lbs., the above specified maximum values shall be increased linearly with weight to 1.5 times the specified values, at a design weight of 25,000 lbs.
[2] In cases where the ground gust conditions of § 03.231 would give rise to lower control forces than the minimums specified in this figure, such lower values may be used except that they shall not be less than 0.6 of the above stated minimums.
[3] The critical portions of the aileron control system shall also be designed for a single tangential force having a limit value equal to 1.25 times the couple force determined from the above criteria.
[4] D = wheel diameter.

Surface	*K*	*Remarks*
Elevator	±0.75	Elevator (a) full up and (b) full down.
Rudder	±0.75	Rudder (a) in neutral and (b) at full throw.

As used above in connection with ailerons and elevators, a positive value of K indicates a moment tending to depress the surface while a negative value of K indicates a moment tending to raise the surface.

§ 03.232 *Secondary controls and systems.* Secondary controls, such as wheel brakes, spoilers, and tab controls, shall be designed for the loads based on the maximum which a pilot is likely to apply to the control in question.

§ 03.24 *Ground loads.* The loads specified in the following conditions shall be considered as the external loads and inertia forces that would occur in an airplane structure acting as a rigid body. In each of the ground loads conditions specified the external reactions shall be placed in equilibrium with the linear and angular inertia forces in a rational or conservative manner.

§ 03.240 *Design weight.* The design weight used in the landing conditions shall not be less than the maximum weight for which certification is desired: *Provided, however,* That for multi-engine airplanes meeting the one-engine inoperative climb requirement of § 03.123 (b), the airplane may be designed for a design landing weight which is less than the maximum design weight, if compliance is shown with the following sections of Part 04 in lieu of the corresponding requirements of this part: the ground load requirements of § 04.24, the shock absorption requirements of § 04.361 and its subsections, the wheel and tire requirements of §§ 04.363 and 04.364, and the fuel jettisoning system requirements of § 04.428.

§ 03.241 *Load factor for landing conditions.* In the following landing conditions the limit vertical inertia load factor at the center of gravity of the airplane shall be chosen by the designer but shall not be less than the value which would be obtained when landing the airplane with a descent velocity, in fps, equal to the following value:

$$V\ (\text{fps}) = 4.4\ (W/S)^{\frac{1}{4}}$$

except that the descent velocity need not exceed 10 fps and shall not be less than 7 fps. Wing lift not exceeding ⅔ of the weight of the airplane may be assumed to exist throughout the landing impact and may, if desired, be assumed to act through the airplane c. g. When such wing lift is assumed, the ground reaction load factor may be taken equal to the inertia load factor minus the ratio of the assumed wing life to the airplane weight. (See § 03.3612 for requirements concerning the energy absorption tests which determine the limit load factor corresponding to the required limit descent velocities.) In no case, however, shall the inertia load factor be used for design purposes be less than 2.67, nor shall the limit ground reaction load factor be less than 2.0, unless it is demonstrated that lower values of limit load factor will not be exceeded in taxiing the airplane over terrain having the maximum degree of roughness to be expected under intended service use at all speeds up to take-off speed.

§ 03.242 *Landing cases and attitudes.* For conventional arrangements of main and nose or main and tail wheels, the airplane shall be assumed to contact the ground at the specified limit vertical velocity in the following attitudes. (See Figure 03–12 for acceptable landing conditions which are considered to conform to the following landing conditions.)

§ 03.2421 *Level landing*—(a) *Tail wheel type.* Normal level flight attitude.

(b) *Nose wheel type.* Two cases shall be considered: (1) Nose and main

wheels contacting ground simultaneously, (2) main wheels contacting ground, nose wheel just clear of ground. (The angular attitude may be assumed the same as in (a) for purposes of analysis.)

In this condition, drag components simulating the forces required to accelerate the tires and wheels up to the landing speed shall be properly combined with the vertical ground reactions. The wheel spin-up drag loads may be based on vertical ground reactions assuming wing lift and a tire-sliding coefficient of friction of 0.8, but in any case the drag loads shall not be less than 25% of the vertical ground reactions neglecting wing lift.

§ 03.2422 *Tail down*—(a) *Tail wheel type.* Main and tail wheels contacting ground simultaneously.

(b) *Nose wheel type.* Stalling attitude or the maximum angle permitting clearance of the ground by all parts of the airplane, whichever is the lesser.

In this condition, it shall be assumed that the ground reactions are vertical, the wheels having been brought up to speed before the maximum vertical load is attained.

§ 03.2423 *One wheel landing.* One side of the main gear shall contact the ground with the airplane in the level attitude. The ground reactions shall be the same as those obtained on the one side in the level attitude. (See § 03.2421.)

Condition—Reference section	Tail wheel type		Nose wheel type		
	1 Level landing with inclined reactions—§ 03.2421	2 Tail down landing with vertical reactions—§ 03.2422	1 (a) Level landing with inclined reactions—§ 03.2421 (a)	1 (b) Level landing with nose wheel just clear of ground—§ 03.2421 (b)	2 Tail down landing with vertical reactions—§ 03.2422
Vertical component at C. G.	nW	nW	nW	nW	nW.
Fore and aft component at C. G.	KnW	0	KnW	KnW	0.
Lateral component in either direction at C. G.	0	0	0	0	0.
Shock absorber extension (hydraulic shock absorber).	Note (2)	Note (2)	Note (2)	Note (2)	Note (2).
Shock absorber deflection (rubber or spring shock absorber).	100%	100%	100%	100%	100%.
Tire deflection	Static	Static	Static	Static	Static.
Main wheel loads (both wheels) $\{V_t$	nW	NW b/d	nW b'/d'	nW	nW.
Main wheel loads (both wheels) $\{D_t$	KV_t	0	KV_t	KV_t	0.
Tail (nose) wheel loads $\{V_t$	0	nW a/d	nW a'/d'	0	0.
Tail (nose) wheel loads $\{D_t$	0	0	KV_t	0	0.
Notes	1 and 3		1	1 and 3	3.

Note (1) K may be determined as follows: K=0.25 for W=3,000 lbs. or less; K=0.33 for W=6,000 lbs. or greater, with linear variation of K between these weights.

Note (2) For the purpose of design, the maximum load factor shall be assumed to occur throughout the shock absorber stroke from 25% deflection to 100% deflection unless demonstrated otherwise, and the load factor shall be used with whatever shock absorber extension is most critical for each element of the landing gear.

Note (3) Unbalanced moments shall be balanced by a rational or conservative method.

FIGURE 03-12 (a)—Basic landing conditions.

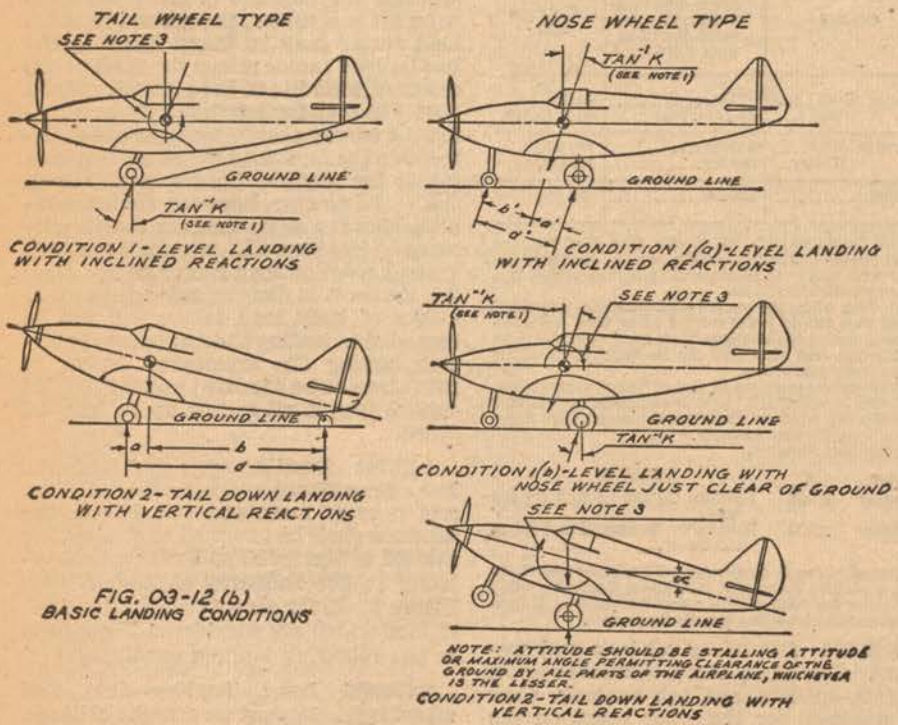


FIG. 03-12 (b)
BASIC LANDING CONDITIONS

§ 03.243 *Ground roll conditions.*

§ 03.2431 *Braked roll.* The limit vertical load factor shall be 1.33. The attitude and ground contacts shall be those described for level landings in § 03.2421, with the shock absorbers and tires deflected to their static positions. A drag reaction equal to the vertical reaction at the wheel multiplied by a coefficient of friction of 0.8 shall be applied at the ground contact point of each wheel having brakes, except that the drag reaction need not exceed the maximum value based on limiting brake torque.

§ 03.2432 *Side load.* Level attitude with main wheels only contacting the ground, with the shock absorbers and tires deflected to their static positions. The limit vertical load factor shall be 1.33 with the vertical ground reaction divided equally between main wheels. The limit side inertia factor shall be 0.83 with the side ground reaction divided between main wheels as follows:

0.5W acting inboard on one side.
0.33W acting outboard on the other side.

§ 03.244 *Supplementary conditions for tail wheels.*

§ 03.2441 *Obstruction load.* The limit ground reaction obtained in the tail down landing condition shall be assumed to act up and aft through the axle at 45°. The shock absorber and tire may be assumed deflected to their static positions.

§ 03.2442 *Side load.* A limit vertical ground reaction equal to the static load on the tail wheel, in combination with a side component of equal magnitude. When a swivel is provided, the tail wheel shall be assumed swiveled 90° to the airplane longitudinal axis, the resultant ground load passing through the axle. When a lock steering device or shimmy damper is provided, the tail wheel shall also be assumed in the trailing position with the side load acting at the ground contact point. The shock absorber and tire may be assumed deflected to their static positions.

§ 03.245 *Supplementary conditions for nose wheels.*

§ 03.2451 *Aft load.* Limit force components at axle:

Vertical—2.25 times static load on wheel.
Drag—0.8 times vertical load.

§ 03.2452 *Forward load.* Limit force components at axle:

Vertical—2.25 times static load on wheel.
Forward—0.4 times vertical load.

§ 03.2453 *Side load.* Limit force components at ground contact:

Vertical—2.25 times static load on wheel.
Side—0.7 times vertical load.

§ 03.246 *Supplementary conditions for skiplanes.* The airplane should be assumed resting on the ground with one main ski frozen in the snow and the other main ski and the tail ski free to slide. A limit side force P/3 shall be applied at the most convenient point near the tail assembly, where P is the static ground reaction on the tail ski.

§ 03.25 *Water loads.* The following requirements shall apply to the entire airplane, but have particular reference to hull structure, wing, nacelles, and float supporting structure.

§ 03.250 *Design weight.* The design weight used in the water landing conditions shall not be less than the maximum weight for which certification is desired for any operation.

§ 03.251 *Landing with inclined reactions (float seaplanes).* The vertical component of the limit load factor shall be 4.2 except that it need not exceed a value given by the following formula:

$$n=3.0+0.133\ (W/S)$$

The propeller axis (or equivalent reference line) shall be assumed to be horizontal and the resultant water reaction to be acting in the plane of symmetry and passing through the center of gravity of the airplane, but inclined so that its horizontal component is equal to ¼ of its vertical component. The forces representing the weights of and in the airplane shall be assumed to act in a direction parallel to the water reaction.

§ 03.2510 *Factors of safety.* For the design of float attachment members, including the members necessary to complete a rigid brace truss through the fuselage, the factor of safety shall be 1.85. For the remaining structural members, the factor of safety shall be 1.5.

§ 03.252 *Landing with vertical reactions (float seaplanes).* The limit load factor shall be 4.33 acting vertically, except that it need not exceed a value given by the following formula:

$$n=3.0+0.133\ (W/S)$$

The propeller axis (or equivalent reference line) shall be assumed to be horizontal, and the resultant water reaction to be vertical and passing through the center of gravity of the airplane.

§ 03.2520 *Factors of safety.* The factors of safety shall be the same as those specified in § 03.2510.

§ 03.253 *Landing with side load (float seaplanes).* The vertical component of the limit load factor shall be 4.0. The propeller axis (or equivalent reference line) shall be assumed to be horizontal and the resultant water reaction shall be assumed to be in the vertical plane which passes through the center of gravity of the airplane and is perpendicular to the propeller axis. The vertical load shall be applied through the keel or keels of the float or floats and evenly divided between the floats when twin floats are used. A side load equal to ¼ of the vertical load shall be applied along a line approximately half-way between the bottom of the keel and the level of the water line at rest. When twin floats are used, the entire side load specified shall be applied to the float on the side from which the water reaction originates.

§ 03.254 *Boat seaplanes.*

§ 03.2540 *Local bottom pressures*—(a) *Maximum local pressure.* The maximum value of the limit local pressure shall be determined from the following equation:

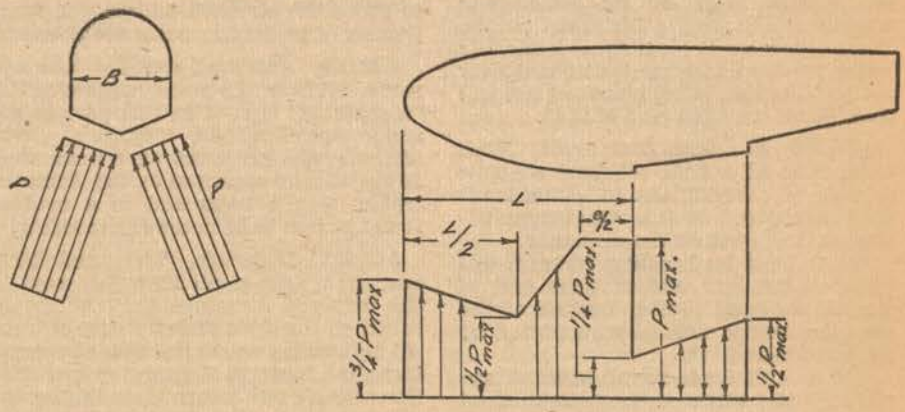
$$P_{max}=0.055\ V_{s0}^{1.4}\left(1+\frac{W}{50,000}\right)^{0.25}$$

where
P = pressure in psi
V_{s0} = stalling speed, flaps down, power off, in mph (to be calculated on the basis of wind tunnel data or flight tests on previous airplanes)
W = design weight

(b) *Variation in local pressure.* The local pressures to be applied to the hull bottom shall vary in accordance with Figure 03–13. No variation from keel to chine (beamwise) shall be assumed, except when the chine flare indicates the advisability of higher pressures at the chine.

(c) *Application of local pressure.* The local pressures determined in (a) and (b) shall be applied over a local area in such a manner as to cause the maximum local loads in the hull bottom structure.

§ 03.2541 *Distributed bottom pressures.* (a) For the purpose of designing frames, keels, and chine structure, the limit pressures obtained from § 03.2540 and Figure 03–13 shall be reduced to ½ the local values and simultaneously applied over the entire hull bottom. The loads so obtained shall be carried into the sidewall structure of the hull proper, but need not be transmitted in a fore-and-aft direction as shear and bending loads.



DISTRIBUTION OF LOCAL PRESSURES
BOAT SEAPLANES

FIG. 03-13

(b) *Unsymmetrical loading.* Each floor member or frame shall be designed for a load on one side of the hull centerline equal to the most critical symmetrical loading, combined with a load on the other side of the hull centerline equal to ½ of the most critical symmetrical loading.

§ 03.2542 *Step loading condition*—(a) *Application of load.* The resultant water load shall be applied vertically in the plane of symmetry so as to pass through the center of gravity of the airplane.

(b) *Acceleration.* The limit acceleration shall be 4.33.

(c) *Hull shear and bending loads.* The hull shear and bending loads shall be computed from the inertia loads produced by the vertical water load. To avoid excessive local shear loads and bending moments near the point of water load application, the water load may be distributed over the hull bottom, using pressures not less than those specified in § 03.2541.

§ 03.2543 *Bow loading condition*—(a) *Application of load.* The resultant water load shall be applied in the plane of symmetry at a point 1/10 of the distance from the bow to the step and shall be directed upward and rearward at an angle of 30° from the vertical.

(b) *Magnitude of load.* The magnitude of the limit resultant water load shall be determined from the following equation:

$$P_b=\tfrac{1}{2}n_s\ W_e.$$

where P_b = the load in lbs.
n_s = the step landing load factor.
W_e = an effective weight which is assumed equal to ½ the design weight of the airplane.

(c) *Hull shear and bending loads.* The hull shear and bending loads shall be determined by proper consideration of the inertia loads which resist the linear and angular accelerations involved. To avoid excessive local shear loads, the water reaction may be distributed over the hull bottom, using pressures not less than those specified in § 03.2541.

§ 03.2544 *Stern loading condition*—(a) *Application of load.* The resultant water load shall be applied vertically in the plane of symmetry and shall be distributed over the hull bottom from the second step forward with an intensity equal to the pressures specified in § 03.254.

(b) *Magnitude of load.* The limit resultant load shall equal ¾ of the maximum design weight of the airplane.

(c) *Hull shear and bending loads.* The hull shear and bending loads shall be determined by assuming the hull structure to be supported at the wing attachment fittings and neglecting internal inertia loads. This condition need not be applied to the fittings or to the portion of the hull ahead of the rear attachment fittings.

§ 03.2545 *Side loading condition*—(a) *Application of load.* The resultant water load shall be applied in a vertical plane through the center of gravity. The vertical component shall be assumed to act in the plane of symmetry and horizontal component at a point half-way between the bottom of the keel and the load waterline at design weight (at rest).

(b) *Magnitude of load.* The limit vertical component of acceleration shall be 3.25 and the side component shall be equal to 15% of the vertical component.

(c) *Hull shear and bending loads.* The hull shear and bending loads shall be determined by proper consideration of the inertia loads or by introducing couples at the wing attachment points. To avoid excessive local shear loads, the water reaction may be distributed over the hull bottom, using pressures not less than those specified by § 03.2541.

§ 03.255 *Seaplane float loads.* Each main float of a float seaplane shall be capable of carrying the following loads when supported at the attachment fittings as installed on the airplane:

(a) A limit load, acting upward, applied at the bow end of float and of magnitude equal to that portion of the airplane weight normally supported by the particular float.

(b) A limit load, acting upward, applied at the stern of magnitude equal to 0.8 times that portion of the airplane gross weight normally supported by the particular float.

(c) A limit load, acting upward, applied at the step and of magnitude equal to 1.5 times that portion of the airplane weight normally supported by the particular float.

§ 03.2550 *Seaplane float bottom loads.* Main seaplane float bottoms shall be designed to withstand the following loads:

(a) A limit load of at least 10 psi over that portion of the bottom lying between the first step and a section 25% of the distance from the step to the bow.

(b) A limit load of at least 5 psi over that portion of the bottom lying between the section 25% of the distance from the step to the bow and a section 75% of the distance from the step to the bow.

(c) A limit load of at least 3 psi over that portion of the bottom aft of the step (aft of main step if more than one step is used).

§ 03.256 *Wing tip float loads.* Wing tip floats and their attachment, including the wing structure, shall be analyzed for each of the following conditions:

(a) A limit load acting vertically up at the completely submerged center of buoyancy and equal to 3 times the completely submerged displacement.

(b) A limit load inclined upward at 45° to the rear and acting through the completely submerged center of buoyancy and equal to 3 times the completely submerged displacement.

(c) A limit load acting parallel to the water surface (laterally) applied at the center of area of the side view and equal to 1.5 times the completely submerged displacement.

§ 03.2560 The primary wing structure shall incorporate sufficient extra strength to insure that failure of wing-tip float attachment members occurs before the wing structure is damaged.

§ 03.257 *Seawing loads.* Seawing design loads shall be based on suitable test data.

§ 03.3 *Design and construction.*

§ 03.30 *General.* The airplane shall not incorporate design features or details which experience has shown to be hazardous or unreliable. The suitability of all questionable design details or parts having an important bearing on safety in operation shall be established by tests. Minimum tests required to prove the strength and proper functioning of particular parts are specified.

§ 03.300 *Approved specifications and parts.* Where the word "approved" or "acceptable" is used in this part to describe specifications, materials, parts, methods, and processes, such items shall be specifically approved by the Administrator upon a basis and in a manner found by him to be necessary to safety.

§ 03.301 *Materials.* The suitability and durability of all materials used in the airplane structure shall be established on the basis of experience or tests. All materials used in the airplane structure shall conform to approved specifications which will insure their having the strength and other properties assumed in the design data.

§ 03.302 *Fabrication methods.* The methods of fabrication employed in constructing the airplane structure shall be such as to produce a uniformly sound structure. When a fabrication process such as gluing, spot-welding, or heat-treating requires close control to attain this objective, the process shall be performed in accordance with an approved process specification.

§ 03.3020 *Standard fastenings.* All bolts, pins, screws, and rivets used in the structure shall be of an approved type. The use of an approved locking device or method is required for all such bolts, pins, and screws. Self-locking nuts shall not be used on bolts subject to rotation in operating the airplane.

§ 03.303 *Protection.* All members of the structure shall be suitably protected against deterioration or loss of strength in service due to weathering, corrosion, abrasion, or other causes. In seaplanes, special precaution shall be taken against corrosion from salt water, particularly where parts made from different metals are in close proximity. Adequate provisions for ventilation and drainage shall be made.

§ 03.304 *Inspection provisions.* Adequate means shall be provided to permit the close examination of such parts of the airplane as require periodic inspection, adjustments for proper alignment and functioning, and lubrication of moving parts.

§ 03.31 *Structural parts.*

§ 03.310 *Material strength properties and design values.* Material strength properties shall be based on a sufficient number of tests of material conforming to specifications to establish design values on a statistical basis. The design values shall be so chosen that the probability of any structure being understrength because of material variations is extremely remote. ANC–5 [1] values and ANC–18 [1] shall be used unless shown to be inapplicable in a particular case.

§ 03.311 *Special factors.* Where there may be uncertainty concerning the actual strength of particular parts of the structure, or where the strength is likely to deteriorate in service prior to normal replacement, increased factors of safety shall be provided to insure that the reliability of such parts is not less than the rest of the structure as specified in the following sections.

§ 03.3110 *Variability factor.* For parts whose strength is subject to appreciable variability due to uncertainties in manufacturing processes and inspection methods, the factor of safety shall be increased sufficiently to make the probability of any part being understrength from this cause extremely remote. Minimum variability factors (only the highest pertinent variability factor need be considered) are as follows.

§ 03.31100 *Castings.* (a) Where visual inspection only is to be employed, the variability factor shall be 2.0.

(b) The variability factor may be reduced to 1.25 for ultimate loads and 1.15 for limit loads when at least three sample castings are tested to show compliance with these factors, and all sample and production castings are visually and radiographically inspected in accordance with an approved inspection specification.

(c) Other inspection procedures and variability factors may be used if approved by the Administrator.

§ 03.3111 *Bearing factors.* The factor of safety in bearing at bolted or pinned joints shall be suitably increased to provide for the following conditions: (Values in ANC–5 are acceptable.)

(a) Relative motion in operation. (Control surface and system joints are covered in § 03.34 and § 03.35.)

(b) Joints with clearance (free fit) subject to pounding or vibration.

Bearing factors need not be applied when covered by other special factors.

§ 03.3112 *Fitting factor.* Fittings are defined as parts such as end terminals used to join one structural member to another. A multiplying factor of safety of at least 1.15 shall be used in the analysis of all fittings whose strength is not proven by limit and ultimate load tests in which the actual stress conditions are simulated in the fitting and the surrounding structure. This factor applies to all portions of the fitting, the means of attachment, and bearing on the members joined. In the case of integral fittings, the part shall be treated as a fitting up to the point where the section properties become typical of the member.

[1] ANC–5, "Strength of Aircraft Elements" and ANC–18, "Design of Wood Aircraft Structures" are published by the Army-Navy-Civil Committee on Aircraft Design Criteria and may be obtained from the Government Printing Office, Washington, D. C., for $0.35 and $0.75 respectively.

The fitting factor need not be applied where a type of joint design based on comprehensive test data is used. The following are examples: Continuous joints in metal plating, welded joints, and scarf joints in wood, all made in accordance with approved practices.

§ 03.312 *Fatigue strength.* The structure shall be designed insofar as practicable, to avoid points of stress concentration where variable stresses above the fatigue limit are likely to occur in normal service.

§ 03.32 *Flutter and vibration prevention measures.* Wings, tail, and control surfaces shall be free from flutter, airfoil divergence, and control reversal from lack of rigidity, for all conditions of operation within the limit V-n envelope, and the following detail requirements shall apply:

(a) Adequate wing torsional rigidity shall be demonstrated by tests or other methods suitable to the Administrator.

(b) The mass balance of surfaces shall be such as to preclude flutter.

(c) The natural frequencies of all main structural components shall be determined by vibration tests or other methods satisfactory to the Administrator in doubtful cases.

§ 03.33 *Wings.*

§ 03.330 *Proof of strength.* The strength of stressed-skin wings shall be substantiated by load tests or by combined structural analysis and tests.

§ 03.3300 *Ribs.* The strength of ribs in other than stressed-skin wings shall be proved by test to at least 125% of the ultimate loads for the most severe loading conditions, unless a rational load analysis and test procedure is employed and the tests cover the variability of the particular type of construction.

The effects of ailerons and high lift devices shall be properly accounted for. Rib tests shall simulate conditions in the airplane with respect to torsional rigidity of spars, fixity conditions, lateral support, and attachment to spars.

§ 03.331 *External bracing.* When wires are used for external lift bracing they shall be double unless the design provides for a lift-wire-cut condition. Rigging loads shall be taken into account in a rational or conservative manner. The end connections of brace wires shall be such as to minimize restraint against bending or vibration. When brace struts of large fineness ratio are used, the aerodynamic forces on such struts shall be taken into account.

§ 03.332 *Covering.* Strength tests of fabric covering are required unless approved grades of cloth, methods of support, attachment, and finishing are employed. Special tests may be required when it appears necessary to account for the effects of unusually high design airspeeds, slipstream velocities, or other unusual conditions.

§ 03.34 *Control surfaces (fixed and movable.)*

§ 03.341 *Proof of strength.* Limit load tests of control surfaces are required. Such tests shall include the horn or fitting to which the control system is attached. In structural analyses, rigging loads due to wire bracing shall be taken into account in a rational or conservative manner.

§ 03.342 *Installation.* Movable tail surfaces shall be so installed that there is no interference between the surfaces or their bracing when each is held in its extreme position and all others are operated through their full angular movement. When an adjustable stabilizer is used, stops shall be provided which will limit its travel, in the event of failure of the adjusting mechanism, to a range equal to the maximum required to trim the airplane in accordance with § 03.132.

§ 03.343 *Hinges.* Control surface hinges, excepting ball and roller bearings, shall incorporate a multiplying factor of safety of not less than 6.67 with respect to the ultimate bearing strength of the softest material used as a bearing. For hinges incorporating ball or roller bearings, the approved rating of the bearing shall not be exceeded. Hinges shall provide sufficient strength and rigidity for loads parallel to the hinge line.

§ 03.35 *Control systems.*

§ 03.350 *General.* All controls shall operate with sufficient ease, smoothness, and positiveness to permit the proper performance of their function and shall be so arranged and identified as to provide satisfactory convenience in operation and prevent the possibility of confusion and subsequent inadvertent operation. (See § 03.3802 for cockpit controls.)

§ 03.351 *Primary flight controls.* Primary flight controls are defined as those used by the pilot for the immediate control of the pitching, rolling, and yawing of the airplane.

For two-control airplanes the design shall be such as to minimize the likelihood of complete loss of the lateral-directional control in the event of failure of any connecting or transmitting element in the control system.

§ 03.352 *Trimming controls.* Proper precautions shall be taken against the possibility of inadvertent, improper, or abrupt tab operations. Means shall be provided adjacent to the control to indicate to the pilot the direction of control movement relative to airplane motion and the position of the trim device with respect to the range of adjustment. Trimming devices shall be capable of continued normal operation in spite of the failure of any one connecting or transmitting element in the primary flight control system. Tab controls shall be irreversible unless the tab is properly balanced and investigated for flutter. Irreversible tab systems shall provide adequate rigidity and reliability in the position of the system from the tab to the attachment of the irreversible unit to the airplane structure.

§ 03.353 *Wing flap controls.* The controls shall be such that when the flap has been placed in any position upon which compliance with the performance requirements is based, the flap will not move from that position except upon further adjustment of the control. Means shall be provided to indicate the flap position to the pilot. If any flap position other than fully retracted or extended is used to show compliance with the performance requirements, such means shall indicate each such position.

The time required to extend fully or to retract flaps shall not be less than 15 seconds unless it is demonstrated that the operation of the flaps in a lesser time does not result in unsatisfactory flight characteristics. (See §§ 03.13101 and 03.13102.)

§ 03.3530 *Flap interconnection.* The motion of flaps on opposite sides of the plane of symmetry shall be synchronized by a mechanical interconnection unless another means of interconnection is employed and shown to provide equivalent reliability, or the airplane is demonstrated to have safe flight characteristics while the flaps are retracted on one side and extended on the other.

Where an interconnection is used, it shall, in the case of multiengined airplanes, be designed to account for the unsymmetrical loads resulting from flight with the engines on one side of the plane of symmetry inoperative and the remaining engines at take-off power. For single engined airplanes, it may be assumed that 100% of the critical airload acts on one side and 70% on the other.

§ 03.354 *Stops.* All control systems shall be provided with stops which positively limit the range of motion of the control surfaces. Stops shall be so located in the system that wear, slackness, or take-up adjustments will not appreciably affect the range of surface travel. Stops shall be capable of withstanding the loads corresponding to the design conditions for the control system.

§ 03.355 *Control system locks.* When a device is provided for locking a control surface while the airplane is on the ground or water:

(a) The locking device shall be so installed as to provide unmistakeable warning to the pilot when it is engaged.

(b) Means shall be provided to preclude the possibility of the lock becoming engaged during flight.

§ 03.356 *Proof of strength.* Tests are required to prove compliance with limit load requirements. The direction of test loads shall be such as to produce the most severe loading of the control system structure. The tests shall include all fittings, pulleys, and brackets used to attach the control system to the primary structure. Analyses or individual load tests shall be conducted to demonstrate compliance with the multiplying factor of safety requirements specified for control system joints subjected to angular motion.

§ 03.3560 *Operation test.* An operation test shall be conducted by operating the controls from the pilot's compartment with the entire system so loaded as to correspond to the limit air loads on the surface. In this test there shall be no

jamming, excessive friction, or excessive deflection.

§ 03.357 *Control system details.*

§ 03.3570 *General.* All control systems and operating devices shall be so designed and installed as to prevent jamming, chafing, or interference as a result of inadequate clearances or from cargo, passengers, or loose objects. Special precautions shall be provided in the cockpit to prevent the entry of foreign objects into places where they might jam the controls. Provisions shall be made to prevent the slapping of cables or tubes against parts of the airplane.

§ 03.3571 *Cable systems.* Cables, cable fittings, turnbuckles, splices, and pulleys shall be in accordance with approved specifications. Cables smaller than 1/8 inch diameter shall not be used in primary control systems. The design of cable systems shall be such that there will not be hazardous change in cable tension throughout the range of travel under operating conditions and temperature variations. Pulley types and sizes shall correspond to the cables with which they are used, as specified on the pulley specification. All pulleys shall be provided with satisfactory guards which shall be closely fitted to prevent the cables becoming misplaced, or fouling even when slack. The pulleys shall lie in the plane passing through the cable within such limits that the cable does not rub against the pulley flange. Fairleads shall be so installed that they are not required to cause a change in cable direction of more than 3°. Clevis pins (excluding those not subject to load or motion) retained only by cotter pins shall not be employed in the control system. Turnbuckles shall be attached to parts having angular motion in such a manner as to positively prevent binding throughout the range of travel. Provisions for visual inspection shall be made at all fairleads, pulleys, terminals, and turnbuckles.

§ 03.3572 *Joints.* Control system joints subjected to angular motion in push-pull systems, excepting ball and roller bearings systems, shall incorporate a multiplying factor of safety of not less than 3.33 with respect to the ultimate bearing strength of the softest material used as a bearing. This factor may be reduced to 2.0 for such joints in cable control systems. For ball or roller bearings the approved rating of the bearing shall not be exceeded.

§ 03.3573 *Spring devices.* The reliability of any spring devices used in the control system shall be established by tests simulating service conditions unless it is demonstrated that failure of the spring will not cause flutter or unsafe flight characteristics.

§ 03.36 *Landing gear.*

§ 03.361 *Shock absorbers.* Main, nose, and tail wheel units shall incorporate shock absorbing elements which shall be substantiated by the tests specified in the following subsection. In addition, the shock absorbing abiiity of the landing gear in taxiing must be demonstrated in the operational tests of § 03.143.

§ 03.3610 *Shock absorption tests.* (a) It shall be demonstrated by energy absorption tests that the limit load factors selected for design in accordance with § 03.241 would not be exceeded in landings with the limit descent velocity specified in that section.

(b) In addition, a reserve of energy absorption shall be demonstrated by a test in which the descent velocity is at least 1.2 times the limit descent velocity. In this test there shall be no failure of the shock absorbing unit, although yielding of the unit will be permitted. Wing lift equal to the weight of the airplane may be assumed for purposes of this test.

§ 03.3611 *Limit drop tests.* If compliance with the specified limit landing conditions of § 03.3610 (a) is demonstrated by free drop tests, these shall be conducted on the complete airplane, or on units consisting of wheel, tire, and shock absorber in their proper relation, from free drop heights not less than the following:

$$h(\text{inches}) = 3.6\ (W/S)^{0.5}$$

except that the free drop height shall not be less than 9.2 inches and need not be greater than 18.7 inches.

If it is desired to simulate the permissible wing lift in free drop tests, the landing gear unit shall be dropped with an effective mass equal to:

$$W_e = W\frac{h+(1-L)d}{h+d}$$

where

W_e = the effective weight to be used in the drop test

h = specified height of drop in inches

d = deflection under impact of the tire (at the approved inflation pressure) plus the vertical component of the axle travel relative to the drop mass. The value of d used in the computation of W_e shall not exceed the value actually obtained in the drop tests.

$W = W_M$ for main gear units, equal to the static weight on the particular unit with the airplane in the level attitude (with the nose wheel clear, in the case of nose wheel type airplanes).

$W = W_T$ for tail gear units, equal to the static weight on the tail unit with the airplane in the tail down attitude.

$W = W_N$ for nose wheel units, equal to the static reaction which would exist at the nose wheel, assuming the mass of the airplane concentrated at the center of gravity and exerting a force of 1.0g downward and 0.33g forward.

L = ratio of assumed wing lift to airplane weight, not greater than 0.667.

The attitude in which the landing gear unit is drop tested shall be such as to simulate the airplane landing condition which is critical from the standpoint of energy to be absorbed by the particular unit.

§ 03.3612 *Limit load factor determination.* In determining the limit airplane inertia load factor, n, from the free drop tests described above, the following formula shall be used:

$$n = \frac{n_j W_e}{W} + L$$

where:

n_j = the load factor developed in the drop test, i. e., the acceleration (dv/dt) in g's recorded in the drop test, plus 1.0.

The value of n so determined shall not be greater than the limit inertia load factor used in the landing conditions, § 03.241.

§ 03.3613 *Reserve energy absorption drop tests.* If compliance with the reserve energy absorption condition specified in § 03.3610 (b) is demonstrated by free drop tests, the drop height shall be not less than 1.44 times the drop height specified in § 03.3611. If it is desired to simulate wing lift equal to the airplane weight, the units shall be dropped with an effective mass equal to

$$W_e = W\frac{h}{h+d}$$

where the symbols and other details are the same as in § 03.3611.

§ 03.362 *Retracting mechanism.* The landing gear retracting mechanism and supporting structure shall be designed for the maximum load factors in the flight conditions when the gear is in the retracted position. It shall also be designed for the combination of friction, inertia, brake torque, and air loads occurring during retraction at any airspeed up to 1.6 V_{s_1}, flaps retracted and any load factors up to those specified for the flaps extended condition, § 03.212. The landing gear and retracting mechanism, including the wheel well doors, shall withstand flight loads with the landing gear extended at any speed up to the maximum speed in level flight at maximum continuous power or V_c whichever is lower. Positive means shall be provided for the purpose of maintaining the wheels in the extended position.

§ 03.3620 *Emergency operation.* When other than manual operation of the landing gear is employed, an auxiliary means of extending the landing gear shall be provided.

§ 03.3621 *Operation test.* Proper functioning of the landing gear retracting mechanism shall be demonstrated by operation tests.

§ 03.3622 *Position indicator and warning device.* When retractable landing wheels are used, means shall be provided for indicating to the pilot when the wheels are secured in either extreme position. In addition, landplanes shall be provided with an aural warning device or a warning device which the Administrator finds to be equally effective, which shall function continuously after the throttle is closed until the gear is down and locked.

§ 03.3623 *Control.* (See § 03.3802.)

§ 03.363 *Wheels.* Main landing gear wheels (i. e., those nearest the airplane center of gravity) shall be of an approved type in accordance with Part 15. The rated static load of each main wheel shall not be less than the design weight for ground loads (§ 03.240) divided by the number of main wheels. Nose wheels shall be tested in accordance with Part 15 for an ultimate radial load not less than the maximum nose wheel ultimate loads obtained in the ground loads requirements, and for the corresponding side and burst loads specified in Part 15 of this chapter.

§ 03.364 *Tires.* A landing gear wheel may be equipped with any make or type

of tire, provided that the tire is a proper fit on the rim of the wheel and provided that the approved tire rating is not exceeded under the following conditions:

(a) Load on main wheel tires equal to the airplane weight divided by the number of wheels.

(b) Load on nose wheel tires (to be compared with the dynamic rating established for such tires) equal to the reaction obtained at the nose wheel, assuming the mass of the airplane concentrated at the center of gravity and exerting a force of 1.0 downward and 0.31g forward, the reactions being distributed to the nose and main wheels by the principle of statics with the drag reaction at the ground applied only at those wheels having brakes. When specially constructed tires are used to support an airplane, the wheels shall be plainly and conspicuously marked to that effect. Such markings shall include the make, size, number of plies, and identification marking of the proper tire.

Approved ratings are those assigned by the Tire and Rim Association or by the Administrator.

§ 03.365 *Brakes.* Brakes shall be installed which are adequate to prevent the airplane from rolling on a paved runway while applying take-off power to the critical engine, and of sufficient capacity to provide adequate speed control during taxiing without the use of excessive pedal or hand forces.

§ 03.366 *Skis.* Skis shall be approved in accordance with the ski requirements of Part 15. The approved rating of the skis shall not be less than the maximum weight of the airplane on which they are installed.

§ 03.3660 *Installation.* When type certificated skis are installed, the installation shall be made in accordance with the ski or airplane manufacturer's recommendations which shall have been approved by the Administrator. When other than type certificated skis are installed, data shall be submitted to the Administrator showing a dimensional drawing of the proposed method of attaching the skis, the sizes and materials of the restraining members, and attachment fittings.

In addition to such shock cord(s) as may be provided, front and rear check cables shall be used on skis not equipped with special stabilizing devices.

§ 03.3661 *Tests.* (a) If the airplane is of a model not previously approved with the specific ski installation, it shall satisfactorily pass a ground inspection of the installation, demonstrate satisfactory landing and taxiing characteristics, and comply with such flight tests as may be deemed necessary to indicate that the airplane's flight characteristics are satisfactory with the skis installed.

(b) If the airplane is of a model previously approved with the specific ski installation, it need only satisfactorily pass a ground inspection of the installation.

§ 03.37 *Hulls and floats.*

§ 03.370 *Buoyancy (main seaplane floats).* Main seaplane floats shall have a buoyancy in excess of that required to support the gross weight of the airplane in fresh water as follows: (a) 80% in the case of single floats, (b) 90% in the case of double floats.

Main seaplane floats for use on airplanes of 2,500 lbs. or more maximum authorized weight shall contain at least 5 water-tight compartments of approximately equal volume. Main seaplane floats for use on airplanes of less than 2,500 lbs. maximum authorized weight shall contain at least 4 such compartments.

§ 03.371 *Buoyancy (boat seaplanes).* The hulls of boat seaplanes and amphibians shall be divided into water-tight compartments in accordance with the following requirements:

(a) In airplanes of 5,000 lbs. or more maximum authorized weight, the compartments shall be so arranged that, with any 2 adjacent compartments flooded, the hull and auxiliary floats (and tires, if used) will retain sufficient buoyancy to support the gross weight of the airplane in fresh water.

(b) In airplanes of 1,500 to 5,000 lbs. maximum authorized weight, the compartments shall be so arranged that, with any one compartment flooded, the hull and auxiliary floats (and tires, if used) will retain sufficient buoyancy to support the maximum authorized weight of the airplane in fresh water.

(c) In airplanes of less than 1,500 lbs. maximum authorized weight, water-tight subdivisions of the hull is not required.

(d) Bulkheads may have water-tight doors for the purpose of communication between compartments.

§ 03.372 *Water stability.* Auxiliary floats shall be so arranged that when completely submerged in fresh water, they will provide a righting moment which is at least 1.5 times the upsetting moment caused by the airplane being tilted. A greater degree of stability may be required in the case of large flying boats, depending on the height of the center of gravity above the water level, the area and location of wings and tail surfaces, and other considerations.

§ 03.38 *Fuselage.*

§ 03.380 *Pilot compartment.*

§ 03.3800 *General.* The arrangement of the pilot compartment and its appurtenances shall provide a satisfactory degree of safety and assurance that the pilot will be able to perform all his duties and operate the controls in the correct manner without unreasonable concentration and fatigue.

The primary flight control units listed on Figure 04–14, excluding cables and control rods, shall be so located with respect to the propellers that no portion of the pilot or controls lie in the region between the plane of rotation of any inboard propeller and the surface generated by a line passing through the center of the propeller hub and making an angle of 5° forward or aft of the plane of rotation of the propeller.

§ 03.3801 *Vision.* The pilot compartment shall be arranged to afford the pilot a sufficiently extensive, clear, and undistorted view for the safe operation of the airplane. There shall be provided a window or portion thereof so arranged that during flight in a moderate rain condition, it can be opened or it will remain or be maintained in a clean condition without continuous attention by the pilot. Under such conditions the pilot shall have an adequate view of the flight path in normal flight and landing, and sufficient protection from the elements that his vision is not impaired. The pilot compartment shall be free of glare and reflections which would interfere with the pilot(s) vision. For airplanes intended for night operation, this shall be demonstrated in night flight tests.

§ 03.38010 *Pilot windshield and windows.* All glass panes shall be of a non-splintering safety type.

§ 03.3802 *Cockpit controls.* All cockpit controls shall be so located and, except for the primary controls, identified so as to provide greatest satisfactory convenience in operation including adequate provisions to prevent the possibility of confusion and consequent inadvertent operation. See Figure 03–14 for required sense of motion of cockpit controls. The controls shall be so located and arranged with respect to the pilot's seat that it will be readily possible for the operator to obtain full and unrestricted movement of each control without interference from either the cockpit structure or the operator's clothing when seated.

Identical powerplant controls for the several engines in the case of multi-engine airplanes shall be so located as to prevent any misleading impression as to the engines to which they relate.

COCKPIT CONTROLS

FIGURE 03–14

Controls	Movement and actuation
Primary: Aileron	RIGHT (clockwise) for RIGHT WING DOWN.
Elevator	REARWARD TO pitch NOSE UP.
Rudder	RIGHT pedal forward for NOSE RIGHT.
Powerplant: Throttle	FORWARD to OPEN.

§ 03.38021 *Instruments and markings.* See § 03.5200 relative to instrument arrangement. The operational markings, instructions, and placards required for the instruments, controls, etc., are specified in § 03.610.

§ 03.381 *Emergency provisions.*

§ 03.3811 *Protection.* The fuselage shall be designed to give every reasonable probability that all the occupants, if they make proper use of belts or harness for which provisions are made in the design, will escape serious injury in the event of the following minor crash conditions, although it is accepted that parts of the airplane may be damaged.

(a) Conditions in which the occupants experience the following ultimate acceleration forces in all combinations are as follows:

Category	N. U.	A
Upward	0 to 3.0g	4.5g
Forward	0 to 9.0g	9.0g
Sideward	0 to 1.5g	1.5g

(b) For airplanes having retractable landing gear, the fuselage in combination with other portions of the structure shall be designed to afford protection of the occupants in a wheels-up landing with moderate descent velocity.[1]

(c) For aifplanes other than those whose configuration renders the possibility of turnover remote, the fuselage in combination with other portions of the structure shall be designed to afford protection of the occupants in a complete turnover.[1]

§ 03.3812 *Exits.* Closed cabins on airplanes carrying more than 5 persons shall be provided with emergency exits in addition to the one external door required by § 03.3821, consisting of movable windows or panels or of additional external doors which provide a clear and unobstructed opening, the minimum dimensions of which shall be such that a 19 inch by 26 inch ellipse may be completely inscribed therein.

The number of emergency exits required is as follows:

(a) Airplanes with a total seating capacity of more than 5 persons, but not in excess of 15, shall be provided with at least one emergency exit or one suitable door in addition to the main door specified in § 03.3821. This emergency exit, or second door, shall be on the opposite side of the cabin from the main door.

(b) Airplanes with a seating capacity of more than 15 persons shall be provided with an additional emergency exit or door either in the top or side of the cabin for every additional 7 persons or fraction thereof above 15, except that not more than 4 exits, including doors, will be required if the arrangement and dimensions are suitable for quick evacuation of all occupants.

If the pilot compartment is separated from the cabin by a door, it shall have its own exit, but such exit shall not be considered as an emergency exit for the passengers. The exits shall be readily accessible, shall not require exceptional agility of a person using them, and shall be distributed so as to facilitate egress without crowding in all probable attitudes resulting from a crash. Reasonable provisions shall be made against the jamming of exits as a result of fuselage deformation.

The method of opening shall be simple and obvious, and the exits shall be so arranged and/or marked that they may be readily located and operated even in darkness. The proper functioning of exits shall be demonstrated by tests.

§ 03.3812–UA Exits shall be provided that will permit all occupants to quickly bail out with parachutes.

§ 03.3813 *Fire precautions.*

§ 03.38131 *Cabin interiors.* In compartments where smoking is to be permitted, the materials of the cabin lining, floors, upholstery, and furnishings shall be sufficiently flame resistant to make ignition by cigarettes or matches improbable. All other compartments shall be placarded against smoking.

§ 03.38132 *Combustion heaters.* Gasoline operated combustion heater installations shall comply with applicable parts of the powerplant installation requirements covering fire hazards and precautions. All applicable requirements concerning fuel tanks, lines, and exhaust systems shall be considered.

§ 03.382 *Personnel and cargo accommodations.*

§ 03.3821 *Doors.* Closed cabins on all airplanes carrying passengers shall be provided with at least one adequate and easily accessible external door. No passenger door shall be so located with respect to the propeller discs as to endanger persons using the door.

§ 03.3822 *Seats and berths.* All seats and berths and supporting structure shall be designed for a passenger weight of 170 lbs. (190 lbs. with parachute for the acrobatic and utility category) and the maximum load factors corresponding to all specified flight and ground load conditions including the emergency conditions of § 03.3811.

Pilot seats shall be designed for the reactions resulting from the application of the pilot forces to the primary flight controls as specified in § 03.230.

§ 03.3822–UA All seats designed to be occupied in the U and A categories under § 03.113 (c) (4) shall be designed to accommodate passengers.

§ 03.38221 *Safety belt or harness provisions.* Provisions shall be made at all seats and berths designated as occupiable during take-off and landing for the installation of belts or harness necessary to comply with the emergency conditions of § 03.3811.

§ 03.3823 *Cargo compartments.* Each cargo compartment shall be designed for the placarded maximum weight of contents and critical load distributions at the appropriate maximum load factors corresponding to all specified flight and ground load conditions. Suitable provisions shall be made to prevent the contents of cargo compartments from becoming a hazard by shifting. Such provisions shall be adequate to protect the passengers from injury by the contents of any cargo compartment when the ultimate forward acting accelerating force is 4.5g.

§ 03.3824 *Ventilation.* All passenger and crew compartments shall be suitably ventilated. Carbon monoxide concentration shall not exceed one part in 20,000 parts of air.

§ 03.39 *Miscellaneous.*

§ 03.390 Leveling marks shall be provided for leveling the airplane on the ground.

§ 03.4 *Power plant installation; reciprocating engines.*

§ 03.40 *General.* (a) The power plant installation shall be considered to include all components of the airplane which are necessary for its propulsion. It shall also be considered to include all components which affect the control of the major propulsive units or which affect their continued safety of operation.

(b) All components of the power plant installation shall be constructed, arranged, and installed in a manner that will assure the continued safe operation of the airplane and power plant. Accessibility shall be provided to permit such inspection and maintenance as is necessary to assure continued airworthiness.

§ 03.41 *Engines and propellers.*

§ 03.410 *Engines.* Engines installed in certificated airplanes shall be of a type that has been certificated in accordance with the provisions of Part 13 entitled "Aircraft Engine Airworthiness."

§ 03.411 *Propellers.* (a) Propellers installed in certificated airplanes shall be of a type that has been certificated in accordance with the provisions of Part 14 entitled "Aircraft Propeller Airworthiness."

(b) The maximum engine power and propeller shaft rotational speed permissible for use in the particular airplane involved shall not exceed the corresponding limits for which the propeller has been certificated.

§ 03.4110 *Propeller vibration.* In the case of airplanes equipped with metal propellers, the magnitude of the propeller blade vibration stresses under all normal conditions of operation shall be determined by actual measurements or by comparison with similar installations for which such measurements have been made. The vibration stresses thus determined shall not exceed values that have been demonstrated to be safe for continuous operation. Vibration tests may be waived and the propeller installation accepted on the basis of service experience, engine or ground tests which show adequate margins of safety, or other considerations which satisfactorily substantiate its safety in this respect.

§ 03.4111 *Propeller pitch and speed limitations.* The propeller pitch and speed shall be limited to values that will assure safe operation under all normal conditions of operation and will assure compliance with the performance requirements specified in § 03.12, Performance, and its related sections.

§ 03.41110 *Speed limitations for fixed pitch propellers, ground adjustable pitch propellers, and automatically varying pitch propellers which cannot be controlled in flight.* (a) During take-off and initial climb at best rate-of-climb speed, the propeller, in the case of fixed pitch or ground adjustable types, shall restrain the engine to a speed not exceeding its maximum permissible take-off speed and, in the case of automatic variable pitch types, shall limit the maximum governed engine RPM to a speed not exceeding the maximum permissible take-off speed. In demonstrating compliance with this provision the engine shall be operated at full throttle or the throttle setting corresponding to the

[1] In cases (b) and (c), a vertical ultimate acceleration of 3g and a friction coefficient of 0.5 at the ground may be assumed.

maximum permissible take-off manifold pressure.

(b) During a closed throttle glide at the placard Never Exceed Speed (see § 03.6001), the propeller shall not cause the engine to rotate at a speed in excess of 110% of its maximum allowable continuous speed.

§ 03.41111 *Speed and pitch limitations for controllable pitch propellers without constant speed controls.* The stops or other means incorporated in the propeller mechanism to restrict the pitch range shall limit (a) the lowest possible blade pitch to a value that will assure compliance with the provisions of § 03.41110 (a) and (b) the highest possible blade pitch to a value not lower than the flattest blade pitch with which compliance with the provisions of § 03.41110 (b) can be demonstrated.

§ 03.41112 *Variable pitch propellers with constant speed controls.* (a) Suitable means shall be provided at the governor to limit the speed of the propeller. Such means shall limit the maximum governed engine speed to a value not exceeding its maximum permissible take-off RPM.

(b) The low pitch blade stop, or other means incorporated in the propeller mechanism to restrict the pitch range, shall limit the speed of the propeller to a value not exceeding 102% of the maximum permissible take-off propeller shaft RPM under the following conditions:

(1) Propeller blades set in the lowest possible pitch and the governor inoperative.

(2) Engine operating at take-off manifold pressure with the airplane stationary and with no wind.

§ 03.4112 *Propeller clearance.* With the airplane loaded to the maximum weight and most adverse center of gravity position and the propeller in the most adverse pitch position, propeller clearances shall not be less than the following unless smaller clearances are properly substantiated for the particular design involved:

(a) *Ground clearance.* (1) Seven inches (for airplanes equipped with nose wheel type landing gears) or nine inches (for airplanes equipped with tail wheel type landings gears) with the landing gear statically deflected and the airplane in the level, normal take-off, or taxiing attitude, whichever is most critical.

(2) In addition to (1) above, there shall be positive clearance between the propeller and the ground when, with the airplane in the level take-off attitude, the critical tire is completely deflated and the corresponding landing gear strut is completely bottomed.

(b) *Water clearance.* 18 inches.

(c) *Structural clearance.* (1) One inch radial clearance between the blade tips and the airplane structure, or whatever additional radial clearance is necessary to preclude harmful vibration of the propeller or airplane.

(2) One-half inch longitudinal clearance between the propeller blades or cuffs and stationary portions of the airplane. Adequate positive clearance shall be provided between other rotating portions of the propeller or spinner and stationary portions of the airplane.

§ 03.42 *Fuel system.* The fuel system shall be constructed and arranged in a manner to assure the provision of fuel to each engine at a flow rate and pressure adequate for proper engine functioning under all normal conditions of operation including all maneuvers and acrobatics for which the airplane is intended.

§ 03.421 *Fuel system arrangement.* Fuel systems shall be so arranged as to permit any one fuel pump to draw fuel from only one tank at a time. Gravity feed systems shall not supply fuel to any one engine from more than one tank at a time unles the tank air spaces are interconnected in such a manner as to assure that all interconnected tanks will feed equally. (See also § 03.4223.)

§ 03.4210 *Multi-engine fuel system arrangement.* The fuel systems of multi-engine airplanes shall be arranged to permit operation in such a manner that the failure of any one component will not result in the loss of the power of more than one engine. Unless other provisions are made in order to comply with this requirement, the fuel system shall be arranged to permit supplying fuel to each engine through a system entirely independent of any portions of the system supplying fuel to the other engines.

§ 03.4211 *Pressure cross feed arrangements.* Pressure cross feed lines shall not pass through portions of the airplane devoted to carrying personnel or cargo unless means are provided to permit the flight personnel to shut off the supply of fuel to these lines, or unless any joints, fittings, or other possible sources of leakage installed in such lines are enclosed in a fuel and fume proof enclosure that is ventilated and drained to the exterior of the airplane. Lengths of bare tubing need not be enclosed but shall be protected where necessary against possible inadvertent damage.

§ 03.422 *Fuel system operation.*

§ 03.4220 *Fuel flow rate.* The ability of the fuel system to provide the required fuel flow rate and pressure shall be demonstrated when the airplane is in the attitude which represents the most adverse condition from the standpoint of fuel feed and quantity of unusable fuel in the tank. During this test, fuel shall be delivered to the engine at the applicable flow rate (see §§ 03.42200, 03.42201 and 03.42202) at a pressure not less than the minimum required for proper carburetor operation. The quantity of fuel in the tank being tested shall not exceed the amount established as the unusable fuel supply for that tank (as determined by demonstration of compliance with the provisions of § 03.4221) (see also §§ 03.423 and 03.5222) plus whatever minimum quantity of fuel it may be necessary to add for the purpose of conducting the flow test. If a fuel flowmeter is provided, the meter shall be blocked during the flow test and the fuel shall flow through the meter by-pass.

§ 03.42200 *Fuel flow rate for gravity feed systems.* The fuel flow rate for gravity feed systems (main and reserve supply) shall be 1.2 pounds per hour for each take-off horsepower or 150% of the actual take-off fuel consumption of the engine, whichever is greater.

§ 03.42201 *Fuel flow rate for pump systems.* The fuel flow rate for pump systems (main and reserve supply) shall be 0.9 pounds per hour for each take-off horsepower or 125% of the actual take-off fuel consumption of the engine, whichever is greater. This flow rate shall be applicable to both the primary engine-driven pump and to emergency pumps and shall be available when the pump is running at the speed at which it would normally be operating during take-off. In the case of hand-operated pumps, this speed shall be considered to be not more than 60 complete cycles (120 single strokes) per minute.

§ 03.42202 *Fuel flow rate for auxiliary fuel systems and fuel transfer systems.* The provisions of § 03.42200 or § 03.42201, whichever is applicable, shall also apply to auxiliary and transfer systems with the exception of the fact that the required fuel flow rate shall be established upon the basis of maximum continuous power and speed instead of take-off power and speed. A lesser flow rate will be acceptable, however, in the case of a small auxiliary tank feeding into a large main tank provided a suitable placard is installed to require that the auxiliary tank must only be opened to the main tank when a predetermined satisfactory amount of fuel still remains in the main tank.

§ 03.4221 *Determination of unusable fuel supply and fuel system operation on low fuel.* (a) The unusable fuel supply for each tank shall be established as not less than the quantity at which the first evidence of malfunctioning occurs under the conditions specified below (see also § 03.423). In the case of airplanes equipped with more than one fuel tank, any tank which is not required to feed the engine in all of the conditions specified below need only be investigated for those flight conditions in which it shall be used and the unusable fuel supply for the particular tank in question shall then be based on the most critical of those conditions which are found to be applicable. In all such cases, information regarding the conditions under which the full amount of usable fuel in the tank can safely be used shall be made available to the operating personnel by means of a suitable placard or instructions in the Approved Operating Limitations.

Upon presentation of the airplane for test, the applicant shall stipulate the quantity of fuel with which he wishes to demonstrate compliance with this provision and shall also indicate which of the following conditions is most critical from the standpoint of establishing the unusable fuel supply. He shall also indicate the order in which the other conditions are critical from this standpoint:

(1) Level flight at maximum continuous power or the power required for level flight at V_c, whichever is less.

(2) Climb at maximum continuous power at the calculated best angle of climb at minimum weight.

(3) Rapid application of power and subsequent transition to best rate of climb following a power-off glide at 1.3 V_{s_0}.

(4) Sideslips and skids in level flight, climb, and glide under the conditions specified in (1), (2), and (3) above, of the greatest severity likely to be encountered in normal service or in turbulent air.

(b) In the case of Utility category airplanes, there shall be no evidence of malfunctioning during the execution of all approved maneuvers included in the Approved Operating Limitations. During this test the quantity of fuel in each tank shall not exceed the quantity established as the unusable fuel supply, in accordance with (a) above, plus 0.03 gallon for each maximum continuous horsepower for which the airplane is certificated.

(c) In the case of Acrobatic category airplanes, there shall be no evidence of malfunctioning during the execution of all approved maneuvers included in the Approved Operating Limitations. During this test the quantity of fuel in each tank shall not exceed that specified in (b) above.

(d) If an engine can be supplied with fuel from more than one tank, it shall be possible to regain the full power and fuel pressure of that engine in not more than 10 seconds (for single-engine airplanes) or 20 seconds (for multi-engine airplanes) after switching to any full tank after engine malfunctioning becomes apparent due to the deletion of the fuel supply in any tank from which the engine can be fed. Compliance with this provision shall be demonstrated in level flight.

(e) There shall be no evidence of malfunctioning during take-off and climb for one minute at the calculated attitude of best angle of climb at take-off power and minimum weight. At the beginning of this test the quantity of fuel in each tank shall not exceed that specified in (b) above.

§ 03.4222 *Fuel system hot weather operation.* The fuel system shall be so arranged as to minimize the possibility of the formation of vapor lock in the system under all normal conditions of operation.

§ 03.4223 *Flow between interconnected tanks.* In the case of gravity feed systems with tanks whose outlets are interconnected, it shall not be possible for fuel to flow between tanks in quantities sufficient to cause an overflow of fuel from the tank vent when the airplane is operated as specified in § 03.4221 (a) and the tanks are full.

§ 03.423 *Fuel tanks.* Fuel tanks shall be capable of withstanding without failure any vibration, inertia, fluid, and structural loads to which they may be subjected in operation. Flexible fuel tank liners shall be of an acceptable type. Integral type fuel tanks shall be provided with adequate facilities for the inspection and repair of the tank interior. The total usable capacity of the fuel tanks shall not be less than one gallon for each 7 maximum continuous rated horsepower for which the airplane is certificated. The unusable capacity shall be considered to be the minimum quantity of fuel that will permit compliance with the provisions of § 03.4221. The fuel quantity indicator shall be adjusted to account for the unusable fuel supply as specified in § 03.5222. If the unusable fuel supply in any tank exceeds 5% of the tank capacity or 1 gallon, whichever is greater, a placard and a suitable notation in the Approved Operating Limitations shall be provided to indicate to the flight personnel that the fuel remaining in the tank when the quantity indicator reads zero cannot be used safely in flight. The weight of the unusable fuel supply shall be included in the empty weight of the airplane.

§ 03.4230 *Fuel tank tests.* (a) Fuel tanks shall be capable of withstanding the following pressure tests without failure or leakage. These pressures may be applied in a manner simulating the actual pressure distribution in service:

(1) Conventional metal tanks and non-metallic tanks whose walls are not supported by the airplane structure: A pressure of 3.5 psi or the pressure developed during the maximum ultimate acceleration of the airplane with a full tank, whichever is greater.

(2) Integral tanks: The pressure developed during the maximum limit acceleration of the airplane with a full tank, simultaneously with the application of the critical limit structural loads.

(3) Non-metallic tanks whose walls are supported by the airplane structure: Tanks constructed of an acceptable basic tank material and type of construction and with actual or simulated support conditions, shall be subjected to a pressure of 2 psi for the first tank of a specific design. Subsequent tanks shall be production tested to at least 0.5 psi. The supporting structure shall be designed for the critical loads occurring in the flight or landing strength conditions combined with the fuel pressure loads resulting from the corresponding accelerations.

(b) Tanks with large unsupported or unstiffened flat areas shall be capable of withstanding the following tests without leakage or failure. The complete tank assembly, together with its supports, shall be subjected to a vibration test when mounted in a manner simulating the actual installation. The tank assembly shall be vibrated for 25 hours at an amplitude of not less than $\frac{1}{32}$ of an inch while filled $\frac{2}{3}$ full of water. The frequency of vibration shall be 90% of the maximum continuous rated speed of the engine unless some other frequency within the normal operating range of speeds of the engine is more critical, in which case the latter speed shall be employed and the time of test shall be adjusted to accomplish the same number of vibration cycles.

In conjunction with the vibration test, the tank assembly shall be rocked through an angle of 15° on either side of the horizontal (30° total) about an axis parallel to the axis of the fuselage. The assembly shall be rocked at the rate of 16 to 20 complete cycles per minute.

(c) Integral tanks which incorporate methods of construction and sealing not previously substantiated by satisfactory test data or service experience shall be capable of withstanding the vibration test specified in (b) above.

(d) Tanks with non-metallic liners shall be subjected to the sloshing portion of the test outlined under (b) above with fuel at room temperature.

In addition, a specimen liner of the same basic construction as that to be used in the airplane shall, when installed in a suitable test tank, satisfactorily withstand the slosh test with fuel at a temperaure of 110° F.

§ 03.4231 *Fuel tank installation.* (a) The method of support for fuel tanks shall not be such as to concentrate the loads resulting from the weight of the fuel in the tanks. Pads shall be provided to prevent chafing between the tank and its supports. Materials employed for padding shall be non-absorbent or shall be treated to prevent the absorption of fluids. If flexible tank liners are employed, they shall be so supported that the liner is not required to withstand fluid loads. Interior surfaces of compartments for such liners shall be smooth and free of projections which may cause wear of the liner unless provisions are made for protection of the liner at such points or unless the construction of the liner itself provides such protection.

(b) Fuel tank compartments shall be ventilated and drained to prevent the accumulation of inflammable fluids or vapors. Compartments adjacent to tanks which are an integral part of the airplane structure shall also be ventilated and drained.

(c) Fuel tanks shall not be located on the engine side of the firewall. Not less than $\frac{1}{2}$ of an inch of clear air space shall be provided between the fuel tank and the firewall. No portion of engine nacelle skin which lies immediately behind a major air egress opening from the engine compartment shall act as the wall of an integral tank. Fuel tanks shall not be located in personnel compartments except in the case of single-engine airplanes. In such cases fuel tanks whose capacity does not exceed 25 gallons may be located in personnel compartments if adequate ventilation and drainage is provided. In all other cases, fuel tanks shall be isolated from personnel compartments by means of fume and fuel proof enclosures.

§ 03.4232 *Fuel tank construction.*

§ 03.42320 *Fuel tank expansion space.* Fuel tanks shall be provided with an expansion space of not less than 2% of the tank capacity, unless the tank vent discharges clear of the aircraft in which case no expansion space will be required. It shall not be possible inadvertently to fill the fuel tank expansion space when the airplane is in the normal ground attitude.

§ 03.4232 *Fuel tank sump.* (a) Each tank shall be provided with a drainable sump having a capacity of not less than 0.25% of the tank capacity or $\frac{1}{16}$ of a gallon, whichever is greater. The sump may be dispensed with if the fuel system is provided with a sediment bowl that will permit visual ground inspection for accumulations of water or other foreign material. The sediment bowl shall also be readily accessible for drainage. The capacity of the sediment chamber shall

not be less than one ounce per each 20 gallons of the fuel tank capacity.

(b) If a fuel tank sump is provided, the capacity specified above shall be effective with the airplane in the normal ground attitude.

(c) If a separate sediment bowl is provided, the fuel tank outlet shall be so located that water will drain from all portions of the tank to the outlet when the airplane is in the ground attitude.

§ 03.42322 *Fuel tank filler connection.* Fuel tank filler connections shall be marked as specified in § 03.6121.

Provision shall be made to prevent the entrance of spilled fuel into the fuel tank compartment or any portions of the airplane other than the tank itself. The filler cap shall provide a fuel tight seal for the main filler opening. However, small openings in the fuel tank cap for venting purposes or to permit passage of a fuel gauge through the cap shall be permissible.

§ 03.42323 *Fuel tank vents and carburetor vapor vents.* (a) Fuel tanks shall be vented from the top portion of the expansion space. Vent outlets shall be so located and constructed as to minimize the possibility of their being obstructed by ice or other foreign matter. The vent shall be so constructed as to preclude the possibility of syphoning fuel during normal operation. The vent shall be of sufficient size to permit the rapid relief of excessive differences of pressure between the interior and exterior of the tank. Air spaces of tanks whose outlets are interconnected shall also be interconnected. There shall be no undrainable points in the vent line where moisture may accumulate with the airplane in either the ground or level flight attitude. Vents shall not terminate at points where the discharge of fuel from the vent outlet will constitute a fire hazard or from which fumes may enter personnel compartments.

(b) Carburetors which are provided with vapor elimination connections shall be provided with a vent line which will lead vapors back to one of the airplane fuel tanks. If more than one fuel tank is provided and it is necessary to use these tanks in a definite sequence for any reason, the vapor vent return line shall lead back to the fuel tank which must be used first unless the relative capacities of the tanks are such that return to another tank is preferable.

§ 03.42324–A *Fuel tank vents for acrobatic category airplanes.* In the case of acrobatic type airplanes, provision shall be made to prevent excessive loss of fuel during acrobatic maneuvers, including short periods of inverted flight. It shall not be possible for fuel to syphon from the vent when normal flight has been resumed after having executed any acrobatic maneuver for which the airplane is intended.

§ 03.42325 *Fuel tank outlet.* The fuel tank outlet shall be provided with a screen of from 8 to 16 meshes per inch. If a finger strainer is used, the length of the strainer shall not be less than 4 times the outlet diameter. The diameter of the strainer shall not be less than the diameter of the fuel tank outlet. Finger strainers shall be accessible for inspection and cleaning.

§ 03.424 *Fuel pump and pump installation.* (a) If fuel pumps are provided to maintain a supply of fuel to the engine, at least one pump for each engine shall be directly driven by the engine. Fuel pumps shall be adequate to meet the flow requirements of the applicable portions of § 03.4220 and its related sections.

(b) Emergency fuel pumps shall be provided to permit supplying all engines with fuel in case of the failure of any one engine-driven pump unless the engine-driven pumps have been approved with the engines, in which case emergency pumps need not be provided. Similarly, if an engine fuel injection pump, which has been certificated as an integral part of the engine is used, an emergency pump will not be required. Emergency pumps shall be capable of complying with the same flow requirements as are prescribed for the main pumps. Hand emergency pumps shall not require excessive effort for their continued operation at the rate of 60 complete cycles (120 single strokes) per minute. Emergency pumps shall be available for immediate use in case of the failure of any other pump.

§ 03.425 *Fuel system lines, fittings, and accessories.* Fuel lines shall be installed and supported in a manner that will prevent excessive vibration and will be adequate to withstand loads due to fuel pressure and accelerated flight conditions. Lines which are connected to components of the airplane between which relative motion may exist shall incorporate provisions for flexibility. Flexible hose shall be of an acceptable type.

§ 03.4251 *Fuel valves.* (a) Means shall be provided to permit the flight personnel to shut off rapidly the flow of fuel to any engine individually in flight. Valves provided for this purpose shall be located on the side of the firewall most remote from the engine.

(b) Shut-off valves shall be so constructed that it is possible for the flight personnel to reopen the valves rapidly after they have once been closed.

(c) Valves shall be provided with either positive stops or feel in the on and off positions and shall be supported in such a manner that loads resulting from their operation or from accelerated flight conditions are not transmitted to the lines connected to the valve. Valves shall be so installed that the effect of gravity and vibration will tend to turn their handles to the open rather than the closed position.

§ 03.4252 *Fuel strainer.* A fuel strainer shall be provided between the fuel tank outlet and the carburetor inlet. If an engine-driven fuel pump is provided, the strainer shall be located between the tank outlet and the engine driven pump inlet. The strainer shall be accessible for drainage and cleaning, and the strainer screen shall be removable.

§ 03.426 *Fuel system drains.* Drains shall be provided to permit safe drainage of the entire fuel system and shall incorporate means for locking in the closed position.

§ 03.427 *Fuel system instruments.* See §§ 03.51 and 03.522 through 03.5223.

§ 03.43 *Oil system.* Each engine shall be provided with an independent oil system capable of supplying the engine with an ample quantity of oil at a temperature not exceeding the maximum which has been established as safe for continuous operation. The oil capacity of the system shall not be less than one gallon for every 25 gallons of fuel capacity. However, in no case shall the oil capacity be less than one gallon for each 75 maximum continuous horsepower of the engine(s) involved unless lower quantities can be substantiated.

§ 03.430 *Oil cooling.* See § 03.44 and its related sections.

§ 03.431 *Oil tanks.* Oil tanks shall be capable of withstanding without failure all vibration, inertia, and fluid loads to which they may be subjected in operation. Flexible oil tank liners shall be of an acceptable type.

§ 03.4310 *Oil tank tests.* Oil tank tests shall be the same as fuel tank tests (see § 03.4230) except as follows:

(a) The 3.5 psi pressure specified in § 03.4230 (a) shall be 5 pounds psi.

(b) In the case of tanks with nonmetallic liners, the test fluid shall be oil rather than fuel as specified in § 03.4230 (d) and the slosh test on a specimen liner shall be conducted with oil at a temperature of 250° F.

§ 03.4311 *Oil tank installation.* (See § 03.4231 (a) and (b).)

§ 03.4312 *Oil tank construction.*

§ 03.43120 *Oil tank expansion space.* Oil tanks shall be provided with an expansion space of not less than 10% of the tank capacity or ½ gallon, whichever is greater. It shall not be possible inadvertently to fill the oil tank expansion space when the airplane is in the normal ground attitude.

§ 03.43121 *Oil tank filler connection.* Oil tank filler connections shall be marked as specified in § 03.6121.

§ 03.43122 *Oil tank vent.* Oil tanks shall be vented to the engine crankcase from the top of the expansion space in such a manner that the vent connection is not covered by oil under any normal flight conditions. Oil tank vents shall be so arranged that condensed water vapor that may freeze and obstruct the line cannot accumulate at any point.

§ 03.43122–A *Oil tank vents for acrobatic category airplanes.* In the case of acrobatic type airplanes, provision shall be made to prevent hazardous loss of oil during acrobatic maneuvers including short periods of inverted flight.

§ 03.43123 *Oil tank outlet.* The oil tank outlet shall not be enclosed or covered by any screen or other guard that may impede the flow of oil. The diameter of the oil tank outlet shall not be less than the diameter of the engine oil pump inlet. (See also § 03.436.)

§ 03.432 *Oil system lines, fittings, and accessories.* Oil lines shall comply with the provisions of § 03.425 except that the inside diameter of the engine oil inlet and outlet lines shall not be less than the diameter of the corresponding engine oil pump inlet and outlet.

§ 03.4321 *Oil valves.* (See § 03.49.)

§ 03.4322 *Oil radiators.* Oil radiators and their supports shall be capable of withstanding without failure any vibration, inertia, and oil pressure loads to which they may normally be subjected.

§ 03.4323 *Oil filters.* If the engine is equipped with an oil filter, the filter shall be constructed or installed in such a manner that complete blocking of the flow through the filter element will not jeopardize the continued operation of the engine oil supply system.

§ 03.433 *Oil system drains.* Drains shall be provided to permit safe drainage of the entire oil system and shall incorporate means for positive locking in the closed position.

§ 03.434 *Engine breather line.* Engine breather lines shall be so arranged that condensed water vapor which may freeze and obstruct the line cannot accumulate at any point. Breathers shall discharge in a location which will not constitute a fire hazard in case foaming occurs and so that oil emitted from the line will not impinge upon the pilot's windshield. The breather shall not discharge into the engine air induction system.

§ 03.434–A *Engine breather lines for acrobatic category airplanes.* In the case of acrobatic type airplanes, provision shall be made to prevent excessive loss of oil from the breather during acrobatic maneuvers including short periods of inverted flight.

§ 03.435 *Oil system instruments.* (See §§ 03.51, 03.522 through 03.5221 and 03.5224.)

§ 03.436 *Propeller feathering system.* If the propeller feathering system is dependent upon the use of the engine oil supply, provision shall be made to trap a quantity of oil in the tank in case the supply becomes depleted due to failure of any portion of the lubricating system other than the tank itself. The quantity of oil so trapped shall be sufficient to accomplish the feathering operation and shall be available only to the feathering pump. The ability of the system to accomplish feathering when the supply of oil has fallen to the above level shall be demonstrated.

§ 03.44 *Cooling.* The power plant cooling provisions shall be capable of maintaining the temperatures of all power plant components, engine parts, and engine fluids (oil and coolant), at or below the maximum established safe value under critical conditions of ground and flight operation.

§ 03.440 *Cooling tests.* Compliance with the provisions of § 03.44 shall be demonstrated under critical ground, water, and flight operating conditions. If the tests are conducted under conditions that deviate from the highest anticipated summer air temperature (see § 03.4400), the recorded power plant temperatures shall be corrected in accordance with the provisions of §§ 03.4401 and 03.4402. The corrected temperatures determined in this manner shall not exceed the maximum established safe values. The fuel used during the cooling tests shall be of the minimum octane number approved for the engines involved, and the mixture settings shall be those used in normal operation. The test procedures shall be as outlined in §§ 03.4403 and 03.4404.

§ 03.4400 *Maximum anticipated summer air temperatures.* The maximum anticipated summer air temperature shall be considered to be 100° F. at sea level and to decrease from this value at the rate of 3.6° F. per thousand feet of altitude above sea level.

§ 03.4401 *Correction factor for cylinder head, oil inlet, carburetor air, and engine coolant inlet temperatures.* These temperatures shall be corrected by adding the difference between the maximum anticipated summer air temperature and the temperature of the ambient air at the time of the first occurrence of maximum head, air, oil, or coolant temperature recorded during the cooling test. A correction factor other than 1.0 may be employed if it can be demonstrated to be applicable.

§ 03.4402 *Correction factor for cylinder barrel temperatures.* Cylinder barrel temperatures shall be corrected by adding 0.7 of the difference between the maximum anticipated summer air temperature and the temperature of the ambient air at the time of the first occurrence of the maximum cylinder barrel temperature recorded during the cooling test. A correction factor other than 0.7 may be employed if it can be demonstrated to be applicable.

§ 03.4403 *Cooling test procedure for single-engine airplanes.* This test shall be conducted by stabilizing engine temperatures in flight and then starting at the lowest practicable altitude and climbing for one minute at take-off power. At the end of one minute, the climb shall be continued at maximum continuous power until at least 5 minutes after the occurrence of the highest temperature recorded. The climb shall not be conducted at a speed greater than the best rate-of-climb speed with maximum continuous power unless:

(a) The slope of the flight path at the speed chosen for the cooling test is equal to or greater than the minimum required angle of climb (see § 03.123 (a)), and

(b) A cylinder head temperature indicator is provided as spceified in § 03.5225.

§ 03.4404 *Cooling test procedure for multi-engine airplanes*—(a) *Airplanes which meet the minimum one-engine inoperative climb performance specified in § 03.123* (b). The engine cooling test for these airplanes shall be conducted with the airplane in the configuration specified in § 03.123 (b) except that the operating engine(s) shall be operated at their maximum continuous power or at full throttle when above the critical altitude. After stabilizing temperatures in flight, the climb shall be started at the lower of the two following altitudes and shall be continued until at least 5 minutes after the highest temperature has been recorded:

(1) 1,000 feet below the engine critical altitude or at the lowest practicable altitude (when applicable).

(2) 1,000 feet below the altitude at which the single-engine inoperative rate of climb is $0.02V_{50}^2$.

The climb shall be conducted at a speed not in excess of the highest speed at which compliance with the climb requirement of § 03.123 (b) can be shown. However, if the speed used exceeds the speed for best rate of climb with one engine inoperative, a cylinder head temperature indicator shall be provided as specified in § 03.5225.

(b) *Airplanes which cannot meet the minimum one-engine inoperative climb performance specified in § 03.123–(b).* The engine cooling test for these airplanes shall be the same as in (a) above except that, after stabilizing temperatures in flight, the climb (or descent, in the case of airplanes with zero or negative one-engine inoperative rate of climb) shall be commenced at as near sea-level as practicable and shall be conducted at the best rate-of-climb speed (or the speed of minimum rate of descent, in the case of airplanes with zero or negative one-engine inoperative rate of climb).

§ 03.441 *Liquid cooling systems.* Each liquid cooled engine shall be provided with an independent cooling system. The coolant system shall be so arranged that no air or vapor can be trapped in any portion of the system, except the expansion tank, either during filling or during operation.

§ 03.4410 *Coolant tank.* A coolant tank shall be provided. The tank capacity shall not be less than one gallon plus 10% of the cooling system capacity. Coolant tanks shall be capable of withstanding without failure all vibration, inertia, and fluid loads, to which they may be subjected in operation. Coolant tanks shall be provided with an expansion space of not less than 10% of the total coolant system capacity. It shall not be possible inadvertently to fill the expansion space with the airplane in the normal ground attitude.

§ 03.44100 *Coolant tank tests.* Coolant tank tests shall be the same as fuel tank tests (see § 03.4230) except as follows:

(a) The 3.5 psi pressure test of § 03.4230 (a) shall be replaced by the sum of the pressure developed during the maximum ultimate acceleration with a full tank or a pressure of 3.5 psi, whichever is greater, plus the maximum working pressure of the system.

(b) In the case of tanks with nonmetallic liners, the test fluid shall be coolant rather than fuel as specified in § 03.4230 (d), and the slosh test on a specimen liner shall be conducted with coolant at operating temperature.

§ 03.44101 *Coolant tank installation.* Coolant tanks shall be supported in a

manner that distributes the tank loads over a large portion of the tank surface. Pads shall be provided to prevent chafing between the tank and the support. Material used for padding shall be non-absorbent or shall be treated to prevent the absorption of inflammable fluids.

§ 03.44102 *Coolant tank filler connection.* Coolant tank filler connections shall be marked as specified in § 03.6121. Provisions shall be made to prevent the entrance of spilled coolant into the coolant tank compartment or any portions of the airplane other than the tank itself. Recessed coolant filler connections shall be drained and the drain shall discharge clear of all portions of the airplane.

§ 03.4411 *Coolant lines, fittings, and accessories.* Coolant lines shall comply with the provisions of § 03.425 except that the inside diameter of the engine coolant inlet and outlet lines shall not be less than the diameter of the corresponding engine inlet and outlet connections.

§ 03.44111 *Coolant radiators.* Coolant radiators shall be capable of withstanding without failure any vibration, inertia, and coolant pressure loads to which they may normally be subjected. Radiators shall be supported in a manner that will permit expansion due to operating temperatures and that will prevent the transmittal of harmful vibration to the radiator. If the coolant employed is inflammable, the air intake duct to the coolant radiator shall be so located that flames issuing from the nacelle in case of fire cannot impinge upon the radiator.

§ 03.4412 *Coolant system drains.* One or more drains shall be provided to permit drainage of the entire coolant system, including the coolant tank, radiator, and the engine, when the airplane is in the normal ground attitude. Drains shall discharge clear of all portions of the airplane and shall be provided with means for positively locking the drain in the closed position. Coolant system drains shall be accessible.

§ 03.4413 *Coolant system instruments.* (See §§ 03.51, 03.522 through 03.5221.)

§ 03.45 *Induction system.* The engine air induction system shall permit supplying an adequate quantity of air to the engine under all conditions of operation.

Each engine shall be provided with at least 2 separate air intake sources except that, in the case of an engine equipped with a fuel injector, only one air intake source need be provided if the air intake, opening or passage is unobstructed by a screen, filter, or other part on which ice may form and so restrict the airflow as to adversely affect engine operation. Primary and alternate air intakes may open within the cowling only if that portion of the cowling is isolated from the engine accessory section by means of a fire resistant diaphragm. Alternate air intakes shall be located in a sheltered position. Supplying air to the engine through the alternate air intake system or the carburetor air pre-heater shall not result in the loss of excessive power in addition to the power lost due to the rise in the temperature of the air.

§ 03.450 *Induction system de-icing and anti-icing provisions.* The engine air induction system shall incorporate means for the prevention and elimination of ice accumulations in accordance with the following provisions. It shall be demonstrated that compliance with the provisions outlined in the following paragraphs can be accomplished when the airplane is operating in air at a temperature of 30° F. when the air is free of visible moisture. Lesser values may be used if properly substantiated.

(a) Airplanes equipped with sea level engines employing conventional venturi carburetors shall be provided with a preheater capable of providing a heat rise of 90° F. when the engine is operating at 75% of its maximum continuous power.

(b) Airplanes equipped with altitude engines employing conventional venturi carburetors shall be provided with a preheater capable of providing a heat rise of 120° F. when the engine is operating at 75% of its maximum continuous power.

(c) Airplanes equipped with altitude engines employing carburetors which embody features tending to reduce the possibility of ice formation shall be provided with a preheater capable of providing a heat rise of 100° F. when the engine is operating at 60% of its maximum continuous power. However, the preheater need not provide a heat rise in excess of 40° F. if a fluid de-icing system complying with the provisions of § 03.4501 through § 03.4503 is also installed.

§ 03.4501 *Carburetor de-icing fluid flow rate.* The system shall be capable of providing each engine with a rate of fluid flow, expressed in pounds per hour, of not less than 2.5 multiplied by the square root of the maximum continuous power of the engine. This flow shall be available to all engines simultaneously. The fluid shall be introduced into the air induction system at a point close to, and upstream from, the carburetor. The fluid shall be introduced in a manner to assure its equal distribution over the entire cross section of the induction system air passages.

§ 03.4502 *Carburetor fluid de-icing system capacity.* The fluid de-icing system capacity shall not be less than that required to provide fluid at the rate specified in § 03.4501 for a time equal to 3% of the maximum endurance of the airplane. However, the capacity need not in any case exceed that required for 2 hours of operation nor shall it be less than that required for 20 minutes of operation at the above flow rate. If the available preheat exceeds 50° F., but is less than 100° F., it shall be permissible to decrease the capacity of the system in proportion to the heat rise available in excess of 50° F.

§ 03.4503 *Carburetor fluid de-icing system detail design.* Carburetor fluid de-icing systems shall comply with provisions for the design of fuel systems, except as heretofore specified, unless such provisions are manifestly inapplicable.

§ 03.451 *Carburetor air preheater design.* Means shall be provided to assure adequate ventilation of the carburetor air preheater when the engine is being operated in cold air. The preheater shall be constructed in such a manner as to permit inspection of exhaust manifold parts which it surrounds and also to permit inspection of critical portions of the preheater itself.

§ 03.452 *Induction system ducts.* Induction system ducts shall be provided with drains which will prevent the accumulation of fuel or moisture in all normal ground and flight attitudes. No open drains shall be located on the pressure side of turbo-supercharger installations. Drains shall not discharge in a location that will constitute a fire hazard. Ducts which are connected to components of the airplane between which relative motion may exist shall incorporate provisions for flexibility.

§ 03.453 *Induction system screens.* If induction system screens are employed, they shall be located upstream from the carburetor. It shall not be possible for fuel to impinge upon the screen. Screens shall not be located in portions of the induction system which constitute the only passage through which air may reach the engine unless the available preheat is 100° F. or over and the screen is so located that it can be de-iced by the application of heated air. De-icing of screens by means of alcohol in place of heated air shall not be considered acceptable.

§ 03.46 *Exhaust system.* The exhaust system shall be constructed and arranged in such a manner as to assure the safe disposal of exhaust gases without the existence of a hazard of fire or carbon monoxide contamination of air in personnel compartments.

Unless suitable precautions are taken, exhaust system parts shall not be located in close proximity to portions of any systems carrying inflammable fluids or vapors nor shall they be located under portions of such systems which may be subject to leakage. All exhaust system components shall be separated from adjacent inflammable portions of the airplane which are outside the engine compartment by means of fire resistant shields. Exhaust gases shall not be discharged at a location that will cause a glare seriously affecting pilot visibility at night, nor shall they discharge within dangerous proximity of any fuel or oil system drains. All exhaust system components shall be ventilated to prevent the existence of points of excessively high temperature.

§ 03.460 *Exhaust manifold.* Exhaust manifolds shall be made of heat and corrosion resistant materials and shall incorporate provisions to prevent failure due to their expansion when heated to operating temperatures. Exhaust manifolds shall be supported in a manner adequate to withstand all vibration and inertia loads to which they may be subjected to in operation. Portions of the manifold which are connected to components between which relative motion may exist shall incorporate provisions for flexibility.

§ 03.461 *Exhaust heat exchangers.* Exhaust heat exchangers shall be constructed and installed in such a manner as to assure their ability to withstand without failure all vibration, inertia, and other loads to which they may normally be subjected. Heat exchangers shall be constructed of materials that are suitable for continued operation at high temperatures and that are adequately resistant to corrosion due to products contained in exhaust gases.

Provision shall be made for the inspection of all critical portions of exhaust heat exchangers, particularly if a welded construction is employed. Heat exchangers shall be ventilated under all conditions in which they are subject to contact with exhaust gases.

§ 03.4610 *Exhaust heat exchangers used in ventilating air heating systems.* Heat exchangers of this type shall be so constructed as to preclude the possibility of exhaust gases entering the ventilating air.

§ 03.47 *Firewall and cowling.*

§ 03.470 *Firewalls.* All engines and auxiliary power plants which are intended for operation in flight shall be isolated from the remainder of the airplane by means of fire resistant bulkheads unless they are located in a nacelle that is remote from the remainder of the airplane and contains no fuel tanks.

§ 03.4700 *Firewall construction.* The firewall shall be constructed in such a manner as to minimize the passage of air, fluids, or flame from the engine compartment to other portions of the airplane. All openings in the firewall shall be sealed with close fitting fire resistant grommets, bushings, or firewall fittings.

Firewalls shall be constructed of fire resistant material capable of withstanding a flame temperature of 2000° F. for 15 minutes without flame penetration and shall be protected against corrosion. The following materials have been found to comply with this requirement.

(a) Heat and corrosion resistant steel 0.015 inch thick.

(b) Low carbon steel, suitably protected against corrosion, 0.018 inch thick.

§ 03.471 *Cowling.* Cowling shall be constructed and supported in such a manner as to be capable of resisting all vibration, inertia, and air loads to which it may normally be subjected. Provision shall be made to permit rapid and complete drainage of all portions of the cowling in all normal ground and flight attitudes. Drains shall not discharge in locations constituting a fire hazard.

Cowling shall be constructed of non-inflammable material. All portions of the airplane lying behind openings in the engine compartment cowling shall also be constructed of non-inflammable materials for a distance of at least 24 inches aft of such openings. Portions of cowling which are subjected to high temperatures due to proximity to exhaust system ports or exhaust gas impingement shall be constructed of heat resistant material.

§ 03.48 *Power plant controls and accessories.*

§ 03.480 *Power plant controls.* Power plant controls shall comply with the provisions of § 03.3802 with respect to direction of motion and shall comply with the provisions of § 03.6102 with respect to marking. Controls shall maintain any necessary position without constant attention by the flight personnel and shall not tend to creep due to control loads or vibration. Flexible controls shall be of an acceptable type. Controls shall have adequate strength and rigidity to withstand operating loads without failure or excessive deflection.

§ 03.4800 *Throttle controls.* A throttle control shall be provided to give independent control for each engine. Throttle controls shall afford a positive and immediately responsive means of controlling the engine(s). Throttle controls shall be grouped and arranged in such a manner as to permit separate control of each engine and also simultaneous control of all engines.

§ 03.4801 *Ignition switches.* Ignition switches shall provide control for each ignition circuit on each engine. Means shall be provided for quickly shutting off all ignition or multi-engine airplanes, by the grouping of switches or by providing a master ignition control. If a master control is provided, suitable means shall be incorporated to prevent its inadvertent operation.

§ 03.4802 *Mixture controls.* If mixture controls are provided, a separate control shall be provided for each engine. The controls shall be grouped and arranged in such a manner as to permit separate control of each engine and also simultaneous control of all engines.

§ 03.4803 *Propeller speed and pitch controls.* (See also § 03.41112 (a).) If propeller speed or pitch controls are provided, a separate control shall be provided for each propeller. The controls shall be grouped and arranged in such a manner as to permit control of the propellers separately and together. The controls shall permit ready synchronization of all propellers on multi-engine airplanes.

§ 03.48030 *Propeller feathering controls.* If propeller feathering controls are provided, a separate control shall be provided for each propeller. Propeller feathering controls shall be provided with means to prevent inadvertent operation.

§ 03.4804 *Fuel system controls.* (See § 03.4251 (c).)

§ 03.4805 *Carburetor air preheat controls.* Separate controls shall be provided to regulate the temperature of the carburetor air for each engine.

§ 03.481 *Power plant accessories.* Engine-driven accessories shall be of a type satisfactory for installation on the engine involved and shall utilize the provisions made on the engine for the mounting of such units. Items of electrical equipment subject to arcing or sparking shall be installed so as to minimize the possibility of their contact with any inflammable fluids or vapors which may be present in a free state.

§ 03.4810 *Engine ignition systems.* (a) Battery ignition systems shall be supplemented with a generator which is automatically made available as an alternate source of electrical energy to permit continued engine operation in the event of the depletion of any battery.

(b) The capacity of batteries and generators shall be sufficient to meet the simultaneous demands of the engine ignition system and the greatest demands of any airplane electrical system components which may draw electrical energy from the same source. Consideration shall be given to the condition of an inoperative generator and to the condition of a completely depleted battery when the generator is running at its normal operating speed. If only one battery is provided, consideration shall also be given to the condition in which the battery is completely depleted and the generator is operating at idling speed.

(c) Means shall be provided to warn the appropriate flight personnel if malfunctioning of any part of the electrical system is causing the continuous discharging of a battery that is necessary for engine ignition. (See § 03.4801 for ignition switches.)

§ 03.49 *Power plant fire protection.* Suitable means shall be provided to shut off the flow in all lines carrying inflammable fluids into the engine compartment.

§ 03.5 *Equipment.*

§ 03.50 *General.* The equipment specified in § 03.51 shall be the minimum installed when the airplane is submitted to determine its compliance with the airworthiness requirements. Such additional equipment as is necessary for a specific type of operation is specified in other pertinent parts of the CAR, but where necessary, its installation and that of the items mentioned in § 03.51 is covered herein.

§ 03.500 *Functional and installational requirements.* Each item of equipment which is essential to the safe operation of the airplane shall be of a type and design found to be satisfactory by the Administrator, shall be properly installed, shall function satisfactorily, and shall be adequately labeled as to its identification, function, or operational limitations, or any combination of these, whichever is applicable. Items of equipment for which type certification is required shall have been certificated in accordance with the provisions of Part 15 (or previous regulations) and such other parts as may be applicable.

§ 03.51 *Required basic equipment.* The following table shows the required basic equipment items necessary for type and airworthiness certification of an airplane:

(a) *Flight and navigation instruments.*
(1) Air speed indicator. (See § 03.5210.)
(2) Altimeter.
(3) Magnetic direction indicator. (See § 03.5213.)
(b) *Power plant instruments.*
(b–1) For each engine or tank:
(1) Fuel quantity indicator. (See § 03.5222.)
(2) Oil pressure indicator.
(3) Oil temperature indicator.
(4) Tachometer.
(b–2) For each engine or tank when required in reference section:

(1) Carburetor air temperature indicator. (See § 03.5226.)
(2) Coolant temperature indicator, liquid cooled engines.
(3) Cylinder head temperature indicator. (See § 03.5225.)
(4) Fuel pressure indicator, pump-fed engines.
(5) Manifold pressure indicator for altitude engines.
(6) Oil quantity indicator. (See § 03.5224.)
(c) *Electrical equipment.* (When required by reference section.)
(1) Master switch arrangement. (See § 03.532.)
(2) Adequate source(s) of electrical energy. (See §§ 03.530 and 03.531.)
(3) Electrical protective devices. (See § 03.533.)
(d) *Miscellaneous equipment:*
(1) Certificated safety belts for all occupants. (Part 15.)
(2) Approved Operating Limitations. (See § 03.62.)

§ 03.52 *Instruments; installation.*

§ 03.520 *General.*

§ 03.5200 *Arrangement and visibility of instrument installations.*—(a) Flight, navigation, and power plant instruments for use by each pilot shall be easily visible to him.

(b) On multi-engine airplanes, identical power plant instruments for the several engines shall be so located as to prevent any misleading impression as to the engines to which they relate.

§ 03.5201 *Instrument panel vibration characteristics.* The vibration characteristics of instrument panel shall not be such as to cause the accuracy of the instruments to be inadequate or to cause damage to them.

§ 03.521 *Flight and navigation instruments.*

§ 03.5210 *Airspeed indicating system.* This system shall be so installed that the airspeed indicator shall indicate true airspeed at sea level under standard conditions to within an allowable installational error of not more than plus or minus 3% of the calibrated air speed or 5 mph, whichever is greater, throughout the operating range of the airplane from V_c to 1.3 V_{s_1} and with flaps both up and down at the latter speed.

§ 03.5211 *Airspeed indicator marking.* The airspeed indicator shall be marked as specified in § 03.6100.

§ 03.5212 *Static air vent system.* All instruments provided with static air case connections shall be so vented that the influence of airplane speed, the opening and closing of windows, air flow variation, moisture, or other foreign matter will not seriously affect their accuracy.

§ 03.5213 *Magnetic direction indicator.* The magnetic direction indicator shall be so installed that its accuracy shall not be excessively affected by the airplane's vibration or magnetic fields. After the direction indicator has been compensated, the installation shall be such that the deviation in level flight does not exceed 10° on any heading. A suitable calibration placard shall be provided as specified in § 03.6101.

§ 03.5214 *Automatic pilot system.* If an automatic pilot system is installed:

(a) The actuating (servo) devices shall be of such design that they can, when necessary, be positively disengaged from operating the control system or be overpowered by the human pilot to enable him to maintain satisfactory control of the airplane.

(b) A satisfactory means shall be provided to indicate readily to the pilot the alignment of the actuating device in relation to the control system which it operates, except when automatic synchronization is provided.

(c) The manually operated control(s) for the system's operation shall be readily accessible to the pilot.

(d) The automatic pilot system shall be of such design and so adjusted that it cannot produce loads in the control system and surfaces greater than those for which they were designed.

§ 03.5215 *Gyroscopic indicators (air-driven type).* All air-driven gyroscopic instruments installed in airplanes which are certificated for "Instrument Flight Operations" shall derive their energy from a reliable suction source of sufficient capacity to maintain their required accuracy at all speeds above the best rate-of-climb speed. In addition the system shall be so installed as to preclude malfunctioning due to rain, oil, etc. On multi-engine airplanes, the following detail requirements shall be applicable:

(a) Two sources actuated by separate means shall be provided, either one of which shall be of sufficient capacity to operate, at the service ceiling of the airplane in normal cruising condition, all of the air-driven gyroscopic instruments with which the airplane is equipped.

(b) A suitable means shall be provided in the attendant installation where the source lines connect into a common line to select either suction air source for the proper functioning of the intruments should failure of one source or a breakage of one source line occur. When an automatic means to permit simultaneous air flow is provided in the system, a suitable method for maintaining suction shall be provided. In order to indicate which source of energy has failed, a visual means shall be provided to indicate this condition to the flight crew.

§ 03.5216 *Suction gauge.* When required by § 03.5215 (b), the suction gauge or equivalent shall be so installed as to indicate readily to the flight crew while in flight, which source of suction is being applied to the air-driven types of gyroscopic instruments.

§ 03.522 *Power plant instruments.*

§ 03.5220 *Operational markings.* Instruments shall be marked as specified in § 03.6102.

§ 03.5221 *Instrument lines.* Power plant instrument lines shall comply with the provisions of § 03.425. In addition, instrument lines carrying inflammable fluids or gases under pressure shall be provided with restricted orifices or equivalent safety devices at the source of the pressure to prevent escape of excessive fluid or gas in case of line failure.

§ 03.5222 *Fuel quantity indicator.* Means shall be provided to indicate to the flight personnel the quantity of fuel in each tank during flight. Tanks whose outlets and air spaces are interconnected may be considered as one tank and need not be provided with separate indicators. Exposed sight gauges shall be so installed and guarded as to preclude the possibility of breakage or damage. Fuel quantity indicators shall be calibrated to read zero during level flight when the quantity of fuel remaining in the tank is equal to the unusable fuel supply as defined by § 03.4221.

§ 03.5223 *Fuel flowmeter system.* When a fuel flowmeter system is installed in the fuel line(s), the metering component shall be of such design as to include a suitable means for by-passing the fuel supply in the event that malfunctioning of the metering component offers a severe restriction to fuel flow.

§ 03.5224 *Oil quantity indicator.* Ground means, such as a stick gauge, shall be provided to indicate the quantity of oil in each tank. If an oil transfer system or a reserve oil supply system is installed, means shall be provided to indicate to the flight personnel the quantity of oil in each tank during flight.

§ 03.5225 *Cylinder head temperature indicating system for aircooled engines.* A cylinder head temperature indicator shall be provided for each engine on airplanes equipped with cowl flaps. In the case of airplanes which do not have cowl flaps, an indicator shall be provided if compliance with the provisions of § 03.44 is demonstrated at a speed in excess of the speed of best rate of climb (one engine inoperative on multi-engine airplanes).

§ 03.5226 *Carburetor air temperature indicating system.* A carburetor air temperature indicating system shall be provided for each altitude engine equipped with a preheater that is capable of providing a heat rise in excess of 60° F.

§ 03.53 *Electrical systems and equipment—insiallation.* Electrical systems in airplanes shall be free from hazards in themselves, in their method of operation, and in their effects on other parts of the airplane. Electrical equipment shall be of a type and design adequate for the use intended. Electrical systems shall be installed in such a manner that they are suitably protected from fuel, oil, water, other detrimental substances, and mechanical damage.

Items of electrical equipment required for a specific type of operation are listed in other pertinent Parts of the CAR.

§ 03.530 *Batteries.* When an item of electrical equipment which is essential to the safe operation of the airplane is installed, the battery required shall have sufficient capacity to supply the electrical power necessary for dependable operation of the connected electrical equipment.

§ 03.5300 *Protection against acid.* If batteries are of such a type that corrosive substance may escape during servicing or flight, means such as a completely enclosed compartment shall be provided to prevent such substances from coming in contact with other parts of the airplane which are essential to safe opera-

tion. Batteries shall be accessible for servicing and inspection on the ground.

§ 03.5301 *Battery vents.* The battery container or compartment shall be vented in such manner that gases released by the battery are carried outside the airplane.

§ 03.531 *Generator.* Generators shall be capable of delivering their continuous rated power.

§ 03.5310 *Generator controls.* Generator voltage control equipment shall be capable of dependably regulating the generator output within rated limits.

§ 03.5311 *Reverse current cut-out.* A generator reverse current cut-out shall disconnect the generator from the battery and other generators when the generator is developing a voltage of such value that current sufficient to cause malfunctioning can flow into the generator.

§ 03.532 *Master switch.* If electrical equipment is installed, a master switch arrangement shall be provided which will disconnect all sources of electrical power from the main distribution system at a point adjacent to the power sources.

§ 03.5320 *Master switch installation.* The master switch or its controls shall be so installed that it is easily discernible and accessible to a member of the crew in flight.

§ 03.533 *Protective devices.* If electrical equipment is installed, protective devices (fuses or circuit breakers) shall be installed in the circuits to all electrical equipment except that such items need not be installed in the main circuits of starter motors or in other circuits where no hazard is presented by their omission.

§ 03.5330 *Protective devices installation.* Protective devices in circuits essential to safety in flight shall be so located and identified that fuses may be replaced or circuit breakers reset readily in flight.

§ 03.5331 *Spare fuses.* If fuses are used, one spare of each rating or 50% spare fuses of each rating, whichever is greater, shall be provided.

§ 03.534 *Electric cables.* If electrical equipment is installed, the connecting cable used shall be in accordance with recognized standards for electric cable of a slow burning type and of suitable capacity.

§ 03.535 *Switches.* Switches shall be capable of carrying their rated current and shall be of such construction that there is sufficient distance or insulating material between current carrying parts and the housing so that vibration in flight will not cause shorting.

§ 03.5350 *Switch installation.* Switches shall be so installed as to be readily accessible to the appropriate crew member and shall be suitably labeled as to operation and the circuit controlled.

§ 03.536 *Instrument lights.* If instrument lights are required, they shall be of such construction that there is sufficient distance or insulating material between current carrying parts and the housing so that vibration in flight will not cause shorting. They shall provide sufficient illumination to make all instruments, switches, etc., easily readable and discernible respectively.

§ 03.5360 *Instrument light installation.* Instrument lights shall be installed in such a manner that their direct rays are shielded from the pilot's eyes. Direct rays shall not be reflected from the windshield or other surfaces into the pilot's eyes.

§ 03.537 *Landing lights.* If landing lights are installed, they shall be of a type acceptable to the Administrator.

§ 03.5370 *Landing light installation.* Landing lights shall be so installed that there is no dangerous glare visible to the pilot and also so that the pilot is not seriously affected by halation. They shall be installed at such a location that they provide adequate illumination for night landing.

§ 03.538 *Position lights.* If position lights are installed, they shall be of a type certificated in accordance with Part 15 of this chapter or shall comply with the pertinent provisions of Part 15.

§ 03.5380 *Forward position light installation.* Forward position lights shall be so installed that, with the airplane in normal flying position, the red light is displayed on the left side and the green light on the right side, each showing unbroken light between two vertical planes whose dihedral angle is 110° when measured to the left and right, respectively, of the airplane from dead ahead. The lights shall be spaced laterally as far apart as practicable.

§ 03.5381 *Rear position light installation.* The rear position light shall be mounted as far aft as practicable and so installed that unbroken light is directed symmetrically aft in such a manner that the axis of the maximum cone of illumination is parallel to the flight path. In addition, the intersection of the two planes forming dihedral angle A given in Part 15 of this chapter shall be vertical.

§ 03.5382 *Flashing rear position lights.* If red and white flashing lights are used, in addition to meeting the installation requirements above, they shall be located as close together as possible.

§ 03.539 *Riding light.* When a riding (anchor) light is required for seaplanes and amphibians, at least one light shall be provided and it shall be capable of showing a white light for at least 2 miles at night under clear atmospheric conditions.

§ 03.5390 *Riding light installation.* Riding lights shall be so installed that they will show the maximum unbroken light practicable when the airplane is moored or drifting on the water. Externally hung lights are permitted.

§ 03.54 *Safety equipment; installation.*

§ 03.540 *Marking.* Required safety equipment which the crew is expected to operate at the time of an emergency, such as flares, automatic life raft releases, etc., shall be readily accessible and plainly marked as to its method of operation. When such equipment is carried in lockers, compartments, etc., such storage places shall be marked for the benefit of passengers and crew.

§ 03.541 *De-icers.* When pneumatic de-icers are installed, the installation shall be in accordance with approved data. Positive means shall be provided for the deflation of the pneumatic boots.

§ 03.542 *Flares.*

§ 03.5420 *Flare requirements.* When parachute flares are required, they shall be of a type certificated in accordance with Part 15 of this chapter.

§ 03.5421 *Flare installation.* Parachute flares shall be releasable from the pilot compartment and so installed that danger from accidental discharge is reduced to a minimum. The installation shall be demonstrated, in flight, satisfactorily to eject flares except in those cases where inspection indicates a ground test will be adequate. If the flares are ejected so that recoil loads are involved, structural provisions for such loads shall be made.

§ 03.543 *Safety belts.* Safety belts shall be of a type certificated in accordance with Part 15 of this chapter. They shall be so attached that no part of the anchorage will fail at a lower load than that specified in § 03.3811.

§ 03.544 *Emergency flotation and signaling equipment.*

§ 03.5440 *Requirement.* An approved life raft or approved life preserver when required by Part 43 of this chapter, is one approved by either the Administrator, the Bureau of Marine Inspection and Navigation, the U. S. Army Air Forces, or the Bureau of Aeronautics, Navy Department.

§ 03.5441 *Installation of rafts and life preservers.* When such emergency equipment is required, it shall be so installed as to be readily available to the crew and passengers. Rafts released automatically or by the pilot shall be attached to the airplane by means of a line to keep them adjacent to the airplane. The strength of the line shall be such that it will break before submerging the empty raft.

§ 03.5442 *Signaling device.* Signaling devices, when required by Part 43 of this chapter, shall be accessible, shall function satisfactorily, and be free from any hazard in their operation.

§ 03.55 *Radio equipment; installation.*

§ 03.550 *General.* Radio equipment and installations in the airplane shall be free from hazards in themselves, in their method of operation, and in their effects on other components of the airplane.

§ 03.56 *Miscellaneous equipment; installation.*

§ 03.560 *Accessories for multi-engine airplanes.* Engine driven accessories essential to the safe operation of the airplane shall be so installed as to continue to operate despite the failure of any one engine.

§ 03.561 *Hydraulic systems.*

§ 03.5610 *General.* Hydraulic systems and elements shall be so designed as to withstand, without exceeding the yield point, any structural loads which may be imposed in addition to the hydraulic loads.

§ 03.5611 *Tests.* Hydraulic systems shall be substantiated by proof pressure tests. When proof tested, no part of the hydraulic systems shall fail, malfunction, or experience a permanent set. The proof load of any system shall be 1.5 times the maximum operating pressure of that system.

§ 03.5612 *Lines.* All hydraulic oil lines carrying inflammable fluids into a designated fire zone shall be constructed in accordance with § 03.49.

§ 03.5613 *Accumulators.* Hydraulic accumulators or pressurized reservoirs shall not be installed on the engine side of the firewall.

§ 03.6 *Operating limitations and information.*

§ 03.6 *Operating limitations and information.* Means shall be provided by which the pilot and other appropriate crew members are adequately informed of all operating limitations upon which the type design is based. Any other information concerning the airplane found by the Administrator to be necessary for safety during its operation shall also be made available to the crew.

§ 03.60 *Limitations.* The operating limitations specified in the following subsections and any similar limitations shall be established for any airplane and made available to the operator as further described in §§ 03.61 and 03.62, unless its design is such that they are unnecessary for safe operation.

§ 03.600 *Airspeed.* The following airspeed limitations shall be established:

§ 03.6001 *Never exceed speed.* (V_{ne}.) This speed shall not exceed the lesser of the following: (a) 0.9 V_d chosen in accordance with § 03.2110, (b) 0.9 times the maximum speed demonstrated in accordance with § 03.15, but shall not be less than 0.9 times the minimum value of V_d permitted by § 03.2110.

§ 03.6002 *Maximum structural cruising speed.* This operating limitation shall be: (1) Not greater than V_c chosen in accordance with § 03.2110, (2) not greater than 0.89 times V_{ne} established under § 03.6001, (3) not less than the minimum V_c permitted in § 03.2110.

§ 03.6003 *Maneuvering speed.* (See § 03.2110.)

§ 03.6004 *Flaps extended speed.* This speed shall not exceed the lesser of the following:

(a) The design flap speed, V_f, chosen in accordance with § 03.212,

(b) The flap design speed chosen in accordance with § 03.224, but shall not be less than the minimum value of the flap design speed permitted in §§ 03.212 and 03.224.

§ 03.6005 *Minimum control speed.* (See § 03.1312.)

§ 03.601 *Power plant.* The following power plant limitations shall be established and shall not exceed the corresponding limits established as a part of the type certification of the engine and propeller installed in the airplane.

§ 03.6011 *Take-off operation.* (a) Maximum rotational speed (RPM), (b) maximum permissible manifold pressure, if applicable, (c) the time limit upon the use of the corresponding power, (d) where the time limit of Item (c) exceeds 2 minutes, the maximum allowable cylinder head or coolant outlet, and oil temperatures.

§ 03.6012 *Maximum continuous operation.* (a) Maximum rotational speed (RPM), (b) maximum permissible manifold pressure, if applicable, (c) maximum allowable cylinder head or coolant outlet, and oil temperatures.

§ 03.6013 *Fuel octane rating.* The minimum octane rating of fuel required for satisfactory operation of the power plant at the limits of §§ 03.6011 and 03.6012.

§ 03.602 *Airplane weight.* The airplane weight and c. g. limitations are those required to be determined by § 03.11.

§ 03.603 *Minimum flight crew.* The minimum flight crew shall be established as that number of persons required for the safe operation of the airplane during any contact flight as determined by the availability and satisfactory operation of all necessary controls by each operator concerned.

§ 03.604 *Types of operation.* The type of operation to which the airplane is limited shall be established by the category in which it has been found eligible for certification and by the equipment installed. (See Part 43 of this chapter and other pertinent parts of the CAR.)

§ 03.61 *Markings and placards.* The markings and placards specified are required for all airplanes. Placards shall be displayed in a conspicuous place and both shall be such that they may not be easily erased, disfigured, or obscured. Additional information placards and instrument markings having a direct and important bearing on safe operation may be required when unusual design, operating, or handling characteristics so warrant.

§ 03.610 *Instrument markings.* The instruments listed below shall have the following limitations marked thereon. When these markings are placed on the cover glass of the instrument, adequate provisions shall be made to maintain the correct alignment of the glass cover with the face dial. All arcs and lines shall be of sufficient width and so located as to be clearly and easily visible to the pilot.

§ 03.6100 *Airspeed indicator.* True indicated airspeed shall be used.

(a) The Never Exceed speed, V_{ne}—a radial red line. (See § 03.6001.)

(b) The caution range—a yellow arc extending from the red line in (a) above to the upper limit of the green arc specified in (c) below.

(c) The normal operating range—a green arc with the lower limit at V_{s_1}, as determined in § 03.121 with maximum weight, landing gear and wing flaps retracted, and the upper limit at the Maximum Structural Cruising speed established in § 03.6002.

(d) The flap operating range—a white arc with the lower limit at V_{s_0} as determined in § 03.121 at the maximum weight, and the upper limit at the flaps extended speed in § 03.6004.

When the Never Exceed and Maximum Structural Cruising speeds vary with altitude, means shall be provided which will indicate the appropriate limitation to the pilot throughout the operating altitude range.

§ 03.6101 *Magnetic direction indicator.* A placard shall be installed on or in close proximity to the magnetic direction indicator which contains the calibration of the instrument in a level flight attitude with engine(s) operating and radio receiver(s) on or off (which shall be stated). The calibration readings shall be those to known magnetic headings in not less than 30° increments.

§ 03.6102 *Powerplant instruments.* All required powerplant instruments shall be marked with a red radial line at the maximum, and minimum (if applicable) indications for safe operation. The normal operating ranges shall be marked with a green arc which shall not extend beyond the maximum and minimum limits for continuous operation. Take-off and precautionary ranges shall be marked with a yellow arc.

§ 03.6103 *Oil quantity indicators.* Indicators shall be suitably marked in sufficient increments so that they will readily and accurately indicate the quantity of oil.

§ 03.6104 *Fuel quantity indicator.* When the unusable fuel supply for any tank exceeds 1 gallon or 5% of the tank capacity, whichever is greater, a red band shall be placed on the indicator which extends from the calibrated zero reading (see § 03.4221) to the lowest reading obtainable in the level flight attitude, and a suitable notation in the Approved Operating Limitations shall be provided to indicate to the flight personnel that the fuel remaining in the tank when the quantity indicator reaches zero cannot be used safely in flight. (See § 03.5222.)

§ 03.611 *Control markings.* All cockpit controls, with the exception of the primary flight controls, shall be plainly marked and/or identified as to their function and method of operation.

§ 03.6110 *Aerodynamic controls.* The secondary controls shall be suitably marked to comply with §§ 03.352 and 03.353.

§ 03.6111 *Powerplant fuel controls.* (a) Controls for fuel tank selector valves shall be marked to indicate the position corresponding to each tank and any cross feed positions that may exist.

(b) When more than one fuel tank is provided, and if safe operation depends upon the use of tanks in a specific sequence, the fuel tank selector controls shall be marked adjacent to or on the control to indicate to the flight personnel the order in which the tanks should be used.

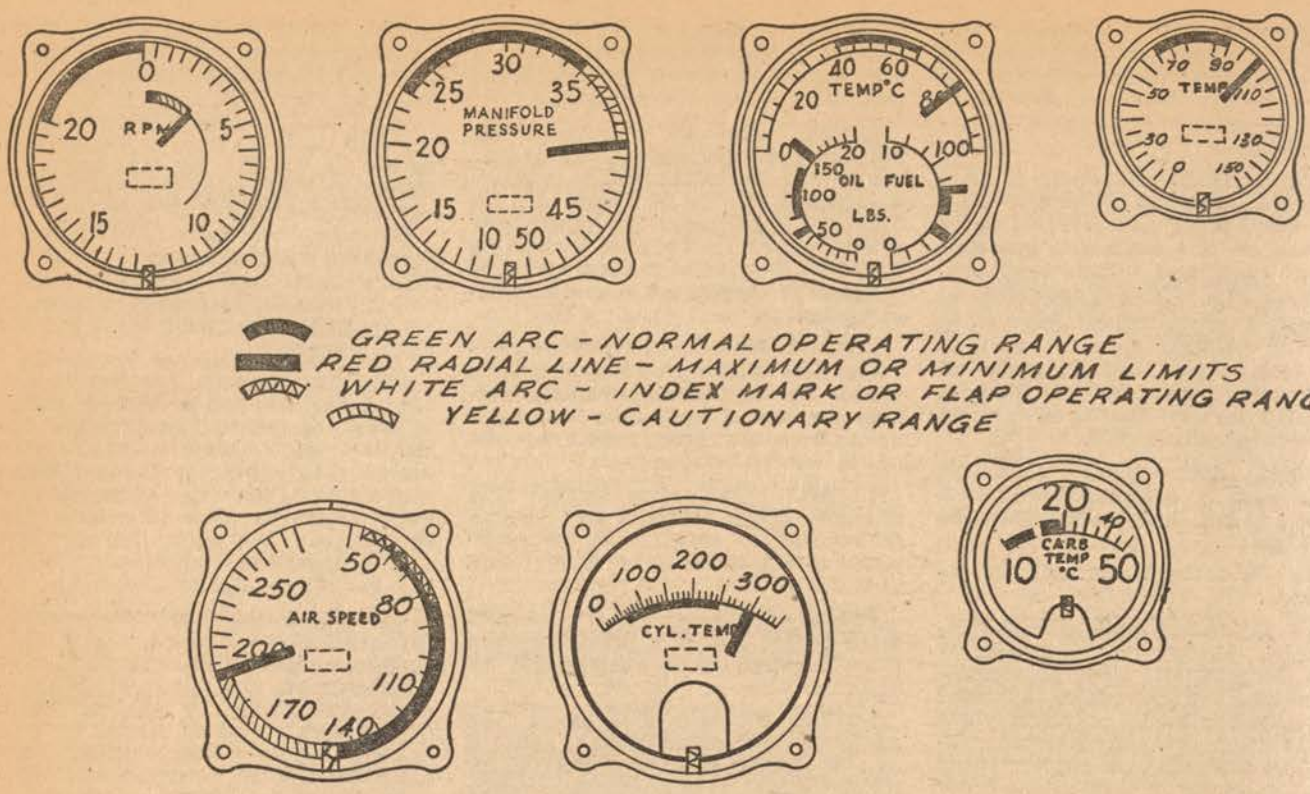


FIG 04-15
REPRESENTATIVE INSTRUMENT MARKINGS

(c) On multi-engine airplanes, controls for engine valves shall be marked to indicate the position corresponding to each engine.

(d) The capacity of each tank shall be indicated adjacent to or on the fuel tank selector control.

§ 03.6112 *Accessory and auxiliary controls.* (a) When a retractable landing gear is used, the visual indicator required in § 03.3622 shall be marked in such a manner that the pilot, at all times, can ascertain when the wheels are secured in either extreme position.

(b) Emergency controls shall be colored red and clearly marked as to their method of operation.

§ 03.612 *Miscellaneous markings and placards.*

§ 03.6120 *Baggage compartments, ballast location, and special seat loading limitations.* (a) Each baggage or cargo compartment and ballast location shall bear a placard which states the maximum allowable weight of contents and, if applicable, any special limitation of contents due to loading requirements, etc.

(b) When the maximum permissible weight to be carried in a seat is less than 170 lbs. (see § 03.113), a placard shall be permanently attached to the seat structure which states the maximum allowable weight of occupant to be carried.

§ 03.6121 *Fuel, oil, and coolant filler openings.* The following information shall be marked on or adjacent to the filler cover in each case:

(a) The word "fuel", the minimum permissible fuel octane number for the engines installed, and the usable fuel tank capacity. (See § 03.4221.)

(b) The word "oil" and the oil tank capacity.

(c) The name of the proper coolant fluid and the capacity of the coolant system.

§ 03.6122 *Emergency exit placards.* Emergency exit placards and operating controls shall be colored red. A placard shall be located adjacent to the control(s) which clearly indicates it to be an emergency exit and describes the method of operation. (See § 03.3812.)

§ 03.6123 *Approved flight maneuvers.*

§ 03.6123–N A placard shall be provided in front of and in clear view of the pilot stating: "No acrobatic maneuvers including spins approved".

§ 03.6123–U A placard shall be provided in front of and in clear view of the pilot stating: "No acrobatic maneuvers approved except those listed below:

Maneuver	*Entry Speed*
*	*

(List here all authorized maneuvers and the recommended entry airspeeds.)

§ 03.6123–A A placard shall be provided in clear view of the pilot which lists all approved acrobatic maneuvers and the recommended entry airspeed for each. If inverted flight maneuvers are not approved, then the placard shall bear a notation to this effect.

§ 03.6124 *Weight and loading distribution placard.* A placard shall be provided in front of and in clear view of the pilot(s) stating: "This airplane must be operated in compliance with the Approved Operating Limitations".

§ 03.62 *Approved Operating Limitations.* "Approved Operating Limitations" shall be furnished with each airplane. The portions of this document listed below shall be verified and approved by the Administrator. Additional items of information having a direct and important bearing on safe operation may be required when unusual design, operating, or handling characteristics so warrant.

§ 03.620 *Operating limitations*—(a) *Airspeed limitations.* Sufficient information shall be included to permit proper marking of the airspeed limitations on the indicator as required in § 03.6100. It shall also include the design maneuvering speed and the maximum safe airspeed at which the landing gear can be safely lowered. In addition to the above information, the significance of the airspeed limitations and of the color coding used shall be explained.

(b) *Powerplant limitations.* Sufficient information shall be included to outline and explain all powerplant limitations (see § 03.601) and to permit marking the instruments as required in § 03.6102.

(c) *Weight.* The following information shall be included: (1) Maximum weight for which the airplane has been certificated; (2) airplane empty weight and center of gravity location; (3) useful load; (4) the composition of the useful load, including the total weight of fuel and oil with tanks full.

(d) *Load distribution.* All authorized c. g. limits shall be stated. If the available space for loading the airplane is adequately placarded or so arranged that any reasonable distribution of the useful load listed in weight above will not result in a c. g. location outside of the stated limits, this section need not include any other information than the statement of c. g. limits.

In all other cases this section shall also include adequate information to indicate satisfactory loading combinations which will assure maintaining the c. g. position within approved limits.

(e) *Maneuvers.* All authorized maneuvers and the appropriate airspeed limitations as well as all unauthorized maneuvers shall be included in accordance with the following:

Normal category. All acrobatic maneuvers, including spins, are unauthorized. If the airplane has been demonstrated to be characteristically incapable of spinning in accordance with § 03.1350–NU, a statement to this effect shall be entered here.

Utility category. All authorized maneuvers demonstrated in the type flight tests shall be listed, together with recommended entry speeds. All other maneuvers are not approved. If the airplane has been demonstrated to be characteristically incapable of spinning in accordance with § 03.1350–NU, a statement to this effect shall be entered here.

Acrobatic category. All approved flight maneuvers demonstrated in the type flight tests shall be included, together with recommended entry speeds.

(f) *Flight load factor.* The positive limit load factors made good by the airplane structure shall be described here in terms of accelerations.

(g) *Flight crew.* When a flight crew of more than one is required to operate the airplane safely, the number and functions of the minimum flight crew shall be included.

§ 03.621 *Operating procedures.* This section shall contain information concerning normal and emergency procedures and other pertinent information peculiar to the airplane's operating characteristics which are necessary to safe operation.

§ 03.622 *Performance information.* Information relative to the following items of performance shall be included:

(a) The stalling speed, V_{s_0}, at maximum weight.

(b) The stalling speed, V_{s_1}, at maximum weight and with landing gear and wing flaps retracted.

(c) The take-off distance determined in accordance with § 03.122, including the air speed at the 50 foot height, and the airplane configuration, if pertinent.

(d) The landing distance determined in accordance with § 03.124, including the airplane configuration, if pertinent.

(e) The steady rate of climb determined in accordance with § 03.123 (a) or (b), as appropriate and (c), including the airspeed, power, and airplane configuration, if pertinent.

The effect of variation in (b) with angle of bank up to 60° shall be included.

The calculated approximate effect of variations in (c), (d), and (e) with altitude and temperature shall be included.

§ 03.7 *Identification data.*

§ 03.70 *Nameplate.* A nameplate shall be securely attached to and located in the pilot compartment which shall contain:

(a) The manufacturer's name and address.
(b) Model and serial numbers.
(c) Date of manufacture.
(d) Type certificate number.

§ 03.71 *Airworthiness certificate number.* The identifying symbols and registration numbers shall be permanently affixed to the airplane structure in compliance with § 43.102.

Effective: November 13, 1945.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-23157; Filed, Dec. 29, 1945; 12:02 p. m.]

TITLE 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

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

REVOCATION OF REGULATIONS

JANUARY 4, 1946.

Pursuant to Presidential Proclamation No. 2678, dated January 4, 1946 (11 F.R. 211), the Regulations of the Attorney General dated January 22, 1942, as amended, (7 F.R. 1477, 1480, 8455; 28 CFR 30.51–30.63) governing the issuance of certificates of identification to aliens of enemy nationality are hereby revoked.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 46-425; Filed, Jan. 7, 1946; 4:48 p. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 996]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 14, 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 5L Carroll	$73,000
Kansas 8L Allen	125,000
Kansas 22C Doniphan	191,700
Montana 16D Park	67,000
North Carolina 53F Burke	236,000
Texas 55K Floyd	115,000
Texas 85F Wise	142,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 46-439; Filed, Jan. 8, 1946; 11:22 a. m.]

[Administrative Order 997]

ALLOCATION OF FUNDS FOR LOANS.

DECEMBER 14, 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*
Arizona 16B Mohave	$2,000
Indiana 52G Ripley	635,000
Kentucky 30K Shelby	430,000
Minnesota 99D Lake of the Woods	70,000
Missouri 23K Lewis	55,000
Missouri 26G Ralls	65,000
New Mexico 17B Sierra	50,000
North Carolina 48D Mecklenburg	89,000
Oregon 25G Deschutes	75,000
Texas 118C Henderson	115,000
Washington 18L Spokane	515,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 46-440; Filed, Jan. 8, 1946; 11:22 a. m.]

[Administrative Order No. 998]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 14, 1945.

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

Project designation:	*Amount*
Alabama 32K Geneva	$50,000
Alabama 43B Marshall	385,000
Arkansas 15K Woodruff	255,000
Arkansas 21L Lincoln	400,000
Georgia 69G Washington	50,000
Kansas 21D Shawnee	290,000
Kentucky 54M Wayne	313,000
Michigan 41D Oceana	140,000
Minnesota 83H Hubbard	105,000
Oklahoma 2M Kay	35,000
Oklahoma 22P Cotton	45,000
Oklahoma 26L Harmon	35,000
Pennsylvania 19F Warren	248,000
Texas 83L Fisher	40,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 46-441; Filed, Jan. 8, 1946; 11:22 a. m.]

[Administrative Order 999]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 19, 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 resignation:	*Amount*
Arizona 18A Maricopa	$305,000
Kansas 33E Pratt	15,000
Maryland 4W St. Marys	66,000
Missouri 42K Caldwell	150,000
Montana 17E Rosebud	55,000
Tennessee 17F Bolivar Public	160,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 46-442; Filed, Jan. 8, 1946; 11:22 a. m.]

[Administrative Order 1000]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 19, 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*
Minnesota 1R Kanabec	$112,000
Mississippi 22G Leake	50,000
North Dakota 20D Grand Forks	1,500,000
South Carolina 23H Dorchester	220,000
South Carolina 30D Colleton	78,000
Virginia 22S Caroline	50,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 46-443; Filed, Jan. 8, 1946; 11:22 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 2136]

AMERICAN AIRLINES, INC.; NONSTOPS

NOTICE OF HEARING

In the matter of the applications of American Airlines, Inc., for authority to inaugurate nonstop service between the pairs of points, New York-Oklahoma City, New York-Tulsa, Washington-Oklahoma City, Washington-Tulsa, Chicago-Oklahoma City, Chicago-Tulsa, Tulsa-Tucson, Tulsa-Phoenix, Los Angeles-Oklahoma City, Los Angeles-Tulsa, under section 238.3 of the Economic Regulations of the Board.

Notice is hereby given that the above-entitled matter is assigned to be heard on January 10, 1946, 10:00 a. m. (eastern standard time) in The Foyer of the auditorium, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner James S. Keith.

Dated at Washington, D. C., January 7, 1946.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 46-426; Filed, Jan. 8, 1946; 10:38 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6950]

CALIFORNIA BROADCASTERS, INC.

AMENDED NOTICE OF HEARING

In re application of California Broadcasters, Inc. (new), date filed, September 24, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Bakersfield, California; operating assignment specified: Frequency, 1460 kc.; power, 1 kw.[1]; hours of operation, unlimited time. File No. B5-P-4076.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Golden Gate Broadcasting Corp. (KSAN) (File No. B5-P-3913, Docket No. 6949), Bakersfield Broadcasting Co. (File No. B5-P-4153, Docket No. 6951), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Co. (File No. B5-P-4150, Docket No. 6952), Cascade Broadcasting Co., Inc. (KTYW) (File No. B5-P-3889, Docket No. 6953), Amphlett Printing Co. (File No. B5-P-3912, Docket No. 6954), San Jose Broadcasting Company (File No. B5-P-3921, Docket No. 6955), Mission Broadcasting Company (File No. B5-P-4266, Docket No. 7023) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other standard broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant's address is as follows:

California Broadcasters, Inc., c/o Willet H. Brown, President, 5515 Melrose Avenue, Hollywood 38, California.

Dated at Washington, D. C., January 2, 1946.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-406; Filed, Jan. 7, 1946; 3:46 p. m.]

[1] Directional antenna.

[Docket No. 6951]

BAKERSFIELD BROADCASTING CO.

AMENDED NOTICE OF HEARING

In re application of Bakersfield Broadcasting Company (new), date filed October 3, 1945, for construction permit; class of service, Standard Broadcast; class of station, Standard broadcast; location, Bakersfield, California; operating assignment specified: Frequency, 1490 kc; power, 250 w; hours of operation, unlimited. File No. B5-P-4153.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Golden Gate Broadcasting Corporation (KSAN) (File No. B5-P-3913, Docket No. 6949), California Broadcasters, Inc. (File No. B5-P-4076, Docket No. 6950), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Montrey Bay Broadcast Co. (File No. B5-P-4150, Docket No. 6952), Cascade Broadcasting Co., Inc. (KTYW) (File No. B5-P-3889, Docket No. 6953), Amphlett Printing Co. (File No. B5-P-3912, Docket No. 6954), San Jose Broadcasting Co. (File No. B5-P-3921, Docket No. 6955), Mission Broadcasting Company (File No. B5-P-4266, Docket No. 7023) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature

and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The address of the applicant is as follows:

Bakersfield Broadcasting Company, P. O. Box 1432, Bakersfield, California.

Dated at Washington, D. C. January 2, 1946.

By the Commission.

[SEAL] T. J. SLOWIE. *Secretary.*

[F. R. Doc. 46-407; Filed, Jan. 7, 1946; 3:46 p. m.]

[Docket No. 6952]

MONTEREY BAY BROADCAST CO.

AMENDED NOTICE OF HEARING

In re application of L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Company (new); date filed, October 8, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Santa Cruz, California; operating assignment specified: frequency 1460 kc; power 500 w; hours of operation, unlimited time. File No. B5-P-4150.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Golden Gate Broadcasting Corporation (KSAN) (File No. B5-P-3913, Docket No. 6949), California Broadcasters, Inc. (File No. B5-P-4076, Docket No. 6950), Bakersfield Broadcasting Co. (File No. B5-P-4153, Docket No. 6951), Cascade Broadcasting Co., Inc. (KTYW) (File No. B5-P-3889, Docket No. 6953), Amphlett Printing Co. (File No. B5-P-3912, Docket No. 6954), San Jose Broadcasting Co. (File No. B5-P-3921, Docket No. 6955), Mission Broadcasting Company (File No. B5-P-4266, Docket No. 7023), on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant partnership, and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant's address is as follows:

Monterey Bay Broadcast Company, c/o Grant R. Wrathall, 983 National Press Bldg., Washington 4, D. C.

Dated at Washington, D. C., January 2, 1946.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-408; Filed, Jan. 7, 1946; 3:46 p. m.]

[Docket No. 6953]

CASCADE BROADCASTING CO., INC. (KTYW)

AMENDED NOTICE OF HEARING

In re application of Cascade Broadcasting Co., Inc. (KTYW); date filed, July 19, 1945; for construction permit to increase power and change in transmitting equipment; class of service, standard broadcast; class of station, standard broadcast; location, Yakima, Washington; operating assignment specified: frequency, 1460 kc; power 1 kw; hours of operation, unlimited time. File No. B5-P-3889.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Golden Gate Broadcasting Corporation (KSAN) (File No. B5-P-3913, Docket No. 6949), California Broadcasters, Inc. (File No. B5-P-4076, Docket No. 6950), Bakersfield Broadcasting Co. (File No. B5-P-4153, Docket No. 6951), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Co. (File No. B5-P-4150, Docket No. 6952), Amphlett Printing Co. (File No. B5-P-3912, Docket No. 6954), San Jose Broadcasting Co. (File No. B5-P-3921, Docket No. 6955), Mission Broadcasting Company (File No. B5-P-4266, Docket No. 7023) on the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KTYW as proposed and the character of other broadcast services available to those areas.

2. To determine the type of program service proposed to be rendered by KTYW and whether it would meet the requirements of the populations and areas proposed to be served.

3. To determine whether Station KTYW operating as proposed would involve objectionable interference with Station CJGX, Yorkton, Saskatchewan, Canada, and if so, the nature and extent thereof.

4. To determine whether the operation of Station KTYW as proposed would involve objectionable interference with any existing broadcast stations in the Central States, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of Station KTYW as proposed would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of Station KTYW as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations, particularly with reference to the location of the transmitter and blanketing.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant's address is as follows:

Cascade Broadcasting Company, Inc., P. O. Box 702, Yakima, Washington.

Dated at Washington, D. C., January 2, 1946.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-409; Filed, Jan. 7, 1946; 3:46 p. m.]

[Docket No. 6954]

AMPHLETT PRINTING CO.

AMENDED NOTICE OF HEARING

In re application of Amphlett Printing Company (new); date filed, August 10, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, San Mateo, California; operating assignment specified: frequency, 1490 kc.; power, 250 w.; hours of operation, unlimited time. File No. B5-P-3912.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Golden Gate Broadcasting Corporation (KSAN) File No. B5-P-3913, Docket No. 6949), California Broadcasters, Inc. (File No. B5-P-4076, Docket No. 6950), Bakersfield Broadcasting Co. (File No. B5-P-4153, Docket No. 6951), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b

as Monterey Bay Broadcast Co. (File No. B5–P–4150, Docket No. 6952), Cascade Broadcasting Co., Inc. (KTYW) (File No. B5–P–3889, Docket No. 6953), San Jose Broadcasting Co. (File No. B5–P–3921, Docket No. 6955), Mission Broadcasting Company (File No. B5–P–4266, Docket No. 7023) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, and the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant's address is as follows:

Amphlett Printing Company, 145 Second Avenue, San Mateo, California.

Dated at Washington, D. C. January 2, 1946.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–410; Filed, Jan. 7, 1946; 3:46 p. m.]

[Docket No. 6955]

SAN JOSE BROADCASTING CO.

AMENDED NOTICE OF HEARING

In re application San Jose Broadcasting Co. (New); date filed, August 14, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, San Jose, California; operating assignment specified: frequency, 1500 kc; power, 1 kw; [1] hours of operation, unlimited time. File No. B5–P–3921.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of California Broadcasters, Inc. (File No. B5–P–4076, Docket No. 6950), Bakersfield Broadcasting Co. (File No. B5–P–4153, Docket No. 6951), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcasting Co. (File No. B5–P–4150, Docket No. 6952), Cascade Broadcasting Co., Inc. (KTYW) (File No. B5–P–3889, Docket No. 6953), Amphlett Printing Co. (File No. B5–P–3912, Docket No. 6954), Golden Gate Broadcasting Corp. (KSAN) (File No. B5–P–3913, Docket No. 6949), Mission Broadcasting Company (File No. B5–P–4266, Docket No. 7023) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant's address is as follows:

San Jose Broadcasting Co., Attention: Joe E. Levitt, 266 South First Street, San Jose, California.

Dated at Washington, D. C., January 2, 1946.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–411; Filed, Jan. 7, 1946; 3:47 p. m.]

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[1] Directional antenna.

[Docket No. 6976]

WICHITA BROADCASTING CO., INC.

NOTICE OF HEARING

In re application of Wichita Broadcasting Company, Inc. (New), date filed October 27, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Wichita, Kansas; operating assignment specified: Frequency, 1490 kw; power, 250 w; hours of operation, unlimited time. File No. B4–P–3747.

You are hereby notified that the Commission has examined the application in the above-entitled proceeding and has designated the matter for hearing in consolidation with the applications of The Wichita Beacon Broadcasting Company (File No. B4–P–3963, Docket No. 6978), Air Capital Broadcasting Company, Inc. (File No. B4–P–3769, Docket No. 6977), Adelaide Lillian Carrell (File No. B4–P–4156, Docket No. 6982), KAIR Broadcasting Company, Inc. (File No. B4–P–4157, Docket No. 6979), KTOP, Inc. (File No. B4–P–3727, Docket No. 6980), Emporia Broadcasting Company, Inc. (KTSW) File No. B4–P–3457, Docket No. 6981) on the following issues.

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, stockholders, and directors, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with the service of Station KSTP, St. Paul, Minnesota, Station KCMO, Kansas City, Missouri and/or any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed by Emporia Broadcasting Company, Inc. (KTSW) (File No. B4–P–3457, Docket No. 6981), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Wichita Broadcasting Company, Inc., c/o William J. Friedman, Room 963, 231 S. LaSalle Street, Chicago, Illinois.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-373; Filed, Jan. 7, 1946; 3:41 p. m.]

[Docket No. 6977]

AIR CAPITAL BROADCASTING CO., INC.

NOTICE OF HEARING

In re application of Air Capital Broadcasting Company, Inc. (new); date filed October 31, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Wichita, Kansas; operation assignment specified: Frequency, 1490 kc.; power, 250 w.; hours of operation, unlimited time. File No. B4-P-3769.

You are hereby notified that the Commission has examined the application in the above-entitled proceeding and has designated the matter for hearing in consolidation with the applications of The Wichita Beacon Broadcasting Company (File No. B4-P-3963, Docket No. 6978), Wichita Broadcasting Company, Inc. (File No. B4-P-3747, Docket No. 6976), Adelaide Lillian Carrell (File No. B4-P-4156, Docket No. 6982), KAIR Broadcasting Company, Inc. (File No. B4-P-4157, Docket No. 6979), KTOP, Inc. (File No. B4-P-3727, Docket No. 6980), Emporia Broadcasting Company, Inc. (KTSW) (File No. B4-P-3457, Docket No. 6981), on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with Station KSTP, St. Paul, Minnesota, Station KCMO, Kansas City, Missouri, and/or any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed by Emporia Broadcasting Company, Inc. (KTSW) (File No. B4-P-3457, Docket No. 6981), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Air Capital Broadcasting Company, Inc., 225 North Waco, Wichita, Kansas.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-374; Filed, Jan. 7, 1946; 3:41 p. m.]

[Docket No. 6978]

WICHITA BEACON BROADCASTING CO.

NOTICE OF HEARING

In re application of Louis Levand, Max Levand, and John Levand d/b as The Wichita Beacon Broadcasting Company (New); date filed September 7, 1945; for construction permit; class of service, broadcast; class of station, broadcast; location, Wichita, Kansas; operating assignment specified: frequency, 1490 kc.; power, 250 w.; hours of operation, unlimited time. File No. B4-P-3963.

You are hereby notified that the Commission has examined the application in the above-entitled proceeding and has designated the matter for hearing in consolidation with the applications of Wichita Broadcasting Company, Inc. (File No. B4-P-3747, Docket No. 6976), Air Capital Broadcasting Company, Inc. (File No. B4-P-3769, Docket No. 6977), Adelaide Lillian Carrell (File No. B4-P-4156, Docket No. 6982), KAIR Broadcasting Company, Inc. (File No. B4-P-4157, Docket No. 6979), KTOP, Inc., (File No. B4-P-3727, Docket No. 6980), Emporia Broadcasting Company, Inc. (KTSW) (File No. B4-P-3457, Docket No. 6981), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership, and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with Station KSTP, St. Paul, Minnesota, Station KCMO, Kansas City, Missouri, and/or any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed by Emporia Broadcasting Company, Inc. (KTSW) (File No. B4-P-3457, Docket No. 6981), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Louis Levand, Max Levand, and John Levand d/b as The Wichita Beacon Broadcasting Company, Beacon Building, Wichita, Kansas.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-375; Filed, Jan. 7, 1946; 3:41 p. m.]

[Docket No. 6979]

KAIR BROADCASTING CO., INC.

NOTICE OF HEARING

In re application of KAIR Broadcasting Company, Inc. (New); date filed, October 5, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Wichita, Kansas; operating assignment specified: frequency, 1490 kc.; power, 250 w.; hours of operation, unlimited time. File No. B4-P-4157.

You are hereby notified that the Commission has examined the application in the above-entitled proceeding and has designated the matter for hearing in consolidation with the applications of The Wichita Beacon Broadcasting Company (File No. B4-P-3963, Docket No. 6978), Wichita Broadcasting Company, Inc. (File No. B4-P-3747, Docket No. 6976), Adelaide Lillian Carrell (File No. B4-P-4156, Docket No. 6982), Air Capital Broadcasting Company, Inc. (File No. B4-P-3769, Docket No. 6977), KTOP, Inc. (File No. B4-P-3727, Docket No. 6980), Emporia Broadcasting Company, Inc. (KTSW) (File No. B4-P-3457, Docket No. 6981), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with Station KSTP, St. Paul, Minnesota, Station KCMO, Kansas City, Missouri, and/or any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed by Emporia Broadcasting Company, Inc. (KTSW) (File No. B4-P-3457, Docket No. 6981), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

KAIR Broadcasting Company, Inc., 1008 Brown Building, Wichita, Kansas.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-376; Filed, Jan. 7, 1946; 3:41 p. m.]

[Docket No. 6980]

KTOP, INC.

NOTICE OF HEARING

In re application of KTOP, Inc. (new); date filed, October 14, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Topeka, Kansas; operating assignment specified: Frequency, 1400 kc.; power, 250 w.; hours of operation, unlimited time. File No. B4-P-3727.

You are hereby notified that the Commission has examined the application in the above-entitled proceeding and has designated the matter for hearing in consolidation with the applications of The Wichita Beacon Broadcasting Company (File No. B4-P-3963, Docket No. 6978), Wichita Broadcasting Company, Inc. (File No. B4-P-4157, Docket No. 6976), KAIR Broadcasting Company, Inc. (File No. B4-P-3747, Docket No. 6979), Air Capital Broadcasting Company, Inc. (File No. B4-P-3769, Docket No. 6977), Adelaide Lillian Carrell (File No. B4-P-4156, Docket No. 6982), Emporia Broadcasting Company, Inc. (KTSW) (File No. B4-P-3457, Docket No. 6981), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered by this applicant and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference to or from Station KWON, Bartlesville, Oklahoma, Station KVGB, Great Bend, Kansas, Station KORN, Fremont, Nebraska and/or any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the opeartion of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, and areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules, and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and Procedure.

The applicant's address is as follows:

KTOP, Inc., c/o R. J. Laubengayer, Salina, Kansas.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-377; Filed, Jan. 7, 1946; 3:41 p. m.]

[Docket No. 6566]

VANCOUVER RADIO CORP.

NOTICE OF HEARING

In re application of Vancouver Radio Corporation (KVAN); date filed, September 23, 1943; for construction permit, to change freq. inc. power and hrs. oper.; class of service, broadcast; class of station, broadcast; location, Vancouver, Washington; operating assignment specified: frequency, 930 kc; power 1 kw nightly,[2] 1 kw day; [1] hours of operation, unlimited time. File No. B5-P-3552.

You are hereby notified that the Commission has examined the application, as amended, in the above-entitled proceeding and has designated the matter for hearing, de novo, in consolidation with the application of Radio Service Corporation (KSEI) (File No. B5-P-3735, Docket No. 6865), on the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KVAN, as proposed, and the character of other broadcast services available to those areas and populations.

2. To determine the type and character of program service proposed to be rendered, and whether it would meet the requirements of the populations and areas proposed to be served.

3. To determine whether the operation of Station KVAN, as proposed, would involve objectionable interference with Station CJCA, Edmonton, Alberta, Canada, and, if so, the extent and nature thereof.

4. To determine whether the operation of Station KVAN, as proposed, would involve objectionable interference with Station KTKN, Ketchikan, Alaska, or any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed by Radio Service Corporation (KSEI) (File No. B5-P-3735, Docket No. 6865), or in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether Station KVAN, operating as proposed, would provide primary service to the metropolitan district of Portland, Oregon, as contemplated by the Standards of Good Engineering Practice.

7. To determine whether the installation and operation of Station KVAN, as proposed would be in compliance with the Commission's rules, and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant's address is as follows:

Vancouver Radio Corporation, 707½ Main Street, Vancouver, Washington.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-380; Filed, Jan. 7, 1946; 3:42 p. m.]

[1] Directional antenna for day and night use.

[Docket No. 6709]

GREATER PEORIA RADIO BROADCASTERS, INC.

NOTICE OF HEARING

In re application of Greater Peoria Radiobroadcasters, Inc. (new); date filed, August 21, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Peoria, Illinois; operating assignment specified: Frequency, 1290 kc.; power, 1 kw.[1] Night, 1 kw.[1] Day; hours of operation, unlimited time. File No. B4-P-3680.

You are hereby notified that the Commission has re-examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Edward J. Altorfer, et al., d/b as Illinois Valley Broadcasting Company (File No. B4-P-3686, Docket No. 6710), and F. F. McNaughton (File No. B4-P-3803, Docket No. 6713), on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with existing broadcasting stations, particularly Stations WHIO, Dayton, Ohio, and WHBF, Rock Island, Illinois, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Greater Peoria Radiobroadcasters, Inc., Commercial Bank Building, Adams and Liberty Streets, Peoria, Illinois.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-395; Filed, Jan. 7, 1946; 3:44 p. m.]

[1] Directional antenna.

[Docket No. 6710]

ILLINOIS VALLEY BROADCASTING CO.

NOTICE OF HEARING

In re application of Edward J. Altorfer, John M. Camp, John H. Altorfer, Katherine A. Swain and Timothy W. Swain, d/b as Illinois Valley Broadcasting Company (New), date filed October 23, 1944; for, construction permit; class of service, broadcast; class of station, broadcast; location, Peoria, Illinois; operating assignment specified: frequency 1290 kc.; power, 1 kw.[1] day, 1 kw.[1] night; hours of operation, unlimited. File No. B4-P-3686.

You are hereby notified that the Commission has re-examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Greater Peoria Radiobroadcasters, Inc. (File No. B4-P-3680, Docket No. 6709), and F. F. McNaughton (File No. B4-P-3803, Docket No. 6713), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements

of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with existing broadcast stations, particularly Stations WHIO, Dayton, Ohio, and WHBF, Rock Island, Illinois, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Edward J. Altorfer, John M. Camp, John H. Altorfer, Katherine A. Swain, and Timothy W. Swain, d/b as Illinois Valley Broadcasting Company, 1212-14 Jefferson Building, Peoria, Illinois.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-394; Filed, Jan. 7, 1946; 3:44 p. m.]

[Docket No. 6713]

F. F. MCNAUGHTON

NOTICE OF HEARING

In re application of F. F. McNaughton (new), date filed December 7, 1944; for, construction permit; class of service, broadcast; class of station, broadcast; location, Peoria, Illinois; operating assignment specified: frequency, 1,290 kc.; power, 1 kw. day; hours of operation, daytime. File No. B4-P-3803.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Greater Peoria Radiobroadcasters, Inc. (File No. B4-P-3680, Docket No. 6709), and Edward J. Altorfer, *et al* d/b as Illinois Valley Broadcasting Co. (File No. B4-P-3686, Docket No. 6710), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with existing broadcasting stations, particularly Stations WHIO, Dayton, Ohio, WHBF, Rock Island, Illinois, and, WMRO, Aurora, Illinois, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

F. F. McNaughton, 20 South 4th Street, Pekin, Illinois.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-393; Filed, Jan. 7, 1946; 3:44 p. m.]

[Docket No. 6739]

KOVO BROADCASTING CO.

NOTICE OF HEARING

In re application of KOVO Broadcasting Company (KOVO); date filed, July 27, 1944; for construction permit to change freq. inc. power, inst. new trans.; class of service, broadcast; class of station, broadcast; location, Provo, Utah; operating assignment specified: frequency, 960 kc.; power, 1 kw[1] night, 1 kw day; hours of operation, unlimited time. File No. B5-P-3667.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing in consolidation with the application of United Broadcasting Company, Ogden, Utah (File No. B5-P-4107; Docket No. 6885), on the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate Station KOVO as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station KOVO, and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the proposed operation of Station KOVO would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed operation of KOVO would involve objectionable interference with the operation of a station as Ogden, Utah, as proposed by United Broadcasting Company (Docket No. 6885), or with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed operation of Station KOVO would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than

[1] Directional antenna.

the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

KOVO Broadcasting Company (A corporation), 108 West Center, Provo, Utah.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-382; Filed, Jan. 7, 1946; 3:42 p. m.]

[Docket No. 6843]

BAY STATE BEACON, INC.

NOTICE OF HEARING

In re application of Bay State Beacon, Inc. (new); date filed, September 18, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Brockton, Massachusetts; operating assignment specified, frequency, 1450 kc.; power, 250 w; hours of operation, unlimited time. File No. B1-P-3983.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, Brockton, Massachusetts (File No. B1-P-3819, Docket No. 6844), Cur-Nan Company, Brockton, Massachusetts (File No. B1-P-4054, Docket No. 6845), Templetone Radio Mfg. Corporation, Boston, Massachusetts (File No. B1-P-4146, Docket No. 6846), and Plymouth County Broadcasting Corporation, Brockton, Massachusetts (File No. B1-P-4216, Docket No. 7008), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the service proposed in the pending application of Templetone Radio Mfg. Corporation (File No. B1-P-4146, Docket No. 6846), or in other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Bay State Beacon, Inc., c/o Robert M. Fletcher, 106 Main Street, Brockton, Massachusetts.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-390; Filed, Jan. 7, 1946; 3:43 p. m.]

[Docket No. 6844]

MITCHELL G. MEYERS ET AL.

NOTICE OF HEARING

In re application of Mitchell G. Meyers, Rubin E. Aronheim, and Milton H. Meyers (new), date filed November 17, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Brockton, Massachusetts; operating assignment specified: frequency, 1450 kc.; power, 250 w.; hours of operation, unlimited time. File No. B1-P-3819.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Bay State Beacon, Inc., Brockton, Massachusetts File No. B1-P-3983, Docket No. 6843), Cur-Nan Company, Brockton, Massachusetts (File No. B1-P-4054, Docket No. 6845), Templetone Radio Mfg. Corporation, Boston, Massachusetts (File No. B1-P-4146, Docket 6846), and Plymouth County Broadcasting Corporation, Brockton, Massachusetts (File No. B1-P-4216, Docket No. 7008), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership, and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in the pending application of Templetone Radio Mfg. Corporation (File No. B1-P-4146, Docket No. 6846), or in other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, c/o WEIM—717 Main Street, Fitchburg, Massachusetts.

Dated at Washington, D. C., Dec. 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-389; Filed, Jan. 7, 1946; 3:43 p. m.]

[Docket No. 6845]

CUR-NAN CO.

NOTICE OF HEARING

In re application of Cur-Nan Company (new); date filed, September 26, 1945; for construction permit; class of service,

standard broadcast; class of station, standard broadcast; location, Brockton, Massachusetts; operating assignment specified: frequency, 1450 kc.; power, 250 w.; hours of operation, unlimited time. File No. B1–P–4054.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Bay State Beacon, Inc., Brockton, Massachusetts (File No. B1–P–3983, Docket No. 6843), Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, Brockton, Massachusetts (File No. B1–P–3819, Docket No. 6844), Templetone Radio Mfg. Corporation, Boston, Massachusetts (File No. B1–P–4146, Docket No. 6848) and Plymouth County Broadcasting Corporation, Brockton, Massachusetts (File No. B1–P–4216, Docket No. 7008), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in the pending application of Templetone Radio Mfg. Corporation (File No. B1–P–4146, Docket No. 6846) or in other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Cur-Nan Company, 10 Post Office Square, Room 1362, Boston, Massachusetts.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–388; Filed, Jan. 7, 1946; 3:43 p. m.]

[Docket No. 6846]

TEMPLETONE RADIO MFG. CORP.

NOTICE OF HEARING

In re application of The Templetone Radio Mfg. Corporation (new); date filed October 8, 1945, for construction permit; class of service, standard broadcast; class of station, standard broadcast; location: Boston, Massachusetts and satellite stations at Brockton, Quincy and Saugus and Belmont, Massachusetts; operating assignment specified: frequency, 1450 kc; power 250 w; hours of operation, unlimited time. File No. B1–P–4146.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Bay State Beacon, Inc., Brockton, Massachusetts (File No. B1–P–3983, Docket No. 6843), Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, Brockton, Massachusetts (File No. B1–P–3819, Docket No. 6844), Cur-Nan Company, Brockton, Massachusetts (File No. B1–P–4054, Docket No. 6845), and Plymouth County Broadcasting Corporation, Brockton, Massachusetts (File No. B1–P–4216, Docket No. 7008), on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in the pending applications of Bay State Beacon, Inc. (File No. B1–P–3983, Docket No. 6843), Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers (File No. B1–P–3819, Docket No. 6844), Cur-Nan Company (File No. B1–P–4054, Docket No. 6845), Plymouth County Broadcasting Corporation (File No. B1–P–4216, Docket No. 7008), or in other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Templetone Radio Mfg. Corporation, 100 Garfield Avenue, New London, Connecticut.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–387; Filed, Jan. 7, 1946; 3:43 p. m.]

[Docket No. 6854]

BERNARD LEE BLUM

NOTICE OF HEARING

In re application of Bernard Lee Blum (new); date filed, October 5, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Waterbury, Connecticut; operating assignment specified, frequency, 1240 kc., power, 250 w.; hours of operation, unlimited. File No. B1–P–4079.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing in consolidation with the applications of Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, a partnership, Waterbury, Connecticut (File No. B1–P–4083; Docket No. 6855), Harold Thomas, Waterbury, Connecticut (File No. B1–P–3951; Docket No. 6856), Associated Electronic Enterprises, Woonsocket, R. I. (File No. B1–P–4111; Docket No. 6857), and Norwich Broadcasting Company, a partnership composed of H. Ross Per-

kins and J. Eric Williams, Norwich, Connecticut (File No. B1–P–3870; Docket No. 6858), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in the pending applications of Associated Electronic Enterprises, Woonsocket, R. I., (File No. B1–P–4111; Docket No. 6857), Norwich Broadcasting Company, Norwich, Connecticut (File No. B1–P–3870; Docket No. 6858), or in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Bernard Lee Blum, 102 South Main Street, Waterbury 3, Connecticut.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–362; Filed, Jan. 7, 1946; 3:39 p. m.]

[Docket No. 6855]

MITCHELL G. MEYERS ET AL.

NOTICE OF HEARING

In re application of Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, a partnership (new); date filed October 8, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Waterbury, Connecticut; operating assignment specified: frequency 1240 kc, power 250 w; hours of operation, unlimited time. File No. B1–P–4083.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing in consolidation with the applications of Bernard Lee Blum, Waterbury, Connecticut (File No. B1–P–4079; Docket No. 6854), Harold Thomas, Waterbury, Connecticut (File No. B1–P–3951; Docket No. 6856), Associated Electronic Enterprises, Woonstocket, R. I. (File No. B1–P–4111; Docket No. 6857), and Norwich Broadcasting Company, a partnership composed of H. Ross Perkins and J. Eric Williams, Norwich, Connecticut (File No. B1–P–3870; Docket No. 6858), on the following issues;

1. To determine the legal, technical, financial, and other qualifications of the applicant, and its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in the pending applications of Associated Electronic Enterprises, Woonsocket, R. I., (File No. B1–P–4111; Docket No. 6857), Norwich Broadcasting Company, Norwich, Connecticut (File No. B1–P–3870; Docket No. 6858), or in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, a partnership, 182 Grand Street, Waterbury, Connecticut.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–363; Filed, Jan. 7, 1946; 3:39 p. m.]

[Docket No. 6856]

HAROLD THOMAS

NOTICE OF HEARING

In re application of Harold Thomas (new), date filed August 29, 1945; for construction permit; class of service, broadcast; class of station, broadcast; location, Waterbury, Connecticut; operation assignment specified: frequency 1240 kc, power 250 w; hours of operation, unlimited time. File No. B1–P–3951.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing in consolidation with the applications of Bernard Lee Blum, Waterbury, Connecticut (File No. B1–P–4079; Docket No. 6854), Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, a partnership, Waterbury, Connecticut (File No. B1–P–4083; Docket No. 6855), Associated Electronic Enterprises, Woonsocket, R. I. (File No. B1–P–4111; Docket No. 6857), and Norwich Broadcasting Company, a partnership composed of H. Ross Perkins and J. Eric Williams, Norwich, Connecticut (File No. B1–P–3870; Docket No. 6858), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any

existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in the pending applications of Associated Electronic Enterprises, Woonsocket, R. I. (File No. B1–P–4111; Docket No. 6857), Norwich Broadcasting Company, Norwich, Connecticut (File No. B1–P–3870; Docket No. 6858), or in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Harold Thomas, 71 Grand Street, Waterbury, Connecticut.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–364; Filed, Jan. 7, 1946; 3:39 p. m.]

[Docket No. 6857]

ASSOCIATED ELECTRONIC ENTERPRISES

NOTICE OF HEARING

In re application of Associated Electronic Enterprises (new); date filed, October 5, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Woonsocket, R. I.; operating assignment specified: frequency, 1240 kc.; power, 250 w; hours of operation, unlimited time. File No. B1–P–4111.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing in consolidation with the applications of Bernard Lee Blum, Waterbury, Connecticut (File No. B1–P–4079; Docket No. 6854), Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, a partnership, Waterbury, Connecticut (File No. B1–P–4083; Docket No. 6855), Harold Thomas, Waterbury, Connecticut (File No. B1–P–3951; Docket No. 6856), and Norwich Broadcasting Company, a partnership composed of H. Ross Perkins and J. Eric Williams, Norwich, Connecticut (File No. B1-P–3870; Docket No. 6858), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant, and of its officers, directors, and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to regain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in the pending applications of Bernard Lee Blum, Waterbury, Connecticut (File No. B1–P–4079; Docket No. 6854), Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, Waterbury, Connecticut (File No. B1–P–4083; Docket No. 6855), Harold Thomas, Waterbury, Connecticut (File No. B1–P–3951; Docket No. 6856), Norwich Broadcasting Company, Norwich, Connecticut (File No. B1–P–3870; Docket No. 6858), or in any other pending application for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Associated Electronic Enterprises, 991 Broad, Bridgeport, Connecticut.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–365; Filed, Jan. 7, 1946; 3:39 p. m.]

[Docket No. 6858]

NORWICH BROADCASTING CO.

NOTICE OF HEARING

In re application of Norwich Broadcasting Company, a partnership composed of H. Ross Perkins and J. Eric Williams. (new); date filed, May 26, 1945; for construction permit; class of service, broadcast; class of station, broadcast; location, Norwich, Connecticut; operating assignment specified: frequency, 1240 kc, power, 250 w.; hours of operation, unlimited time. File No. B1–P–3870.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing in consolidation with the applications of Bernard Lee Blum, Waterbury, Connecticut (File No. B1–P–4079; Docket No. 6854), Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, a partnership, Waterbury, Connecticut (File No. B1–P–4083; Docket No. 6855), Harold Thomas, Waterbury, Connecticut (File No. B1–P–3951; Docket No. 6856), and Associated Electronic Enterprises, Woonsocket, R. I. (File No. B1–P–4111; Docket No. 6857), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant, and its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in the pending applications of Bernard Lee Blum, Waterbury, Connecticut (File No. B1–P–4079; Docket No. 6854), Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, Waterbury, Connecticut (File No. B1–P–4083; Docket No. 6855), Harold Thomas,

Waterbury, Connecticut (File No. B1–P–3951; Docket No. 6856), Associated Electronic Enterprises, Woonsocket, R. I. (File No. B1–P–4111; Docket No. 6857), or in any other pending application for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Norwich Broadcasting Company, 91 Main Street, Norwich, Connecticut.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46–366; Filed, Jan. 7, 1946; 3:40 p. m.]

[Docket No. 6859]

VALLEY BROADCASTING ASSN., INC.

NOTICE OF HEARING

In re application of Valley Broadcasting Association, Inc. (new), date filed November 8, 1944; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, McAllen, Texas; operating assignment specified: frequency 910 kc, power 1 kw; [1] hours of operation unlimited time. File No. B3–P–3759.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Howard W. Davis, (File No. B3–P–3830; Docket No. 6860); Radio Station KEEW Ltd, (KEEW) (File No. B3–4104; Docket No. 6861); and Red River Valley Broadcasting Corporation (KRRV) (File No. B3–P–4105; Docket No. 6862); on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant, its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine the extent of any interference which would result from the simultaneous operation of the proposed station with the operation of Station KEEW, Brownsville, Texas, as proposed by Radio Station KEEW, Ltd., Docket No. 6861, and the operation of KRRV, Sherman, Texas, as proposed by Red River Valley Broadcasting Corporation, Docket No. 6862, as well as the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Valley Broadcasting Association, Inc., P. O. Box 1311, Valley Highway, McAllen, Texas.

Dated at Washington, D. C., December 26, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46–354; Filed, Jan. 7, 1946; 3:38 p. m.]

[1] Directional antenna.

[Docket No. 6860]

HOWARD W. DAVIS

NOTICE OF HEARING

In re application of Howard W. Davis (New), date filed December 5, 1944; for Construction Permit; class of service, standard broadcast; class of station, standard broadcast; location, McAllen, Texas; operating assignment specified: frequency 910 kc, power 1 kw [1] N, 1 kw D; hours of operation, unlimited time. File No. B3–P–3830.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Valley Broadcasting Association, Inc. (File No. B3–P–3759; Docket No. 6859); Radio Station KEEW Ltd. (KEEW) (File No. B3–P–4104, Docket No. 6861); Red River Valley Broadcasting Corporation (KRRV) (File No. B3–P–4105; Docket No. 6862); on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine the extent of any interference which would result from the simultaneous operation of the proposed station with a new station in Brownsville, Texas, as proposed by Radio Station KEEW, Ltd., (Docket No. 6861) and the operation of KRRV, Sherman, Texas, as proposed by Red River Valley Broadcasting Corporation, Docket No. 6862, as well as the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

[1] Directional antenna—night.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Howard W. Davis, National Bank of Commerce Building, San Antonio, Texas.

Dated at Washington, D. C., December 26, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-353; Filed, Jan. 7, 1946; 3:38 p. m.]

[Docket No. 6861]

RADIO STATION KEEW LTD.

NOTICE OF HEARING

In re application of Radio Station KEEW Ltd. (KEEW); date filed, October 8, 1945; for construction permit to increase power, change freq. etc.; class of service, standard broadcast; class of station, standard broadcast; location: Brownsville, Texas; operating assignment specified: frequency 910 kc, power 1 kw;[1] hours of operation, unlimited time. File No. B3-P-4104.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Valley Broadcasting Association, Inc. (File No. B3-P-3759; Docket No. 6859); Howard W. Davis (File No. B3-P-3830; Docket No. 6860); and Red River Valley Broadcasting Corporation (KRRV) (File No. B3-P-4105; Docket No. 6862); on the following issues:

1. To determine the technical, financial, and other qualifications of the applicant, its officers, directors, and stockholders, to construct and operate Station KEEW as herein proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station KEEW and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the proposed operation of Station KEEW would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine the extent of any interference which would result from the simultaneous operation of Station KEEW as proposed with a new station in McAllen, Texas, as proposed by Howard W. Davis, Docket No. 6860 and Valley Broadcasting Association, Inc. (Docket No. 6859) respectively, and the operation of Station KRRV in Sherman, Texas, as proposed by Red River Valley Broadcasting Corporation (Docket No. 6862), as well as the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the operation of Station KEEW would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the proposed installation and operation of Station KEEW would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Radio Station KEEW, Ltd., 2701 San Benito Street, Brownsville, Texas.

Dated at Washington, D. C., December 26, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-355; Filed, Jan. 7, 1946; 3:38 p. m.]

[Docket No. 6862]

RED RIVER VALLEY BROADCASTING CORP. (KRRV)

NOTICE OF HEARING

In re application of Red River Valley Broadcasting Corporation (KRRV), date filed October 11, 1945, for construction permit to increase power, etc.; class of service, standard broadcast; class of station, standard broadcast; location, Sherman, Tex.; operating assignment specified: frequency, 910 kc.; power 5 kw. day,[1] 5 kw. night[1]; hours of operation, unlimited time. File No. B3-P-4105.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Valley Broadcasting Association, Inc. (File No. B3-P-3759; Docket No. 6859); Howard W. Davis (File No. B3-P-3830; Docket No. 6860); and Radio Station KEEW Ltd. (KEEW) (File No. B3-P-4104; Docket No. 6861); on the following issues:

1. To determine the technical, financial, and other qualifications of the applicant, its officers, directors, and stockholders, to construct and operate Station KRRV as herein proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station KRRV and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the proposed operation of Station KRRV would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine the extent of any interference which would result from the simultaneous operation of KRRV as proposed with a new station at McAllen, Texas, as proposed by Valley Broadcasting Association, Inc., Docket No. 6859, and Howard W. Davis, Docket No. 6860, respectively, and a station at Brownsville, Texas, as proposed by Radio Station KEEW, Ltd., Docket No. 6861, as well as the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed operation of Station KRRV would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of Station KRRV would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such

[1] Directional antenna for day and night use

issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Red River Valley Broadcasting Corporation, 421 North Crockett Street, Sherman, Texas.

Dated at Washington, D. C., December 26, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-356; Filed, Jan. 7, 1946; 3:38 p. m.]

[Docket No. 6865]

RADIO SERVICE CORP. (KSEI)

NOTICE OF HEARING

In re application of Radio Service Corporation (KSEI), date filed May 3, 1944, for construction permit for move of trans., incr. ni. power and DA-N; class of service, broadcast; class of station, broadcast; location, Pocatello, Idaho; operating assignment specified: frequency, 930 kc.; power, 5 kw. N,[1] 5 kw. DA.; hours of operation, unlimited time. File No. B5-P-3735.

You are hereby notified that the Commission has examined the application in the above-entitled proceeding and has designated the matter for hearing in consolidation with the application of Vancouver Radio Corporation (KVAN) (File No. B5-P-3552, Docket No. 6566) on the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KSEI, as proposed, and the character of other broadcast services available to those areas and populations.

2. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

3. To determine whether the operation of Station KSEI, as proposed, would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the proposed operation of Station KSEI would involve objectionable interference with services proposed by Vancouver Radio Corporation (KVAN) (File No. B5-P-3552, Docket No. 6566), or in any other pending application for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the equipment, installation and operation of Station KSEI as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautical Administration requirements.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Radio Service Corporation (KSEI), Yellowstone Highway, Pocatello, Idaho.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-381; Filed, Jan. 7, 1946; 3:42 p. m.]

[Docket No. 6866]

PENN THOMAS WATSON (WGTM)

NOTICE OF HEARING

In re application of Penn Thomas Watson (WGTM); date filed, January 24, 1945; for construction permit to change frequency, increase power, install new transmitter and D. A. for day and night use and change transmitter site; class of service, broadcast; class of station, broadcast; location, Wilson, North Carolina; operating assignment specified: frequency, 590 kc; power, 5 kw [1] night, 5 kw [1] day; hours of operation, unlimited time. File No. B3-P-3848.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Eastern Carolina Broadcasting Co. (WGBR), Goldsboro, N. C. (File No. B3-P-3914, Docket No. 6867); Jonas Weiland (WFTC), Kinston, N. C. (File No. B3-P-3827, Docket No. 6868); Roanoke Broadcasting Corp. (WSLS), Roanoke, Va. (File No. B2-P-4095, Docket No. 6869); and Lynchburg Broadcasting Corp. (WLVA), Lynchburg, Va. (File No. B1-P-4096, Docket No. 6870), on the following issues:

1. To determine the technical, financial and other qualifications of the applicant to construct and operate Station WGTM as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WGTM and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the proposed operation of Station WGTM would involve objectionable interference with any existing broadcast station, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine the extent of any interference which would result from the simultaneous operation of Station WGTM as proposed with Station WGBR at Goldsboro, N. C. as proposed in the application of Eastern Carolina Broadcasting Co., (File No. B3-P-3914, Docket No. 6867), with Station WFTC at Kinston, N. C., as proposed in the application of Jonas Weiland, (File No. B3-P-3827, Docket No. 6868), and with Station WSLS at Roanoke, Va., as proposed in the application of Roanoke Broadcasting Corp., (File No. B2-P-4095, Docket No. 6869), the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed operation of Station WGTM would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of the broadcast service to such areas and populations.

7. To determine whether the operation of Station WGTM would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Penn Thomas Watson, U. S. Highway 301, Wilson, North Carolina.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-357; Filed, Jan. 7, 1946; 3:38 p. m.]

---

[1] Directional antenna.

[1] Directional antenna for day and night use.

[Docket No. 6867]

EASTERN CAROLINA BROADCASTING CO. (WGBR)

NOTICE OF HEARING

In re application of Eastern Carolina Broadcasting Company (WGBR); date filed, August 11, 1945; for construction permit to change frequency, increase power, install new transmitter and D. A. for day and night use, and change transmitter location; class of service, broadcast; class of station, broadcast; location, Goldsboro, North Carolina; operating assignment specified: frequency, 590 kc; power, 5 kw[1] day and night; hours of operation, unlimited time. File No. B3-P-3914.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Penn Thomas Watson (WGTM), Wilson, N. C. (File No. B3-P-3848, Docket No. 6866), Jonas Weiland (WFTC), Kinston, N. C., (File No. B3-P-3827, Docket No. 6868), Roanoke Broadcasting Corp. (WSLS), Roanoke, Va., (File No. 4095, Docket No. 6869), and Lynchburg Broadcasting Corp. (WLVA), Lynchburg, Va. (File No. B1-P-4096, Docket No. 6870), on the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation and of its officers, directors, and stockholders, to construct and operate Station WGBR as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WGBR and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the proposed operation of Station WGBR would involve objectionable interference with any existing broadcast station, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine the extent of any interference which would result from the simultaneous operation of Station WGBR as proposed with Station WGTM at Wilson, N. C., as proposed in the application of Penn Thomas Watson (File No. B3-P-3848, Docket No. 6866), with Station WFTC at Kinston, N. C., as proposed in the application of Jonas Weiland (File No. B3-P-3827, Docket No. 6868), and with Station WSLS at Roanoke, Va., as proposed in the application of Roanoke Broadcasting Corp. (File No. B2-P-4095, Docket No. 6869), the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed operation of Station WGBR would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of Station WGBR would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Eastern Carolina Broadcasting Company, Inc., Borden Building, Walnut and James Street, Goldsboro, North Carolina.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-358; Filed, Jan. 7, 1946; 3:38 p. m.]

[1] Directional antenna day and night.

[Docket No. 6868]

JONAS WEILAND (WFTC)

NOTICE OF HEARING

In re application of Jonas Weiland (WFTC); date filed December 22, 1944; for construction permit to change frequency, increase power, install new transmitter and D. A. for night use, and change transmitter location; class of service, broadcast; class of station, broadcast; location, Kinston, North Carolina; operating assignment specified: frequency, 590 kc., power 5 kw[1] night, 5 kw day; hours of operation, unlimited time. File No. B3-P-3827.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Penn Thomas Watson (WGTM), Wilson, N. C., (File No. B3-P-3848, Docket No. 6866), Eastern Carolina Broadcasting Co. (WGBR), Goldsboro, N. C., (File No. B3-P-3914, Docket No. 6867), Roanoke Broadcasting Corp. (WSLS), Roanoke, Va. (File No. B2-P-4095, Docket No. 6869) and Lynchburg Broadcasting Corp. (WLVA), Lynchburg, Va. (File No. B1-P-4096, Docket No. 6870), on the following issues:

1. To determine the technical, financial and other qualifications of the applicant to construct and operate Station WFTC as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WFTC and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the proposed operation of Station WFTC would involve objectionable interference with any existing broadcast station, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine the extent of any interference which would result from the simultaneous operation of Station WFTC as proposed with Station WGTM at Wilson, N. C., as proposed in the application of Penn Thomas Watson (File No. B3-P-3848, Docket No. 6866), with Station WGBR at Goldsboro, N. C., as proposed in the application of Eastern Carolina Broadcasting Co. (File No. B3-P-3914, Docket No. 6867), and with Station WSLS at Roanoke, Va., as proposed in the application of Roanoke Broadcasting Corp. (File No. B2-P-4095, Docket No. 6869), the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed operation of Station WFTC would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of Station WFTC would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

[1] Directional antenna.

The applicant's address is as follows:

Jonas Weiland, 204 E. King Street, Kinston, North Carolina.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-359; Filed, Jan. 7, 1946; 3:39 p. m.]

[Docket No. 6869]

ROANOKE BROADCASTING CORP. (WSLS)

NOTICE OF HEARING

In re application of Roanoke Broadcasting Corp. (WSLS); date filed: October 18, 1945; for construction permit to change frequency, increase power, install new transmitter and D. A. for day and night use and change transmitter location; class of service, standard broadcast; class of station, standard broadcast; location, Roanoke, Virginia; operating assignment specified: frequency 590 kc., power 1 kw[1] night, 1 kw[1] day; hours of operation, unlimited time. File No. B2-P-4095.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Penn Thomas Watson (WGTM), Wilson, N. C. (File No. B3-P-3848, Docket No. 6866), Jonas Weiland (WFTC), Kinston, N. C. (File No. B3-P-3827, Docket No. 6868), Eastern Carolina Broadcasting Co. (WGBR), Goldsboro, N. C. (File No. B3-P-3914, Docket No. 6867), and Lynchburg Broadcasting Corp. (WLVA), Lynchburg, Va. (File No. B1-P-4096, Docket No. 6870), on the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation and of its officers, directors, and stockholders, to construct and operate Station WSLS as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WSLS and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the proposed operation of Station WSLS would involve objectionable interference with any existing broadcast station, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine the extent of any interference which would result from the simultaneous operation of Station WSLS as proposed with Station WGTM at Wilson, N. C., as proposed in the application of Penn Thomas Watson, (File No. B3-P-3848, Docket No. 6866), with Station WFTC at Kinston, N. C., as proposed in the application of Jonas Weiland, (File No. B3-P-3827, Docket No. 6868), with Station WGBR at Goldsboro, N. C., as proposed in the application of Eastern Carolina Broadcasting Co. (File No. B3-P-3914, Docket No. 6867), and with Station WLVA at Lynchburg, Va., as proposed in the application of Lynchburg Broadcasting Corp., (File No. B1-P-4096, Docket No. 6870), the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed operation of Station WSLS would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of Station WSLS would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Roanoke Broadcasting Corporation, Shenandoah Life Building, 301 First Street SW., Roanoke, Virginia.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-360; Filed, Jan. 7, 1946; 3:39 p. m.]

[Docket No. 6870]

LYNCHBURG BROADCASTING CORP. (WLVA)

NOTICE OF HEARING

In re application of Lynchburg Broadcasting Corp. (WLVA); date filed October 5, 1945; for construction permit to change frequency, increase power, install new transmitter and D. A. for day and night use and change transmitter location; class of service; standard broadcast; class of station; standard broadcast; location, Lynchburg, Virginia; operating assignment specified: frequency 610 kc, power 1 kw[1] night, 1 kw[1] day; hours of operation, unlimited time. File No. B1-P-4096.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Penn Thomas Watson (WGTM), Wilson, N. C. (File No. B3-P-3848, Docket No. 6866); Eastern Carolina Broadcasting Company (WGBR), Goldsboro, N. C. (File No. B3-P-3914, Docket No. 6867); Jonas Weiland (WFTC), Kinston, N. C., (File No. B3-P-3827, Docekt No. 6868), and Roanoke Broadcasting Corporation (WSLS), Roanoke, Virginia (File No. B2-P-4095, Docket No. 6869), on the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate Station WLVA as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WLVA and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of Station WLVA would involve objectionable interference with any existing broadcast station, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine the extent of any interference which would result from the simultaneous operation of Station WLVA as proposed with Station WSLS at Roanoke, Virginia, as proposed in the application of Roanoke Broadcasting Corporation (File No. B2-P-4095, Docket No. 6869), the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed operation of Station WLVA would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of Station WLVA would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

[1] Directional antenna for day and night use.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Lynchburg Broadcasting Corporation, Page Street between Morgan and Mt. View, Lynchburg, Virginia.

Dated at Washington, D. C. December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-361; Filed, Jan. 7, 1946; 3:39 p. m.]

[Docket No. 6880]

PURSLEY BROADCASTING SERVICE

NOTICE OF HEARING

In re application of C. L. Pursley and Louise Patterson Pursley d/b as Pursley Broadcasting Service (new); date filed, October 26, 1944; for, construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Mobile, Alabama; operating assignment specified: frequency, 1490 kc.; power, 250 w.; hours of operation, unlimited time. File No. B3-P-3745.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of WGCM Broadcasting Company, a copartnership composed of Hugh O. Jones, William E. Jones, and James O. Jones, Biloxi, Mississippi (File No. B3-P-3698: Docket No. 6881) and WLOX Broadcasting Company, Biloxi, Mississippi (File No. B3-P-4158; Docket No. 6882), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant, and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with broadcast services proposed in the pending applications of WGCM Broadcasting Company, Biloxi, Mississippi (File No. B3-P-3698; Docket No. 6881), WLOX Broadcasting Company, Biloxi, Mississippi (File No. B3-P-4158; Docket No. 6882) or in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

C. L. Pursley and Louise Patterson Pursley, d/b as Pursley Broadcasting Service, Riviere Du Chien Rd., P. O. Box 1306, Mobile, Alabama.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-384; Filed, Jan. 7, 1946; 3:42 p. m.]

[Docket No. 6881]

WGCM BROADCASTING CO.

NOTICE OF HEARING

In re application of WGCM Broadcasting Company, a copartnership composed of Hugh O. Jones, William E. Jones and James O. Jones (new), date filed, August 31, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Biloxi, Mississippi; operating assignment specified: frequency 1490 kc., power 250 w.; hours of operation, unlimited time. File No. B3-P-3698.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing in consolidation with the applications of C. L. Pursley and Louise Patterson Pursley d/b as Pursley Broadcasting Service, Mobile, Alabama, File No. B3-P-3745; Docket No. 6880), and WLOX Broadcasting Company, Biloxi, Mississippi (File No. B3-P-4158; Docket No. 6882), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant, and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with broadcast services proposed in the pending applications of C. L. Pursley and Louise Patterson Pursley d/b as Pursley Broadcasting Service, Mobile, Alabama (File No. B3-P-3745; Docket No. 6880) or in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Hugh O. Jones, % WGCM Broadcasting Company, Hewes-Martin Bldg., 25th Avenue, Gulfport, Mississippi.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-385; Filed, Jan. 7, 1946; 3:42 p. m.]

[Docket No. 6882]

WLOX BROADCASTING CO.

NOTICE OF HEARING

In re application of WLOX Broadcasting Company (new); date filed, October 8, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Biloxi, Mississippi; operating assignment specified: frequency, 1490 kc, power, 250 w; hours of operation, unlimited time. File No. B3–P–4158.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing in consolidation with the applications of C. L. Pursley and Louise Patterson Pursley d/b as Pursley Broadcasting Service, Mobile, Alabama (File No. B3–P–3745; Docket No. 6880), and WGCM Broadcasting Company, a copartnership composed of Hugh O. Jones, William E. Jones and James O. Jones, Biloxi, Mississippi (File No. B3–P–3698; Docket No. 6881), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast servlce to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with broadcast services proposed in the pending application of Pursley Broadcasting Service, Mobile, Alabama (File No. B3–P–3745; Docket No. 6880) or in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, and areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

WLOX Broadcasting Company, West Beach, c/o Hotel Buena Vista, Biloxi, Mississippi.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–401; Filed, Jan. 7, 1946; 3:45 p. m.]

[Docket No. 6885]

UNITED BROADCASTING CO.

NOTICE OF HEARING

In re application of United Broadcasting Company (new); date filed, October 3, 1945; for construction permit; class of service, standard broadcast; class of station, standard Broadcast; location, Ogden, Utah; operating assignment specified: frequency 960 kc; power 250 w; hours of operation, unlimited time. File No. B5–P–4107.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing in consolidation with the application of KOVO Broadcasting Company (KOVO) Provo, Utah (File No. B5–P–3667; Docket No. 6739), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the operation of Station KOVO, Provo, Utah, as proposed in the application of KOVO Broadcasting Company (Docket No. 6739) or with services proposed in any other pending applications for broadcast facilities and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The Applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

United Broadcasting Company, c/o Arch G. Webb, 1122 Gilmer Drive, Salt Lake City, Utah.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–383; Filed, Jan. 7, 1946; 3:42 p. m.]

[Docket No. 6895]

TORRINGTON BROADCASTING CO., INC.

NOTICE OF HEARING

In re application of the Torrington Broadcasting Co., Inc. (New). Date filed, October 23, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Torrington, Conn.; operating assignment specified: Frequency, 1490 kc; power, 250 w; hours of operation, unlimited time. File No. B1–P–4154.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in connection with the applications of Marray L. Grossman tr/as The Danbury Broadcasting Company (File No. B1–P–4017, Docket No. 6896), The Berkshire Broadcasting Company (File No. B1–P–4155, Docket No. 6897), and Frank Parker (File No. B1–P–4209, Docket No. 6986), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in the pending applications of The Danbury Broadcasting Company (File No. B1–P–4017), Docket No. 6896), The Berkshire Broadcasting Company (File No. B1–P–4155, Docket No. 6897), and Frank Parker (File No. B1–P–4209, Docket No. 6986), or any other pending applications, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with existing Civil Aeronautics Administration requirements.

8. To determine on a comparative basis, which, if any, of the applications in this consolidated hearing should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

The Torrington Broadcasting Company, Inc., 70 Main Street, Torrington, Conn.

Dated at Washington, D. C., January 3, 1946.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–416; Filed, Jan. 7, 1946; 3:47 p. m.]

[Docket No. 6896]

DANBURY BROADCASTING CO.

NOTICE OF HEARING

In re application Murray L. Grossman tr/as The Danbury Broadcasting Company (new). Date filed September 11, 1945, for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Danbury, Connecticut; operating assignment specified: Frequency, 1490 kc.; power, 250 w.; hours of operation, unlimited time. File No. B1–P–4017.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of the Torrington Broadcasting Company, Inc., (File No. B1–P–4154, Docket No. 6895), The Berkshire Broadcasting Company (File No. B1–P–4155, Docket No. 6897), and Frank Parker, (File No. B1–P–4209, Docket No. 6986), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in the pending application of The Torrington Broadcasting Company, Inc. (File No. B1–P–4154, Docket No. 6895), or any other pending applications, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with existing Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Murray L. Grossman, d/b as The Danbury Broadcasting Co., 605 Cooke Street, Waterbury, Conn.

Dated at Washington, D. C., January 3, 1946.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–415; Filed, Jan. 7, 1946; 3:47 p. m.]

[Docket No. 6897]

BERKSHIRE BROADCASTING CO.

NOTICE OF HEARING

In re application of the Berkshire Broadcasting Co. (New), date filed October 8, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Danbury, Connecticut; operating assignment specified: frequency 1490 kc, power 250 w; hours of operation, unlimited time. File No. B1–P–4155.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in connection with the applications of Murray L. Grossman, tr/as The Danbury Broadcasting Company (File No. B1–P–4017, Docket No. 6896), The Torrington Broadcasting Company, Inc. (File No. B1–P–4154, Docket No. 6895), and Frank Parker, (File No. B1–P–4209, Docket No. 6986), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in the pending application of The Torrington Broadcasting Company, Inc., (File No. B1–P–4154, Docket No. 6895), or any other pending applications, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of the broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of

Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated hearing, should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

The Berkshire Broadcasting Corporation, 7 West Street, Pershing Building, Danbury, Connecticut.

Dated at Washington, D. C. January 3, 1946.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-413; Filed, Jan. 7, 1946; 3:47 p. m.]

[Docket No. 6905]

SMOKY MOUNTAIN BROADCASTING CO.

NOTICE OF HEARING

In re application of Smoky Mountain Broadcasting Company (New), date filed, November 22, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Knoxville, Tennessee; operating assignment specified: frequency, 1340 kc.; power, 250 w.; hours of operation, unlimited time. File No. B3–P–3777.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Clarence Beaman, Jr. d/b as East Tennessee Broadcasting Company, Knoxville, Tennessee, (File No. B3–P–4127, Docket No. 6906), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Smoky Mountain Broadcasting Company, 407 W. Main Street, Knoxville, Tennessee.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-392; Filed, Jan. 7, 1946; 3:43 p. m.]

[Docket No. 6906]

EAST TENNESSEE BROADCASTING CO.

NOTICE OF HEARING

In re application of Clarence Beaman, Jr. d/b as East Tennessee Broadcasting Company (new); date filed, October 5, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Knoxville, Tennessee; operating assignment specified: Frequency, 1340 kc.; power, 250 w; Hours of operation, unlimited time. File No. B3–P–4127.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of the Smoky Mountain Broadcasting Company, Knoxville, Tennessee (File No. B3–P–3777, Docket No. 6905), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Clarence Beaman, Jr. d/b as East Tennessee Broadcasting Company, 804–5 Bank of Knoxville Building, Knoxville, Tennessee.

Dated at Washington, D. C. December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-391; Filed, Jan. 7, 1946; 3:43 p. m.]

[Docket No. 6907]

PETERSON AND CO.

NOTICE OF HEARING

In re application of Frank D. Peterson, Theodore Hardwick, Robert M. Odear, Ira Porter, Wood Hannah and Thomas Graham, d/b as Peterson and Company (new); date filed, August 27, 1945; for construction permit; class of

service, standard broadcast; class of station, standard broadcast; location, Lexington, Kentucky; operating assignment specified: frequency 1340 kc; power 250 w; hours of operation, unlimited time. File No. B2–P–3984.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of The Central Kentucky Broadcasting Company (File No. B2–P–4126, Docket No. 6908), and Garvice D. Kincaid (File No. B2–P–4045, Docket No. 6909), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership, and its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Frank D. Peterson, general partner, Theodore Hardwick, Robert M. Odear, Ira Porter, Wood Hannah, and Thomas Graham, special partners, d/b as Peterson Company, 504 Security Trust Co. Building, Lexington, Kentucky.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–398; Filed, Jan. 7, 1946; 3:45 p. m.]

[Docket No. 6908]

CENTRAL KENTUCKY BROADCASTING CO.

NOTICE OF HEARING

In re application of the Central Kentucky Broadcasting Company (new); date filed, October 5, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Lexington, Kentucky; operating assignment specified: frequency, 1340 kc; power, 250 w; hours of operation, unlimited time. File No. B2–P–4126.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Frank D. Peterson (general partner), Theodore Hardwick, Robert M. Odear, Ira Porter, Wood Hannah, and Thomas Graham (special partners) d/b as Peterson and Company (File No. B2–P–3984, Docket No. 6907), and Garvice D. Kincaid (File No. B2–P–4045, Docket No. 6909), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

The Central Kentucky Broadcasting Company, 402 Main Street, Paris, Kentucky.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–397; Filed, Jan. 7, 1946; 3:44 p. m.]

[Docket No. 6909]

GARVICE D. KINCAID

NOTICE OF HEARING

In re application of Garvice D. Kincaid (New); date filed, September 20, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Lexington, Kentucky; operating assignment specified: frequency, 1340 kc.; power, 250 w.; hours of operation, unilimted time. File No. B2–P–4045.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Frank D. Peterson (general partner), Theodore Hardwick, Robert M. Odear, Ira Porter, Wood Hannah, and Thomas Graham (special partners) d/b as Peterson and Company (File No. B2–P–3984, Docket No. 6907) and The Central Kentucky Broadcasting Company (File No. B2–P–4126, Docket No. 6908), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and

populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the instaliation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Garvice D. Kincaid, Hernando Building, Lexington, Kentucky.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-396; Filed, Jan. 7, 1946; 3:44 p. m.]

[Docket No. 6919]

EDGAR T. BELL

NOTICE OF HEARING

In re application of Edgar T. Bell (new), date filed December 2, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Peoria, Illinois; operating assignment specified: frequency 1350 kc, power 1 kw; [1] hours of operation, unlimited time. File No. B4-P-3812.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Central Illinois Radio Corp. (File No. B4-P-3911, Docket No. 6920), WJPS, Inc. (File No. B4-P-3293, Docket No. 6921), Tri-State Broadcasting Corp. (File No. B4-P-4119, Docket No. 6922), Booth Radio Stations, Inc. (File No. B4-P-4120, Docket No. 6923), Wabash Valley Broadcasting Corp. (File No. B4-P-4130, Docket No. 6924), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations, and in particular whether the population included in the blanket area would exceed the maximum permitted under the Commission's Standards.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Edgar T. Bell, 500 North Broadway, Oklahoma City, Oklahoma.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-367; Filed, Jan. 7, 1946; 3:40 p. m.]

[1] Directional antenna day and night.

[Docket No. 6920]

CENTRAL ILLINOIS RADIO CORP.

NOTICE OF HEARING

In re application of Central Illinois Radio Corp. (new), date filed August 9, 1945; for construction permit; class of service, broadcast; class of station, broadcast; location, Peoria, Illinois; operating assignment specified: Frequency, 1340 kc, power, 250 w; hours of operation, unlimited time. File No. B4-P-3911.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Edgar T. Bell (File No. B4-P-3812, Docket No. 6919), WJPS, Inc. (File No. B4-P-3293, Docket No. 6920), Tri-State Broadcasting Corp. (File No. B4-P-4119, Docket No. 6922), Booth Radio Stations, Inc. (File No. B2-P-4120, Docket No. 6923), Wabash Valley Broadcasting Corp. (File No. B4-P-4130, Docket No. 6924), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, particularly Stations WSOY, Decatur, Illinois; KROS, Clinton, Iowa; KHMO, Hannibal, Missouri, and WCLS, Joliet, Illinois, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in

accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Central Illinois Radio Corporation, 1140 Jefferson Building, Peoria 2, Illinois.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-368; Filed, Jan. 7, 1946; 3:40 p. m.]

[Docket No. 6921]

WJPS, INC.

NOTICE OF HEARING

In re application of WJPS, Inc. (New), date filed August 11, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Evansville, Ind.; operating assignment specified: frequency, 1330 kc; power, 1 kw[1] night; 1 kw. day. Hours of operation, unlimited time. File No. B4-P-3293.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Edgar T. Bell (File No. B4-P-3812, Docket No. 6919), Central Illinois Radio Corporation (File No. B4-P-3911, Docket No. 6920), Tri-State Broadcasting Corporation (File No. B4-P-4119, Docket No. 6922), Booth Radio Stations, Inc. (File No. B2-P-4120, Docket No. 6923), Wabash Valley Broadcasting Corporation (File No. B4-P-4130, Docket No. 6924), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

WJPS, Inc., 411 American Trust Building, Evansville, Ind.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-369; Filed, Jan. 7, 1946; 3:40 p. m.]

[Docket No. 6922]

TRI-STATE BROADCASTING CORP.

NOTICE OF HEARING

In re application of Tri-State Broadcasting Corp. (New), date filed October 5, 1945, for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Evansville, Ind.; Operating assignment specified: frequency, 1330 kc.; power, 5 kw.[1] night; 5 kw.[1] day; hours of operation, unlimited time. File No. B4-P-4119.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Edgar T. Bell, (File No. B4-P-3812, Docket No. 6919), Central Illinois Radio Corporation (File No. B4-P-3911, Docket No. 6920), WJPS, Incorporated (File No. B4-P-3293, Docket No. 6921), Booth Radio Stations, Incorporated (File No. B2-P-4120, Docket No. 6923), Wabash Valley Broadcasting Corporation (File No. B4-P-4130, Docket No. 6924), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Tri-State Broadcasting Corporation, c/o David M. Lewis, 129 East Market St. # 607, Indianapolis, Indiana.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-370; Filed, Jan. 7, 1946; 3:40 p. m.]

[Docket No. 6923]

BOOTH RADIO STATIONS, INC.

NOTICE OF HEARING

In re application of Booth Radio Stations, Inc. (New), date filed: October 8, 1945, for construction permit; class of service, standard broadcast; class of sta-

[1] Directional antenna.

[1] Directional antenna for day and night use.

tion, standard broadcast; location, Flint, Michigan; operating assignment specified: frequency 1330 kc, power 1 kw[1] night, 1 kw[1] day; hours of operation, unlimited time. File No. B2–P–4120.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Edgar T. Bell (File No. B4–P–3812, Docket No. 6919), Central Illinois Radio Corporation (File No. B4–P–3911, Docket No. 6920), WJPS, Incorporated (File No. B4–P–3293, Docket No. 6921), Tri-State Broadcasting Corporation (File No. B4–P–4119, Docket No. 6922), Wabash Valley Broadcasting Corporation (File No. B4–P–4130, Docket No. 6924), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Booth Radio Stations, Inc., 3100 Eaton Tower, Detroit 26, Michigan.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–371; Filed, Jan. 7, 1946; 3:40 p. m.]

[Docket No. 6924]

WABASH VALLEY BROADCASTING CORP.

NOTICE OF HEARING

In re application of Wabash Valley Broadcasting Corporation (new); date filed, October 5, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Terre Haute, Indiana; operating assignment specified: frequency 1350 kc., power 5 kw.[1] night, 5 kw.[1] day; hours of operation, unlimited time. File No. B4–P–4130.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Edgar T. Bell (File No. B4–P–3812, Docket No. 6919), Central Illinois Radio Corporation (File No. B4–P–3911, Docket No. 6920), WJPS, Incorporated (File No. B4–P–3293, Docket No. 6921), Tri-State Broadcasting Corporation (File No. B4–P–4119, Docket No. 6922), Booth Radio Stations, Incorporated (File No. B2–P–4120, Docket No. 6923), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, stockholders and directors, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Wabash Valley Broadcasting Corporation, 308 Fairbanks Block, Terre Haute, Ind.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–372; Filed, Jan. 7, 1946; 3:40 p. m.]

[Docket No. 6940]

CENTRAL BROADCASTING CO.

NOTICE OF HEARING

In re application of Central Broadcasting Company (new); date filed, November 20, 1944; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Madison, Wis.; operating assignment specified: frequency, 1480 kc, power 500 w[2] N 1 kw D; hours of operation, unlimited time. File No. B4–P–3809.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Wisconsin State Broadcasting Company (File No. B4–P–4039, Docket No. 6941) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station, and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

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[1] Directional antenna for day and night use.

[2] Directional antenna.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with Commission's rules and Standards of Good Engineering Practice concerning standard broadcast station.

7. To determine whether the erection of the antenna system proposed herein would be consistent with existing Civil Aeronautics Administration requirements.

8. To determine on a comparative basis, which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Central Broadcasting Company, 203 South Barstow Street, Eau Claire, Wisconsin.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-400; Filed, Jan. 7, 1946; 3:45 p. m.]

[Docket No. 6941]

WISCONSIN STATE BROADCASTING CO.

NOTICE OF HEARING

In re application of Wisconsin State Broadcasting Company (New), date filed September 20, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Madison, Wisconsin; operating assignment specified: frequency 1480 kc, power 1 kw[1] night, 1 kw[1] day; hours of operation, unlimited time. File No. B4-P-4039.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Central Broadcasting Company (B4-P-3809, Docket No. 6940) on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Wisconsin State Broadcasting Company, 122 West Washington Avenue, Madison, Wisconsin.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-399; Filed, Jan. 7, 1946; 3:45 p. m.]

[Docket No. 6949]

GOLDEN GATE BROADCASTING CORP. (KSAN)

AMENDED NOTICE OF HEARING

In re application of Golden Gate Broadcasting Corporation (KSAN), date filed, August 10, 1945; for construction permit to change frequency, increase power, and make changes in transmitting equipment and antenna; class of service, broadcast; class of station, broadcast; location, San Francisco, California; operating assignment specified: frequency 1460 kc; power, 1 kw; hours of operation, unlimited time. File No. B5-P-3913.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of California Broadcasters, Inc. (File No. B5-P-4076, Docket No. 6950), Bakersfield Broadcasting Co. (File No. B5-P-4153, Docket No. 6951), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Co. (File No. B5-P-4150, Docket No. 6952), Cascade Broadcasting Co., Inc. (KTYW) (File No. B5-P-3889, Docket No. 6953), Amphlett Printing Co. (File No. B5-P-3912, Docket No. 6954), San Jose Broadcasting Company (File No. B5-P-3921, Docket No. 6955), Mission Broadcasting Company (File No. B5-P-4266, Docket No. 7023), on the following issues:

1. To determine the technical and financial qualifications of the applicant to operate the proposed facilities.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KSAN as proposed and the character of other broadcast services available to those areas.

3. To determine whether Station KSAN, operating as proposed, would provide primary service to (a) the business districts, (b) the residential districts, and (c) the metropolitan district of San Francisco and contemplated by the Commission's Standards of Good Engineering Practice.

4. To determine the type and character of program service proposed to be rendered by KSAN and whether it would meet the requirements of the populations and areas proposed to be served.

5. To determine whether the operation of station KSAN as proposed would involve objectionable interference with any existing broadcast stations, particularly Station KTYW, Yakima, Washington and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the operation of Station KSAN as proposed would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

7. To determine whether the installation and operation of Station KSAN as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations, particularly with reference to the location of the transmitter, blanketing, and the compliance of the proposed antenna and ground

[1] Directional antenna for day and night.

system with the minimum requirements of the Commission's rules and standards.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant's address is as follows:

Golden Gate Broadcasting Corporation, Radio Station KSAN, 1355 Market Street, San Francisco, California.

Dated at Washington, D. C. January 2, 1946.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-405; Filed, Jan. 7, 1946; 3:46 p. m.]

[Docket No. 6981]

EMPORIA BROADCASTING CO., INC.

NOTICE OF HEARING

In re application of Emporia Broadcasting Company, Inc. (KTSW); date filed January 24, 1942; for construction permit to change frequency, and make changes in equip.; class of service, broadcast; class of station, broadcast; location, Emporia, Kansas; operating assignment specified: frequency, 1490 kc.; power, 250 w; hours of operation, unlimited time. File No. B4-P-3457.

You are hereby notified that the Commission has examined the application in the above-entitled proceeding and has designated the matter for hearing in consolidation with the applications of The Wichita Beacon Broadcasting Company (File No. B4-P-3963, Docket No. 6978), Wichita Broadcasting Company, Inc. (File No. B4-P-3747, Docket No. 6976), KAIR Broadcasting Company, Inc. (File No. B4-P-4157, Docket No. 6979), Air Capital Broadcasting Company, Inc. (File No. B4-P-3769, Docket No. 6977), KTOP, Inc. (File No. B4-P-3727, Docket No. 6980), Adelaide Lillian Carrell (File No. B4-P-4156, Docket No. 6982), on the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary broadcast service from the operation of Station KTSW as proposed, and the character of other broadcast service available to those areas and populations.

2. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

3. To determine the nature, effect, and extent of any interference which would result from the simultaneous operation of Station KTSW as proposed and from the operation of Station KSMO, Kansas City, Missouri, and from any other broadcast stations, as well as the areas and populations affected thereby, and the character of other broadcast service available to those areas and populations.

4. To determine the nature, extent, and effect of any interference which would result from the simultaneous operation of Station KTSW as proposed and from the operations of new stations at Wichita, Kansas as proposed in the applications of The Wichita Beacon Broadcasting Company (Docket No. 6978), Wichita Broadcasting Company, Inc. (Docket No. 6976), KAIR Broadcasting Company, Inc. (Docket No. 6979), Air Capital Broadcasting Company, Inc. (Docket No. 6977), and Adelaide Lillian Carrell (Docket No. 6982), and/or in any other pending applications, as well as the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the proposed operation of Station KTSW at its present transmitter site would be consistent with the Commission's Standards of Good Engineering Practice.

6. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Emporia Broadcasting Company, Inc., 613 Merchant Street, Emporia, Kansas.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-378; Filed, Jan. 7, 1946; 3:41 p. m.]

[Docket No. 6982]

ADELAIDE LILLIAN CARRELL

NOTICE OF HEARING

In re application of Adelaide Lillian Carrell (New); date filed, October 4, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Wichita, Kansas; operating assignment specified: frequency, 1490 kc.; power, 250 w.; hours of operation, unlimited time. File No. B4-P-4156.

You are hereby notified that the Commission has examined the application in the above-entitled proceeding and has designated the matter for hearing in consolidation with the applications of The Wichita Beacon Broadcasting Company (File No. B4-P-3963, Docket No. 6978), Wichita Broadcasting Company, Inc. (File No. B4-P-3747, Docket No. 6976), KAIR Broadcasting Company, Inc. (File No. B4-P-4157, Docket No. 6979), Air Capital Broadcasting Company, Inc. (File No. B4-P-3769, Docket No. 6977), KTOP, Inc. (File No. B4-P-3727, Docket No. 6980), Emporia Broadcasting Company, Inc. (KTSW) (File No. B4-P-3457, Docket No. 6981), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with Station KSTP, St. Paul, Minnesota, Station KCMO, Kansas City, Missouri, and/or any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed by Emporia Broadcasting Company, Inc. (KTSW) (File No. B4-P-3457, Docket No. 6981), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Adelaide Lillian Carrell, 210 Virginia Avenue, Ponca City, Oklahoma.

Dated at Washington, D. C., December 27, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-379; Filed, Jan. 7, 1946; 3:41 p. m.]

[Docket No. 6986]

FRANK PARKER, INC.

NOTICE OF HEARING

In re application of Frank Parker (new), date filed, September 9, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Danbury, Connecticut; operating assignment specified: frequency, 1490 kc.; power, 100 w.; hours of operation, unlimited time. File No. B1–P–4209.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Murray L. Grossman, tr/as The Danbury Broadcasting Company (File No. B1–P–4017, Docket No. 6896), The Torrington Broadcasting Company, Inc. (File No. B1–P–4154, Docket No. 6895), and The Berkshire Broadcasting Company (File No. B1–P–4155, Docket No. 6897), on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in the pending application of The Torrington Broadcasting Company, Inc., (File No. B1–P–4154, Docket No. 6895), or any other pending applications, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with existing Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in the consolidated hearing, should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Frank Parker, Lombardy Hotel, 111 East 56th Street, New York, N. Y.

Dated at Washington, D. C., January 3, 1946.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–414; Filed, Jan. 7, 1946; 3:47 p. m.]

[Docket No. 7023]

MISSION BROADCASTING CO.

NOTICE OF HEARING

In re application of Mission Broadcasting Company (new), date filed November 16, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, San Jose, California; operating assignment specified: frequency, 1490 kc.; power, 250 w.; hours of operation, unlimited time. File No. B5–P–4266.

You are hereby notified that the Commission has examined the application in the above-entitled case, and has designated the matter for hearing in consolidation with the applications of Golden Gate Broadcast Corporation KSAN (File No. B5–P–3913, Docket No. 6949), California Broadcasters, Inc. (File No. B5–P–4076, Docket No. 6950), Bakersfield Broadcasting Company (File No. B5–P–4153, Docket No. 6951), L. John Miner, Taft R. Wrathall, and Grant R. Wrathall, d/b as Monterey Bay Broadcast Company (File No. B5–P–3912, Docket No. 6952), Cascade Broadcasting Company, Inc., KTYW (File No. B5–P–3889, Docket No. 6953), Amphlett Printing Company (File No. B5–P–4150), Docket No. 6954), San Jose Broadcasting Company (File No. B5–P–3921, Docket No. 6955), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

7. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141, and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Mission Broadcasting Company, 211 West Santa Clara Street, San Jose, California.

Dated at Washington, D. C. January 2, 1946.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–412; Filed, Jan. 7, 1946; 3:47 p. m.]

[Docket No. 7008]

PLYMOUTH COUNTY BROADCASTING CORP.

NOTICE OF HEARING

In re application of Plymouth County Broadcasting Corp. (new); date filed November 13, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Brockton, Mass.; operating assignment specified: frequency, 1450 kc, power 250 w; hours of operation, unlimited time. File No. B1–P–4216.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Bay State Beacon, Inc., Brockton, Massachusetts (File No. B1–P–3983, Docket No. 6843), Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, Brockton, Massachusetts (File No. B1–P–3819, Docket No. 6844), Cur-Nan Company, Brockton, Massachusetts (File No. B1–P–4054, Docket No. 6845) and Templetone Radio Mfg. Corporation, Boston, Massachusetts

(File No. B1–P–4146, Docket No. 6846), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the service proposed in the pending application of Templetone Radio Mfg. Corporation (File No. B1–P–4146, Docket No. 6846), or in other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Plymouth County Broadcasting Corporation, 106 Main Street, Room 315, Brockton, Massachusetts.

Dated at Washington, D. C., December 28, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–386; Filed, Jan. 7, 1946; 3:43 p. m.]

[Docket No. 7073]

SUNLAND BROADCASTING CO.

ORDER GRANTING PETITION AND DESIGNATING APPLICATION FOR CONSOLIDATED HEARING

In re application of Sunland Broadcasting Company, El Paso, Texas, for construction permit. File No. B3–P–4290.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of December 1945;

The Commission having under consideration an application (filed December 6, 1945) by Sunland Broadcasting Company for a construction permit (File No. B3–P–4290; Docket No. 7073) for a new standard broadcast station at El Paso, Texas, using the frequency 1340 kc. with 250 watts power, unlimited time, together with a petition requesting that the said application be consolidated for hearing with the two following conflicting applications, namely: El Paso Broadcasting Company (File No. B3–P–4128; Docket No. 6874); and Bleeker P. Seaman and Carr P. Collins, Jr., db/as Seaman and Collins (File No. B3–P–4129; Docket No. 6875) both seeking the use of 1340 kc., 250 watts power, unlimited time, which on October 23, 1945, were designated for hearing in a consolidated proceeding.

It is ordered, That the above petition be granted; and

It is further ordered, That the application of Sunland Broadcasting Company be, and it is hereby designated for hearing in a consolidated proceeding with the above applications of El Paso Broadcasting Company and Bleeker P. Seaman and Carr P. Collins, Jr., db/as Seaman and Collins.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION, T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–402; Filed, Jan. 7, 1946; 3:45 p. m.]

[Docket No. 7080]

SOUTH DAKOTA, KSDP

ORDER DESIGNATING APPLICATION FOR HEARING IN STATED ISSUES

In the matter of: application of State of South Dakota for license to cover construction permit for State Police land station KSDP, Pierre, S. D. File Nos. T4–LP–3016–S.

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on Thursday, December 13, 1945,

The Commission having under consideration the application of the State of South Dakota for a license to cover the construction permit for state police land station KSDP at Pierre, S. D., and

It appearing that the construction permit was granted on the basis of erroneous information supplied by the applicant with respect to the elevation above sea level of the site of its proposed antenna tower; and

It further appearing that the antenna tower constructed by applicant may affect the safety of air navigation;

It is ordered, That this application be and it is hereby designated for hearing, to determine the following issues:

1. Whether the station has been constructed in accordance with the construction permit and the application upon which it was granted.

2. Whether, and if so, to what extent the antenna tower of station KSDP, as now located and at its present height affects the safety of air navigation to and from the Pierre Army Air Base (also known as Pierre Municipal Airport).

3. Whether the antenna tower of station KSDP as now located and at its present height, has been or may be so marked, lighted and painted as to eliminate such hazard to air navigation as it may constitute.

It is further ordered, That a copy of this order shall be served upon the Civil Aeronautics Administration, the Air Transport Association of America, Western Airlines, Inc., and Air Line Pilot's Association, and they are hereby given leave to participate fully in any hearings that may be held herein, upon filing a notice of appearance, and

It is further ordered, That the hearing on this application shall be held at 10:00 a. m. on Thursday, December 27, 1945 at Room 582, United States Courthouse, 219 S. Clark Street, Chicago, Illinois.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–403; Filed, Jan. 7, 1946; 3:45 p. m.]

[Docket No. 7082]

RADIO STATION WLAK

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of S. O. Ward tr/as Radio Station WLAK, Lakeland, Florida, for construction permit. File No. B3–P–4307.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 19th day of December 1945;

The Commission having under consideration the application of S. O. Ward tr/as Radio Station WLAK for a construction permit to change frequency of Station WLAK to 1430 kc and increase power to 1 kw, unlimited time;

It is ordered, That said application be and it is hereby designated for hearing in consolidation with the applications heretofore set for hearing of Chattahoochee Broadcasting Company (File No. B3–P–4149; Docket No. 6821), Muscogee Broadcasting Company (File No. B3–P–4082; Docket No. 6820), Columbus Broadcasting Company (File No. B3–P–3986; Docket No. 6819), Thomaston Broadcasting Company (File No. B3–P–3829; Docket No. 6818), A Frank Katzentine (File No. B3–P–3674; Docket No. 6705), Palm Beach Broadcasting Corporation (File No. B3–P–3968; Docket No. 6822), City of Sebring, Florida (File No.

B3–P–3583; Docket No. 6696) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the extent and character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast station and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which if any of these applications shall be granted.

It is further ordered, That the Bills of Particular issued in these proceedings be and are hereby amended to include applicant herein as a party in these proceedings.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46–404; Filed, Jan. 7, 1946; 3:45 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 396, Special Permit 8]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F.R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Illinois, January 4, 1946, by R. A. Klotz and Company, of car NP 94421, potatoes, now on the Wood Street Terminal, to Dubois, Pennsylvania (P. RR.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of January 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46–431; Filed, Jan. 8, 1946; 11:07 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5446]

BERTHA A. WAINWRIGHT

In re: Estate of Bertha A. Wainwright, deceased; File D–28–9304; E. T. sec. 12267.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Looni Hoppe in and to the Estate of Bertha A. Wainwright, deceased

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Looni Hoppe, Germany.

That such property is in the process of administration by the Bank of America National Trust and Savings Association, as Executor of the Estate of Bertha A. Wainwright, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Sonoma;

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

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

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

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

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

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

Executed at Washington, D. C., on December 4, 1945.

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

[F. R. Doc. 46–315; Filed, Jan. 7, 1946; 11:45 a. m.]

[Vesting Order 5477]

BURKHARDT & CO., BANKHAUS

In re: Bank account owned by Burkhardt & Co., Bankhaus.

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 Burkhardt & Co., Bankhaus, the last known address of which is 7–9 Lindenallee, Essen/Ruhr, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Burkhardt & Co., Bankhaus, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Checking Account, Account Number 1357, entitled Burkhardt & Co., and any and all rights to demand, enforce and collect the same,

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, the aforesaid national of a designated enemy country;

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 December 12, 1945.

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

[F. R. Doc. 46–316; Filed, Jan. 7, 1946; 11:45 a. m.]

[Vesting Order 5487]

GEORGE A. BENL

In re: Bank account owned by the heirs, next of kin and distributees, names unknown, of George A. Benl, deceased.

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 the heirs, next of kin, and distributees, names unknown, of George A. Benl, deceased, whose last known addresses are Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to the heirs, next of kin and distributees, names unknown, of George A. Benl, deceased, by Guaranty Trust Company of New York, New York, New York, arising out of a dollar account, entitled George A. Benl, deceased, and any and all rights to demand, enforce and collect the same,

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, the aforesaid nationals of a designated enemy country;

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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 December 12, 1945.

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

[F. R. Doc. 46–317; Filed, Jan. 7, 1946; 11:45 a. m.]

[Vesting Order 5492]

BAYERISCHE-HYPOTHEKEN UND WECHSEL-BANK

In re: Bank account owned by Bayerische-Hypotheken und Wechsel-Bank.

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 Bayerische - Hypotheken und Wechsel-Bank, the last known address of which is Munich, Germany, is a national of a designated enemy country (Germany):

2. That the property described as follows: That certain debt or other obligation owing to Bayerische-Hypotheken und Wechsel-Bank, by Guaranty Trust Company of New York, New York, New York, arising out of a dollar account, entitled Bayerische Hypotheken & Wechsel Bank, and any and all rights to demand, enforce and collect the same,

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, the aforesaid national of a designated enemy country;

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 December 12, 1945.

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

[F. R. Doc. 46–318; Filed, Jan. 7, 1946; 11:45 a. m.]

[Vesting Order 5496]

CUPPERS & CO.

In re: Bank account owned by Cuppers & Co.

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 Cuppers & Co., the last known address of which is Frankfurt au Main, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Cuppers & Co., by Manufacturers Trust Company, 55 Broad St., New York, New York, arising out of a dollar account, entitled Cuppers & Co., and any and all rights to demand, enforce and collect the same,

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, the aforesaid national of a designated enemy country;

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 December 18, 1945.

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

[F. R. Doc. 46–319; Filed, Jan. 7, 1946; 11:45 a. m.]

[Vesting Order 5497]

DAI ICHI GINKO, LTD.

In re: Bank account owned by Dai Ichi Ginko, Ltd.

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 Dai Ichi Ginko, Ltd., the last known address of which is Tokyo Central P. O. Box 161, Tokyo, Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Dai Ichi Ginko, Ltd., by Guaranty Trust Company of New York, 140 Broadway, New York, New York, arising out of a dollar account, entitled The Dai Ichi Ginko, Ltd., and any and all rights to demand, enforce and collect the same,

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, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of any set-offs, charges or deductions, nor shall it 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 December 18, 1945.

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

[F. R. Doc. 46–320; Filed, Jan. 7, 1946; 11:46 a. m.]

[Vesting Order 5501]

DEUTSCH-SUEDAMERIKANISCHE BANK, A. G.

In re: Bank account owned by Deutsch-Suedamerikanische Bank, 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 Deutsch-Suedamerikanische Bank, A. G., the last known address of which is Berlin, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsch-Suedamerikanische Bank, A. G. by Manufacturers Trust Company, 55 Broad Street, New York, New York, arising out of a dollar account, entitled Deutsch-Suedamerikanische Bank, A. G. and any and all rights to demand, enforce and collect the same,

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, the aforesaid national of a designated enemy country;

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 December 18, 1945.

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

[F. R. Doc. 46–321; Filed, Jan. 7, 1946; 11:46 a. m.]

[Vesting Order 5504]

DEUTSCHE EFFECTEN UND WECHSEL BANK

In re: Bank account owned by Deutsche Effecten und Wechsel Bank.

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 Deutsche Effecten und Wechsel Bank, the last known address of which is Frankfurt au Main, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsche Effecten und Wechsel Bank, by Manufacturers Trust Company, 55 Broad Street, New York, New York, arising out of a dollar account, entitled Deutsche Effecten und Wechsel Bank, and any and all rights to demand, enforce and collect the same,

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, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of

the United States requires that such person be treated as a national of a designated enemy country (Germany);

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 December 18, 1945.

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

[F. R. Doc. 46–322; Filed, Jan. 7, 1946; 11:46 a. m.]

[Vesting Order 5505]

DEUTSCHE GIROZENTRALE-DEUTSCH KOMMUNALBANK

In re: Bank account owned by Deutsche Girozentrale-Deutsch Kommunalbank.

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 Deutsche Girozentrale-Deutsch Kommunalbank, the last known address of which is Berlin, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsche Girozentrale-Deutsch Kommunalbank, by Guaranty Trust Company of New York, New York, New York, arising out of an unpresented foreign draft account, entitled Deutsche Girozentrale-Deutsch Kommunalbank, and any and all rights to demand, enforce and collect the same,

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, the aforesaid national of a designated enemy country;

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 December 18, 1945.

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

[F. R. Doc. 46–323; Filed, Jan. 7, 1946; 11:46 a. m.]

[Vesting Order 5508]

DEUTSCHE REICHSBANK

In re: Bank account owned by Deutsche Reichsbank.

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 Deutsche Reichsbank, the last known address of which is Berlin C, 111, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsche Reichsbank, by Guaranty Trust Company of New York, New York, New York, arising out of a dollar account, entitled Reischsbank-Direktorium, and any and all rights to demand, enforce and collect the same,

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, the aforesaid national of a designated enemy country;

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 December 18, 1945.

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

[F. R. Doc. 46–324; Filed, Jan. 7, 1946; 11:46 a. m.]

[Vesting Order 5510]

DEUTSCHE UEBERSEEISCHE BANK, A. G.

In re: Bank account owned by Deutsche Ueberseeische Bank, 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 Deutsche Ueberseeische Bank, A. G., the last known address of which is 103 Fredreichstr., Berlin N. W. 7, Germany, is a na-

tional of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsche Ueberseeische Bank, A. G., by Manufacturers Trust Company, 55 Broad Street, New York, New York, arising out of a dollar account, entitled Deutsche Ueberseeische Bank, A. G., and any and all rights to demand, enforce and collect the same,

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, the aforesaid national of a designated enemy country;

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 December 19, 1945.

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

[F. R. Doc. 46–325; Filed, Jan. 7, 1946; 11:46 a. m.]

[Vesting Order 5521]

EXPORTKREDITBANK, A. G.

In re: Bank account owned by Exportkreditbank, 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 Alien Property Custodian, after investigation:

1. Having found and determined in Supplemental Vesting Order Number 3851, dated June 22, 1944, that Exportkreditbank, A. G. is a national of a designated enemy country (Germany);

2. Finding that the property described as follows: That certain debt or other obligation owning to Exportkreditbank, A. G., by Guaranty Trust Company of New York, New York, New York, arising out of a dollar account, entitled Exportkreditbank, A. G., and any and all rights to demand, enforce and collect the same,

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, the aforesaid national of a designated enemy country;

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 December 19, 1945.

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

[F. R. Doc. 46–326; Filed, Jan. 7, 1946; 11:46 a. m.]

[Vesting Order 5522]

EXPORTKREDITBANK, A. G.

In re: Bank account owned by Exportkreditbank, 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 Alien Property Custodian, after investigation:

1. Having found and determined in Supplemental Vesting Order Number 3851, dated June 22, 1944, that Exportkreditbank, A. G., is a national of a designated enemy country (Germany);

2. Finding that the property described as follows: That certain debt or other obligation owning to Exportkreditbank, A. G., by Manufacturers Trust Company, 55 Broad Street, New York, New York, arising out of a dollar account, entitled Exportkreditbank, A. G., and any and all rights to demand, enforce and collect the same,

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, the aforesaid national of a designated enemy country;

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 December 19, 1945.

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

[F. R. Doc. 46-327; Filed, Jan. 7, 1946; 11:47 a. m.]

[Vesting Order 5397, Amdt.]

ANDREE & WILKERNING

In re: Bank account owned by Andree & Wilkerning.

Vesting Order Number 5397, dated November 29, 1945, is hereby amended as follows and not otherwise:

By deleting the name Andree & Wilerning, wherever it appears in Vesting Order Number 5397 and substituting therefor the name, Andree & Wilkerning.

All other provisions of said Vesting Order Number 5397 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on January 3, 1946.

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

[F. R. Doc. 46-328; Filed, Jan. 7, 1946; 11:47 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 4808]

BELMOND LAMP WORKS

APPROVAL OF MAXIMUM PRICES

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

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Belmond Lamp Works, 1933 No. 5th Street, Philadelphia, 22, 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	
8" hand sewn rayon taffeta vanity lamp shade with single ruching trim top and bottom	473	$1.70	$2.00	*Each* $3.60

These maximum prices are for the articles described in the manufacturer's application dated September 25, 1945.

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

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

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

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

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

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the 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) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

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

(f) This order shall become effective on the 8th day of January 1946.

Issued this 7th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-311; Filed, Jan. 7, 1946; 11:31 a. m.]

[MPR 188, Order 4809]

LUMINANT MFG. CO., INC.

APPROVAL OF MAXIMUM PRICES

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

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Luminant Manufacturing Company, Incorporated, 320 Ashland Place, Brooklyn, N. Y.

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

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Vanity lamp (no shade)	100	$1.27	$1.50	$2.70
Vanity lamp (no shade)	200	1.27	1.50	2.70
Table lamp and shade	81	5.95	7.00	12.60
Mushroom desk lamp	188	2.12	2.50	4.50
Torchiere and glass reflector	145	9.30	10.95	19.70
3-way floor lamp and rayon shade	145	8.30	9.75	17.55
3-way floor lamp and rayon shade	246	8.70	10.25	18.45
Torchiere and glass reflector	246	9.30	10.95	19.70
3-way floor lamp and rayon shade	146	9.30	10.95	19.70
3-way torchiere 16" glass reflector	245	8.45	9.95	17.90

These maximum prices are for the articles described in the manufacturer's application, dated June 21, 1945.

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

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

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

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

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

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the 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) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

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

(f) This order shall become effective on the 8th day of January 1946.

Issued this 7th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-312; Filed, Jan. 7, 1946; 11:32 a. m.]

[MPR 188, Order 4810]

BEHLEN MFG. CO.

APPROVAL OF MAXIMUM PRICES

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

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Behlen Manufacturing Company, Columbus, Nebr.

(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)	Dept. stores	Other retailers	Consumers
Trash burner...	A	*Each* $2.08	*Each* $2.44	*Each* $2.70	*Each* $4.05

These maximum prices are for the articles described in the manufacturer's application dated December 7, 1945.

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

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

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

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

OPA Retail Ceiling Price—$4.05 ea.
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 8th day of January 1946.

Issued this 7th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-313; Filed, Jan. 7, 1946; 11:32 a. m.]

[SO 119, Order 41]

MASTERCRAFTERS MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 13 and 14 of Supplementary Order No. 119, it is ordered:

(a) *Manufacturers ceiling prices.* Mastercrafters Manufacturing Company, 216 North Clinton Street, Chicago, Illinois, may increase by no more than 24%, its ceiling prices to each class of purchaser, for novelty electric clocks of its manufacture.

(b) *Ceiling prices of purchasers for resale.* The manufacturer is required to calculate wholesalers and retailers ceiling prices in both its eastern and western zone, for novelty electric clocks which it sells at adjusted prices permitted by this order, according to the provisions of this paragraph.

(1) *Retailers ceiling prices.* The retail ceiling price in the eastern zone, exclusive of the Federal excise tax, is the manufacturers price for the article to the wholesaler to which the manufacturer sells in the largest volume plus 122% of such price rounded to the nearest .05. The retail ceiling price in the western zone shall be the retail price in the eastern zone as adjusted by this order, plus the same dollar differential that existed on the same or most nearly comparable clock in October 1941.

(2) *Wholesaler's ceiling prices.* The wholesale ceiling price in the eastern zone in the retail ceiling price for that zone, exclusive of Federal excise tax, as established by this order, less 40%. The wholesale ceiling price in the western zone is the retail price for that zone, exclusive of Federal excise tax, as established by this order, less 40%.

(3) 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. The tag or label shall contain the following statement:

Zone (eastern or western)
OPA Ceiling Price $_____
(exclusive of Federal tax)
Do Not Detach

(4) *Revision of reseller's ceiling prices.* Reseller's ceiling prices permitted by this order are subject to revision at any time in accordance with an industry wide action which may be taken by the Office of Price Administration which requires reseller's to absorb any increase in prices permitted reconversion manufacturers.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each sellers customary terms, discounts, allowances and other price differentials on sales to each class of purchaser in effect during March 1942, or established under any applicable OPA regulation.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale showing a ceiling price adjusted in accordance with the terms of this order, the seller shall notify each purchaser in writing of adjusted ceiling prices for resales of the articles covered by this order. This notice may be given in any convenient form.

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

This order shall become effective on January 8, 1946.

Issued this 7th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-314; Filed, Jan. 7, 1946; 11:31 a. m.]

[RMPR 194, Order A-3]

SALES OF CERTAIN NEW CONSUMER DURABLE GOODS

MAXIMUM RETAIL 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 18 (a) of Revised Maximum Price Regulation 194, it is ordered:

SECTION 1. *Scope of this order*—(a) *What commodities are covered.* The Office of Price Administration has issued, and will issue, maximum price regulations and orders applicable only to the continental United States which establish dollar-and-cent retail ceiling prices and which require manufacturers to attach a tag or label to or otherwise mark the articles covered by those regulations or orders setting forth the domestic retail ceiling price. This order applies to such commodities insofar as they are listed in Appendices A and B of this order. Except as provided in paragraph (d) below, this order does not apply to commodities whose maximum prices are established by any other maximum price regulation or order which specifically provides that such other regulation or order applies in Alaska notwithstanding the provisions of Revised Maximum Price Regulation 194.

(b) *What kind of sales are covered.* This order applies to all sales at retail. "Sales at retail" means sales to ultimate consumers. Sales to industrial, commercial, institutional or governmental users are also sales at retail if made by persons who sell principally to individual ultimate consumers.

(c) *Geographical applicability.* This order applies to the entire Territory of Alaska.

(d) *Relationship of this order to RMPR 194.* This order replaces the pricing provisions of sections 5 and 6 and modifies other provisions of Revised Maximum Price Regulation 194. All other provisions of Revised Maximum Price Regulation 194 not inconsistent with the provisions of this order remain in effect. All letters, letter-orders, and general orders previously issued under Maximum Price Regulation 194 or Revised Maximum Price Regulation 194, adjusting or establishing your maximum prices for any articles listed in Appendices A and B are superseded by this Order A–3.

SEC. 2. *Ceiling prices.* (a) For an article listed in Appendix A, the retailer's ceiling price shall be the domestic retail ceiling price, to which may be added an amount equal to the expense charged to or incurred by the seller for:

(i) Special boxing and crating for export purposes; and

(ii) Freight from Seattle, Washington; and

(iii) Marine and war risk insurance; and

(iv) Landing, wharfage and terminal operations; and

(v) Payment of territorial taxes on the purchase or sale of the commodity or its introduction into the territory.

(b) For an article listed in Appendix B, the seller's ceiling price shall be the domestic retail ceiling price. No transportation or other charge may be added.

(c) *Credit charges.* (i) Retailers who during the period November 7-December 6, 1941, collected a separately stated additional charge for the extension of credit on sales of an article covered by this order, may collect a charge for the extension of credit under this order not exceeding such charge during the period November 7–December 6, 1941, on a similar sale on similar terms to a purchaser of the same class. Retailers who did not so state and collect an additional charge may collect a charge for the extension of credit only on installment-plan sales, and such charge shall not exceed 1% per month on the unpaid balance. As used herein an installment-plan sale means a sale where the unpaid balance is to be paid in installments over a period of two months or more.

(ii) All charges for the extension of credit shall be quoted and stated separately. Any charge which is not quoted and stated separately or which otherwise does not conform to this paragraph shall for the purposes of this order be considered to be part of the price charged for the article sold.

(iii) No seller may require as a condition of sale that the purchaser must buy on credit.

SEC. 3. *Tagging.* (a) No person shall sell any article covered by this order unless there is attached thereto a tag or label containing:

(i) The domestic retail ceiling price; and

(ii) If the article is listed in Appendix A, the amount added by the seller for expense in accordance with section 2 (a) above, such amount to be identified by the symbol "AE" (allowable expense); and

(iii) The seller's ceiling price.

Such tag or label may not be removed until after the article is delivered to the buyer.

(b) If the seller receives any article covered by this order to which there is not attached a tag, label or other marking setting forth the domestic retail ceiling price, the seller may not sell that article unless a price has been authorized in writing by the Territorial Director. The seller may, however, pending a request for authorization of a price, bill such article at an open price and accept a reasonable deposit therefor. In applying for approval of a price under this paragraph, the seller shall furnish the OPA with a detailed description of the article, the name and address of his supplier and his supplier's invoice price. The price applicable to sales made under this paragraph (b) shall be the ceiling price approved or established by the OPA.

SEC. 4. *Terms of sale.* Unless this order provides otherwise, each ceiling price established by or under this order is subject to each seller's terms, allowances, discounts and price differentials no less favorable than those he had in effect for similar sales during the period November 7–December 6, 1941.

SEC. 5. *Prohibited practices.* Any practice which has the effect of getting a higher-than-ceiling price without actually raising the dollar and cent price is hereby forbidden.

The following is an illustrative list of the things a seller is not permitted to do. A seller is not permitted to require the purchaser, as a condition of the sale or transfer of the article, to make payment over a period of time; to require him to finance the purchase through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts, or services so as to increase the total compensation above the article's maximum price; to require him to purchase any other commodity or service; or to require him to make payment in whole or in part by exchanging, transferring or trading in any other product or commodity. Where there is an exchange, transfer, or trade-in in connection with a sale, it is a violation for the seller to give the purchaser an allowance for the product or commodity exchanged, transferred, or traded in which is less than its reasonable value.

Furthermore, the seller is prohibited from providing for the purchase of the article by a lessee under a contract at an agreed valuation which together with the amount paid for the rental is higher than the applicable maximum price at the time the rental contract is entered into, and from making the terms and conditions of sale more onerous to purchasers than they customarily have been except to the extent allowed by this regulation.

It shall also be a violation for any person to charge, pay or receive a finder's fee or other compensation in connection with the procurement of any article where the finder's fee or other compensation plus the purchase price for the article exceeds the permitted maximum price.

SEC. 6. *Special provisions*—(a) *Delivery and installation.* The maximum prices established by this order include delivery and installation to facilities provided by the consumer. A charge for delivery or installation may be made only if authorized in writing by the Territorial Director on application of the seller.

(b) *Warranty and guaranty.* The sale of an article covered by this order must be accompanied by a written warranty or guaranty if such warranty or guaranty is required to be given by retailers in the United States under the applicable maximum price regulation or order. The terms and conditions of such warranty or guaranty must be no less favorable than those in effect for sales to consumers in the United States, as set forth in the applicable price regulation or order.

SEC. 7. *Invoicing requirements*—(a) *When an invoice must be given.* An invoice must be given on all sales of an article for which the maximum price is more than $5.00. In smaller sales, if the seller has customarily given an invoice, sales slip or similar evidence of purchase, the seller must continue to do so; however, if the buyer requests it, the seller must, regardless of his previous custom, give a receipt showing his name and address, an exact description of the commodity sold, the price charged, and such additional information as the buyer may request.

(b) *What the invoice must contain.* All invoices must show the date of sale, the name and address of both the buyer and seller, an exact description of the article, giving the brand name and model number if any; the price charged and the terms of sale. In addition, any item of expense which the seller is permitted to add to the domestic retail ceiling price, or any discount which the seller is required to deduct from the maximum price, must be itemized in the invoice as to nature and amount.

(c) Every seller must keep a copy of every sales invoice available for inspection by the OPA for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 8. *Definitions.* As used in this order, the term:

(a) "Domestic retail ceiling price" means the maximum price established by the OPA applicable to sales by independent retailers in Seattle, Washington, or, where such maximum price is established according to zone or area, it means the maximum price established by the OPA applicable to sales by independent retailers in the zone or area which includes Seattle, Washington.

This order shall become effective January 12, 1946.

Issued this 7th day of January, 1946.

CHESTER BOWLES,
Administrator.

APPENDIX A

Automotive parts and accessories
Bed springs
Bicycles (other than war bicycles covered by MPR 153)
Business and office machines (including but not limited to adding and calculating machines, cash registers, duplicating machines, mailing machines, tabulating machines, time recorders and stamps, typewriters, etc.)
Carpet sweepers, household
Cupboards, ready-made
Curling irons
Dishwashing machines, household
Electric mixers, household
Firearms (guns, rifles, revolvers, etc.)
Freezing units, household
Furnaces, household
Ice boxes, household
Irons, household
Kitchenware, aluminum
Lathes, household
Luggage
Lunch boxes
Mangles, household
Mattresses
Motorcycles and motorcycle accessories and parts
Outboard motors
Percolators (including silex and drip type coffee makers)
Phonographs
Pianos
Pressure cookers
Refrigerators, household
Radio receiving sets
Sewing machines, household
Scales, household and commercial
Storage closets, ready-made
Stoves, household cooking and heating (including but not limited to ovens, ranges, spot heaters, plates, burners, etc.)
Thermos bottles
Toasters
Vacuum cleaners and attachments, household
Waffle irons
Washing machines, household

APPENDIX B

Binoculars
Cameras
Clocks
Electric shavers
Field glasses
Fire extinguishers
Flashlights and flashlight batteries
Fountain pens
Mechanical pencils
Photographic equipment

[F. R. Doc. 46-421; Filed, Jan. 7, 1946; 4:36 p. m.]

[MPR 592, Amdt. 25 to Order 1]

PLASTER

ADJUSTMENT OF MAXIMUM PRICES

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

Section 7.10 (c) is amended to read as follows:

(c) If the manufacturer produces white or other plaster "bag goods" commonly sold in 80# and 100# sizes, including the several sizes of barrels containing 150# or more per barrel, and does not manufacture calcined gypsum neet plaster, he may adjust his maximum prices for such white and other plaster "bag goods" to reflect the increases granted in (a) above, on the basis of what his increase would have been had he produced and sold neet plaster at the general level of prices in the area in which the particular plant is located.

This amendment shall become effective January 12, 1946.

Issued this 7th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-422; Filed, Jan. 7, 1946; 4:36 p. m.]

[MPR 592, Amdt. 26 to Order 1]

DRAIN TILE

ADJUSTMENT OF MAXIMUM PRICES

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

Order No. 1 is amended in the following respects.

1. Section 2.1 (e) (4) is amended to read as follows:

(4) *Maximum prices for manufacturers of drain tile in the States of Ohio and Michigan.* The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for clay or shale drain tile produced in the States of Ohio and Michigan may be modified by adding an amount per M feet, not in excess of the amount set forth below opposite the following sizes and weights:

Size (inches)	Weight per foot (pounds)	Adjustment per M feet
3	4	$4.80
4	6	7.20
5	9	10.80
6	12	14.40
8	18	21.60
10	28	33.60
12	36	43.20
15	56	67.20
18	78	93.60
20	85	102.00
22	107	128.40
24	120	144.00

Any individual price adjustments granted prior to January 7, 1946, by the Price Administrator or any Regional Administrator for any manufacturer of drain tile in the State of Michigan are hereby revoked.

2. Section 2.4 is amended to read as follows:

SEC. 2.4 *Maximum prices for resellers.* Any jobber or dealer purchasing clay or shale building brick, structural clay hollow building tile, and clay drain tile for resale from any manufacturer who has modified his maximum prices in accordance with section 2.1 above may increase his maximum prices f. o. b. yard or delivered, established by the General Maximum Price Regulation, by the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer under section 2.1 above. However, notwithstanding the provisions of this section 2.4, in any area where specific maximum prices are fixed by an area pricing order, such specific maximum prices shall apply in that area.

This amendment shall become effective January 7, 1946.

Issued this 7th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-423; Filed, Jan. 7, 1946; 4:36 p. m.]

[MPR 120, Order 1544]

AKRIDGE COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Correction

In Federal Register Document 45-22726, appearing at page 15286 of the issue for Friday, December 21, 1945, in the headnote for the second table for Daisy City Coal Co. the maximum price group for rail shipments and railroad fuel should read: "Maximum Price Group No. 3 for Rail Shipments and Railroad Fuel".

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 December 20, 1945.

REGION I

Augusta Order 3-F, Amendment 30, covering fresh fruits and vegetables in Portland, South Portland, and Westbrook. Filed 3:57 p. m.

Augusta Order 4-F, Amendment 10, covering fresh fruits and vegetables in Maine, except Washington and Aroostook counties, Portland, S. Portland, Westbrook, Bangor, Brewer and all Coastal Islands. Filed 3:57 p. m.

Augusta Order 5-F, Amendment 29, covering fresh fruits and vegetables in Bangor and Brewer. Filed 3:57 p. m.

Concord Order 9-F, Amendment 34, covering fresh fruits and vegetables in Manchester, Nashua, Concord, Rochester, Somersworth, Dover, Portsmouth. Filed 3:56 p. m.

Concord Order 10-F, Amendment 10, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 3:56 p. m.

Concord Order 11-F, Amendment 10, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 3:55 p. m.

Concord Order 12-F, Amendment 10, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 3:55 p. m.

Hartford Order 5-F, Amendment 32, covering fresh fruits and vegetables in Waterbury and Watertown. Filed 3:56 p. m.

Hartford Order 6-F, Amendment 32, covering fresh fruits and vegetables in the Hartford area. Filed 3:56 p. m.

Hartford Order 7-F, Amendment 32, covering fresh fruits and vegetables in the New Haven area. Filed 3:56 p. m.

Hartford Order 8-F, Amendment 32, covering fresh fruits and vegetables in the Bridgeport area. Filed 3:56 p. m.

REGION II

Baltimore Order 4-F, Amendment 68, covering fresh fruits and vegetables in Baltimore and suburban communities. Filed 3:53 p. m.

Baltimore Order 10-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Maryland. Filed 3:53 p. m.

Baltimore Order 16-W, Amendment 2, covering dry groceries in Allegany, Garrett and

Washington counties, Maryland. Filed 3:53 p. m.

Baltimore Order 44, Amendment 2, covering dry groceries in Allegany, Garrett and Washington counties, Maryland. Filed 3:53 p. m.

Baltimore Order 48, Amendment 2, covering dry groceries in Allegany, Garrett and Washington counties, Maryland. Filed 3:53 p. m.

Buffalo Order 3–F, amendment 40, covering fresh fruits and vegetables for certain areas in New York. Filed 3:55 p. m.

Buffalo Order 4–F, Amendment 40, covering fresh fruits and vegetables in Rochester, E. Rochester, Fairport and Pittsford, New York. Filed 3:55 p. m.

Buffalo Order 5–F, Amendment 7, covering fresh fruits and vegetables in Allegany, Cattaraugus, and Chautauqua counties, New York. Filed 3:54 p. m.

Harrisburg Order 2–F, Amendments 48, 49, 50 and 52, covering fresh fruits and vegetables in counties of Adams, Cumberland, Dauphin, Franklin, Juniata, Lancaster, Lebanon, Mifflin, Perry and York. Filed 3:54 p. m., and Amendment 52 filed 3:53 p. m.

Philadelphia Order P–2, Amendment 7, covering fresh fish in the city and county of Philadelphia. Filed 3:52 p. m.

Philadelphia Order 6–F, Amendment 58, covering fresh fruits and vegetables in the city and county of Philadelphia. Filed 3:53 p. m.

Philadelphia Order 11–F, Amendment 33, covering fresh fruits and vegetables in the counties of Bucks, Chester, Delaware and Montgomery. Filed 3:52 p. m.

Philadelphia Order 12–F, Amendment 33, covering fresh fruits and vegetables in the counties of Berks, Lehigh and Northampton. Filed 3:52 p. m.

Scranton Order 4–F, Amendment 54, covering fresh fruits and vegetables in the counties of Carbon, Columbia, Lackawana, Luzerne, Monroe, Schuylkill and Wyoming. Filed 3:52 p. m.

Scranton Order P–3, Amendment 5, covering fresh fish and seafood in Lackawanna and Luzerne counties, including the city of Pottsville in Schuylkill county. Filed 3:51 p. m.

Williamsport Order 4–F, Amendment 14, covering fresh fruits and vegetables in the counties of Lycoming, Northumberland, Snyder, Union, Montour, Sullivan, Bradford Centre, Clinton, McKean, Potter, Elk, Cameron and Tioga. Filed 3:51 p. m.

Wilmington Order 4–F, Amendment 65, covering fresh fruits and vegetables in Delaware. Filed 3:51 p. m.

REGION III

Toledo Order 3–F, Amendment 19, covering fresh fruits and vegetables in Lucas county and townships of Lake, Ross, Rossford and Perrysburg in Wood county, Ohio. Filed 3:48 p. m.

Toledo Order 4–F, Amendment 19, covering fresh fruits and vegetables in certain areas in Ohio. Filed 3:47 p. m.

Toledo Order 11, Amendment 6, covering certain grocery items in specific counties in Ohio. Filed 3:47 p. m.

Toledo Order 12, Amendment 5, covering certain grocery items in specific counties in Ohio. Filed 3:47 p. m.

REGION IV

Atlanta Order 12–F, Amendment 9, covering fresh fruits and vegetables in Atlanta-Decatur area. Filed 3:51 p. m.

Atlanta Order 13–F, Amendment 9, covering fresh fruits and vegetables in certain areas. Filed 3:50 p. m.

Atlanta Order 14–F, Amendment 9, covering fresh fruits and vegetables in Clark, Dawson, Floyd, Gilmer, Gordon, Haralson, Heard, Jackson, Jasper, Meriwether, Morgan, Oconee, Pickens, Polk, Troup and Whitfield counties. Filed 3:50 p. m.

Atlanta Order 30–C, Amendment 5, covering poultry in Zone 22. Filed 3:50 p. m.

Atlanta Order 31–C, Amendment 5, covering poultry in Zone 22. Filed 3:50 p. m.

Atlanta Order 32–C, Amendment 5, covering poultry in Zone 23. Filed 3:50 p. m.

Atlanta Order 36–C, covering poultry in Atlanta-Decatur area. Filed 3:50 p. m.

Birmingham Order 3–C, covering poultry in Jefferson county, Alabama. Filed 3:47 p. m.

Birmingham Order 23, Amendment 3, covering certain food items in Birmingham District. Filed 3:49 p. m.

Birmingham Order 24, Amendment 3, covering certain food items in Birmingham District. Filed 3:49 p. m.

Birmingham Order 6–W, Amendment 2, covering dry groceries in Birmingham District. Filed 3:49 p. m.

Columbia Order 8–F, Amendment 9, covering fresh fruits and vegetables in South Carolina. Filed 3:40 p. m.

Columbia Order 27–O, covering eggs in Richland and Lexington counties, South Carolina. Filed 3:47 p. m.

Columbia Orders 27–C and Amendment 1, covering poultry in Richland and Lexington Counties, South Carolina. Filed 3:40 p. m. and 3:47 p. m.

Jackson Order 7–F, Amendment 11, covering fresh fruits and vegetables in Clark, Copiah, Covington, Forrest, Hinds, Jasper, Jones, Lauderdale, Madison, Newton, Rankin, Scott, Simpson, Smith, Warren, Wayne and Yazoo counties. Filed 3:48 p. m.

Nashville Order 20, Amendments 2 and 3, covering certain food products in the Nashville District. Filed 3:45 p. m.

Nashville Order 21, Amendments 2 and 3, covering certain food products in the Nashville District. Filed 3:45 p. m.

Nashville Order 7–W, Amendments 2 and 3, covering dry groceries in the Nashville District. Filed 3:42 and 3:41 p. m.

Nashville Order 3–C, Amendment 1, covering poultry in certain counties in Tennessee. Filed 3:44 p. m.

Nashville Order 4–C, Amendment 1, covering poultry in certain counties in Tennessee. Filed 3:44 p. m.

Nashville Order 5–C, Amendment 1, covering poultry in certain areas in Tennessee and Virginia. Filed 3:44 p. m.

Nashville Order 6–C, Amendment 1, covering poultry in certain areas in Tennessee and Virginia. Filed 3:44 p. m.

Nashville Order 7–C, covering poultry in certain counties in Tennessee. Filed 3:44 p. m.

Nashville Order 8–C, covering poultry in certain counties in Tennessee. Filed 3:43 p. m.

Nashville Orders 9–C and 10–C, covering poultry in certain counties in Tennessee and in Bristol, Va. Filed 3:42 p. m.

Nashville Order 13–F, Amendments 2, 3, 4 and 5, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 3:48 p. m.

Nashville Order 14–F, Amendments 4, 5, 6, 7, 8, 9 and 10, covering fresh fruits and vegetables in Davidson, Hamilton, Hamblen, Knox, and Sullivan counties in Tennessee, and Bristol, Va. Filed 3:48 p. m., 3:47 p. m., 3:46 p. m., 3:46 p. m., 3:46 p. m., 3:46 p. m. and 3:45 p. m.

Richmond Order 8–F, Amendment 9, covering fresh fruits and vegetables in certain areas in the Richmond District. Filed 3:40 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. 46–233; Filed, Jan. 4, 1946; 4:22 p. m.]

[Region VII Order G–97 Under MPR 188]

WELCH INDUSTRIES, INC. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G–97 under Maximum Price Regulation No. 188. Authorized maximum prices for certain durable goods manufactured by Welch Industries, Inc., Colorado Springs, Colorado, when sold by the manufacturer and specified resellers. Docket No. 7–188–158–174.

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–97 is issued.

(a) *What this order does.* This Order No. G–97 establishes maximum prices for eleven durable goods items manufactured by Welch Industries, Inc., of Colorado Springs, Colorado, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–97, the maximum prices for the durable goods commodities named below and designated by model numbers, manufactured by Welch Industries, Inc., of 8000 North Nevada Avenue, Colorado Springs, Colorado, in accordance with the specifications set forth in the applications of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

No.	Item	Model No.	When sold by—		
			Manufacturer to wholesaler or jobber	Manufacturer, wholesaler or jobber, to retailer	Any seller to ultimate consumer
			Each	*Each*	*Each*
1	Washcloth holder	4–2	$0.48	$0.60	$1.00
2	Towel bar	36–16–4	1.56	1.95	3.25
3	do	24–16–4	1.32	1.65	2.75
4	do	30–16–4	1.44	1.80	3.00
5	do	18–16–4	1.20	1.50	2.50
6	do	12–16–4	1.08	1.35	2.25
7	do	36–4–2	1.44	1.80	3.00
8	do	30–4–2	1.32	1.65	2.75
9	do	24–4–2	1.20	1.50	2.50
10	do	18–4–2	1.08	1.35	2.25
11	do	12–4–2	.96	1.20	2.00

NOTE: (i) The maximum prices as above set forth for sales other than sales to ultimate consumers are subject to a discount of 1% for payment within 10 days from the 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) *Notice to be given purchasers for resale and tagging with maximum price at retail level.* When the manufacturer or any other seller makes a first sale under this Order No. G–97 to a person who purchases for resale, other than at the retail level, he must show upon the invoice or on a separate slip or rider attached thereto the applicable resale prices as set forth in paragraph (b) above. The manufacturer must attach to each of the articles 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, $_____."

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G–97 for sales of the articles in question at the specified levels supersede all other maximum price regulations.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G–97 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–97 shall become effective on the 13th day of December, 1945.

Issued this 13th day of December 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 46–172; Filed, Jan. 3, 1946; 1:10 p. m.]

[Region VII Order G–99 Under MPR 188]

NELSON'S CARPENTER SHOP ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G–99 under Maximum Price Regulation No. 188. Authorized maximum prices for certain durable goods manufactured by C. O. Nelson, doing business as Nelson's Carpenter Shop, Albuquerque, New Mexico, when sold by the manufacturer and specified resellers. Docket No. 7–188–158–169.

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–99 is issued.

(a) *What this order does.* This Order No. G–99 establishes maximum prices for two durable goods items manufactured by C. O. Nelson, doing business as Nelson's Carpenter Shop, Albuquerque, New Mexico, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–99, the maximum prices for the durable goods commodities named below and designated by model numbers, manufactured by C. O. Nelson, doing business as Nelson's Carpenter Shop, of 811 Rio Grande Boulevard, Albuquerque, New Mexico, in accordance with the specifications set forth in the applications of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

Article	Model No.	When sold by—		
		Manufacturer to wholesaler or jobber	Manufacturer, wholesaler or jobber, to retailer	Any seller to ultimate consumer
Wooden rocking horse toy	500	*Each* $4.32	*Each* $5.40	*Each* $9.00
	501	3.52	4.40	7.35

NOTE: (i) The maximum prices as above set forth for sales other than sales to ultimate consumers are subject to a discount of 2% for payment within 10 days from the 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) *Notice to be given purchasers for resale and tagging with maximum price at retail level.* When the manufacturer or any other seller makes a first sale under this Order No. G–99 to a person who purchases for resale, other than at the retail level, he must show upon the invoice or on a separate slip or rider attached thereto the applicable resale prices as set forth in paragraph (b) above. The manufacturer must attach to each of the articles 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, $_____."

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G–99 for sales of the articles in question at the specified levels supersede all other maximum price regulations.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G–99 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–99 shall become effective on the 14th day of December 1945.

Issued this 14th day of December 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 46–173; Filed, Jan. 3, 1946; 1:10 p. m.]