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Washington, Saturday, February 2, 1946

The President

EXECUTIVE ORDER 9689

CONSOLIDATION OF SURPLUS PROPERTY FUNCTIONS

WHEREAS the Surplus Property Administration has now substantially completed the performance of its policy-making functions, the War Assets Corporation is now vested with the major part of domestic surplus property disposal, and the State Department is now vested with the major part of foreign surplus property disposal; and

WHEREAS, after a reasonable period in which to make necessary administrative arrangements, it will be feasible and desirable to establish a War Assets Administration as a separate agency directly responsible to the President to exercise consolidated functions relating to the disposal of domestic surplus property;

NOW THEREFORE, by virtue of the authority vested in me by the Constitution and Statutes, including Title I of the First War Powers Act, 1941 (55 Stat. 838), and as President of the United States, it is hereby ordered as follows:

1. The functions of the Surplus Property Administrator and of the Surplus Property Administration are hereby transferred, except as otherwise provided herein, to the chairman of the board of directors of the War Assets Corporation, and to the War Assets Corporation, respectively, and the Surplus Property Administration shall be deemed merged into and consolidated with the War Assets Corporation.

2. All functions of the Surplus Property Administrator and the Surplus Property Administration which relate to surplus property located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands are transferred to the Secretary of State and the Department of State, respectively.

3. Effective March 25, 1946 (a) there shall be established, in the Office for Emergency Management of the Executive Office of the President, a War Assets Administration at the head of which there shall be a War Assets Administrator,

who shall be appointed by the President by and with the advice and consent of the Senate, and who shall receive a salary at the rate of \$12,000 per annum unless the Congress shall otherwise provide, and (b) the functions of the War Assets Corporation relative to surplus property and of the chairman of the board of directors of the War Assets Corporation relative to surplus property shall be transferred to the War Assets Administrator.

4. There shall be transferred to the agencies to which functions are transferred by this order so much as the Director of the Bureau of the Budget shall determine to relate primarily to such functions, respectively, of the records, administrative property, personnel, and funds of the Surplus Property Administration, the Office of War Mobilization and Reconversion, the Reconstruction Finance Corporation, and the War Assets Corporation. All authorizations, commitments, or other obligations incurred as a disposal agency by the Reconstruction Finance Corporation or by the War Assets Corporation under the Surplus Property Act of 1944 shall be transferred to the War Assets Administration upon its establishment.

5. There shall be subject to the Classification Act of 1923, as amended, those positions transferred to the War Assets Corporation hereunder which are now subject to the said Act, and also all positions transferred to the War Assets Administration hereunder; provided that if the salary of the incumbent of any position so transferred to the said Administration is above the maximum of the allocated grade such salary shall not be reduced so long as the position is held by the incumbent. The provisions of section 1 hereof notwithstanding, the respective accounting and fiscal procedures in effect with respect to the functions merged shall continue in effect from February 1, 1946 to March 25, 1946.

6. Such further measures and dispositions as may be determined by the Director of the Bureau of the Budget to be necessary to effectuate the transfers provided for in this order shall be carried out in such manner as the Director may

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NOTICE

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

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direct and by such agencies as he may designate.

7. All provisions of prior Executive orders in conflict with this order are amended accordingly. All other prior orders, regulations, rulings, designations, and other actions, relating to any function transferred by this order, shall remain in effect except as they are inconsistent herewith or are hereafter amended or revoked under proper authority.

8. Nothing in this order shall affect the provisions of section 101 (c) of the War Mobilization and Reconversion Act of 1944 (58 Stat. 785), or of section 10 (b) of the Surplus Property Act of 1944 (58 Stat. 766).

9. The provisions of this order shall, except as otherwise herein specifically provided, be effective as of the opening of business February 1, 1946.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 31, 1946.

[F. R. Doc. 46-1882; Filed, Feb. 1, 1946; 11:27 a. m.]

EXECUTIVE ORDER 9688

AMENDING SCHEDULE B OF THE CIVIL SERVICE RULES

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403), Subdivision VIII of Schedule B of the Civil Service Rules is hereby amended by adding thereto a new paragraph, numbered 4, to read as follows:

"4. Positions assigned exclusively to Navy Communications Intelligence activities."

HARRY S. TRUMAN

THE WHITE HOUSE,
January 31, 1946.

[F. R. Doc. 46-1875; Filed, Feb. 1, 1946; 9:29 a. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission
PART 51—SCHEDULE B: NONCLASSIFIED POSITIONS WHICH MAY BE FILLED UPON NONCOMPETITIVE EXAMINATIONS UNDER § 2.3 (c)

NAVY COMMUNICATIONS INTELLIGENCE ACTIVITIES

CROSS REFERENCE: For an amendment of § 51.8 see Executive Order 9688, *supra*.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Amdt. 15-1]

PART 15—AIRCRAFT EQUIPMENT AIRWORTHINESS

AIR CARRIER AIRPLANE REAR POSITION LIGHTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 26th day of January 1946.

Effective January 26, 1946, § 15.2015 of the Civil Air Regulations is amended by striking the first and second sentences therein and inserting in lieu thereof the following: "Air carrier airplane rear position lights shall emit an alternate aviation red and aviation white flash repeated at a frequency of 40 cycles a minute, each cycle having characteristics prescribed by the Administrator. * * *

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

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 46-1879; Filed, Feb. 1, 1946; 10:43 a. m.]

[Regs., Serial No. 360]

PART 248—INTERLOCKING DIRECTORS AND OFFICERS

APPROVALS OF INTERLOCKING RELATIONSHIPS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 28th day of January 1946. (Amendment No. 2 of § 248.1.)

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 409 (a) thereof, hereby makes and promulgates the following regulation:

Effective March 1, 1946, subparagraphs (8) and (9) of paragraph (c) of § 248.1 of this chapter are hereby amended to read, respectively, as follows:

§ 248.1 *Approvals of interlocking relationships.* * * *

(c) *General provisions concerning contents.* * * *

(g) With respect to the individual applicant, a statement that the informa-

tion contained in the most recent report filed by him with the Board pursuant to § 280.1 of this chapter is the same as of the date within 30 days of the filing of the application pursuant to this part, or, if such information has changed, a statement setting forth the details of such changes; and with respect to each officer and director of each air carrier applicant other than the individual applicant, a statement that there is presently on file with the Board a report pursuant to § 280.1 of the Economic Regulations for each such individual officer or director. If no such report is on file with reference to any such officer or director (including the individual applicant), it shall be filed concurrently with the application pursuant to this part.

(9) The names (a) of the largest stockholders, not exceeding twenty, who hold 1 per centum or more of the voting capital stock of any air carrier applicant and (b) of the largest stockholders, not exceeding twenty, who hold 1 per centum or more of the voting capital stock of any person with whom an interlocking relationship is sought by such application to be approved; together with the number of shares of each class of stock held by each of such stockholders and the percentage which such shares bear to the total number of shares of the same class authorized and outstanding. If all or any part of such shares are held for the account of any person other than the holder, the names of such persons shall be disclosed. If the applicant, after making all reasonable efforts, is unable to obtain disclosure of such information with respect to any of the persons classified under (b) in the first sentence of this paragraph, the application shall state specifically the efforts made to obtain such information and the reasons why such efforts were unsuccessful.

(Sec. 205 (a), 52 Stat. 984, 49 U.S.C. 425 (a); sec. 409 (a), 52 Stat. 1002, 49 U.S.C. 489)

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 46-1880; Filed, Feb. 1, 1946;
10:43 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

[Order No. 124]

RULES OF PRACTICE AND REGULATIONS AND APPROVED FORMS

MISCELLANEOUS AMENDMENTS

JANUARY 22, 1946.

Amending the "Rules of Practice and Regulations, with Approved Forms, Effective July 11, 1938" under The Federal Power Act.

The Commission, pursuant to the authority vested in it by the Federal Power Act, particularly sections 209 and 309 thereof, and finding such action necessary and appropriate for carrying out the provisions of said act, hereby adopts, promulgates, and prescribes the following amendments to the "Rules of Prac-

tion and Regulations, with Approved Forms, Effective July 11, 1938":

Subchapter A—Rules of Practice and Regulations, Federal Power Act

PART 39—COOPERATIVE PROCEDURE WITH STATE COMMISSIONS

Part 39, Cooperative Procedure With State Commissions, be and it is hereby amended to read as follows:

Sec.

39.0 Policy.

39.1 Notice.

39.2 Conferences.

39.3 Procedure governing matters referred to a board.

39.4 Joint and concurrent hearings.

39.5 Intervention by State commissions.

§ 39.0 *Policy.* Section 209 of the Federal Power Act authorizes cooperation between the Federal Power Commission and the State commissions of the several States in the administration of said act. Subsection (a) of section 209 authorizes the reference of any matter arising in the administration of the act to a board to be composed of a member or members from the State or States affected or to be affected by the particular matters pending before the Federal Power Commission. Subsection (b) authorizes conferences with State commissions regarding the relationship between rate structures, costs, accounts, charges, practices, classifications, and regulations of public utilities subject to the jurisdiction of such State commissions and of the Federal Power Commission, and joint hearings with State commissions in connection with any matter with respect to which the Federal Power Commission is authorized to act.

Obviously, it is impossible to determine in advance what matters should be the subject of a conference, what matters should be referred to a board, and what matters should be heard at a joint hearing of State commissions and the Federal Power Commission. It is understood, therefore, that the Federal Power Commission or any State commission will freely suggest cooperation with respect to any proceeding or matter affecting any public utility subject to the jurisdiction of said Federal Power Commission and of a State Commission, and concerning which it is believed that cooperation will be in the public interest.

§ 39.1 *Notice.*—(a) *Notice to be given by the Federal Power Commission.* Whenever there shall be instituted before the Federal Power Commission any proceeding under the Federal Power Act, the State commission or commissions of the State or States affected thereby will immediately be given notice thereof by the Federal Power Commission. Each such notice will be supplemented by copies of applications, petitions, complaints or orders instituting proceedings which may be necessary for an understanding of the subject matter. Each such notice given to a State commission will request such commission to notify the Federal Power Commission within a reasonable period of time whether it deems the proceeding one which should be considered under the cooperative provisions of this part, and, if so, to advise the Federal Power Commission as to the nature

of its interest in said matter, to specify whether it desires a conference, the creation of a board, or a joint or concurrent hearing, as defined in § 39.4 hereof, and the reasons for such request.

Any commission suggesting some form of such cooperative procedure should also state whether there is pending, or will be pending before it, a proceeding in which a concurrent hearing might appropriately be held and whether its proposal is for such hearing covering any such proceeding and the proceeding pending before the Federal Power Commission.

Any State commission recommending to the Federal Power Commission reference of a proceeding to a board constituted under section 209 (a) of the Federal Power Act, should state with fullness the reasons which led it to believe that such reference is desirable and in the public interest.

Upon the receipt from a State commission of a communication suggesting cooperation, the Federal Power Commission will consider the same, and may confer with the commission making the request and with other interested commissions, if any, in such manner as may be most suitable, and, if cooperation in the manner proposed, or in any other manner, shall appear to be practicable and desirable, will so advise each interested State commission, and will invite it to participate therein.

(b) *Notice to be given by State commissions.* Each State commission should, in like manner, notify the Federal Power Commission of any proceeding instituted before it, the subject matter of which is also subject to the jurisdiction of the Federal Power Commission, or in which it believes the Federal Power Commission is interested. Such notice should be supplemented by copies of applications, petitions, complaints or orders instituting proceedings which may be necessary to an understanding of the subject matter. Such notice should include such suggestions as the State commissions may wish to make concerning cooperative procedure.

Upon receipt of such notice, the Federal Power Commission will consider the same and will promptly notify the State commission whether or not in its opinion cooperation in the manner proposed or in any other manner appears to be practicable and desirable. The Federal Power Commission shall be free to propose cooperative procedure, if deemed appropriate, whether or not such proposal of cooperation has been made by the State commission first giving notice of the proceeding.

(c) *Federal Power Commission or State commissions to invite participation in cooperative procedure.* In the event that cooperation in a particular proceeding has been determined upon, the Federal Power Commission or a State commission before which the proceeding is pending will so advise each interested State commission and will invite it to take part therein.

§ 39.2 *Conferences.* Inasmuch as experience has proved that informal conferences are the means most often used to enable commissions to work together

to promote good regulation, affording means whereby common understandings may be reached, and the imposition of inconsistent or conflicting regulations upon companies subject to both Federal and State control may be avoided, and means whereby State commissions may secure the assistance in State regulatory work which subparagraph (c) of section 209 of the Federal Power Act authorizes the Federal Power Commission to extend, any commission, Federal or State, should always feel free to suggest a conference to another commission, concerning any matter of regulation subject to the jurisdiction of either, with respect to which it is believed that a cooperative conference may be in the public interest. The commission desiring a conference upon any such matter should notify other interested commissions without delay, and thereupon the Federal Power Commission or a State commission, as may be agreed, will promptly arrange for a conference in which all interested commissions will be invited to be represented.

§ 39.3 *Procedure governing matters referred to a board.* It is believed that the statutory provision in subparagraph (a) of section 209 of the Federal Power Act, for the reference of a proceeding to a board constituted as therein provided, was designed for use in unusual cases, and as a means of relief to the Federal Power Commission when it might find itself unable to hear and determine cases before it, in the usual course, without undue delay.

Whenever the Federal Power Commission either, upon its own motion or upon the suggestion of a State commission or at the request of any interested party, shall determine that it is desirable to refer a matter arising in the administration of Part II of the Federal Power Act to a board to be composed of a member or members from the State or States affected or to be affected by such matter, the procedure will be as follows:

The Federal Power Commission will send a request to each interested State commission to nominate a specified number of members to serve on such board. Whenever more than one State is involved, the representation of each State concerned shall be equal, unless one or more of the States affected chooses to waive such right of equal representation. The Federal Power Commission will specify the functions to be performed by such board in each instance. When the member or members of any board have been nominated and appointed in accordance with the provisions of section 209 (a) of the Federal Power Act, the Federal Power Commission will make an order referring the particular matter to such board, and such order shall fix the time and place of hearing, define the "force and effect" the action of the board shall have, the manner in which the proceedings shall be conducted, and specify the allowances to be made for the expense of the members of the board. As far as applicable, the rules of practice and procedure as from time to time adopted or prescribed by the Federal Power Commission shall govern such board. The board shall have authority to adjourn the hearing from day to day, subpoena

witnesses, rule on the relevancy, competency, and materiality of evidence, and shall, after hearing all interested parties, submit its report to the Federal Power Commission.

§ 39.4 *Joint and concurrent hearings.* The term "joint hearing" used in sec. 209 (b) of the Federal Power Act is understood to cover any hearing in which members of the Federal Power Commission and members of one or more State commissions may sit together in a proceeding pending before one such commission, whether or not a proceeding or proceedings involving similar or corresponding issues be pending before any other commission.

Two different types of proceedings have been called "joint hearings." One is that type of proceeding where members of one or more State commissions sit with members of the Federal Power Commission for information or in an advisory capacity. The State commissioners in such case do not develop a record for their respective commissions and may or may not, at their own discretion, make a recommendation to the Federal Power Commission. The other type of joint hearing is often referred to as a "concurrent hearing." Under this procedure the Federal Power Commission and one or more State commissions sit together to hear and jointly make a record upon a matter over which all of the participating commissions have jurisdiction and responsibility for action.

The Federal Power Commission or any State commission or commissions should feel free to suggest or request a joint or concurrent hearing at any time. It is believed, however, that the concurrent hearing is the type of cooperative hearing which is likely to be most useful and effective.

Whenever a concurrent hearing has been agreed upon by the Federal Power Commission and one or more State commissions, the procedure will be as follows:

Each commission will designate the representative or representatives of such commission to sit at such concurrent hearing, and will designate the representative who will be the presiding officer for such commission.

It will be understood that participation in such concurrent hearing shall in no way affect the complete control by each commission of the proceeding before it. It will be understood, also, that participation in either a joint or concurrent hearing shall in no way preclude any commission from causing to be presented in any such case pertinent evidence with respect to matters in issue.

The representative designated by the Federal Power Commission will be the presiding officer to announce rulings with respect to which there is no disagreement; and all such rulings shall be considered concurrent rulings. However, the presiding officer for any commission which does not concur in any ruling may announce a divergent ruling and such divergent ruling, whether with respect to the admissibility of evidence or any other matter, shall be considered the ruling for his commission.

The record of the concurrent hearing shall be the record of each commission

participating, except that, if divergent rulings are made, the rulings shall be so reported as to separate and distinguish clearly the record of the respective participating commissions and the evidence admitted in each record, in accordance with the rulings of the respective presiding officers of such participating commissions. If, in any proceeding, the ruling of one presiding officer has the effect of admitting any voluminous exhibit or testimony which is excluded by the ruling of another presiding officer, the taking of such evidence will, whenever possible, be deferred until after the completion of all proceedings which can be conducted under concurrent rulings. When such testimony is taken the transcript of such evidence will be made available to all the participating commissions, if desired.

In all respects concerning which there shall be no divergence of ruling, the hearing will be conducted in accordance with the rules of practice and regulations prescribed by the Federal Power Commission, subject to the express understanding that each participating State commission shall control its own record and make its own rulings as to the admissibility of evidence and as to other matters affecting its proceedings and shall make its own separate final decision or order therein.

Before either the Federal Power Commission or a participating State commission shall enter any order or orders in a concurrent proceeding, opportunity shall be afforded for conference between the Federal Power Commission and the State commission or commissions participating.

Whenever a joint hearing other than a concurrent hearing shall be agreed upon, the commissions which will take part therein shall agree upon the proceeding to be followed in such hearing in advance of the opening of the same. With respect to any concurrent hearing, a special agreement may be made by the commissions taking part therein for a procedure or action differing from that outlined in this plan.

Cooperation between two or more commissions in a concurrent hearing shall preclude either from taking the position of an advocate or a litigant. If a commission wishes to take such a position, it will not be appropriate for that commission to be a cooperating participant in that proceeding. In such situation the appropriate method of procedure will be intervention under § 1.31 of this subchapter.

§ 39.5 *Intervention by State commissions.* Any interested State commission may, as a matter of right, intervene in any proceeding before the Federal Power Commission. It will be desirable and helpful in such instances if the State commissions will give notice ten days in advance of the opening of a hearing of its intention to intervene. In any case, however, a State commission may intervene in a proceeding before the Commission merely by its representative appearing in person and filing written notification of its desire to intervene. Cf. § 1.31 of this subchapter as to intervening petitions.

PART 1—ADMINISTRATION

Section 1.31 *Intervening petitions* be and it is hereby amended to read as follows:

§ 1.31 *Intervening petitions.* Any interested State, municipality, or any representative of interested consumers or security holders, or any competitor of a party to any pending proceeding, or any other person whose participation in a pending proceeding may be in the public interest, may petition to intervene in any proceeding pending before the Commission: *Provided, however,* That any interested State commission may, as a matter of right, intervene in any proceeding before the Federal Power Commission merely by its representative appearing in person and filing written notification of its desire to intervene as provided in § 39.5 of this subchapter.

Petitions to intervene must be filed with the Commission not less than 5 days next preceding the date set for public hearing in the proceeding in which petitioner seeks to intervene: *Provided, however,* That the Commission may, on good cause being shown, grant a petition to intervene when said petition is filed after the time limit for filing petitions to intervene set forth above has expired. Petitions for intervention must set forth the grounds of the proposed intervention; the position and interest of the petitioner in the proceeding; and must conform to the requirements of a formal complaint and must be subscribed and verified in the same manner as a formal complaint.

Section 1.42 *Substance of informal complaints* be and it is hereby amended to read as follows:

§ 1.42 *Substance of informal complaints.* No form of informal complaint is prescribed, but in substance the letter or other writing should contain the name and address of complainant, the name of the party against whom the complaint is made, and a brief statement of the facts forming the basis of such complaint. While the filing of an informal complaint is without prejudice to complainant's right to file a formal complaint, only formal complaints submitted and prosecuted in the manner hereinafter prescribed will entitle any person, natural or artificial, to initiate formal proceedings or to become a party to any proceedings already initiated, and only formal complaints will be admitted in the record of formal proceedings. It is desirable that informal complaints be accompanied by a sufficient number of copies to enable the Commission to transmit one copy to each party named and to each interested State commission, and retain one for its own use, and it may be accompanied by supporting papers.

Section 1.93 *Number of copies of pleadings* be and it is hereby amended to read as follows:

§ 1.93 *Number of copies of pleadings.* Except where otherwise specifically provided in these rules, all applications, petitions, complaints, or other pleadings which are to be served by the Commission must be accompanied, when filed, by copies in sufficient number to enable the

Commission to transmit one copy to each party to the proceeding and to each State commission interested or whose approval may legally be required in connection with the same matter and retain five copies for its own use. Where service is made by the parties or service is not required to be made, five copies are required for the use of the Commission.

PART 4—LICENSES, PERMITS, AND DETERMINATION OF PROJECT COSTS

APPLICATION FOR LICENSE FOR PROPOSED MAJOR PROJECT OR MINOR PART THEREOF

Section 4.40 *Contents* amended to make concluding sentence of first paragraph read as follows: "Unless otherwise specified, the application and all accompanying documents shall be submitted in quadruplicate, with one additional copy for each interested State commission."

APPLICATION FOR LICENSE FOR CONSTRUCTED MAJOR PROJECT OR MINOR PART THEREOF

Section 4.50 *Contents* amended to make the last two sentences of the first paragraph read as follows: "Unless otherwise specified, the application and all accompanying exhibits shall be submitted in quadruplicate, with one additional copy for each interested State commission. Exhibits shall be certified in accordance with § 200.4 of this chapter."

APPLICATION FOR LICENSE FOR MINOR PROJECT

Section 4.60 *Contents* amended to make second sentence of paragraph read as follows: "Unless otherwise specified, an original and three copies of the application and all accompanying exhibits shall be submitted, with one additional copy for each interested State commission."

APPLICATION FOR LICENSE FOR TRANSMISSION LINE ONLY

Section 4.70 *Contents* amended to make the second sentence of the first paragraph read as follows: "Unless otherwise specified, the application and all accompanying documents shall be submitted in quadruplicate, with one additional copy for each interested State commission."

APPLICATION FOR PRELIMINARY PERMIT AND AMENDMENTS THEREOF

Section 4.82 *Contents of application* amended to make the second sentence of first paragraph read as follows: "Unless otherwise specified, the application and all accompanying documents shall be submitted in quadruplicate, with one additional copy for each interested State commission."

PART 5—APPLICATION FOR AMENDMENT OF LICENSE

Section 5.1 *Amendment of license* amended to make the concluding sentence read as follows: "Application for amendment of license shall be submitted in quadruplicate, with one additional copy for each interested State commission, in accordance with § 200.30 of this chapter and verified."

PART 9—TRANSFER OF LICENSE OR LEASE OF PROJECT PROPERTY

Section 9.1 *Filing* amended to make concluding sentence read as follows:

"Such application shall be submitted in quadruplicate under oath, with one additional copy for each interested State commission, and shall conform to § 200.20 of this chapter."

APPLICATION FOR LEASE OF PROJECT PROPERTY

Section 9.10 *Filing* amended by inserting after the first sentence the following sentence: "One additional copy of the application (and proposed lease) for each interested State commission should also be filed."

PART 16—APPLICATION FOR LICENSE FOR PROJECT UNDER LICENSE WHICH EXPIRES ON A SPECIFIED DATE

Section 16.1 *Contents* amended to make second sentence of first paragraph read as follows: "Unless otherwise specified, four copies of the application, duly verified under oath, and all accompanying documents, together with one additional conformed copy for each interested State commission, shall be submitted."

PART 24—DECLARATION OF INTENTION

Section 24.1 *Filing* amended to make first sentence read as follows: "Each declaration of intention under the provisions of section 23 (b) of the act shall be filed in triplicate, with one additional copy for each interested State commission, in conformity with §§ 1.80-1.85 of this subchapter."

PART 32—INTERCONNECTION OF FACILITIES; EMERGENCIES; TRANSMISSION TO FOREIGN COUNTRY

APPLICATION FOR AN ORDER DIRECTING THE ESTABLISHMENT OF PHYSICAL CONNECTION OF FACILITIES

Section 32.4 *Form and style; number of copies* amended to read as follows: "An application under §§ 32.1-32.4 must conform to the requirements of §§ 1.80-1.94 of this subchapter."

PART 35—FILING OF RATE SCHEDULES

Section 35.10 *Number of copies of rate schedules to be supplied* be and it is hereby amended to read as follows:

§ 35.10 *Number of copies of rate schedules to be supplied.* Two copies of every rate schedule, certificate of concurrence, notice of cancellation, and notice of succession in ownership or operation submitted for filing must be supplied to the Commission, together with one additional copy for each interested State commission. Such copies are to be included in one package, together with a letter of transmittal listing all rate schedules included and addressed to the Federal Power Commission, Washington, D. C. The commission reserves the right to request such additional copies of any of the above mentioned instruments as it may find necessary and appropriate to carry out the provisions of the Federal Power Act.

LICENSEE TO FILE CONTRACTS, AGREEMENTS, RATE SCHEDULES, RELATING TO THE SALE AT WHOLESALE OF ELECTRIC ENERGY OR MECHANICAL HORSEPOWER

Section 35.20 *Filing* amended to read as follows:

§ 35.20 *Filing.* Each licensee shall file with the Commission a full and complete copy of every rate schedule, tariff, contract, or agreement, and all supplements thereto, providing for the sale at wholesale (whether for consumption, resale, or any other use whatsoever by the purchaser) of electric energy or mechanical horsepower generated or developed through the facilities of the licensed project, together with one additional copy for each interested State commission: *Provided, however,* That rate schedules, contracts, agreements, etc., filed pursuant to the provisions of § 35.3 need not be filed additionally under the requirements of this section.

PART 45—APPLICATIONS FOR AUTHORITY TO HOLD INTERLOCKING POSITIONS

Section 45.7 *Form of application; number of copies* amended to make first sentence read as follows: "An original and two copies of each application, supplemental application, statement of supplemental information, notice of change and report required by this part, together with one additional copy for each interested State commission, shall be filed with the Commission."

Subchapter E—Approved Forms

PART 200—FORMS UNDER RULES OF PRACTICE AND REGULATIONS, FEDERAL POWER ACT

Section 200.2 *Application for license* amended by striking out the statement contained therein reading as follows: "(Unless otherwise specified, this application and all accompanying documents shall be submitted in quadruplicate)" and substituting therefor the following: "(This application and all accompanying documents shall be submitted in quadruplicate, together with one additional copy for each interested State commission)."

Section 200.5 *Application for license for transmission lines only* amended by striking out the statement contained therein reading as follows: "(Unless otherwise specified, this application and all accompanying documents shall be submitted in quadruplicate)" and substituting therefor the following: "(This application and all accompanying documents shall be submitted in quadruplicate, together with one additional conformed copy for each interested State commission)."

Section 200.10 *Application for a preliminary permit* amended by striking out the statement contained therein reading as follows: "(Unless otherwise specified, this application and all accompanying documents shall be submitted in quadruplicate)" and substituting therefor the following: "(This application and all accompanying documents shall be submitted in quadruplicate together with one additional copy for each interested State commission)."

Section 200.20 *Application for approval of transfer of license* amended by striking out the statement contained therein reading as follows: "(Unless otherwise specified, this application and all accompanying documents shall be submitted in quadruplicate)" and substituting there-

for the following: "(This application and all accompanying documents shall be submitted in quadruplicate, together with one additional copy for each interested State commission)."

Section 200.30 *Application for amendment of license* amended by striking out the statement contained therein reading as follows: "(To be submitted in quadruplicate)" and substituting therefor the following: "(To be submitted in quadruplicate, together with one additional copy for each interested State commission)."

Section 200.51 *Notice of succession in ownership or operation* amended by striking out the statement contained therein reading as follows: "(An original and one conformed copy to be submitted)" and substituting therefor the following: "(An original and one conformed copy, together with one additional copy for each interested State commission, to be submitted)."

Section 200.52 *Certificate of concurrence* amended by striking out the statement contained therein reading as follows: "(An original and one conformed copy to be submitted)" and substituting therefor the following: "(An original and one conformed copy, together with one additional copy for each interested State commission, to be submitted)."

Section 200.53 *Notice of cancellation* amended by striking out the statement contained therein reading as follows: "(An original and one conformed copy to be submitted)" and substituting therefor the following: "(An original and one conformed copy, together with one additional copy for each interested State commission, to be submitted)."

The amendments to the "Rules of Practice and Regulations, with Approved Forms, Effective July 11, 1938" adopted, promulgated, and prescribed by this order shall become effective on February 15, 1946; and the Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-1885; Filed, Feb. 1, 1946;
11:32 a. m.]

[Order 123]

PROVISIONAL RULES OF PRACTICE AND APPROVED FORMS

MISCELLANEOUS AMENDMENTS

JANUARY 22, 1946.

Amending the "Provisional Rules of Practice and Regulations under the Natural Gas Act, with Approved Forms, Effective July 11, 1938."

The Commission, pursuant to the authority vested in it by the Natural Gas Act, particularly sections 16 and 17 thereof, and finding such action necessary and appropriate for carrying out the provisions of said act, hereby adopts, promulgates, and prescribes the following amendments to the "Provisional Rules of Practice and Regulations Under

the Natural Gas Act, Effective July 11, 1938":

Subchapter B—Provisional Rules of Practice and Regulations, Natural Gas Act

PART 67—COOPERATIVE PROCEDURE WITH STATE COMMISSIONS

Part 67, Cooperative Procedure with State Commissions be and it is hereby amended to read as follows:

- Sec.
67.0 Policy.
67.1 Notice.
67.2 Conferences.
67.3 Procedure governing matters referred to a board.
67.4 Joint and concurrent hearings.
67.5 Intervention by State commissions.

§ 67.0 *Policy.* Section 17 of the Natural Gas Act authorizes cooperation between the Federal Power Commission and the State commissions of the several States in the administration of said act. Subsection (a) of sec. 17 authorizes the reference of any matter arising in the administration of the act to a board to be composed of a member or members from the State or States affected or to be affected by the particular matters pending before the Federal Power Commission. Subsection (b) authorizes conferences with State commissions regarding the relationship between rate structures, costs, accounts, charges, practices, classifications, and regulations of natural gas companies subject to the jurisdiction of such State commissions and of the Federal Power Commission, and joint hearings with State commissions in connection with any matter with respect to which the Federal Power Commission is authorized to act.

Obviously, it is impossible to determine in advance what matters should be the subject of a conference, what matters should be referred to a board, and what matters should be heard at a joint hearing of State commissions and the Federal Power Commission. It is understood, therefore, that the Federal Power Commission or any State commission will freely suggest cooperation with respect to any proceeding or matter affecting any natural gas company subject to the jurisdiction of said Federal Power Commission and of a State commission, and concerning which it is believed that cooperation will be in the public interest.

§ 67.1 *Notice.*—(a) *Notice to be given by the Federal Power Commission.* Whenever there shall be instituted before the Federal Power Commission any proceeding under the Natural Gas Act, the State commission or commissions of the State or States affected thereby will immediately be given notice thereof by the Federal Power Commission. Each such notice will be supplemented by copies of applications, petitions, complaints, or orders instituting proceedings which may be necessary for an understanding of the subject matter. Each such notice given to a State commission will request such commission to notify the Federal Power Commission within a reasonable period of time whether it deems the proceeding one which should be considered under the cooperative provisions of this part, and, if so, to advise the Federal Power Commission as to the nature of its in-

terest in said matter, to specify whether it desires a conference, the creation of a board, or a joint or concurrent hearing, as defined in § 67.4, hereof, and the reasons for such request.

Any commission suggesting some form of such cooperative procedure should also state whether there is pending, or will be pending before it, a proceeding in which a concurrent hearing might appropriately be held and whether its proposal is for such hearing covering any such proceeding and the proceeding pending before the Federal Power Commission.

Any State commission recommending to the Federal Power Commission reference of a proceeding to a board constituted under sec. 17 (a) of the Natural Gas Act, should state with fullness the reasons which led it to believe that such reference is desirable and in the public interest.

Upon the receipt from a State commission of a communication suggesting cooperation, the Federal Power Commission will consider the same, and may confer with the commission making the request and with other interested commissions, if any, in such manner as may be most suitable, and, if cooperation in the manner proposed, or in any other manner, shall appear to be practicable and desirable, will so advise each interested State commission, and will invite it to participate therein.

(b) *Notice to be given by State commissions.* Each State commission should, in like manner, notify the Federal Power Commission of any proceeding instituted before it, the subject matter of which is also subject to the jurisdiction of the Federal Power Commission, or in which it believes the Federal Power Commission is interested. Such notice should be supplemented by copies of applications, petitions, complaints or orders instituting proceedings which may be necessary to an understanding of the subject matter. Such notice should include such suggestions as the State commissions may wish to make concerning cooperative procedure.

Upon receipt of such notice, the Federal Power Commission will consider the same and will promptly notify the State commission whether or not in its opinion cooperation in the manner proposed or in any other manner appears to be practicable and desirable. The Federal Power Commission shall be free to propose cooperative procedure, if deemed appropriate, whether or not such proposal of cooperation has been made by the State commission first giving notice of the proceeding.

(c) *Federal Power Commission or State commissions to invite participation in cooperative procedure.* In the event that cooperation in a particular proceeding has been determined upon, the Federal Power Commission, or a State commission before which the proceeding is pending, will so advise each interested State commission and will invite it to take part therein.

§ 67.2 *Conferences.* Inasmuch as experience has proved that informal conferences are the means most often used

to enable commissions to work together to promote good regulation, affording means whereby common understandings may be reached, and the imposition of inconsistent or conflicting regulations upon companies subject to both Federal and State control may be avoided, and means whereby State commissions may secure the assistance in State regulatory work which subparagraph (c) of section 17 of the Natural Gas Act authorizes the Federal Power Commission to extend, any commission, Federal or State, should always feel free to suggest a conference to another commission, concerning any matter of regulation subject to the jurisdiction of either, with respect to which it is believed that a cooperative conference may be in the public interest. The commission desiring a conference upon any such matter should notify other interested commissions without delay, and thereupon the Federal Power Commission or a State commission, as may be agreed, will promptly arrange for a conference in which all interested commissions will be invited to be represented.

§ 67.3 *Procedure governing matters referred to a board.* It is believed that the statutory provision in subparagraph (a) of section 17 of the Natural Gas Act, for the reference of a proceeding to a board constituted as therein provided, was designed for use in unusual cases, and as a means of relief to the Federal Power Commission when it might find itself unable to hear and determine cases before it, in the usual course, without undue delay.

Whenever the Federal Power Commission, either upon its own motion or upon the suggestion of a State commission or at the request of any interested party, shall determine that it is desirable to refer a matter arising under the Natural Gas Act to a board to be composed of a member or members from the State or States affected or to be affected by such matter, the procedure will be as follows:

The Federal Power Commission will send a request to each interested State commission to nominate a specified number of members to serve on such board. Whenever more than one State is involved, the representation of each State concerned shall be equal, unless one or more of the States affected chooses to waive such right of equal representation. The Federal Power Commission will specify the functions to be performed by such board in each instance. When the member or members of any board have been nominated and appointed in accordance with the provisions of sec. 17 (a) of the Natural Gas Act, the Federal Power Commission will make an order referring the particular matter to such board, and such order shall fix the time and place of hearing, define the "force and effect" the action of the board shall have, the manner in which its proceedings shall be conducted, and specify the allowances to be made for the expenses of the members of the board. As far as applicable, the rules of practice and procedure as from time to time adopted or prescribed by the Federal Power Commission shall govern such board. The board shall have authority to adjourn

the hearing from day to day, subpoena witnesses, rule on the relevancy, competency, and materiality of evidence, and shall, after hearing all interested parties, submit its report to the Federal Power Commission.

§ 67.4 *Joint and concurrent hearings.* The term "joint hearing" used in section 17 (b) of the Natural Gas Act is understood to cover any hearing in which members of the Federal Power Commission and members of one or more State commissions may sit together in a proceeding pending before one such commission, whether or not a proceeding or proceedings involving similar or corresponding issues be pending before any other commission.

Two different types of proceedings have been called "joint hearings." One is that type of proceeding where members of one or more State commissions sit with members of the Federal Power Commission for information or in an advisory capacity. The State commissioners in such case do not develop a record for their respective commissions and may or may not, at their own discretion, make a recommendation to the Federal Power Commission. The other type of joint hearing is often referred to as a "concurrent hearing." Under this procedure the Federal Power Commission and one or more State commissions sit together to hear and jointly make a record upon a matter over which all of the participating commissions have jurisdiction and responsibility for action.

The Federal Power Commission or any State commission or commissions should feel free to suggest or request a joint or concurrent hearing at any time. It is believed, however, that the concurrent hearing is the type of cooperative hearing which is likely to be most useful and effective.

Whenever a concurrent hearing has been agreed upon by the Federal Power Commission and one or more State commissions, the procedure will be as follows:

Each commission will designate the representative or representatives of such commission to sit at such concurrent hearing, and will designate the representative who will be the presiding officer for such commission.

It will be understood that participation in such concurrent hearing shall in no way affect the complete control by each commission of the proceeding before it. It will be understood, also, that participation in either a joint or concurrent hearing shall in no way preclude any commission from causing to be presented in any such case pertinent evidence with respect to matters in issue.

The representative designated by the Federal Power Commission will be the presiding officer to announce rulings with respect to which there is no disagreement; and all such rulings shall be considered concurrent rulings. However, the presiding officer for any commission which does not concur in any ruling may announce a divergent ruling and such divergent ruling, whether with respect to the admissibility of evidence or any other matter, shall be considered the ruling for his commission.

The record of the concurrent hearing shall be the record of each commission participating, except that, if divergent rulings are made, the rulings shall be so reported as to separate and distinguish clearly the record of the respective participating commissions and the evidence admitted in each record, in accordance with the rulings of the respective presiding officers of such participating commissions. If, in any proceeding, the ruling of one presiding officer has the effect of admitting any voluminous exhibit or testimony which is excluded by the ruling of another presiding officer, the taking of such evidence, will, whenever possible, be deferred until after the completion of all proceedings which can be conducted under concurrent rulings. When such testimony is taken, the transcript of such evidence will be made available to all the participating commissions, if desired.

In all respects concerning which there shall be no divergence of ruling, the hearing will be conducted in accordance with the rules of practice and regulations prescribed by the Federal Power Commission, subject to the express understanding that each participating State commission shall control its own record and make its own rulings as to the admissibility of evidence and as to other matters affecting its proceedings, and shall make its own separate final decision or order therein.

Before either the Federal Power Commission or a participating State commission shall enter any order or orders in a concurrent proceeding, opportunity shall be afforded for conference between the Federal Power Commission and the State commission or commissions participating.

Whenever a joint hearing other than a concurrent hearing shall be agreed upon, the commissions which will take part therein shall agree upon the procedure to be followed in such hearing in advance of the opening of the same. With respect to any concurrent hearing, a special agreement may be made by the commissions taking part therein for a procedure or action differing from that outlined in this plan.

Cooperation between two or more commissions in a concurrent hearing shall preclude either from taking the position of an advocate or a litigant. If a commission wishes to take such a position, it will not be appropriate for that commission to be a cooperating participant in that proceeding. In such situation the appropriate method of procedure will be intervention.

§ 67.5 *Intervention by State commissions.* Any interested State commission may, as a matter of right, intervene in any proceeding before the Federal Power Commission. It will be desirable and helpful in such instances if the State commissions will give notice ten days in advance of the opening of a hearing of its intention to intervene. In any case, however, a State commission may intervene in a proceeding before the Commission merely by its representative appearing in person and filing written notification of its desire to intervene. Cf. § 50.14 of this subchapter as to Intervening petitions.

PART 50—ADMINISTRATION (NATURAL GAS ACT)

Section 50.14 *Intervening petitions* be and it is hereby amended to read as follows:

§ 50.14 *Intervening petitions.* Any interested State, municipality, or any representative of interested consumers or security holders, or any competitor of a party to any pending proceeding, or any other person whose participation in a pending proceeding may be in the public interest, may petition to intervene in any proceeding pending before the Commission: *Provided, however,* That any interested State commission may, as a matter of right, intervene in any proceeding before the Federal Power Commission merely by its representative appearing in person and filing written notification of its desire to intervene as provided in § 67.5 of this subchapter.

Petitions to intervene must be filed with the Commission not less than 5 days next preceding the date set for public hearing in the proceeding in which petitioner seeks to intervene: *Provided, however,* That the Commission may, on good cause being shown, grant a petition to intervene when said petition is filed after the time limit for filing petitions to intervene set forth above has expired. Petitions for intervention must set forth the ground of the proposed intervention; the position and interest of the petitioner in the proceeding; and must conform to the requirements of a formal complaint and must be subscribed and verified in the same manner as a formal complaint.

Section 50.17 *Substance of informal complaints* be and it is hereby amended to read as follows:

§ 50.17 *Substance of informal complaints.* No form of informal complaint is prescribed, but in substance the letter or other writing should contain the name and address of complainant, the name of the party against whom the complaint is made, and a brief statement of the facts forming the basis of such complaint. While the filing of an informal complaint is without prejudice to complainant's right to file a formal complaint, only formal complaints submitted and prosecuted in the manner hereinafter prescribed will entitle any person, natural or artificial, to initiate formal proceedings or to become a party to any proceedings already initiated, and only formal complaints will be admitted in the record of formal proceedings. It is desirable that informal complaints be accompanied by a sufficient number of copies to enable the Commission to transmit one copy to each party named and to each interested state commission, and retain one for its own use, and it may be accompanied by supporting papers.

Section 50.39 *Number of copies of pleadings* be and it is hereby amended to read as follows:

§ 50.39 *Number of copies of pleadings.* Except where otherwise specifically provided in these rules, all applications, petitions, complaints, or other pleadings which are to be served by the Commis-

sion must be accompanied, when filed, by copies in sufficient number to enable the Commission to transmit one copy to each party to the proceedings and to each State commission interested or whose approval may legally be required in connection with the same matter and retain five copies for its own use. Where service is made by the parties or service is not required to be made, five copies are required for the use of the Commission.

PART 54—FILING OF RATE SCHEDULES

Section 54.10 *Number of copies of rate schedules to be supplied* be and it is hereby amended to read as follows:

§ 54.10 *Number of copies of rate schedules to be supplied.* Two copies of every rate schedule, certificate of concurrence, notice of cancellation, and notice of succession in ownership or operation submitted for filing must be supplied to the Commission, together with one additional copy for each interested State commission. Such copies are to be included in one package, together with a letter of transmittal listing all rate schedules included and addressed to the Federal Power Commission, Washington, D. C. The Commission reserves the right to request such additional copies of any of the above mentioned instruments as it may find necessary and appropriate to carry out the provisions of the Natural Gas Act.

Section 54.20 *Filing* amended by adding the following at the end of each of paragraphs (a), (b), and (c): "(together with one additional copy for each interested State commission)."

Section 54.30 *Natural gas companies to furnish the Commission with copies of industrial rate contracts* be and it is hereby amended to read as follows:

§ 54.30 *Natural gas companies to furnish the Commission with copies of industrial rate contracts.* Every natural-gas company shall currently furnish to the Commission for its use two full and complete copies of every contract and the amendments thereto, presently or hereafter effective, for the direct sale of natural gas to industrial consumers for consumption where such contract involves the sale of 100,000 Mcf per year or more, and one additional copy for each interested State commission, together with all rate schedules, agreements, leases or other writings, tariffs, classifications, services, rules and regulations relative to such sale; *Provided, however,* That when such a presently filed contract is renewed or extended in identical terms except as to the period during which it is to be in effect, the natural-gas company may notify the Commission of such renewal or extension by letter, in duplicate, stating the date of the renewal or extension agreement and the period during which it is to be in effect, instead of furnishing to the Commission copies of such renewal or extension agreement.

Subchapter E—Approved Forms

PART 250—NATURAL GAS ACT

Section 250.2 *Certificate of concurrence* amended by striking out the statement contained therein reading as fol-

lows: "(An original and one conformed copy to be submitted)" and substituting therefor the following: "(An original and one conformed copy to be submitted, together with one additional copy for each interested State commission)."

Section 260.3 Notice of cancellation or termination amended by striking out the statement contained therein reading as follows: "(An original and one conformed copy to be submitted)" and substituting therefor the following: "(An original and one conformed copy to be submitted, together with one additional copy for each interested State commission)."

Section 250.4 Notice of succession in ownership or operation amended by striking out the statement contained therein reading as follows: "(An original and one conformed copy to be submitted)" and substituting therefor the following: "(An original and one conformed copy to be submitted, together with one additional copy for each interested State commission)."

The amendments to the "Provisional Rules of Practice and Regulations Under the Natural Gas Act, with Approved Forms, Effective July 11, 1938" adopted, promulgated, and prescribed by this order shall become effective on February 15, 1946; and the Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] LEON M. FUQUAY, Secretary.

[F. R. Doc. 46-1878; Filed, Feb. 1, 1946; 9:47 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter D—Employment Taxes

[T. D. 5492]

PART 405—COLLECTION OF INCOME TAX AT SOURCE ON WAGES

REDUCTION IN WITHHOLDING OF TAX AT SOURCE ON WAGES*

Regulations 116 amended to conform to section 104 of the Revenue Act of 1945, relating to reduction in withholding of tax at source on wages.

In order to conform Regulations 116 (26 CFR, 1944 Supp., Part 405) to section 104 of the Revenue Act of 1945 (Public Law 214, 79th Congress), approved November 8, 1945, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 405.201 the following:

SEC. 104. REDUCTION IN WITHHOLDING OF TAX AT SOURCE ON WAGES. (Revenue Act of 1945.)

(a) Percentage method—(1) In general. Section 1622 (a) (relating to the percentage method of withholding) is amended by striking out paragraph (1) thereof, by inserting "17 per centum" in lieu of "18 per centum" in paragraph (2), by inserting "19 per centum" in lieu of "19.8 per centum" in paragraph (3), and by renumbering para-

graphs (2) and (3) as (1) and (2) respectively.

(2) Technical amendment. Section 1622 (b) (1) (percentage method withholding table) is amended by striking out "18 per centum" in the last column of the table

therein, and inserting in lieu thereof "17 per centum."

(b) Wage bracket withholding. The tables contained in section 1622 (c) (1) (relating to wage bracket withholding) are amended to read as follows:

IF THE PAY-ROLL PERIOD WITH RESPECT TO AN EMPLOYEE IS WEEKLY

Table with columns: And the wages are-- (At least, But less than), And the number of withholding exemptions claimed is-- (0-9, 10 or more), The amount of tax to be withheld shall be-- (17% of wages, 19 percent of the excess over \$200 plus--). Rows list wage brackets from \$0 to \$100.

withholding table. Take the smaller of the two amounts and multiply it by 0.17.

Step 3. Add the amount determined in step 1 and the figure in the last column of the percentage method withholding table. Subtract the sum of these two figures from the employee's wages. Multiply the remainder, if any, by 0.19.

Step 4. To determine the amount required to be withheld, add the amounts determined in steps 2 and 3.

Example. During 1946 an employee has a weekly payroll period, for which he is paid \$82, and has in effect a withholding exemption certificate claiming three exemptions. His employer, using the percentage method, computes the tax to be withheld as follows:

Step 1

Amount of one withholding exemption.....	\$11
Multipled by number of exemptions claimed on Form W-4.....	× 3
Total withholding exemptions.....	33

Step 2

Total wage payment.....	\$82
Less amount determined in step 1.....	33
(a) Balance.....	49
(b) Amount shown in last column of table for weekly payroll period.....	44
Smaller of (a) or (b) subject to 17 per- cent rate.....	44
	× 0.17
Portion of tax to be withheld.....	7.48

Step 3

Total wage payment.....	\$82
Amount determined in step 1.....	\$33
Amount shown in last column of table for weekly payroll period.....	44
Total.....	77
Balance subject to 19 percent rate.....	5
	× 0.19
Portion of tax to be withheld.....	.95

Step 4

Total tax to be withheld.....	8.43
--------------------------------------	-------------

(E) By changing "example" to "examples" in (1) and (2) thereof.

PAR. 3. Section 405.202 is amended as follows:

(A) By striking out the first and second sentences and inserting in lieu thereof the following:

Under the percentage method with respect to wages paid before January 1, 1946, the portion of the tax at the 2.7 percent rate is computed on the amount by which the wages paid exceed the amount of one withholding exemption, regardless of the number of withholding exemptions claimed. In the computation of the portions of the tax with respect to such wages at the 18 percent rate and the 19.8 percent rate, the amount allowed as the withholding exemption depends upon the number of withholding exemptions claimed. Under the percentage method with respect to wages paid on or after January 1, 1946, the amount allowed as the withholding exemption depends upon the number of withholding exemptions claimed.

(B) By striking out "Employee" in the first sentence of Example (1) in (a) and inserting in lieu thereof "During 1945 employee".

(C) By striking out "Employee" in the first sentence of Example (2) in (a) and inserting in lieu thereof "During 1945 employee".

(D) By inserting immediately after Example (2) in (a) the following:

Example (3). During 1946 employee C has a semimonthly payroll period. The number of withholding exemptions claimed by C is two. C's wages are determined at the rate of \$1.20 per hour. During a certain payroll period he works only 40 hours and earns \$48. In computing the amount of the tax at the 17 percent rate, the amount of two withholding exemptions, or \$46, is allowable. The 19 percent rate is not applicable in this instance, since the amount of the wages paid for the payroll period is less than the amount shown in the last column of the percentage method withholding table.

Example (4). During 1946 employee D has a weekly payroll period. The number of withholding exemptions claimed by D is zero. D's wages are determined at the rate of \$10 per day. During a certain week D worked only two days and resigned. The amount of the tax at the 17 percent rate is computed on the entire amount of \$20, which amount is less than the maximum amount subject to the 17 percent rate as shown in the percentage method withholding table. The 19 percent rate is not applicable in this instance, since the amount received is less than the amount shown in the last column of the percentage method withholding table.

(E) By inserting immediately after "completed" in the fourth sentence of the example in (b) "during 1945."

(F) By striking out the last sentence of the example in (b) and inserting in lieu thereof the following:

The 19.8 percent rate is not applicable, since the wages paid for the period of 12 days are less than the amount of two withholding exemptions plus the maximum amount subject to the 18 percent rate for such period. If, however, the wages were paid in 1946 or a subsequent year, the amount of the withholding exemption allowable for the 12-day period, in computing the tax to be withheld, namely, at the 17 percent rate, is \$36 ($12 \times (2 \times \$1.50)$). The 19 percent rate would not be applicable, since the wages paid for the period of 12 days would be less than the amount of two withholding exemptions plus the maximum amount subject to the 17 percent rate for such period.

(G) By redesignating the example in (c) as "Example (1)" and inserting after such example the following:

Example (2). On April 1, 1946, B was employed by the Y Real Estate Co. to sell real estate on a commission basis, commissions to be paid only upon consummation of sales. The number of withholding exemptions claimed by B is one. On May 20, 1946, B received a commission of \$300. Again on June 15, 1946, B received a commission of \$400. The amount of the withholding exemption in respect of the commission paid on May 20 for the purpose of computing the tax at the 17 percent rate is \$75 ($\1.50×50). The amount of the wages is insufficient for the 19 percent rate to be applicable in this instance. In respect of the commission paid on June 15, the maximum amount subject to tax at the 17 percent rate, \$156 ($\6×26) is the amount to be used for the purpose of computing the tax at such rate, and the amount of the wages subject to withholding at the 19 percent rate is the excess of the wages (\$400) over \$195 ($\$39$ plus \$156).

(H) By striking out "An" at the beginning of the first sentence of Example (1) and at the beginning of the first sen-

tence of Example (2) in (d) and inserting in lieu thereof in each instance "During 1945 an".

(I) By inserting immediately after Example (2) in (d) the following:

Example (3). During 1946 an employee having a daily payroll period is paid wages of \$12 per day. The number of withholding exemptions claimed by such employee is one. The amount of each such daily wage payment subject to the tax at the 17 percent rate is \$6. The amount of the wages subject to withholding at the 19 percent rate is the excess of the wages (\$12) over \$7.50 ($\$1.50$ plus \$6).

Example (4). During 1946 an employee works for a certain employer for four days for which he is paid \$36. The number of withholding exemptions claimed by the employee is two. The amount of the withholding exemption allowable for the purpose of computing the tax at the 17 percent rate is \$12 ($4 \times \3). The amount of the wages is insufficient for the 19 percent rate to be applicable.

(J) By inserting at the end of the paragraph in (d) which begins with the words "To illustrate" the following:

Under the same state of facts, if the wages are paid on or after January 1, 1946, the amount of the withholding exemption allowable for the purpose of computing the tax at the 17 percent rate is \$22 ($2 \times \11). The amount of the wages is insufficient for the 19 percent rate to apply.

PAR. 4. Section 405.203 is amended as follows:

(A) By inserting at the end of (a) thereof the following:

With respect to wages paid before January 1, 1946, the wage bracket tables contained in section 1622 (c) prior to its amendment by the Revenue Act of 1945 are to be used. With respect to wages paid on or after January 1, 1946, the wage bracket tables contained in section 1622 (c) as amended by the Revenue Act of 1945 are to be used.

(B) By inserting immediately after "completed" in the fourth sentence of the example in (c) "during 1945".

(C) By inserting immediately after the last sentence of the example in (c) the following:

If, however, the wages were paid in 1946 or a subsequent year, the tax required to be withheld under the table applicable to a miscellaneous payroll period to be used for such years would be \$0.80 multiplied by the number of days in such period, or \$9.60 for the 12-day period.

(D) By redesignating the example in (d) as "Example (1)" and inserting after such example the following:

Example (2). On April 1, 1946, B is hired by the Y Real Estate Co. to sell real estate on a commission basis, commissions to be paid only upon consummation of sales. The number of withholding exemptions claimed by B is one. On May 20, 1946, B received a commission of \$300. Again, on June 15, 1946, B received a commission of \$400. Under the wage bracket method, the amount of tax to be deducted and withheld in respect of the commission paid on May 20 is \$40, which amount is obtained by multiplying \$0.80 (tax under wage bracket table for a daily or miscellaneous payroll period where wages are at least \$6 but less than \$6.25

a day) by 50 (number of days elapsed); and the amount of tax to be withheld with respect to the commission paid on June 15 is \$65, which amount is obtained by multiplying \$2.50 (tax under wage bracket table for a daily or miscellaneous payroll period where wages are at least \$15 but less than \$15.50 a day) by 26 (number of days elapsed).

(E) By striking out "An" at the beginning of the first sentence of Example (1) in (e) and at the beginning of the first sentence of Example (2) in (e) and inserting in lieu thereof in each instance "During 1945 an".

(F) By inserting immediately after Example (2) in (e) the following:

Example (3). During 1946 an employee having a daily payroll period is paid wages of \$7 per day. The number of withholding exemptions claimed by the employee is one. Under the table applicable to a daily payroll period, the amount of tax to be deducted and withheld from each such payment of wages is \$0.95.

Example (4). During 1946 an individual is hired for four days, for which he is paid wages of \$36. The number of withholding exemptions claimed by him is two. The amount of tax to be deducted and withheld under the wage bracket method is \$4.20 (4 x \$1.05).

(G) By striking out the last sentence of (f) and inserting in lieu thereof the following:

Thus, with respect to wages paid on or after January 1, 1946, if the payroll period of an employee is weekly and the wage payment of such employee is \$255.25, the employer may compute the 19 percent of the excess over \$200 as if the excess were \$55 instead of \$55.25.

PAR. 5. There is inserted immediately preceding § 405.205 the following:

SEC. 104. REDUCTION IN WITHHOLDING OF TAX AT SOURCE ON WAGES. (Revenue Act of 1945.)

(c) *Technical amendment.* Section 1622 (h) (1) (C) (relating to exemptions for withholding) is amended by striking out the words "a surtax exemption under section 25 (b) (3)" and by inserting in lieu thereof "an exemption under section 25 (b) (1) (C)."

(e) *Effective date.* The amendments made by this section shall be applicable only with respect to wages paid on or after January 1, 1946.

SEC. 102. ALLOWANCE OF SAME EXEMPTIONS FOR NORMAL TAX AS FOR SURTAX. (Revenue Act of 1945.)

(a) *In general.* So much of section 25 (b) (relating to credits for surtax) as precedes paragraph (2) thereof is amended to read as follows:

(b) *Credits for both normal tax and surtax.*

(1) *Credits.* There shall be allowed for the purposes of both the normal tax and the surtax, the following credits against net income:

(C) An exemption of \$500 for each dependent whose gross income for the calendar year in which the taxable year of the taxpayer begins is less than \$500, except that the exemption shall not be allowed in respect of a dependent who has made a joint return with his spouse under section 51 for the taxable year beginning in such calendar year.

(c) *Taxable years to which applicable.* The amendments * * * made by this section shall be applicable with respect to taxable years beginning after December 31, 1945.

PAR. 6. Section 405.205 is amended by inserting immediately after the last sentence of (b) thereof the following: Similarly, in order for an employee to be able to claim for the calendar year 1946 a withholding exemption with respect to a particular individual (other than the employee's spouse) there must be a reasonable expectation that the employee will be allowed an exemption with respect to such individual under section 25 (b) for his income tax taxable year 1946.

PAR. 7. Section 405.206 is amended by striking out "(Rev. 1944)" wherever occurring after "Form W-4" therein.

PAR. 8. Section 405.209, as amended by Treasury Decision 5431, approved January 19, 1945, is further amended as follows:

(A) By inserting immediately after Example (2) in (a) thereof the following:

Example (3). C is employed as a salesman at a monthly salary of \$100 plus commissions on sales made during the month. The number of withholding exemptions claimed is one. During January 1946 C earned \$275 in commissions, which together with the salary of \$100 was paid on February 9, 1946. Under the wage bracket method the amount of the tax required to be withheld is shown in the table applicable to a monthly payroll period. Under this table it will be found that the amount of tax required to be withheld is \$58.10.

Example (4). D is employed at a salary of \$3,000 per annum paid semimonthly on the 15th day and the last day of each month, plus a bonus and commission determined at the end of each 3-month period. The number of withholding exemptions claimed is four. The bonus and commission for the 3-month period ending on March 31, 1946, amount to \$250, which was paid on April 10, 1946. Under the wage bracket method, the amount of tax required to be withheld on the aggregate of the bonus of \$250 and the last preceding semimonthly wage payment of \$125, or \$375, is \$50.60. Since tax in the amount of \$5.70 was withheld on the semimonthly wage payment of \$125, the amount to be withheld on April 10, 1946, is \$44.90.

(B) By redesignating the example in (b) as "Example (1)" and inserting immediately after such example the following:

Example (2). An employee has a weekly payroll period ending on Saturday of each week, the wages for which are paid on Wednesday of the succeeding week. On the 11th day of each month he is paid a bonus based upon production during the payroll periods for which wages were paid in the preceding month. The employee was paid a weekly wage of \$35 on each of the five Wednesdays occurring in January 1946. On February 11, 1946, the employee was paid a bonus of \$125 based upon production during the five payroll periods covered by the wages paid in January. On the date of payment of the bonus, the employee, who is married and has two children, has a withholding exemption certificate in effect claiming four withholding exemptions. The amount of the tax to be withheld from the bonus paid on February 11, 1946, is computed as follows:

Wages paid in January 1946 for five payroll periods (5 x \$35).....	\$175.00
Bonus paid February 11, 1946.....	125.00
Aggregate of wages and bonus.....	300.00
Average wage per payroll period (\$300 ÷ 5)	60.00

Computation of tax under percentage method:	
Tax at 17 percent on (\$60-\$44)....	\$2.72
Tax at 19 percent.....	None

Tax on average wage for one week..... 2.72

Tax on average wage for five weeks.....	13.60
Less: Tax previously withheld on weekly wage payments of \$35.....	None

Tax to be withheld on supplemental wages..... 13.60

Computation of tax under wage bracket method:	
Tax on \$60 wage under weekly wage table—\$3.10 per week for five weeks.....	15.50
Less: Tax previously withheld on weekly payments of \$35.....	None

Tax to be withheld on supplemental wages..... 15.50

PAR. 9. There is inserted immediately preceding § 405.501 the following:

SEC. 104. REDUCTION IN WITHHOLDING OF TAX AT SOURCE ON WAGES. (Revenue Act of 1945.)

(d) *Withholding statements.* (1) Section 1625 (a) (relating to withholding receipts) is amended by inserting after "required to deduct and withhold a tax in respect of the wages of an employee" the following: "or who would have been so required if the employee had claimed no more than one withholding exemption."

(2) Section 1628 (a) and (b) (relating to penalties in connection with withholding receipts) are amended (A) by striking out "in respect of tax withheld pursuant to this subchapter" in each of such subsections, and (B) by striking out "receipt" wherever appearing therein and inserting in lieu thereof "statement".

(e) *Effective date.* The amendments made by this section shall be applicable only with respect to wages paid on or after January 1, 1946.

PAR. 10. Section 405.501 is amended as follows:

(A) By striking out "(Rev.)" wherever occurring after "Form W-2" therein.

(B) By striking out the first sentence and inserting in lieu thereof the following:

With respect to wages paid before January 1, 1946, every employer or other person required to deduct and withhold tax shall furnish to each employee from whose wages taxes are withheld the original and duplicate of Form W-2, showing the name and address of the employer, the name and address of the employee, the wages paid, and the amount of tax withheld during the calendar year. With respect to wages paid on or after January 1, 1946, every employer or other person making payment of wages is required to furnish to each employee from whose wages taxes are withheld, or would be withheld if such employee had claimed no more than one withholding exemption, the original and duplicate of Form W-2, showing the name and address of the employer, the name and address of the employee, the wages paid, the amount of tax withheld, if any, during the calendar year, even though no tax is required to be deducted and withheld with respect to such employee's wages. For example, if the table method is used,

a withholding statement must be furnished each employee whose earnings during any payroll period are equal to or in excess of the smallest wage for which tax must be withheld from employees claiming one exemption. If the percentage computation method is used, a withholding statement must be furnished each employee whose wages during any payroll period are in excess of one withholding exemption for such payroll period as shown in the percentage method withholding table contained in section 1622 (b) (1).

(Sec. 3791 of the Internal Revenue Code, 53 Stat. 467; 26 U.S.C. 3791, and section 104 of the Revenue Act of 1945, Public Law 214, 79th Congress, approved November 8, 1945)

[SEAL] Wm. T. SHERWOOD,
Acting Commissioner of
Internal Revenue.

Approved: January 30, 1946.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 46-1862; Filed, Jan. 31, 1946;
4:12 p. m.]

TITLE 32—NATIONAL DEFENSE

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. 32, Direction 6, as Amended
Feb. 1, 1946]

ADJUSTMENT OF ORDERS, RECEIPTS AND DELIVERIES IN CASE OF WORK STOPPAGES

The following direction issued pursuant to Priorities Regulation 32:

(a) *What this direction does.* As a result of work stoppages in manufacturers' plants, strict application of CPA inventory restrictions might have an adverse effect on the production and distribution of critical materials. This direction permits continued receipts during the first thirty days and certain further receipts to the extent described in paragraph (b), but requires adjustment of outstanding orders as explained in paragraph (c). It is designed to prevent the unnecessary accumulation of critical materials on the one hand, and on the other to encourage maximum production.

(b) *Permitted receipts after suspension of operations.* (1) A person whose operations are suspended due to a work stoppage in his own plant may continue to receive materials (except iron or steel in the forms and shapes listed in Schedule 1 to Order M-21) for a period not exceeding thirty days immediately following the suspension based on his rate

of operation as scheduled immediately before that time. Such receipts are in addition to those permitted under the inventory limits of Priorities Regulation 32 or any other applicable order or regulation, unless it specifically states to the contrary. No new orders may be placed during this time to take advantage of this provision.

During this period, if his inventory of any particular item of iron or steel is less than the minimum amount he would need during the first forty-five days after resumption of operations, he may continue receiving the item until that amount is reached.

(2) In any case where such person's inventory of any material at the end of the period described in paragraph (b) (1) is less than the minimum amount he would need during the first forty-five days after resumption of operations (or the period specified in Table 1 of Priorities Regulation 32 or any other applicable order if such period is less than 45 days), he may continue receiving the material until that amount is reached. For example, under this paragraph (b) (2) he may receive up to a total 45-day supply of lumber but only a 30-day supply of pig iron or solder.

(3) After he has adjusted his orders as required by paragraph (c), he may also accept further deliveries to the extent permitted by paragraph (h) of Priorities Regulation 32.

(c) *Adjustment of outstanding orders after suspension of operations.* Outstanding orders calling for delivery of any material in excess of the amounts permitted by paragraphs (b) (1) and (2) must be adjusted by the customer whose operations are suspended as follows:

(1) He must postpone or cancel immediately all such orders calling for delivery of iron or steel in the current month. Also by the 15th day of the current month or immediately after the suspension of operations if it occurs after the 15th of the month, and by the 15th day of each month thereafter as long as the work stoppage continues, he must postpone or cancel all such orders calling for delivery of iron or steel in the following month.

(2) In the case of materials other than iron or steel, he must, by the 30th day of the work stoppage, postpone or cancel all such orders for delivery in the current month. Also, by the 30th day of the work stoppage or the 15th day of the current month, whichever is later, and by the 15th day of each month thereafter as long as the work stoppage continues, he must postpone or cancel all such orders for delivery in the following calendar month.

(d) *Applicability of this direction—(1) In general.* Paragraphs (b) and (c) do not apply with respect to any part of the customer's operations which is not suspended or which resumes operations, and materials may be produced and delivered by the supplier and received by the customer under these circumstances as permitted by Priorities Regulation 32. These paragraphs also do not apply to tires and tubes for original equipment which remain subject to Order R-1.

(2) *Suppliers.* Suppliers may continue to produce for a customer whose operations have been suspended, and to ship or hold as arranged with the customer, only in accordance with this direction and the applicable provisions of Priorities Regulation 32.

(e) *Resumption of operations.* As soon as operations are resumed, the customer must promptly adjust, and if necessary postpone or cancel, all his outstanding orders to the extent required by paragraph (e) of Priorities Regulation 32, and all deliveries and receipts are again subject to all provisions of that regulation.

Issued this 1st day of February 1946.

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

[F. R. Doc. 46-1920; Filed, Feb. 1, 1946;
11:43 a. m.]

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

[Priorities Reg. 32, Direction 8]

FORTY-FIVE DAY INVENTORY ON STEEL AND IRON

The following direction is issued pursuant to Priorities Regulation 32.

(a) *What this direction does.* In view of the curtailed supplies of iron and steel due to work stoppages, and to assure widest distribution until normal supplies are available, this direction modifies temporarily the inventory limitations of Priorities Regulation 32, which are applicable to users of these materials. As used in this direction "iron and steel" means only those materials in the forms and shapes listed in Schedule 1 to Order M-21. Direction 6 to Priorities Regulation 32 explains the restrictions on inventories of iron, steel and other materials for persons whose operations are suspended due to a work stoppage in their own plant.

(b) *Restrictions on receipts by users.* No person, including a Government-owned consuming establishment, who uses iron or steel for production, maintenance, repair, and operating supplies, or for construction, whether for his own account or for the account of another, shall accept delivery of any item of these materials if his inventory of that item is, or will by virtue of such acceptance become, more than he needs during the succeeding 45 days on the basis of his current or scheduled method and rate of operation. Exceptions to this rule are given in paragraph (c).

(c) *Exceptions.* The following deliveries of iron or steel may be accepted in addition to those permitted by paragraph (b).

(1) Iron or steel which on February 1, 1946 was in transit or loaded for shipment.

(2) Any delivery of a minimum sales quantity under the conditions explained in paragraph (g) (5) of Priorities Regulation 32.

(3) Any delivery to the extent permitted by paragraph (h) of Priorities Regulation 32 after the user has adjusted his orders.

(d) *Adjustment of orders.* All users must immediately adjust their outstanding orders for iron or steel, and, if necessary, postpone or cancel them where the scheduled delivery would result in an inventory in excess of that permitted by this direction.

(e) *Restriction on ordering.* No user may place any order for iron or steel requesting delivery which would result in an inventory in excess of that permitted by this direction.

(f) *Suspension of outstanding special authorizations.* During the period that this direction remains in effect, all inventory authorizations, exceptions or grants of appeals issued prior to February 1, 1946 are suspended to the extent that they are inconsistent with this direction. This is an exception to the

provisions of paragraph (1) of Priorities Regulation 32.

Issued this 1st day of February 1946.

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

NOTE: This direction was inadvertently designated Direction 11.

[F. R. Doc. 46-1919; Filed, Feb. 1, 1946; 11:43 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix II, as Amended February 1, 1946]

Appendix II. *Manufacturing regulations*, as amended November 15, 1945 is hereby amended to read as follows:

APPENDIX II—MANUFACTURING REGULATIONS

Appendix II to Rubber Order R-1 establishes certain compounding proportions and manufacturing regulations for many of the products enumerated in Table B of Appendix I to Rubber Order R-1. These compounding proportions and manufacturing regulations are set out in the so-called lists appearing below:

(a) *Limitation on production of rubber products.* No person may manufacture any of the products covered by the lists set out in this Appendix II except in accordance with the restrictions and regulations in the list applicable to the product.

(b) *General provisions.* (1) The total rubber hydrocarbon (designated total RHC in this appendix) is the sum total of natural rubber, synthetic rubber and the rubber hydrocarbon value of reclaimed rubber. The rubber hydrocarbon value of reclaimed rubber shall be calculated from the rubber value of reclaimed rubber as certified by the manufacturer of the reclaimed rubber and shall be determined by the "difference, or indirect" method.

(2) References to Army, Navy, Federal, Railroad, etc., specifications by number mean the latest issue or amendment of the particular specifications.

TABLE OF LISTS INCLUDED IN APPENDIX II

Number:	Title
2.	Tire and flap curing bags.
3.	Airplane tire tubes.
5.	Rubber footwear.
6.	Manufacture and identification of tires and tire casings.
7.	Tire and tube repair materials.
8.	Tires and tire casings (except airplane tires).
9.	Tire tubes (except airplane-tire tubes).
10.	Tire flaps.
12.	Airplane tires and tire casings.
13.	Retreading materials.
14.	Tank tracks and band tracks.
15.	Use of high-tenacity rayon cord.
16.	Tire tube valves (except bicycle tire tube valves).

No. 24—3

LIST 2—MANUFACTURE OF TIRE AND FLAP CURING BAGS

(a) *Manufacturing regulations.* The manufacture of tire and flap curing bags of all sizes and types is subject only to the following regulations:

The use of natural rubber in the manufacture of tire and flap curing bags shall be in conformity with Table A.

TABLE A

Size	Type	Maximum natural rubber, by volume, in curing bag, per tire cured, in percent of the total RHC of the tire cured ¹
All.....	Passenger.....	0.4
All.....	.....	.4
15" and 16" rim diameter.	Industrial.....	.4
All (except 15" and 16" rim diameter).	.....do.....	2.0
15" and 16" rim diameter.	Farm tractor.....	.4
All (except 15" and 16" rim diameter).	.....do.....	1.1
6.00 through 11.00, all rim diameters.	Truck.....	.4
12.00 and 13.00, all rim diameters.	.....do.....	1.0
14.00, all rim diameters.	.....do.....	1.2
16.00 up, all rim diameters.	.....do.....	1.6
All 4 ply.....	Airplane.....	13.0
All 6 ply.....	.....do.....	8.0
All 8 ply.....	.....do.....	3.8
All 10 ply.....	.....do.....	2.9
All 12 ply.....	.....do.....	2.0
All 14 and 16 ply.....	.....do.....	1.5
All 18 ply up.....	.....do.....	.8
7.50 through 10.00, all rim diameters.	Grader.....	.5
11.00 through 14.00, all rim diameters.	.....do.....	1.2
All.....	Bicycle.....	1.0
All.....	Flap bags.....	1.0

¹ Additional natural rubber may be consumed in curing bags if such rubber is deducted from the allowable natural rubber permitted in the manufacture of the tire being cured, or from tires within the specific group in which said tire is grouped.

² Natural rubber and natural rubber latex permitted only in valves, valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(b) *Marking of synthetic curing bags.* All curing bags containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the bag. The appropriate color shall be determined from paragraph (a) of List 6.

LIST 3—MANUFACTURE OF AIRPLANE TIRE TUBES

(a) *General provisions.* The natural rubber content of any tube governed by this List 3 shall not include processing losses or natural rubber used in valves.

(b) *Manufacturing regulations.* (1) Tubes of any size and type may be manufactured, provided that natural rubber and natural rubber latex are consumed only in valves (where permitted in List 16), valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(2) The manufacture of tubes consuming more natural rubber than permitted by paragraph (b) (1) of this List

3 shall be limited to the sizes and types listed in Table A, subject to the maximum natural rubber content designated therefor.

TABLE A

Size	Type	Maximum content natural rubber in pounds
65.....	S. C. Landing wheel tubes.....	29.10
27 SCB.....	S. C. Nose wheel tubes.....	4.60
30 SCB.....	.....do.....	5.70
33 SCB.....	.....do.....	6.10
36 SCB.....	.....do.....	7.20
19.00 SCA.....	.....do.....	1.89
23.00 SCA.....	.....do.....	2.70
26.00 SCA.....	.....do.....	3.60
30.00 SCA.....	.....do.....	4.90
10½ x 4.....	High pressure tailwheel tubes.....	.62
12¼ x 4½.....	.....do.....	.81
14½ x 5.....	.....do.....	1.19
8.50 x 10.....	Low pressure landing wheel tubes.....	2.28
15.00-16 DC.....	.....do.....	8.35
15.00-16 FB.....	.....do.....	8.35
15.50-20.....	.....do.....	11.00
16.00-16.....	.....do.....	8.35
17.00-16.....	.....do.....	9.54
18.00-16.....	.....do.....	9.54
20.00-18.....	.....do.....	11.45
17.00-20.....	.....do.....	12.40
19.00-23.....	.....do.....	14.80
45 x 20-10.....	Extra low pressure landing wheel tubes.....	10.00
All other.....	Disc built.....	(¹)

¹ As required.

(c) *Marking of synthetic tubes.* All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the tube. The appropriate color shall be determined from paragraph (a) of List 6.

LIST 5—REGULATIONS FOR THE MANUFACTURE OF RUBBER FOOTWEAR

(a) *General provisions.* (1) The manufacture of rubber footwear and canvas rubber soled shoes shall be limited to the quantity of natural rubber shown in paragraphs (b) and (c) of this List 5, excepting

(2) That unlimited plus or minus variations from average weight of total natural rubber per pair is permitted provided the over-all consumption of natural rubber does not exceed total permitted consumption on the basis of listed ceilings for all items manufactured.

(b) *Rubber footwear.*

Average weight of natural rubber per pair maximum (not over 70% of which shall be natural rubber other than guayule on a net basis, or washed and dried wild rubber in lieu of guayule) (in pounds)

Men's short boots—regulation height.....	0.76
Boy's short boots.....	.70
Youth's short boots.....	.60
Women's short boots (molded heel) Service.....	.45
Boy's storm king boots.....	1.00
Youth's storm king boots.....	.70
Men's short boot (plain toe) occupational.....	1.00
Men's short boot (steel toe) occupational.....	1.07
Men's storm king boot (plain toe) occupational.....	1.25

Average weight of natural rubber per pair maximum (not over 70% of which shall be natural rubber other than guayule on a net basis, or washed and dried wild rubber in lieu of guayule) (in pounds)

Average weight of natural rubber per pair maximum (not over 70% of which shall be natural rubber other than guayule on a net basis, or washed and dried wild rubber in lieu of guayule) (in pounds)

Average weight of natural rubber per pair maximum (not over 70% of which shall be natural rubber other than guayule on a net basis, or washed and dried wild rubber in lieu of guayule) (in pounds)

Men's storm king boot (steel toe) occupational	1.32
Men's hip or thigh boot (plain toe) occupational	1.55
Men's hip or thigh boot (steel toe) occupational	1.62
Men's short boot (felt) fireman	1.15
Men's storm king boot (felt) fireman	1.35
Men's short boot (duck) fireman	1.30
Men's storm king boot (duck) fireman	1.50
Men's storm king boot—irrigation	1.40
Men's short boot (plain toe) heavy duty	1.58
Men's short boot (steel toe) heavy duty	1.65
Men's storm king boot (plain toe) heavy duty	1.96
Men's storm king boot (steel toe) heavy duty	2.03
Men's hip or thigh (plain toe) heavy duty	2.32
Men's hip or thigh (steel toe) heavy duty	2.39
Men's short legging boot	.85
Men's long legging boot	1.15
Men's fishing boot (thigh)	1.90
Women's fishing boot (thigh)	1.60
Men's short boot (snug ankle)	1.50
Men's thigh boot (snug ankle)	1.90
Men's thigh duck hunter	1.90
Women's short boot (dress)	.64
Misses' short boot	.40
Child's short boot	.35
Men's wading shoe, cleated sole, canvas top	.37
Men's wading shoe, molded felt sole, canvas top	.37
Men's rubber surface wader, stocking foot	1.47
Men's reversible wader, stocking foot	1.10
Men's rubber surface wader, boot foot	2.86
Men's jeans, covered pants and boots	2.35
Men's jeans, covered pants and rubber boot foot	2.75
Men's rubber surface body boot	2.70
Men's 15" lace pac (plain toe) occupational	1.00
Men's 15" lace pac (steel toe) occupational	1.07
Men's 15" lace pac (molded sole)	1.72
Men's laced over-the shoe	1.02
Men's 10" mine pac (plain toe) occupational	.85
Men's 10" mine pac (steel toe) occupational	.92
Men's work shoe (plain toe) occupational	.75
Men's work shoe (steel toe) occupational	.82
Women's work shoe (plain toe) occupational	.75
Men's 16" top lace snug ankle	1.50
Men's 12" top lace snug ankle	1.30
Boys' top lace snug ankle	1.00
Youth's top lace snug ankle	.80
Men's 16" top lace (molded sole)	1.60
Men's 12" top lace (molded sole)	1.40
Men's 2 buckle perfection	.85
Men's 1 buckle perfection	.78
Men's lumber over	.55
Boy's lumber over	.40
Youth's lumber over	.33
Men's lumber over (molded sole)	1.00
Men's 5 buckle rubber mid-weight arctic	.73
Men's 4 buckle rubber mid-weight arctic	.63
Men's 5 buckle rubber (net) farm-weight arctic	1.00
Men's 4 buckle rubber (net) farm-weight arctic	.91
Men's 4 buckle rubber (fleece) farm-weight arctic	.86

Boys' 4 buckle rubber (net) farm-weight arctic	0.67
Men's 5 buckle rubber (blucher) farm-weight arctic	.95
Men's 4 buckle rubber (blucher) farm-weight arctic	.86
Men's 2 buckle rubber farm-weight arctic	.70
Men's 1 buckle snow excluder	.63
Men's 5 buckle rubber heavy duty arctic	1.00
Men's 4 buckle rubber heavy duty arctic	.91
Men's 4 buckle cloth farm-weight arctic	.50
Men's 4 buckle cloth heavy duty arctic	.58
Men's 1 buckle cloth farm-weight arctic	.41
Women's 1 buckle cloth farm-weight arctic	.20
Men's 5 buckle rubber medium weight arctic	.68
Men's 4 buckle rubber medium weight arctic	.60
Men's 4 buckle rubber light weight arctic	.50
Boys' 4 buckle rubber light weight arctic	.43
Youth's 4 buckle rubber light weight arctic	.39
Women's 4 buckle rubber light weight arctic	.39
Misses 4 buckle rubber light weight arctic	.35
Child's 4 buckle rubber light weight arctic	.30
Boy's 3 buckle rubber light-weight arctic	.36
Youth's 3 buckle rubber light-weight arctic	.35
Misses 3 buckle rubber light-weight arctic	.33
Child's 3 buckle rubber light-weight arctic	.28
Men's 4 buckle cloth light-weight arctic	.36
Men's 4 buckle cash. light-weight arctic	.36
Men's 1 buckle cloth light-weight arctic	.28
Men's high slide rubber light-weight arctic	.50
Boy's high slide rubber light-weight arctic	.43
Women's high slide rubber light-weight arctic	.39
Misses high slide rubber light-weight arctic	.35
Child's high slide rubber light-weight arctic	.30
Men's low slide rubber light-weight arctic	.42
Men's high slide cloth light-weight arctic	.40
Men's low slide cloth light-weight arctic	.34
Men's over-the-shoe rubber gaiter	.52
Women's over-the-shoe rubber gaiter	.39
Misses over-the-shoe rubber gaiter	.35
Child's over-the-shoe rubber gaiter	.30
Women's over-the-shoe rubber slide gaiter	.39
Misses over-the-shoe rubber slide gaiter	.35
Child's over-the-shoe rubber slide gaiter	.30
Women's low slide rubber gaiter	.18
Misses low slide rubber gaiter	.18
Child's low slide rubber gaiter	.15
Women's snap rubber gaiter	.18
Misses snap rubber gaiter	.18
Child's snap rubber gaiter	.15

Growing girls strap rubber gaiter	0.34
Misses strap rubber gaiter	.30
Child's strap rubber gaiter	.25
Women's velvet en gaiter (fur trimmed)	.30
Women's warm lined rubber (shearling cuff) gaiter	.59
Misses warm lined rubber (shearling cuff) gaiter	.55
Men's 2 buckle work rubber	.42
Men's 2 buckle work rubber farm weight	.60
Men's 2 buckle work rubber heavy duty	.60
Men's storm and semi-storm work rubber	.33
Boy's storm work rubber	.33
Men's work rubber—farm weight	.60
Boy's work rubber, farm weight	.50
Men's work rubber, heavy duty	.60
Men's storm, cloth top, wool jersey	.30
Men's storm, cloth top, cotton jersey	.30
Men's rubber oxford (unlined)	.33
Women's rubber oxford (unlined)	.25
Women's rubber oxford (cloth lined)	.21
Men's sandal (molded)	.22
Men's clog (molded)	.19
Men's clog (unlined)	.33
Men's over (unlined)	.33
Women's over (unlined)	.24
Misses over (unlined)	.23
Child's over (unlined)	.18
Women's toe rubbers (unlined)	.08
Men's dress rubbers, storm, over, clog (lined)	.24
Boy's dress rubbers, storm and over	.20
Youth's dress rubber, storm	.17
Growing girls storm rubber	.17
Misses storm rubber	.17
Women's over rubber	.17
Child's storm rubber	.14

(c) Canvas rubber soled shoes of vulcanized construction.

Men's, boy's, youth's, little gent's, women's, misses' and child's average consumption of natural rubber limited to .037

LIST 6—MANUFACTURE AND IDENTIFICATION OF TIRES AND TIRE CASINGS

(a) Synthetic rubbers. The identification of the various types of synthetic rubber is effected by designating each type by a letter and a color.

Letter	Color	Type of synthetic
S	Red	GR-S
M	Yellow	GR-M (neoprene)
I	Light blue	GR-I (butyl)

(b) Synthetic tire constructions. (1) The proportion of synthetic rubber to natural rubber in tires and tire casings is controlled by the following synthetic construction identification numbers:

Synthetic construction identification numbers:

S-3, S-4, S-5, etc.	Type of synthetic	GR-S
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The natural rubber may be distributed throughout the tire at the manufacturer's discretion except in items (4) and (10) below.

(2) S-3 denotes 100% GR-S tread on a 100% GR-S carcass, except that natural rubber shall not exceed, by weight, the percentage of the total RHC shown in List 8.

(3) S-4 denotes approximately 87% GR-S and 13% natural rubber.

(4) S-5 denotes 100% GR-S tread on a natural rubber carcass, except that: Natural rubber may be used only in cements, in tread and side-wall splice gum strips and in the tire body.

(5) S-6 denotes approximately 67% GR-S and 33% natural rubber.

(6) S-7 denotes approximately 33% GR-S and 67% natural rubber.

(7) S-8 denotes approximately 93% GR-S and 7% natural rubber.

(8) S-9 denotes approximately 77% GR-S and 23% natural rubber.

(9) S-10 denotes approximately 50% GR-S and 50% natural rubber.

(10) S-11 denotes 100% GR-S sidewall on a tire having natural rubber carcass and tread, except that: Natural rubber may be used only in cements, in sidewall splice gum strips and in the tire body and tread. Use of synthetic rubber in the bead assembly is permissible but not mandatory.

LIST 7—MANUFACTURE OF TIRE AND TUBE REPAIR MATERIALS

(a) *Manufacturing regulations.* (1) Any tire or tube repair material may be manufactured provided that no natural rubber or natural rubber latex is consumed in the manufacture of such items.

(2) The manufacture of tire and tube repair materials consuming natural rubber shall be limited to the items shown in this paragraph (a) (2), subject to the compounding regulations designated therefor.

Maximum percent by volume, of natural rubber in compound

Description of item	Maximum percent by volume, of natural rubber in compound
(i) Bulk tire repair materials:	
(a) Tread repair stock (1/16" max. ga.)	50.0.
(b) Repair cushion stock	As required.
(c) Cord repair friction (0.047 max. ga.)	do.
(d) Sq. woven fabric friction	do.
(e) Cements (cold cure)	(1).
(f) Cements (vulcanizing)	As required.
(ii) Tire patches: ²	
(a) Uncured-vulcanizing type:	
Body	do.
Facing	do.
(b) Cured and semi-cured vulcanizing type:	
Body	0.0.
Facing	As required.
(c) Temporary emergency cold cure type (composite)	5.0.

Maximum percent by volume, of natural rubber in compound

Description of item	Maximum percent by volume, of natural rubber in compound
(iii) Tube patches:	
(a) Combination tube repair gum (cured back, uncured face)	(2).
(b) Tube repair gum (uncured)	40.0.
(c) Hot patch gum (uncured)	60.0.
(d) Truck tube valve repair patches (composite)	60.0.
(e) Tube replacement valve facing	60.0.
(iv) Sectional bags	(4).

¹Maximum 0.20 pound natural rubber per gal.

²Natural rubber may be consumed in cements for adhesion purposes in manufacturing tire patches.

³Maximum 1.15 pounds natural rubber per square yard.

⁴Maximum of 80% natural rubber, by volume, of the total RHC.

(b) *Restrictions.* (1) In items (ii) (c), (iii) (a), and (iii) (d), different grades of compounds may be used in the cured and uncured portions of each provided the total natural rubber content in the whole item does not exceed the percent represented by the compound grade specified.

(2) The use of cements as manufactured in accordance with (a) Manufacturing regulations (2) (i) (e) and (f) shall be limited to the reconditioning of tires and tubes.

(3) Item (2) (i) (e)—Cements (cold cure) may be packed only in containers of one quart or smaller.

LIST 8—MANUFACTURE OF TIRES AND TIRE CASINGS (EXCEPT AIRPLANE TIRES)

(a) *General provisions.* (1) The natural rubber content of any tire or tire casing governed by this List 8 shall not include processing losses or natural rubber used in curing bags, or natural rubber latex used in cord treatment.

(2) Natural rubber latex may be consumed in the treatment of rayon and cotton cord at the manufacturer's discretion provided the overall average by weight of natural latex so consumed does not exceed 7.5# per 1000# (dry weight) of total rayon and cotton cord treated. Dispersions of natural rubber may be used for cord treatment and the amount of natural rubber solids so consumed shall be included in the maximum con-

tent natural rubber permitted for each tire.

(3) The use of rayon in the manufacture of tires and tire casings governed by this List 8 shall conform to the regulations set forth in List 15.

(4) The "ply rating" as defined by current Tire and Rim Association standards determines the pound ceiling for the various tire sizes listed in tables A and B. The actual number of plies may be reduced or increased but the same permitted "maximum content natural rubber" shall remain in effect.

(5) All types of pneumatic tires shall be manufactured with black sidewalls only.

(6) Single marked high pressure type tires or single marked balloon type tires may be substituted for dual marked type tires.

(b) *Manufacturing regulations.* (1) Pneumatic tires of any size, ply and tread type may be manufactured provided that they conform to the regulations for S-3 synthetic construction tires in Table A of this List 8.

(2) Solid tires (except bogie, idler and support rollers), including cured-on solid tires, 4" x 1 1/2" up, and lug base industrial (unbonded) type may be manufactured, *Provided*, That natural rubber is consumed only as follows:

Hard rubber base type. Natural rubber shall be consumed only in cements and/or hard base and shall not exceed, by weight, ten percent of the total RHC.

Tie-gum base (soft base) type. Natural rubber shall be consumed only in cement and/or tie gum and shall not exceed, by weight, eight percent of the total RHC. Individual sizes may exceed the eight percent maximum, provided that the average natural rubber content of all sizes does not exceed the eight percent maximum.

Lug-base industrial (unbonded) type. Natural rubber shall be consumed only in cements and/or splicing gum and shall not exceed, by weight, .75 percent of the total RHC. Individual sizes may exceed .75 percent maximum, provided that the average natural rubber content of all sizes does not exceed the .75 percent maximum.

(3) The manufacture of tires and tire casings consuming more natural rubber than permitted in paragraph (b) (1) and (b) (2) of this List 8 shall be limited to the sizes, plies and tread types listed in this paragraph (b) (3), subject to the maximum natural rubber contents or construction designated therefor in Tables A and B below.

TABLE A—PNEUMATIC TIRES EXCEPT SPECIAL PURPOSE TIRES

Size	Ply rating	Tread type	Construction	Maximum content natural rubber in pounds		Size	Ply rating	Tread type	Construction	Maximum content natural rubber in pounds	
				Rayon	Cotton					Rayon	Cotton
7.00-18	10	Highway or mud-snow	S-4	3.70		9.00-16	8	Mud-snow	S-8 ²		3.40
-20/32 x 6	10	do.	S-4	4.05		-16	8	Highway or mud-snow	S-4	4.75	
-24/36 x 6	10	do.	S-4	4.60		do.	10	do.	S-4	5.50	
7.50-16	6	do.	S-6	6.30		do.	10	do.	S-6	12.80	
-16	8	do.	S-6	6.95		do.	10	do.	S-6	13.85	
-16	8	Mud-snow	S-8 ²		2.60	do.	10	Mud-snow	S-4 ²	6.75	
-17	8	Highway or mud-snow	S-4	3.60		-20/36 x 8	12	Highway or mud-snow	S-6	14.85	
-18	8	do.	S-4	3.85		do.	10	do.	S-6	14.75	
7.50-20	8	Highway or mud-snow	S-4	4.05		do.	12	do.	S-6	17.40	
-20	8	Mud-snow	S-8 ²		3.00	-24/40 x 8	12	Mud-snow	S-4 ²	7.70	
-20/34 x 7	10	Highway or mud-snow	S-4	4.70		-24/40 x 8	14	Highway or mud-snow	S-6	18.00	
-24/38 x 7	10	do.	S-4	5.35		do.	12	do.	S-6	15.55	
8.25-18	10	do.	S-6	10.85		do.	12	do.	S-6	16.75	
-20	10	do.	S-6	11.95		do.	12	Mud-snow	S-4 ²	7.60	
-20	10	Mud-snow	S-4 ²	5.35		-20/38 x 9	14	Highway or mud-snow	S-6	18.50	
-20	12	Highway or mud-snow	S-6	12.60		do.	14	Mud-snow	S-4 ²	8.25	

TABLE A—PNEUMATIC TIRES EXCEPT SPECIAL PURPOSE TIRES—Continued

Table with columns for Size, Ply rating, Tread type, Construction, Maximum content natural rubber in pounds (Rayon, Cotton), and another set of the same columns. Rows list various tire specifications and their corresponding rubber content.

1 10-ply 2200 denier rayon construction permitted. The "maximum content natural rubber" shall be the same as for 10-ply cotton.
2 For military orders only.
3 Individual sizes may exceed the indicated maximum percentage, provided the average natural rubber content of all sizes within the group as listed in this Table A does not exceed the indicated maximum percentage.

TABLE B—SPECIAL PURPOSE TIRES

Table with columns for Size, Ply rating, Tread type, Construction, Maximum content natural rubber in pounds (rayon or cotton), and another set of the same columns. Rows list special purpose tires like Earthmover, Logger, Ribbed (flat base), etc.

1 See par. (b) (10) of List 6.
2 Lower ply logger tires are not included, but are shown elsewhere in this table.

TABLE C—BOGIE, IDLER AND SUPPORT ROLLERS

Table with columns for Description of product, Maximum percent by weight of total RHC which may be natural rubber, and Construction. Rows list Bogie wheels (e.g., 26 x 6, 20 1/4 x 6 1/4) and Idler wheels.

TABLE C—BOGIE, IDLER AND SUPPORT ROLLERS—Continued

Table with columns for Description of product, Maximum percent by weight of total RHC which may be natural rubber, and Construction. Rows list Idler wheels (e.g., 20 x 9 x 16, 12 x 7 1/4) and Support rollers.

1 As required.

TABLE C—BOGIE, IDLER AND SUPPORT ROLLERS—Continued

Table with columns for Description of product, Maximum percent by weight of total RHC which may be natural rubber, and Construction. Rows list Support rollers (e.g., 14 x 3, 13 1/2 x 3 3/4) and All other.

(c) *Branding of synthetic tires.* All synthetic pneumatic tires or tire casings shall bear, on both sides of the tire, a permanent brand in characters at least five eighths inch high, showing the appropriate synthetic construction identification. Such identification may be smaller than the designated minimum on sizes of tires for which the designated minimum may be found to be unreasonably large. Bicycle tires and all solid tires, including bogie, idler and support rollers, may be branded with a plain letter "S" of appropriate height.

(d) *Definitions.* (1) Where used in this List 8, "Highway" as applied to tread type means regular on-the-road type.

(2) Where used in this List 8, "Mud-snow" as applied to tread type means extra traction, on-and-off-the-road type.

LIST 9—MANUFACTURE OF TIRE TUBES (EXCEPT AIRPLANE TIRE TUBES)

(a) *Manufacturing regulations.* (1) Tubes of any size and type may be manufactured, provided that:

(i) Natural rubber and natural rubber latex are consumed only in valves (where permitted in List 16), valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(ii) Passenger car tubes of all types shall contain not more than 0.02 pounds of natural rubber per tube.

(2) The manufacture of tubes consuming more natural rubber than permitted by paragraph (a) (1) (i) of this List 9 is prohibited.

(3) The manufacture of tubes from GR-I (Butyl) shall be permitted in all sizes and types except bicycle.

(b) *Marking of synthetic tubes.* All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the tube. The appropriate color shall be determined from paragraph (a) of List 6.

LIST 10—MANUFACTURE OF TIRE FLAPS

(a) *Manufacturing regulations.* Flaps for all sizes and types of tires may be manufactured, provided that natural rubber is consumed only for splicing cements and for identification inks or cements.

(b) *Marking of synthetic flaps.* All flaps containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on either side of the flap. The appropriate color shall be determined from paragraph (a) of List 6.

LIST 12—MANUFACTURE OF AIRPLANE TIRES AND TIRE CASINGS

(a) *General provisions.* (1) The natural rubber content of any tire or tire casing governed by this List 12 shall not include processing losses, natural rubber used in curing bags or natural rubber latex used in the cord treatment. Natural rubber latex may be consumed in the treatment of nylon cord without limit. Natural rubber latex may also be con-

sumed in the treatment of rayon cord as permitted by paragraph (a) (2) of List 8. Dispersions of natural rubber may be used for cord treatment and the amount of natural rubber solids so consumed shall be included in the maximum content natural rubber permitted for each tire.

(b) *Manufacturing regulations.* Airplane tires of any size, ply and tread type may be manufactured provided the natural rubber content is in conformity with Table A.

TABLE A—AIRPLANE TIRES

Size	Ply	Type	Construction and maximum content natural rubber in pounds—rayon or nylon S-6
27	8	I (Smooth contour landing).	4.20
30	8	do.	4.75
33	8	do.	6.00
36	10	do.	8.65
39	10	do.	10.25
44	10	do.	12.80
47	12	do.	18.75
51	14	do.	24.00
56	16	do.	32.00
66	18	do.	35.00
65	18	do.	58.00
65	22	do.	60.00
8.00	4	I (Smooth contour auxiliary).	.45
10.00	6	do.	.75
12.50	6	do.	1.35
14.50	6	do.	1.90
17.00	8	do.	1.60
19.00	8	do.	2.00
23.00	8	do.	2.00
26.00	10	do.	4.75
30.00	10	do.	6.00
26 x 6	8	II (High pressure landing).	3.50
26 x 6	8	II (High pressure landing) (channel).	4.15
30 x 7	8	II (High pressure landing).	4.20
32 x 8	8	do.	5.50
34 x 9	10	do.	7.30
10 x 3	4	II (High pressure auxiliary).	.30
6.00-6	4	III (Low pressure landing).	1.10
6.50-10	6	do.	1.90
7.00-4	4	do.	1.20
7.00-6	4	do.	1.20
7.50-10	6	do.	2.20
8.00-4	4	do.	1.45
8.50-10	6	do.	2.60
8.90-12.50	4	do.	2.70
15.00-16	8	do.	11.70
15.00-16	10	do.	12.90
15.50-16	12	do.	14.00
15.50-20	12	do.	18.50
16.00-16	12	do.	16.80
17.00-16	10	do.	17.00
17.00-20	14	do.	24.10
18.00-16	12	do.	17.00
19.00-23	16	do.	32.50
20.00-18	12	do.	20.00
5.00-4	6	III (Low pressure auxiliary).	.75
7.00-5	4	do.	1.20
8.00-5	6	do.	1.80
9.00-6	8	do.	4.00
10.00-7	10	do.	4.35
9.50-12	6	III (Low pressure beaching gear).	3.40
11.00-12	8	do.	4.80
12.50-14	10	do.	8.50
29 x 13-5	6	IV (Extra low pressure landing).	4.70
30 x 13-6	6	do.	6.00
35 x 15-6	6	do.	7.30
45 x 20-10	10	do.	20.90
12 x 5-3	4	IV (Extra low pressure auxiliary).	.65
16 x 7-3	4	do.	.65
18 x 8-3	4	do.	.90

TABLE A—AIRPLANE TIRES—Continued

Size	Ply	Type	Construction and maximum content natural rubber in pounds—rayon or nylon S-6
16 x 5.80-8.50	6	IV (Low profile auxiliary).	1.15
19 x 6.80-10	6	do.	1.70
22 x 7.25-11.50	6	do.	2.15
26 x 9.00-13.00	8	do.	3.40
30 x 10.50-15	10	do.	6.70
33 x 11.50-16.50	10	do.	7.00
36 x 12.50-18	12	do.	11.45
10½ x 4	6	VII (High pressure auxiliary).	.60
12½ x 4½	8	do.	1.340
14½ x 5	8	do.	1.35
26 x 6.6	10	VII (High pressure special duty).	5.15
24 x 7.7	8	do.	4.80
30 x 7.7	8	do.	6.20
32 x 8.8	10	do.	8.90
34 x 9.9	10	do.	9.05
38 x 11	10	do.	10.80
38 x 11	12	do.	12.80
40 x 12	12	do.	15.00
42x12	12	do.	16.00
44x13	14	do.	19.30
46x14	16	do.	25.90
All	All	Ice grip.	(3)
All	All	Solid auxiliary.	(3)
All others	All	All types	(4)

¹ Natural rubber construction.
² Carcass friction for ice grip tires shall be identical to those used in like sizes for regular tires in above table. Natural rubber and synthetic rubber may be used in treads without limitation.
³ 8 percent of total RHC by weight permitted for the gum and cements.
⁴ 33 percent of total RHC.

(c) *Branding of synthetic airplane tires.* All synthetic airplane tires or tire casings shall have a brand permanently vulcanized on both sides of the tire, consisting of the appropriate synthetic construction identification, in characters at least three-eighths inch high.

LIST 13—MANUFACTURE OF RETREADING MATERIALS INCLUDING CAMELBACK (WING-DIE), CAPPING STOCK (BEVEL-DIE), LUG STOCK, BASE STOCK, PADDING STOCK, STRIPPING STOCK, FILLER STRIP AND FULL CIRCLE CURING TUBES

(a) *General provisions.* Natural rubber may be consumed in cements for application of cushion gum and in inks or cements for identification purposes.

(b) *Manufacturing regulations.* (1) The manufacture of retreading materials shall be limited to camelback (wing-die), capping stock (bevel-die), lug stock, base stock, padding stock, stripping stock, filler strip and cushion gum for application by the manufacturer to camelback, capping stock, lug stock and base stock and full circle curing tubes.

(2) The compounds used in manufacturing the items permitted by paragraph (b) (1) of this List 13 shall conform to the regulations shown in the following table.

RETREADING MATERIALS

Description of product	Percent by volume in compound					Restrictions
	Natural GR-S rubber		Total new rubber		Total RHC	
	Maximum	Minimum	Maximum	Minimum	Minimum	
A—Camelback, capping stock, lug stock and base stock. ¹	0.0	60.0	-----	60.0	60.0	No restrictions on use for treading purposes.
C—Camelback, capping stock, lug stock and base stock. ¹	0.0	40.0	50.0	40.0	40.0	No restrictions on use for treading purposes.
F—Camelback and capping stock. ^{2,3}	0.0	0.0	0.0	0.0	50.0	Passenger only.
Padding stock	(4)	(4)	(4)	(4)	(4)	Maximum thickness 1/16".
Stripping stock	50.0	-----	-----	-----	-----	Maximum width 1".
Filler strip	60.0	-----	-----	-----	-----	Maximum thickness 3/8", 2 1/2" and 3 1/2" widths only.
Full circle curing tubes	0.0	-----	-----	-----	-----	Natural rubber permitted only in valves, valve adhesion pads, splicing gum strips and cements and identification inks and cements. Synthetic curing tubes shall be marked in accordance with List 6 (a).

¹ Natural rubber may be consumed in cushion gum to be applied to Grades A and C treading materials, but the natural rubber so consumed shall not exceed, by weight, 3.0 percent of the total weight of treading material.
² Natural rubber may be consumed in cushion gum to be applied to Grade F camelback or capping stock, but the natural rubber so consumed shall not exceed, by weight, 1.6 percent of the total weight of camelback.
³ F Grade camelback and capping stock shall not be manufactured in die sizes with crown widths wider than 5".
⁴ As required.

LIST 14—MANUFACTURE OF TANK TRACKS AND BAND TRACKS

Manufacturing regulations. The manufacture of tank tracks and band tracks is subject only to the regulations on the use of natural rubber shown in Table A below:

TABLE A—TANK TRACKS AND BAND TRACKS

Description of product	Maximum percent, by weight, of total RHC which may be natural rubber
Band tracks, tractor M-2	31
Band tracks, carrier, cargo, M-29, M-29C	60
Band tracks, half-track vehicles	30
Tank track blocks	8
Rubber backed tracks	8
Tank track pin bushings, and links	As required.
All other	As required.

LIST 15—THE USE OF HIGH-TENACITY RAYON CORD

(a) In the manufacture of rubber products, high-tenacity rayon cord may be used only for the following listed products.

ORDER OF PREFERENCE AND TYPE OF PRODUCT

- Group:**
- Airplane tires.
 - Self-sealing fuel cells.
 - Bullet-sealing hose.
 - Combat (U. S.) tires, including only cross-section 8.00 and larger.
 - Mileage contract bus tires:
 - Intercity bus tires.
 - City bus tires.
 - Synthetic special purpose tires, including:
 - Tread types: Rock service, logger, earthmover and 18.00 and up mud-snow.
 - Sizes: All.
 - Synthetic truck and bus tires, 10 plies and more.
 - Belts.
 - Tire repair materials.
 - Synthetic truck and bus tires, 6 and 8 ply.

LIST 15—THE USE OF HIGH-TENACITY RAYON CORD—continued

- Group:**
- Synthetic tires of the following types:
 - Road grader: All tread types and all sizes.
 - Tractor and implement: All tread types and all sizes.
 - Passenger: All tread types in 6.50 cross section and larger, including the 6.25/6.50 cured in 6.50 mold.

(b) Any manufacturer using rayon must consume it in the order of preference in the above usage pattern, arranging to fulfill all requirements in the first group before any is used in the second group, and so on down the list.

LIST 16—MANUFACTURE OF TIRE TUBE VALVES (EXCEPT BICYCLE TIRE TUBE VALVES)

(a) **Manufacturing regulations.** The manufacture of tire tube valves (excepting bicycle tire tube valves), of all sizes and types is subject only to the regulations on the use of natural rubber or natural rubber latex shown in Table A below.

TABLE A

Size	Type	Maximum percent natural rubber, by volume, of total RHC
TR-13	All types	0
TR-14	do	0
TR-15	All types (except airplane)	0
TR-25	do	0
TR-35	do	0
TR-75	Truck	0
TR-76	do	0
TR-78	do	0
TR-79	do	0
TR-175	do	0
TR-177	do	0
TR-179	do	0
TR-215	Tractor	50
All others	All types	As required

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817;

WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 1st day of February 1946.

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

[F. R. Doc. 46-1921; Filed, Feb. 1, 1946; 11:43 a. m.]

Chapter XI—Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,¹ Amdt. 39]

DESIGNATION OF CERTAIN AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

In § 1388.1341 of Designation and Rent Declaration 31, Items 1, 5, 19, 29 and 45 are amended and Items 206 to 211, inclusive, are added to read as follows:

(1) Alabama, Alabama—That portion of the State of Alabama not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Baldwin, Coffee, Lee, Pickens, and Pike.

(5) Colorado, Colorado—That portion of the State of Colorado, not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Boulder, Chaffee, Garfield, Mesa, Moffat, Weld, and part of Larimer County, consisting of Townships 4, 5, 6, 7, 8, 9, 10, 11, and 12 North, east of the range line between Ranges 71 and 72 West.

(19) Minnesota, Minnesota—That portion of the State of Minnesota, not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Blue Earth, Clay, Crow Wing, and Olmstead, and in Benton County the portions of Cloud City and Sartell Village located therein, and Sauk Rapids Village; in Sherburne County the portions of St. Cloud City, located therein; in Stearns County the portions of St. Cloud City and Sartell Village located therein, and Waite Park Village, and in Polk County, the City of East Grand Forks, and in Nicollet County, the City of North Mankato.

(29) North Carolina, North Carolina—That portion of the State of North Carolina, not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Alamance, Buncombe, Chowan, Edgecombe, Forsyth, Granville, Moore, Nash, Fender, Perquimans, Wake, Washington, and in the County of Guilford, the Township of High Point, including the City of High Point.

(45) Wyoming, Wyoming—That portion of the State of Wyoming, not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Albany, Converse, Hot Springs, and that portion of Big Horn County lying outside the Big Horn National Forest and that portion of Park County lying outside of the Shoshone National Forest.

(206) Opelika, Alabama—Lee.
 (207) Fort Collins, Colorado—Larimer County, part consisting of Townships 4, 5, 6, 7, 8, 9, 10, 11, and 12 North, east of the range line between Ranges 71 and 72 West.

(208) Brainerd, Minnesota—Crow Wing.

¹ 10 F. R. 12001, 12162; 11 F. R. 246.

(209) Mankato, Minnesota—Blue Earth County and in Nicollet County, the City of North Mankato.

(210) High Point, North Carolina—In the County of Guilford, the Township of High Point, including the City of High Point.

(211) Laramie, Wyoming—Albany.

This amendment shall become effective February 1, 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1869; Filed, Jan. 31, 1946;
4:30 p. m.]

PART 1305—ADMINISTRATION

[SO 94,¹ Incl. Amtds. 1-8]

SALES BY GOVERNMENT AGENCIES AND RE-SALES BY CERTAIN BUYERS

This compilation of Supplementary Order 94 includes Amendment 8, effective February 6, 1946. The text added or amended by Amendment 8 is indicated by underscoring. Changes in tables are indicated by notes.

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.²

§ 1305.122 *Sales of commodities by Government agencies and resales by certain buyers.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250, 9328, Supplementary Order No. 94 (Sales by Government Agencies and Resales by Certain Buyers), which is annexed hereto and made a part hereof, is hereby issued.

Sec.

1. Scope and nature of this order.
2. Suggestions for the use of this supplementary order.
3. Exemption of certain sales.
4. Application of price regulations to sales by Government agencies.
5. Sales by Government agencies of new commodities at a price not to exceed acquisition or replacement cost.
6. Sales of war contract termination inventory.
7. Sales by Government agencies of new commodities at a price not to exceed manufacturer's, producer's, or processor's, adjusted list prices.
8. Sales of used commodities by Government agencies.
9. Sales of scrap by Government agencies.
10. Application by Government agencies for special maximum prices or exemptions.
11. When OPA may establish special maximum prices or exemptions on its own motion.
12. Sales in reliance upon buyers' representations.
13. Delegation to field offices.
14. Geographical applicability.
15. What this supplementary order prohibits.
16. Lower prices may be charged.
17. Definitions.
18. Effect of this supplementary order on price regulations and other supplementary orders.

¹ 9 F.R. 9415.

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

Sec.

19. Records and reports.
20. Enforcement.
21. Adjustable pricing.

AUTHORITY: § 1305.122 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487.

SECTION 1. *Scope and nature of this order.* This supplementary order grants exemptions from maximum price control, continues existing maximum prices, establishes maximum prices, and provides a procedure for obtaining maximum prices or exemptions, for sales by the United States Government or its agencies of all commodities except food commodities, and for resales by certain private buyers of such commodities. This supplementary order also applies to sales of all commodities except food commodities by a contractor or subcontractor whose contract has been terminated by a Government agency where such contractor or subcontractor has been authorized or directed by the Government agency to sell the commodities, and where the proceeds are paid or credited to the Government agency.

This supplementary order does not apply to sales of any commodities by any Government agency where the original purchase by the Government was for the sole purpose of resale in substantially the same form or of stockpiling. Such commodities shall be priced by Government agencies under applicable price regulations.

Resales by private sellers are governed by the existing applicable price regulations and Supplementary Order 122³ and not by this supplementary order, except where OPA issues an order under section 11 of this supplementary order covering resales of a particular commodity. If OPA issues an order under section 11 the provisions of the order will apply instead of Supplementary Order 122 or the regulation otherwise applicable. The order will either provide a maximum price or exempt the resale from price control.

[Above paragraph amended by Am. 5, 10 F.R. 9089, effective 8-22-45]

SEC. 2. *Suggestions for the use of this supplementary order.* As explained in section 1, this order establishes procedures for determining exemptions from price control, and maximum prices for sales of "surplus commodities," whether new, used or scrap.

Certain transactions and commodities are exempt from price control. If not exempted, the transaction and commodity may be covered by a price ceiling stated in dollar-and-cents terms. If, however, no such specific price ceiling is established, a Government agency or a contractor acting on the Government's behalf, may sell at a price not to exceed acquisition or replacement cost of the commodity, or on the basis of adjusted price lists of private manufacturers or producers. Alternatively, where no dollar-and-cents price ceiling has been established, a Government agency may apply to OPA for a specific ceiling price or exemption.

³ 10 F.R. 9228, 10082, 11808.

The Government agency may itself ascertain the applicable maximum price or exemption, using the appropriate method or methods outlined below. It may, however, rely upon the buyer's certification as a means of determining the applicable ceiling price.

Since this order is intended to assure that no more than maximum prices are charged by Government agencies, its use in determining the maximum price applicable to a particular sale is not, of course, necessary where the Government agency has knowledge of market conditions for the commodity or commodities to be sold and has good reason to believe that prices obtainable at the time and place of sale are substantially below OPA ceiling prices.

In using this order, the following steps are suggested:

Determine the applicable regulations. (1) Find what regulation generally governs the sale of the particular commodity you are selling; the Directory of Commodities and Services issued by the OPA is a convenient guide for this purpose. (It may be secured from the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C.)

Exemptions. (2) Refer to section 3 of this order to learn what types of sales and what commodities are exempt from price control.

Maximum prices on new commodities. (3) Refer to section 4 to learn whether or not a maximum price in dollar-and-cents terms is applicable.

(4) Where maximum prices in dollar-and-cents terms have not been established, sales may be made on the basis of cost of acquisition or replacement (section 5) or on the basis of adjusted list prices of private producers (section 7).

(5) Section 6 provides a special method for determining maximum prices for sales of war contract termination inventory.

Maximum prices of used commodities. (6) Refer to section 8 for a statement of methods by which to determine maximum prices for used commodities.

Maximum prices for scrap. (7) Refer to section 9 for the determination of maximum prices for scrap.

Applications for special maximum prices or exemptions. (8) Applications for the establishment of special maximum prices or for exemptions may be filed under section 10.

Reliance on buyer's certification. (9) If the Government agency does not wish to determine its maximum price or apply for a special price or exemption under the provisions of section 4 to 10 referred to above, it may rely upon the certifications of buyers as provided for in section 12.

Other provisions. (11) Additional provisions with respect to delegation to OPA field offices, geographical applicability, prohibitions, the charging of lower prices, definitions, effect on other regulations, records and reports, and enforcement are contained in sections 13 to 20.

EXEMPTIONS

SEC. 3. *Exemption of certain sales—*
(a) *Exemptions based on the type of sale—*(1) *Sales by Government agencies.* A sale by a Government agency is exempt from price control by operation of this supplementary order where the sale is:

- (i) To another Government agency;
- (ii) To any foreign government or agency thereof;
- (iii) To a contractor for use in carrying out his prime contract with a Government agency;

(iv) To any relief organization for donation or export sale;

(v) Of a single item or group of items where the sales price estimated to be obtainable for all substantially similar items available for sale at the place of sale does not exceed \$300;

(vi) Of personal property when sold together with an interest in land or buildings in a single transaction;

(vii) Of all or substantially all the Government-owned contents of a factory or plant to the owner, lessee, or operator; or to any other single buyer purchasing for use.

(viii) Of buildings, building installations, facilities, appurtenances, equipment, and personal property attached to the land (except standing timber subject to MPR 460).

[Subparagraph (viii) amended by Am. 8, effective 2-6-46]

(2) *Further exemptions.* Upon application of a Government agency or on its own motion, the OPA, may by order, exempt such further types of sales as it deems necessary to facilitate the disposal of Government commodities if it appears that such exemptions will not have inflationary consequences.

(b) *Exemptions based on the commodity sold.* Sales by Government agencies of the commodities referred to in Appendix A are exempt from price control by operation of this supplementary order. Part I of Appendix A lists exempt commodities by reference to the regulation which would otherwise govern their sale. Part II of Appendix A lists commodities and classes of commodities sales of which by Government agencies are exempt from maximum price control even though the regulation applicable is not listed in Appendix A, Part I.

SALES OF NEW COMMODITIES

SEC. 4. *Application of price regulations to sales by Government agencies—(a) Maximum prices for commodities governed by price regulations listed in Appendix B.* When a Government agency sells a commodity governed by a regulation listed in Appendix B, its maximum price for the sale is the price, if any, stated in dollar-and-cents terms, in the applicable regulation applying to sales by producers, manufacturers, or processors, adjusted for such geographical, quantity or other differentials as may be provided. If, however, the applicable regulation has established a maximum price for sales by Government agencies by express reference to such agencies (and not merely by a catch-all clause referring to sellers generally or by the common definition of the term "person" to include Government agencies), the maximum price for the selling agency shall be the maximum price so established.

A Government agency may sell at the maximum price applicable to sales by wholesalers or jobbers if the buyer from the agency generally buys the commodity from wholesalers or jobbers or from retailers. A Government agency may sell at the maximum price applicable to sales by retailers if the buyer from the agency

generally buys the commodity from retailers.

To determine whether a buyer generally purchases a commodity from a given class of seller (e. g., wholesalers and jobbers, retailers), the Government agency may:

(1) Make such determination itself;

(2) Obtain from the buyer a written representation with regard thereto in the contract of sale or otherwise.

(b) *Maximum prices for commodities governed by price regulations listed in Appendix C.* When a Government agency sells a commodity governed by a regulation listed in Appendix C, its maximum price for the sale is the manufacturer's, producer's, or processor's net price to wholesalers or jobbers, that is, the list price, adjusted for all applicable extra charges, discounts, or allowances, for sales to wholesalers or jobbers. If, however, the applicable regulation has established a maximum price for sales by Government agencies by express reference to such agencies (and not merely by a catch-all clause referring to sellers generally or by the common definition of the term "person" to include Government agencies), the maximum price for the selling agency shall be the maximum price so established.

A Government agency may sell at the maximum price applicable to sales by wholesalers or jobbers if the buyer from the agency generally buys the commodity from wholesalers or jobbers or from retailers. A Government agency may sell at the maximum price applicable to sales by retailers if the buyer from the agency generally buys the commodity from retailers.

To determine whether a buyer generally purchases a commodity from a given class of seller (e. g., wholesalers and jobbers, retailers), the Government agency may:

(1) Make such determination itself;

(2) Obtain from the buyer a written representation with regard thereto in the contract of sale or otherwise.

(c) *When a maximum price cannot be determined by reference to Appendices B and C although the commodity is listed therein.* In such instances the Government agency may determine a maximum price under the succeeding sections. (For an explanation of the situations in which maximum prices cannot be determined, see text of Appendix B.)

(d) *Sales of a heterogeneous group of commodities.* (1) Where a heterogeneous group of new commodities held at one place is sold to one purchaser and where the determination of dollar-and-cents maximum prices would be unduly burdensome, the maximum price for the entire group of commodities may be determined under section 5.

(2) Where a heterogeneous group of new and used, or all used, commodities held at one place is sold to one purchaser and where the determination of dollar-and-cents maximum prices would be unduly burdensome, the maximum price for the entire group may be a price not to exceed 75 per cent of the acquisition or replacement cost (as defined in section 5) to the Government agency.

(e) *Installation expenses.* Where the Government agency sells a commodity

"in place" or on an "installed basis", the expenses incurred by it in connection with the installation thereof may be added to the maximum price established under paragraphs (a) and (b) of this section.

[Paragraph (e) added by Am. 2, 9 F.R. 13287, effective 11-13-44].

SEC. 5. *Sales by Government agencies of new commodities at a price not to exceed acquisition or replacement cost—*

(a) *When Government agencies may sell at a price not to exceed acquisition or replacement cost.* When no maximum price has been expressly provided for the sale under section 4 and no exemption is provided in section 3 a Government agency may sell any new commodity at a price not to exceed its acquisition or replacement cost (as defined in (b) following) to the Government agency.

(b) *What is acquisition or replacement cost.* "Acquisition cost" means delivered cost to the Government or if this is unknown, or cannot reasonably be ascertained, the estimated delivered cost to the Government. "Delivered cost" may be averaged. Where the Government sales officer finds it practicable to determine, all other expenses, including handling, warehousing, costs of trans-shipment by the Government, contract termination allowances and interest charges, shall be excluded.

"Replacement cost" means estimated current replacement cost to the Government agency at the point of Government sale.

Where the Government agency sells a commodity "in place" or on an "installed basis," the expenses incurred by it in connection with the installation thereof may be included.

In calculating acquisition or replacement costs of consumer goods or cost of living items, as distinguished from industrial goods, the Government agency shall, where the Government sales officer finds it practicable to determine, eliminate that portion of such cost which is attributable to inclusion in the article of features which, while useful to the Government, do not add significantly to the article's value to a private consumer. On sales of war contract termination inventory (for a description of which see section 6 below) such costs need not be eliminated.

SEC. 6. *Sales of war contract termination inventory.* Notwithstanding any other pricing provision of this supplementary order, on sales of war contract termination inventory consisting of raw materials, supplies, component parts, semi-processed and semi-fabricated materials, the Government agency which terminated the contract or the contractor selling in its behalf may, prior to the date on which such inventory is declared or assigned as surplus to a disposal agency, as authorized by regulations of the Surplus Property Administrator, sell any item in such inventory at a price not to exceed the acquisition cost of the item: *Provided,* That the prospective buyer of such inventory has received actual notice of the Government acquisition cost. This section is not applicable to sales made subsequent to such date of declaration or assignment. Maximum prices for sales of war contract termination inven-

tory may also be determined under any other applicable provision of this supplementary order.

[Above paragraph amended by Am. 7, 10 F.R. 14732, effective 12-3-45]

For the purposes of this section "acquisition cost" means the purchase price plus freight, if any, paid by the contractor for the item, and may be averaged. Freight charges which cannot be definitely assigned or allocated to the item may be estimated. Where the item being sold has been fabricated or processed by the contractor, direct labor costs plus the appropriate allocable factory overhead (which may be estimated if actual figures are not available) may be added to the acquisition cost. The acquisition cost of property furnished to the contractor by the Government may be estimated, if the actual cost is unknown or cannot reasonably be ascertained.

Sec. 7. Sales by Government agencies of new commodities at a price not to exceed manufacturer's, producer's, or processor's adjusted list prices. (a) As an alternative to selling at a price not to exceed acquisition or replacement cost, a Government agency may sell at a price not to exceed the net price to wholesalers or jobbers contained in price lists and discount schedules of any manufacturer, producer, or processor of the same commodity, minor differences in specifications and design being disregarded. "Net price to wholesaler" means the manufacturer's, producer's, or processor's list price adjusted for all applicable extra charges, discounts, or allowances, for sales to wholesalers or jobbers.

A Government agency may sell at the maximum price applicable to sales by wholesalers or jobbers if the buyer from the agency generally buys the commodity from wholesalers or jobbers or from retailers. A Government agency may sell at the maximum price applicable to sales by retailers if the buyer from the agency generally buys the commodity from retailers.

To determine whether a buyer generally purchases a commodity from a given class of seller (e. g., wholesalers and jobbers, retailers), the Government agency may:

- (1) Make such determination itself;
- (2) Obtain from the buyer a written representation with regard thereto in the contract of sale or otherwise.

Wherever practicable, the price list and discount schedule of the manufacturer of the particular commodity being sold should be used. Where there are significant geographical differences in the price of products to be sold, the price lists and discount schedules shall be those of a seller normally selling in the area or areas in which the Government agency intends to sell.

SALES OF USED COMMODITIES AND SCRAP

Sec. 8. Sales of used commodities by Government agencies. The maximum price of used commodities (exclusive of scrap) not exempt under section 3 of this order shall be determined by any one of the following methods which the selling agency may select:

(a) The maximum price may be that specified for used commodities by price

regulations listed in Appendix D. Part I of Appendix D lists the regulations which specify maximum prices in terms of dollar-and-cents. Part II of Appendix D lists the regulations which provide for the establishment of maximum prices by formula.

(1) Where the Government agency sells any used commodity "in place" or on an "installed basis", the expenses incurred by it in connection with the installation thereof may be included. The appropriate rate of depreciation set forth in the applicable regulation shall be deducted from such expenses.

[Subparagraph (1) added by Am. 2, 9 F.R. 13287, effective 11-13-44]

(b) A Government agency may file with the OPA national office a formula or formulas which it proposes to use in establishing maximum prices for the sale of specified used commodities or groups of commodities. The formula must be related to the ceiling price of the commodity in new condition and must not exceed maximum prices applicable thereto, except that where such commodity or groups of commodities are sold "in place" or on an "installed basis," the Government agency may include the expenses incurred by it in connection with the installation thereof. If a formula is not disapproved or modified within 15 days of filing, sales may be made thereunder until such time as the OPA may modify, supersede, or suspend it.

The OPA's failure to disapprove, modify, supersede, or suspend any formula filed under this paragraph shall not be construed as indicating that higher maximum prices would not be approved if applied for under section 10.

Sec. 9. Sales of scrap by Government agencies. The maximum price for sales of scrap not exempt under section 3 shall be the price specified in the applicable regulation listed in Appendix E.

APPLICATION FOR PRICES OR EXEMPTIONS

Sec. 10. Application by Government agencies for special maximum prices or exemptions—(a) *When Government agency shall apply.* When the maximum price for a sale has not been expressly provided under section 4 or section 9 and the sale is not exempt under section 3, the Government agency, if it does not determine its maximum price by one of the methods provided in sections 5, 6, 7, 8, or 12, shall apply to the OPA for either a maximum price or an exemption.

(b) *Where to file applications.* The Government agency may file its application with the nearest OPA District or Regional Office or with the National Office.

(c) *What the application shall contain.* An application under this section shall contain the following:

- (1) An accurate physical description and identification of the commodity or commodities to be priced, and the name and address of the manufacturer, if available, or, if not, the name and address of a distributor, if available.
- (2) Its condition.
- (3) The quantity to be sold.
- (4) The type of sale contemplated, such as: auction, acceptance of sealed bids, negotiations.

(5) The types of purchasers to whom sales are contemplated, such as: manufacturers, industrial users, wholesalers, retailers, and non-industrial users. The OPA will establish a maximum price for sales by manufacturers unless the Government states that it desires a maximum price for sales by wholesalers, jobbers, or retailers.

(6) An estimate of "acquisition cost" or "replacement cost" of the commodity to the agency, if available. (These terms are defined in section 5.)

(7) A requested maximum price if the agency so desires, with an explanation of the basis for the requested price.

(8) A request for an exemption if the agency so desires, with an explanation of the reasons for the request.

(d) *When a requested maximum price may be deemed approved.* Any maximum price requested by the Government agency with reasons therefor, shall be deemed approved unless the OPA gives notice to the contrary within twenty days from the date the application is mailed or delivered to it.

(e) *Sales pending OPA approval of maximum price.* Upon the filing of an application under this section, the Government agency may, where the commodity is to be sold by negotiation, enter into a contract to sell at the requested price, subject to the approval of such price by OPA, and make delivery thereunder. If the Government agency collects the requested price it shall refund the difference between the price collected and any lower maximum price established by OPA.

(f) *Action by OPA on applications discretionary.* The OPA, in its discretion, may either grant a special exemption or establish a special maximum price, regardless of whether the Government selling agency had applied for a special exemption or a special maximum price.

(g) *When the OPA may grant exemptions.* The OPA may grant an exemption from price control limited to a particular sale of a designated commodity or commodities when, in its opinion, inflationary consequences will not result from the exemption because of market conditions, the use to which the commodity may be put, or the fact that the price charged will not tend to increase the cost of living or other prices.

(h) *When the OPA may establish special maximum prices.* If the Government agency's application satisfies the requirements of this section, the OPA may establish special maximum prices for the particular commodities covered by the application which are representative of, or in line with, the average or prevailing ceiling price or prices to which private sellers of these commodities are subject.

Sec. 11. When OPA may establish special maximum prices or exemptions on its own motion. The OPA, on its own motion, may, by order, establish special maximum prices or special exemptions, applicable to sales by Government agencies or to resales by private resellers of commodities purchased from Government agencies. Except where a special maximum price or special exemption for all or designated classes of resellers of

a commodity has been provided by an order issued under this section 11, the maximum prices and exemptions applying to all such resales shall be determined by the applicable maximum price regulation or by Supplementary Order 122.

An order issued under this section shall, with respect to sales by Government agencies, supersede any other pricing or exemption provision of Supplementary Order 94, and shall, with respect to resales by private resellers, supersede the provisions of Supplementary Order 122 or any maximum price regulation otherwise applicable.

[Sec. 11 amended by Am. 4, 10 F.R. 3552, effective 4-5-45 and Am. 5, 10 F.R. 9089, 11 F.R. 798, effective 8-22-45]

RELiance ON BUYER'S CERTIFICATION

SEC. 12. *Sales in reliance upon buyer's representations*—(a) *Sales at or below customary purchase prices.* A Government agency may sell any commodity except new lumber at a price not to exceed the maximum price applicable to purchases by the buyer, from usual sources of supply, of the commodity in the quantity and at the place that delivery is made: *Provided*, That the buyer certifies to the Government agency that the price paid, contracted for, or offered does not exceed such maximum price.

(1) A Government agency may sell new lumber at a price not to exceed the maximum price (applicable to purchases by the buyer of surplus lumber): *Provided*, That the buyer certifies to the Government agency that the price paid, contracted for, or offered does not exceed the maximum price established by Maximum Price Regulation 603, Surplus Lumber, and that he furnishes to the Government agency an itemized list of the maximum prices provided in Maximum Price Regulation 603, corresponding to the description of the lumber which he proposes to buy.

[Paragraph (a) amended by Am. 7, 10 F.R. 14732, effective 12-3-45]

(b) *Sales to manufacturers, producers, or processors at or below maximum selling prices.* A Government agency may sell any commodity at a price not to exceed the maximum selling price applicable to sales by the buyer, in his capacity as a manufacturer, producer, or processor of the same commodity, disregarding minor differences in specifications or design, in the quantity and at the place that delivery is made: *Provided*, That the buyer certifies to the Government agency that the price paid, contracted for, or offered does not exceed his maximum selling price.

(c) *Sales at or below acquisition or replacement cost.* A Government agency may sell any new commodity to a buyer at a price not to exceed acquisition or replacement cost as determined under section 5: *Provided*, That the buyer certifies to the Government agency that no maximum price for the sale of the commodity is established in dollar-and-cents terms by a price regulation listed in Appendix B or C of this supplementary order.

(d) *Accuracy of buyer's representations.* No Government selling agent shall make a sale under this section where he has reason to doubt the accuracy of the certificate. Every certificate furnished under this section shall constitute a representation both to the Government selling agency and to the Office of Price Administration.

OTHER PROVISIONS

SEC. 13. *Delegation to field offices.* The Administrator, any regional administrator or any district director authorized by the appropriate regional administrator may issue special maximum prices and exemptions in the form of orders issued under sections 10 and 11 of this supplementary order.

[Sec. 13 amended by Am. 2, 9 F.R. 13287, effective 11-13-44]

SEC. 14. *Geographical applicability.* The provisions of this supplementary order shall be applicable in the 48 states of the United States and the District of Columbia.

SEC. 15. *What this supplementary order prohibits.* On and after September 1, 1944, or earlier at the option of the Government agency, regardless of any contract, option, or other agreement, except those lawfully in effect before the effective date of this supplementary order, no Government agency or official or employee thereof, and no person subject to an order applicable to private resellers issued hereunder, shall sell, deliver, or cause to be sold or delivered, and no person in the course of trade or business shall buy or receive, any commodity for which a maximum price has been authorized by this supplementary order, or any order issued hereunder, at a price higher than such maximum price; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 16. *Lower prices may be charged.* Lower prices than those established by this supplementary order may be charged, demanded, paid or offered, whether by way of discounts, allowances, or otherwise.

SEC. 17. *Definitions.* When used herein the following terms have the following meaning.

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

(b) "Government agency", "Government". Except where the context otherwise requires, "government agency" and "government" mean the United States Government or any department, agency, commission, corporation or other such instrumentality of the United States Government. For the purposes of this supplementary order, "Government agency" and "Government" includes any contractor or subcontractor whose contract has been terminated by a Government agency, and who has been authorized or directed by the Government agency to sell commodities and where the proceeds are paid or credited to the Government agency. All the provisions of this supplementary order shall apply to such contractors or subcontractors ex-

cept where specific provision is otherwise made.

(c) "Commodity" means all commodities, as defined in the Emergency Price Control Act of 1942, except food commodities. (Government sales of food commodities are subject to Supplementary Order No. 81.)

(d) "Price regulation," "regulation" mean a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, as amended, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(e) "Supplementary order" means an order amending, supplementing or superseding provisions of two or more price regulations.

(f) "Sell" includes sell, supply, dispose, barter, exchange, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly.

[Paragraph (f) amended by Am. 1, 9 F.R. 10636, effective 9-1-44]

(g) "New commodities" includes damaged or deteriorated commodities.

(h) Other definitions. Unless the context otherwise requires, the definitions of section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to the terms used in this supplementary order.

SEC. 18. *Effect of this supplementary order on price regulations, and other supplementary orders*—(a) *In general.* The provisions of this supplementary order as to Government agencies shall supersede the provisions of all maximum price regulations and supplementary orders previously issued (except those listed in subparagraph (1) herein) to the extent that they are inconsistent with or contrary to any provisions of this supplementary order.

(1) The following supplementary orders are not superseded by this Supplementary Order 94, but remain in full force and effect:

Revised Supplementary Order 10—Judicial Sales.

Supplementary Order 27—Sales by Certain Stores Operated or Regulated by the War Department or the Department of the Navy.

Supplementary Order 46—Exemption of Auction Sales of Contents of Dead Letters or Packages by Post Office Department.

Supplementary Order 88—Exemption of Seized, Unclaimed Abandoned Commodities sold at Auction by the Bureau of Customs.

[Paragraph (a) amended by Am. 1, 9 F.R. 10636, effective 9-1-44]

(b) *Effect on exemptions otherwise applicable to Government agencies.* This supplementary order provides that sales by Government agencies are exempt from price control when (1) such exemptions are provided in section 3 (a) or 3 (b) and indexed in Appendix A, or (2) when special exemptions governing particular Government sales have been

established under section 10 or 11, or (3) when the commodities are suspended or exempted by any regulation or supplementary order issued by the OPA.

[Paragraph (b) amended by Am. 8, effective 2-6-46]

(c) *Examples of effect of this supplementary order on certain regulations.*
 (1) The provisions of Revised Maximum Price Regulation No. 204,* Special Sales of Industrial Materials are superseded by this supplementary order insofar as all sales by Government agencies of industrial materials are concerned.

(2) The maximum price provisions of the General Maximum Price Regulation⁷ insofar as sales by Government agencies are concerned are superseded except when indexed in Appendices B, C, D or E by this supplementary order.

(3) Supplementary Order No. 87, being superseded by this supplementary order, is hereby revoked.

SEC. 19. *Records and reports*—(a) *Availability to Office of Price Administration of records of Government agencies selling commodities subject to this supplementary order.* All Government agencies that have made or propose to make sales of any commodities subject to this supplementary order shall make available to the Office of Price Administration on request, copies of bids, quotations and contracts pertaining to such sales.

(b) Every contractor or subcontractor whose contract has been terminated by a Government agency shall furnish the purchaser on each sale subject to this order an accurate description of the item or groups of items sold and the terms of sale. This shall include reference to such factors as the quality, size, grade and quantity of the item, the shipping point, the price per item, whether the shipment is prepaid or collect, and the name of carrier, if practicable and relevant. As to quality, size, grade, and quantity, the description may consist of information previously furnished to the contractor or subcontractor by his supplier. On sales made under section 4 (d) (2), the description need not be furnished to the buyer, unless requested by the buyer.

(c) All Government agencies making sales of commodities subject to this supplementary order and all resellers of such commodities shall keep such further records, and file such reports as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget, in accordance with the Federal Reports Act of 1942, where necessary.

(d) (1) All resellers, except retailers, subject to this Supplementary Order shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, com-

plete and accurate records of each sale. Such records shall include the date of the sale, the name and address of the buyer, a clear description or identification of the commodity, the quantity sold, and the price charged for such commodity.

(2) All retailers subject to this Supplementary Order shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, their customary records of all transactions.

[Paragraph (d) added by Am. 4, 10 F.R. 3552, effective 4-5-45]

SEC. 20. *Enforcement.* All violations of any provisions of this Supplementary Order are subject to the enforcement provisions of the Emergency Price Control Act of 1942, as amended.

Officials or employees of Government agencies making sales in reliance upon buyers' representations as provided in this supplementary order are exempted from any liability for the violation of any of the maximum price ceilings prescribed herein.

Where the maximum price for a sale by a Government agency is based upon its acquisition cost as provided in this supplementary order, the buyer is exempted from any liability for paying more than such acquisition cost.

SEC. 21 *Adjustable pricing.* A Government agency may sell or agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery.

[Sec. 21 added by Am. 2, 9 F.R. 13287, effective 11-13-44]

APPENDIX A—COMMODITIES EXEMPT FROM MAXIMUM PRICE CONTROL WHEN SOLD BY GOVERNMENT AGENCIES

This appendix identifies commodities (either by listing the regulation to which they are subject, Part I, or by name, Part II) which are exempt from maximum price control when sold by Government agencies. (For general exemptions of certain types of sales by Government agencies, see section 3 of this supplementary order.)

Part I—Regulations covering commodities exempt from maximum price control when sold by Government agencies. Where the exemption is qualified, the limiting condition is set forth in parentheses.

Regulation number	Short title
*Maximum Price Regulation 2.	Aluminum scrap and secondary aluminum ingot.
Revised Price Schedule 4 (all sales exempt except those to a consumer, and his broker).	Iron and steel scrap.
*Revised Price Schedule 8.	Pure nickel scrap, monel metal scrap, stainless steel scrap.
Revised Price Schedule 49 (exempts sales to reseller when no bids have been received from a consumer at the maximum prices established in the regulation).	Resale of iron and steel products.
Revised Price Schedule 93.	Mercury.

Regulation number	Short title
Revised Price Schedule 96.	Domestic fuel oil storage tanks.
Revised Maximum Price Regulation 125 (except when sold for remelting in which case the applicable scrap regulation shall govern).	Nonferrous foundry products.
Maximum Price Regulation 175.	Rough rolled, figured wire and heat absorbing rolled glass.
Maximum Price Regulation 199.	Lead bullet rod.
Maximum Price Regulation 224.	Cement.
Maximum Price Regulation 225.	Printing and printed paper commodities.
Maximum Price Regulation 230 (exempts sales to resellers only).	Reusable iron and steel pipe and used structural pipe.
*Maximum Price Regulation 264.	Industrial waxes.
Maximum Price Regulation 276.	Asphalt tile.
*Maximum Price Regulation 302.	Magnesium scrap and remelt ingot.
Maximum Price Regulation 310 (exempts sales to resellers only).	Reusable structural steel shapes and plates, and shafting.
*Maximum Price Regulation 314.	Magnesium and magnesium alloy ingot.
Maximum Price Regulation 321.	Feldspar fire extinguishers.
Maximum Price Regulation 377 (except when sold for remelting in which case the applicable scrap regulation shall govern.)	Die castings.
*Maximum Price Regulation 379.	Tool Steel Scrap.
Maximum Price Regulation 382.	Wide mouth glass containers.
Maximum Price Regulation 416.	Basic refractory products.
*Maximum Price Regulation 484.	Unwashed and washed wiping cloths.
*Supplementary Order 126.	Exemptions and suspensions of certain articles of consumer goods from price control.
*Supplementary Order 129.	Exemption and suspension from price control of machines, parts, industrial materials and services.

[Part I amended by Am. 6, 10 F.R. 10121, effective 8-21-45. *Items added by Am. 8, effective 2-6-46. References to RPS 100, RMPR 206 and SO 123 deleted by Am. 8.]

Part II—Other commodities exempt from maximum price control when sold by Government agencies.

General. Any scrap, used or waste materials or commodities otherwise subject to the General Maximum Price Regulation, except second-hand fractional horsepower motors of ¼ horsepower or less.

[Above paragraph amended by Am. 2, 9 F.R. 13287, effective 11-13-44; Am. 4, 10 F.R. 3552, effective 4-5-45 and Am. 6, 10 F.R. 10121, effective 8-21-45]

Products having editorial or informational content. Books, magazines, motion pictures, periodicals, newspapers, pamphlets, leaflets,

* 8 F.R. 11376, 12795; 9 F.R. 5376, 6819, 7077, 13211.

⁷ 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

sheet music, music rolls, stamp albums, maps, charts, catalogues, directories, programs, house organs, menus, advertising matter printed on paper (except such articles as containers, labels and book matches, the form of which serves a purpose other than that of advertising), time tables, tariffs, price lists, and globes.

Chemicals, drugs and paints. (1) Hog cholera virus and anti-hog cholera serum (products used in the immunization of swine against hog cholera), manufactured and marketed in compliance with the standards and regulations promulgated by the United States Department of Agriculture.

(2) Aviation gasoline and components, synthetic rubber and components, toluene manufactured from petroleum as set forth below except sales and deliveries of benzol, toluol, and xylol derived as by-products from coal-carbonization or from the production of carbureted water-gas or oil-gas:

(a) Aviation gasoline of 87 octane rating or higher and, to the extent sold or delivered for use in the manufacture thereof, all components of aviation gasoline of 87 octane rating or higher, including but not limited to aromatic hydrocarbons and base stocks or fractions thereof; and catalysts.

(b) The following to the extent sold or delivered for use in the manufacture of synthetic rubbers: components of synthetic rubbers, including but not limited to styrene; hydrogen, acetaldehyde, acetylene, vinyl-acetylene, vinyl-chloride, vinyl acetate, sebacate esters, phthalate esters, tricresyl phosphate hydrochloric acid, calcium carbide, ethylene dichloride, dichlor-ethyl ether, sodium polysulfide, butylene glycol, acrylonitrile, and furfural, catalysts, and physical carrier agents for such catalysts, including but not limited to silica gel:

The term "synthetic rubber," as used herein, means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperature ranging from 0° F. to 150° F. at any humidity.

(c) Toluene manufactured from petroleum, and, to the extent sold or delivered for use in the manufacture of such toluene, base stocks from which such toluene is to be extracted, and selected charging stocks to be processed for the synthesis of such toluene, and catalysts.

(3) Domestic botanical drugs.

(4) Gum for naval stores and gum turpentine.

[Subparagraph (4) amended by Am. 2, 9 F.R. 13287, effective 11-13-44]

(5) Reagent chemicals, when sold for the purposes of scientific and medical research, for analytical and educational uses, and for quality control of industrial products.

(6) Core oils and core washing oils.

Rubber and rubber products. (1) Synthetic rubber and reclaimed synthetic rubber and their components, as specified above in paragraph (2) (b) under chemicals, drugs and paints.

(2) Crude rubber, guayule rubber and liquid latex.

Fuel, petroleum products and other oils.

(1) Aviation gasoline of 87 octane ratings and higher and its components as specified above in paragraph (2) (a) under chemicals, drugs, and paints.

(2) Toluene manufactured from petroleum as specified above in paragraph (3) under chemicals, drugs and paints.

(3) Bituminous coal produced in Alaska.

(4) 80-Octane Army all-purpose gasoline. **Machinery, tools and equipment.** (1) Instrument jewel bearings.

(2) Diamond dies smaller than .002 inches in diameter.

Metals and minerals. (1) Sales or deliveries of scrap metals to dealers in such materials purchasing for resale: *Provided*, (a) That the dealer certifies to the Government agency in his bid, quotation or otherwise that he is purchasing such materials for resale and that in reselling he will not exceed the applicable Office of Price Administration maximum prices, and

(b) That the selling officer has no reason to doubt the accuracy of the certificate.

(2) Block mica of strategic grades (i. e., block mica of a quality better than "heavy stained," as defined in Conservation Order No. M-101 issued by the War Production Board on March 6, 1942) and fabricated mica produced therefrom.

(3) Crude fluorspar ores.

(4) Blister copper.

(5) Lead bullion.

(6) Ores and ore concentrates other than chrome or manganese. The term "ores" means any mineral substances in a crude state used chiefly as a commercial source of metal contained therein. The term "or concentrates" means any ore after the removal of a part of the gangue, or a part of the non-metallic elements, by either a physical or chemical process.

(7) Electrotypes plates which are obsolete by reason of the time limitations of War Production Order M-99 or which may become obsolete within the definition of War Production Board Order M-99, and backing metal, composed of approximately 94% lead, 3% tin and 3% antimony obtained from these electrotypes plates, sold by purchasers of the electrotypes plates to the National Lead Company, acting as agent for the Metals Reserve Company.

(8) Pennsylvania anthracite when sold and delivered for use as a filter medium under the trade name "anthraflit."

(9) Optical grades of fluorspar.

(10) Domestic battery or chemical manganese ores.

(11) Domestic metallurgical manganese ores when sold to dealers purchasing for resale or to users or processors who use it in the production of spiegeleisen or ferromanganese containing less than 75% manganese or who charge it directly in the production of steel or in foundry operation.

(12) Domestic chrome ores when sold to dealers.

(13) Glass-grade kyanite.

(14) Scrap mica and unground mica schist.

Forest products, lumber and building materials. (1) Bark obtained from hemlock, oak, chestnut and spruce.

(2) The following natural forest products used by florists: ferns, leaves, foliage and boughs.

(3) Wood for naval stores.

(4) Saw and veneer mill wood wastes, when sold for use as raw materials in wood distillation, including but not limited to slabs, edgings, veneer log ends and cores, and ground wood.

(5) Any tree or plant, or part thereof, painted or unpainted, mounted or unmounted, which is used for decorative purposes during the Christmas season.

(6) Flat glass (all types).

(7) Glass blocks.

(8) Foamglas.

(9) Filtros plate.

(10) Mineral wool including fiberglas.

(11) Concrete products.

(12) Refractories and refractory cements.

(13) Mineral aggregates.

(14) Lightweight aggregates and slag.

(15) Dimension stone.

(16) Lime and limestone (except agricultural).

(17) Crude and calcined gypsum (except agricultural).

(18) Talc, pyrophyllite and soapstone.

(19) Plumbing specialties.

(20) Stokers. (Only those otherwise subject to Maximum Price Regulation 188).

(21) Heating specialties. (Only those otherwise subject to Maximum Price Regulation 188).

(22) Extended surface heating equipment.

(23) Automatic controls.

(24) Wood pipe.

Textiles, leather and apparel. (1) Wool skins (whether domestic or foreign)—i. e., the untanned skins of sheep or lambs, with the wool still on, other than shearings or wool skins which are sold for use as furs.

Consumer items

(1) Tie racks, shoe racks.

(2) Pin cushions.

(3) Shoe horns.

(4) Comforter grippers.

(5) Comb cleaners.

(6) Book ends, portable door stops, and paper weights.

(7) Reading racks.

(8) Mirror table plateaus.

(9) Beverage coasters.

(10) Dinner bells and chimes.

(11) Figurines and ornamental statuary.

(12) Wood carved figures and animals.

(13) Music boxes.

(14) Bird houses.

Miscellaneous. (1) Animals of any kind, whether wild or domestic and whether living or dead, other than those slaughtered for food purposes, but this exception does not extend to pelts, furs or other parts of animals.

(2) Stamps and coins.

(3) Precious stones and mountings into which precious stones are set. The term "precious stones" means any ruby, sapphire, emerald, natural pearl, or any diamond (other than an industrial diamond). Synthetic stones and cultured pearls shall not be deemed "precious stones".

(4) Antiques

(5) Knotted oriental rugs.

(6) Paintings, etchings, sculptures and other objects of art.

(7) Cattle warts.

(8) Domestic hog bristle, whether raw or dressed: *Provided*, That this exemption shall not apply to sales of dressed hog bristle to a manufacturer of brushes.

(9) Unginned Spanish moss.

(10) Vinyl acetate—vinyl chloride copolymer transcription records.

(11) Ammunition sold by Defense Supplies Corporation.

(12) Phonograph records sold by the recording laboratory of the Library of Congress.

(13) Temporary buildings sold apart from the land.

(14) Three dimensional sculptured or cast anatomical models (human, botanical, zoological) used for educational purposes.

(15) Floor-sweepings compounds.

(16) Sphagnum moss.

(17) Wrought iron fences.

(18) Wrought iron balustrades.

(19) Lightning rods.

(20) Weathervanes.

(21) Cast-iron cornices.

(22) Steel or iron brackets.

(23) Ornamental iron brackets.

(24) Architectural terra cotta.

(25) Changeable sign letters, and equipment for mounting such letters on theater marquees and in theater lobbies.

(26) Theater lobby display signs and transparencies, and equipment for mounting such signs and transparencies.

(27) Novelty pouring and measuring caps for liquor bottles.

APPENDIX B—DOLLARS AND CENTS MAXIMUM PRICES FOR SPECIFIED COMMODITIES

This appendix identifies commodities (either by listing the regulation to which they are subject, Part I, or by name, Part II) for which dollar-and-cents maximum prices have been established for one or more of various levels of sale (i. e. manufacturer or producer, wholesaler or jobber, or retailer). The maximum prices applicable to sales by Government agencies shall be determined by reference to the listed regulation as follows:

First, where the listed regulation establishes dollar-and-cents maximum prices for Government agencies by express reference to such agencies such maximum prices shall govern sales by the Government agency or agencies expressly covered.

Second, where the listed regulation does not establish dollar-and-cents maximum prices for Government agencies by express reference, the maximum prices governing sales by Government agencies shall be determined under the rules set forth in section 4 (a) of this order.

Third, where the listed regulation does not establish dollar-and-cents maximum prices or alternatively the Government agency wishes to sell at levels of sale (e.g. manufacturing, wholesale or retail) for which maximum prices are not established in the regulation, such maximum prices shall be determined under section 5 or section 7 of this supplementary order. For example, the listed regulation may establish dollar-and-cents prices only at the manufacturing level, whereas the Government agency may intend to sell either at wholesale or retail levels, or the Government agency may wish to sell at the producer level while the listed regulation has established dollar-and-cents maximum prices only at the wholesale or retail levels. In such cases, under section 5 it could sell at a price not to exceed acquisition or replacement cost; or alternatively under section 10 it could apply for a maximum price.

It will be found in the case of some of the listed regulations that while dollar-and-cents maximum prices are established therein which are applicable to the bulk of the sales of the commodity, the Government agency may wish to dispose of special categories of the commodity for which no dollar-and-cents maximum prices are established in the listed regulation. In such case, the selling agency may sell at a price not to exceed acquisition or replacement cost under section 5, or apply for a maximum price under section 10.

Part I—Regulations establishing dollar-and-cents maximum prices at one or more levels of sale for all or most of the commodities subject to the regulation. They are listed under the appropriate general commodity classification.

PAPER AND PAPER PRODUCTS				
Regulation No.	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
32	Paperboard.....	x		
114	Woodpulp.....	(1)	(1)	(1)
130	Newsprint.....	x	x	x
140	Sanitary napkins and tampons.....	x	x	x

¹All sellers.

PAPER AND PAPER PRODUCTS—continued

Regulation No.	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
182	Kraft wrapping papers and certain bag papers and certain bags.....	x	x	
257	Pulpwood produced in the States of Minnesota, Michigan, and Wisconsin.....	(1)	(1)	(1)
266	Certain tissue paper products.....	x	x	
307	Waxed papers.....	x		
344	New cotton linen and underwear cuttings.....	(1)	(1)	(1)
359	Certain converted paper products.....	x	x	
361	Pulpwood (produced in or sold into the States of Maine, Vermont, New Hampshire, and New York).....	(1)	(1)	(1)
369	Dry roofing and flooring felts.....	x		
387	Pulpwood produced in the States of South Carolina, Georgia, Florida, Tennessee, Mississippi, Alabama, and Louisiana East of the Mississippi River.....	(1)	(1)	(1)
410	Pulpwood—Southwestern.....	(1)	(1)	(1)
433	Pulpwood—North Carolina.....	(1)	(1)	(1)
437	Pulpwood—Eastern Virginia.....	(1)	(1)	(1)
449	Groundwood—specialty papers.....	x		
450	Writing paper.....	x		
451	Book paper.....	x		
459	Gummed Kraft sealing tape.....	x		
464	Pulpwood—Appalachian.....	(1)	(1)	(1)
530	Imported Canadian pulpwood.....	x		
567	Glassine papers and greaseproof papers.....	x		

CHEMICALS, DRUGS, AND PAINTS

21	Formaldehyde.....	(1)	(1)	(1)
28	Ethyl alcohol (excluding West Coast ethyl alcohol).....	x	x	
31	Acetic acid.....	(1)	(1)	(1)
34	Wood alcohol.....	(1)	(1)	(1)
36	Acetone.....	(1)	(1)	(1)
37	Butyl alcohol and esters thereof.....	(1)	(1)	(1)
38	Glycerine.....	(1)	(1)	(1)
68	Hide glue stock.....	(1)	(1)	(1)
75	Hide glue.....	(1)	(1)	(1)
78	Oxalic acid.....	(1)	(1)	(1)
80	Lithopone.....	(1)	(1)	(1)
98	Titanium pigments.....	(1)	(1)	(1)
191	Cotton linters and hull fibers.....	(1)	(1)	(1)
203	Vitamin A natural oils and concentrates.....	(1)	(1)	(1)
24	Salac.....	(1)	(1)	(1)
275	Quina and totuquina products.....	x	x	x
295	West Coast ethyl alcohol.....	x	x	
297	Natural resins.....	(1)	(1)	(1)
352	Chestnut extract.....	x	x	
353	Certain fine chemicals.....	x	x	
383	Certain sales of prairie bones.....	(1)	(1)	(1)
431	Charcoal.....	x		
446	Pine tar and pine tar oil.....	x		
472	Certain essential oils.....	x		
474	Lanolin.....	x		
519	Thermosetting plastic laminates.....	x		
543	Certain barium chemicals.....	x		
563	Wet gelatin raw stock.....	x		
575	Primary chromium chemicals.....	(1)	(1)	(1)
597	Ordinary channel black.....	x		

RUBBER AND RUBBER PRODUCTS

119	Original equipment tires and tubes.....	(1)	(1)	(1)
132	Rubber and canvas footwear.....	x		
143	New tires and tubes.....	x		
260	Rubber heels in shoe repair trade.....	x	x	x
224	Rubber and canvas footwear.....	x	x	x
300	Rubber drug sundries.....	x		
301	Rubber drug sundries.....	x		
415	Federal purchases of tires and tubes.....	(1)	(1)	(1)
435	Bicycle tires and tubes.....	x	x	x
477	Rubber heels and soles in shoe factory and home replacement trade.....	x	x	x
528	New tires and tubes.....	x		

¹All sellers.

FUEL, PETROLEUM PRODUCTS AND OTHER OILS

Regulation No.	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
42	Paraffin wax.....	(1)	(1)	(1)
88	Fuel oil, gasoline and liquefied petroleum gas.....	(1)	(1)	(1)
323	Asphalt and asphalt products.....	(1)	(1)	(1)
510	Lubricating oils, greases, and certain other petroleum products.....	(1)	(1)	(1)

MACHINERY, TOOLS AND EQUIPMENT

82	Wire and cable.....	x	x	x
85	New passenger automobiles.....	x	x	x

METALS AND MINERALS

1. Iron and Steel

10	Pig iron.....	(1)	(1)	(1)
29	By-product coke.....	(1)	(1)	(1)
41	Steel castings.....	x		
49	Resale of iron and steel products. (See Appendix H for sales of excess material).....	(1)	(1)	(1)
77	Beehive oven coke.....	(1)	(1)	(1)
113	Iron ore.....	(1)	(1)	(1)
159	Fabricated concrete reinforcing bars.....	(1)	(1)	(1)
214	High alloy castings.....	x		
235	Manganese steel castings and manganese steel castings products.....	(1)	(1)	(1)
350	Packers' tin cans.....	x		

2. Nonferrous Metals

15	Copper.....	(1)	(1)	(1)
17	Tin.....	(1)	(1)	(1)
69	Primary lead.....	x	x	
71	Primary and secondary cadmium.....	(1)	(1)	(1)
81	Primary slab zinc.....	x	x	
124	Rolled zinc products.....	x		
126	Fluorspar.....	(1)	(1)	(1)
138	Ferromanganese and manganese alloys and metals.....	(1)	(1)	(1)
166	Zinc oxides.....	x		
198	Silver.....	(1)	(1)	(1)
202	Brass and bronze alloy ingot and shot.....	(1)	(1)	(1)
248	Manganese ores.....	(1)	(1)	(1)
258	Chrome ores.....	(1)	(1)	(1)
405	Ferrosilicon and silicon metal.....	(1)	(1)	(1)
407	Ferrochromium and chromium metal.....	(1)	(1)	(1)
489	Tungsten, molybdenum, vanadium, cobalt, etc.....	(1)	(1)	(1)
497	Antimony metal.....	(1)	(1)	(1)

FOREST PRODUCTS, LUMBER AND BUILDING MATERIALS

1. Lumber

44	Douglas fir doors.....	x		
161	West Coast logs.....	(1)	(1)	(1)
176	Rotary cut southern hardwood box lumber.....	(1)	(1)	(1)
186	Western wooden agricultural containers.....	x	x	x
216	Eastern primary forest products.....	x	x	x
281	Navy oak, ship stock.....	x	x	x
293	Stock millwork.....	x		
320	Eastern and central wooden agricultural containers.....	x	x	x
324	Fence posts.....	x	x	x
338	Aircraft and No. 1 sheet stock veneer.....	(1)	(1)	(1)
342	Nail kegs and nail keg staves and headings.....	(1)	(1)	(1)
348	Aromatic red cedar logs.....	x	x	
381	Stock screen goods.....	x	x	x
424	Tight cooperage stock and sawed tight cooperage.....	x	x	x
432	Northern hardwood flooring.....	(1)	(1)	(1)

¹All sellers.

FOREST PRODUCTS, LUMBER AND BUILDING MATERIALS—continued

1. Lumber—Continued

Regulation No.	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
458	Oak, pecan and miscellaneous hardwood flooring	(1)	(1)	(1)
460	Western timber	(1)	(1)	(1)
481	Knife-cut slack staves, slack heading and slack cooperage	x		
483	"General manager type" grain doors and temporary coal doors for box cars	(1)	(1)	(1)
491	Pressure preservative treatment for forest products	x		
520	West Coast cooperage	(1)	(1)	(1)
525	Jobbers sales of stock millwork		x	
533-1	Central logs	(1)	(1)	(1)
533-2	Lake States logs	(1)	(1)	(1)
533-3	Appalachian logs	(1)	(1)	(1)
533-4	Southern logs	(1)	(1)	(1)
533-5	Northeastern logs	(1)	(1)	(1)
533-6	Florida logs	(1)	(1)	(1)
534-1	Black walnut logs	(1)	(1)	(1)
534-2	Hickory and ash logs and other specialty woods	(1)	(1)	(1)
535-1	Insulation and felt cordwood and related products	(1)	(1)	(1)
535-2	Lake States cordwood	(1)	(1)	(1)
535-3	Excelsior wood	(1)	(1)	(1)
535-4	New England cordwood	(1)	(1)	(1)
535-5	Chestnut cordwood	(1)	(1)	(1)
535-6	Stave and heading bolts	(1)	(1)	(1)
535-7	Chemical cordwood	(1)	(1)	(1)
536	Western fence posts	(1)	(1)	(1)
538	Commercial veneer	(1)	(1)	(1)
539	Custom milling and kiln drying of western softwoods	x		
554	Red cedar poles and piling	(1)	(1)	(1)
555	Western poles and piling	(1)	(1)	(1)
556	Western railroad ties and wooden mine materials	(1)	(1)	(1)
558	Wooden mine materials and industrial blocking	(1)	(1)	(1)
559	Eastern poles and piling	(1)	(1)	(1)
560	Cedar poles and piling	(1)	(1)	(1)
568	Hardwood plywood	(1)	(1)	(1)
589	Douglas fir millwork	x		
601	Softwood mouldings	x	x	x
603	Surplus lumber	x	x	

2. Building Materials

45	Asphalt or tarred roofing products	x		
100	Cast iron soil pipe and fittings	x	x	
206	Vitrified clay sewer pipe and allied products	x	x	x
236	Special combination conversion grate units			x
272	Cast-iron boilers and cast-iron radiation (for radiation only)	x	x	x
317	Locks and lock sets	x	x	
413	Hinges and butt hinges	x	x	

TEXTILES, LEATHER AND APPAREL

7	Combed cotton yarns	x	x	
9	Hides, kips and calfskins	(1)	(1)	(1)
11	Fine cotton goods	x		
18	Burlap	(1)	(1)	(1)
23	Rayon grey goods	x	x	x
24	Washed cattle tail hair and winter hog hair	(1)	(1)	(1)
33	Carded cotton yarns and the processing thereof	x	x	

All sellers.

TEXTILES, LEATHER AND APPAREL—continued

Regulation No.	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
35	Carded gray and colored yarn-cotton goods	x		
58	Wool and wool tops and yarns	(1)	(1)	(1)
59	Kapok	(1)	(1)	(1)
89	Bed linens	x		
90	Rayon waste	x		
95	Women's nylon hosiery	x	x	x
106	Domestic shorn wool	(1)	(1)	(1)
118	Cotton products	x		
141	Raw shearlings	(1)	(1)	(1)
167	Rayon yarn and staple fiber	x	x	
168	Converted rayon yarn and converting charges	x		
208	Staple work clothing (War models of men's bib overalls, jackets and dungarees, and boys' "30 yard" minimum bib overalls)	x	x	x
274	Women's silk hosiery	x	x	x
304	Specified utility shirts	x	x	x
325	Rayon tops and noils	x	x	
339	Women's rayon hosiery	x	x	x
340	Jute and istle yarn, rove and rope	(1)	(1)	(1)
357	India tanned goatskins and sheepskin	(1)	(1)	(1)
360	Binder twine	(1)	(1)	(1)
385	Specified military uniforms	x	x	x
420	Hardwood heel blocks and finished hardwood heels and wood shanks	x		
468	Broomcorn	(1)	(1)	(1)
504	Cotton hooked rug materials	(1)	(1)	(1)
506	Maximum prices for staple work gloves	x	x	x
508	Rayon knit fabrics and the knitting thereof	x	x	
541	Raw dressed and dressed and dyed furs and peltries	(1)	(1)	(1)
553	Rabbit skins from Australia and New Zealand	x	x	
578	Certain garments produced with WPB priorities		x	x

CONSUMER DURABLE GOODS AND MISCELLANEOUS

86	New domestic washing machines and ironers			x
111	New household vacuum cleaners and attachments	x	x	x
213	Coil and flat bedsprings	x		
318	Feathers and down	(1)	(1)	(1)
365	Wood matches and resale book matches	x	x	x
499	Imported watches		x	x
564	Fountain pens and mechanical pencils		x	x
576	Dry batteries		x	x
584	Feather filled pillows and upholstery cushion innercasing	x	x	x
598	Postwar household mechanical refrigerators	x	x	x

All sellers.

[Part I table amended by Am. 2, 9 F.R. 13287, effective 11-13-44; Am. 3, 10 F.R. 116, effective 1-8-45; Am. 4, 10 F.R. 3552, effective 4-5-45; Am. 6, 10 F.R. 10121, effective 8-21-45; Am. 7, 10 F.R. 14732, effective 12-3-45 and Am. 8, effective 2-6-46]

Part II.—Other commodities for which dollar-and-cents prices are established at one or more levels of sale.

TEXTILES AND LEATHER

Commodity	Regulation No.	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
Imported pickled sheepskin	145	(1)	(1)	(1)
Cured deer and elk skins	14E sec. 3.4	x	x	
Coffee urn bags	14E sec. 2.4	x		
Cured hogskins and pigskins	14E sec. 3.5	x	x	
Tanned, colored and glazed alligator and crocodile skins	14E sec. 3.8	(1)	(1)	(1)

CHEMICALS, DRUGS AND PAINTS

Shellac varnish	14F sec. 3	(1)	(1)	(1)
Superphosphate	14 sec. 1.4	x		
Defluorinated phosphate	14 sec. 1.5	x	x	x
Synthetic propionic acid	14F sec. 6	x		
Guanidine carbonate	14F sec. 7	x		
"War Grade" iron-free aluminum sulphate	14F sec. 8	x		
Potassium chlorate	14F sec. 9	x		
Linseed replacement oil	14 F sec. 10	x		
Furfural	14 F sec. 13	x		
Boiled-down cottonseed oil soap stock	14 F sec. 17	(1)	(1)	(1)
Powdered and granular castile soap, U. S. P. X.	14 F sec. 19	x		
Steam distilled turpentine dipentene	14 F sec. 25	x		
Carbon tetrachloride and blends with petroleum fractions and other chlorinated hydrocarbons	79	(1)	(1)	(1)
Mixed fertilizers and fertilizer materials	135			x
Standard and substandard antifreeze of types N.S. and C.	170	x	x	
Natural pine oil, alpha terpineol, synthetic pine oil, synthetic alpha terpineol, and light gravity pine oil	170	(1)	(1)	(1)
Dry colors	180	(1)	(1)	(1)
Imported coal tar acids, both finished and crude	192	(1)	(1)	(1)
Fertilizer raw materials	205	x		
Phosphate rock	240	x		
Rotenone and pyrethrum	298	x	x	x
Arsenical insecticides	315	x		
Copper sulphate	354	x	x	x
Listed brands of bar or cake toilet soaps, bar laundry soaps, cleansers, and scouring powders, washing powders	391	x	x	

All sellers.

RUBBER AND RUBBER PRODUCTS

Commodity	Regulation No.	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
Red tube reclaimed rubber.	56	(1)	(1)	(1)
Camelback, and tire and tube repair materials, cushion stock, tire cord, certain cements, certain liners, patches and boots.	131	x	x	
Rubber horseshoe pads manufactured by Dryden Rubber Company.	149	x		
Certain mechanical rubber goods of synthetic rubber.	149	x		
Army reject raincoats.	220	x	x	
Sandblast stencils.	220	x	x	
New tires and tubes.	528			x

METALS

Antimony metal.	497	x	x	
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MISCELLANEOUS

Remington "Envoy" portable typewriter; sales to consumers.	143 sec. 1.1	(1)	(1)	(1)
Ammunition.	143 sec. 3.4		x	x
Dogwood and persimmon shuttle blocks.	14 sec. 3.2	(1)	(1)	(1)
Hand-hooked cottage rugs.	143 sec. 5.2	(1)	(1)	(1)
Pine wood excelsior produced in Virginia.	14 sec. 3.3	x	x	
Lumberman's overs.	14 sec. 2.4	(1)	(1)	(1)
Gilded Spanish moss.	14 sec. 3.10	(1)	(1)	(1)
Radio tubes.	14 sec. 3.3		x	x
New metal cots and double deck beds.	Order No. 1470 under 188.	x		
Upholstered sofa beds, studio couches, and other upholstered dual purpose sleeping equipment.	Order No. 1509 under 188.	x		
Inner-constructions for sofa beds, studio couches and other upholstered dual purpose sleeping equipment.	Order No. 1849 under 188.			

¹ All sellers.

[Part II table amended by Am. 8, effective 2-6-46]

APPENDIX C—REGULATIONS ESTABLISHING DOLLAR-AND-CENTS' MAXIMUM PRICES BY REFERENCE TO PRICE LISTS

The following regulations establish dollar-and-cents maximum prices by incorporating specific price lists by reference. The maximum price can, for the most part, be ascertained only by using the regulation in conjunction with the price list specifically referred to therein.

When a Government agency sells a commodity covered by any of the regulations listed in this Appendix C, its maximum price is the net list price, if any, expressly specified in the applicable price regulation as applying to sales by Government agencies. But if no such provision for sales by Government agencies is made in the regulation, then the maximum price for the sale is the manufacturer's, producer's or proc-

essor's net price to wholesalers or jobbers, which means list price, adjusted for all applicable extra charges, discounts, or allowances, for sales to manufacturers, processors, wholesalers or jobbers.

Regulation number Short title

- 41----- Steel Castings and Railroad Specialties.
- 49----- Resale of Iron or Steel Products.
- 147----- Bolts, Nuts, Screws, and Rivets.
- 254----- New Small Firearms and Firearms Parts.
- 263----- New Phonograph Records and Record Scrap.
- 272----- Cast-Iron Boilers and Radiation (for boilers only).

[Designations "Revised Price Schedule" and "Maximum Price Regulation" deleted by Am. 8, effective 2-6-46]

APPENDIX D—REGULATIONS WHICH ESTABLISH MAXIMUM PRICES FOR USED COMMODITIES

Part I—Regulations establishing dollar-and-cents maximum prices at one or more levels of sale.

Regulation No.	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
1	Second-hand machine tools.	(1)	(1)	(1)
43	Used steel drums.	(1)	(1)	(1)
46	Relaying rails, relaying girders rails and used track accessories.	x	x	
49	Resale of iron and steel products. (See Appendix H for sales of excess material).	(1)	(1)	(1)
55	Second-hand bags.	(1)	(1)	(1)
Gen. Order 61	Used lumber.	(1)	(1)	(1)
117	Used egg cases and used component parts.	x	x	x
139	Used household mechanical refrigerators.	(1)	(1)	(1)
162	Celling prices for the sale and rental of used typewriters.	x	x	
230	Reusable iron and steel pipe and used structural pipe.	(1)	(1)	(1)
294	Used household vacuum cleaners and attachments for used household vacuum cleaners.	x	x	
310	Reusable structural steel shapes and plates and shafting.	(1)	(1)	(1)
341	Maximum price for used commercial motor vehicles.	x	x	
372	Used domestic washing machines.	(1)	(1)	(1)
375	Used industrial sewing machines.	(1)	(1)	(1)
380	Used metal coil and flat bed-springs.	x	x	
411	Reusable steel storage tanks (field assembled).	(1)	(1)	(1)
434	Used fruit and vegetable containers.	x	x	x
465	Used pressure vessels.	(1)	(1)	(1)
524	Used tight cooperage.	x	x	x
516	Used photographic equipment.	(1)	(1)	(1)
527	Used domestic gas cooking ranges.	x	x	x
528	Used tires and tubes.	(1)	(1)	(1)
528	Recapped tires.	x	x	
528	Certain repair materials.	x	x	
529	Second-hand paperboard—shipping containers.	(1)	(1)	(1)
540	Maximum prices for used passenger automobiles.	x	x	x
546	Used and reconditioned plumbing and heating equipment.	x	x	
569	Used motorcycles.	(1)	(1)	(1)
593	Used stock cooperage.	x	x	x
596	Used business machines.	(1)	(1)	(1)

¹ All sellers.

[Part I table amended by Am. 3, 10 F.R. 116, effective 1-8-45; Am. 6, 10 F.R. 10121, effective 8-21-45 and Am. 8, effective 2-6-46]

PART II.—Regulations which establish maximum prices for used commodities by formula.

The following regulations provide a formula by which Government selling agencies may calculate maximum prices for used commodities. In accordance with the terms of section 8 of this supplementary order, a Government selling agency may avail itself of the method set forth in the applicable one of the following regulations for the purpose of determining maximum prices for used items.

Regulation number	Short title
14 K Sec. 13.1	Second-hand fractional horsepower electric motors.
133	Retail prices for farm equipment.
136	Machines and parts and machinery services.
429	Celling prices for certain used consumer durable goods.
453	Wholesalers' and retailers' prices for automotive parts.

[Part II amended by Am. 2, 9 F.R. 13287, effective 11-13-44; Am. 4, 10 F.R. 3552, effective 4-5-45 and Am. 8, effective 2-6-46]

APPENDIX E—REGULATIONS WHICH ESTABLISH MAXIMUM PRICES FOR SCRAP

Regulations establishing dollar-and-cents maximum prices at one or more levels.

Regulation No.	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
3	Zinc scrap and secondary zinc.	(1)	(1)	(1)
4	Iron and steel scrap.	(1)	(1)	(1)
12	Brass mill scrap.	(1)	(1)	(1)
20	Copper scrap and copper alloy scrap.	(1)	(1)	(1)
30	Wastepaper.	(1)	(1)	(1)
47	Waste rags, waste ropes and waste strings.	(1)	(1)	(1)
70	Lead scrap materials, etc.	(1)	(1)	(1)
87	Scrap rubber.	(1)	(1)	(1)
115	Silk waste.	(1)	(1)	(1)
123	Raw wool waste materials.	(1)	(1)	(1)
171	Film scrap.	(1)	(1)	(1)
198	Silver.	(1)	(1)	(1)
345	Thermoplastic scrap.	(1)	(1)	(1)

¹ All sellers.

[Table amended by Am. 8, effective 2-6-46]

This Supplementary Order No. 94 shall become effective September 1, 1944. [Supplementary Order 94 originally issued August 2, 1944]

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

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

Issued this 1st day of February 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1895; Filed, Feb. 1, 1946; 11:35 a. m.]

PART 1305—ADMINISTRATION

[SO 110, Amdt. 5]

MANUFACTURER'S MAXIMUM AVERAGE PRICE FOR GREY AND CERTAIN FINISHED RAYON AND OTHER SYNTHETIC WOVEN FABRICS

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.

Supplementary Order No. 110 is amended in the following respect:

1. Paragraph (c) of section 6 is amended to read as follows:

(c) *Make-up rule to be observed by manufacturer having net surcharge at end of each of two consecutive quarters.* Any manufacturer who incurs a net surcharge at the end of two consecutive quarters shall not after February 28, 1946, deliver fabrics subject to this order at a gross price per yard above his maximum average price until he has "made-up" the net surcharge existing at the end of the second such quarter.

This amendment shall become effective February 1, 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1866; Filed, Jan. 31, 1946; 4:29 p. m.]

PART 1305—ADMINISTRATION

[Rev. Gen. RO 5, Amdt. 1]

FOOD RATIONING FOR INSTITUTIONAL USERS

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

A new section 7.9 is added to read as follows:

SEC. 7.9 *Allotments for Group IV users who formerly received special allotments for feeding heavy workers and isolated workers.* (a) Group IV institutional users who prior to January 1, 1946 were eligible for special allotments for feeding heavy workers and isolated workers under the former provisions of this order, shall on and after January 1, 1946, be granted allotments in the way described in section 7.6, except that the base month shall be December 1945. Such users shall on and after January 1, 1946 apply for allotments during the times stated and in the way described in section 5.3.

(b) The District Office shall, on and after January 1, 1946, compute a meal service base for each such user in the following way:

(1) Divide the number of meals served in November-December 1945 by 2;

(2) Multiply the figure obtained in (1) by the allowance per person, depending on the baking percentage reported for that period;

(3) The result is his meal service base.

(c) The allotment for each such user for the January-February 1946 period shall be twice his meal service base. The allotment for each such user for allot-

ment periods after January-February 1946 shall be computed in the same way as described in section 7.6.

(d) (1) A Group IV user under this section, may, on and after January 1, 1946, apply for a refreshment base under section 12.3 in the way described in that section. If he meets the tests set forth in that section, the District Office shall compute a refreshment base as follows:

(i) Divide the number of refreshment services in November-December 1945 by 2;

(ii) Multiply the figure obtained in (i) by .015;

(iii) The result is the refreshment base.

(2) A Group IV user who obtains a refreshment base in the way described in (1) above shall have his refreshment allotment determined in the way described in section 7.6 (b).

This amendment shall become effective February 5, 1946.

Issued this 1st day of February 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1886; Filed, Feb. 1, 1946; 11:37 a. m.]

PART 1340—FUEL

[MPR 189, Amdt. 32]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

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. 189 is amended in the following respect:

Section 1340.313 (h) (5) (i) is amended by deleting the numeral "40" and inserting in lieu thereof the numeral "50".

This amendment shall become effective February 6, 1946.

Issued this 1st day of February 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1890; Filed, Feb. 1, 1946; 11:35 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RPS 32, Amdt. 25]

PAPERBOARD SOLD EAST OF THE ROCKY MTS.

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

Revised Price Schedule 32 is amended in the following respects:

1. The pricing table in paragraph (a) of § 1347.61 Appendix A, is amended to read as follows:

¹ 9 F.R. 3331, 5482, 7261, 8061, 9616, 11504, 13056; 10 F.R. 619, 1546, 6228, 9108, 12262, 12445, 12989.

¹¹ F.R. 116.

	Maximum price per ton ¹		
	1 to 3 tons	Over 3 less 10 tons	10 tons or over
Plain chip.....	\$59.00	\$56.50	\$54.00
News vat lined chip.....	59.00	56.50	54.00
Filled news.....	59.00	56.50	54.00
Solid news.....	61.00	56.50	56.00
White vat lined chip.....	71.00	68.50	66.00
Mounting board.....	59.00	56.50	54.00
Chip tube and can stock.....	61.00	58.50	56.00
Special ammunition chip tube stock (as specified in War Department specification No. AXS-1126).....	64.50	62.00	59.50
Special high test ammunition chip stock (as specified in War Department specification No. AXS-1156).....	68.50	66.00	63.50
Greyback gypsum linerboard (filled news or news vat lined) hard sized, f. o. b. mill ²	62.00	62.00	62.00
Gypsum lathboard (filled news or news vat lined) hard sized, f. o. b. mill ²	59.50	59.50	59.50

¹ See paragraph (e) for exceptions to quantity differentials.

² No differentials for bending or sizing may be added to the listed maximum prices in the pricing table.

2. The pricing table in paragraph (b) of § 1347.61, Appendix A, is amended to read as follows:

	Maximum price per ton ¹		
	1 to 3 tons	Over 3 less 10 tons	10 tons or over
Single manila lined chip.....	\$70.00	\$67.50	\$65.00
Single jute lined chip.....	70.00	67.50	65.00
Mist gray lined chip.....	70.00	67.50	65.00
Bleached manila lined chip.....	72.50	70.00	67.50
Semi-bending and creasing chip.....	61.00	58.50	56.00
Full-bending chip.....	63.50	61.00	58.50
Bomb band stock (as specified in War Department specifications No. 50-84-5).....	78.00	78.00	78.00
Tropical filler stock (as specified in British Supply Commission Specifications No. 23739).....	78.00	78.00	78.00
Cream faced gypsum linerboard (single manila lined) hard sized, f. o. b. mill ²	71.00	71.00	71.00

¹ See paragraph (e) for exceptions to quantity differentials.

² No differentials for bending or sizing may be added to the listed maximum prices in the pricing table.

3. The pricing table in paragraph (c) of § 1347.61 Appendix A is amended to read as follows:

	Maximum price per ton ¹		
	1 to 3 tons	Over 3 less 10 tons	10 tons or over
Gage list No. 6:			
#1 single white 0.020 and heavier.....	\$84.00	\$81.50	\$79.00
#1 single white 0.018.....	86.50	84.00	81.50
#1 single white 0.016.....	89.00	86.50	84.00
#1 single white 0.015.....	91.50	89.00	86.50
#1 single white 0.014.....	94.00	91.50	89.00
Gage list No. 7:			
#1 double white 0.020 and heavier.....	106.50	104.00	101.50
#1 double white 0.018.....	111.50	109.00	106.50
#1 double white 0.016.....	116.50	114.00	111.50
#1 double white 0.015.....	119.00	116.50	114.00
#1 double white 0.014.....	121.50	119.00	116.50

¹ See paragraph (e) for exceptions to quantity differentials.

This amendment shall become effective February 1, 1946.

Issued this 1st day of February 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1889; Filed, Feb. 1, 1946;
11:35 a. m.]

Schedule No.	Species	Item No.	Style of dressing	Size	I	II	III	IV	V
28	Sea Bass, white....	1	Round.....	All	18½	19½	20	21½	23½
		2	Drawn.....	All	21½	22½	23½	24½	26½
		3	Dressed.....	All	23½	24½	25½	27	29
		4	Dressed, collars off.....	All	27½	28½	29½	31	33½
		5	Steaks.....	All	30½	31½	32½	34	36½
		6	Fillets, skins on.....	All	41	42	44	46	49
		7	Fillets, skinless.....	All	47½	48½	50½	52½	56

This amendment shall become effective February 6, 1946.

Issued this 1st day of February 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1894; Filed, Feb. 1, 1946;
11:36 a. m.]

PART 1375—EXPORT PRICES

[2d Rev. MEPR, Amdt. 23]

WHEAT

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

Section 8.4 is added to read as follows:

SEC. 8.4 *Maximum export prices for wheat*—(a) *Scope of section.* This section establishes a specific formula for computing the maximum price of wheat applicable on sales to purchasers located outside continental United States, except to purchasers for shipment to Canada, or to purchasing missions of foreign governments. It supersedes sections 3 and 4 of this Regulation and establishes definite export premiums and the expense allowances for adding to definite base prices on sales for export established under Revised Maximum Price Regulation 487.

(c) *Computation formula.* The maximum export price for export sales of wheat (except as provided in paragraph (c)) by any person to purchasers located outside continental United States or to purchasing missions of a foreign government, except to purchasers for shipment to Canada, shall be computed as follows:

(1) Take the base price per bushel of wheat on sales for export at any port of export as provided in section 4.7 of the Revised Maximum Price Regulation 487.

(2) (i) Add 2 cents per bushel delivered to ocean carrier's hold;

(ii) Add ¾ cents per bushel for costs incurred in placing the wheat at ship-side, which shall include inspection and weighing, mixing, supervision, rail shortage, forwarding commission, insurance, out-turn insurance and interest;

(iii) Add costs actually incurred in transferring wheat from port storage to the hold of the ocean carrier;

(iv) Add the difference in the cost, if higher, between the cost of double sacks and sacking permitted in section 5.1 (d) of Revised Maximum Price Regulation 487.

(v) Add any amount actually paid or to be paid as commission to a foreign agent when making a direct export sale to a purchaser located outside continental United States, *Provided, however,*

That no amount added for this purpose shall exceed 1½ cents per bushel.

(vi) Subtract the amount of any export subsidy paid by the United States government in connection with the wheat being priced.

(c) This section shall not apply to deliveries made pursuant to contracts for sale of wheat entered into prior to February 1, 1946, *Provided,* Such deliveries are completed within 120 days after that date.

This amendment shall become effective February 6, 1946.

Issued this 1st day of February 1946.

CHESTER BOWLES,
Administrator.

Approved: January 23, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-1887; Filed, Feb. 1, 1946;
11:36 a. m.]

PART 1389—APPAREL

[RMPR 208, Amdt. 10]

MAXIMUM PRICES FOR STAPLE WORK CLOTHING

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

Revised Maximum Price Regulation 208 is amended in the following respects:

1. A sentence is added at the end of paragraph (b) (1) of Appendix B to read as follows:

If, in Table II, a particular weight of specified body material is not listed, the adjustment applicable to such weight of material is the adjustment listed in the proper column for the nearest weight of the same body material (for example, the adjustment applicable for 3.30 mill finish shirting chambray is the adjustment listed for 3.20 mill finish shirting chambray).

2. Additional lines of figures are added at the end of Table I of Appendix C to read as follows:

Column 1	Col-umn 2	Col-umn 3	Col-umn 4	Col-umn 5
\$13.56-\$13.63+	16.60	1.59	1.62	1.63
\$13.64-\$13.71+	16.70	1.60	1.63	1.64
\$13.72-\$13.79+	16.80	1.61	1.64	1.65
\$13.80-\$13.87+	16.90	1.62	1.65	1.66
\$13.88-\$13.95+	17.00	1.63	1.66	1.67
\$13.96-\$14.03+	17.10	1.64	1.67	1.68
\$14.04-\$14.11+	17.20	1.65	1.68	1.69
\$14.12-\$14.19+	17.30	1.66	1.69	1.70
\$14.20-\$14.27+	17.40	1.67	1.70	1.71
\$14.28-\$14.35+	17.50	1.68	1.71	1.72
\$14.36-\$14.43+	17.60	1.69	1.72	1.73
\$14.44-\$14.51+	17.70	1.70	1.73	1.74
\$14.52-\$14.59+	17.80	1.71	1.74	1.75
\$14.60-\$14.67+	17.90	1.72	1.75	1.76
\$14.68-\$14.75+	18.00	1.73	1.76	1.77

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

[MPR 579, Amdt. 16]

CERTAIN SPECIES OF FRESH AND FROZEN FISH AND SEAFOOD

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. 579 is amended in the following respects:

1. Section 3.11 (h) is amended to read as follows:

(h) *Mileage allowance.* Any wholesaler of frozen fish or any inland warehouse of a primary processor qualifying under section 3.3 (e) may add to his table price for sales to retailers and purveyors of meals 25 percent of the carload freight charge from Boston to his receiving point.

2. Section 5.11 (h) is amended to read as follows:

(h) *Mileage allowance.* Any wholesaler of frozen fish or any inland warehouse of a primary processor qualifying under section 5.3 (e) may add to his table price for sales to retailers and purveyors of meals 25 percent of the carload freight charge to his receiving point from Seattle or Astoria, whichever is least.

3. In section 10.1 (d), Table IIB, Schedule No. 28 is amended to read as follows:

¹ 10 F.R. 1505, 2024, 2297, 3814, 5370, 5577, 6235, 6514, 7251, 8015, 8656, 9272, 9283, 9430, 11303, 12264, 12265, 12810, 12992, 13073, 13593, 14146, 14447.

3. Additional lines of figures are added at the end of Table III of Appendix C to read as follows:

Column 1	Column 2	Column 3	Column 4	Column 5
\$18.17-\$18.24	\$21.10	\$1.81	\$2.02	\$2.02
\$18.25-\$18.33	21.20	1.82	2.03	2.03
\$18.34-\$18.41	21.30	1.82	2.04	2.04
\$18.42-\$18.50	21.40	1.83	2.05	2.05
\$18.51-\$18.58	21.50	1.84	2.05	2.05
\$18.59-\$18.67	21.60	1.85	2.05	2.05
\$18.68-\$18.75	21.70	1.85	2.07	2.07
\$18.76-\$18.84	21.80	1.86	2.08	2.08
\$18.85-\$18.92	21.90	1.87	2.09	2.09
\$18.93-\$19.01	22.00	1.88	2.10	2.10
\$19.02-\$19.09	22.10	1.89	2.11	2.11
\$19.10-\$19.18	22.20	1.90	2.12	2.12
\$19.19-\$19.26	22.30	1.91	2.13	2.13
\$19.27-\$19.35	22.40	1.92	2.14	2.14
\$19.36-\$19.43	22.50	1.93	2.15	2.15
\$19.44-\$19.52	22.60	1.94	2.16	2.16
\$19.53-\$19.60	22.70	1.95	2.17	2.17
\$19.61-\$19.69	22.80	1.96	2.18	2.18
\$19.70-\$19.77	22.90	1.96	2.19	2.19
\$19.78-\$19.86	23.00	1.97	2.20	2.20
\$19.87-\$19.94	23.10	1.98	2.21	2.21
\$19.95-\$20.03	23.20	1.99	2.22	2.22
\$20.04-\$20.11	23.30	2.00	2.23	2.23
\$20.12-\$20.20	23.40	2.01	2.24	2.24
\$20.21-\$20.28	23.50	2.02	2.25	2.25
\$20.29-\$20.37	23.60	2.02	2.26	2.26

4. Additional lines of figures are added at the end of Table IV of Appendix C to read as follows:

Column 1	Column 2	Column 3	Column 4	Column 5
\$16.93-\$17.01	\$20.10	\$1.76	\$1.93	\$1.97
\$17.02-\$17.09	20.20	1.77	1.94	1.98
\$17.10-\$17.18	20.30	1.78	1.95	1.99
\$17.19-\$17.26	20.40	1.79	1.96	2.00
\$17.27-\$17.35	20.50	1.80	1.97	2.01
\$17.36-\$17.43	20.60	1.81	1.98	2.02
\$17.44-\$17.52	20.70	1.82	1.99	2.03
\$17.53-\$17.60	20.80	1.83	2.00	2.04
\$17.61-\$17.69	20.90	1.84	2.01	2.05
\$17.70-\$17.77	21.00	1.85	2.02	2.06
\$17.78-\$17.85	21.10	1.86	2.03	2.07
\$17.86-\$17.93	21.20	1.87	2.04	2.08
\$17.94-\$18.01	21.30	1.88	2.05	2.09
\$18.02-\$18.09	21.40	1.89	2.06	2.10
\$18.10-\$18.17	21.50	1.90	2.07	2.11
\$18.18-\$18.25	21.60	1.90	2.08	2.12
\$18.26-\$18.33	21.70	1.91	2.09	2.13
\$18.34-\$18.41	21.80	1.92	2.10	2.14
\$18.42-\$18.49	21.90	1.93	2.11	2.15
\$18.50-\$18.57	22.00	1.94	2.12	2.16
\$18.58-\$18.65	22.10	1.95	2.13	2.17
\$18.66-\$18.73	22.20	1.96	2.14	2.18
\$18.74-\$18.81	22.30	1.97	2.15	2.19

This amendment shall become effective February 6, 1946.

Issued this 1st day of February 1946.

JAMES J. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 46-1891; Filed, Feb. 1, 1946; 11:35 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

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

SUGAR

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

Section 19.8 (b) is amended by adding a sentence at the end thereof to read as follows: "An industrial user who has not previously applied for a provisional allowance of sugar to make bulk sweetened condensed milk, must, at the time he files his first application on OPA Form R-360, fill out OPA Form R-361, in dupli-

¹ 11 F.R. 177.

cate, and send the original of such report to the Office of Price Administration, Washington, D. C., with the original of his application on OPA Form R-360. The duplicate of such report shall be retained in the industrial user's files."

This amendment shall become effective February 5, 1946.

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

Issued this 1st day of February 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1888; Filed, Feb. 1, 1946; 11:36 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[2d Rev. MPR 487, Amdt. 6]

WHEAT

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

Second Revised Maximum Price Regulation 487 is amended in the following respects:

1. Section 1.1 (a) (5) is amended to read as follows:

(5) *Export sales.* The maximum prices for export sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation, as amended. The base prices referred to in section 8.4 (b) (1) of that regulation are set forth in section 4.7 of this regulation.

2. Section 3.2 (i) is added to read as follows:

(i) *Base prices on sales for export.* Base prices on sales for export are provided in section 4.7.

3. Section 4.7 is added to read as follows:

SEC. 4.7 *Base prices on sales for export.* (a) This section provides a base price, per bushel, on every sale of wheat for export. Such base price, per bushel, is determined by (i) selecting the appropriate price computed under paragraphs (1) or (2) or (3), below, and (ii) adding thereto all previously allowable merchandising markups and commission merchant's service and elevation charges, and, if the wheat is sold in sacks, the appropriate amount provided in section 5.2 (d) of this regulation. Such additions are subject to the limitations in section 5.1 and otherwise provided in this regulation.

(1) You may use the appropriate domestic base price, per bushel, for such lot of wheat at the point of origin of such lot plus your transportation cost (at the export rate if and to the extent that such rate is applicable) from such point of origin to the port of export.

(2) If the lot of wheat has moved into Chicago, Illinois, Omaha, Nebraska,

Council Bluffs, Iowa, Kansas City, Kansas, East St. Louis, Illinois, or Kansas City or St. Louis, Missouri, you may use the appropriate domestic terminal base point price, per bushel, for such point plus your transportation cost (at the export rate if one is applicable) from such terminal base point to the port of export.

(3) If the wheat is of a class and subclass described in Tables I and II of section 3.2, you may use the price, per bushel, set forth below at the port from which the wheat is exported:

TABLE IV—PRICES PER BUSHEL, BULK, AT PORTS OF EXPORT FOR THE STANDARD GRADES OF WHEAT OF THE CLASSES AND SUBCLASSES DESCRIBED IN TABLES I AND II OF SECTION 3.2

(The prices set out below are for "standard grades" of wheat and are to be adjusted for grades other than "standard" and for moisture and other factors affecting determination of quality, except for protein, in accordance with the provisions of Sec. 3.2.)

Port of export:	Base price per bushel, bulk
Boston, Mass.	\$1.88 ³ / ₄
New York, N. Y.	1.88 ³ / ₄
Albany, N. Y.	1.88 ¹ / ₂
Philadelphia, Pa.	1.88 ¹ / ₂
Baltimore, Md.	1.87 ³ / ₄
Norfolk, Va.	1.87 ³ / ₄
Galveston, Tex.	1.78 ³ / ₄
Houston, Tex.	1.78 ³ / ₄
Texas City, Tex.	1.78 ³ / ₄
Port Arthur, Tex.	1.78 ³ / ₄
New Orleans, La.	1.78 ³ / ₄
Vancouver, Wash.	1.63 ³ / ₄
Longview, Wash.	1.63 ³ / ₄
Portland, Oreg.	1.63 ³ / ₄
Los Angeles, Calif.	1.78 ³ / ₄
Seattle, Wash.	1.63 ³ / ₄
Tacoma, Wash.	1.63 ³ / ₄
San Francisco, Calif.	1.77 ³ / ₄

(b) This section shall not apply to deliveries made pursuant to contracts for the sale of wheat entered into prior to February 1, 1946: *Provided*, Such deliveries are completed within 120 days thereafter. Such deliveries shall remain subject to all of the other provisions of this regulation.

This amendment shall become effective February 6, 1946.

Issued this 1st day of February 1946.

JAMES G. ROGERS,
Acting Administrator.

Approved: January 23, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-1893; Filed, Feb. 1, 1946; 11:36 a. m.]

PART 1306—IRON AND STEEL

[MPR 4, Correction]

IRON AND STEEL SCRAP

Section 5 (a) item 36 now reading

36. Warren, Pennsylvania..... 42

is hereby corrected to read

36. Warren, Ohio..... 42

Issued this 31st day of January 1946.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 46-1863; Filed, Jan. 31, 1946; 4:29 p. m.]

¹ 9 F.R. 7330.

PART 1388—DEFENSE-RENTAL AREAS
[Hotels and Rooming Houses, Amdt. 78]

HOTELS AND ROOMING HOUSES

Item 9a, 43b, 158a, 159a, 217a, 369c are added to Schedule A of the Rent Regulation for Hotels and Rooming Houses to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Hotels and Rooming Houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(9a) Opelika (43b) Fort Collins	Alabama Colorado	Lee Larimer County, part consisting of Townships 4, 5, 6, 7, 8, 9, 10, 11, and 12 North, east of the range line between ranges 71 and 72 West.	Mar. 1, 1945 July 1, 1945	Feb. 1, 1946 Feb. 1, 1946	Mar. 15, 1946 Mar. 15, 1946
(158a) Brainerd (159a) Mankato	Minnesota Minnesota	Crow Wing Blue Earth County, and in Nicollet County, the City of North Mankato, and in Township of Guilford, the Township of High Point, including the City of High Point.	Jan. 1, 1945 Mar. 1, 1945	Feb. 1, 1946 Feb. 1, 1946	Mar. 15, 1946 Mar. 15, 1946
(217a) High Point	North Carolina	In the County of Guilford, the Township of High Point, including the City of High Point.	July 1, 1944	Feb. 1, 1946	Mar. 15, 1946
(369c) Laramie	Wyoming	Albany	Jan. 1, 1945	Feb. 1, 1946	Mar. 15, 1946

This amendment shall become effective February 1, 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 46-1870; Filed, Jan. 31, 1946; 4:30 p. m.]

PART 1388—DEFENSE-RENTAL AREAS
[Hotels and Rooming Houses, Amdt. 74]

HOTELS AND ROOMING HOUSES

The Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

- The application of the Rent Regulation for Hotels and Rooming Houses is terminated in the Goldfield-Tonopah Defense-Rental Area in Nevada and in a portion of the Clovis Defense-Rental Area in New Mexico, and consequently Item 183a in Schedule A of the Rent Regulation for Hotels and Rooming Houses is hereby revoked and the above named areas or portions thereof decontrolled.
- Item 194 of Schedule A of the Rent Regulation for Hotels and Rooming Houses is amended to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Hotels and Rooming Houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(194) Clovis	New Mexico	Curry and Roosevelt	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943

This amendment shall become effective February 1, 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 46-1871; Filed, Jan. 31, 1946; 4:31 p. m.]

* 10 F.R. 13528, 13545, 14399.
* 10 F.R. 15210; 11 F.R. 245, 246.

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(9a) Opelika (43b) Fort Collins	Alabama Colorado	Lee Larimer County, part consisting of Townships 4, 5, 6, 7, 8, 9, 10, 11, and 12 North, east of the range line between ranges 71 and 72 West.	Mar. 1, 1945 July 1, 1945	Feb. 1, 1946 Feb. 1, 1946	Mar. 15, 1946 Mar. 15, 1946
(158a) Brainerd (159a) Mankato	Minnesota Minnesota	Crow Wing Blue Earth County, and in Nicollet County, the City of North Mankato, and in Township of Guilford, the Township of High Point, including the City of High Point.	Jan. 1, 1945 Mar. 1, 1945	Feb. 1, 1946 Feb. 1, 1946	Mar. 15, 1946 Mar. 15, 1946
(217a) High Point	North Carolina	In the County of Guilford, the Township of High Point, including the City of High Point.	July 1, 1944	Feb. 1, 1946	Mar. 15, 1946
(369c) Laramie	Wyoming	Albany	Jan. 1, 1945	Feb. 1, 1946	Mar. 15, 1946

This amendment shall become effective February 1, 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 46-1872; Filed, Jan. 31, 1946; 4:30 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 27; Amdt. 10]

DESIGNATION OF CERTAIN AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

In § 1388.1301 of Designation and Rent Declaration 27, Item 10 is amended to read as follows:

(10) Clovis, New Mexico, Counties of Curry and Roosevelt.

This amendment shall become effective February 1, 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 46-1868; Filed, Jan. 31, 1946; 4:30 p. m.]

PART 1388—DEFENSE-RENTAL AREAS
[Housing, Amdt. 78]

HOUSING

The Rent Regulation for Housing is amended in the following respects:

- The application of the Rent Regulation for Housing is terminated in the Goldfield-Tonopah Defense-Rental Area in Nevada and in a portion of the Clovis Defense-Rental Area in New Mexico, and consequently Item 183a in Schedule A of the Rent Regulation for Housing is hereby revoked and the above named areas or portions thereof decontrolled.
- Item 194 of Schedule A of the Rent Regulation for Housing is amended to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(194) Clovis	New Mexico	Curry and Roosevelt	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943

This amendment shall become effective February 1, 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 46-1873; Filed, Jan. 31, 1946; 4:31 p. m.]

* 10 F.R. 13528, 13546, 14399.

* 7 F.R. 4232; 8 F.R. 1228, 1748, 9021, 10764, 14687; 9 F.R. 3231; 12868; 10 F.R. 3556, 13546.

Chapter XXIII—Surplus Property
Administration

CONSOLIDATION OF SURPLUS PROPERTY
FUNCTIONS

CROSS REFERENCE: See Executive Order 9689 *supra*.

TITLE 37—PATENTS AND COPY-
RIGHTS

Chapter I—Patent Office, Department of
Commerce

[Order 394]

PART 3—LICENSES TO FILE APPLICATIONS
FOR PATENTS IN FOREIGN COUNTRIES

FURTHER OPTIONAL PROCEDURE

JANUARY 31, 1946.

A new section is added reading as follows:

§ 3.19 *Further optional procedure.* In addition to the optional procedure heretofore provided for, whenever an application for patent is filed in the United States Patent Office the Commissioner of Patents may on his own motion issue a license under 55 Stat. L., 657 (35 U.S.C., 42a) to file or cause or authorize to be filed in any foreign country an application for patent or for the registration of a utility model, industrial design, or model, and amendments thereto, on the invention corresponding to the application so filed in the United States Patent Office.

Such license will not empower the filing of supplements and continuances originating in this country which disclose inventions, modifications or variations other than those in the United States application.

The grant of such a license by the Commissioner of Patents will not in any way avoid other laws or lessen the responsibility of the licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and national security. At the present time no applications may be filed in Japan or Germany and materials destined to Bulgaria, Austria, Roumania, Hungary, Spain and Argentina, must be forwarded to Technical Data Licensing, Office of International Trade, Department of Commerce, for transmission abroad.

Licensees should apply to the envelope in which material is forwarded to the foreign country the legend "Licensed under Regulation No. 19, Commissioner of Patents, Serial No. -----", with the serial number inserted.

(Pub. Law 239, 77th Cong., 55 Stat. 657, 35 U.S.C. 42a)

[SEAL] CASPER W. OOMS,
Commissioner of Patents.

Approved:

H. A. WALLACE,
Secretary of Commerce.

[F. R. Doc. 46-1874; Filed, Jan. 31, 1946;
4:52 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circ. 1610]

PART 160—GRAZING LEASES

LEASES PLEDGED AS SECURITY FOR LOANS

The following text is added to Part 160:

§ 160.31 *Leases pledged as security for loans.* (a) A lease may be pledged as security for a loan of \$500 or more from a lending agency when the loan is made for the purpose of furthering the lessee's livestock operations. Before a loan is made, the lending agency may ascertain from the General Land Office the status of the grazing lease and other pertinent information concerning the lease.

(b) Upon request of the borrower-lessee, where such extension will be in accordance with applicable law and not contrary to the public interest, the General Land Office will extend the lease for a period of ten years from the date of the loan subject to such terms and conditions as are then provided by these regulations.

(c) In case the property of the lessee which was the basis for the granting of a preference right, is acquired by the lending agency through foreclosure or otherwise, such agency or its tenants on the property, if qualified, or any person who purchases the property from such agency, if qualified, on application, shall be recognized in lieu of the lessee. If in making a sale the lending agency takes back a mortgage on the property, the agency shall be entitled to the same consideration as in the case of the original loan.

(d) Where a lending agency files in the General Land Office notice that it has made a loan and has accepted a grazing lease as security therefor, in conformity with the provisions of this section, such agency will be advised of any action taken affecting the lease.

(Sec. 15, 48 Stat. 1275; sec. 5, 49 Stat. 1978; 43 U.S.C. sec. 315m)

FRED W. JOHNSON,
Commissioner.

Approved: January 24, 1946.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 46-1876; Filed, Feb. 1, 1946;
9:47 a. m.]

Chapter III—Grazing Service

PART 501—THE FEDERAL RANGE CODE

DISTRICT ADVISORY BOARDS

Pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269), as amended, § 501.12 (b) and (h) (section 12 (b) and (h) of the Federal Range Code) are amended to read as follows:

§ 501.12 *District Advisory Boards.*
* * *

(b) *Elections; time and place of holding; notice.* An election of district ad-

visers for each grazing district will be held within ninety days after the publication in the FEDERAL REGISTER of the order establishing the district, and annually thereafter. The regional grazier may divide the district into voting precincts and will designate a voting place within or near each district or precinct. The district grazier will give notice of the time and place or places of holding an election in one or more newspapers of general circulation in the district, by posting in the office of the regional grazier and by posting in such other public places as may be necessary to give the matter proper publicity. No election shall be held to be invalid by reason of failure to give any of the foregoing notices unless it shall be made to appear that there was a failure to give substantial notice.

(h) *Meetings; organization.* District advisory boards shall meet at any time and place within or near the district designated by the regional grazier or his authorized representative. At the first meeting of the board after an election, it shall organize by electing one of its members as chairman and such other officers from its membership as it may deem necessary. Meetings of a district advisory board shall be open to the public except that, with the approval of the representative of the Grazing Service present, it may meet in executive session in considering applications for the granting of licenses or permits or any other business.

C. L. FORSLING,
Director of Grazing.

Approved: January 23, 1946.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 46-1877; Filed, Feb. 1, 1946;
9:47 a. m.]

TITLE 49—TRANSPORTATION AND
RAILROADS

Chapter I—Interstate Commerce
Commission

[2d Rev. S. O. 244, Amdt. 2]

PART 95—CAR SERVICE

DISTRIBUTION OF GRAIN CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of January, A. D. 1946.

Upon further consideration of the provisions of Second Revised Service Order No. 244 (10 F.R. 2252) as amended (10 F.R. 3094), and good cause appearing therefor: *It is ordered, That:*

Second Revised Service Order No. 244, as amended, be, and it is hereby, further amended by changing the preamble and paragraph (d) to read as follows:

It appearing, that the demand for box cars for grain loading at country stations in the United States is placing a severe burden on the car supply, and that the need for an equitable distribu-

tion of such cars to obtain a fair supply between all country shippers is of vital importance; in the opinion of the Commission an emergency exists requiring immediate action.

(d) *Application.* (i) The provisions of this order shall apply to intrastate as well as interstate commerce.

(ii) This order shall apply only at country loading points located in the United States. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered. That this order shall become effective at 12:01 a. m., February 1, 1946; that a copy of this order and direction be served upon all State railroad regulatory bodies; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-1923; Filed, Feb. 1, 1946; 11:45 a. m.]

[S. O. 449]

PART 95—CAR SERVICE

PERMIT REQUIRED TO LOAD GRAIN AT OMAHA AND COUNCIL BLUFFS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of January, A. D. 1946.

It appearing, that there is a shortage of box cars suitable for loading export grain at Omaha, Nebr., and Council Bluffs, Iowa, and that certain railroads are not supplying empty box cars in sufficient number to alleviate the shortage of such cars, the Commission is of opinion that an emergency exists in the States named; it is ordered, that:

Permit required to furnish box cars at Omaha and Council Bluffs. (a) No common carrier by railroad, subject to the Interstate Commerce Act, serving Omaha, Nebr., or Council Bluffs, Iowa, shall furnish or supply a box car for loading grain at any point in the switching limits of those cities unless a permit is issued in accordance with paragraph (b) hereof. Cars furnished and loaded in violation of this order shall not be transported.

(b) *Permit Agent; appointment.* (1) E. R. Weimer, Service Agent, Room 729, Omaha Grain Exchange, Telephone Atlantic 6733, Omaha, Nebr., is hereby designated and appointed as agent to issue permits under the order.

(2) *Outline of duty.* As agent, he shall issue permits under the direction and supervision of F. S. Keiser, O. D. T., Room 1955, 209 South Wells St., Chicago, Ill., in such a manner as will insure a fair supply

of box cars for loading with export wheat.

(c) *Application.* The provisions of this order shall apply to box cars in intrastate as well as interstate commerce.

(d) *Effective date.* This order shall become effective at 12:01 a. m., February 2, 1946.

(e) *Expiration date.* This order shall expire at 11:59 p. m., February 25, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered, that a copy of this order and direction shall be served upon the State railroad regulatory bodies of Nebraska and Iowa 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. 46-1927; Filed, Feb. 1, 1946; 11:45 a. m.]

[S. O. 446]

PART 97—ROUTING OF TRAFFIC

REROUTING OF COAL FOR EXPORT; APPOINTMENT OF AGENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of January, A. D. 1946.

It appearing, that upon representations from the Office of Defense Transportation, Treasury-Procurement Division, UNRRA, War Shipping Administration, Solid Fuel Administration for War and the Civilian Production Administration, and due to the fact that certain railroads have been unable to transport or transship promptly carloads of bituminous coal offered to them at points in Pennsylvania and West Virginia for export so as to properly serve the public; the Commission is of the opinion that an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people.

Rerouting of bituminous coal to eastern ports; appointment of agent—(a) *Appointment of agent for rerouting.* W. R. Godber, Joint Manager of the Anthracite Tidewater Emergency Bureau and Northern Tidewater Bituminous Emergency Bureau, 143 Liberty Street, New York, New York, is hereby designated and appointed as agent of the Interstate Commerce Commission and vested with authority and directed to reroute through the ports of Norfolk and Newport News, Virginia, certain carloads of bituminous coal originating in the States of Pennsylvania and West Virginia consigned for account of Treasury-

Procurement Division for export through the ports of Baltimore, Maryland, or Philadelphia, Pennsylvania.

(b) *Outline of agent's duty.* (1) The agent is hereby authorized and directed to keep himself fully informed of the coal exporting operations at Baltimore, Maryland and Philadelphia, Pennsylvania, and common carriers by railroad subject to the Interstate Commerce Act, shall furnish such complete and accurate information as may be required by the said Agent to determine the capacity of the said ports to export promptly the coal herein considered.

(2) When, in the opinion of the agent, either or both of the ports of Baltimore and Philadelphia are unable to handle all of the coal described in paragraph (a) hereof, shipped or ready for shipment, then the Agent shall reroute such excess coal to Norfolk or Newport News, Virginia, in compliance with paragraph (a) hereof.

(c) *Application.* The provisions of this order shall apply to bituminous coal loaded or to be loaded on and after the effective date hereof.

(d) *Effective date.* This order shall become effective at 12:01 a. m. February 4, 1946.

(e) *Expiration date.* This order shall expire at 11:59 p. m., April 30, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

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

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-1925; Filed, Feb. 1, 1946; 11:45 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

ALASKA COMMERCIAL FISHING

NOTICE OF HEARING

Proposed amendments to the Alaska Commercial Fishing Regulations for 1946.

A public hearing will be held commencing February 21, 1946, at 2:30 p. m., in Room 5160, Interior Building, Washington, D. C., for the purpose of discussing the following amendments which have been proposed to the regulations for protection of the commercial fisheries of Alaska for 1946:

§ 201.23 *Limit upon number of traps.* No individual, firm, association, or corporation shall at any time maintain or exercise any ownership or control of or interest in more than 20 traps within the fishing areas of Alaska subject to these regulations. Violation of this regulation shall be deemed cause for the closing of any trap sites upon which are located traps of such violator.

NOTE: It is contemplated that in future regulations permit holders will be required to reduce the number of trap sites which they may operate progressively within a 5-year period until they have a maximum of 10 traps in 1950.

§ 201.24 *Increase of traps.* No individual, firm, association, or corporation that has within the preceding year maintained or exercised any ownership or control of or interest in 10 or more traps within the fishing area of Alaska subject to these regulations shall establish or maintain or exercise any ownership or control of or interest in any additional trap within the said areas; and no individual, firm, association, or corporation that has within the preceding year maintained any ownership or control of or interest in less than 10 traps within such areas shall establish or maintain or exercise any control of or interest in more than 10 traps within the said area. Any trap site upon which a trap is located in violation of this regulation shall be subject to cancellation.

§ 201.25 *Reports by holders on War Department permits.* Every holder of a permit from the War Department shall notify in writing the Regional Director of the Fish and Wildlife Service at Juneau, Alaska, of its issuance at least 30 days prior to the first date when salmon traps may be operated in the coming season. Permit holders who operated traps in the preceding year shall have a preference for a maximum of 20 sites so operated. In case there should be two or more permit holders for a trap site not included in the above group, the Secretary of the Interior, or his duly authorized representative, may at the request of any permit holder or on his own initiative, determine relative priority rights. Such determination shall be in accordance with the following rules:

(a) If there are permit holders who have not previously violated the regulations of this Department with respect to commercial fishing in Alaska, permit holders who have violated such regulations shall be excluded;

(b) If there are permit holders who hold permits for less than 10 trap sites, permit holders with permits for 10 or more trap sites will be excluded;

(c) If there are permit holders who are residents of Alaska (including communities and cooperatives), permit holders who are not residents of Alaska will be excluded;

(d) If there are two or more permit holders in a particular category, the one with the smallest number of permits for trap sites shall have preference, and in the event two or more permit holders have the same number of permits, the one who has first submitted his permit

to the Regional Director of the Fish and Wildlife Service shall have preference.

Issued this 31st day of January 1946.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 46-1881; Filed, Feb. 1, 1946;
11:02 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 7093]

RCA COMMUNICATIONS, INC.

ORDER INSTITUTING INVESTIGATION

In the matter of RCA Communications, Inc., volume press rates between the continental United States and the Hawaiian Islands.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 19th day of December 1945;

It appearing, that RCA Communications, Inc., has filed with the Commission, on November 30, 1945, revised tariff schedules effective January 1, 1946, stating new "volume press" rates for service between San Francisco, California, and Honolulu, T. H., said tariff schedules being designated as follows:

RCA Communications, Inc.
Tariff F. C. C. No. 15
13th Revised Page 60
6th Revised Page 96

It further appearing, that said tariff schedules state new charges for press telegraph communications in interstate commerce; that such new charges may be unjustly or unreasonably discriminatory, or unduly or unreasonably preferential or advantageous, contrary to the Communications Act of 1934, as amended; and it being the opinion of the Commission that the effective date of such schedules, insofar as they provide for new volume press rates between San Francisco, California, and Honolulu, T. H., should be postponed pending hearing and decision on the lawfulness of such new charges;

It is ordered, That the Commission, upon its own motion, without formal pleading, enter upon a hearing concerning the lawfulness of the charges contained in the above-cited tariff schedules, insofar as they relate to new press telegraph communications between the continental United States and the Hawaiian Islands;

It is further ordered, That the operation of the above-cited tariff schedules, insofar as they provide for new charges for and in connection with press telegraph communications between the continental United States and the Hawaiian Islands, be suspended; that the use of the charges therein stated be deferred until April 1, 1946, unless otherwise ordered by the Commission; and that during said period of suspension no changes shall be made in such charges or in the charges sought to be altered, unless authorized by special permission of the Commission;

It is further ordered, That an investigation be, and the same is hereby in-

stituted, into the lawfulness of the rates, charges, classifications, regulations, practices, and services of RCA Communications, Inc., for and in connection with press telegraph communications service between the continental United States and the Hawaiian Islands;

It is further ordered, That a copy of this order be filed in the offices of the Commission with said tariff schedules herein suspended; that RCA Communications, Inc., be, and it is hereby made a party respondent to this proceeding; and that copies hereof be served upon RCA Communications, Inc., Associated Press, United Press, International News Service, and Transradio Press;

It is further ordered, That this proceeding be, and the same is hereby assigned for hearing on the 24th day of January, 1946, beginning at 10:00 a. m. at the offices of the Federal Communications Commission in Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1787; Filed, Jan. 31, 1946;
11:06 a. m.]

[Docket No. 7097]

HOMER RODEHEAVER

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Homer Rodeheaver, Winona Lake, Indiana. For construction permit; File No. B4-P-4305.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of December, 1945;

The Commission having under consideration an application (filed December 10, 1945) by Homer Rodeheaver for a construction permit (File No. B4-P-4305; Docket No. 7097) for a new standard broadcast station at Winona Lake, Indiana, requesting the frequency 1250 kc, with 1 kw power, unlimited time, together with a petition requesting that the said application be designated for hearing with the following applications:

Farnsworth Television and Radio Corporation (WGL) (File No. B4-P-4112; Docket No. 6796), requesting the use of 1250 kc, 1 kw power, unlimited time; The Wren Broadcasting Company (WREN) (File No. B4-P-3625; Docket No. 6703), requesting the use of 1250 kc, 5 kw power, unlimited time; Northern Broadcasting Company, Inc., (WSAU) (File No. B4-P-3656; Docket No. 6794), requesting the use of 1250 kc, 5 kw power, unlimited time; Midwest Broadcasting Company, (File No. B4-P-3746; Docket No. 6795), requesting the use of 1250 kc, 5 kw power, unlimited time; and Virginia-Carolina Broadcasting Corporation (File No. B2-P-4113; Docket No. 6797), requesting the use of 1 kw, 5 kw-LS 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 Homer Rodeheaver be, and it is

hereby designated for hearing in a consolidated proceeding with the above applications to be held in Washington, D. C., on the 21st day of February, 1946 upon 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 proposed operation 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 proposed operation would involve objectionable interference with any existing broadcasting 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 whether the proposed operation would involve objectionable interference with the 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 Aeronautic Administration requirements.

8. To determine on a competitive basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the bill of particulars issued in connection with the applications of Farnsworth Television and Radio Corporation (WGL), The Wren Broadcasting Company (WREN), Northern Broadcasting Company, Inc., (WSAU), Midwest Broadcasting Company, and Virginia-Carolina Broadcasting Corporation be amended to include the Homer Rodeheaver application.

By the Commission, Charles R. Denny, Commissioner.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1788; Filed, Jan. 31, 1946;
11:06 a. m.]

[Docket No. 7109]

SOUTHWESTERN MICHIGAN BROADCASTING
Co.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Harold F. Gross, d/b as The Southwestern Michigan Broadcasting Company, Kalamazoo, Michigan. For Construction Permit; File No. B2-P-4335.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 5th day of January, 1946;

The Commission having under consideration the application of Harold F. Gross, doing business as The Southwestern Michigan Broadcasting Company, for a construction permit for a new standard broadcast station at Kalamazoo, Michigan, 1360 kc, 1 kw, DA, unlimited time, and the Petition to Designate Application for Consolidated Hearing with the following applications, which were on October 23, 1945, designated for consolidated hearing on January 14, 15, 16, 1946: Beaver County Broadcasting Corporation, Beaver Falls, Pennsylvania (File No. B2-P-4132, Docket No. 6925); McKeesport Radio Company, McKeesport, Pennsylvania (File No. B2-P-4077, Docket No. 6926); Booth Radio Stations, Inc., Lansing, Michigan (File No. B2-P-4131, Docket No. 6927); and the Commission also having under consideration the petition of Mon-Yough Broadcasting Company, McKeesport, Pa., for designation of its application for consolidation with the Beaver County Broadcasting Corporation, McKeesport Radio Company, and Booth Radio Stations, Inc., applications;

It is ordered, That the application of Harold Gross, d/b as The Southwestern Michigan Broadcasting Company, be and it is hereby, designated for hearing in a consolidated proceeding with the above-listed applications of Beaver County Broadcasting Corporation, McKeesport Radio Company, Booth Radio Stations, Inc., and Mon-Yough Broadcasting Company 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 or proposed 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 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.

6. To determine on a comparative basis which if any of the applications in this consolidated hearing should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1789; Filed, Jan. 31, 1946;
11:06 a. m.]

[Docket No. 7110]

MON-YOUGH BROADCASTING Co.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Mon-Yough Broadcasting Company, McKeesport, Pennsylvania, for construction permit; File No. B2-P-4273.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of January 1946;

The Commission having under consideration the application of Mon-Yough Broadcasting Company for a construction permit for a new standard broadcast station at McKeesport, Pennsylvania, 1360 kc, 1 kw, unlimited time, and the Petition to Consolidate this application for hearing with the following applications which were on October 23, 1945, designated for consolidated hearing on January 14, 15, and 16, 1946: Beaver County Broadcasting Corporation, Beaver Falls, Pennsylvania (File No. B2-P-4132, Docket No. 6925); McKeesport Radio Company, McKeesport, Pennsylvania (File No. B2-P-4077, Docket No. 6926); Booth Radio Stations, Inc., Lansing, Michigan (File No. B2-P-4131, Docket No. 6927); and the Commission also having under consideration the petition of Harold F. Gross d/b as the Southwestern Michigan Broadcasting Company, Kalamazoo, Michigan, for designation of its application for consolidation with the Beaver Falls, McKeesport Radio, and Booth Radio applications;

It is ordered, That the application of Mon-Yough Broadcasting Company, be and it is hereby, designated for hearing in a consolidated proceeding with the above-listed applications of Beaver County Broadcasting Corporation, McKeesport Radio Company, Booth Radio Stations, Inc., and Harold F. Gross, d/b as the Southwestern Michigan Broadcasting Company, 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 or proposed 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 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.

6. To determine on a comparative basis which if any of the applications in this consolidated hearing should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1790; Filed, Jan. 31, 1946;
11:06 a. m.]

[Docket No. 7111]

E. T. WRIGHT

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of E. T. Wright, Orlando, Florida for construction permit; File No. B3-P-4268.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 9th day of January, 1946;

The Commission having under consideration the application of E. T. Wright (File No. B3-P-4268; Docket No. 7111) for a construction permit for a new standard broadcast station at Orlando, Florida, requesting the frequency 950 kc with 1 kw power, unlimited time, using a directional antenna, nighttime only, together with a petition requesting that the said application be designated for hearing in consolidation with the applications of Valdosta Broadcasting Company (File No. B3-P-4106; Docket No. 6863) and Hazlewood, Inc. (WLOF) (File No. B3-P-3973; Docket No. 6864), each requesting use of the frequency 950 kc, which 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 E. T. Wright be, and it is hereby designated for hearing in a consolidated proceeding with the above applications and with the application of E. D. Rivers (WGOV) (File No. B3-P-3213; Docket No. 7112), to be held in Washington, D. C., on the 11th day of February, 1946, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant individual 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 to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations or with the services proposed in any 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.

5. 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.

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.

It is further ordered, That the Bills of Particulars issued in connection with the applications of the Valdosta Broadcasting Company and Hazlewood, Inc. (WLOF) be, and the same are hereby enlarged to include the application of E. T. Wright.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1791; Filed, Jan. 31, 1946;
11:06 a. m.]

[Docket No. 7112]

E. D. RIVERS (WGOV)

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of E. D. Rivers (WGOV), Valdosta, Georgia, For Construction Permit; File No. B3-P-3213.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 9th day of January 1946;

The Commission having under consideration the application of E. D. Rivers (WGOV) (File No. B3-P-3213; Docket No. 7112) for a construction permit to change frequency to 950 kc, which application the Commission heretofore dismissed without prejudice, together with a petition requesting, among other things, the reinstatement of said application, as amended on October 11, 1945;

It is ordered, That the application of E. D. Rivers (File No. B3-P-3213) as amended on October 11, 1945, be, and it hereby is reinstated; and

It is further ordered, That the application of E. D. Rivers be, and it is hereby designated for hearing in a consolidated proceeding with the applications of the Valdosta Broadcasting Company (File No. B3-P-4106; Docket No. 6863), Hazlewood, Inc. (WLOF) (File No. B3-P-3973; Docket No. 6864), and E. T. Wright (File No. B3-P-4268; Docket No. 7111), all requesting the frequency of 950 kc, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant individual to operate Station WGOV as proposed.

2. To determine the areas and populations which may be expected to gain primary service from the proposed operation of Station WGOV 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 to be served.

4. To determine whether the proposed operation of Station WGOV would in-

volve objectionable interference with any existing broadcast stations or with the services proposed in any 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.

5. 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.

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.

It is further ordered, That the Bills of Particulars issued in connection with the applications of Valdosta Broadcasting Company and Hazlewood, Inc. (WLOF) be, and the same are hereby enlarged to include the application of E. D. Rivers (WGOV).

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1792; Filed, Jan. 31, 1946;
11:06 a. m.]

[Docket No. 7114]

FRANK H. FORD

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Frank H. Ford Shreveport, Louisiana, for construction permit; File No. B3-P-3916.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 9th day of January 1946;

The Commission having under consideration the above-listed application of Frank H. Ford for a construction permit to construct a new standard broadcast station at Shreveport, Louisiana;

It is ordered, That the said application be designated for hearing in a consolidated proceeding with the application of James A. Noe, Shreveport, Louisiana, (B3-P-3790) upon 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 or proposed broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broad-

cast service to such areas and populations.

5. 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.

6. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1793; Filed, Jan. 31, 1946;
11:06 a. m.]

GEORGIA-CAROLINA BROADCASTING CO.

[Docket No. 7116]

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Georgia-Carolina Broadcasting Company, Augusta, Georgia for construction permit; File No. B3-P-4333.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C. on the 9th day of January, 1946;

The Commission having under consideration the application of Georgia-Carolina Broadcasting Company, for a construction permit for a new standard broadcast station at Augusta, Georgia, 1340 kc, 250 w, unlimited time, and the Petition for Designation for Hearing with the following applications which were on October 23, 1945, designated for consolidated hearing on February 11, 12, and 13, 1946: Voice of Augusta, Inc., Augusta, Georgia (File No. B3-P-3919, Docket No. 6871), Augusta Chronicle Broadcasting Company, Augusta, Georgia (File No. B3-P-4124, Docket No. 6872), and Savannah Valley Broadcasting Company, Augusta, Georgia (File No. B3-P-4125, Docket No. 6873);

It is ordered, That the application of Georgia-Carolina Broadcasting Company, be and it is hereby designated for hearing in a consolidated hearing with the above-listed applications of Voice of Augusta, Inc., Augusta Chronicle Broadcasting Company, and Savannah Valley Broadcasting Company, 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 or proposed 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 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.

6. To determine on a comparative basis which if any of the applications in this consolidated hearing should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1794; Filed, Jan. 31, 1946;
11:07 a. m.]

[Docket No. 7118]

PALLADIUM PUBLISHING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Palladium Publishing Company, Benton Harbor, Michigan. For Construction Permit; File No. B2-P-4023.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 9th day of January, 1946;

The Commission having under consideration the above application of Palladium Publishing Company for a permit to construct a new standard broadcast station at Benton Harbor, Michigan;

It is ordered, That the said application be designated for hearing in a consolidated proceeding with the application of Myles H. Johns (File No. B4-P-3787), to be held in Washington, D. C., upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, 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 the services proposed in the pending application of Myles H. Johns (File No. B4-P-3787) 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 erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

6. To determine on a comparative basis which if either of the applications in this

consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1795; Filed, Jan. 31, 1946;
11:07 a. m.]

[Docket No. 7119]

MYLES H. JOHNS

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Myles H. Johns, Milwaukee, Wisconsin for construction permit; File No. B4-P-3787.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 9th day of January, 1946;

The Commission having under consideration the above application of Myles H. Johns for a permit to construct a new standard broadcast station at Milwaukee, Wisconsin;

It is ordered, That the said application be designated for hearing in a consolidated proceeding with the application of Palladium Publishing Company (File No. B2-P-4023), to be held in Washington, D. C., upon 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 the services proposed in the pending application of Palladium Publishing Company (File No. B2-P-4023) or 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.

5. 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.

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 either of the applications in this

consolidated proceeding, should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1796; Filed, Jan. 31, 1946;
11:07 a. m.]

[Docket No. 7120]

R. F. & W. BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING

In re application of R. F. & W. Broadcasting Company, Corpus Christi, Texas, for construction permit; File No. B3-P-4337.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 9th day of January 1946;

The Commission having under consideration the application of R. F. & W. Broadcasting Company, Corpus Christi, Texas, for a construction permit for a new standard broadcast station at Corpus Christi, Texas, 1230 kc, 250 watts, unlimited time; and the Petition for Consolidation with the following applications, which were on October 23, 1945, designated for consolidated hearing on February 4 and 5, 1946; Central Broadcasting Corporation, Corpus Christi, Texas (File No. B3-P-4110, Docket No. 6910), and Howard W. Davis, tr/as The Walmac Company, Corpus Christi, Texas (File No. B3-P-4069, Docket 6911);

It is ordered, That the application of R. F. and W. Broadcasting Company be, and it is hereby, designated for hearing in a consolidated proceeding with the above-listed applications of Central Broadcasting Corporation and Howard W. Davis, tr/as The Walmac Company.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1797; Filed, Jan. 31, 1946;
11:07 a. m.]

[Docket No. 7123]

DISCONTINUANCE, REDUCTION, AND IMPAIRMENT OF SERVICE

ORDER SETTING REVISED PROPOSED RULES FOR ORAL ARGUMENT

In the matter of rules relating to section 214 of the Communications Act of 1934, as amended; discontinuance, reduction and impairment.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 16th day of January, 1946;

The Commission having under consideration its "Proposed Rules Relating to Section 214 of the Communications Act of 1934, as amended: Discontinuance, Reduction, and Impairment", adopted as proposed rules on March 6, 1945; and

It appearing, that copies of such proposed rules were mailed to all persons who were believed to be interested therein, and opportunity afforded to such persons to submit objections and proposed changes and to attend an in-

formal conference with the Commission's staff for the purpose of discussing such objections and proposed changes; and

It further appearing, that such informal conference was held on July 18, 1945, at which objections and proposed changes were presented and discussed by representatives of the American Telephone and Telegraph Company and the other companies comprising the Bell System, The Western Union Telegraph Company, R. C. A. Communications, Inc., All America Cables and Radio, Inc., The Commercial Cable Co., Mackay Radio and Telegraph Company, Commercial Pacific Cable Company, Radio Corporation of Porto Rico, Porto Rico Telephone Company, General Telephone Corporation subsidiaries, Gary Services & Investment Company, Home Telephone & Telegraph Company of Fort Wayne, Indiana, the U. S. Independent Telephone Association, and American Communications Association (C. I. O.); and as a result of such conference a number of suggested revisions in such proposed rules appear desirable and have been incorporated in Revised Proposed Rules attached hereto; and

It further appearing, that as to other suggested revisions in such proposed rules, oral argument before the Commission en banc is desirable;

It is ordered, That the attached revised proposed rules be, and they are hereby, adopted as revised proposed rules; and

It is further ordered, That the said revised proposed rules be, and they are hereby, set down for oral argument upon the question of whether or not any further revisions should be included in the Commission's final rules on this matter, such oral argument to be held before the Commission en banc at its offices in Washington, D. C., on the 21st day of February, 1946, at 10:00 a. m.; and

It is further ordered, That a copy of this order be served upon all parties represented at said informal conference, all carriers subject to the Communications Act of 1934, as amended, except such carriers as are subject only to the provisions of sections 201 through 205 of the act, the National Association of Railroad and Utilities Commissioners, National Federation of Telephone Workers, American Federation of Labor, and Congress of Industrial Organizations; and that any party desiring to be represented at such oral argument shall, within 20 days from the date of this order, file a statement in writing indicating the points upon which it desires to be heard and its position with respect thereto.

§ 63.60 Definitions. For the purposes of this part, the following definitions shall apply:

(a) "Discontinuance, reduction or impairment of service" includes, but is not limited to, the following:

(1) The closure by a carrier of a public telegraph office, a telephone exchange rendering interstate or foreign telephone toll service, or a public or semi-public toll station serving a community or part of a community; the term "closure" includes the substitution of an agency or jointly operated office for a telegraph office op-

erated directly by the carrier but does not include the substitution of any one for any other of the three types of telegraph agency offices, namely; joint railroad-operated agencies, teleprinter-operated agencies, or telephone-operated agencies, except where an increase in charges to the public results;

(2) The reduction in hours of service by a carrier at a public telegraph office, at a telephone exchange rendering interstate or foreign telephone toll service, or at any public or semi-public toll station except at a jointly operated or agency office or at a toll station at which the availability of service to the public during any specific hours is subject to the control of the agent or other persons controlling the premises on which such office or toll station is located and is not subject to the control of such carrier;

(3) The termination or suspension by a carrier of pickup and delivery service in connection with message telegraph service to any community or part of a community (except the termination or suspension of telephone delivery service where telephone service is no longer available to such community) or the substitution of a delivery agency for the handling of messages in lieu of direct handling by a telegraph office;

(4) The dismantling or removal from service of any trunk line by a carrier which has the effect of impairing the adequacy or quality of service rendered to any community or part of a community;

(5) The severance by a carrier of physical connection with another carrier (including connecting carriers as defined in Section 3 (u) of the Communications Act of 1934, as amended) or the termination or suspension of the interchange of traffic with such other carrier;

(b) "Emergency discontinuance, reduction or impairment of service" means any discontinuance, reduction or impairment of the service of a carrier occasioned by conditions beyond the control of such carrier where comparable service is not restored within 48 hours;

(c) "Public Telegraph Office" means an office at which telegraph messages may be accepted from the public for transmission and from which telegraph messages may be delivered to the public; the term includes seasonal, agency, and jointly-operated offices but does not include public or semi-public toll stations;

(d) "Seasonal office" means a public telegraph office operated for a specific period or periods each year;

(e) "Jointly-operated office" means a public telegraph office operated jointly by a carrier with any other person;

(f) "Agency Office" means a public telegraph office operated by an agent of the carrier;

(g) "Public or semi-public toll station" means a telephone station, located in a community, through which a carrier provides service to the public, and which is connected directly to a toll line operated by such carrier; no application shall be required under this part with respect to the closure of a public or semi-public toll station located in a community where telephone toll service is otherwise available to the public through a telephone exchange connected with the toll lines of a carrier.

§ 63.61 *Applicability of this part.* Any carrier subject to the provisions of section 214 of the Communications Act of 1934, as amended, proposing to discontinue, reduce, or impair interstate or foreign telephone or telegraph service to a community, or a part of a community, shall request authority therefor by formal application or informal request as specified in the pertinent sections of this part.

§ 63.62 *Type of discontinuance, reduction or impairment of telephone or telegraph service requiring formal application.* Except in emergency cases,¹ authority for the following types of discontinuance, reduction or impairment of service shall be requested by formal application containing the information required by the Commission in the appendices to this part:

(a) The dismantling or removal of a trunk line; (For contents of application, see Appendix A)

(b) The severance of physical connection or the termination or suspension of the interchange of traffic with another carrier; (For contents of application, see Appendix B)

(c) The closure of, or reduction of hours of service at, a public telegraph office, except that this paragraph shall not apply to the classes of cases specified in § 63.64 and § 63.66 hereof where the carrier elects to follow the procedure prescribed in those sections; (For contents of application see Appendices C and D).

(d) The closure of a public or semi-public toll station where no other such toll station of the applicant in the community will continue service; (For contents of application see Appendix E).

(e) Any other type of discontinuance, reduction or impairment of telephone or telegraph service not specifically provided for by the other provisions of this part. (For contents of application see Appendix F.)

§ 63.63 *Emergency discontinuance, reduction, or impairment of service.* (a) Any emergency discontinuance, reduction, or impairment of service shall be deemed to have been authorized as of the date when such discontinuance, reduction, or impairment became effective: *Provided*, That as soon as possible but not later than 72 hours thereafter (except that in the case of emergency discontinuance, reduction, or impairment of service at public or semi-public toll stations, an informal request covering all cases occurring within a month shall be made not later than 20 days after the end of such month) the carrier shall forward an informal request for authority, making reference to this section and notifying the Commission of the following:

(1) The effective date of such discontinuance, reduction, or impairment, and the identification of the community or part of community involved;

(2) The nature and estimated duration of the conditions causing the discontinuance, reduction or impairment;

(3) The facts showing that such conditions could not reasonably have been foreseen by the carrier in sufficient time

to prevent such discontinuance, reduction, or impairment;

(4) A full description of the service involved;

(5) The nature of service which will be available or substituted;

(6) The effect upon rates to any person in the community;

(7) Description of service area affected, including approximate population and general character of the business of the community;

(8) The efforts to be made by applicant to restore the original service or establish comparable service as expeditiously as possible;

(b) The emergency authorization shall continue for a period of 60 days (90 days in case of toll stations) unless sooner terminated or otherwise modified or conditioned by the Commission. Renewal of such authority may be requested by letter or telegram, filed with the Commission not later than 10 days prior to the expiration of such sixty-day (or 90-day) period making reference to this section and showing that such conditions may reasonably be expected to continue for a further period and what efforts the applicant has made to restore the original or establish comparable service. If the same or comparable service is reestablished before the termination of the emergency authorization, the carrier shall notify the Commission immediately. However, the Commission may, upon specific request of the carrier and upon a proper showing, contained in such informal request, authorize such discontinuance, reduction or impairment of service for an indefinite period or permanently.

§ 63.64 *Alternative procedure in certain specified cases involving public telegraph offices where another public telegraph office of applicant in the community will continue service or involving seasonal public telegraph offices.* (a) In the following cases a carrier may, in lieu of filing formal application, file in quintuplicate an informal request for authority, duly verified or affirmed according to law;

(1) Where applicant proposes to close a branch, agency, or jointly operated office located within a quarter of a mile of another office of the applicant with the same or longer hours of service and equal or better pickup and delivery facilities which will be made available to the area served by the office to be closed, and the average number of messages sent and received at the office to be closed, for the preceding six months, has been 50 or less per day;

(2) Where applicant proposes to close a branch, agency, or jointly operated office located in a community served by another office of applicant which has the same or longer hours of service and equal or better pickup and delivery facilities which will be made available to the area served by the office to be closed, and the average number of messages sent and received at the office proposed to be closed for the preceding six months has been 15 or less per day;

(3) Where applicant proposes to reduce hours of service at a branch, agency, or jointly operated office not more than 10 percent nor below 8 hours per day,

and another office of applicant, located in the community, has the same or longer hours of service and equal or better pickup and delivery facilities which will be made available during the deleted hours to the area served by the office at which hours will be reduced;

(4) Where applicant proposes to discontinue or to reduce the hours of a seasonal office;

(b) Such informal request shall make reference to this section; state the location, address, class of office, and office hours of the office affected by the request; and give sufficient facts to show that the proposed closure or reduction in hours comes within the special provision of this section. Authority for such closure or reduction shall be deemed to have been granted by the Commission effective as of the sixtieth day following the date of filing such request unless on or before the sixtieth day, the Commission shall notify the carrier to the contrary.

§ 63.65 *Closure of public or semi-public toll station where another toll station of applicant in the community will continue service.* (a) Except in emergency cases,¹ authority to close a public or semi-public toll station in a community in which another toll station of the applicant will continue service shall be requested by an informal request, filed in quintuplicate, duly verified and affirmed according to law, making reference to this paragraph and showing the following:

(1) Location of toll station to be closed and distance from nearest toll station to be retained;

(2) Description of service area affected, including approximate population and character of the business of the community;

(3) Average number of toll telephone messages sent-paid and received-collect for the preceding six months;

(4) Average number of telegraph messages sent-paid and received-collect for the preceding six months;

(5) Statement of reasons for desiring to close the station;

(b) Authority for closures requested under paragraph (a) shall be deemed to have been granted by the Commission effective as of the fifteenth day following the date of filing such request unless on or before the fifteenth day the Commission shall notify the carrier to the contrary.

§ 63.66 *Closure of or reduction of hours of service at public telegraph offices and telephone exchanges at military establishments.* Where a carrier desires to close or reduce hours of service at a public telegraph office or a telephone exchange located at a military establishment because of the deactivation of such establishment, it may, in lieu of filing formal application, file in quintuplicate an informal request for authority, duly verified or affirmed according to law. Such request shall make reference to this section and shall set forth the class of office, address, date of proposed closure or reduction, description of service to remain or be substituted, statement as to any difference in charges to the public

¹ See §§ 63.60 (b) and 63.63.

and the reasons for the proposed closure or reduction. Authority for such closure or reduction shall be deemed to have been granted by the Commission, effective as of the fifteenth day following the date of filing of such request, unless on or before the fifteenth day the Commission shall notify the carrier to the contrary.

§ 63.90 *Publication and posting of notices.* (a) Immediately upon the filing of an application or informal request for authority to close, or reduce the hours of service at, a telephone exchange or a telegraph office (except an agency office, a jointly-operated office, or an office or exchange located at a military establishment), the applicant shall post a public notice at least twenty inches (20") by twenty-four inches (24"), with letters of commensurate size, in a conspicuous place at the office affected for at least fourteen (14) days, which notice shall be in the following form:

(Date of first posting of notice)

Notice is hereby given that application was made on the _____ day of _____, 19____, by _____ Company to the Federal Communications Commission to close this office (or reduce the hours of service from the present hours of service -- m. to -- m. to the hours -- m. to -- m.) If the application is granted, substituted service will be available from -- m. to -- m. at the _____ office, located at _____ (or give other appropriate general description of substituted service). Any member of the public desiring to protest or support the closing of this office (or the reduction of the hours of service) may communicate in writing with the Federal Communications Commission, Washington 25, D. C. on or before _____ (fill in date which is 20 days after the date of the first posting of notice)."

(b) Immediately upon the filing of an application or informal request of the nature described in paragraph (a), the applicant shall also cause to be published a notice not less than four (4) column inches in size containing information similar to the notice form specified in (a) above, at least once during each of two consecutive weeks, in some newspaper of general circulation in the community or part of the community affected;

(c) Immediately upon the filing of an application or informal request for authority to close, or to reduce the hours of service at, an agency or jointly operated office (except an office located at a military establishment), applicant shall post a public notice at least eleven inches (11") by seventeen (17") as provided in (a) above or, in lieu thereof, applicant shall cause to be published a newspaper notice as provided in paragraph (b);

(d) When such posting and publication have been completed, applicant shall certify such fact to the Commission, stating the name of the newspaper in which publication was made and the dates of publication and posting.

APPENDIX A—CONTENTS OF APPLICATIONS TO DISMANTLE OR REMOVE A TRUNK LINE

(a) The name and address of each applicant;

(b) The name, title, and post office address of the officer to whom correspondence concerning the application is to be addressed;

(c) Nature of proposed discontinuance, reduction, or impairment;

(d) Identification of community or part of community involved and date on which applicant desires to make proposed discontinuance, reduction, or impairment effective; if for a temporary period only, indicate the approximate period for which authorization is desired;

(e) Proposed new tariff listing, if any, and differences, if any, between present charges to the public and charges for the service to be substituted;

(f) Description of the service area affected including population and general character of business of the community;

(g) Name of any other carrier or carriers providing telegraph or telephone service to the community;

(h) Statement of the reasons for proposed discontinuance, reduction or impairment;

(i) Statement of the factors showing that neither present nor future public convenience and necessity would be adversely affected by the granting of the application;

(j) Description of any previous discontinuance, reduction, or impairment of service to the community affected by the application, which has been made by the applicant during the 12 months preceding filing of application, and statement of any present plans for future discontinuance, reduction or impairment of service to such community;

(k) A map or sketch showing:

(1) Routes of line proposed to be removed from service and of alternate lines, if any, to be retained;

(2) Type and ownership of structures (open wire, aerial cable, underground cable, carrier systems, etc.);

(3) Cities and towns along routes with approximate population of each, and route mileage between the principal points;

(4) Location of important operating centers and repeater or relay points;

(5) State boundary lines through which the facilities extend;

(l) A wire chart showing, for both the line proposed to be removed and the alternate lines to be retained, the regular and normal assignment of each wire, its method of operation, the number of channels and normal assignment of each;

(m) The number of wires or cables to be removed and the kind, size and length of each;

(n) A complete statement showing how the traffic load on the line proposed to be removed will be diverted to other lines and the adequacy of such other lines to handle the increased load.

APPENDIX B—CONTENTS OF APPLICATIONS TO SEVER PHYSICAL CONNECTION OR TO TERMINATE OR SUSPEND INTERCHANGE OF TRAFFIC WITH ANOTHER CARRIER

(a) The name and address of each applicant;

(b) The name, title, and post office address of the officer to whom correspondence concerning the application is to be addressed;

(c) Nature of the proposed change;

(d) Identification of community or part of community involved and date on which applicant desires to make proposed discontinuance, reduction, or impairment effective; if for a temporary period only, indicate the approximate period for which authorization is desired;

(e) Proposed new tariff listing, if any, and differences, if any, between present charges to the public and charges for the service to be substituted;

(f) Description of the service area affected including population and general character of business of the community;

(g) Name of any other carrier or carriers providing telegraph or telephone service to the community;

(h) Statement of the reasons for proposed discontinuance, reduction or impairment;

(i) Statement of the factors showing that neither present nor future public convenience and necessity would be adversely affected by the granting of the application;

(j) Description of any previous discontinuance, reduction, or impairment of service to the community affected by the application, which has been made by the applicant during the 12 months preceding filing of application, and statement of any present plans for future discontinuance, reduction or impairment of service to such community;

(k) Name of other carrier;

(l) Points served through such physical connection or interchange;

(m) Description of the service involved;

(n) Statement as to how points served by means of such physical connection or interchange will be served thereafter;

(o) Amount of traffic interchange for each month during preceding 6 month period;

(p) Statement as to whether severance of physical connection or termination or suspension of interchange of traffic is being made with consent of other carrier.

APPENDIX C—CONTENTS OF APPLICATIONS TO CLOSE, OR REDUCE HOURS OF SERVICE AT A PUBLIC TELEGRAPH OFFICE WHICH IS THE ONLY PUBLIC TELEGRAPH OFFICE OF APPLICANT IN A COMMUNITY

(a) The name and address of each applicant;

(b) The name, title, and post office address of the officer to whom correspondence concerning the application is to be addressed;

(c) Nature of proposed discontinuance, reduction, or impairment;

(d) Identification of community or part of community involved and date on which applicant desires to make proposed discontinuance, reduction, or impairment effective; if for a temporary period only, indicate the approximate period for which authorization is desired;

(e) Proposed new tariff listing, if any, and difference, if any, between present charges to the public and charges for the service to be substituted;

(f) Description of the service area affected including population and general character of business of the community;

(g) Name of any other carrier or carriers providing telegraph or telephone service to the community;

(h) Statement of the reasons for proposed discontinuance, reduction or impairment;

(i) Statement of the factors showing that neither present nor future public convenience and necessity would be adversely affected by the granting of the application;

(j) Description of any previous discontinuance, reduction, or impairment of service to the community affected by the application, which has been made by the applicant during the 12 months preceding filing of application, and statement of any present plans for future discontinuance, reduction or impairment of service to such community;

(k) Street address, location in building (street, lobby, or upper floor), and class of office; office hours; method of operation; area served; number of call boxes; number of telegraph tie-lines; number of telephone tie-lines; extent and character of pickup and delivery facilities and services, including number of messengers;

(l) Number of messages sent and number received, revenue from sent-paid and received-collect traffic and direct operating expenses, for each of the past 12 months if closure is proposed, and for each of the past three months if reduction in hours is proposed, and an estimate as to what difference, if any, in the amount of such traffic, revenues and expenses would be expected for the ensuing year if present service were continued, and the basis for such estimate;

(m) If application is for closure;

(1) For each of the past three months, the distribution of sent messages as between number handled over the counter, by messenger, by telephone, by tie-line, or other method;

(2) Full description of the telegraph service, if any, which would be substituted by applicant if the application is granted, includ-

ing hours of service, method of operation, area to be served, extent of pickup and delivery facilities and service; approximate distance to nearest telegraph office;

(n) If application is for reduction of hours;

- (1) Present hours and proposed hours;
- (2) Number of messages sent and number received during each of the hours proposed to be discontinued for each of the past three months; distribution of such sent messages as between number handled over the counter, by messenger, by telephone, by tie-line, or other method;

(3) Statement as to how traffic would be handled outside of proposed office hours.

APPENDIX D—CONTENTS OF APPLICATIONS TO CLOSE, OR REDUCE HOURS OF SERVICE AT A PUBLIC TELEGRAPH OFFICE WHERE ANOTHER PUBLIC TELEGRAPH OFFICE OF APPLICANT IN THE COMMUNITY WILL CONTINUE SERVICE

(a) The name and address of each applicant;

(b) The name, title, and post office address of the officer to whom correspondence concerning the application is to be addressed;

(c) Nature of proposed discontinuance, reduction, or impairment;

(d) Identification of community or part of community involved and date on which applicant desires to make proposed discontinuance, reduction, or impairment effective; if for a temporary period only, indicate the approximate period for which authorization is desired;

(e) Proposed new tariff listing, if any, and differences, if any, between, present charges to the public and charges for the service to be substituted;

(f) Description of the service area affected including population and general character of business of the community;

(g) Name of any other carrier or carriers providing telegraph or telephone service to the community;

(h) Statement of the reasons for proposed discontinuance, reduction or impairment;

(i) Statement of the factors showing that neither present nor future public convenience and necessity would be adversely affected by the granting of the application;

(j) Description of any previous discontinuance, reduction, or impairment of service to the community affected by the application, which has been made by the applicant during the 12 months preceding filing of application, and statement of any present plans for future discontinuance, reduction or impairment of service to such community;

(k) Street address, location in building (street, lobby, or upper floor), and class of office involved; office hours, method of operation; area served; number of call boxes; number of telegraph tie-lines; number of telephone tie-lines; extent and character of pick-up and delivery facilities and service, including number of messengers;

(l) Proposed method of serving present call box and tie-line patrons of the office involved;

(m) For each office which will handle traffic formerly handled by the office involved; (1) street address and location in building; (2) class; (3) distance in yards to such office; (4) office hours; (5) method of operations; (6) area served; (7) number of call boxes; (8) extent and character of pickup and delivery facilities and services, including number of messengers; (9) extent, if any, to which pickup and delivery service will be extended so as to serve area formerly served by the office involved; (10) number of channels and capacity; (11) average daily message load for the past month; (12) estimate as to the portion of the traffic load of the office to be closed which will be diverted to each such office; (13) statement as to any facilities, personnel, or channels to be added; (Note: If application is for reduction in hours answers to items (10) through (13) not required;

(n) If application is for closure:

- (1) Number of messages sent and number received, revenues from sent-paid and

received-collect traffic and direct operating expenses for each of the past 12 months, and an estimate as to what difference, if any, in the amount of such traffic, revenues, and expenses would be expected for the ensuing year if present service were continued, and the basis for such estimate;

(2) For each of the past three months, the distribution of sent messages as between number handled over the counter, by messenger, by telephone, by tie-line, or other method;

(c) If application is for reduction in hours:

- (1) Present and proposed office hours;
- (2) Number of messages sent and number received during each of the hours proposed to be discontinued for each of the past three months; distribution of such sent messages as between number handled over the counter, by messenger, by telephone, by tie-line, or other method;

(3) Statement as to how traffic would be handled outside of proposed office hours.

APPENDIX E—CONTENTS OF APPLICATIONS TO CLOSE A PUBLIC OR SEMI-PUBLIC TOLL STATION WHERE NO OTHER SUCH TOLL STATION OF THE APPLICANT IN THE COMMUNITY WILL CONTINUE SERVICE

(a) The name and address of each applicant;

(b) The name, title, and post office address of the officer to whom correspondence concerning the application is to be addressed;

(c) Nature of proposed discontinuance, reduction, or impairment;

(d) Identification of community or part of community involved and date on which applicant desires to make proposed discontinuance, reduction, or impairment effective; if for a temporary period only, indicate the approximate period for which authorization is desired;

(e) Proposed new tariff listing, if any, and difference, if any, between present charges to the public and charges for the service to be substituted;

(f) Description of the service areas affected including population and general character of business of the community;

(g) Name of any other carrier or carrier's providing telegraph or telephone service to the community;

(h) Statement of the reasons for proposed discontinuance, reduction or impairment;

(i) Statement of the factors showing that neither present nor future public convenience and necessity would be adversely affected by the granting of the application;

(j) Description of any previous discontinuance, reduction, or impairment of service to the community affected by the application, which has been made by the applicant during the 12 months preceding filing of application, and statement of any present plans for future discontinuance, reduction or impairment of service to such community;

(k) Description of the service involved, including:

- (1) Existing telephone or telegraph service by the applicant available to the community;
- (2) Telephone or telegraph service (available from applicant or others) which would remain in the community in the event the application is granted;

(3) Statement of the number of toll telephone messages or telegraph messages sent-paid and received-collect, and the revenues from such traffic, in connection with the service proposed to be discontinued for each of the past 6 months; and, if the volume of such traffic handled in the area has decreased during recent years, the reasons therefor.

APPENDIX F—CONTENTS OF APPLICATIONS FOR ANY TYPE OF DISCONTINUANCE, REDUCTION OR IMPAIRMENT OF TELEPHONE OR TELEGRAPH SERVICE NOT SPECIFICALLY PROVIDED FOR IN PART 63

(a) The name and address of each applicant;

(b) The name, title, and post office address of the officer to whom correspondence concerning the application is to be addressed;

(c) Nature of proposed discontinuance, reduction, or impairment;

(d) Identification of community or part of community involved and date on which applicant desires to make proposed discontinuance, reduction, or impairment effective; if for a temporary period only, indicate the approximate period for which authorization is desired;

(e) Proposed new tariff listing, if any, and difference, if any between present charges to the public and charges for the service to be substituted;

(f) Description of the service area affected including population and general character of business of the community;

(g) Name of any other carrier or carriers providing telegraph or telephone service to the community;

(h) Statement of the reasons for proposed discontinuance, reduction or impairment;

(i) Statement of the factors showing that neither present nor future public convenience and necessity would be adversely affected by the granting of the application;

(j) Description of any previous discontinuance, reduction, or impairment of service to the community affected by the application, which has been made by the applicant during the 12 months preceding filing of application, and statement of any present plans for future discontinuance, reduction or impairment of service to such community;

(k) Description of the service involved, including:

(1) Existing telephone or telegraph service by the applicant available to the community or part thereof involved;

(2) Telephone or telegraph service (available from applicant or others) which would remain in the community or part thereof involved in the event the application is granted;

(l) If application is for Discontinuance, Reduction or Impairment of Telephone Service:

(1) Statement of the number of toll messages sent-paid and received-collect and the revenues from such traffic, in connection with the service proposed to be discontinued, reduced, or impaired for each of the past 6 months; and, if the volume of such traffic handled in the area has decreased during recent years, the reasons therefor.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1803; Filed, Jan. 31, 1946; 11:07 a. m.]

[Docket No. 7124]

KARM, THE GEORGE HARM STATION

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of KARM, The George Harm Station, A Corporation, Fresno., California for construction permit; File No. B5-P-3784.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 16th day of January, 1946;

The Commission having under consideration the above application of KARM, The George Harm Station, A Corporation, for a construction permit to change frequency from 1430 kc to 1030 kc and to make changes in the DA system for its existing standard broadcast station KARM at Fresno, California;

It is ordered, That the said application be designated for hearing in a consoli-

dated proceeding with the application of J. E. Rodman (KFRE) (File No. B5-P-3757), Fresno, California, on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, 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 stations or with the service proposed in any 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.

5. 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.

6. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1798; Filed, Jan. 31, 1946;
11:07 a. m.]

[Docket No. 7125]

J. E. RODMAN (KFRE)

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of J. E. Rodman (KFRE), Fresno, California, for construction permit; File No. B5-P-3757.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 16th day of January 1946;

The Commission having under consideration the above application of J. E. Rodman (KFRE) for a construction permit to increase power from 250 w to 1 kw and to change frequency from 1340 kc to 1060 kc for its existing standard broadcast station KFRE at Fresno, California;

It is ordered, That the said application be designated for hearing in a consolidated proceeding with the application of KARM, The George Harm Station, A Corporation, Fresno, California, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant individual 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 stations or with the service proposed in any 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.

5. 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.

6. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1799; Filed, Jan. 31, 1946;
11:07 a. m.]

[Docket No. 7126]

TEXOMA BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Texoma Broadcasting Company, Wichita Falls, Texas, for construction permit; File No. B3-P-3823.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of January, 1946;

The Commission having under consideration the above-listed application of Texoma Broadcasting Company for a construction permit for a new standard broadcast station at Wichita Falls, Texas;

It is ordered, That the said application be designated for hearing in a consolidated proceeding with the applications of Darrold Alexander Cannan tr/as Wichtex Broadcasting Company, Wichita Falls, Texas (B3-P-3981) and John C. McCormack, George D. Wray, P. E. Furlow, Allen D. Morris, C. H. Maddox, and W. E. Antony d/b as Oklahoma Television and Broadcasting Company, Tulsa, Oklahoma (B3-P-4006), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, 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 the service proposed in the pending application of Darrold Alexander Cannan tr/as Wichtex Broadcasting Company (B3-P-3981) or any other pending application, 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 any existing 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.

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.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1800; Filed, Jan. 31, 1946;
11:08 a. m.]

[Docket No. 7127]

WICHTEX BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Darrold Alexander Cannan tr/as Wichtex Broadcasting Company, Wichita Falls, Texas; File No. B3-P-3981.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of January, 1946;

The Commission having under consideration the above-listed application of Darrold Alexander Cannan tr/as Wichtex Broadcasting Company for a permit to construct a new standard broadcast station at Wichita Falls, Texas;

It is ordered, That the said application be designated for hearing in a consolidated proceeding with the applications of Texoma Broadcasting Company, Wichita Falls, Texas (B3-P-3823) and John C. McCormack, George D. Wray, P. E. Furlow, Allen D. Morris, C. H. Maddox, and W. E. Antony d/b as Oklahoma Television and Broadcasting Company, Tulsa, Oklahoma (B3-P-4006), upon 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 the service proposed in the pending applications of Texoma Broadcasting Company (B3-P-3823), and Oklahoma Television and Broadcasting Company (B3-P-4006), or any other pending application 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 any existing 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.

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.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1801; Filed, Jan. 31, 1946;
11:08 a. m.]

[Docket No. 7128]

OKLAHOMA TELEVISION AND BROADCASTING Co.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of John C. McCormack, George D. Wray, P. E. Furlow, Allen D. Morris, C. H. Maddox, and W. E. Antony d/b as Oklahoma Television and Broadcasting Company, Tulsa, Oklahoma; For Construction Permit; File No. B3-P-4006.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 16th day of January 1946;

The Commission having under consideration the above-listed application of John C. McCormack, George D. Wray, P. E. Furlow, Allen D. Morris, C. H. Maddox, and W. E. Antony d/b as Oklahoma Television and Broadcasting Company for a construction permit for a new standard broadcast station at Tulsa, Oklahoma.

It is ordered, That the said application be designated for hearing in a consolidated proceeding with the applications of Texoma Broadcasting Company, Wichita Falls, Texas (B3-P-3823) and Darrold Alexander Cannan tr/as Wichtex Broadcasting Company, Wichita Falls, Texas (B3-P-3981), upon 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 areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with the service proposed in the pending application of Wichtex Broadcasting Company (B3-P-3981) or any other pending application, 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 any existing 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.

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.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1802; Filed, Jan. 31, 1946;
11:08 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Rev. S. O. 433-A]

EMBARGO OF LESS CARGO FREIGHT AT ST. LOUIS AND VICINITY

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of January A. D. 1946.

Upon further consideration of the provisions of Revised Service Order No. 433, and good cause appearing therefor: *It is ordered, That:*

Revised Service Order No. 433, *Embargo of Less Carload Freight at St. Louis and Vicinity*, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 418, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, That this order shall become effective at 6:00 p. m., January 29, 1946; that a copy of this order and direction shall be served upon the freight forwarders serving points named in paragraph (a) of Revised Service Order No. 433, 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. 46-1856; Filed, Jan. 31, 1946;
3:51 p. m.]

[Rev. S. O. 437-A]

EMBARGO OF OUTBOUND LESS CARLOAD FREIGHT AT TWIN CITIES, MINN.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of January, A. D. 1946.

Upon further consideration of the provisions of Revised Service Order No. 437 (11 F.R. 955), and good cause appearing therefor: *It is ordered, That:*

Revised Service Order No. 437 (11 F.R. 955), *Embargo of Outbound Less Carload Freight at Twin Cities*, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 418, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, That this order shall become effective at 6:00 p. m., January 29, 1946; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-1857; Filed, Jan. 31, 1946;
3:51 p. m.]

[S. O. 442]

UNLOADING OF FERTILIZER AT HOUSTON, TEX.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of January A. D. 1946.

It appearing, that numerous cars containing fertilizer at Houston, Texas, on the Missouri-Kansas-Texas Railroad Company of Texas have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

Fertilizer at Houston, Texas, be unloaded. (a) The Missouri-Kansas-Texas Railroad Company of Texas, its agents or employees, shall unload forthwith the following cars loaded with fertilizer now on hand at Houston, Texas, consigned to the French Supply Council.

Initial and number: TNO, 54045
NP, 30011
TP, 40832
ATSF, 272078
SW, 37657
UP, 192350
KCS, 17124
CEQ, 133851
CBQ, 42359
C&O, 83759

Initial and number: C&O, 13757
SP, 15111
SP, 37471
NP, 13017
NKP, 12820
NP, 10255
ACL, 46327
RDG, 102520
AT, 126579

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon the Missouri-Kansas-Texas Railroad Company of Texas, 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. 46-1858; Filed, Jan. 31, 1946;
3:51 p. m.]

[S. O. 443]

UNLOADING OF MACHINERY AT BROWNSVILLE, TEX.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of January, A. D. 1946.

It appearing, that PRR 474104 containing machinery at Brownsville, Texas, on the St. Louis, Brownsville and Mexico Railway Company (Guy A. Thompson, Trustee), has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

Machinery at Brownsville, Texas, be unloaded. (a) The St. Louis, Brownsville and Mexico Railway Company (Guy A. Thompson, Trustee) its agents or employees, shall unload forthwith PRR 474104, containing machinery now on hand at Brownsville, Texas, consigned to José F. Carranza, Rio Grande City, Texas.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload has been completely unloaded in compliance with the requirements of paragraph (a). Upon the unloading and receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the St. Louis, Brownsville and Mexico Railway Company (Guy A. Thompson, Trustee), 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. 46-1859; Filed, Jan. 31, 1946;
3:51 p. m.]

[S. O. 444]

UNLOADING OF FLOUR AT NEW ORLEANS, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of January, A. D. 1946.

It appearing, that two cars containing flour at New Orleans, Louisiana, on the Texas and New Orleans Railroad Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

Flour at New Orleans, Louisiana, be unloaded. (a) The Texas and New Orleans Railroad Company, its agents or employees, shall unload forthwith cars CNW 145644 and Milw. 714244 loaded with flour now on hand at New Orleans, Louisiana.

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon the Texas and New Orleans Railroad Company, 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. 46-1860; Filed, Jan. 31, 1946;
3:51 p. m.]

[S. O. 445]

UNLOADING OF COMMODITIES AT NEW ORLEANS, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of January, A. D. 1946.

It appearing, that numerous cars containing various commodities at New Orleans, Louisiana, on the New Orleans and Northeastern Railroad Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

Commodities at New Orleans, Louisiana, be unloaded. (a) The New Orleans and Northeastern Railroad Company, its agents or employees, shall unload forthwith the following cars loaded with various commodities now on hand at New Orleans, Louisiana, for export:

Init. and Number, Contents and Consignee
IC, 17565; agricultural implements; Transportation Marine Co.

TNO, 51310; fire brick; C. H. Hiern.
ACL, 20181; looms and parts; Seatrain Corp.

MP, 93392; looms and parts; Seatrain Corp.

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon the New Orleans and Northeastern Railroad Company, 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. 46-1861; Filed, Jan. 31, 1946;
3:51 p. m.]

[3d Rev. S. O. 419, Amdt. 1]

EMBARGO OF LESS CARLOAD FREIGHT AT SIOUX CITY AND VICINITY

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of January, A. D. 1946.

Upon further consideration of Third Revised Service Order No. 419 (11 F.R. 817), and good cause appearing therefor: *It is ordered, That:*

Third Revised Service Order No. 419, be, and it is hereby, amended by substituting the following paragraph (c) for paragraph (c) thereof:

(c) *Expiration date.* This order shall expire at 11:59 p. m., February 7, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485, sec. 4, 10; 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered. That this amendment shall become effective at 6:00 p. m., January 31, 1946; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-1924; Filed, Feb. 1, 1946; 11:45 a. m.]

[S. O. 422, Special Permit 6]

UNLOADING OF ASPHALT, TEXAS CITY, TEX.

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph of Service Order No. 422 (11 F.R. 250), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 422 insofar as it applies to 30 cars of asphalt in drums held at Texas City, Texas by the M. K. & T.

This special permit shall expire at 11:59 p. m., January 31, 1946.

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 25th day of January 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-1928; Filed, Feb. 1, 1946; 11:45 a. m.]

[S. O. 447]

UNLOADING OF MACHINERY AT NEUSE, N. C.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of January, A. D. 1946.

It appearing, that numerous cars containing machinery at Neuse, North Caro-

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lina, on the Seaboard Air Line Railway Company (L. R. Powell, Jr., and Henry W. Anderson, Receivers), have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered, that:

Machinery at Neuse, North Carolina, be unloaded. (a) The Seaboard Air Line Railway Company (L. R. Powell, Jr., and Henry W. Anderson, Receivers), its agents or employees shall unload forthwith the following cars, containing machinery on hand at Neuse, North Carolina, consigned to Buffalo Mills, Inc., or Erwin Turk.

Initial and No.:

ACL, 27386	B&O, 268936
PRR, 88599	PRR, 517785
Sou., 13223	PRR, 92093
PRR, 102032	PRR, 573994

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon the Seaboard Air Line Railway Company (L. R. Powell, Jr., and Henry W. Anderson, Receivers), 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. 46-1926; Filed, Feb. 1, 1946; 11:46 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5575]

RUDOLF HILLMANN

In re: Bank account owned by Rudolf Hillmann.

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 Rudolf Hillmann, whose last known address is c/o K. K. Frisu Shokai, Teikoku Seimeikan, Harunouchi, Kojimachi-Ku, 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 Rudolf Hillmann, by The National City

Bank of New York, 55 Wall Street, New York, New York, arising out of a Compound Interest Department Account, Account Number A-103885, entitled Rudolf Hillmann, 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 January 8, 1946.

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

[F. R. Doc. 46-1809; Filed, Jan. 31, 1946; 11:10 a. m.]

[Vesting Order 5591]

HERMANN KUH

In re: Bank account owned by Hermann Kuh.

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 Hermann Kuh, whose last known address is c/o Carl Zeiss, K. K., 7th Floor,

Yusen Building, Marunouchi, 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 Hermann Kuh, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Compound Interest Department Account, Account Number A-39572, entitled Hermann Kuh, 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 9095, as amended.

Executed at Washington, D. C., on January 8, 1946.

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

[F. R. Doc. 46-1810; Filed, Jan. 31, 1946;
11:10 a. m.]

[Vesting Order 5596]

WALTER AND DAISY VIVANTI LEMKE

In re: Bank account owned by Walter Lemke and/or Daisy Vivanti Lemke.

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 Walter Lemke and Daisy Vivanti Lemke, whose last known address is Marunouchi 8, Chome 3, Tokyo, Japan, are nationals of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Walter Lemke and/or Daisy Vivanti Lemke, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Compound Interest Department Account, Account Number A53828, entitled Walter Lemke and/or Mrs. Daisy Vivanti Lemke, 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 (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 January 9, 1946.

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

[F. R. Doc. 46-1811; Filed, Jan. 31, 1946;
11:10 a. m.]

[Vesting Order 5598]

GENNARO LIGUORI

In re: Bank account owned by Gennaro Liguori.

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 Gennaro Liguori, whose last known address is P. O. Box 325, Kobe, 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 Gennaro Liguori, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a checking account, Account Number 1007, entitled Gennaro Liguori, 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 January 9, 1946.

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

[F. R. Doc. 46-1812; Filed, Jan. 31, 1946;
11:10 a. m.]

[Vesting Order 5666]

PAUL SCHAUSELL & CO.

In re: Bank account owned by Paul Schauseil & 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 Paul Schauseil & Co., the last known address of which is Schliessfach 155, Halle/Saale, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Paul Schauseil & Co., by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a checking account, entitled Bankhaus Paul Schauseil & Co., and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Paul Schauseil & Co., by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Checking Account, entitled Bankhaus Paul Schauseil & Co., Sub-account-Cust. Depot, General Ruling No. 6 Account, 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 January 16, 1946.

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

[F. R. Doc. 46-1815; Filed, Jan. 31, 1946;
11:11 a. m.]

[Vesting Order 5631]

DR. W. REMY

In re: Bank account owned by Dr. W. Remy.

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 Dr. W. Remy, whose last known address is Teikoku Seimei Bldg., Marunouchi, 1-Chome, 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 Dr. W. Remy, by The National City Bank of New York, New York, New York, arising out of a Checking Account, entitled Dr. W. Remy, maintained at the branch office of the aforesaid bank located at 22 William Street, New York, New York, 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 January 10, 1946.

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

[F. R. Doc. 46-1813; Filed, Jan. 31, 1946;
11:10 a. m.]

[Vesting Order 5665]

T. SAKATA AND MRS. M. SAKATA

In re: Bank account owned by T. Sakata and/or Mrs. M. Sakata.

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 T. Sakata and Mrs. M. Sakata, whose last known addresses are c/o T. Sakata & Co., Yokohama, Japan, are nationals of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to T. Sakata and/or Mrs. M. Sakata, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Compound Interest Department Account, Account Number A-91581, entitled T. Sakata and/or Mrs. M. Sakata, 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 (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 January 16, 1946.

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

[F. R. Doc. 46-1814; Filed, Jan. 31, 1946;
11:10 a. m.]

[Vesting Order 5667]

HERMANN SCHMITZ

In re: Bank account owned by Hermann Schmitz.

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 Hermann Schmitz, whose last known address is Unter den Linden 82, Berlin NW7, 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 Hermann Schmitz, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a checking account, entitled Geheimrat Dr. Hermann Schmitz, 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 January 16, 1946.

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

[F. R. Doc. 46-1816; Filed, Jan. 31, 1946;
11:11 a. m.]

[Vesting Order 5668]

JOHANN SCHULENBERG

In re: Bank account owned by Johann Schulenberg; D-28-8658; E. T. sec. 10460.

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 Johann Schulenberg, whose last known address is 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 Johann Schulenberg, by Citizens' Loan Corporation, successor to Citizens' Industrial Bankers, Incorporated, arising out of an account entitled 4% Investment Certificate Account in the names of Philip L. Schulenberg and Johann Schulenberg, maintained at the branch office of the aforesaid bank located at Suite 200, 18 E. Lexington Street, Baltimore 2, Maryland, 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 January 16, 1946.

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

[F. R. Doc. 46-1817; Filed, Jan. 31, 1946;
11:11 a. m.]

[Vesting Order 5669]

HUBERT SEBLATNIGG

In re: Bank account owned by Hubert Seblatnigg.

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 Hubert Seblatnigg, whose last known address is 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 Hubert Seblatnigg, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a dollar checking account, entitled Hubert Seblatnigg, 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 January 16, 1946.

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

[F. R. Doc. 46-1818; Filed, Jan. 31, 1946;
11:11 a. m.]

[Vesting Order 5670]

K. K. L. LEYBOLD SHOKWAN

In re: Bank account owned by K. K. L. Leybold Shokwan.

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 K. K. L. Leybold Shokwan, the last known address of which is 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 K. K. L. Leybold Shokwan, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a dollar checking account, entitled K. K. L. Leybold Shokwan, 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 ap-

propriate 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 January 16, 1946.

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

[F. R. Doc. 46-1819; Filed, Jan. 31, 1946;
11:11 a. m.]

[Vesting Order 5671]

B. SIMONS & Co.

In re: Bank account owned by B. Simons & 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 B. Simons & Co., the last known address of which is Schliessfach 94, Duesseldorf, 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 B. Simons & Co., by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a dollar checking account, entitled Messrs. B. Simons & 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 inter-

est 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 January 16, 1946.

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

[F. R. Doc. 46-1820; Filed, Jan. 31, 1946;
11:12 a. m.]

[Vesting Order 5672]

B. SIMONS & Co.

In re: Bank account owned by B. Simons & 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 B. Simons & Co., the last known address of which is Schliessfach 94, Duesseldorf, 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 B. Simons & Co., by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Checking Account, Account Number 162, entitled B. Simons & 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 January 16, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1821; Filed, Jan. 31, 1946;
11:12 a. m.]

[Vesting Order 5673]

WILHELM STABLEIN

In re: Bank account owned by Wilhelm Stablein.

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 Wilhelm Stablein, whose last known address is Wiltingerstrasse 28, Berlin-Frohnau, 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 Wilhelm Stablein, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a checking account, entitled Wilhelm Stablein, maintained at the branch office of the aforesaid bank located at 9 West 51st Street, New York, New York, 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 January 16, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1822; Filed, Jan. 31, 1946;
11:12 a. m.]

[Vesting Order 5674]

CARL STANGEN

In re: Bank account owned by Carl Stangen.

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 Vesting Order Number 3481, dated April 17, 1944, that Carl Stangen is a national of a designated enemy country (Germany);

2. Finding that the property described as follows: That certain debt or other obligation owing to Carl Stangen, by Guaranty Trust Company of New York, New York, New York, arising out of a dollar account, entitled Carl Stangen, 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 desig-

nated 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 January 16, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1823; Filed, Jan. 31, 1946;
11:12 a. m.]

[Vesting Order 5676]

STAETISCHE GIROKASSE STUTTGART

In re: Bank accounts owned by Staetische Girokasse Stuttgart.

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 Staetische Girokasse Stuttgart, last known address of which is Postschlusfach 387, Stuttgart, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows:
a. That certain debt or other obligation owing to Staetische Girokasse Stuttgart, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a dollar checking account, entitled Staetische Girokasse Stuttgart, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Staetische Girokasse Stuttgart, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York,

arising out of an unclaimed deposit account, entitled Staedtische Girokasse Stuttgart, and any and all rights to demand, enforce and collect the same.

c. That certain debt or other obligation owing to Staedtische Girokasse Stuttgart, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of an old checks outstanding account, entitled Staedtische Girokasse Stuttgart, 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 January 16, 1946.

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

[F. R. Doc. 46-1824; Filed, Jan. 31, 1946;
11:12 a. m.]

[Vesting Order 5677]

TAKEKO SUGA

In re: Bank account owned by Takeko Suga.

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 Takeko Suga, whose last known address is 228 Hiuna, Nihomachi, Hiroshima, 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 Takeko Suga, by The National City Bank of New York, New York, New York, arising out of a checking account, entitled Mrs. Takeko Suga, maintained at the branch office of the aforesaid bank located at 22 William Street, New York, New York, 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 January 16, 1946.

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

[F. R. Doc. 46-1825; Filed, Jan. 31, 1946;
11:13 a. m.]

[Vesting Order 5678]

KAZUE SUMII

In re: Bank account owned by Kazue Sumii.

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 Kazue Sumii, whose last known address is 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 Kazue Sumii, by Corn Exchange Bank Trust Co., 13 William Street, New York, New York, arising out of a dollar account, entitled Kazue Sumii, maintained at the branch office of the aforesaid bank located at 1 East 42nd Street, New York, New York, 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 January 16, 1946.

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

[F. R. Doc. 46-1826; Filed, Jan. 31, 1946; 11:13 a. m.]

[Vesting Order P 5]

PERSONAL PROPERTY OWNED BY IMPERIAL JAPANESE GOVERNMENT

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 property described as follows: Those certain rolls or bobbins of white cigarette paper manufactured by the Nippon Fujikawa Paper Manufacturing Co., Ltd., of Japan, and stored in the warehouse of La Serpiente Cigar and Cigarette Factory, 141 Gral. Geronimo Street, District of Sampaloc, City of Manila, Commonwealth of the Philippines, being part of those described in EPC-F2 (Receipt No. 77) signed by Lt. K. M. Thompson, Purchasing and Contracting Division, Hq. Base X, U. S. Army, and believed to be 1700 rolls or bobbins,

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, 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 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 January 25, 1946.

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

[F. R. Doc. 46-1827; Filed, Jan. 31, 1946; 11:13 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[SO 133, Order 17]

LENOX INC.

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 4 and 6 of Supplementary Order No. 133, it is ordered:

(a) *Manufacturer's maximum prices.* Lenox Incorporated, Prince and Mead Street, Trenton 5, New Jersey, may increase by no more than 20.2 percent on and after January 16, 1946, its ceiling prices to each class of purchaser for Lenox china of its manufacture.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customer, in addition to his properly established maximum price in effect prior to the issuance of this order, an adjustment charge in the same amount as the adjustment charge authorized for and which he pays to his supplier. If such a purchaser did not have an established maximum price for sales of the article prior to the issuance of this order, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires maximum resale prices to be computed on the basis of cost, the reseller must find his maximum prices (without the permitted adjustment charge) by using as cost his invoice cost, not including any adjustment charge stated on the invoice. On all sales except sales to ultimate consumers, these additional adjustment charges may be made and collected only if they are separately stated on each invoice:

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's 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 the 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.

(f) *Effective date.* This order shall become effective on February 1, 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1851; Filed, Jan. 31, 1946; 11:44 a. m.]

[MPR 120, Revocation of Order 290]

BITUMINOUS COAL IN APPANOOSE COUNTY, IOWA

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, and paragraph (b) of Order No. 290, as amended, under Maximum Price Regulation No. 120, *It is ordered:*

Order No. 290, as amended, under Maximum Price Regulation No. 120 is hereby revoked.

This order shall become effective February 5, 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1838; Filed, Jan. 31, 1946; 11:44 a. m.]

[MPR 120, Amdt. 8 to Order 1548]

ELLIOT COAL MINING CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.212 (c) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1548 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

Paragraph (a) is amended by adding thereto the following in the manner indicated:

Producer and address	Mine name	Mine Index No.	Location and name of preparation plant through which the coals are prepared
Middle Pennsylvania Coal Corp., Madera, Pa.	Bucher.....	3733	Middle Pennsylvania Coal Corp. Alexander Siding Preparation Plant at Madera, Pa., on the Pennsylvania R. R.
	McDonald.....	3734	Do.
	Hegarty.....	5670	Do.
	Vulcan.....	5411	Do.
	Jopling.....	5412	Do.
B. Perini & Sons, Inc., P. O. Box 151, Somerset, Pa.	Florence, No. 3-E.....	5608	Perini Preparation Plant at Gabagen, Pa., on the Pennsylvania R. R.

This Amendment No. 8 to Order No. 1548 under Maximum Price Regulation No. 120 shall become effective February 1, 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1839; Filed, Jan. 31, 1946; 11:44 a. m.]

[MPR 188, Revocation of Order 32 Under 2d Rev. Order A-3]

IMPERIAL DESK CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, *It is ordered*, That Order No. 32 under Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188 be, and the same hereby is, revoked.

This order shall become effective on February 1, 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1841; Filed, Jan. 31, 1946; 11:41 a. m.]

[MPR 188, Order 141 Under 2d Rev. Order A-3]

IMPERIAL DESK CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, *it is ordered*:

(a) *Manufacturer's maximum prices.* Imperial Desk Company, of Evansville, Indiana, may increase its maximum prices in effect immediately prior to September 20, 1944, for sales of the wood office furniture which it manufactures, by 10.15 percent of each such maximum price: *Provided*, The amount of such increase is separately stated on each invoice or other written evidence of sale, as an adjustment charge.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form may collect from his customer, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the adjustment charge herein authorized for, and which he pays to his supplier. If he does not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulations. If the applicable regulation requires the maximum price to be computed on the basis of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount. On all sales other than sales to ultimate consumers this adjustment charge may be made and collected only if it is separately stated on each invoice.

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's terms, discounts, allowances, and other price differentials in effect during

March 1942, or which have been properly established under the applicable OPA regulations.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the methods established in paragraph (b) of this order for determining adjusted maximum prices for resales of the articles covered by this order. This notice may be given in any convenient form.

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

(f) *Effective date.* This order shall become effective on the 1st day of February 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1842; Filed, Jan. 31, 1946; 11:45 a. m.]

[MPR 188, Revocation of Order 4760]

WESTINGHOUSE ELECTRIC CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and Section 6.4 of Second Revised Supplementary Regulation No. 14, *It is ordered*:

That Order No. 4760 be and it is hereby revoked subject to the provisions of Supplementary Order No. 40.

This order of revocation shall become effective on the 1st day of February 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1840; Filed, Jan. 31, 1946; 11:45 a. m.]

[MPR 367, Order 20]

JACKSONVILLE CANNERIES

ESTABLISHMENT OF MAXIMUM PRICES

On January 2, 1946, Jacksonville Canneries, Jacksonville, Texas, filed an application for the establishment of maximum prices on sales of their pet food products containing horsemeat known respectively as "Ranch Boy Brand Dog Food", "Winner" or "Headstart Brand Dog Food" and "Winner Brand Dog Broth" and made in accordance with the individual secret formulae submitted by the applicant. That application was assigned Docket No. 6036.3-367-10-20.

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the reasons set forth in that opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250, 9328 and 9599, and pursuant to the

provisions of section 10 of Maximum Price Regulation No. 367, *It is ordered*:

(a) That Jacksonville Canneries, Jacksonville, Texas may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the three pet food products containing horsemeat known respectively as "Ranch Boy Brand Dog Food", "Winner" or "Headstart Brand Dog Food" and "Winner Brand Dog Broth" and each packed in one pound tins, to peddler truck operators, wholesalers or retailers at prices not in excess of those stated in paragraph (b) of this order. Any person who is a peddler truck operator, a wholesaler or a retailer may buy and receive, and agree, offer, solicit and attempt to buy and receive the said pet food products containing horsemeat at such prices from Jacksonville Canneries.

(b) That the maximum prices for the said products shall be:

(1) For sales made by Jacksonville Canneries as follows:

(i) To peddler truck operators, wholesalers, or retailers, f. o. b. the sellers plant:

	Per dozen
"Ranch Boy Brand Dog Food"-----	\$1.00
"Winner" or "Headstart Brand Dog Food"-----	1.20
"Winner Brand Dog Broth"-----	1.00

(ii) To retailers, delivered to their place of business:

	Per dozen
"Ranch Boy Brand Dog Food"-----	\$1.06
"Winner" or "Headstart Brand Dog Food"-----	1.26
"Winner Brand Dog Broth"-----	1.06

(2) For sales made by a peddler truck operator shall be:

	Per dozen
"Ranch Boy Brand Dog Food"-----	\$1.06
"Winner" or "Headstart Brand Dog Food"-----	1.26
"Winner Brand Dog Broth"-----	1.06

plus actual freight costs incurred by the peddler truck operator in acquiring the product, the total to be rounded to the nearest one-half cent.

(3) For sales made by a wholesaler shall be determined pursuant to the provisions of Maximum Price Regulation No. 421.

(4) For sales made by a retailer in Group 3 or Group 4 shall be determined pursuant to the provisions of Maximum Price Regulation No. 422.

(5) For sales made by a retailer in Group 1 or Group 2 shall be determined pursuant to the provisions of Maximum Price Regulation No. 423.

(c) That the permission granted to Jacksonville Canneries in this order is subject to the following conditions:

(1) Each of the pet food products containing horsemeat designated must conform to the specifications set forth in the respective formula for such product filed with the Office of Price Administration, Washington, D. C., by Jacksonville Canneries, in conjunction with the filing of the application for this order:

(2) Jacksonville Canneries shall provide each peddler truck operator, wholesaler, or retailer making his initial purchase of the said products with a notice in the following form:

(Insert date)

The Office of Price Administration has authorized Jacksonville Canneries to sell "Ranch Boy Brand Dog Food", "Winner" or "Headstart Brand Dog Food" and "Winner Brand Dog Broth" at or below the following maximum prices:

To peddler-truck operators, wholesalers, or retailers, f. o. b., our plant: "Ranch Boy Brand Dog Food" @ \$1.00 per dozen, "Winner" or "Headstart Brand Dog Food" @ \$1.26 per dozen, "Winner Brand Dog Broth" @ \$1.06 per dozen.

To retailers, delivered to their place of business: "Ranch Boy Brand Dog Food" @ \$1.06 per dozen, "Winner" or "Headstart Brand Dog Food" @ \$1.26 per dozen, "Winner Brand Dog Broth" @ \$1.06 per dozen.

If you are a peddler-truck operator the maximum price at which you may sell such products is: "Ranch Boy Brand Dog Food" @ \$1.06 per dozen, "Winner" or "Headstart Brand Dog Food" @ \$1.26 per dozen, "Winner Brand Dog Broth" @ \$1.06 per dozen, plus actual freight costs incurred by you in acquiring the product, the total to be rounded to the nearest one-half cent.

If you are a wholesaler or retailer, you shall determine your maximum selling price for the said products in accordance with the provisions of Maximum Price Regulations Nos. 421, 422, or 423, whichever is applicable.

(d) All sales made under this order shall be subject to all applicable provisions of Maximum Price Regulation No. 367.

All prayers of the application not granted herein are denied.

This Order No. 20 may be revoked or amended by the Administrator at any time.

This Order No. 20 shall become effective February 1, 1946.

NOTE: This order has the prior written approval of the Secretary of Agriculture (10 F.R. 9419).

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1843; Filed, Jan. 31, 1946;
11:46 a. m.]

[MPR 367, Order 21]

MACKALL PRODUCTS CO.

ESTABLISHMENT OF MAXIMUM PRICES

On January 11, 1946, Original Canine Kitchens, a division of Mackall Products Company, 1404-1410 Ninth Avenue, San Francisco 22, California filed an application for the establishment of maximum prices on sales of the pet food product containing horsemeat known as "Mackall's Dog and Cat Food" and made in accordance with the individual secret formula submitted by the applicant. That application was assigned Docket No. 6036.3-367-10-22.

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the reasons set forth in that opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos.

9250, 9328 and 9599, and pursuant to the provisions of section 10 of Maximum Price Regulation No. 367, it is ordered:

(a) That Original Canine Kitchens, a division of Mackall Products Company, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the pet food product containing horsemeat known as "Mackall's Dog and Cat Food" and packed in one pound containers, to peddler truck operators, wholesalers or retailers at prices not in excess of those stated in paragraph (b) of this order. Any person who is a peddler truck operator, a wholesaler or a retailer may buy and receive, and agree, offer, solicit and attempt to buy and receive such product at such prices from Original Canine Kitchens.

(b) That the maximum price for "Mackall's Dog and Cat Food," packed in one pound containers shall be:

(1) For sales made by Original Canine Kitchens as follows:

(i) To peddler operators, wholesalers, or retailers, f. o. b. the sellers plant, \$1.81 per dozen.

(ii) To retailers, delivered to their place of business \$1.87 per dozen.

(2) For sales made by a peddler truck operator shall be:

(i) \$1.87 per dozen, plus actual freight costs incurred by the peddler truck operator in acquiring the product, the total to be rounded to the nearest one-half cent.

(3) For sales made by a wholesaler shall be determined pursuant to the provisions of Maximum Price Regulation No. 421.

(4) For sales made by a retailer in Group 3 or Group 4 shall be determined pursuant to the provisions of Maximum Price Regulation No. 422.

(5) For sales made by a retailer in Group 1 or Group 2 shall be determined pursuant to the provisions of Maximum Price Regulation No. 423.

(c) That the permission granted to Original Canine Kitchens in this order is subject to the following conditions:

(1) The pet food product containing horsemeat known as "Mackall's Dog and Cat Food" must conform to the specifications set forth in the formula filed with the Office of Price Administration, Washington, D. C., by Original Canine Kitchens, in conjunction with the filing of the application for this order.

(2) Original Canine Kitchens shall provide each peddler truck operator, wholesaler, or retailer making his initial purchase of "Mackall's Dog and Cat Food" with a notice in the following form:

(Insert date)

The Office of Price Administration has authorized Original Canine Kitchens to sell "Mackall's Dog and Cat Food" packed in one pound containers at or below the following maximum prices:

To peddler-truck operators, wholesalers, or retailers, f. o. b. our plant \$1.81 per dozen.

To retailers, delivered to their place of business \$1.87 per dozen.

If you are a peddler-truck operator the maximum price at which you may sell "Mackall's Dog and Cat Food" is \$1.87 per dozen plus actual freight costs incurred by you in acquiring the product, the total to be rounded to the nearest one-half cent.

If you are a wholesaler or retailer, you shall determine your maximum selling price for "Mackall's Dog and Cat Food" in accordance with the provisions of Maximum Price Regulations Nos. 421, 422, or 423, whichever is applicable.

(d) All sales made under this order shall be subject to all applicable provisions of Maximum Price Regulation No. 367.

All prayers of the application not granted herein are denied.

This Order No. 21 may be revoked or amended by the Administrator at any time.

This Order No. 21 shall become effective February 1, 1946.

NOTE: This order has the prior written approval of the Secretary of Agriculture (10 F.R. 9419).

Issued this 31st day of January, 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1844; Filed, Jan. 31, 1946;
11:46 a. m.]

[RMPR 136, Amtd. 2 to Order 529]

POWER KING TOOL CORP.

APPROVAL OF MAXIMUM PRICES

Amendment No. 2 to Order No. 529 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Power King Tool Corporation. Docket No. 6083-136.21-590.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, it is ordered:

Order No. 529 Under Revised Maximum Price Regulation 136 is amended in the following respects:

1. The heading of paragraph (a) (1) is amended to read "List or established price items".

2. Paragraph (b) is amended to read "The maximum prices for sales of wood and metal working tools, or replacement parts therefor, by resellers shall be determined as follows".

This amendment shall become effective February 1, 1946.

Issued this 31st day of January, 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1846; Filed, Jan. 31, 1946;
11:45 a. m.]

[MPR 580, Amtd. 2 to Order 98]

S. BUCHSBAUM AND CO.

ESTABLISHMENT OF MAXIMUM PRICES

MPR No. 580, Amendment 2 to Order 98. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-418.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 98 is amended in the following respects:

1. Paragraph (a) is amended by adding the following:

Article	Style No.	Brand name	Manufacturer's price (per doz.)	Retail ceiling price (per unit)
Ladies Raincape...	X2842	Elasti-glass...	\$33.00	\$4.95
Men's Golf Jacket...	X2798	Elasti-glass...	42.00	5.95

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

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

This amendment shall become effective February 1, 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1847; Filed, Jan. 31, 1946; 11:46 a. m.]

[MPR 598, Order 8]

WESTINGHOUSE ELECTRIC CORP.

APPROVAL OF CEILING 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 21 of Maximum Price Regulation No. 598, *It is ordered:*

(a) This order establishes ceiling prices for sales by distributors to dealers of the Model B-7-46 refrigerator manufactured by the Westinghouse Electric Corporation, 246 East Fourth Street, Mansfield, Ohio.

(1) A distributor's ceiling prices for sales to each class of purchasing dealer shall be the price which will yield the distributor the same percentage of the total dollar margin between the manufacturer's price to him and the dealer's price for resales to ultimate consumers as he received during the period October 1-15, 1941, in connection with the sale of the most comparable model to the same class or purchasing dealer.

(2) If a distributor cannot determine his ceiling price for sales of the refrigerator to a particular class of dealer under subparagraph (1) his ceiling price for that sale is the ceiling price established under this order for the sale by his "closest seller of the same class". A distributor's "closest seller of the same class" is a distributor who (a) has a ceiling price for sales of the identical model of refrigerator to the same class of purchaser, and (b) is located nearest to the distributor.

(3) If a distributor cannot determine his ceiling price for sales of a particular model to a particular class of dealer under the provisions of subparagraphs (1) or (2) he shall determine his ceiling price for the refrigerator by marking up the manufacturer's delivered price to him by 18.44 percent.

(b) At the time of, or prior to the first invoice to each distributor, the manufacturer shall notify him of the method of determining his ceiling prices established by this order. This notice may be given in any convenient form.

(c) All the provisions of Maximum Price Regulation No. 598 continue to apply to all sales and deliveries of refrigerators covered by this order except to the extent that these provisions are modified by this order.

(d) Unless the context requires otherwise, the definitions set forth in Maximum Price Regulation No. 598 shall apply to the terms used herein.

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

(f) This order shall become effective on the 1st day of February 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1849; Filed, Jan. 31, 1946; 11:47 a. m.]

[SO 142, Rev. Order 8]

AMERICAN PULLEY CO.

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. 8 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. American Pulley Company. Docket No. 6083-SO-142-136-76.

Order No. 8 under Supplementary Order No. 142 is hereby redesignated Revised Order No. 8 under Supplementary Order No. 142, and is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Supplementary Order No. 142, *It is ordered:*

(a) The maximum prices for sales of power transmission equipment, material handling equipment and pressed metal specialties by American Pulley Company, Philadelphia, Pennsylvania, shall be determined as follows:

(1) Except as set forth in the following list, the maximum prices shall be the published list prices in effect on October 1, 1941. The following list shows the percentage amount by which the published list prices of the designated products may be increased.

Product:	Percentage increase
Speed reducers and bushings No. 2...	8.57
Speed reducers and bushings No. 3...	19.05
Speed reducers and bushings No. 4...	16.07
Speed reducers and bushings No. 5...	25.71

(2) The prices established under the preceding paragraph shall be subject to the same charges, discounts and allowances that the manufacturer had in effect to a purchaser of the same class on October 1, 1941, except as provided in the following list. The following list shows the product and the discount established by this revised order to a designated class of purchaser:

Product:	Discount established (percent)
Steel split pulleys and bushings, consumers' discount.....	40
Conveyors pulleys, consumers' discount	40
Solid shaft collars, stock dealers' discount	40-55
Solid shaft collars, nonstock dealers' discount.....	40-32
Solid shaft collars, original equipment manufacturers' discount.....	40-50
Solid shaft collars, consumers' discount	40
Trucks and parts, consumers' discount	50

(b) The maximum prices for sales by resellers of the products covered by this revised order shall be determined as follows:

(1) The maximum prices for sales of the products specifically listed in paragraph (a) (1) shall be the new list prices established by that paragraph subject to the discounts, allowances and extra charges in effect to a purchaser of the same class just prior to the issuance of this revised order.

(2) Maximum prices for sales of the products specifically listed in paragraph (a) (2) shall be the maximum prices established by that paragraph for sales by the manufacturer to the same class of purchaser.

(3) Maximum prices for sales of all other products covered by this revised order shall be the manufacturers published list prices in effect on October 1, 1941, subject to the same discounts, allowances and extra charges in effect to a purchaser of the same class on October 1, 1941.

(c) The American Pulley Company shall notify each purchaser who buys power transmission equipment, material handling equipment, and pressed metal specialties for resale of the amount, in per cent, by which this revised order requires the reseller to decrease and permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) The American Pulley Company shall report to the Office of Price Administration on or before the fifteenth day of July, 1946, the sales for the six months' period ending June 30, 1946, for each class of its products specified in this revised order, and a computation of sales of the same products at the prices in effect just prior to the issuance of this revised order.

(e) All requests not granted herein are denied.

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

This revised order shall become effective January 31, 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1867; Filed, Jan. 31, 1946; 4:29 p. m.]

[MPR 188, Amdt. 1 to Order 4800]

FURNITURE

ADJUSTMENT OF MAXIMUM PRICE FOR SALES OF FURNITURE

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register and pursuant to § 1499.159b of Maximum Price Regulation 188, *It is ordered*, That Order No. 4800 under Maximum Price Regulation No. 188 be amended in the following respects:

1. Section 4 (a) is amended by the addition of a sentence at the end thereof to read as follows: "If you do not have customary or established uniform differentials but, nevertheless, during March 1942 delivered or offered for delivery articles listed in Appendix A to both retailers and wholesalers, your cutoff point to the class of wholesalers to whom you customarily sell at the highest price is 13 per cent less than the cutoff point listed in Appendix A."

2. Section 4 (c) is designated section 4 (d).

3. A new section 4 (c) is added to read as follows:

(c) In the case of bedroom furniture (suites) and dining-room furniture (suites), the amount of adjustment applicable to individual pieces in a suite or matching grouping depends on whether the grouping has more than one model of any type of major piece, and, if so, on the prices of those major pieces. Wherever this paragraph (c) refers to "combination of three types of major pieces," such a combination of dining-room pieces must include the following types of major pieces; a table, a set of six chairs, and one of the following: buffet or china cabinet. Such a combination of bedroom furniture must include the following types of major pieces: a bed and two of the following: dresser, vanity, chest, chestrobe. The amounts of adjustment are determined as follows:

(1) If the particular suite or grouping has only one model of each type of major piece, then the maximum price (exclusive of all adjustment charges) of every piece in the grouping (whether or not it is a major piece) may be adjusted by the percentage amount applicable to the lowest-priced "combination of any three types of major pieces."

(2) If the particular suite or grouping has more than one model of any type of major piece, but all possible "combinations of any three types of major pieces" in the grouping have combined maximum prices (exclusive of all adjustment charges) which are so far below the appropriate cut-off point that they may be increased by 25 per cent then the maximum price of every article in the grouping (whether or not it is a major piece) may be increased by that 25 per cent.

(3) If the particular suite or grouping has more than one model of any type of major piece and the provisions of subparagraph (2) are not applicable, you find your adjusted maximum prices for all articles in the grouping by taking the following steps:

Step 1: Find the combined maximum price (exclusive of all adjustment charges) of the

lowest-priced "combination of three types of major pieces" in the grouping.

Step 2: Find the percentage amount of adjustment applicable to that lowest-priced combination. This will be 25 per cent or the percentage amount necessary to bring that combined maximum price up to the appropriate cut-off point, whichever is lower.

Step 3: Your adjusted maximum price for the lowest-priced model of each type of major piece and for each piece in the grouping which is not a major piece is its properly established maximum price (exclusive of all adjustment charges) increased by the percentage amount found in Step 2.

Your adjusted maximum price for any higher-priced model of each type of major piece is found by adding to its properly established maximum price (exclusive of all adjustment charges), the dollar-and-cent amount by which you increased the properly established maximum price of the lowest-priced model of the same type.

4. A new section 8 (d) is added to read as follows:

(d) Regardless of any contrary provisions contained in this section, if your selling price for the article is below the "unadjusted maximum price", otherwise computed under this section, the "unadjusted maximum price" which must appear on your invoice for that article is the same as your selling price.

5. Section 9 (a) is redesignated section 9 (b) and the first phrase, "On and after February 1, 1946," is amended to read as follows: "Except as provided above in this section, on and after February 20, 1946."

6. Section 9 (b) is redesignated section 9 (d).

7. Section 9 (c) is redesignated section 9 (f).

8. A new section 9 (a) is added to read as follows:

(a) If you adjust the maximum prices of all of your articles covered by this order by no more than the 5 per cent previously authorized by Order No. 1052 under Maximum Price Regulation No. 188, you need not file any additional reports for those articles if you notify the Office of Price Administration, Washington, D. C., that you are not adjusting your maximum prices by more than that five per cent. However, if you have not complied with the reporting requirements contained in Order No. 1052 before its revocation, or if you adjust any of those maximum prices by more than 5 per cent, you must comply with the reporting requirements set forth below in this section.

9. A new section 9 (c) is added to read as follows:

(c) If you are adjusting all of your maximum prices under section 4 of this order or if you elect to adjust your maximum price in accordance with an individual adjustment granted you by the Office of Price Administration, you need report only on items 1, 2, and 7 above.

10. A new section 9 (e) is added to read as follows:

(e) If you fail to file the information required by this section with respect to any particular article, your maximum price for any sale of that article is your properly established maximum price for the article, exclusive of all adjustment charges or permitted increases.

11. Section 10 (b) (2) is amended by the addition of a sentence at the end thereof to read as follows: "For the purposes of this subparagraph (2), 'supplier's unadjusted maximum price' and 'wholesaler's actual invoice cost' refer to those amounts as they appear on his supplier's invoice after all discounts except cash discounts.

12. Section 10 (c) is amended by adding a sentence at the end thereof to read as follows: "However, if the wholesaler's selling price for the article is below the 'unadjusted maximum price' computed in this way, the 'unadjusted maximum price' which must appear on the wholesaler's invoice for that article is the same as the wholesaler's selling price."

13. Section 10 (d) is redesignated section 10 (e).

14. A new section 10 (d) is added to read as follows:

(d) *Single category markup to be used.* A wholesaler who has divided a category into subcategories based on differences in cost as permitted by section 27 (b) of Maximum Price Regulation No. 590 may find in some cases that the same article belongs in two different subcategories as a result of the two different "net costs" computed under paragraph (b) and (c) of this section. In such cases, the "category markup" which he shall use in determining both his adjusted maximum price under paragraph (b) above and his unadjusted maximum price under paragraph (c) above is the category markup applicable when the "net cost" is computed on the basis of his supplier's "unadjusted maximum price" in accordance with paragraph (c).

15. Section 14 is amended to read as follows:

Sec. 14. *Invoices to purchasers for resale.* Any person making a sale of an article covered by this order to a purchaser for resale at a maximum price adjusted under this order, or under any other adjustment provision, must furnish such purchaser for resale with an invoice as follows:

(a) A manufacturer who adjusts the maximum prices of all of his articles covered by this order by no more than the 5 per cent previously authorized by Order No. 1052 under Maximum Price Regulation No. 188 may continue to furnish invoices in the form required by Order No. 1052 before its revocation. Where the manufacturer furnishes such an invoice, the manufacturer's "unadjusted maximum price" which wholesalers and retailers use as a basis for determining their resale prices under section 10, 11, 12, or 13 is the price appearing on the invoice before the addition of the adjustment charges.

(b) Except in the case of those manufacturers referred to in paragraph (a) above, every seller (except a retailer making a "cross-stream sale" covered by section 9 (b) of Maximum Price Regulation No. 580) must furnish an invoice containing the following:

(1) His name and address and the date of the invoice.

(2) The purchaser's name and address.

(3) The model designation of the article and such other description as

may be necessary to identify the article on his pricing records.

(4) His "unadjusted maximum price." (As defined in section 8 or 10, whichever is applicable.)

(5) The actual selling price of the article.

(6) The nature and extent of any additional charges.

(7) Terms of sale.

(8) The following notice:

NOTICE OF CEILING PRICES

If you resell the articles for which unadjusted maximum prices are shown on this invoice you must find your resale ceiling prices under sections 10 through 13 of Order No. 4800 under Maximum Price Regulation No. 188. Those sections replace Maximum Price Regulations Nos. 580 and 590 with respect to those articles.

In addition, if the sale is covered by Maximum Price Regulation No. 590, the following notice must also be given:

All prices on this invoice of articles covered by MPR 590 are at or below our ceiling prices to you for the quantities, terms and conditions of this sale, as shown on our ceiling price statement filed with the _____

Name of City
regional office of the OPA, pursuant to section 16 of MPR 590.

If a seller who must furnish the invoice described in this paragraph fails to state separately both the "unadjusted maximum price" and the selling price, or fails to identify the "unadjusted maximum price," his maximum price for that sale is his properly established maximum price exclusive of all adjustment charges or permitted increases.

(c) A retailer making a cross-stream sale to another retailer must furnish the purchaser with the proper invoice required by section 9 (b) of Maximum Price Regulation No. 580. If the cross-stream sale is made in accordance with section 9 (b) (1) of Maximum Price Regulation No. 580 the seller must also state on his sales invoice his supplier's unadjusted maximum price for each article covered by this order which appears on the invoice.

(d) Every seller must keep available for inspection by the Office of Price Administration a copy of each such invoice for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(e) The provisions of this section supersede all provisions with respect to the furnishing of invoices contained in any order issued by the Office of Price Administration applicable only to the products of an individual manufacturer covered by this order.

16. A new section 16 is added to read as follows:

SEC. 16. Delegation of authority. Any Regional Administrator, or any District Director authorized by the appropriate Regional Administrator, may issue orders under section 5 (b) and section 6 (b) in accordance with the terms of those sections.

17. Appendix A is amended to read as follows:

**APPENDIX A—ESSENTIAL LOW-END ARTICLES
WHOSE MAXIMUM PRICES MAY BE ADJUSTED
UNDER SECTION 4**

Article	Cutoff point (maximum price to retailers)
Juvenile furniture:	
Training chair.....	\$2.50
Nursery seat.....	2.00
Play pen.....	6.00
Crib with spring.....	12.50
Table and 2 chairs set.....	6.00
Desk and chair set.....	6.00
High chair.....	5.00
Youth bed.....	12.50
Table.....	2.25
Chair.....	1.90
Bedroom furniture (odd pieces):	
Chest of drawers.....	14.75
Bed.....	12.50
Night table.....	5.50
Dressers with mirror.....	15.00
Vanity with mirror.....	17.00
Vanity bench.....	2.75
Single door wardrobe.....	12.50
Double door wardrobe.....	17.00
Chifferobe or chest robe.....	20.00
Bedroom furniture (suites):	
Any piece of wood bedroom suite or grouping in which 3 major pieces have a combined total price below the cutoff point. (Night tables, mirrors only, benches or chairs are not major pieces.) (See sec. 4 (c)).....	61.75
Dining room furniture (suites):	
Any piece of a dining room suite or grouping having a 60" buffet or a 54" credenza for which the table, 6 chairs and buffet have a combined total price below the cutoff point. (See sec. 4 (c)).....	75.00
Kitchen and dinette furniture:	
Stool.....	2.00
Table.....	13.00
Cupboards.....	12.50
Buffet.....	15.00
Utility cabinet.....	13.50
Chairs.....	3.25
Kitchen cabinet (bases with cupboard top).....	25.00
Occasional furniture:	
Table (lamp, end, cocktail, etc.).....	6.00
Kneehole desk.....	20.00
Record cabinet.....	7.50
Bookcase.....	12.50
Miscellaneous furniture:	
Finished Adirondack chair.....	4.15
Finished Adirondack settee.....	6.35
Finished wood and canvas chair.....	3.50
Wood and canvas cot.....	3.50
Rockers.....	3.50
Chair (of any type covered by this order as well as restaurant and institutional chair).....	3.25
Upholstered occasional chair using minimum of ¾ yard of 54" fabric or its equivalent.....	6.50
Upholstered occasional chair using minimum of 1 yard of 54" material or its equivalent.....	7.00
Unfinished furniture:	
Chest.....	11.50
Dresser base.....	11.50
Single door wardrobe.....	8.80
Double door wardrobe.....	12.10
Chifferobe.....	14.85
Dressing table.....	7.50
Bed.....	9.50
Night table.....	3.00
Vanity bench.....	2.00
Bookcase.....	8.50
Record cabinet.....	5.00
Students desk.....	8.00
Corner cabinets.....	8.80
Utility cabinets.....	8.00
Chair, Adult.....	2.50
Rocker, Adult.....	2.50

Article
Unfinished furniture—Con.
Cutoff point (maximum price to retailers)

Chair, Juvenile.....	\$1.40
Rocker, Juvenile.....	1.40
High Chair.....	3.00
Adirondack chair.....	4.00
Adirondack settee.....	6.25
Table (occasional, such as lamp, end, cocktail, etc.).....	4.00
Table (dinette or kitchen).....	9.50
Kneehole desks.....	15.00

18. Appendix B is amended to read as follows:

APPENDIX B—CATEGORIES OF "ALL-WOOD" FURNITURE

NOTE: Any manufacturer who produces articles in any category which he sells both finished and unfinished must subdivide that category; for example, Category 1-a, Unfinished Beds; Category 1-b, Finished Beds. "All-Wood" furniture as used herein is defined in section 5 of this order.

Bedroom

- Beds
- Headboards
- Double-deck beds
- Chests
- Dresser bases (if priced separately)
- Dresser mirrors (if priced separately)
- Dressers, complete with mirrors (This category may be used only if you do not have separate prices for dresser bases and mirrors)
- Vanity bases (if priced separately)
- Vanity mirrors (if priced separately)
- Vanity complete with mirror (This category may be used only if you do not have separate prices for vanity bases and mirrors)
- Chifferobes, chestrobes, and wardrobes
- Bedroom chairs with no upholstery
- Bedroom chairs, partially upholstered
- Vanity benches with no upholstery
- Vanity benches, partially upholstered
- Night tables
- Cedar chests
- Mirrors for bedroom suites (hanging or portable)

Dining Room, Dinette, and Breakfast

- Tables—not less than 38" x 54" closed
- Tables—less than 38" x 54" closed
- Buffets—maple not less than 54" long; all other wood, not less than 60" long
- Buffets—maple, less than 54" long; all other woods, less than 60" long
- China closets and corner cabinets
- Servers
- Welsh cabinets and hutches
- Chairs, with no upholstery
- Chairs, partially upholstered

Living room

- Tables—not more than 18" high (cocktail tables, coffee tables, etc.)
- Tables—more than 18" high but not more than 26" high (end tables, etc.)
- Tables—more than 26" high (Drop-leaf tables, etc., but not including extension type)
- Tables—more than 26" high (extension type)
- Desks
- Secretaries
- Breakfronts
- Bookcases
- Record cabinets
- Bridge tables
- Bridge chairs, folding
- Chairs (desk, ladder back, etc.)
- Chests, cabinets, credenzas, etc.

Kitchen

41. Kitchen utility tables
 42. Kitchen chairs and stools
 43. Settees
 44. Kitchen cabinet bases
 45. Utility and broom cabinets
 46. Wall cabinets (movable)
 47. Kitchen cabinets (base with cupboard top)

Juvenile

48. Bassinets
 49. Cribs
 50. Play yards
 51. Chests
 52. Dressers
 53. High chairs
 54. Chifferobes
 55. Bathinets
 56. Nursery seats
 57. Training chairs
 58. Tables
 59. Chairs and rockers
 60. Beds
 61. Mirrors for juvenile pieces

Outdoor and miscellaneous furniture

(Including all-wood; wood and canvas, and wood and fibre, reed and rattan)

62. Chairs (including rockers)
 63. Settees
 64. Tables
 65. Stools
 66. Swings and gliders
 67. Benches (including piano benches)

Frames for Upholstered Furniture

68. Boudoir chairs
 69. Pull-up or occasional chairs
 70. Lounge or club chairs
 71. Platform rockers
 72. Ottomans
 73. Love seats
 74. Sofas
 75. Chaise longues

19. Appendix C is amended to read as follows:

APPENDIX C—CATEGORIES OF UPHOLSTERED FURNITURE

NOTE: Any manufacturer who produces for sale upholstered furniture in any category with both all-wood frames and reed, fibre, or rattan frames must subdivide that category; for example, Category 70-a, Sofas with all-wood frames; Category 70-b, Sofas with fibre-wrapped frames.

76. Head boards, upholstered
 77. Boudoir chairs
 78. Pull-up occasional chairs (including cricket, Cape Cod, etc.)
 79. Lounge or club chairs (including barrel back, wing, fan and cogswell chairs)
 80. Platform rockers
 81. Ottoman
 82. Love seats
 83. Sofas
 84. Chaise longues

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

This amendment shall become effective on the 31st day of January 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1865; Filed, Jan. 31, 1946; 4:31 p. m.]

[MPR 188, Order 1 Under Order 6]

SMALL ELECTRICAL APPLIANCES
ESTABLISHMENT OF MAXIMUM PRICES

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

with the Division of the Federal Register, and pursuant to section 13 of Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188, *It is ordered:*

Regardless of the provisions of section 9 of Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188 revoking maximum prices established under Order No. 4332 or orders thereunder as to all sales or deliveries on and after February 1, 1946, maximum prices so established shall remain in full force and effect until February 15, 1946 when the manufacturer of the article has applied for the establishment of his ceiling prices under the provisions of the Fourth Pricing Method of Maximum Price Regulation No. 188 prior to February 1, 1946.

This order shall become effective on the 31st day of January 1946.

Issued this 31st day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1864; Filed, Jan. 31, 1946; 4:29 p. m.]

[SO 94, Order 100]

WAR ASSETS CORPORATION ET AL.

SPECIAL MAXIMUM PRICES FOR CERTAIN TIRE CHAINS

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

(a) *What this order does.* This order establishes maximum prices at which the new tire chains hereinafter described may be sold and delivered by the War Assets Corporation or any other United States Government agency, and by any subsequent reseller.

(b) *Maximum prices.* The maximum prices per pair for the tire chains described herein shall be:

Description	Price for all sales to wholesaler, f. o. b. shipping point	Price for all sales to retailer, f. o. b. shipping point	Price for all sales at retail
Tire chain—size 14 x 20...	\$13.50	\$18.00	\$30.00
Tire chain—size 7.50 x 16...	4.95	6.60	11.00
Tire chain—size 10.50 x 18...	9.00	12.00	20.00

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

(d) *Notification.* Any person who sells the tire chains described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the maximum prices for sales at retail, and stating that the retailer is required by this order to attach to each pair of chains before sale a tag or label which plainly states a selling price not in excess of the appropriate ceiling price.

(e) *Tagging.* Any person who sells the tire chains described in paragraph (b) at retail shall attach to each pair of chains before sale a tag or label which plainly states a selling price not in excess of the appropriate ceiling price.

(f) *Relation to other regulations and orders.* This order with respect to the

commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Wholesaler" means any person who sells to purchasers for resale.

(2) "Retailer" means any person who sells to ultimate consumers.

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

This order shall become effective February 2, 1946.

Issued this 1st day of February 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-1914; Filed, Feb. 1, 1946; 11:37 a. m.]

[Order 101 Under 18 (c), Amdt. 2]

BREAD

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 the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, the Stabilization Act of 1942, both as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

That Order No. 101 issued under § 1499.18 (c) of the General Maximum Price Regulation is amended in the following respects:

1. Paragraphs (c) and (d) are hereby deleted.

2. A new paragraph (c) is added to read as follows:

(c) That the maximum price for sales by retailers of standard bread baked in a one and one-half (1½) pound loaf in the following counties of the State of California, to wit: Los Angeles, San Diego, Kern, San Luis Obispo, Santa Barbara, Riverside, Imperial, Orange, San Bernardino and Ventura shall be the appropriate one of the following:

(1) If the seller's maximum price determined under section 2 of the General Maximum Price Regulation is less than twelve (\$.12) cents for such loaf, then his maximum price shall be his maximum price as determined under section 2 of the General Maximum Price Regulation plus one (\$.01) cent; or

(2) If the seller's maximum price determined under section 2 of the General Maximum Price Regulation is twelve (\$.12) cents or more, but not greater than thirteen (\$.13) cents for such loaf, then his maximum price shall be thirteen (\$.13) cents; and

That this amendment shall become effective February 6, 1946.

Issued this 1st day of February 1946.

CHESTER BOWLES,
Administrator.

Approved: January 25, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-1896; Filed, Feb. 1, 1946; 11:37 a. m.]

Regional and District Office Orders.
[Region VI Order G-16 Under RMPR 122, Appendix 33]

SOLID FUELS IN EAST ST. LOUIS, ILL., AREA

(a) *Applicability.* This Appendix No. 33 applies to all delivered sales to consumers of solid fuels made by retail yards and unequipped dealers where the fuel is delivered to the purchaser in the cities of Alton, Belleville, Dupo, East Alton, East St. Louis, Nameoki, Edwardsville, Granite City, Roxana, Upper Alton, Venice and Woodriver, Illinois.

(b) *Price schedule.* (1) Immediately below and as part of this paragraph (b) are two schedules which set forth adjusted maximum prices before discounts for delivered sales of solid fuels of specified sizes, kinds and quantities. One schedule applies to sales of coal delivered from retail yards and the other to sales of solid fuel trucked in from local mines. Column 1 describes the fuel for which prices are established. Column 2 specifies the maximum prices for the fuel delivered in quantities of two ton lots or more. All prices are stated on a net ton basis.

(i) *Price schedule for coal delivered from retail yards.*

	2 ton lots or more (per ton)
I. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict price group Nos. 1, 2 and 8 Deep Machine Mines:	
1. Lump and egg size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2", washed or raw)-----	\$6.60
2. Egg size group No. 5 (all egg coals bottom size larger than 1 1/2" but not exceeding 2" and top size larger than 2" but not exceeding 4", washed or raw)-----	6.30
3. Special stoker size group Nos. 21, 22 and 28 (all washed or air-cleaned nut and pea coal bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding 3/8")-----	6.30
4. Washed screenings size group Nos. 23 and 24 (all washed or air-cleaned screenings top size not exceeding 2") common trade name S. P. Stoker-----	5.75
5. Dedusted screenings size group Nos. 26 and 27 (all dry dedusted screenings top size not exceeding 2") common trade names Universal and Commercial Stoker-----	5.65
B. Southern subdistrict price group No. 7 strip mines:	
1. Lump and egg size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2" washed or raw)-----	5.85
2. Egg size group No. 5 (all egg coals bottom size larger than 1 1/2" but not exceeding 2" and top size larger than 2" but not exceeding 4" washed or raw)-----	5.85
3. Special stoker size group Nos. 21, 22 and 28 (all washed or air-cleaned nut and pea coals bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding 3/8")-----	5.90
4. Washed screenings size group nos. 23 and 24 (all washed or air-cleaned screenings, top size not exceeding 2")-----	5.40

I. High volatile bituminous coal from district No. 10 (Illinois)—Con.	
C. Central subdistrict price group Nos. 12 and 13:	
1. Lump and egg size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2" washed or raw)-----	\$5.55
D. Belleville subdistrict price group Nos. 16 to 22, inclusive:	
1. Lump and egg size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2" washed or raw):	
(a) Hand loading mines and Mine Index Nos. 48 and 1317--	5.85
(b) Strip mines-----	5.50
(c) Deep machine mines-----	5.55
2. Egg and stove size group Nos. 4, 5, 6 and 8 (all egg and stove coals bottom size 2" and smaller washed or raw):	
(a) Hand loading mines and mine index Nos. 48 and 1317--	5.65
(b) Deep machine mines-----	5.30
(c) Strip mines-----	5.25
E. Duquoin subdistrict:	
1. Lump and egg size group Nos. 1, 2 and 3 (all lump or egg coals bottom size larger than 2" washed or raw):	
(a) Price group No. 11 deep machine mines-----	6.20
(b) Price Group No. 10 strip mines-----	5.60
2. Egg and stove size group Nos. 4, 5, 6 and 8 (all egg and stove coals bottom size 2" and smaller, washed or raw):	
(a) Price group No. 10 strip mines-----	5.35
3. Special stoker size group Nos. 21, 22 and 28 (all washed or air-cleaned nut and pea coal, bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker, bottom size larger than 28 mesh top size not exceeding 3/8"):	
(a) Price group No. 11 deep machine mines-----	5.75
II. High volatile bituminous coal from district No. 11 (Indiana):	
1. Lump and egg size group Nos. 1, 2 and 3 (all lump or egg coals bottom size larger than 2" washed or raw). Price group Nos. 15 and 16-----	7.45

There may be added to the above prices the Retailers Occupational Tax of the State of Illinois and Federal Transportation Tax.

(ii) *Additions.* On sales in lots of one ton or more but less than two tons, an additional charge of 25¢ per ton may be added to the above prices but in no case shall a sale of less than two tons exceed the ceiling price established above for two ton deliveries.

(iii) *Discounts.* On sales to other dealers at the yard of the seller a discount of \$1.35 per ton shall be granted off the above prices.

(iv) *Chemical or oil treatment of coal.* Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add such treatment charge to the applicable maximum price set by this Appendix No. 33 provided that the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the

2 ton lots
or more
(per ton)

amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(v) *Price schedule for coal trucked in from local mines.*

	Full-truckload lots per ton
I. High volatile bituminous coal from district No. 10 (Illinois):	
1. Lump size group No. 1 (all lump coal bottom size larger than 4" washed or raw) including 5" lump, 6" lump and 7" lump:	
(a) Truck price group No. 14A (hand mines)-----	\$5.55
(b) Truck price group No. 14B (deep machine mines)-----	5.25
(c) Truck price group No. 14B (strip mines)-----	5.20
2. Egg size group Nos. 2 and 3 (all egg coals bottom size larger than 2" but not exceeding 4", washed or raw) including 7" x 4", 7" x 3", 6" x 3" and 8" x 3":	
(a) Truck price group No. 14A (hand mines)-----	5.50
(b) Truck price group No. 14B (deep machine mines)-----	5.20
(c) Truck price group No. 14B (strip mines)-----	5.15
3. Egg size group No. 4 and 5 (all egg coals bottom size larger than 1 1/2" but not exceeding 2" and top size larger than 2", including 7" x 2", 6" x 2", 5" x 2", 4" x 2" and 3" x 2" washed or raw):	
(a) Truck price group No. 14A (hand mines)-----	5.35
(b) Truck price group No. 14B (deep machine mines)-----	5.05
(c) Truck price group No. 14B (strip mines)-----	5.00
4. Raw chestnut, pea and stoker size group Nos. 9-12 inc. (all raw, nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2" including 2" x 3/8", 1 1/2" x 3/4", 1 1/2" x 3/8" and 3/4" x 3/8"):	
(a) Truck price group No. 14A (hand mines)-----	4.65
(b) Truck price group No. 14B (deep machine mines)-----	4.40
5. Washed chestnut and pea size group Nos. 17 to 20 inc. (all washed or air-cleaned nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2" including 2" x 3/8", 1 1/2" x 3/4", 1 1/2" x 3/8" and 3/4" x 3/8"):	
(a) Truck price group No. 14A (hand mines)-----	5.00
(b) Truck price group No. 14B (deep machine mines)-----	4.75
(c) Truck price group No. 14B (strip mines)-----	4.70
6. Special stoker size group Nos. 21, 22 and 28 (all washed or air-cleaned nut and pea coals bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding 3/8", including 2" x 10 mesh, 1 1/2" x 10 mesh, 3/8" x 10 mesh and 3/16" x 10 mesh):	
(a) Truck price group No. 14A (hand mines)-----	4.95
(b) Truck price group No. 14B (deep machine mines)-----	4.70
(c) Truck price group No. 14B (strip mines)-----	4.65

(c) *Definitions.* (1) The term "delivered" or "direct delivery" means dumping or chuting the fuel from the seller's trucks directly into the buyer's bin or storage space; but if this is physically im-

possible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(2) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or in the Emergency Price Control Act of 1942, as amended; if not therein defined they shall be given their ordinary and popular trade meaning.

(d) Regional Order No. G-26 which became effective on September 27, 1945, and Regional Order G-29, effective January 2, 1946, are superseded as to dealers covered by this Appendix.

This order may be amended, modified, or revoked at any time.

This Appendix No. 33 shall become effective immediately and shall remain in effect until April 30, 1946.

Issued this 23d day of January 1946.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 46-1663; Filed, Jan. 29, 1946; 4:18 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 83]

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

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects: In Appendix No. 17, paragraph (b), Price Schedule is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices for delivered sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Charges for treatment of coal are set forth in section (c). Discounts are set forth in section (d). Definitions are set forth in section (e). The prices listed in the price schedule below for all coal described in District Nos. 4, 7, and 8 and for anthracite coal and briquettes apply only to coal obtained from docks, and do not apply to coal obtained by all-rail. Sales in lots of fractions of a ton or tons shall be governed by the price schedule as follows:

(i) On delivered sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 50¢, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is \$10.15, the price of ½ ton would be \$5.10 plus 50¢ or a total of \$5.60; the price of ¾ ton would be \$7.60 plus 50¢ or a total of \$8.10.

(ii) On delivered sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is \$13.70, the price of 1½ tons would be \$20.55.

(iii) On yard sales of any fraction of a ton, whether more or less than 1 ton, the price shall be proportional to the price per ton; for example, if the price of 1 ton at the yard is \$11.90, the price of ½ ton would be \$5.95; of 1½ tons, \$17.85.

PRICE SCHEDULE

	<i>Delivered per ton</i>
I. High volatile bituminous coal from district No. 4 (Ohio):	
1. Screenings Pittsburgh No. 8 seam.....	\$10.50
II. Low volatile bituminous coal from district No. 7 (southern West Virginia, northwestern and central Virginia):	
1. Egg.....	15.20
III. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):	
A. Lump:	
1. Millers Creek—No. 5, High Splint and Red Ash seams.....	14.05
2. Elkhorn, Jellico, Harland and Creech seams.....	13.25
3. Dorothy and No. 5 Block seams.....	13.10
B. Egg:	
1. Millers Creek—No. 5, High Splint and Red Ash seams.....	13.55
2. Elkhorn, Jellico, Harland and Creech seams.....	13.00
3. Dorothy, No. 5 Block, and Hazard No. 6 seams.....	12.50
C. Stove:	
1. Millers Creek, No. 5 and High Splint seams.....	13.20
D. Stoker (double screened):	
1. Millers Creek, No. 5, Elkhorn, Straight Creek and Harland seams.....	11.55
E. Screenings:	
1. Millers Creek, Elkhorn, Dorothy and No. 5 Block.....	10.55
IV. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict price group Nos. 1, 2, and 8:	
1. Egg—Size Group No. 3 (all egg coal—bottom size larger than 2" but not exceeding 3", washed or raw).....	9.65
2. Stove—Size Group No. 8 (all stove coal—bottom size larger than ¾" and top size larger than 1½" but not exceeding 2", washed or raw).....	9.60
3. Washed and dedusted screenings—Size Group Nos. 23, 24, 26 and 27 (washed, air cleaned or dry dedusted screenings top size not exceeding 2").....	8.60
V. Pennsylvania anthracite:	
1. Egg stove nut.....	18.90
VI. Byproduct Coke:	
1. Solvay processed.....	15.60
2. Local gas coke:	
a. In Chippewa Falls.....	14.85
b. In Eau Claire and Altoona.....	14.60
VII. Briquettes:	
1. Glen Rogers briquettes:	
a. In Chippewa Falls.....	14.45
b. In Eau Claire and Altoona.....	13.65
2. Stott briquettes:	
a. In Chippewa Falls.....	14.21
b. In Eau Claire and Altoona.....	13.46
3. Berwind and United briquettes:	
a. In Chippewa Falls.....	14.30
b. In Eau Claire and Altoona.....	13.55
2. Paragraph (d), Discounts, is amended to read as follows:	
"(d) <i>Discounts.</i> The maximum prices set forth in section (b) shall be subject to the following discounts:	

	<i>Per ton</i>
1. On yard sales to purchasers other than dealers.....	\$0.60
2. On yard sales to other dealers.....	1.10
3. All other discounts for quantity purchased or to special classes of purchasers customarily granted during December, 1941.	

The prices established by the above schedule supersede those established by the adjustment permitted by Regional Orders Nos. G-27 and G-29, issued under Revised Maximum Price Regulation No. 122 as to dealers covered by Appendix No. 17 to Regional Order No. G-16.

This Amendment No. 83 to Order No. G-16 under Revised Maximum Price Regulation No. 122, shall be effective immediately and shall continue in effect until April 30, 1946.

Issued this 24th day of January 1946.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 46-1662; Filed, Jan. 29, 1946; 4:18 p. m.]

[Region VI Order G-28 Under RMPR 122, Amdt. 1]

SOLID FUELS IN SPRINGFIELD, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-28 under Revised Maximum Price Regulation No. 122 is amended in the following respect:

1. Paragraph (g) thereof is revoked.
2. Paragraph (h) is redesignated paragraph (g).

This Amendment No. 1 to Order No. G-28 under Revised Maximum Price Regulation No. 122 may be amended, modified, or revoked at any time.

This amendment shall become effective immediately.

Issued this 22d day of January 1946.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 46-1664; Filed, Jan. 29, 1946; 4:18 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register January 21, 1946.

REGION II

Albany Order 11-F, Amendment 8, covering fresh fruits and vegetables in certain areas in New York. Filed 10:11 a. m.

Albany Order 12-F, Amendment 8, covering fresh fruits and vegetables in the counties of Clinton, Essex, Franklin and Hamilton. Filed 10:12 a. m.

Baltimore Order 4-F, Amendment 74, covering fresh fruits and vegetables in the Baltimore area. Filed 10:12 a. m.

Baltimore Order 10-F, Amendment 30, covering fresh fruits and vegetables in the entire State of Maryland except Baltimore City and adjoining area. Filed 10:12 a. m.

Baltimore Order 2-C, covering poultry in the Baltimore, Maryland area. Filed 10:12 a. m.

District of Columbia Order 5-F, Amendment 46, covering fresh fruits and vegetables

in the Washington, D. C. area. Filed 10:12 a. m.

Newark Order 7-F, Amendment 41, covering fresh fruits and vegetables in the counties of Bergen, Essex, Hudson, Morris, Passaic, Sussex and Union and the Borough of North Plainfield in Somerset county, New Jersey. Filed 10:11 a. m.

Philadelphia Order 3-C, covering poultry in Philadelphia, Delaware and Montgomery counties, Pennsylvania and Camden county, New Jersey. Filed 10:11 a. m.

Pittsburgh Order 2-C, Amendment 1, covering poultry in Allegheny county, Pennsylvania. Filed 10:11 a. m.

Scranton Order 4-F, Amendment 60, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:12 a. m.

REGION III

Charleston Orders 4-O and 5-O, Appendix A, Amendment 2, covering eggs in certain sold by counties in West Virginia. Filed 10:05 and 10:03 a. m. Groups 1 and 2 and 3 and 4 stores.

Charleston Order 6-O, Appendix A, Amendment 2, covering eggs sold by Group 1 and 2 stores in certain counties in West Virginia. Filed 10:03 a. m.

Charleston Order 7-O, Appendix A, Amendment 2, covering eggs sold by Groups 3 and 4 stores in certain counties in West Virginia. Filed 10:04 a. m.

Charleston Orders 8-O and 9-O, Appendix A, Amendment 2, covering eggs sold by Groups 1 and 2 and 3 and 4 stores in certain counties in West Virginia. Filed 10:04 a. m.

Cincinnati Adopting Order 15, Amendment 19, covering dry groceries in certain counties in Ohio. Filed 10:13 a. m.

Cincinnati Order 24, Amendment 6, covering dry groceries in certain counties in Ohio. Filed 10:13 a. m.

Cincinnati Order 4-F, Amendment 53, covering fresh fruits and vegetables in Hamilton county, Ohio. Filed 10:13 a. m.

Cincinnati Order 8-F, Amendment 23, covering fresh fruits and vegetables in certain counties in Ohio excluding Union City and College Corner, Ohio. Filed 10:13 a. m.

Cincinnati Order 10-F, Amendment 26, covering fresh fruits and vegetables in counties of Franklin, Logan and Muskingum, Ohio. Filed 10:13 a. m.

Cleveland Order 6-F, Amendment 7, covering fresh fruits and vegetables in Cuyahoga county, Ohio. Filed 10:04 a. m.

Cleveland Order 7-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Ohio. Filed 10:05 a. m.

Detroit Order 5-F (Appendix A), Amendment 57, covering fresh fruits and vegetables in Wayne and Macomb counties. Filed 10:05 a. m.

Detroit Order 5-F (Appendix B), Amendment 58, covering fresh fruits and vegetables in certain counties in Michigan. Filed 10:05 a. m.

Detroit Order 6-F, Amendment 1, covering fresh fruits and vegetables in Bay, Genesee, Lapeer, Midland, Saginaw, Shiawassee, and Tuscola, Michigan. Filed 10:05 a. m.

Detroit Order 7-F, Amendment 1 (Appendix A), covering fresh fruits and vegetables in the city of Grand Rapids, Michigan. Filed 10:06 a. m.

Detroit Order 7-F, Amendment 3 (Appendix C), covering fresh fruits and vegetables in certain areas in Michigan. Filed 10:07 a. m.

Detroit Order 7-F, Amendment 2 (Appendix B), covering fresh fruits and vegetables in the cities of Battle Creek, Kalamazoo, and Muskegon, Michigan. Filed 10:06 a. m.

Detroit Order 8-F, Amendments 1 and 2 (Appendix A and B), covering fresh fruits and vegetables in certain counties in Michigan. Filed 10:07 a. m.

Detroit Order 9-F, Amendments 1 and 2 (Appendix A and B), covering fresh fruits and

vegetables in certain areas in Michigan. Filed 10:07 a. m.

Detroit Order 9-O, Amendment 2, covering eggs sold at retail in designated counties. Filed 10:13 a. m.

Louisville Order 12-F, Amendment 52, covering fresh fruits and vegetables in Jefferson county, Kentucky and Clark and Floyd counties, Indiana. Filed 10:07 a. m.

Louisville Order 17-F, Amendment 18, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 10:08 a. m.

Louisville Order 18-F, Amendment 12, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 10:08 a. m.

Louisville Order 19-F, Amendment 12, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 10:08 a. m.

Louisville Order 20-F, Amendment 12, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 10:08 a. m.

Louisville Order 21-F, Amendment 4, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 10:09 a. m.

Louisville Order 22-F, Amendment 4, covering fresh fruits and vegetables in Campbell and Kenton counties, Kentucky. Filed 10:09 a. m.

Louisville Order 23-F, Amendment 4, covering fresh fruits and vegetables in Boyd county, Kentucky. Filed 10:09 a. m.

Louisville Orders 4-CD and 4-D, covering butter and cheese in all counties in Kentucky and Clark county, Indiana and Floyd county, Indiana. Filed 10:14 and 10:15 a. m.

REGION IV

Columbia Orders 23-O, 24-O, and 25-O, Amendment 3, covering eggs sold by Groups 1 and 2 and 3 and 4 stores in the South Carolina area. Filed 10:21 and 10:22 a. m.

Jacksonville Order 12-F, Amendment 4, covering fresh fruits and vegetables in the Jacksonville, Florida, area. Filed 10:09 a. m.

Jacksonville Order 14-F, Amendment 12, covering fresh fruits and vegetables in the City of Jacksonville, Florida. Filed 10:09 a. m.

Jacksonville Order 17-C, Amendment 1, covering poultry in Duval County, Florida. Filed 10:09 a. m.

Jacksonville Order 24-O, Amendment 4, covering eggs in Duval County, Florida. Filed 10:09 a. m.

Memphis Order 13-C, Amendment 2, covering poultry sold by Groups 1 and 2 stores in Memphis and Shelby county, Tennessee. Filed 10:15 a. m.

Memphis Order 2-O, Amendment 5, covering eggs sold by Groups 1 and 2 stores in Memphis and Shelby county, Tennessee. Filed 10:15 a. m.

Memphis Order 3-O, Amendment 1, covering eggs sold by Groups 1 and 2 stores in Zones 9 and 22 in the Memphis area. Filed 10:15 a. m.

Memphis Order 4-O, Amendment 1, covering eggs sold by Groups 1 and 2 stores in Zone 19 in the Memphis area. Filed 10:16 a. m.

Memphis Order 5-O, Amendment 1, covering eggs sold by Groups 1 and 2 stores in Zone 20 in the Memphis area. Filed 10:16 a. m.

Miami Order 5-F, Amendments 13 and 14, covering fresh fruits and vegetables in certain cities and towns in Florida. Filed 10:10 a. m.

Miami Order 6-F, Amendments 11 and 12, covering fresh fruits and vegetables in the Tampa, Florida, area. Filed 10:10 a. m.

Miami Order 7-F, Amendments 8 and 9, covering fresh fruits and vegetables in certain areas in Florida. Filed 10:10 and 10:11 a. m.

Raleigh Order 6-W, covering dry groceries in certain areas in North Carolina. Filed 10:03 a. m.

Richmond Order 6-W and 21, Amendment 3, covering dry groceries in the Richmond area. Filed 10:16 a. m.

Richmond Order 6-W and 21, Amendment 3, covering dry groceries in the Richmond area. Filed 10:16 a. m.

Savannah Orders 9-C and 8-C, Amendment 1, covering poultry in Zone 23. Filed 10:17 a. m.

Savannah Orders 10-C and 11-C, Amendment 1, covering poultry in Zone 25. Filed 10:17 a. m.

Savannah Orders 12-C and 13-C, Amendment 1, covering poultry in Zone 26. Filed 10:18 a. m.

Savannah Order 14-C, Amendments 1 and 2, covering poultry in Chatham county, Georgia. Filed 10:18 and 10:19 a. m.

Savannah Order 14-C, covering poultry in the Savannah area. Filed 10:18 a. m.

Savannah Orders 1-D and 2-D, covering butter sold by Groups 1 and 2 and 3 and 4 stores in the Savannah area. Filed 10:02 a. m.

Savannah Orders 7-O and 8-O, Amendment 1, covering eggs sold by Groups 1 and 2 and 3 and 4 stores in Zone 15. Filed 10:19 a. m.

Savannah Orders 9-O and 10-O, Amendment 1, covering eggs sold by Groups 1 and 2 and 3 and 4 stores in Zone 16. Filed 10:19 and 10:20 a. m.

Savannah Orders 11-O and 12-O, Amendment 1, covering eggs sold by Groups 1 and 2 and 3 and 4 stores in Zone 17. Filed 10:20 a. m.

Savannah Orders 13-O, Amendments 1, 2, and 3, covering eggs in Chatham county, Georgia. Filed 10:20 and 10:21 a. m.

Savannah Order 13-O, covering eggs in Chatham county, Georgia. Filed 10:20 a. m.

Savannah Order 22, Amendment correction, covering dry groceries in certain counties in Georgia. Filed 10:02 a. m.

Savannah Adopting Order 23, Amendment 1, covering dry groceries. Filed 10:02 a. m.

Savannah Adopting Order 23, Amendment 2, covering dry groceries. Filed 10:02 a. m.

Savannah Order 23, Amendment 3, covering dry groceries in certain counties in Georgia. Filed 10:02 a. m.

Savannah Order 7-W, Amendment 1, covering dry groceries in certain counties in Georgia. Filed 10:02 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-1756; Filed, Jan. 30, 1946; 4:48 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register January 24, 1946.

REGION II

New York Order 9-F, Amendment 51, covering fresh fruits and vegetables in the Five Boroughs of New York City. Filed 9:57 a. m.

New York Order 10-F, Amendment 51, covering fresh fruits and vegetables in all of Nassau and Westchester counties, New York. Filed 9:57 a. m.

New York Order 13-F, Amendment 23, covering fresh fruits and vegetables in the counties of Dutchess, Orange, Putnam, Rockland, Suffolk and Ulster, New York. Filed 9:57 a. m.

New York Orders 7-C and 8-C, Amendment 3, covering poultry in the City of New York and Nassau and Westchester counties, New York. Filed 9:57 and 9:58 a. m.

REGION IV

Jackson Order 7-F, Amendment 15, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 9:58 a. m.

Jackson Order 1-O, Amendments 1 and 2, covering eggs in the City of Jackson, Mississippi. Filed 9:59 a. m.

Jackson Order 1-O, Amendments 3, 4, and 5, covering eggs in the City of Jackson, Mississippi in Jackson Mississippi. Filed 9:59 and 10:00 a. m.

Jackson Order 11-C, Amendment 1, covering poultry in the City of Jackson, Mississippi in Jackson Mississippi. Filed 9:58 a. m.

REGION V

St. Louis Order 3-C, Amendment 6, covering poultry in the City of St. Louis and county of St. Louis, Missouri. Filed 10:00 a. m.

St. Louis Order 2-O, covering eggs in the City of St. Louis and county of St. Louis, Missouri. Filed 10:00 a. m.

REGION VI

Des Moines Order 4-F, Amendments 12 and 16, covering fresh fruits and vegetables in certain counties in Iowa, and the City of South Sioux City in Nebraska. Filed 9:53 a. m.

Des Moines Order 5-F, Amendments 12 and 16, covering fresh fruits and vegetables in certain counties in Iowa except the City of Council Bluffs. Filed 9:53 a. m.

Des Moines Order 6-F, Amendments 12 and 16, covering fresh fruits and vegetables in the Cedar Rapids area. Filed 9:53 a. m.

Des Moines Order 7-F, Amendments 12 and 16, covering fresh fruits and vegetables in the Davenport area. Filed 9:54 a. m.

Des Moines Order 1-O, Amendments 9 and 13, covering eggs in the Cities of Des Moines, West Des Moines and Marshalltown, Iowa. Filed 9:55 a. m.

Des Moines Order 2-O, Amendments 5 and 9, covering eggs in the Cities of Council Bluffs and Sioux City, Iowa. Filed 9:55 a. m.

Des Moines Order 3-O, Amendments 5 and 9, covering eggs in Ft. Dodge and Mason City, Iowa. Filed 9:56 a. m.

Des Moines Order 4-O, Amendments 5 and 9, covering eggs in Dubuque, Waterloo, Cedar Rapids, Clinton, Davenport, Burlington and Ottumwa, Iowa. Filed 9:56 a. m.

Des Moines Order 1-M, covering bottled beer and ale in certain counties in Iowa. Filed 9:54 a. m.

Des Moines Order 2-M, covering bottled beer and ale in certain counties in Iowa. Filed 9:54 a. m.

Des Moines Order 3-M, covering bottled beer and ale in certain counties in Iowa. Filed 9:54 a. m.

Fargo Order 1-F, Amendment 21, covering fresh fruits and vegetables in certain counties in North Dakota. Filed 10:00 a. m.

Fargo Order 2-F, Amendment 21, covering fresh fruits and vegetables in certain counties in North Dakota. Filed 10:00 a. m.

Fargo Order 3-F, Amendment 21, covering fresh fruits and vegetables in certain counties in Minnesota. Filed 10:01 a. m.

Fargo Order 35, Amendment 3, covering dry groceries in the cities of Bismarck, Devils Lake, Jamestown, Mandan, Minot and Valley City, North Dakota. Filed 10:01 a. m.

Fargo Order 36, Amendment 3, covering dry groceries in certain areas in North Dakota. Filed 10:01 a. m.

Fargo Order 37, Amendment 3, covering dry groceries in certain areas in North Dakota. Filed 10:01 a. m.

Fargo Order 38, Amendment 3, covering dry groceries in certain areas in North Dakota. Filed 10:02 a. m.

Milwaukee Order 12-F, Amendment 14, covering fresh fruits and vegetables. Filed 10:07 a. m.

REGION VIII

Portland Order 32-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:50 a. m.

Portland Order 33-F, Amendment 12, covering fresh fruits and vegetables in the Oregon area. Filed 9:51 a. m.

Portland Order 34-F, Amendment 11, covering fresh fruits and vegetables in the Astoria, Coos Bay, Oregon area. Filed 9:51 a. m.

Portland Order 35-F, Amendment 12, covering fresh fruits and vegetables in the Florence, Reedsport, Coquille, Oregon area. Filed 9:51 a. m.

Portland Order 36-F, Amendment 12, covering fresh fruits and vegetables in the cities of Bend and Pendleton, Oregon. Filed 9:51 a. m.

Portland Order 37-F, Amendment 12, covering fresh fruits and vegetables in La Grande, Baker, Redmond, Heppner, Oregon area. Filed 9:51 a. m.

Portland Order 38-F, Amendment 12, covering fresh fruits and vegetables in Haines, Wallawa, Enterprise, Oregon area. Filed 9:51 a. m.

Portland Order 39-F, Amendment 12, covering fresh fruits and vegetables in the Albany, Corvallis, Eugene, Oregon area. Filed 9:51 a. m.

Portland Order 40-F, Amendment 10, covering fresh fruits and vegetables in the city of The Dalles, Oregon. Filed 9:51 a. m.

Portland Order 41-F, Amendment 12, covering fresh fruits and vegetables in the Kelso, Salem, Hood River, Clatskanie, Forest Grove, Oregon area. Filed 9:52 a. m.

Portland Order 41-F, Amendment 13, covering fresh fruits and vegetables in the Kelso, Salem, Hood River, Clatskanie, Forest Grove, Oregon area. Filed 9:52 a. m.

Portland Order 42-F, Amendments 12 and 13, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:52 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-1757; Filed, Jan. 30, 1946; 4:49 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register January 24, 1946.

REGION I

Augusta Order 3-F, Amendment 36, covering fresh fruits and vegetables in Portland, South Portland, and Westbrook. Filed 10:19 a. m.

Augusta Order 5-F, Amendment 35, covering fresh fruits and vegetables in Bangor and Brewer. Filed 10:19 a. m.

Boston Order 1, Amendment 4, covering dry groceries in certain areas in Massachusetts. Filed 10:20 a. m.

Boston Order 7-F, Amendment 39, covering fresh fruits and vegetables in certain defined areas in Massachusetts. Filed 10:19 a. m.

Boston Order 1-C, Amendment 15, covering poultry in certain areas in Massachusetts. Filed 10:20 a. m.

Concord Order 5-O, covering eggs in the State of New Hampshire. Filed 10:20 a. m.

New England Order 7-F, Amendment 40, covering fresh fruits and vegetables in the Boston area. Filed 10:19 a. m.

New England Order 8-F, Amendment 36, covering fresh fruits and vegetables in certain counties in Massachusetts. Filed 10:19 a. m.

New England Order 9-F, Amendment 37, covering fresh fruits and vegetables in certain defined areas in Massachusetts. Filed 10:19 a. m.

REGION II

Buffalo Order 3-F, Amendment 46, covering fresh fruits and vegetables in the cities of Buffalo and Lackawanna, Village of Kenmore and Towns of Amherst, Cheektowaga, Tonawanda and West Seneca, New York. Filed 10:20 a. m.

Buffalo Order 4-F, Amendment 46, covering fresh fruits and vegetables in Rochester, East Rochester, Fairport and Pittsford, New York. Filed 10:20 a. m.

Buffalo Order 5-F, Amendment 13, covering fresh fruits and vegetables in the counties of Allegany, Cattaraugus, Chautauqua, New York. Filed 10:21 a. m.

District of Columbia Order 7-C, covering poultry in the Washington, D. C., area. Filed 10:21 a. m.

Philadelphia Order 6-F, Amendment 64, covering fresh fruits and vegetables in the city and county of Philadelphia. Filed 10:21 a. m.

Philadelphia Order 11-F, Amendment 39, covering fresh fruits and vegetables in the counties of Bucks, Chester, Delaware and Montgomery, Pennsylvania. Filed 10:21 a. m.

Philadelphia Order 12-F, Amendment 39, covering fresh fruits and vegetables in Berks, Lehigh and Northampton, Pennsylvania. Filed 10:21 a. m.

Philadelphia Order 13-F, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:21 a. m.

Pittsburgh Order 6-F, Amendment 34, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:21 a. m.

Pittsburgh Order 7-F, Amendment 28, covering fresh fruits and vegetables in Allegheny County, Pennsylvania. Filed 10:22 a. m.

Newark Order 8-F, covering fresh fruits and vegetables in certain areas in New Jersey. Filed 10:21 a. m.

New York Order 13-F, Amendment 23, covering fresh fruits and vegetables in Dutchess, Orange, Putnam, Rockland, Suffolk and Ulster Counties, N. Y. Filed 9:57 a. m.

REGION V

Dallas Order 4-F, Amendment 25, covering fresh fruits and vegetables in Dallas County, Texas. Filed 10:13 a. m.

Dallas Order 6-F, Amendment 14, covering fresh fruits and vegetables in McLennan County, Texas. Filed 10:13 a. m.

Dallas Order 7-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Texas. Filed 10:14 a. m.

Dallas Order 4-C, Amendment 4, covering poultry in the cities of Dallas and University Park and Town of Highland Park, Texas. Filed 10:14 a. m.

Dallas Order 10-O, covering eggs in the cities of Dallas and University Park and Town of Highland Park, Texas. Filed 10:14 a. m.

Fort Worth Order 13-F, Amendment 27, covering fresh fruits and vegetables in Tarrant county, Texas. Filed 10:14 a. m.

Fort Worth Order 19-F, Amendment 15, covering fresh fruits and vegetables in Taylor, Tom Green and Wichita counties, Texas. Filed 10:14 a. m.

Fort Worth Order 21-F, Amendment 11, covering fresh fruits and vegetables in Lubbock and Potter counties, Texas. Filed 10:15 a. m.

Fort Worth Order 22-F, Amendment 2 and 3, covering fresh fruits and vegetables in certain areas in Texas. Filed 10:15 a. m.

Fort Worth Order 5-C and 1-O, covering poultry and eggs in Tarrant county, Texas. Filed 10:15 a. m.

Houston Order 2-C, covering poultry in Harris county, Texas. Filed 10:15 a. m.

Houston Order 3-C, covering poultry in Orange and Jefferson counties, Texas. Filed 10:16 a. m.

Houston Order 4-O, covering eggs in Harris county, Texas. Filed 10:16 a. m.

Houston Order 5-O, covering eggs in Orange and Jefferson counties, Texas. Filed 10:16 a. m.

Houston Order 4-F, Amendment 26, covering fresh fruits and vegetables in certain cities and towns in Houston. Filed 10:15 a. m.

Houston Order 5-F, Amendment 26, covering fresh fruits and vegetables in Jefferson and Orange counties, Texas. Filed 10:15 a. m.

Kansas City Order 4-F, Amendment 26, covering fresh fruits and vegetables in Johnson and Wyandotte counties, Kansas; Jackson county, Missouri and the City of North Kansas City, Missouri. Filed 10:16 a. m.

Kansas City Order 9-F, Amendment 10, covering fresh fruits and vegetables in Buchanan county, Missouri. Filed 10:16 a. m.

Kansas City Order 10-F, Amendment 10, covering fresh fruits and vegetables in Greene county, Missouri. Filed 10:17 a. m.

Kansas City Order 11-F, Amendment 10, covering fresh fruits and vegetables in Jasper county, Missouri. Filed 10:17 a. m.

Kansas City Order 9-C and 11-O, covering poultry and eggs in Johnson and Wyandotte, Kansas City of North Kansas City, Jackson and Buchanan counties, Missouri. Filed 10:17 a. m.

Kansas City Order 10-C, and 12-O, covering poultry and eggs in Greene and Jasper counties, Missouri. Filed 10:17 a. m.

New Orleans Order 4-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 10:17 a. m.

New Orleans Order 33-C, covering poultry in the City of New Orleans, Algiers, Gretna, Metairie, McDonoughville, Arabi and Chalmette, Louisiana. Filed 10:18 a. m.

Wichita Orders 31 and 32, Amendment 4, covering dry groceries sold by Groups 1 and 2, stores. Filed 10:05 a. m.

Wichita Order 33, Amendment 4, covering dry groceries. Filed 10:05 a. m.

San Antonio Order 6-C, covering poultry in Bexar county, Texas. Filed 10:13 a. m.

San Antonio Order 3-O, covering eggs in Bexar county, Texas. Filed 10:13 a. m.

Wichita Orders 6-W and 7-W, Amendment 3, covering dry groceries. Filed 10:06 a. m.

Wichita Order 16-F, Amendment 9, covering fresh fruits and vegetables in Reno county, Kansas. Filed 10:05 a. m.

Wichita Order 17-F, Amendment 9, covering fresh fruits and vegetables in Shawnee county, Kansas. Filed 10:05 a. m.

REGION VI

Chicago Order 2-F, Amendments 96 and 97, covering fresh fruits and vegetables in Cook, DuPage, Kane, Lake, McHenry counties, Illinois and Lake county, Indiana. Filed 10:08 a. m.

Chicago Order 6-C, covering poultry sold by Groups 1, 2, 3, and 4, stores in the Cook county, area. Filed 10:08 a. m.

Des Moines Order 4-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Iowa and the City of South Sioux City in Nebraska. Filed 10:08 a. m.

Des Moines Order 5-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Iowa. Filed 10:09 a. m.

Des Moines Order 6-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Iowa. Filed 10:09 a. m.

Des Moines Order 7-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Iowa and certain cities in Illinois. Filed 10:09 a. m.

Des Moines Order 1-C, covering poultry sold by Groups 1, 2, 3, and 4, stores in the Des Moines, West Des Moines, and Marshalltown areas. Filed 10:09 a. m.

Des Moines Order 2-C, Adopting Order, covering poultry sold by Groups 1, 2, 3, and 4, stores in the Sioux City and Council Bluffs, Iowa areas. Filed 10:10 a. m.

Des Moines Order 3-C, covering poultry sold by Groups 1, 2, 3, and 4 stores in the

Fort Dodge and Mason City, Iowa areas. Filed 10:10 a. m.

Des Moines Order 4-C, covering poultry sold by Groups 1, 2, 3, and 4, stores in the Dubuque, Waterloo, Cedar Rapids, Clinton, Davenport, Burlington and Ottumwa areas. Filed 10:11 a. m.

Green Bay Order 16, Amendment 1, covering dry groceries in certain areas in Wisconsin. Filed 10:18 a. m.

Green Bay Order 18, Amendment 1, covering dry groceries in certain areas in Wisconsin. Filed 10:18 a. m.

Fargo Order 5-W, Amendment 3, covering dry groceries in the cities of Bismarck, Mandan, and Minot, North Dakota. Filed 10:02 a. m.

Fargo Order 6-W, Amendment 3, covering dry groceries in the cities of Fargo and Grand Forks, North Dakota and Moorhead, Minnesota. Filed 10:03 a. m.

Milwaukee Order 8-F, Amendment 41, covering fresh fruits and vegetables. Filed 10:06 a. m.

Milwaukee Order 8-F, Amendment 43, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 10:03 a. m.

Milwaukee Order 9-F, Amendment 41, covering fresh fruits and vegetables. Filed 10:06 a. m.

Milwaukee Order 9-F, Amendment 43, covering fresh fruits and vegetables in Sheboygan and Fond du Lac Counties, Wisconsin. Filed 10:03 a. m.

Milwaukee Order 11-F, Amendment 33, covering fresh fruits and vegetables. Filed 10:06 a. m.

Milwaukee Order 11-F, Amendment 35, covering fresh fruits and vegetables in Milwaukee county, cities of Racine and Kenosha, Wisconsin. Filed 10:03 a. m.

Milwaukee Order 12-F, Amendment 16, covering fresh fruits and vegetables in the cities of La Crosse and Sparta, Wisconsin. Filed 10:03 a. m.

Milwaukee Order 13-F, Amendment 3, covering fresh fruits and vegetables. Filed 10:07 a. m.

Milwaukee Order 13-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Wisconsin except the cities of Kenosha, Racine, La Crosse, and Sparta. Filed 10:11 a. m.

Milwaukee Order 3-C, covering poultry sold by Groups 1, 2, 3, and 4, stores in Milwaukee county, cities of Racine and Kenosha. Filed 10:04 a. m.

Milwaukee Order 4-C, covering poultry in certain areas in Wisconsin. Filed 10:04 a. m.

Milwaukee Order 1-D, covering butter and cheese in certain counties in Wisconsin. Filed 10:04 a. m.

Milwaukee Order 2-D, covering butter and cheese in certain counties in Wisconsin. Filed 10:04 a. m.

Omaha Order 10-F, Amendment 41, covering fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa. Filed 10:07 a. m.

Omaha Order 11-F, Amendment 42, covering fresh fruits and vegetables in the City of Lincoln, Nebraska. Filed 10:07 a. m.

Omaha Order 13-F, Amendment 14, covering fresh fruits and vegetables in the Cities of North Platte, Kearney, Grand Island, Hastings, Holdrege, and McCook, Nebraska. Filed 10:07 a. m.

Omaha Order 14-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Nebraska. Filed 10:11 a. m.

Omaha Order 14-F, Amendment 4, covering fresh fruits and vegetables in the Nebraska Rural area. Filed 10:11 a. m.

Sioux Falls Order 2-F, Amendment 20, covering fresh fruits and vegetables in the City of Sioux Falls, South Dakota. Filed 10:07 a. m.

REGION VII

Denver Order 4-F, Amendment 28, covering fresh fruits and vegetables in the Denver area. Filed 10:18 a. m.

Denver Order 5-F, Amendment 28, covering fresh fruits and vegetables in the Pueblo area. Filed 10:18 a. m.

Denver Order 6-F, Amendment 28, covering fresh fruits and vegetables in the Colorado Springs and Manitou area. Filed 10:18 a. m.

Denver Order 7-F, Amendment 28, covering fresh fruits and vegetables in the Boulder, Fort Collins, Greeley area. Filed 10:18 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-1758; Filed, Jan. 30, 1946; 4:49 p. m.]

[Region II Rev. Order G-18 Under RMPR 122, Amdt. 14]

SOLID FUELS IN ROCHESTER AND MONROE COUNTY, N. Y.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-18 is amended in the following respects:

1. Paragraph (e) is amended by adding a new subparagraph (3) immediately after subparagraph (2) to read as follows:

(3) On "delivered" and "yard" sales there may be added to the prices provided in paragraphs (e) (1) and (e) (2) five cents per net ton on coal produced by the Pittsburgh Coal Company in District No. 2, from Mine Index Numbers 10, 29, 49, 62, 92, 150, 152 and 237.

This Amendment No. 14 to Revised Order No. G-18 shall become effective as of January 7, 1946.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued January 22, 1946.

LEO F. GENTNER,
Regional Administrator.

[F. R. Doc. 46-1763; Filed, Jan. 30, 1946; 4:50 p. m.]

[Region II 2d Rev. Order G-31 Under RMPR 122]

SOLID FUELS IN NEW YORK CITY

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, It is ordered:

(a) Any dealer making sales of bituminous coal and coke, delivered in Manhattan, Bronx, Brooklyn and Queens in the City and State of New York, may, to the extent that he does not determine his maximum prices under the emergency pricing rules contained in Revised Order No. G-21, "Sales of Emergency Bituminous Coal", and Order No. G-54, "Emergency Sales of

Coke", or any subsequent revision thereof, and to the extent that he calculates his maximum prices under Revised Maximum Price Regulation No. 122, increase the maximum prices so calculated as follows:

(1) For "direct-delivery" sales of bituminous coal, dealers may add 40 cents per net ton.

(2) For "direct-delivery" sales of coke, dealers may add 45 cents per net ton.

(b) The increase authorized herein shall not apply to any sales of bituminous coal or coke for which maximum prices are determined under the emergency pricing rules contained in Revised Order No. G-21. "Sales of Emergency Bituminous Coal", or Order No. G-54, "Emergency Sales of Coke", or any subsequent revisions thereof; *Provided*, That, if a maximum price is determined pursuant to a pricing rule embodied in § 1340.254 of Revised Maximum Price Regulation No. 122, specifically incorporated by reference in said Revised Order No. G-21 or Order No. G-54, dealers may add the increases set forth in paragraph (a) hereof to such maximum prices:

(c) Dealers making sales subject to this order shall not change their customary allowances, discounts, or other price differentials unless such change results in prices lower than the prices permitted by this order (after applying the customary allowances, discounts, or other price differentials).

(d) *Reports.* Every dealer making sales subject to this order shall, within ten days after he determines or re-determines his maximum prices hereunder, report to the New York District Office of the Office of Price Administration the maximum prices so determined.

(e) *Definitions.* When used in this Second Revised Order No. G-31 the term:

(1) "Direct-delivery" means the customary method of delivery whether to the buyer's bin or storage space, or to the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck.

(2) Unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to all other terms used herein.

(f) *Effect of order on Revised Order No. G-31 as originally issued and amended.* Revised Order No. G-31 as issued on April 29, 1944, and as thereafter amended, is hereby revoked in full as of the effective date of this second revised order.

NOTE: The record-keeping and reporting requirements of the Second Revised Order No. G-31 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Second Revised Order No. G-31 shall become effective January 25, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 333, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued January 24, 1946.

LEO F. GENTNER,
Regional Administrator.

[F. R. Doc. 46-1764; Filed, Jan. 30, 1946; 4:50 p. m.]

[Region III Gen. Order 1 Under SO 142]

R. J. TOWER IRON WORKS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 2 of Supplementary Order No. 142, and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This Order No. G-1 provides for an adjustment in the maximum prices of certain saw mill machinery manufactured by the R. J. Tower Iron Works, Greenville, Michigan, hereinafter referred to as the manufacturer. The order further provides for the adjustment of maximum prices for resellers of the above items.

(b) *Maximum prices.* The manufacturer is hereby authorized

(1) To increase by not more than 30.58% of its maximum list prices on all types of edgers and repair parts for edgers described in the price lists submitted as exhibits to its application.

(2) To increase by not more than 36.58% its maximum list prices on all types of trimmers and repair parts for trimmers as described in the price lists submitted as exhibits to its application.

(c) *Resellers.* The maximum price for the items covered by paragraph (b) above on sales by any reseller to any class of purchaser shall be the price determined by increasing the maximum price which he had in effect to such purchaser, just prior to the issuance of this order, by the same percentage amount by which his invoiced cost of such item is increased. Accordingly, a reseller who customarily sold on the basis of the manufacturer's list price may continue to sell on the basis of the manufacturer's new list price as adjusted pursuant to this order.

(d) *Discounts.* All sellers covered by this order must maintain the discounts and allowances and terms or conditions of sale which such seller had in effect just prior to the issuance of this order.

(e) *Notice.* At the time of or prior to the first invoice to each purchaser for resale, the manufacturer shall notify the reseller in writing of permitted price increases allowed by this order for sales by resellers. This notice may be given in any convenient form.

(f) *Modification and amendment.* This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective December 29, 1945.

Issued December 29, 1945.

J. F. KESSEL,
Regional Administrator.

[F. R. Doc. 46-1760; Filed, Jan. 30, 1946; 4:49 p. m.]

[Region III Order G-4 Under SO 133]

THOMAS E. CHEESEBROUGH ESTATE

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 7 of Supplementary Order No. 133, and the Emergency Price

Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This Order No. G-4 provides for an adjustment in the maximum prices for the sale of wood hand rakes and mop handles and squares manufactured by the Thomas E. Cheesebrough Estate, hereinafter referred to as the manufacturer. The order further provides for the adjustment of maximum prices for resellers of the above items.

(b) *Maximum prices.* The manufacturer is hereby authorized to increase by not more than 20.5% its maximum prices of wood hand rakes, mop handles and squares which it manufactures.

(c) *Resellers.* Resellers of the items listed in paragraph (b) may increase their maximum prices by the same percentage by which the maximum prices of the manufacturer have been increased on sales and deliveries to the resellers under the provisions of this order.

(d) *Discounts and allowances.* All sellers covered by this order must maintain the discounts and allowances and terms or conditions of sale which such seller had in effect just prior to the issuance of this order.

(e) *Notification.* At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the reseller in writing of permitted price increases allowed by this order for sales by resellers. This notice may be given in any convenient form.

(f) *Relation to other regulations and orders.* The maximum prices established by this order supersede those established by any other order or regulation of the Office of Price Administration.

(g) *Filing statement.* As provided in section 5 of Supplementary Order No. 133, the trustee for the Thomas E. Cheesebrough Estate must file with this Regional Office within four months after the date of this order, a profit and loss statement covering the first three months of its operations under this order.

(h) *Amendment or revocation.* This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective January 21, 1946.

Issued January 21, 1946.

J. F. KESSEL,
Regional Administrator.

[F. R. Doc. 46-1759; Filed, Jan. 30, 1946; 4:49 p. m.]

[Atlanta Rev. Order G-1 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN ATLANTA, GA., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Atlanta District Office of Region IV of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, this amendment is hereby issued.

(a) Appendix A, Part I, of Revised Order No. G-1 under General Order No. 50 is amended by striking from Appen-

dix A wherever they appear therein Hi-Brau Beer and the maximum prices provided therein and inserting again the brand of beer known as Hi-Brau and providing therefor the following maximum prices.

(1) Under Group 1 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle are added:

Brand or trade name of beer	Maximum price per bottle	
	12-ounce	32-ounce
Hi-Brau.....	Cents 25	Cents 60

(2) Under Group 2 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle are added:

Brand or trade name of beer	Maximum price per bottle	
	12-ounce	32-ounce
Hi-Brau.....	Cents 20	Cents 50

(3) Under Group 3 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle are added:

Brand or trade name of beer	Maximum price per bottle	
	12-ounce	32-ounce
Hi-Brau.....	Cents 18	Cents 45

(b) This Amendment No. 5 to Revised Order No. G-1, as amended, under General Order No. 50 shall become effective on and after January 8, 1946.

Issued January 8, 1946.

WILLIAM A. TOLMAN,
Acting District Director.

[F. R. Doc. 46-1769; Filed, Jan. 30, 1946; 4:52 p. m.]

[Region V Order G-21 Under RMPR 251]

INSTALLED MINERAL WOOL INSULATION
IN DALLAS COUNTY, TEX.

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region V of the Office of Price Administration by section 9 of Revised Maximum Price Regulation No. 251, it is ordered:

(a) *Transactions covered by this order:* This order covers sales of mineral wool insulation on an installed basis in existing structures. All items of incidental construction work as defined below remain covered by Revised Maximum Price Regulation 251.

"Mineral wool" means rock wool, slag wool and glass wool blown from molten materials and used to retain or exclude heat.

"Existing structures" means completed structures whether occupied or unoccu-

pied, and includes ordinary changes, improvements, remodeling and additions.

"On an installed basis" means a transaction in which the seller furnishes mineral wool insulation, together with the labor, services and material required to incorporate such insulation into an existing structure. Installation may be performed by the pneumatic or blowing method, by the hand-packing method, or by the use of the batts and blankets.

"Incidental construction work" means work performed or services rendered with respect to a building or structure apart from the installation of mineral wool insulation. It also includes those materials and operations the cost of which are expressly described as not included in the price of certain items listed in Table I of section (d) of this order.

(b) *Relationship of this order to Revised Maximum Price Regulation No. 251.* The provisions of this order supersede sections 6, 7 and 8 of Revised Maximum Price Regulation 251, except as otherwise provided in this order, with respect to sales of mineral wool insulation on an installed basis and incidental construction work. Except as otherwise provided herein, all transactions subject to this order shall remain subject to all provisions of Revised Maximum Price Regulation 251, together with all amendments that have been or hereafter may be issued.

On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell, offer to sell, or deliver mineral wool insulation on an installed basis or incidental construction work as herein defined, at prices higher than the maximum prices established by this order.

(c) *Geographical applicability.* This order shall apply to all sales of installed mineral wool in structures located in the area comprising Dallas County, Texas.

(d) *Maximum prices.* The maximum prices for sales of mineral wool insulation on an installed basis shall be those shown in Table I of this section. Prices apply to all types and thicknesses of blown mineral wool and to all types and thicknesses of hand packed loose mineral wool and to batts and blankets. The prices listed in Table I are based upon an insulation thickness of 4 inches. For each inch or fraction of inch of insulation over 4 inches, when ordered by the buyer, the seller may make an additional charge of 2¢ per inch per square foot. For each inch of thickness under 4 inches the seller shall deduct 2¢ per square foot. A 3/8 inch tolerance may be allowed without change in maximum price.

The drawings referred to in Table I are on file with the Division of the Federal Register, and are hereby made a part of this order. For the convenience of sellers and buyers, and in the interest of simplification and clarity of description, copies of these drawings are attached to this order and distributed by the Office of Price Administration.

Where a machine or crew of two or more workers is used on mineral wool insulation jobs and the total charge as determined in accordance with the maximum prices listed in Table I is \$40 or less, the seller may add \$10 to such charge.

TABLE I—MAXIMUM PRICES

FLAT AREAS

Exposed Ceilings

Prices per sq. ft.
(4" thickness basis)

1. Open attics with over 24" clearance to roof, no roof opening necessary, open blowing conditions. Drawing 1..... \$0.11
2. Under flat built-up roofs (suspended ceiling) with over 24" clearance between roof and hung ceiling; open blowing conditions. (Price includes cost of opening and closing for area 500 square feet and over. Price does not include opening and closing for areas under 500 square feet.) Drawing 2..... .12

Covered Ceilings (Prices Include Cost of Removing and Replacing Flooring)

3. Open attics with a single rough flooring and accessible. No roof opening necessary. Drawing 3..... \$0.12
4. Open attics with finished single floors. Drawing 4..... .14
5. Open attics with finished double floors. Drawing 5..... .15

Flat Ceilings in Closed Spaces (Prices Do Not Include Cost of Opening and Closing)

6. Flat ceilings in closed spaces under pitched or sloping roofs where opening in roof is necessary, such as pocket areas behind knee walls, areas under roof ridges, or extensions which are practically flat. Drawing 6..... \$0.12
7. Ceilings in closed space under ridge or pitched roofs, where openings for the full length of ridge is necessary because of small clearance between ridge and ceiling area. Drawing 7..... .13
8. Flat built-up roof types including row house construction and commercial buildings. Drawings 2 and 8..... .13
9. Flat roof decks covered with tin, copper or canvas. Drawing 9..... .12
10. Overhang. Drawing 10..... .12
11. Dormer tops. Drawing 11:
 - (a) Where no retainer material is necessary..... .13
 - (b) Where retainer material is necessary..... .17
12. Bay window top or bottom. Drawing 12..... .12

Floors (Prices Include Cost of Opening and Closings)

13. Any exposed floors over garage ceilings, open porches or similar types of areas where the underside of the area to be insulated is closed and finished. Drawing 13..... \$0.17
14. Any exposed floors where the areas to be insulated are not closed and finished and where retaining materials are required. Drawing 14..... .18

Floor Over Unexcavated Areas (Prices Do Not Include Cost of Retaining Materials)

15. Batts and blankets. Drawing 15... \$0.15
16. 4" fill over retaining material and lath retaining surface. Drawing 16... .18

SLOPING AREAS

17. All slopes where closed and finished on the interior side of the rafters. (Price does not include cost of opening and closing.) Drawing 17... .12
18. Open rafters and slopes where batts or blankets are used, such as pockets outside of knee walls where blow is impractical. (Prices do not include cost of opening and closing.) Drawing 18..... .14
19. Open rafters and slopes. Insulation held in place by retaining material. (Price includes cost of retainer material, if used.) Drawing 19..... .15

TABLE I—MAXIMUM PRICES—Continued
Knee Walls and Partitions

	Prices per sq. ft. (4" thickness basis)
20. Interior plastered walls where no decoration is necessary except plaster patching. (Price includes opening and closing.) Drawing 20.	\$0.17
21. Knee walls adjacent to slopes and easily accessible, no openings required. (Price includes cost of retaining material.) Drawing 21.	.16
22. Knee walls not accessible, requiring retaining material. (Price includes cost of retaining material but does not include opening and closing.) Drawing 22.	.19
23. Stairwells. (Prices include openings and closing.) Drawing 23.	
(a) Soffits.	.20
(b) Walls (Measurement of walls may be taken as rectangle from floor to ceiling)	.17
<i>Exterior Walls (Prices Include Cost of Opening and Closing)</i>	
24. Exterior walls with inner finish whose outer surface is composed of:	
(a) Wood or asphalt shingles.	\$0.15
(b) Wood clapboard.	.15
(c) Brick or stone veneer.	.18
(d) Stucco.	.19
(e) Asbestos-cement shingles.	.18
(f) Insulated brick, Drawings 24 and 30.	.18
25 and 26. Gable and end walls with inner finish:	
(a) Wood or asphalt shingles.	.16
(b) Wood clapboard.	.15
(c) Brick or stone veneer.	.18
(d) Stucco.	.19
(e) Asbestos-cement shingles.	.18
(f) Insulated brick, Drawings 25, 26 and 27.	.19
27. Gable and end walls without inner finish, requiring standard retaining materials.) Drawing 25, 26 and 27. (Price includes cost of retaining material.)	.16
28. Dormer cheeks and faces with inner finish. Drawings 28 and 29:	
(a) Wood or asphalt shingles.	.18
(b) Wood clapboard.	.16
(c) Brick or stone veneer.	.20
(d) Stucco.	.23
(e) Asbestos-cement.	.21
(f) Insulated brick.	.23
29. Dormer cheeks and faces without inner finish, requiring retaining material. (Prices include cost of retaining material.) Drawings 28 and 29.	.16

Openings and closings. A separate additional charge may be made for openings and closings only in those cases where opening and closing are not specifically included in the price applicable to the category. The charge includes payment for all labor and material including that used for replacement of material where necessary. This charge applies only to work performed by the installer in connection with installation of mineral wool insulation.

The above prices shall be cash prices. They shall not be increased even though the seller may elect to extend credit for 30 days. If credit is provided according to F. H. A. plans, the prices set forth in the Table I above shall not be increased but a charge for credit may be made in accordance with F. H. A. rules where credit is provided in accordance with such rules.

(e) *Measurements* It shall be the seller's responsibility to ascertain that all measurements are accurate. Measurements for exterior walls are to be taken overall, with no deduction for openings, except for sun porch walls, store fronts or similar areas where win-

dows and door areas must be deducted. In the case of elevator wells, ventilators, skylights, monitors and pent houses on flat roofs the entire such area must be deducted where they are more than 16 square feet in area and extend through the flat ceiling area to be insulated. For attic floors outside gross dimensions may be taken. In measuring the height of knee walls, to the height between floors, joists and rafters add one foot for floor seal piling of granulated insulation. For slope add six inches to length of clean span for capping intersecting surfaces. For flat ceilings which intersect slopes add one foot to length of span taken at right angles to intersecting slopes. For stairwell walls measurement may be taken as a rectangle from floor to ceiling and not as triangles.

In determining the total of the square foot area for each category of insulation installed a tolerance of 5 percent will be recognized.

(f) *Maximum prices for special insulation and related work and incidental constructions.* The maximum prices that may be charged by sellers for special insulation and related work and incidental construction work for which no separate dollars-and-cents price has been set out in Table I of this order shall be the maximum prices established in accordance with Revised Maximum Price Regulation 251.

(g) *Quoting a "guaranteed price."* The seller may offer to sell an insulation job covered by this order on the basis of a "guaranteed price" wherein the seller agrees to charge a fixed amount: *Provided, however,* That the so-called "guaranteed price" must not be higher than the maximum price figured in accordance with the pricing methods and requirements of this order. The seller shall stamp or otherwise mark conspicuously on each invoice or statement a statement in substantially the following form: "Prices are at or below ceiling prices set by OPA Regional Order G-21 under MPR 251."

(h) *Records and invoices.* Every seller of mineral wool insulation on an installed basis, whether the sale is made as a part of a general contract calling for installation of other commodities or not, shall:

(1) Preserve records showing the information given in compliance with subparagraphs (i) to (vi) of this section.

(2) Upon completion of the work or within a reasonable time thereafter, if requested by the purchaser, give to the purchaser an invoice or similar document showing:

(i) The date on which the installation was completed.

(ii) The name and address of the seller and buyer.

(iii) The number of square feet and type of insulation installed, the thickness of insulation material, and the areas in which such insulation material was installed.

(iv) The price charged for each separate category exactly as stated in Table I, including category number and drawing number.

(v) The terms of sale.

(vi) A statement shown separately on the invoice of any special insulation and

related work and incidental construction work.

Every person making sales subject to this order shall notify the purchaser of the existence of this order, and, if requested, show the purchaser a copy of this order and Revised Maximum Price Regulation No. 251.

(i) *Revocation.* This order may be revoked, revised, or amended at any time by the Office of Price Administration.

This Order No. G-21 shall become effective January 25, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 17th day of January 1946.

E. A. SPARIKY,
Acting Regional Administrator.

[F. R. Doc. 46-1770; Filed, Jan. 30, 1946; 4:52 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 84]

SOLID FUELS IN GREEN BAY, WIS.

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects: In appendix No. 25, Paragraph (b), Price Schedule, is amended to read as follows:

(b) *Price schedule.* (1) Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices for "domestic delivered" sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. The prices are the same for both treated and untreated coal. Discounts are set forth in section (c). Service charges are set forth in section (d). Definitions are set forth in section (e). Sales in lots of fractions of a ton or tons shall be governed by the Price Schedule as follows:

(i) On "domestic delivered" sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 25 cents, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is \$9.65, the price of ½ ton would be \$4.83 plus 25 cents or a total of \$5.08; the price of ¾ ton would be \$7.24 plus 25 cents or a total of \$7.49.

(ii) On "domestic delivered" sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is \$10.90, the price of 1½ would be \$16.35.

Domestic
delivered
(per ton)

Price Schedule

I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Egg	\$12.60
2. Stove	12.10
3. Nut	11.05
4. Screenings	9.05

The above prices do not include sales of Glen Rogers coal produced at mine index No. 73 of the Raleigh-Wyoming Mining Co.

Price Schedule—Continued.

	Domestic delivered (per ton)
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):	
1. Lump:	
(a) Premium Kentucky (including coals in high and low splint seams, Millers Creek and No. 5 seam in price classification A)-----	\$10.90
(b) Elkhorn seam-----	10.55
(c) Splint coals (including Island Creek and No. 5 block seams) --	10.10
2. Egg:	
(a) Premium Kentucky (including coals in high and low splint, Millers Creek and No. 5 seams in price classification A)-----	10.60
(b) Elkhorn seam-----	10.25
(c) Splint coals (including Island Creek and No. 5 block seams) --	9.90
3. Stove:	
(a) Premium Kentucky (including coals in high and low splint, Millers Creek and No. 5 seams in price classification A)-----	10.30
(b) Elkhorn seam-----	10.15
(c) Splint coals (including Island Creek and No. 5 block seams) --	9.80
4. Stoker:	
(a) Prepared, rescreened stoker in price classification A coals and Elkhorn and Harlan seams--	10.35
(b) Domestic stoker in price classification A coals and Elkhorn and Harlan seams-----	9.85
(c) Domestic stoker from splint coals (in Island Creek and No. 5 block seams)-----	9.55
5. Screenings:	
(a) Elkhorn seam-----	9.10
(b) Harlan seam-----	9.00
(c) Splint (including Island Creek, No. 5 block and Hazard No. 4 seams)-----	8.90
III. Pennsylvania anthracite:	
1. Egg, stove, and nut-----	15.60
2. Pea-----	13.90
3. Buckwheat-----	11.50
IV. Briquettes, low volatile:	
1. Reiss—Manufactured by The C. Reiss Coal Co.-----	11.30
V. Cliffs Coal Blox (manufactured by Cleveland Cliffs Iron and Coal Co.)--	13.50

(c) *Discounts.* The maximum prices set forth in section (b) (1) shall be subject to the following discount:

(1) On "domestic sales" to other dealers of coal picked up at the dealer's yard or dock: \$2.00 per ton.

(2) On "domestic sales" to domestic consumers of coal picked up at the dealer's yard or dock: \$0.60 per ton.

The prices established by this Amendment No. 84 to Order No. G-16 under Revised Maximum Price Regulation No. 122 supersedes those established by the adjustment permitted by Regional Orders No. G-27 and No. G-29, as to the dealers covered by Appendix No. 25 to Order No. G-16.

This Amendment No. 84 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective immediately, and shall remain in effect until April 30, 1946.

Issued this 25th day of January 1946.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 46-1768; Filed, Jan. 30, 1946; 4:51 p. m.]

[Region VII Order G-16 Under SO 94]

NEW STORAGE BATTERIES, FLASHLIGHT BATTERIES, AND STORAGE BATTERY STRAPS IN DENVER REGION

Order No. G-16 under Supplementary Order No. 94; maximum prices at specified levels for certain new storage batteries, flashlight batteries, and storage battery straps. Docket No. 7-SO 94-11-27.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and sections 11 and 13 of Supplementary Order No. 94, as amended, and for the

reasons set forth in the accompanying opinion, this Order No. G-16 is issued.

(a) *What this order does.* This Order No. G-16 establishes maximum prices at the specified levels for certain new storage batteries, flashlight batteries, and storage battery straps heretofore duly declared to be surplus war commodities, when sold f. o. b. place of shipment by the War Assets Corporation and by any subsequent reseller.

(b) *Maximum prices.* Maximum prices for the new storage batteries, flashlight batteries, and storage battery straps described herein shall be as follows:

Item No.	Description	Maximum prices		
		Sales to wholesaler f. o. b. shipping point	Sales to retailer or industrial user f. o. b. shipping point	Sales at retail
1	Storage battery, lead acid, automotive, #4H, 6-volt assembly. 3 cells of 2 volts each, heavy duty. Overall dimensions: 7" wide, 8 3/4" high, 13" long. Plates are charged and separators are dry. No electrolyte in cells. Should be given a freshening charge before placing in service. 150 amp. hr. capacity (20 hr.); 23 plates per cell, lead plates wood separators; hard rubber case; clamp type terminals, without wing nut attachment. Two manufacturers are represented: Willard Storage Battery Co., Cleveland, Ohio, and Thomas A. Edison, Inc., Emark Division Plant No. 1, Kearny, N. J. Packed in wooden boxes of 1 each, weight 62 lbs., cube 1.4. Condition: New	Each \$9.10	Each \$11.70	Each \$19.50
2	Storage battery, 3-cell, 6-volt, installation chart indicates it will charge to 160 amps. Overall dimensions, 10 1/4" x 7" x 9", terminals set on opposite corners, used with a gasoline driven generator PE 950 by the Army. Genuine hard rubber case made by The Pacific Hard Rubber Co., Los Angeles, Calif. Manufacturer undetermined, marked with the trade name "Trojan." Packed in a wooden box. Weight per box 59 lbs., measurement 16" x 11" x 13". Army Stock No. 3B130. Condition: New	4.46	5.07	9.95
3	Battery, storage, lead cell; Signal Corps lead battery type BB-41; Service rating 4 volts, 16 amp. hours. Made by Gould Storage Battery Corp.; batteries are 2-cell in metal case, size 8 3/4" x 4 3/4" x 4" and are dry (w/o electrolyte). They are communication batteries such as used for telephone circuits. Packed in wood boxes 17" x 13" x 19". 4 batteries to a box, weight 74 lbs. Condition: New	3.48	4.52	6.78
4	Flashlight battery, wet, one cell, lead base, plastic housing. Plain flat terminal top and bottom. 2 volts. Battery has a small hole on top through which distilled water is inserted with eye dropper. Lower part of battery contains diluted sulphuric acid. Size 4 3/4" long, 1 1/4" diameter. Dated June 1943. One eye dropper with each unit. Manufacturer, Storage Battery Div., Ideal Commutator Dresser Co., Sycamore, Ill. Condition: New	.45	.60	1.00
5	Storage battery straps, battery ground, braided, 8". Post clamp on one end, 3/8" bolt hole on other. Braided zinc alloy coated wire. Unused. Manufactured by Whitaker Cable Corp., Kansas City, Mfg. part #8501. Condition: New	Per carton \$0.70	Per carton \$0.90	Per carton \$1.50

(c) *Permitted freight and service charges.* (1) On sales to a retailer or industrial user, the seller may add to the maximum prices listed above in paragraph (b), (i) the freight actually paid by him, and (ii) the cost of filling and charging the battery if such services are actually performed, but not to exceed the existing ceiling prices for such services.

(2) On sales at retail the retailer may add to the maximum prices listed above in paragraph (b), (i) the freight actually paid by his supplier, (ii) any filling and charging expenses shown on the invoice furnished by his supplier, and (iii) the freight actually paid by the retailer from his supplier's warehouse. If such services are not performed by his supplier and are performed by the retailer, the retailer may add the cost of filling and charging the battery, not to exceed the existing ceiling prices for such services.

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

(e) *Notification.* Any person who sells the storage batteries, flashlight batteries, and storage battery straps described in paragraph (b) hereof shall furnish the retailer with an invoice of sale, stating separately the maximum prices for

sales at retail as above set forth in paragraph (b), the freight actually paid by him, and the cost of actually filling and charging the batteries if such services were performed by him; and also stating that, and it is so hereby ordered, the retailer is required by this order to attach to each battery and each carton of storage battery straps before offering them for sale to an ultimate consumer or user a tag or label which plainly states the selling price, not in excess of the appropriate retail ceiling price as fixed by this Order No. G-16.

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

(g) *Geographical applicability.* This Order No. G-16 covers all sales of the war surplus commodities in question, when made anywhere within the 48 states of the United States and the District of Columbia.

(h) *Definitions*—(1) "Retailer" means any person who sells to a user or ultimate consumer, except industrial users.

(2) "Wholesaler" means any person who sells to purchasers for resale and to industrial users.

(i) *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.

(j) *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-16 shall become effective on the 18th day of January 1946.

Issued this 18th day of January 1946.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 46-1771; Filed, Jan. 30, 1946;
4:52 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1091]

ROCHESTER GAS AND ELECTRIC CORP. ORDER RELEASING JURISDICTION OVER LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of January 1946.

Rochester Gas and Electric Corporation, a subsidiary of NY PA NJ Utilities Company, a registered holding company, having filed a declaration and amendments thereto, pursuant to sections 6 (a), 7, 12 (c), and 12 (e) of the Public Utility Holding Company Act of 1935, and Rules U-42, U-62, and U-65 promulgated thereunder, with respect to the reclassification of declarant's outstanding 160,000 shares of preferred stock and the retirement of 40,000 shares of such reclassified stock, and with respect to the solicitation of proxies in connection therewith; and

The Commission having, by order dated October 1, 1945, permitted the declaration regarding the solicitation to become effective, and said order having, among other things, reserved jurisdiction

with respect to the payment of fees and expenses of counsel; and

The Commission having, on December 27, 1945, issued its supplemental order permitting the declaration with respect to the proposed reclassification and retirement to become effective, subject, among other things, to the continuance of the reservation of jurisdiction over fees and expenses of counsel; and

Each of the counsel for Rochester Gas and Electric Corporation having submitted information regarding the nature and extent of the services rendered by them for such company, for which fees are requested and reimbursement of expenditures claimed, such fees and expenditures being as follows: as to Nixon, Hargrave, Middleton & Devans, a fee of \$10,000 and reimbursement of expenditures in the amount of \$318.53; as to Naylon, Foster and Shepard, a fee of \$5,000 and reimbursement of expenditures in the amount of \$189.03; and as to George Rosier, a fee of \$6,500 and reimbursement of expenditures in the amount of \$414.87; and

It appearing to the Commission that such fees are not unreasonable:

It is ordered, That jurisdiction heretofore reserved with respect to the payment of fees and expenses of counsel be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-1884; Filed, Feb. 1, 1946;
11:32 a. m.]

[File No. 70-1214]

GENTILLY DEVELOPMENT CO., INC.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of January, A. D. 1946.

Notice is hereby given that a declaration and amendment thereto have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Gentilly Development Company, Inc. ("Gentilly"), a non-utility wholly owned subsidiary of Electric Power & Light Corporation ("Electric"), which in turn is a registered holding

company subsidiary of Electric Bond and Share Company, also a registered holding company. Declarant designates sections 12 (c) and 12 (f) of the act and Rule U-42 thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may not later than February 14, 1946, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to the declaration, as amended, which is on file in the office of this Commission for a statement of the transaction therein proposed which is summarized as follows:

Gentilly, the owner of unimproved real estate situated in the City of New Orleans, Louisiana, is indebted to Electric in the aggregate principal sum of \$146,136.63, represented by \$75,300 principal amount of non-interest bearing open account indebtedness, and fifteen 6% Demand Notes, bearing various dates, aggregating \$70,836.63 principal amount. The debt was incurred through advances made from time to time by Electric to Gentilly to meet the cash requirements of the company. Gentilly proposes to pay to Electric from the net proceeds of the sale of land to New Orleans Public Service Inc., a public utility subsidiary of Electric, the sum of \$146,136.63 in full satisfaction of such indebtedness. No interest has been paid on said Demand Notes nor does the presently proposed payment include any interest.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-1883; Filed, Feb. 1, 1946;
11:32 a. m.]