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# FEDERAL REGISTER

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*Washington, Tuesday, May 21, 1946*

## *The President*

### EXECUTIVE ORDER 9727

#### POSSESSION, CONTROL, AND OPERATION OF CERTAIN RAILROADS

WHEREAS after investigation I find and proclaim that as a result of labor disturbances there are interruptions, or threatened interruptions, of the operations of the transportation systems, plants, and facilities owned or operated by carriers by railroad named in the list attached hereto and made a part hereof; that the war effort will be unduly impeded and delayed by such interruptions; that it has become necessary to take possession and assume control of the said transportation systems, plants, and facilities for purposes that are needful or desirable in connection with the present wartime emergency; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure in the national interest the operation of the said transportation system, plants, and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 as amended by section 3 of the War Labor Disputes Act (57 Stat. 164), the Act of August 29, 1916 (39 Stat. 619, 645), and the First War Powers Act, 1941 (55 Stat. 838), as President of the United States and Commander in Chief of the Army and Navy, it is hereby ordered as follows:

1. Possession and control of the transportation systems, plants, and facilities owned or operated by the carriers by railroad named in the list attached hereto and made a part hereof are hereby taken and assumed, through the Director of the Office of Defense Transportation (hereinafter referred to as the Director), as of four o'clock P. M., May 17, 1946; but such possession and control shall be limited to real and personal property and other assets used or useful in connection with the operation of the transportation systems of the said carriers. If and when the Director finds it necessary or appropriate to carry out

the purposes of this order, he may, by appropriate order, take possession and assume control of all or any part of any transportation system of any other carrier by railroad located in the continental United States.

2. The Director is directed to operate, or arrange for the operation of, the transportation systems, plants, and facilities taken under or pursuant to this order in such manner as he deems necessary to assure to the fullest possible extent continuous and uninterrupted transportation service.

3. In carrying out the provisions of this order the Director may act through or with the aid of such public or private instrumentalities or persons as he may designate, and may delegate such of his authority as he may deem necessary or desirable, with power of successive re-delegation. The Director may issue such general and special orders, rules and regulations as may be necessary or appropriate to carry out the provisions, and to accomplish the purposes, of this order. All Federal agencies shall comply with the directives of the Director issued pursuant to this order and shall cooperate to the fullest extent of their authority with the Director in carrying out the provisions of this order.

4. The Director shall permit the management of carriers whose transportation systems, plants, and facilities have been taken under, or which may be taken pursuant to, the provisions of this order to continue their respective managerial functions to the maximum degree possible consistent with the purposes of this order. Except so far as the Director shall from time to time otherwise provide by appropriate order or regulation, the boards of directors, trustees, receivers, officers, and employees of such carriers shall continue the operation of said transportation systems, plants, and facilities, including the collection and disbursement of funds thereof, in the usual and ordinary course of the business of the carriers, in the names of their respective companies, and by means of any agencies, associations, or other instrumentalities now utilized by the carriers.

(Continued on p. 5463)

## CONTENTS

### THE PRESIDENT

EXECUTIVE ORDER:	Page
Railroads; possession, control, and operation.....	5461

### REGULATIONS AND NOTICES

#### AGRICULTURE DEPARTMENT:

Asparagus workers in California, salaries and wages....	5474
Barley (WFO 147).....	5469
Meat, set aside, required to be delivered:	
Beef (WFO 75-2, Am. 38).....	5470
Lamb and mutton (WFO 75-6, Am. 5).....	5471
Pork (WFO 75-3, Am. 32).....	5471
Veal (WFO 75-4, Am. 8).....	5471
Milk handling, Greater Kansas City marketing area.....	5468
Onions, mature, in Colorado; termination of order.....	5469
Producers Stock Yards, Lexington, Ky.....	5510
Sugarcane farming practices for 1946 and subsequent crop years:	
Hawaii.....	5467
Mainland.....	5466
Puerto Rico.....	5467
Virgin Islands.....	5468
Sugarcane wages and prices in Florida, postponement of hearing.....	5510

#### CIVIL AERONAUTICS BOARD:

Hearings, etc.:	
Accident near Richmond, Va.....	5511
Duluth Air Lines.....	5511

#### CIVIL SERVICE COMMISSION:

Formal education requirements for appointment to scientific, technical and professional positions; additions to list.....	5466
---	------

#### FEDERAL POWER COMMISSION:

Michigan Consolidated Gas Co., hearing.....	5511
---	------

#### FEDERAL SAVINGS AND LOAN SYSTEM:

Authority of officers.....	5473
Participations in mortgages by Federal associations.....	5473

#### INTERNAL REVENUE BUREAU:

Life insurance, amounts paid by reason of death of insured.....	5474
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### CONTENTS—Continued

OFFICE OF DEFENSE TRANSPORTATION:		Page
Federal Manager of Government Controlled Railroads:		
Appointment and delegation of authority	5512	
Possession, control, and operation of railroads	5512	
Illinois Central Railroad Co.; change of manager	5513	
OFFICE OF PRICE ADMINISTRATION:		
Adjustments and pricing orders:		
Acme Mfg. Co.	5514	
Allied Sales & Service Co. and Brittany Co.	5515	
Cobblers, Inc.	5523	
Delta Shower Door Co.	5516	
Elgin Metal Casket Co.	5516	
Ford Motor Co.	5520	
Franklin Transformer Mfg. Co.	5515	
Free Sewing Machine Co.	5521	
Goodyear Tire & Rubber Co., Inc.	5524	

### CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.		Page
Adjustments and pricing orders—Continued.		
Great American Industries, Inc.	5519	
Harris Mfg. Co.	5517	
Kermath Mfg. Co.	5513	
Laskin Bros. Inc.	5524	
Marmon-Herrington Co., Inc.	5517	
Martin Steel Products Corp.	5513	
Moyer Mfg. Co.	5524	
Pioneer Suspender Co.	5521	
Roy Stove	5517	
Sportsman Mfg. Co.	5514	
White Motor Co.	5516	
Young, L. A., Spring and Wire Corp.	5514	
Apparel and house furnishings (MPR 580, incl. Am. 1-13)	5475	
Appliances and equipment, repair (RMFR 165, Am. 4 to Supp. Service Reg. 22)	5509	
Automotive vehicles and farm equipment, repair (RMFR 165, Am. 4 to Supp. Service Reg. 6)	5509	
Bituminous coal:		
Delivered from mine or preparation plant (MPR 120, Order 1669)	5523	
Sold for direct use as bunker fuel (MPR 189, Order 13)	5523	
Bronze insect screen cloth, sales by War Assets Administration et al. (SO 94, Order 124)	5522	
Brushes and brooms (SO 126, Am. 34)	5497	
Coke, beehive oven (MPR 77, Order 1)	5520	
Cotton, wool and linen textiles (SO 149, Am. 1)	5497	
Flaxseed (MPR 397, Am. 9)	5509	
Ice boxes, new (MPR 399, Am. 30)	5508	
Machines, parts, industrial materials and services (SO 129, Am. 17)	5497	
Millwork, special (MPR 608, Am. 1)	5497	
Oak, pecan and miscellaneous hardwood flooring (MPR 458, Am. 5)	5494	
Regional and district office orders:		
Community ceiling prices, list of orders filed	5524	
Concrete blocks, Florida	5526	
Shell eggs, Boston, Mass., area	5525	
Sugar (3d Rev. RO 3, Am. 13)	5506	
Virgin Islands, maximum prices (MPR 201, Am. 15)	5507	
Wire insect screen cloth, sales by War Assets Administration et al. (SO 94, Order 123)	5522	
Work gloves, staple (RMFR 506, incl. Am. 1-3)	5498	
SECURITIES AND EXCHANGE COMMISSION:		
Hearings, etc.:		
Arkansas-Missouri Power Corp.	5527	
Atlas Corp. and Franklin Simon & Co. Inc.	5528	
Eastern Utilities Associates (2 documents)	5527	

### CONTENTS—Continued

SECURITIES AND EXCHANGE COMMISSION—Continued.		Page
Hearings, etc.—Continued.		
Missouri Power & Light Co. and North American Light & Power Co.	5526	
Sisto Financial Corp.	5527	
TREASURY DEPARTMENT:		
Bonds restricted as to ownership by commercial banks which accept demand deposits, modification of circulars	5510	
¾ percent Treasury certificates of indebtedness of Series E-1947, offering	5510	
WAGE AND HOUR DIVISION:		
Employment of learners, issuance of special certificates to various industries	5511	
WAR DEPARTMENT:		
Women's Army Corps	5472	
CODIFICATION GUIDE		
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Documents carried in the Cumulative Supplement by uncodified tabulation only are not included within the purview of this list.		
TITLE 3—THE PRESIDENT:		Page
Chapter II—Executive Orders:		
9727	5461	
TITLE 5—ADMINISTRATIVE PERSONNEL:		
Chapter I—Civil Service Commission:		
Part 25—Formal education requirements for appointment to certain scientific, technical and professional positions	5466	
TITLE 7—AGRICULTURE:		
Chapter VIII—Production and Marketing Administration (Sugar Branch):		
Part 802—Sugar determinations (4 documents)	5466, 5467, 5468	
Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders):		
Part 913—Milk in Greater Kansas City marketing area	5468	
Part 943—Mature onions grown in the State of Colorado	5469	
TITLE 10—ARMY: WAR DEPARTMENT:		
Chapter VII—Personnel:		
Part 711—Women's Army Corps	5472	
TITLE 24—HOUSING CREDIT:		
Chapter II—Federal Savings and Loan System:		
Part 203—Operation	5473	
Part 207—Powers of conservator and conduct of conservatorships	5473	
TITLE 26—INTERNAL REVENUE:		
Chapter I—Bureau of Internal Revenue:		
Part 3—Income tax under Revenue Act of 1936	5474	
Part 9—Income tax under Revenue Act of 1938	5474	
Part 19—Income tax under Internal Revenue Code	5474	



## CODIFICATION GUIDE—Continued

TITLE 26—INTERNAL REVENUE—CON.	Page
Chapter I—Bureau of Internal Revenue—Continued.	
Part 29—Income tax; taxable years beginning after December 31, 1941.....	5474
TITLE 29—LABOR:	
Chapter IX—Department of Agriculture (Agricultural Labor):	
Part 1102—Salaries and wages, California .....	5474

5. Except so far as the Director shall from time to time otherwise determine and provide by appropriate orders or regulations, existing contracts and agreements to which carriers whose transportation systems, plants, and facilities have been taken under, or which may be taken pursuant to, the provisions of this order are parties, shall remain in full force and effect. Nothing in this order shall have the effect of suspending or releasing any obligation owed to any carrier affected hereby, and all payments shall be made by the persons obligated to the carrier to which they are or may become due. Except as the Director may otherwise direct, there may be made, in due course, payments of dividends on stock, and of principal, interest, sinking funds, and all other distributions upon bonds, debentures, and other obligations; and expenditures may be made for other ordinary corporate purposes.

6. Subject to applicable provisions of existing law, including the orders of the Office of Defense Transportation issued pursuant to Executive Order 8989, as amended, the said transportation systems, plants, and facilities shall be managed and operated under the terms and conditions of employment in effect at the time possession is taken under this order. The Director shall recognize the right of the workers to continue their membership in labor organizations, to bargain collectively through representatives of their own choosing with the representatives of the owners of the carriers, subject to the provisions of applicable statutes and Executive Orders, as to matters pertaining to wages to be paid or conditions to prevail after termination of possession and control under this order; and to engage in concerted activities for the purpose of such collective bargaining or for other mutual aid or protection, provided that in his opinion such concerted activities do not interfere with the operation of the transportation systems, plants, and facilities taken hereunder, or which may be taken pursuant hereto.

7. Except as this order otherwise provides and except as the Director may otherwise direct, the operation of the transportation systems, plants, and facilities taken hereunder, or which may be taken pursuant hereto, shall be in conformity with the Interstate Commerce Act, as amended, the Railway Labor Act, as amended, the Safety Appliance Acts, the Employers' Liability Acts, and other applicable Federal and State laws, Executive Orders, local ordinances, and rules and regulations issued pursuant to

such laws, Executive Orders, and ordinances.

8. Except with the prior written consent of the Director, no receivership, reorganization, or similar proceeding affecting any carrier whose transportation system, plants, and facilities are taken hereunder, or which may be taken pursuant hereto, shall be instituted, and no attachment by mesne process, garnishment, execution, or otherwise shall be levied on or against any of the real or personal property or other assets of any such carrier, provided that nothing herein shall prevent or require approval by the Director of any action authorized or required by any interlocutory or final decree of any United States court in reorganization proceedings now pending under the Bankruptcy Act or in any equity receivership cases now pending.

9. For the purposes of paragraphs 1 to 8, inclusive, of this order, there are hereby transferred to the Director the functions, powers, and duties vested in the Secretary of War by that part of section 1 of the said Act of August 29, 1916, reading as follows:

"The President, in time of war, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same, to the exclusion as far as may be necessary of all other traffic thereon, for the transfer or transportation of troops, war material and equipment; or for such other purposes connected with the emergency as may be needful or desirable."

10. The Director may request the Secretary of War to furnish protection for persons employed or seeking employment in the plants, facilities, or transportation systems of which possession is taken hereunder, or which may be taken pursuant hereto, to furnish protection for such plants, facilities, and transportation systems, and to furnish equipment, manpower, and other facilities or services deemed necessary by the Director to carry out the provisions, and to accomplish the purposes, of this order. The Secretary of War is authorized and directed, upon such request, to take such action as he deems necessary to furnish such protection, equipment, manpower, or other facilities or services.

11. From and after four o'clock p. m., on the said 17th day of May 1946, all properties taken under this order shall be conclusively deemed to be within the possession and control of the United States without further act or notice.

12. Possession, control, and operation of any plant or facility, or of any transportation system, or any part thereof, or of any real or personal property taken under this order, or which may be taken pursuant hereto, shall be terminated by the Director when he determines that such possession, control, and operation are no longer necessary to carry out the provisions, and to accomplish the purposes, of this order.

HARRY S. TRUMAN

THE WHITE HOUSE,  
May 17, 1946.

## LIST

1. Abilene & Southern Railway Company, Texas & Pacific Bldg., Dallas 2, Tex.
2. The Ahnapee and Western Railway Company, Green Bay, Wis.
3. The Akron & Barberton Belt Railroad Company, Barberton, Ohio
4. The Akron, Canton & Youngstown Railroad Company, 12 East Exchange Street, Akron 8, Ohio
5. The Alabama Great Southern Railroad Company, Washington 13, D. C.
6. Alabama, Tennessee and Northern Railroad Company, A. T. & N. Bldg., 106 St. Joseph Street, Mobile 8, Ala.
7. Algiers, Winslow and Western Railway Company, Indianapolis, Indiana
8. Allegheny & South Side Railway Company, Pittsburgh, Pa.
9. Alton and Southern Railroad, East St. Louis, Ill.
10. The Alton Railroad Company (Henry A. Gardner, Trustee), 340 West Harrison Street, Chicago 7, Ill.
11. The Ann Arbor Railroad Company, Railway Exchange Bldg., St. Louis 1, Mo.
12. Apalachicola Northern Railroad Company, Barnett National Bank Bldg., Jacksonville, Fla.
13. Asherton and Gulf Railway Company (Guy A. Thompson, Trustee) Missouri Pacific Bldg., St. Louis 3, Mo.
14. Ashley, Drew & Northern Railway Company, Crossett, Ark.
15. Asphalt Belt Railway Company (Guy A. Thompson, Trustee) Missouri Pacific Bldg., St. Louis 3, Mo.
16. The Atchison, Topeka and Santa Fe Railway Company, 80 East Jackson Blvd., Chicago 4, Ill.
17. Atlanta & Saint Andrews Bay Railway Company, Dothan, Ala.
18. Atlanta and West Point Rail Road Company, 4 Hunter St., S. E., Atlanta 3, Ga.
19. Atlanta Terminal Company, Atlanta, Ga.
20. Atlantic and East Carolina Railway Company, Kinston, N. C.
21. Atlantic and Yadkin Railway Company, Greensboro, N. C.
22. Atlantic Coast Line Railroad Company, 71 Broadway, New York 6, N. Y.
23. The Baltimore and Annapolis Railroad Company, 204-206 West Camden Street, Baltimore 1, Maryland
24. The Baltimore and Ohio Chicago Terminal Railroad Company, Grand Central Station, Chicago 7, Ill.
25. The Baltimore and Ohio Railroad Company, Baltimore & Ohio Bldg., Baltimore 1, Md.
26. Barre and Chelsea Railroad Company, Montpelier, Vt.
27. The Beaumont, Sour Lake & Western Railway Company (Guy A. Thompson, Trustee), Missouri Pacific Bldg., St. Louis 3, Mo.
28. Beaver, Meade and Englewood Railroad Company, Railway Exchange Bldg., St. Louis, Mo.
29. Belt Railway Company of Chattanooga, Atlanta, Ga.
30. The Belt Railway Company of Chicago, 47 West Polk Street, Chicago 5, Ill.
31. Benwood and Wheeling Connecting Railway Company, Wheeling Steel Corporation Bldg., Wheeling, W. Va.
32. Berlin Mills Railway, Berlin, N. H.
33. Bessemer and Lake Erie Railroad Company, P. O. Box 536, Pittsburgh 30, Pa.
34. Blue Ridge Railway Company, Washington 13, D. C.
35. Boston and Albany Railroad (The New York Central Railroad Company Lessee), 466 Lexington Avenue, New York 17, N. Y.
36. Boston and Maine Railroad, North Station Bldg., Boston 14, Mass.
37. Brooklyn Eastern District Terminal, 111 Broadway, New York 6, N. Y.
38. Burlington-Rock Island Railroad Company, Union Station, Houston 2, Texas



39. Bush Terminal Railroad Company, 100 Broad Street, New York 4, N. Y.
40. Butte, Anaconda & Pacific Railway Company, 25 Broadway, New York 4, N. Y.
41. California Western Railroad & Navigation Company, San Francisco, Calif.
42. Camas Prairie Railroad Company, King Street Station, Seattle 4, Wash.
43. Campbell's Creek Railroad Company, Union Trust Bldg., Cincinnati, Ohio
44. Canadian National Railway Company (Lines in the United States), 360 McGill Street, Montreal, Que.
45. Canton Railroad Company, Canton House, South and Water Streets, Baltimore 2, Md.
46. Carolina and Northwestern Railway Company, Washington 13, D. C.
47. Cedar Rapids and Iowa City Railway, Cedar Rapids, Iowa
48. Central of Georgia Railway Company (M. P. Callaway, Trustee) Savannah, Ga.
49. The Central Railroad Company of New Jersey (Shelton Pitney and Walter P. Gardner, Trustees), Jersey City Terminal, Jersey City 2, N. J.
50. Central Vermont Railway, Inc., 360 McGill St., Montreal, Que.
51. The Champlain and St. Lawrence Railroad Company (Canadian National Railway Company, Lessee), 360 McGill St., Montreal, Que.
52. Charleston & Western Carolina Railway Company, Wilmington, N. C.
53. Chattanooga Traction Company, Chattanooga, Tenn.
54. The Chesapeake and Ohio Railway Company, Terminal Tower, Cleveland 1, Ohio
55. Chicago & Eastern Illinois Railroad Company, 332 South Michigan Avenue, Chicago 4, Illinois
56. Chicago & Illinois Midland Railway Company, Illinois Bldg., Springfield, Ill.
57. Chicago & Illinois Western Railroad, 135 E. 11th Place, Chicago 5, Ill.
58. Chicago and North Western Railway Company, 400 West Madison Street, Chicago 6, Ill.
59. Chicago and Western Indiana Railroad Company, 47 West Polk Street, Chicago 5, Ill.
60. Chicago, Attica & Southern Railroad Company (Charles F. Propst, Receiver), Attica, Indiana
61. Chicago, Aurora and Elgin Railroad Company (Arthur L. Schwartz, Trustee), Chicago 3, Ill.
62. Chicago, Burlington & Quincy Railroad Company, 547 West Jackson Blvd., Chicago 6, Ill.
63. Chicago Great Western Railway Company, 309 West Jackson Blvd., Chicago 6, Ill.
64. Chicago, Indianapolis and Louisville Railway Company (L. F. Deramus and Holman D. Pettibone, Trustees), 608 So. Dearborn St., Chicago 5, Ill.
65. Chicago Junction Railway (The Chicago River and Indiana Railroad Company, Lessee) 466 Lexington Ave., New York 17, N. Y.
66. Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Union Station, Chicago 6, Ill.
67. Chicago North Shore and Milwaukee Railroad Company (John B. Gallagher and Edward J. Quinn, Trustees), 79 West Monroe Street, Chicago 3, Ill.
68. Chicago Produce Terminal Company, 135 East 11th Place, Chicago, Ill.
69. Chicago Short Line Railway Company, South Chicago, Ill.
70. Chicago South Shore and South Bend Railroad, 327 South LaSalle Street, Chicago 4, Ill.
71. The Chicago River and Indiana Railroad Company, 466 Lexington Ave., New York 17, N. Y.
72. The Chicago, Rock Island and Pacific Railway Company (Joseph B. Fleming, and Aaron Colnon, Trustees), LaSalle Street Station, Chicago 5, Ill.
73. Chicago, Saint Paul, Minneapolis and Omaha Railway Company, 400 West Madison St., Chicago 6, Ill.
74. Chicago Union Station Company, 210 So. Canal Street, Chicago, Ill.
75. Chicago, West Pullman & Southern Railroad Company, 180 North Michigan Avenue, Chicago 1, Ill.
76. Cincinnati, Burnside & Cumberland River Railway Company, Washington 13, D. C.
77. The Cincinnati, New Orleans and Texas Pacific Railway Company, Washington 13, D. C.
78. The Cincinnati Union Terminal Company, 1301 Freeman Ave., Cincinnati, Ohio
79. The Cleveland Union Terminals Company, 1324 West Third Street, Cleveland 13, Ohio
80. Clinchfield Railroad Company, 71 Broadway, New York 6, N. Y.
81. The Colorado and Southern Railway Company, C. A. Johnson Bldg., Denver 2, Colo.
82. The Colorado & Wyoming Railway Company, Continental Oil Bldg., Denver, Colorado
83. Columbia & Cowlitz Railway Company, Tacoma, Wash.
84. Columbia, New Berry and Laurens Railroad Company, Columbia, S. C.
85. Columbia Union Station Company, Columbia, S. C.
86. Columbus and Greenville Railway Company, Columbus, Miss.
87. Copper Range Railroad Company, Houghton, Mich.
88. Cornwall Railroad Company, Lebanon, Pa.
89. Cowlitz, Chehalis & Cascade Railway, Chehalis, Wash.
90. Cumberland and Pennsylvania Railroad Company, Baltimore 2, Md.
91. Curtis Bay Railroad Company, Baltimore & Ohio Bldg., Baltimore 1, Md.
92. The Cuyahoga Valley Railway Company, 3551 Jennings Road, Cleveland 1, Ohio
93. Danville and Western Railway Company, Washington 13, D. C.
94. The Delaware and Hudson Railroad Corporation, 220 Park Avenue, New York 17, N. Y.
95. The Delaware, Lackawanna and Western Railroad Company, 140 Cedar Street, New York 6, N. Y.
96. Delray Connecting Railroad Company, Detroit, Michigan
97. The Denver and Intermountain Railroad Company, Denver 2, Colo.
98. The Denver and Rio Grande Western Railroad Company (Wilson McCarthy and Henry Swan, Trustees) Rio Grande Bldg., Denver 1, Colo.
99. The Denver and Salt Lake Railway Company, Denver National Bldg., Denver 2, Colo.
100. Des Moines & Central Iowa Railroad, Des Moines, Iowa
101. Des Moines Union Railway Company, Union Station Bldg., Chicago 6, Ill.
102. Detroit and Mackinac Railway Company, Tawas City, Mich.
103. The Detroit and Toledo Shore Line Railroad Company, Cleveland 1, Ohio
104. Detroit Terminal Railroad Company, Detroit, Mich.
105. Detroit, Toledo and Ironton Railroad Company, Michigan Ave. at Schaefer Rd., Dearborn, Mich.
106. Donora Southern Railroad Company, Cleveland 5, Ohio
107. Duluth, Missabe and Iron Range Railway Company, Wolvin Bldg., Duluth 2, Minn.
108. The Duluth, South Shore and Atlantic Railway Company (Edward A. Whitman and P. L. Solesher, Trustees), First National Soo Line Bldg., Minneapolis 2, Minn.
109. Duluth, Winnipeg and Pacific Railway Company, Montreal, Que.
110. The East Broad Top Railroad and Coal Company, 1421 Chestnut Street, Philadelphia, Pa.
111. East Erie Commercial Railroad, Erie, Pa.
112. East St. Louis Junction Railroad Company, Livestock Exchange Bldg., National Stock Yards, Ill.
113. East Tennessee and Western North Carolina Railroad Company, Johnson City, Tenn.
114. Elgin, Joliet and Eastern Railway Company, 208 South LaSalle Street, Chicago 4, Ill.
115. Erie Railroad Company, Midland Bldg., Cleveland, Ohio
116. Escanaba and Lake Superior Railroad Company, Wells, Mich.
117. The Federal Valley Railroad Company, 466 Lexington Avenue, New York 17, N. Y.
118. Florida East Coast Railway Company (Scott M. Loftin and John W. Martin, Trustees), Jacksonville 1, Fla.
119. Fonda, Johnston and Gloversville Railroad Company, Gloversville, N. Y.
120. Fore River Railroad Corporation, Quincy, Mass.
121. Fort Dodge, Des Moines & Southern Railway Company, Boone, Iowa
122. The Fort Street Union Depot Company, General Motors Bldg., Detroit 2, Mich.
123. Fort Worth and Denver City Railway Company, 307 West 6th St., Fort Worth 2, Texas
124. Frankfort & Cincinnati Railroad Company, Frankfort, Ky.
125. Gainesville Midland Railroad Company, P. O. Box 1675, Atlanta, Ga.
126. Galveston, Houston and Henderson Railroad Company, Galveston, Texas
127. Georgia & Florida Railroad (W. V. Griffin and H. W. Purvis, Receivers), Augusta, Ga.
128. Georgia Rail Road & Banking Company, Operated as the Georgia Railroad by Lessees: Atlantic Coast Line Railroad Company; Louisville and Nashville Railroad Company, 4 Hunter St., S. E., Atlanta 3, Ga.
129. Georgia Southern and Florida Railway Company, Washington 13, D. C.
130. Grand Trunk Western Railroad Company, 360 McGill Street, Montreal, Quebec
131. Great Northern Railway Company, 175 East Fourth Street, St. Paul 1, Minn.
132. Green Bay and Western Railroad Company, Green Bay, Wis.
133. Gulf, Colorado and Santa Fe Railway Company, Galveston, Tex.
134. Gulf, Mobile and Ohio Railroad Company, 104 St. Francis Street, Mobile 13, Ala.
135. Harriman and Northeastern Railroad Company, Washington 13, D. C.
136. Helena Southwestern Railroad Company, 111 West Washington Street, Chicago 2, Ill.
137. High Point, Randleman, Asheboro and Southern Railroad Company, Washington 13, D. C.
138. Houston and Brazos Valley Railway Company (Guy A. Thompson, Trustee), Missouri Pacific Bldg., St. Louis 3, Mo.
139. Houston Belt & Terminal Railway Company, Union Station Bldg., Houston 2, Tex.
140. Hudson & Manhattan Railroad Company, 30 Church Street, New York, N. Y.
141. The Huntington and Broad Top Mountain Railroad and Coal Company, P. O. Box 391, Huntington, Pa.
142. Illinois Northern Railway, 180 North Michigan Avenue, Chicago 1, Illinois
143. Illinois Terminal Railroad Company, Central Terminal Bldg., 710 North 12th Blvd., St. Louis 1, Mo.
144. Indiana Harbor Belt Railroad Company, 466 Lexington Ave., New York 17, N. Y.
145. The Indianapolis Union Railway Company, Union Station, Indianapolis, Ind.
146. International-Great Northern Railroad Company (Guy A. Thompson, Trustee), Missouri Pacific Bldg., St. Louis 3, Mo.
147. Interstate Railroad Company, 2500 Filadelfy-Philadelphia Trust Bldg., Philadelphia, Pa.



148. Jacksonville Terminal Company, Jacksonville, Fla.
149. The Jay Street Connecting Railroad, 71 Water Street, New York, N. Y.
150. The Kansas City Connecting Railroad Company, Livestock Exchange Bldg., Kansas City, Mo.
151. Kansas City, Kaw Valley Railroad, Inc., Kansas City, Mo.
152. The Kansas City Southern Railway Company, Kansas City Southern Bldg., Kansas City 6, Mo.
153. Kansas City Terminal Railway Company, Union Station, Kansas City 8, Mo.
154. Kansas, Oklahoma & Gulf Railway Company, Muskogee, Okla.
155. Kelley's Creek and Northwestern Railroad Company, Western Reserve Bldg., West 9th and Superior Ave., Cleveland, Ohio
156. Kewaunee, Green Bay and Western Railroad Company, Green Bay, Wisconsin
157. Lackawanna and Wyoming Valley Railroad Company, Scranton 5, Pa.
158. Lake Champlain and Moriah Rail Road Company, Port Henry, N. Y.
159. Lake Superior & Ishpeming Railroad Company, Marquette, Mich.
160. The Lake Terminal Railroad Company, Grant Bldg., Pittsburgh 19, Pa.
161. Lancaster and Chester Railway Company, Lancaster, S. C.
162. The LaSalle and Bureau County Railroad Company, La Salle, Ill.
163. Lehigh and New England Railroad Company, 123 So. Broad St., Philadelphia 9, Pa.
164. Lehigh Valley Railroad Company, 143 Liberty Street, New York 6, N. Y.
165. Litchfield and Madison Railway Company, 114-116 St. Louis St., Edwardsville, Ill.
166. Live Oak, Perry & Gulf Railroad Company, Foley, Fla.
167. The Long Island Rail Road Company, Broad St. Station Bldg., 1617 Pennsylvania Blvd., Philadelphia 4, Pa.
168. Longview, Portland & Northern Railway Company, Longview, Wash.
169. The Lorain & West Virginia Railway Company, 626 Huron Road, Cleveland 15, Ohio
170. Los Angeles Junction Railway Company, 4500 Downey Road, Los Angeles 11, Calif.
171. Louisiana & Arkansas Railway Company, 114 West 11th St., Kansas City 6, Mo.
172. The Louisiana and North West Railroad Company, Little Rock, Ark.
173. Louisiana Southern Railway Company, New Orleans 17, La.
174. Louisville & Jeffersonville Bridge and Railroad Company, 466 Lexington Ave., New York 17, N. Y.
175. Louisville and Nashville Railroad Company, 908 W. Broadway, Louisville 1, Ky.
176. Macon, Dublin & Savannah Railroad Company, Norfolk 10, Va.
177. Maine Central Railroad Company, Portland 4, Me.
178. Manistee and Northeastern Railway Company, Manistee, Mich.
179. Manufacturers' Junction Railway Company, Chicago, Ill.
180. Manufacturers Railway Company, 2927 So. Broadway, St. Louis 18, Mo.
181. Maryland and Pennsylvania Railroad Company, Baltimore, Md.
182. McKeesport Connecting Railroad Company, Suite 2515 Grant Bldg., 330 Grant St., Pittsburgh, Pa.
183. Meridian and Bigbee River Railway Company (J. C. Floyd, Trustee), Meridian, Miss.
184. The Midland Terminal Railway Company, Colorado Springs, Colo.
185. Midland Valley Railroad Company, Muskogee, Okla.
186. Mineral Range Railroad Company (Edward A. Whitman and P. L. Solether, Trustees), First National Soo Line Bldg., Minneapolis 2, Minn.
187. The Minneapolis & St. Louis Railway Company, Northwestern Bank Bldg., Minneapolis 2, Minn.
188. Minneapolis Eastern Railway Company, Minneapolis, Minn.
189. Minneapolis, Northfield and Southern Railway, Minneapolis 3, Minn.
190. Minneapolis, St. Paul & Sault Ste. Marie Railroad Company, First National Soo Line Bldg., Minneapolis 2, Minn.
191. The Minnesota Transfer Railway Company, 2071 University Ave., St. Paul 4, Minn.
192. Minnesota Western Railway Company, Minneapolis, Minn.
193. Mississippi Central Railroad Company, Scranton, Pa.
194. Missouri and Arkansas Railway Company, Harrison, Ark.
195. Missouri-Illinois Railroad Company, Missouri Pacific Bldg., St. Louis 3, Mo.
196. Missouri-Kansas-Texas Railroad Company, Railway Exchange Bldg., St. Louis 1, Mo.
197. Missouri-Kansas-Texas Railroad Company of Texas, Railway Exchange Bldg., St. Louis 1, Mo.
198. Missouri Pacific Railroad Company (Guy A. Thompson, Trustee), Missouri Pacific Bldg., St. Louis 3, Mo.
199. Monessen Southwestern Railway Company, Monessen, Pa.
200. The Monongahela Connecting Railroad Company, 311 Ross St., Pittsburgh 19, Pa.
201. The Monongahela Railway Company, Pittsburgh, Pa.
202. Montour Railroad Company, Pittsburgh 22, Pa.
203. Mount Hood Railroad Company, Hood River, Oregon
204. The Nashville, Chattanooga & St. Louis Railway, Nashville 3, Tenn.
205. New Iberia & Northern Railroad Company (Guy A. Thompson, Trustee), Missouri Pacific Bldg., St. Louis 3, Mo.
206. The New Jersey and New York Railroad Company (Peter Duryee, Trustee), 50 Church Street, New York 7, N. Y.
207. New Orleans and Northeastern Railroad Company, Washington 13, D. C.
208. New Orleans Public Belt Railroad, Municipal Bldg., New Orleans 10, La.
209. New Orleans Terminal Company, Washington 13, D. C.
210. New Orleans, Texas & Mexico Railway Company (Guy A. Thompson, Trustee), Missouri Pacific Bldg., St. Louis 3, Mo.
211. The New York Central Railroad Company, 466 Lexington Ave., New York 17, N. Y.
212. The New York, Chicago and St. Louis Railroad Company, Terminal Tower, Public Square, Cleveland 1, Ohio
213. New York Dock Railway, 44 Whitehall St., New York 4, N. Y.
214. The New York, New Haven and Hartford Railroad Company, (Howard S. Palmer, James Lee Loomis, and Henry B. Sawyer, Trustees), 71 Meadow St., New Haven 6, Conn.
215. New York, Ontario and Western Railway Company (Raymond L. Gebhardt and Ferdinand J. Sieghardt, Trustees) 330 West 42nd St., New York 18, N. Y.
216. New York, Susquehanna and Western Railroad Company (Henry K. Norton, Trustee), 160 Market Street, Paterson 1, N. J.
217. Niagara Junction Railway Company, Buffalo, N. Y.
218. Norfolk and Portsmouth Belt Line Railroad Company, Norfolk, Va.
219. Norfolk and Western Railway Company, Roanoke 17, Va.
220. Norfolk Southern Railway Company, Terminal Station, 1200 E. Main St., Norfolk, Va.
221. Northampton and Bath Railroad Company, 2515 Grant Bldg., Pittsburgh 19, Pa.
222. Northeast Oklahoma Railroad Company, Miami, Okla.
223. Northern Pacific Railway Company, 5th & Jackson Streets, St. Paul 1, Minn.
224. The Northern Pacific Terminal Company of Oregon, Union Station, Portland 9, Oregon
225. Northwestern Pacific Railroad Company, 65 Market Street, San Francisco 5, Calif.
226. The Ogden Union Railway and Depot Company, Ogden, Utah
227. Oklahoma City-Ada-Atoka Railway Company, Muskogee, Okla.
228. The Orange & Northwestern Railroad Company (Guy A. Thompson, Trustee), Missouri Pacific Bldg., St. Louis 3, Mo.
229. Oregon & Northwestern Railroad Co., Chicago, Ill.
230. Oregon, California & Eastern Railway Company, San Francisco 5, Calif.
231. Oregon Electric Railway Company, Portland 7, Oregon
232. Oregon Pacific and Eastern Railway Company, Portland, Ore.
233. Oregon Trunk Railway, Portland 7, Ore.
234. Pacific Electric Railway Company, Pacific Electric Bldg., Los Angeles 14, Calif.
235. Panhandle and Santa Fe Railway Company, Amarillo, Texas
236. Paris and Mt. Pleasant Railroad Co., Paris, Texas
237. Patapsco & Black Rivers Railroad Company, Sparrows Point, Md.
238. The Pecos Valley Southern Railway Company, Texas & Pacific Bldg., Dallas 2, Texas
239. The Pennsylvania Railroad Company, Broad St. Station Bldg., 1617 Pennsylvania Blvd., Philadelphia 4, Pa.
240. Pennsylvania-Reading Seashore Lines, Reading Terminal, Philadelphia 1, Pa.
241. Peoria and Pekin Union Railway Company, Union Station, Peoria 2, Ill.
242. Pere Marquette Railway Company, General Motors Bldg., Detroit 2, Mich.
243. Petaluma and Santa Rosa Railroad Company, 65 Market St., San Francisco 5, Calif.
244. Philadelphia, Bethlehem and New England Railroad Company, Bethlehem, Pa.
245. Piedmont and Northern Railway Company, Charlotte, N. C.
246. Pittsburgh, Allegheny & McKees Rocks Railroad Company, McKees Rocks, Pa.
247. The Pittsburgh and Lake Erie Railroad Company, 466 Lexington Ave., New York 17, N. Y.
248. The Pittsburgh & Shawmut Railroad Company, Kittanning, Pa.
249. The Pittsburgh & West Virginia Railway Company, Wabash Bldg., Pittsburgh 22, Pa.
250. Pittsburgh, Chartiers & Youghiogheny Railway Company, Pittsburgh, Pa.
251. The Pittsburgh, Shawmut and Northern Railroad Company (Thomas C. Buchanan and Robert C. Sproul, Jr., Receivers), St. Marys, Pa.
252. Port Angeles Western Railroad Company, Port Angeles, Wash.
253. Port Huron and Detroit Railroad Company, Port Huron, Mich.
254. Portland Electric Power Company (Thos. W. Deizell and R. L. Clark, Independent Trustee), 1605 S. E. Water Avenue, Portland, Oregon
255. Portland Terminal Company, Portland, Me.
256. Port Terminal Railroad Association, Houston, Texas
257. The Port Utilities Commission of Charleston, S. C., Charleston, S. C.
258. The Pueblo Union Depot and Railroad Company, Pueblo, Colo.
259. Pullman Railroad Company, 707 East 11th St., Chicago 28, Ill.
260. Quanah, Acme & Pacific Railway Company, Quanah, Texas



261. Rapid City, Black Hills & Western Railroad Company, Rapid City, S. Dak.  
 262. Raritan River Rail Road Company, New York, N. Y.  
 263. Reading Company, Reading Terminal, Philadelphia 1, Pa.  
 264. Richmond, Fredericksburg and Potomac Railroad Company, Richmond, Va.  
 265. Rio Grande City Railway Company (Guy A. Thompson, Trustee), Missouri Pacific Bldg., St. Louis 3, Mo.  
 266. The River Terminal Railway Company, 3100 E. 45th St., Cleveland 4, Ohio  
 267. Roscoe, Snyder and Pacific Railway Company, Roscoe, Texas  
 268. Rutland Railroad Company (William E. Navin and Albert A. Cree, Trustees), Rutland, Vt.  
 269. St. Clair Tunnell Company, 360 McGill St., Montreal, Que.  
 270. The St. Johnsbury & Lake Champlain Railroad Company (John E. Willis, Trustee), Montpelier, Vt.  
 271. St. Johns River Terminal Company, Washington 13, D. C.  
 272. St. Joseph Terminal Railroad Company, 803 So. 4th St., St. Joseph 24, Mo.  
 273. St. Joseph Union Depot Company, St. Joseph, Mo.  
 274. The St. Louis, Brownsville and Mexico Railway Company (Guy A. Thompson, Trustee), Missouri Pacific Bldg., St. Louis 3, Mo.  
 275. St. Louis, San Francisco and Texas Railway Company, Transportation Bldg., Fort Worth 2, Texas  
 276. St. Louis-San Francisco Railway Company (Frank A. Thompson, Trustee), Frisco Bldg., St. Louis 1, Mo.  
 277. St. Louis Southwestern Railway Company (Berryman Henwood, Trustee), Cotton Belt Bldg., St. Louis 2, Mo.  
 278. St. Louis Southwestern Railway Company of Texas (Berryman Henwood, Trustee), Cotton Belt Bldg., St. Louis 2, Mo.  
 279. The St. Paul Union Depot Company, St. Paul, Minn.  
 280. Salt Lake City Union Depot and Railroad Company, Salt Lake City, Utah  
 281. San Antonio Southern Railway Company (Guy A. Thompson, Trustee), Missouri Pacific Bldg., St. Louis 3, Mo.  
 282. San Antonio, Uvalde & Gulf Railroad Company (Guy A. Thompson, Trustee), Missouri Pacific Bldg., St. Louis 3, Mo.  
 283. San Benito and Rio Grande Valley Railway Company (Guy A. Thompson, Trustee), Missouri Pacific Bldg., St. Louis 3, Mo.  
 284. San Diego & Arizona Eastern Railway Company, 65 Market St., San Francisco 5, Calif.  
 285. Sand Springs Railway Company, Sand Springs, Okla.  
 286. San Francisco and Napa Valley Railroad, 815 Third St., Napa, Calif.  
 287. Savannah & Atlanta Railway Company, Savannah, Ga.  
 288. Seaboard Air Line Railway Company (L. R. Powell, Jr., and Henry W. Anderson, Receivers), S. A. L. Ry. Bldg., Norfolk 10, Va.  
 289. Sierra Railroad Company, San Francisco, Calif.  
 290. South Buffalo Railway Company, Lackawanna, N. Y.  
 291. South Omaha Terminal Railway Company, Omaha, Nebr.  
 292. Southern Pacific Company, 65 Market St., San Francisco 5, Calif.  
 293. Southern Railway Company, Washington 13, D. C.  
 294. Spokane International Railroad Company, Spokane, Washington.  
 295. Spokane, Portland and Seattle Railway Company, Portland 7, Ore.  
 296. Spokane Union Station, Spokane, Wash.  
 297. State of California Operating State Belt Railroad, Foot of Battery St., San Francisco 11, Calif.  
 298. The Staten Island Rapid Transit Railway Company, 25 Broadway, New York, N. Y.

299. State University Railroad Company, c/o Southern Railway Company, Washington 13, D. C.  
 300. Steelton & Highspire Railroad Company, Steelton, Pa.  
 301. Sugar Land Railway Company (Guy A. Thompson, Trustee), Missouri Pacific Bldg., St. Louis 3, Mo.  
 302. Tavares and Gulf Railroad Company, Norfolk 10, Va.  
 303. Tennessee, Alabama & Georgia Railway Company, Chattanooga 2, Tenn.  
 304. Tennessee Railroad Company, Oneida, Tenn.  
 305. Terminal Railroad Association of St. Louis, Union Station, St. Louis, Mo.  
 306. Terminal Railway, Alabama State Docks, Mobile, Ala.  
 307. Texas and New Orleans Railroad Company, 913 Franklin Ave., Houston, Texas  
 308. The Texas and Pacific Railway Company, Texas & Pacific Bldg., Dallas 2, Texas  
 309. Texas City Terminal Railway Company, Texas City, Texas  
 310. The Texas Mexican Railway Company, 2104 Alamo Natl. Bank Bldg., San Antonio 5, Texas  
 311. Texas-New Mexico Railway Company, Texas & Pacific Bldg., Dallas 2, Texas  
 312. Texas Pacific-Missouri Pacific Terminal Railroad of New Orleans, St. Louis, Mo.  
 313. Texas Short Line Railway Company, Texas & Pacific Bldg., Dallas 2, Texas  
 314. Toledo Terminal Railroad Company, Toledo, Ohio  
 315. Tooele Valley Railway Company, Kerns Bldg., Salt Lake City 10, Utah  
 316. Union Depot Company (Columbus, Ohio), Columbus 15, Ohio  
 317. Union Pacific Railroad Company, 15th & Dodge Streets, Omaha 2, Nebr.  
 318. Union Railroad Company (Pittsburgh, Pa.), 1119 Frick Bldg., Pittsburgh, Pa.  
 319. Union Railway Company (Memphis, Tenn.), Memphis, Tenn.  
 320. The Union Terminal Company, Dallas 2, Texas  
 321. The United States and Canada Rail Road Company (Canadian National Railway Company, Lessee), 360 McGill St., Montreal, Que.  
 322. Utah Railway Company, Newhouse Bldg., Salt Lake City, Utah.  
 323. The Virginian Railway Company, Norfolk 10, Va.  
 324. Wabash Railroad Company, Railway Exchange Bldg., St. Louis 1, Mo.  
 325. Walla Walla Valley Railway Company, L. C. Smith Bldg., Seattle, Wash.  
 326. The Washington Terminal Company, Union Station, Washington, D. C.  
 327. Waterloo, Cedar Falls & Northern Railroad, Waterloo, Iowa  
 328. The Weatherford, Mineral Wells and Northwestern Railway Company, Texas & Pacific Bldg., Dallas 2, Texas  
 329. The Western Pacific Railroad Company, 526 Mission St., San Francisco 5, Calif.  
 330. The Western Railway of Alabama, 4 Hunter St., S. E., Atlanta 3, Ga.  
 331. The Wheeling and Lake Erie Railway Company, 626 Huron Road, Cleveland 15, Ohio  
 332. Wichita Falls & Southern Railroad Company, Wichita Falls, Tex.  
 333. The Wichita Valley Railway Company, 307 West 6th St., Fort Worth 2, Texas  
 334. Willamina and Grand Ronde Railway Co., Longview, Wash.  
 335. Yadkin Railroad Company, Washington 13, D. C.  
 336. Yakima Valley Transportation Company, Yakima, Wash.  
 337. The Youngstown and Northern Railroad Company, Frick Bldg., Pittsburgh, Pa.

[F. R. Doc. 46-8381; Filed, May 17, 1946; 4:33 p. m.]

## Regulations

### TITLE 5—ADMINISTRATIVE PERSONNEL

#### Chapter I—Civil Service Commission

#### PART 25—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL AND PROFESSIONAL POSITIONS

##### ADDITIONS TO LIST OF POSITIONS

For the reasons set forth in accompanying justifications<sup>1</sup> filed with the Division of the Federal Register, the following positions are added to § 25.1 (a) (10 F.R. 7081, 12839, 15031; 11 F.R. 4225, 4287, 4443, 4909):

§ 25.1 Positions for which formal education requirements prescribed.  
 (a) \* \* \*

Chemist, P-1.  
 Physicist, P-1.

(Sec. 5, Veterans' Preference Act of 1944, 58 Stat. 387)

By the United States Civil Service Commission.

[SEAL]

H. B. MITCHELL,  
 President.

[F. R. Doc. 46-8385; Filed, May 20, 1946; 9:35 a. m.]

### TITLE 7—AGRICULTURE

#### Chapter VIII—Production and Marketing Administration (Sugar Branch)

##### PART 802—SUGAR DETERMINATIONS

##### MAINLAND SUGARCANE FARMING PRACTICES FOR THE 1946 AND SUBSEQUENT CROP YEARS

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

§ 802.23h *Farming practices in connection with the production of sugarcane during the 1946 and subsequent crop years.* The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the production of the 1946 or any subsequent crop of sugarcane on any farm in the mainland cane sugar area if the producer and the county committee certify that there has been carried out in connection with the production of such crop (during the calendar year in which the harvesting of the crop begins) on land on the farm which is adapted to the production of sugarcane for sugar, an acreage of approved conservation practices equal to not less than 15 percent of the acreage of sugarcane for sugar growing on the farm for harvest during such calendar year.

(a) *Approved practices.* Each of the following shall be counted as one acre of conservation practices:

(1) Seeding one acre of winter legumes in the fall.

<sup>1</sup> Filed as part of the original document.



(2) Turning or disking under one acre of a satisfactory growth of summer legumes grown alone.

(3) Turning or disking under one acre of a satisfactory growth of winter legumes seeded in the fall of the preceding year.

(4) Turning or disking under one acre of a satisfactory growth of sorghum as a green manure crop.

(5) Turning or disking under two acres of a good stand and good growth of summer legumes (excluding peanuts, lespedeza, and summer legumes used as truck crops) interplanted or grown in combination with row crops, such as corn; *Provided*, The summer legumes occupy at least one-third of the land.

(6) Turning or disking under two acres of a good cover and growth (except seed or seed heads) of summer legumes or sorghum.

(7) Applying 48 pounds of available phosphoric acid ( $P_2O_5$ ) to, or in connection with, a full seeding of winter legumes.

(8) Applying 500 pounds of basic slag (rock phosphate or colloidal phosphate in Florida) to, or in connection with, a full seeding of winter legumes.

(9) Removing 25 cubic yards of earth in the construction, enlargement, or cleaning out of lateral ditches and lead canals. (Applicable in Louisiana only.)

(10) Carrying out on one and one-half acres of land in Florida, the top soil of which is combustible (determined as such by the State PMA Committee) and from which no crop classified as soil-depleting in ACP-1941, 1941 Agricultural Conservation Program Bulletin, as amended, is harvested and on which adequate facilities (ditches, pumps, and necessary equipment) have been maintained (whether constructed in the current calendar year or earlier) for flooding the land during the fire hazard season as a protection against the destruction of such top soil by fire, the practices specified in paragraphs B, C, D, and E of Amendment 3 to Southern Region Bulletin 101, issued June 11, 1937, for protecting the soil against fire, assuring adequate drainage and preventing soil oxidation and subsidence: *Provided*, however, That there shall be carried out on such land on the farm such other practices as are recommended for the farm by the County ACA Committee, and approved by the State PMA Committee, for protecting the soil against fire, assuring adequate drainage, preventing soil oxidation and subsidence, and otherwise preserving and improving the fertility of the soil and preventing soil erosion, such practices to be consistent with reasonable standards of the farming community in which the land is located.

(b) *Standards of performance.* The conservation practices shall be carried out in accordance with farming methods commonly used in the community in which the farm is located and in accordance with specifications approved by the Director of the Southern Region of the

Field Service Branch. (Sec. 301, 50 Stat. 910; 7 U.S.C. 1131 (e))

Issued this 20th day of May 1946.

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

[F. R. Doc. 46-8396; Filed, May 20, 1946; 11:09 a. m.]

#### PART 802—SUGAR DETERMINATIONS

##### HAWAIIAN SUGARCANE FARMING PRACTICES FOR THE 1946 AND SUBSEQUENT CROP YEARS

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

§ 802.33h *Farming practices in connection with the production of sugarcane during the 1946 and subsequent crop years.* (a) The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the production of the 1946 or any subsequent crop of sugarcane on any farm in Hawaii, if the producer and the representative of the Field Service Branch in Hawaii certify that there have been carried out in connection with the production of such crop (during the applicable calendar year on the acreage of sugarcane growing) the soil-conserving practices hereinafter set forth:

(1) *Amount.* Application of sufficient chemical fertilizer to provide an average quantity of plant food per acre fertilized equal to not less than 100 pounds.

(2) *Acreage requirement.* The number of acres on which fertilizer is applied during the applicable calendar year shall not be less than 80 percent of the number of acres on the farm on which sugarcane is planted, or a ratoon crop of sugarcane is started at any time during the applicable calendar year.

(b) *Definitions.* The term "applicable calendar year" means the calendar year in which the crop of sugarcane is harvested with respect to which payment is applied for. "Chemical fertilizer" means commercial chemical fertilizer of which not less than 15 percent of the gross weight consists of plant food. "Plant food" means the aggregate amount of nitrogen, available phosphoric acid and water-soluble potash. (Sec. 301, 50 Stat. 910; 7 U.S.C. 1131 (e))

Issued this 20th day of May 1946.

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

[F. R. Doc. 46-8395; Filed, May 20, 1946; 11:08 a. m.]

#### PART 802—SUGAR DETERMINATIONS

##### PUERTO RICAN SUGARCANE FARMING PRACTICES FOR THE 1945-46 AND SUBSEQUENT CROP YEARS (REVISED)

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

§ 802.43h *Farming practices in connection with the production of sugarcane during the 1945-46 and subsequent crop years—(a) For farms in Puerto Rico, except in the Island of Vieques.* The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the production of the 1945-46 or any subsequent crop of sugarcane on any farm in Puerto Rico, except in the Island of Vieques, if the producer and a representative of the Field Service Branch in Puerto Rico certify that there have been carried out in connection with the production of such crop (during the appropriate fertilizing period) on the acreage of sugarcane growing at any time during the calendar year preceding the year in which the major portion of the crop is harvested, the soil-conserving practices hereinafter set forth:

(1) The application to such acreage of sufficient chemical fertilizer to provide an average quantity of plant food per acre as follows:

(i) On farms containing more than 400 acres of sugarcane, not less than 120 pounds.

(ii) On farms containing more than 100 but not more than 400 acres of sugarcane, not less than 60 pounds.

(iii) On farms containing more than 20 but not more than 100 acres of sugarcane, not less than 30 pounds.

(iv) On farms containing not more than 20 acres of sugarcane, not less than 30 pounds.

(2) In lieu of the practice under subparagraph (1) (iv) of this paragraph, the application (during the applicable harvest season) to the land from which sugarcane is harvested of the tops and trash cut from such sugarcane.

(b) *For farms in the Island of Vieques.* The requirements of section 301 (e) of the said act shall be deemed to have been met with respect to the production of the 1945-46 or any subsequent crop of sugarcane on any farm in the Island of Vieques if the producer and a representative of the Field Service Branch in Puerto Rico certify that there have been carried out in connection with the production of such crop (during the appropriate fertilizing period) on the acreage of sugarcane growing at any time during the calendar year preceding the year in which the major portion of the crop is harvested, the soil-conserving practices hereinafter set forth:

(1) The application to such acreage of sufficient chemical fertilizer to provide an average quantity of plant food per acre as follows:

(i) On farms containing more than 400 acres of sugarcane, not less than 60 pounds.

(ii) On farms containing more than 100 but not more than 400 acres of sugarcane, not less than 30 pounds.

(iii) On farms containing not more than 100 acres of sugarcane, not less than 15 pounds.

(2) In lieu of the practice under subparagraph (1) (iii) of this paragraph, the application (during the applicable harvest season) to the land from which sugarcane is harvested of the tops and trash cut from such sugarcane.



(c) *Standards of performance.* The foregoing practices shall be carried out in accordance with farming methods commonly used in the community in which the farm is located.

(d) *Definitions.* For the purposes of this section: (1) The term "chemical fertilizer" means commercial chemical fertilizer of which not less than 15 percent of the gross weight consists of plant food.

(2) The term "plant food" means the aggregate amount of nitrogen, available phosphoric acid and water-soluble potash.

(3) The term "appropriate fertilizing period" means the fertilizing period as determined by the San Juan office of the Field Service Branch.

(4) The term "applicable harvest season" means the period during which the major portion of the crop is harvested. This section supersedes the "Determination of Farming Practices To Be Carried Out in Connection With the 1945-46 and Subsequent Crops of Sugarcane in Puerto Rico," issued July 10, 1945.<sup>1</sup> (Sec. 301, 50 Stat. 910; 7 U.S.C. 1131 (e))

Issued this 20th day of May 1946.

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

[F. R. Doc. 46-8397; Filed, May 20, 1946;  
11:09 a. m.]

#### PART 802—SUGAR DETERMINATIONS

##### VIRGIN ISLANDS SUGARCANE FARMING PRACTICES FOR THE 1946 AND SUBSEQUENT CROP YEARS

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

§ 802.55e *Farming practices in connection with the production of sugarcane during the 1946 and subsequent crop years.* The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the production of the 1946 or any subsequent crop of sugarcane on any farm in the Virgin Islands, if the producer and a representative of the Field Service Branch in Puerto Rico certify that there have been applied during the harvest season to the land from which sugarcane is harvested the tops and trash cut from such sugarcane. (Sec. 301, 50 Stat. 910; 7 U.S.C. 1131 (e))

Issued this 20th day of May 1946.

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

[F. R. Doc. 46-8398; Filed, May 20, 1946;  
11:10 a. m.]

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

##### PART 913—MILK IN THE GREATER KANSAS CITY MARKETING AREA

###### MISCELLANEOUS AMENDMENTS

##### § 913.1 Findings and determinations—(a) Findings upon the basis of the hear-

<sup>1</sup> 10 F.R. 8641.

ing record. Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supp. 900.1 et seq., 10 F.R. 11791), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area.

Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of commercial activity specified in the said tentatively approved marketing agreement upon which a hearing has been held; and

(3) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for such milk, and the minimum prices specified in the said order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings set forth herein.

(b) *Determination.* It is hereby determined that handlers (excluding co-operative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this amended order) of at least 50 percent of the volume of milk covered by said order, as amended, and as hereby further amended, which is marketed within the Greater Kansas City marketing area, refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the Greater Kansas City marketing area; and it is further determined that:

(1) The refusal or failure of such handlers to sign the tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order further amending the order, as amended, is the only practical means, pursuant to the

declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the Greater Kansas City marketing area; and

(3) The issuance of this order further amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period, were engaged in the production of milk for sale in the Greater Kansas City marketing area.

§ 913.2 *Order relative to handling.* It is therefore ordered that, from and after the effective date hereof, the handling of milk in the Greater Kansas City marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete § 913.3 (a) (7) and renumber (8), (9), and (10), respectively, as (7), (8), and (9).

2. Delete § 913.5 (a) (2) and renumber (3), (4), (5), (6), (7), and (8), respectively, as (2), (3), (4), (5), (6), and (7).

3. Delete § 913.10 and renumber §§ 913.11, 913.12, 913.13, 913.14, and 913.15, respectively, as §§ 913.10, 913.11, 913.12, 913.13, and 913.14.

4. Delete in § 913.4 (c) (2) "913.13" and substitute therefor the following: "913.12."

5. Delete in § 913.4 (c) (4) "913.11" and substitute therefor the following: "913.10."

6. Delete in § 913.5 (d) (3) "913.11" and substitute therefor the following: "913.10."

7. Delete in § 913.7 (a) "913.11" and substitute therefor the following: "913.10."

8. Delete in § 913.8 (a) "913.12, and 913.13" and substitute therefor the following: "and 913.12."

9. Delete in § 913.9 (a) (5) "913.11" and substitute therefor the following: "913.10."

10. Amend § 913.9 (b) to read as follows:

(b) *Computation and announcement of the uniform price.* The market administrator shall compute and announce the uniform price per hundredweight of milk received during each delivery period in the following manner:

(1) Combine into one total the net pool obligations computed pursuant to (a) of this section of all handlers who made the reports prescribed by § 913.5 and who made the payments prescribed by § 913.10 for the previous delivery period;

(2) Add the amount of the location differentials applicable pursuant to § 913.10 (d);

(3) For each of the delivery periods of May, June, and July, subtract an amount, equal to 20 cents per hundredweight of the total amount of milk received by handlers from producers and included in these computations, to be retained in the producer-settlement fund for the purpose specified in § 913.10 (h) (2);

(4) Add an amount equal to one-half of the unobligated balance in the producer-settlement fund;

(5) Divide by a figure equal to the total hundredweight of milk received by



handlers from producers and included in these computations;

(6) Subtract from the figures computed pursuant to (5) of this paragraph not less than 4 cents nor more than 5 cents for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers. This result shall be known as the uniform price for such delivery period for the milk of producers containing 3.8 percent butterfat; and

(7) On or before the 10th day after the end of such delivery period, mail to all handlers (i) such of these computations as do not disclose information confidential pursuant to the act; (ii) the uniform price per hundredweight computed pursuant to (6) of this paragraph; (iii) the prices for Class I milk, Class II milk, and Class III milk; and the butterfat differentials computed pursuant to § 913.7 (c) and § 913.10 (c).

11. Amend § 913.10 (a) to read as follows:

(a) *Time and method of payment.* On or before the 12th day after the end of each delivery period, each handler, after deducting the amount of the payment made pursuant to (b) of this section, and subject to the differentials set forth in (c) and (d), respectively, of this section, shall make payment to producers at the uniform price per hundredweight computed pursuant to § 913.9 (b) for the total quantity of milk received from such producers.

12. Amend § 913.10 (d) to read as follows:

(d) *Location differentials.* For milk received from producers at plants approved by any applicable health authority for the receiving of milk to be sold or disposed of as milk or cream in the marketing area and located outside the marketing area but more than 30 miles by the shortest highway route from such handler's plant approved by an applicable health authority for the receiving of milk to be sold or disposed of as milk or cream in the marketing area and located within the marketing area, each handler, in making payments pursuant to (a) of this section shall deduct, with respect to all milk received from such producers, the amount per hundredweight specified for the distance of such plant located outside the marketing area from such handler's plant located within the marketing area, as follows: not more than 45 miles, 17 cents per hundredweight; for each additional 10 miles or fraction thereof, up to 75 miles, an additional 1½ cents per hundredweight; and for each additional 10 miles or fraction thereof beyond 75 miles, an additional ½ cent per hundredweight.

13. Amend the last sentence in § 913.10 (f) to read as follows:

Immediately after computing the uniform price for each delivery period, the market administrator shall compute the amount by which each handler's net pool obligation is greater or less than the sum required to be paid producers pursuant to this section by such handler, and shall enter such amount on such handler's

account as such handler's pool debit or credit, as the case may be, and render such handler a transcript of his account.

14. Amend § 913.10 (h) by inserting the figure "(1)" after the heading of such paragraph, and adding as subparagraph (2) the following:

(2) On or before the 15th day after the end of each of the delivery periods of October, November, and December, the market administrator shall pay out of the producer-settlement fund to each producer an amount computed as follows: divide one-third of the total amount held pursuant to § 913.9 (b) (3) by the hundredweight of milk delivered by producers during the delivery period involved (October, November, or December, as above) and apply the resulting amount per hundredweight to the milk of each producer for such delivery period: *Provided*, That payments under this subparagraph due any producer who has given authority to a cooperative association which is qualified pursuant to § 913.11 (b), to receive payment for his milk shall be distributed to such cooperative association if the cooperative association requests receipt of such payment.

15. Delete in § 913.11 (a) "913.11 (a) (1) and (a) (2)" and substitute therefor the following: "913.10 (a)."

16. Delete in § 913.11 (b) "913.11 (a) (1) and (a) (2)" and substitute therefor the following: "913.10 (a)."

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.)

Issued at Washington, D. C., this 14th day of May 1946, to be effective on and after the 23d day of May 1946.

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

Approved: May 15, 1946.

CHESTER BOWLES,  
*Economic Stabilization Director.*

[F. R. Doc. 46-8399; Filed, May 20, 1946;  
11:10 a. m.]

#### PART 943—MATURE ONIONS GROWN IN THE STATE OF COLORADO

##### TERMINATION OF ORDER REGULATING HANDLING

The order (7 CFR, Cum. Supp., 943.1 et seq.) regulating the handling of mature onions grown in the State of Colorado, dated December 5, 1939, and effective December 10, 1939, is effective pursuant to the provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"); and it is provided in the said act that the Secretary of Agriculture shall terminate or suspend the operation of such order whenever he finds that the order obstructs or does not tend to effectuate the declared policy of the act.

It is hereby found and determined that the provisions of said order regulating the handling of mature onions in the State of Colorado obstruct or do not tend to effectuate the policy of the act.

*It is, therefore, ordered*, That the said order regulating the handling of mature onions grown in the State of Colorado and all regulations issued pursuant thereto be, and the same hereby are, terminated, effective at 12:01 a. m., m. s. t., May 20, 1946, subject, however, to the following conditions:

(1) That such termination of the said order shall not affect or waive any right, obligation, duty or liability under the said order, or release or extinguish any violation of the said order, or affect or impair any right or remedy of the United States, the Secretary of Agriculture, or any person with respect to any such violation, which has arisen or occurred or which may arise or occur prior to the time that such termination becomes effective;

(2) That the provisions of § 943.9 of the said order, relating to proceedings subsequent to the termination of such order, shall remain in force and effect for the purpose of enabling the Administrative Committee, established pursuant to the Marketing Order, to liquidate the affairs of the committee pursuant to the provisions of the said order;

(3) That the members of the aforesaid Administrative Committee shall, for the purpose of liquidating the affairs of the committee, continue as joint trustees, pursuant to the provisions of § 943.9 of the order, of all funds and property then in the possession or under the control of the committee, including claims for any funds unpaid or property not delivered at the time of such termination; and

(4) That the said Administrative Committee, acting as joint trustees as provided in said § 943.9, shall have all of the powers and authority that may be necessary or proper in order to carry out the provisions thereof, and that such joint trustees shall perform the duties specified therein.

(48 Stat. 31, 670, 673; 49 Stat. 750; 50 Stat. 246; 52 Stat. 215; 53 Stat. 784; 56 Stat. 85; 7 U.S.C. 601 et seq.; E.O. 9577, 10 F.R. 8087)

Issued at Washington, D. C., this 17th day of May 1946.

[SEAL] N. E. DODD,  
*Acting Secretary of Agriculture.*

[F. R. Doc. 46-8344; Filed, May 17, 1946;  
4:20 p. m.]

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

[WFO 147]

#### PART 1468—GRAIN

##### BARLEY

The fulfillment of war requirements and requirements for the defense of the United States has resulted in a shortage of barley for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1468.13 *Restrictions on shipment of barley.*—(a) *Definitions.* (1) "Barley" means barley as defined in the "Handbook of Official Grain Standards of the United States" revised 1946, and shall in-



[WFO 75-2, Amdt. 38]

## PART 1410—LIVESTOCK AND MEATS

## SET ASIDE BEEF REQUIRED TO BE DELIVERED

War Food Order No. 75-2, as amended (11 F. R. 2497, 2763, 2511), is further amended as follows:

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

(d) *Delivery to governmental agencies, authorized purchasers and ship suppliers.* No slaughterer subject to the provisions of this order shall deliver meat for civilian consumption unless he shall:

(1) Deliver to governmental agencies, authorized purchasers and ship suppliers, before the close of each calendar week, beef of each of the types and grades specified in paragraphs (b) and (c) of this section in a quantity not less than the quantity of beef of such types and grades required to be set aside, reserved and held by such slaughterer during the previous week;

(2) Deliver to governmental agencies, authorized purchasers and ship suppliers, on or before June 15, 1946, beef of such types and grades and in such quantities, calculated as of October 28, 1945, as were required to have been set aside, reserved and held for delivery to such governmental agencies, authorized purchasers and ship suppliers.

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

(p) *Violations.* (1) Any person who violates any provision of this order which requires beef to be set aside, reserved and held for delivery to governmental agencies, authorized purchasers or ship suppliers, or any provision of this order which requires set aside beef to be delivered to such governmental agencies, authorized purchasers or ship suppliers shall, upon certification to the Reconstruction Finance Corporation in accordance with Directive No. 41, of the Office of Economic Stabilization, be subject to the withholding by the Reconstruction Finance Corporation of any meat subsidy claimed by such person.

(2) Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using livestock, meat, meat products, or animal fats. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

This amendment shall become effective at 12:01 a. m., e. s. t., May 20, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-2, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

clude any mixture of grains containing 10 percent or more of barley.

(2) "Exempt area" means the States of Arizona, Idaho, Nevada, Oregon, Utah, and Washington, and the Territory of Hawaii.

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

(4) "Administrator" means the Administrator, Production and Marketing Administration, United States Department of Agriculture, or any employee of the United States Department of Agriculture to whom the Administrator has delegated, or may hereafter delegate, any or all of the authority vested in him by this order.

(b) *Shipment of barley.* (1) No person shall, during any calendar month ship barley or offer the same for shipment from points within the State of California to points outside of California, other than the exempt area, in excess of 100 percent of the quantity of barley shipped by such person from points within the State of California to points outside of California, other than the exempt area, during the corresponding calendar month of 1945.

(2) Barley shipped from any point in the State of California to any point within the exempt area and reconsigned to any point outside of the exempt area shall, for the purposes of this order, be considered as having originally been shipped from the State of California to such point outside of the exempt area.

(c) *Records and reports.* (1) Every shipper who shipped 15 or more cars of barley, from points within the State of California to points outside of California, other than the exempt area, during the period May to December 1945, both inclusive, shall on or before June 1, 1946, mail a report to the State Director, Field Service Branch, Production and Marketing Administration, United States Department of Agriculture, Berkeley, California, on a form which will be furnished, showing the quantity of barley so shipped.

(2) Every shipper who, during any calendar month, ships more than 2 cars of barley from points within the State of California, to points outside of California, other than the exempt area, shall on or before the 10th day of the month following such shipment, mail a report to the State Director, Field Service Branch, Production and Marketing Administration, United States Department of Agriculture, Berkeley, California, on a form which will be furnished, showing the quantity of barley so shipped.

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

(4) Every person subject to this order shall maintain an accurate record of his transactions in barley.

(d) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or

any rights accrued or payments made thereunder.

(e) *Audits and inspections.* The Administrator shall be entitled to make such audits or inspections of the books, records and other writings, premises, or stocks of barley, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

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

(g) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, delivering, or using barley. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

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

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 147, Grain Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

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

(k) *Effective date.* This order shall become effective at 12:01 a. m., e. s. t., May 21, 1946.

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

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

Issued this 17th day of May 1946.

[SEAL] N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 46-8343; Filed, May 17, 1946;  
4:22 p. m.]



(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; W.F.O. 75, 11 F.R. 4641)

Issued this 17th day of May 1946.

[SEAL]

E. A. MEYER,  
Acting Administrator.

[F. R. Doc. 46-8400; Filed, May 20, 1946;  
11:09 a. m.]

[WFO 75-3, Amdt. 32]

#### PART 1410—LIVESTOCK AND MEATS

##### SET ASIDE PORK REQUIRED TO BE DELIVERED

War Food Order No. 75-3, as amended (11 F. R. 2498, 4967), is further amended as follows:

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

(b) *Set aside requirements; slaughterers affected.* This order shall apply to the following slaughterers: *Provided, however,* That until further order of the Administrator, the requirements of this paragraph shall not be applicable with respect to slaughtering operations conducted in the States of Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina and South Carolina:

All Federally inspected slaughterers;

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

All certified slaughterers;

Every owner or operator of a certified slaughtering plant.

No slaughterer subject to the provisions of this order shall deliver meat for civilian consumption unless he shall:

(1) Set aside, reserve and hold for delivery as directed in paragraph (2) of this section a quantity of lard and rendered pork fat, the total weight of which shall be not less than 6.0 percent of the total live weight of each week's slaughter of hogs, and a quantity of pork and pork products other than lard and rendered pork fat, the total weight of which shall be not less than 15.0 percent of the total live weight of each week's slaughter of hogs;

(2) Deliver to governmental agencies, authorized purchasers and ship suppliers, before the close of each calendar week, pork and pork products of the types specified in paragraph (1) of this section in a quantity not less than the quantity of such types of pork and pork products required to be set aside, reserved and held during the previous week.

(3) Deliver to governmental agencies, authorized purchasers and ship suppliers, on or before June 15, 1946, pork and pork products, including lard and rendered pork fat, in a quantity not less than the quantity of pork and pork products, including lard and rendered pork fat which, calculated as of March 10, 1946, were required to have been set aside, reserved and held for delivery to such governmental agencies, authorized purchasers and ship suppliers.

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

(n) *Violations.* (1) Any person who violates any provision of this order which requires pork or pork products to be set aside, reserved and held for delivery to

governmental agencies, authorized purchasers or ship suppliers, or any provision of this order which requires set aside pork to be delivered to such governmental agencies, authorized purchasers or ship suppliers shall, upon certification to the Reconstruction Finance Corporation in accordance with Directive No. 41 of the Office of Economic Stabilization, be subject to the withholding by the Reconstruction Finance Corporation of any meat subsidy claimed by such person.

(2) Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using livestock, meat, meat products, or animal fats. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

This amendment shall become effective at 12:01 a. m., e. s. t., May 20, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-3, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; W.F.O. 75, 11 F.R. 4641)

Issued this 17th day of May 1946.

[SEAL]

E. A. MEYER,  
Acting Administrator.

[F. R. Doc. 46-8401; Filed, May 10, 1946;  
11:09 a. m.]

[WFO 75-4, Amdt. 8]

#### PART 1410—LIVESTOCK AND MEATS

##### SET ASIDE VEAL REQUIRED TO BE DELIVERED

War Food Order No. 75-4, as amended (10 F.R. 12843, 13041, 13438, 11 F.R. 2219, 2500), is further amended as follows:

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

(b) *Slaughterers affected; quantity; type; grade.* The provisions of this order shall apply to the following persons:

All federally inspected slaughterers;

All certified slaughterers;

Every owner or operator of a certified slaughtering plant.

No slaughterer subject to the provisions of this order shall deliver meat for civilian consumption unless he shall:

(1) Set aside, reserve and hold for delivery as directed in paragraph (b) (2) hereof, 40 percent of the conversion weight of each week's production of veal graded "U. S. Utility" obtained from calves whose carcasses weigh, with the hide off, from 60 to 275 pounds, both inclusive;

(2) Deliver to governmental agencies, authorized purchasers and ship suppliers, before the close of each calendar week, veal of each of the grades specified in paragraph (b) (1) in an amount not less than the quantity of veal of such

grade required to be set aside, reserved and held during the previous week;

(3) Deliver to governmental agencies, authorized purchasers and ship suppliers, on or before June 15, 1946, veal of such types and grades and in such quantities, calculated as of October 28, 1945, as were required to have been set aside, reserved and held for delivery to such governmental agencies, authorized purchasers and ship suppliers.

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

(m) *Violations.* (1) Any person who violates any provision of this order which requires veal to be set aside, reserved and held for delivery to governmental agencies, authorized purchasers or ship suppliers, or any provision of this order which requires set aside veal to be delivered to such governmental agencies, authorized purchasers or ship suppliers shall, upon certification to the Reconstruction Finance Corporation, in accordance with Directive No. 41, of the Office of Economic Stabilization, be subject to the withholding by the Reconstruction Finance Corporation of any meat subsidy claimed by such person.

(2) Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using livestock, meat, meat products, or animal fats. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

This amendment shall become effective at 12:01 a. m., e. s. t., May 20, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-4 as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; W.F.O. 75, 11 F.R. 4641)

Issued this 17th day of May, 1946.

[SEAL]

E. A. MEYER,  
Acting Administrator.

[F. R. Doc. 46-8402; Filed, May 20, 1946;  
11:09 a. m.]

[WFO 75-6, Amdt. 5]

#### PART 1410—LIVESTOCK AND MEATS

##### SET ASIDE LAMB AND MUTTON REQUIRED TO BE DELIVERED

War Food Order No. 75-6, as amended (10 F.R. 12844, 13041, 13438, 11 F.R. 2219, 2500), is further amended as follows:

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

(b) *Slaughterers affected; quantity; type; grade.* The provisions of this order shall apply to the following persons:

All federally inspected slaughterers;



All certified slaughterers;  
Every owner or operator of a certified slaughtering plant.

No slaughterer subject to the provisions of this order shall deliver meat for civilian consumption unless he shall:

(1) Set aside, reserve and hold for delivery as directed in paragraph (b) (2) of this section, the following percentages of the conversion weight of each week's production of mutton of the indicated grades:

Grade:	Set-aside percentage
U. S. Choice	20
U. S. Good	20
U. S. Commercial	20
U. S. Utility	20

(2) Deliver to governmental agencies, authorized purchasers and ship suppliers, before the close of each calendar week, mutton of each of the grades specified in paragraph (b) (1) in an amount not less than the amount of mutton of such grade required to be set aside, reserved, and held during the previous week;

(3) Deliver to governmental agencies, authorized purchasers and ship suppliers, on or before June 15, 1946, lamb and mutton of such types and grades and in such quantities, calculated as of October 28, 1945, as were required to have been set aside, reserved and held for delivery to such governmental agencies, authorized purchasers and ship suppliers.

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

(m) *Violations.* (1) Any person who violates any provision of this order which requires lamb or mutton to be set aside, reserved and held for delivery to governmental agencies, authorized purchasers or ship suppliers, or any provision of this order which requires set aside lamb or mutton to be delivered to such governmental agencies, authorized purchasers or ship suppliers shall, upon certification to the Reconstruction Finance Corporation in accordance with Directive No. 41 of the Office of Economic Stabilization, be subject to the withholding by the Reconstruction Finance Corporation of any meat subsidy claimed by such person.

(2) Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using livestock, meat, meat products, or animal fats. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by or to enjoin any violation of, any provision of this order.

This amendment shall become effective at 12:01 a. m., e. s. t., May 20, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-6 as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; W.F.O. 75, 11 F.R. 4641)

Issued this 17th day of May, 1946.

[SEAL]

E. A. MEYER,  
Acting Administrator.

[F. R. Doc. 46-8403; Filed, May 20, 1946; 11:10 a. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

### Chapter VII—Personnel

#### PART 711—WOMEN'S ARMY CORPS

##### WOMEN'S ARMY CORPS REGULATIONS

Sections 711.1 to 711.7, inclusive, are superseded by the following §§ 711.1 to 711.10, inclusive. This part is also contained in W. D. Circular No. 136, May 11, 1946.

Sec.	
711.1	Mission.
711.2	Applicable regulations.
711.3	Composition and organization.
711.4	Duties of director.
711.5	Appointment of officers.
711.6	Courts martial and other boards.
711.7	Promotion and relative rank.
711.8	Separation.
711.9	Warrant officers.
711.10	Eligibility for enlistment, and reenlistment.

AUTHORITY: §§ 711.1 to 711.10, inclusive, issued under the authority of act July 1, 1943 (Public Law 110, 78th Cong.).

§ 711.1 *Mission.* The mission of the Women's Army Corps is to make available to the Army the knowledge, skill and special training of the women of the Nation.

§ 711.2 *Applicable regulations.* The provisions of Army Regulations, War Department circulars, and other instructions apply to members of the Women's Army Corps, its officers, warrant officers, and enlisted women, except where inappropriate, as modified herein, or by appropriate War Department directives. Whenever the terms "officer," "warrant officer," and "enlisted man" are used in existing regulations they will be construed to include officers, warrant officers, and enlisted women of the Women's Army Corps.

§ 711.3 *Composition and organization.*—(a) *Composition.* The Women's Army Corps will consist of the Director of the Women's Army Corps who will be a colonel in the Army of the United States, and such commissioned officers of lower grade, warrant officers, and enlisted personnel as are authorized by the Secretary of War, but will not exceed the number authorized from time to time by the President.

(b) *Organization.* The Corps will be organized into the Office of the Director; such training centers, schools, and other installations as may be required; and such units, detachments, and individuals as may be assigned for duty with the various continental and overseas commands. The Office of the Director, Women's Army Corps, will function directly under the Assistant Chief of

Staff, G-1, WDGS. Functions pertaining to Women's Army Corps personnel as individuals will be the responsibility of appropriate branches of the Personnel Division.

§ 711.4 *Duties of director.* In addition to such other duties as may be prescribed, the Director will supervise activities relating to the Women's Army Corps and will be responsible for—

(a) Plans and policies for the utilization, command, morale, and well-being of the Women's Army Corps.

(b) Plans and policies for the procurement, reception, classification, training, supply, assignment, and separation of Women's Army Corps personnel in coordination with the appropriate War Department agencies.

(c) Inspection of units, detachments, and individuals assigned to the major commands in the zone of the interior and overseas and to the War Department pool.

§ 711.5 *Appointment of officers.* (a) Officers of the Women's Army Corps, except as noted below, will be appointed only from graduates of the Women's Army Corps Officer Candidate School in such numbers as may be specifically authorized by the Secretary of War.

(b) Officer candidates will be derived from warrant officers and enlisted women of the Women's Army Corps, who are selected under the provisions of Army Regulations.

(c) The Adjutant General has been charged with initial assignment of graduates of the Women's Army Corps Officer Candidate School. All correspondence pertaining to such personnel will be addressed to The Adjutant General, Attention: Officers' Branch (SPXPO-A-R).

(d) Women's Army Corps officers will be appointed in accordance with the existing regulations pertaining to non-combat appointments in overseas theaters.

§ 711.6 *Courts martial and other boards.* (a) A general or special court to which charges against a member of the Women's Army Corps are referred will include one or more commissioned officers of the Women's Army Corps.

(b) Every board, except one composed entirely of medical officers, which deals with a matter pertaining to the Women's Army Corps will include at least one member of the Women's Army Corps.

§ 711.7 *Promotion and relative rank.* (a) Promotion of Women's Army Corps officers will be made in accordance with current War Department policy governing the temporary promotion of officers in the Army of the United States. Commissioned service in the Women's Army Auxiliary Corps will be included in computing periods of service required for eligibility for promotion. Statutory provisions prohibit promotion of Women's Army Corps officers to the grade of colonel, except in the case of an officer of the Women's Army Corps who is designated by the Secretary of War as commanding officer of such corps.



(b) All officers appointed in the Army of the United States and assigned to the Women's Army Corps will take rank in the same manner as other persons who are appointed in the Army of the United States, except that those officers who formerly held appointments as officers in the Women's Army Auxiliary Corps will take rank in the same manner as Reserve officers called into the service of the United States; and for this purpose service in the Women's Army Auxiliary Corps in the grade equivalent to that to which any such officer was appointed in the Army of the United States will be deemed active Federal service.

§ 711.8 *Separation.* WAC officers will be separated from the service under regulations prescribed for the separation of all officers.

§ 711.9 *Warrant officers.*—(a) *Provisions for appointment.* The provisions of AR 610-15, entitled "Warrant Officers—Temporary Appointment in the Army of the United States", apply to enlisted personnel of the Women's Army Corps.

§ 711.10 *Eligibility for enlistment and reenlistment.*—(a) *General.* Any female citizen of the United States between the ages of 20 and 38 who is of excellent character, who meets the established mental and physical requirements, and who is eligible under the conditions below, may be enlisted or reenlisted in the Army of the United States within authorized quotas.

(b) *Age.* An applicant must have attained her 20th but not her 38th birthday (except as provided in paragraph (g) of this section).

(1) *Completion of enlistment prior to 38th birthday.* No applicant will be given the oath of enlistment who has attained her 38th birthday, regardless of date of application for enlistment.

(2) *Proof of date and place of birth.* Satisfactory proof of date and place of birth should be established by one of the following: birth certificate or photostatic copy thereof; bonafide school, institutional, or baptismal or other church records, showing birth date of applicant; affidavit of physician or midwife attending birth of applicant; affidavit of parent or parents; affidavit of relative or responsible party in those cases where no reasonable doubt of age or place of birth exists.

(c) *Citizenship.* (1) Proof of date and place of birth as required in paragraph (b) (2) of this section, will be considered proof of citizenship in the case of native born citizens.

(2) In cases of naturalized citizens, final naturalization papers must be presented.

(3) In those instances where an applicant became naturalized while a minor through the naturalization of parent or parents, a certificate of derivative citizenship or parents' final papers will be considered proof of citizenship.

(d) *Education.* The minimum educational qualifications will be at least 2 years of high school or equivalent schooling, such as business, vocational, or trade school.

(e) *Physical.* See Army Regulations 40-100.

(f) *Dependents.*—(1) *Children.* (i) A woman with a child or children under 14 years of age may be enlisted only under the following conditions: if she has become legally, or in fact, divested of the care, custody, control, and support of such child or children at least 18 months prior to date of her application, established by the submission of proper proof as follows:

(a) If by court action, a certified copy of court order or other court action.

(b) If not by court action, but in fact, by the affidavits of the prospective recruit and the person or persons exercising care, custody, control, and support of the child or children.

(ii) A woman with a child or children between their 14th and 18th birthdays dependent upon her for partial or chief support is eligible for enlistment. However, dependency benefits under the provisions of the Servicemen's Dependents Allowance Act of 1942, as amended, may be claimed only in the case of such children who are dependent upon the applicant for chief support.

(iii) A woman with a child or children between their 18th and 21st birthdays legally or in fact dependent upon such woman for care, custody, control, or support, is not eligible for enlistment.

(2) *Other dependents.* See Army Regulations 35-5520.

(g) *Enlistment of those having previous military service.*—(1) *General.* A former member of the WAAC/WAC between the ages of 20 and 50 may be reenlisted in the AUS upon approval of The Adjutant General, provided the records of previous service do not indicate ineligibility for reenlistment and she is otherwise qualified under existing regulations. Ineligibility includes former service terminated under other than honorable conditions.

(2) *Enlistment of former members of another armed service of the United States.* Enlistment of a former member of another armed service of the United States is not authorized without approval of The Adjutant General.

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

[F. R. Doc. 46-8339; Filed, May 17, 1946;  
2:23 p. m.]

## TITLE 24—HOUSING CREDIT

### Chapter II—Federal Savings and Loan System

[Bulletin 58]

#### PART 203—OPERATION

##### PARTICIPATIONS BY FEDERAL ASSOCIATIONS IN MORTGAGES

MAY 17, 1946.

Paragraph (e) of § 203.10 of the rules and regulations for the Federal Savings and Loan System is hereby amended, effective May 17, 1946, to read as follows:

(e) *Participation in mortgages.* No Federal association may invest any of its funds in participations in mortgages or deeds of trust in the absence of prior

specific approval by the Federal Home Loan Bank Administration: *Provided, however, Any Federal association may, without further approval by the Federal Home Loan Bank Administration, invest in participations in mortgages or deeds of trust where:*

(1) The only other lender is the Reconstruction Finance Corporation;

(2) The bonds or notes secured by mortgage or deed of trust are insured, or a commitment to insure has been made, under the provisions of the National Housing Act, as amended; or

(3) All of the lenders are Federal associations: *Provided, That no such Federal association participating in such a mortgage or deed of trust may sell all or any part of its participating interest therein without the prior approval by the Federal Home Loan Bank Administration: And provided further, That the privilege of any Federal association to make participation mortgage loans without the prior approval by the Federal Home Loan Bank Administration may be withdrawn by the Federal Home Loan Bank Administration at any time upon written notice to the Federal association or associations to that effect.*

All investments in participations made under this subsection are permitted only when such investments, together with all other loans which are included in the 15%-of-assets limitation fixed by section 5 (c) of the Home Owners' Loan Act of 1933, as amended, are not in excess of 15% of the assets of the particular Federal association."

(Sec. 5 (a), (c), 48 Stat. 132, Sec. 18, 49 Stat. 297; P.L. No. 268, 79th Cong., App. Dec. 28, 1945; 12 U.S.C. 1464 (a), (c) and Sup.; E.O. 9070, 7 F.R. 1529)

This amendment is deemed to be of a procedural character within the meaning of § 201.2 of the rules and regulations for the Federal Savings and Loan System.

HAROLD LEE,  
Deputy Federal Home Loan  
Bank Commissioner.

[F. R. Doc. 46-8340; Filed, May 17, 1946;  
4:13 p. m.]

[Bulletin 59]

#### PART 207—POWERS OF CONSERVATOR AND CONDUCT OF CONSERVATORSHIPS

##### AUTHORITY OF OFFICERS

MAY 20, 1946.

The rules and regulations for the Federal Savings and Loan System are hereby amended by adding thereto, immediately after § 207.10 thereof, the following new section:

§ 207.11 *Authority of officers.* Any authority or requirement under §§ 207.5 to 207.10 for action, by order or otherwise, by the Federal Home Loan Bank Administration, or by the Governor, a Deputy Governor, or an Assistant Governor, may be performed by the Governor, a Deputy Governor, or an Assistant Governor. Without any limitation on the applicability of this section to other conservatorships, this section shall apply to any conservatorship existing at the time of the amendment effected by the



adoption of this section, and to the conduct of and procedure under any conservatorship so existing.

(Sec. 5 (a), (d) of H.O.L.A. of 1933, 48 Stat. 132, 133; 12 U.S.C. 1464 (a), (d); E.O. 9070, 7 F.R. 1529)

This amendment is deemed to be of an emergency character within the meaning of § 201.2 of the rules and regulations for the Federal Savings and Loan System.

HAROLD LEE,  
Deputy Federal Home  
Land Bank Commissioner.

I hereby certify that the above is a bulletin issued by the Federal Home Loan Bank Administration on May 20, 1946.

J. FRANCIS MOORE,  
Secretary.

[F. R. Doc. 46-8415; Filed, May 20, 1946;  
11:15 a. m.]

## TITLE 26—INTERNAL REVENUE

### Chapter I—Bureau of Internal Revenue

#### Subchapter A—Income and Excess Profits Taxes [T. D. 5515]

#### PART 3—INCOME TAX UNDER THE REVENUE ACT OF 1936

#### PART 9—INCOME TAX UNDER THE REVENUE ACT OF 1938

#### PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

#### PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

#### AMOUNTS RECEIVED UNDER A LIFE INSURANCE POLICY PAID BY REASON OF DEATH OF IN- SURED

PARAGRAPH 1. Section 29.22 (b) (1)-1 of Regulations 111 (26 CFR, Cum. Supp., Part 29) is amended to read as follows:

§ 29.22 (b) (1)-1 *Life insurance; amounts paid by reason of the death of the insured.* The proceeds of life insurance policies, paid by reason of the death of an insured to his estate or to a beneficiary (individual partnership, or corporation), directly or in trust, are excluded from the gross income of the beneficiary, except in the case of certain transferees as provided in § 29.22 (b) (2)-3 and in the case of a spouse to whom such payments are income under section 22 (k). It is immaterial whether the proceeds are received in a single sum or otherwise. If, however, such proceeds are held by the insurer under an agreement to pay interest thereon, the interest payments must be included in gross income.

PAR. 2. Section 19.22 (b) (1)-1 of Regulations 103. (26 CFR, 1940 Supp., Part 19) as amended by Treasury Decision 5271, approved June 14, 1943, is further amended to read as follows:

§ 19.22 (b) (1)-1 *Life insurance; amounts paid by reason of the death of the insured.* The proceeds of life insurance policies, paid by reason of the death of an insured to his estate or to a beneficiary (individual, partnership, or cor-

poration), directly or in trust, are excluded from the gross income of the beneficiary, except in the case of certain transferees as provided in § 19.22 (b) (2) (b)-3 and in the case of a spouse to whom such payments are income under section 22 (k). It is immaterial whether the proceeds are received in a single sum or otherwise. If, however, such proceeds are held by the insurer under an agreement to pay interest thereon, the interest payments must be included in gross income.

PAR. 3. Section 9.22 (b) (1)-1 of Regulations 101 (26 CFR, 1939 Supp., Part 9), as amended by Treasury Decision 5231, approved February 22, 1943, § 3.22 (b) (1)-1 of Regulations 94 (26 CFR), as amended by such Treasury decision, and article 22 (b) (1)-1 of Regulations 86, as amended by such Treasury decision, are each amended to read as follows:

*Life insurance; amounts paid by reason of the death of the insured.* The proceeds of life insurance policies, paid by reason of the death of an insured to his estate or to a beneficiary (individual, partnership, or corporation), directly or in trust, are excluded from the gross income of the beneficiary, except in the case of a transferee for valuable consideration. It is immaterial whether the proceeds are received in a single sum or otherwise. If, however, such proceeds are held by the insurer under an agreement to pay interest thereon, the interest payments must be included in gross income.

(Secs. 22 (b) and 62 of the Internal Revenue Code (53 Stat. 10, 32; 26 U.S.C. 22 (b), 62), and secs. 22 (b) and 62 of the Revenue Acts of 1938, 1936, and 1934 (52 Stat. 458, 480, 26 U.S.C. Supp. 22 (b), 62; 49 Stat. 1657, 1673, 26 U.S.C. Supp. 22 (b), 62; 48 Stat. 687, 700, 26 U.S.C. 22 (b), 62))

[SEAL] JOSEPH D. NUNAN, Jr.,  
Commissioner of Internal Revenue.

Approved: May 16, 1946.

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

[F. R. Doc. 46-8338; Filed, May 17, 1946;  
12:23 p. m.]

## TITLE 29—LABOR

### Chapter IX—Department of Agriculture (Agricultural Labor)

[Supp. 1, Amdt. 5]

#### PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

#### ASPARAGUS WORKERS IN DESIGNATED CALIFORNIA COUNTIES

Section 1102.1 (b) as amended (9 F.R. 833, 4574, 10 F.R. 1263, 4196, 5069) is hereby further amended to read as follows:

(b) *Wage rates; maximum wage rates for harvesting asparagus.*

#### I. MARKET ASPARAGUS

A. For prime beds (not less than five and not more than ten years old):

(i) Cutting and sledding, \$2.75 per cwt. packed out or \$0.92 per 33⅓ lbs. packed out market crate.

B. For other than prime beds:

(i) Cutting and sledding, \$3.25 per cwt. packed out or \$1.08 per 33⅓ lbs. packed out market crate.

C. For ranch packing market asparagus (does not include packing in commercial packing houses but only packing that is performed by crews which also perform the operations of cutting and sledding):

(i) \$1.00 per cwt. packed out, or \$0.33⅓ per 33⅓ lbs. packed out market crate.

The term "packed out" in A, B, and C above shall include all asparagus and is sold and utilized for human consumption.

Payment on any other basis shall not exceed the equivalent of the rates specified under A, B, and C above.

D. No payment shall be made for culls not sold and not utilized for human consumption.

#### II. PROCESSING ASPARAGUS

1. For No. 1 cannery or freezer grade white and No. 1 cannery or freezer grade green asparagus.

A. For prime beds (not less than five and not more than ten years old):

(i) Cutting and sledding No. 1 white, \$2.75 per cwt. packed out.

(ii) Cutting and sledding No. 1 green, \$3.25 per cwt. packed out.

B. For other than prime beds:

(i) Cutting and sledding No. 1 white, \$3.25 per cwt. packed out.

(ii) Cutting and sledding No. 1 green, \$3.75 per cwt. packed out.

2. For other than No. 1 cannery or freezer grade white and No. 1 cannery or freezer grade green, (field run or ungraded basis):

A. For prime beds (not less than five and not more than ten years old):

(i) Cutting and sledding, \$2.75 per cwt. packed out.

B. For other than prime beds:

(i) Cutting and sledding, \$3.25 per cwt. packed out.

3. Washing and boxing:

(i) Hand washing, racking and boxing white, \$0.40 per cwt.

(ii) Hand-racking, washing and boxing green, \$0.55 per cwt.

(iii) Machine washing, racking and boxing white, \$0.30 per cwt.

(iv) Machine washing, racking and boxing green, \$0.40 per cwt.

Payment on any other basis shall not exceed the equivalent of the rates specified under 1, 2, and 3 above.

4. Payment for culls.

A. No payment may be made for cutting, sledding, washing, racking and boxing cannery or freezer culls except for those sold and utilized for human consumption, in which case the rates for cutting and sledding shall not exceed those set out in paragraph (b) II 2 and the rates for washing, racking and boxing shall not exceed those set out in paragraph (b) II 3 (ii) and (b) II 3 (iv).

*Effective date.* This Amendment 5 to Supplement 1, shall become effective at 12:01 a. m. Pacific Standard Time, May 17, 1946.

(56 Stat. 765 (1942); 50 U.S.C. 961 et seq. (Supp. IV); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. IV); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; E.O. 9620, 10 F.R. 12023; E.O. 9651, 10 F.R. 13487; E.O. 9697, 11 F.R. 1691; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628; 11 F.R. 2517; regulations of the War Food Administrator, 9



F.R. 655, 12117, 12611; 10 F.R. 7609, 9581;  
9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 17th day of May, 1946.

[SEAL] WILSON R. BUTE,  
Director, Labor Branch,  
U. S. Department of Agriculture.

[F. R. Doc. 46-8394; Filed, May 20, 1946;  
11:08 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter XI—Office of Price Administration

#### PART 1499—COMMODITIES AND SERVICES

[MPR 580,<sup>1</sup> Incl. Amdts. 1-13]

#### RETAIL CEILING PRICES FOR CERTAIN APPAREL AND HOUSE FURNISHINGS

This compilation of Maximum Price Regulation 580 includes Amendment 13, effective May 22, 1946. The text added or amended by Amendment 13 is underscored.

A statement of the considerations involved in the issuance of this regulation issued simultaneously herewith has been filed with the Division of the Federal Register.<sup>2</sup>

#### ARTICLE I—COVERAGE

Sec.

1. What this regulation covers.

#### ARTICLE II—BASE DATE PRICING CHARTS

2. Filing of charts.
3. Contents of charts; general information.
4. Contents of charts; costs, prices, and related information.
5. Failure to file charts.
6. Amendment of charts.

#### ARTICLE III—MAXIMUM PRICES FROM BASE DATE PRICING CHARTS

7. How to fix maximum prices.
8. When you must begin to use pricing rules in section 7.

#### ARTICLE IV—MAXIMUM PRICES IN SPECIAL CASES

9. "Up stream" and "cross stream" sales and sales of "cross stream" articles to ultimate consumers.
10. Maximum prices for sellers who cannot price under other sections of the regulation.
11. How you may fix uniform maximum prices for more than one store.
12. Transfers of business.
13. Uniform dollar-and-cents prices for certain articles.

#### ARTICLE V—GENERAL PROVISIONS

14. How to treat taxes.
15. Marking, tagging, and posting.
16. Records.
17. Sales slips.
18. What acts are prohibited by this regulation.
19. Licensing and enforcement.
20. Relation to other maximum price regulations.
21. Where this regulation applies.
22. Petitions to amend this regulation.
23. Orders modifying this regulation.
24. Other definitions.
25. Delegation of authority.

<sup>1</sup> 10 F.R. 3015.

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

Appendix A: Examples of a base date pricing chart.

Appendix B: What commodities are not covered by this regulation.

Appendix C: What commodities are covered by this regulation.

Appendix D: List of comparable categories.

Appendix E: Table for fixing in-line category mark-ups under rule 6 of section 7.

Appendix F: Table for fixing category mark-ups under section 10.

Appendix G: Multipliers for Group Averages over 101 for Categories in Groups I and III, and for Group Average over 127 for categories in Group II of Appendix E.

AUTHORITY: § 1499.85 issued under 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; E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487; E.O. 9697, 11 F.R. 1691.

[The section number in the authority corrected, 10 F.R. 3642, effective 3-20-45]

#### ARTICLE I—COVERAGE

SECTION 1. *What this regulation covers*—(a) *Purpose of regulation.* This regulation fixes ceiling prices for sales by retailers of certain commodities. The pricing chart method is used. Retailers are required to file with OPA, a "base date pricing chart" and to fix their ceiling prices by using this chart. You will find sample charts in Appendix A.

(b) *What commodities are covered.* This regulation applies only to sales of the articles which are described in Appendix C. You will note from Appendix C that these articles include nearly all apparel, certain apparel accessories, certain household textile items, household furniture, bedding, floor coverings, and lamps. These articles are grouped into "categories" and each category is given a category number. For example, men's and boys' underwear and nightwear constitute category 116.

Appendix B describes some articles which are not covered by this regulation and lists the regulations which continue to apply to them.

(c) *What sellers are covered.* This regulation applies to any seller who sells to individual ultimate consumers more than 10 percent of the merchandise covered by this regulation which he buys and sells in substantially the same form. Articles which are bought in substantially the same form are defined in section 24 (b). (However, any seller whose annual net dollar volume of total sales to individual ultimate consumers of all the articles covered by this regulation amounts to less than \$2500, or any seller, all of whose sales to individual ultimate consumers are "accommodation sales" as defined in section 6.3 (b) of Second Revised Supplementary Regulation 14<sup>3</sup>

<sup>3</sup> 10 F.R. 1154, 2026, 2161, 2432, 2618, 3551, 4107, 7855, 8620, 9276, 9929, 10200, 10025, 11934, 13121, 14738; 11 F.R. 676, 1039. "Accommodation sale" means a sale made entirely without profit, solely for the benefit or convenience of the purchaser—for example, a sale by an employer to his employees, or by a school to its students—and not for the purpose of promoting trade. It does not include sales by cooperative, nonprofit or other organizations which make sales initially above cost, but later give refunds, bonuses, dividends, or other allowances to purchasers.

may elect to continue to fix his ceiling prices under the regulation which applied before issuance of this regulation. The seller may not subsequently alter this election.)

Notwithstanding any other provisions of this paragraph (c) any seller at retail of an article for which a ceiling price has been established under section 13 of this regulation or for which a pricing method has been established under a general retail order issued under this regulation, shall, with respect to the sale of that article, be subject to that section or that order as the case may be.

The word "seller" refers to each separate seller covered by this regulation. If a seller makes sales at retail through more than one selling unit or department, each selling unit or department is considered to be a separate seller, subject to all the provisions of this regulation.

A person who sells through salesmen making sales at uniform prices, is a single separate seller. All of the selling outlets of a chain which are included in one group, zone, class or area under a uniform pricing order, or which, in the absence of a uniform pricing order, constitute a group to which until March 6, 1946 the chain regularly sent invoices or statements showing the same selling prices (and not showing costs) for articles, are subject to the provisions of this regulation as a single separate seller with respect to the sale of all articles covered by this regulation which the chain buys and sells (through those outlets) in substantially the same form.

[Paragraph (c) amended by Am. 2, 10 F.R. 4236, effective 4-18-45; Am. 3, 10 F.R. 4494, effective 4-23-45; Am. 5, 10 F.R. 9962, effective 8-15-45; Am. 6, 10 F.R. 12602, effective 10-4-45 and Am. 9, 11 F.R. 1739, effective 3-6-46]

(d) *What sales are covered.* This regulation applies to all of your sales to ultimate consumers of all kinds (including individual, commercial, and industrial users) of articles which you buy and sell in substantially the same form.<sup>4</sup> It does not apply to sales to persons other than ultimate consumers (such as other retailers and wholesalers), unless those sales amount to less than 10 percent of your total sales of articles covered by this regulation. If those sales amount to less than 10 percent, your maximum prices for those sales are fixed by section 9, "Maximum prices for 'cross stream' and 'upstream' sales."

(e) *Meaning of terms.* (1) The word "store" means a separate seller as described in paragraph (c), or the separate establishment, or a department in the establishment, at or from which you make sales to ultimate consumers. A mail order establishment is also called a "store."

(2) The term "mail order establishment" means a person who regularly makes deliveries by mail to individual ultimate consumers in response to orders

<sup>4</sup> It does not apply to your sales, however, if they are considered "manufacturers' sales" under MPR 572 (Manufacturers' prices for certain fall and winter outerwear) because you are under the same ownership and control as the manufacturer of the articles.



received by mail on the basis of catalogs, booklets, circulars, flyers, or other forms of printed price lists.

#### ARTICLE II—BASE DATE PRICING CHARTS

**Sec. 2. Filing of charts.** On or before April 20, 1945, you must file two copies of the "base date pricing chart" (described below) with your OPA District Office.<sup>5</sup> The "base date" is March 19, 1945. However, if you were not open for business on that date, then your "base date" is the most recent day in 1945 before that day, on which you were open for business and offered for sale any article covered by this regulation.

The chart must be signed by one of your officers or owners. However, a chart for an outlet which is itself a separate seller under this regulation or a department in a departmentalized establishment, may be signed by the store manager or department head.

[Above paragraph amended by Am. 2, 10 F.R. 4236, effective 4-18-45]

You must keep a copy of the chart for your own use and for inspection by the OPA.

**Sec. 3. Contents of charts; general information.** Put at the top of your chart the following general information:

- Your business name and address.
- Your base date if you use any date other than the "base date" which appears in section 2.
- The type of your store: First, whether it is a mail order establishment, a chain outlet, or an independent retail store, and second, whether it is a men's and boys' clothing and furnishing store, millinery store, shoe store, department in a department store, general merchandise store, limited price variety store, dry goods store, furniture store, or other type of store. (A department in a departmentalized establishment must also state its department number or name.)
- Approximate net dollar volume of your total retail sales of all commodities in the calendar or fiscal year 1944.<sup>6</sup>
- Number each page of your chart.

**Sec. 4. Contents of charts; costs, prices, and related information.** This section tells what the chart must contain about the costs and offering prices of each "category" of articles which you offered for sale on your base date. List

this information in five columns below the general information you have already listed according to the directions above.

List an article as "offered for sale on your base date" if it was in your store, unpacked and available for sale on your base date.

If you are a mail order establishment, list an article as "offered for sale on your base date" if it was listed in one of your catalogs, booklets, circulars, flyers, or other printed price lists in effect on the base date.

In this section the words "you offered" are used as a simple way of saying "you offered for sale on your base date."

Before you begin to prepare the chart for your store, study the sample charts shown in Appendix A, so that you will know how to arrange your own chart. (OPA will not supply forms.)

(a) *Column 1; list of "categories" offered for sale.* In the first column from the left, list by the number given for that category in Appendix C, each category which you offered. If you are including in any "general" category any articles not specifically listed for that category in Appendix C, list such articles in parentheses in column 1 below the category number.

(b) *Column 2; list of net costs.* In the second column from the left, list opposite each category shown in column 1, the last "net cost" at which you bought each different article, style, model, or lot number in that category which you offered.

Follow these directions for listing net costs:

(1) Find your "net cost" by deducting all discounts (including cash discounts) from your invoice cost on the last invoice you got<sup>7</sup> before your base date for a particular article, style, model, or lot number which you offered. Deduct discounts you could have taken, whether you took them or not.

No freight or other similar charge may be added.

Do not include as part of your net cost any "OPA adjustment charge" which is stated on or attached to your invoice for any article. If more than one adjustment charge is shown for the same article, do not list the cost of that article at all.

(2) List your net costs in order from the lowest cost to the highest.

(3) List each different net cost separately, even though you bought other articles, styles, models, or lot numbers in the category for the same gross invoice cost. Thus, if you bought three different articles, styles, models, or lot numbers in a category at \$3.50, 8/10 EOM, \$3.50, 3/10 EOM, and \$3.50 net, list each of these net costs separately as \$3.22, \$3.40, and \$3.50, respectively.

(4) List each different net cost only once in the category even though you offered more than one article, style,

model, or lot number of that net cost in that category.

(5) If you offered a particular style, model, or lot number which you bought at more than one net cost, list only the net cost shown on the last invoice you got before your base date for that style, model, or lot number.

(6) If you buy at "per dozen" prices divide the net cost per dozen by 12 and list the result as your net cost per unit. (Similarly, if you buy at a price per gross or per hundred, divide your net cost per gross or per hundred by 144 or 100 to find your net unit cost.)

[Subparagraph (6) amended and (7) added by Am. 2, 10 F.R. 4236, effective 4-18-45]

(7) You may round your cost to the nearest cent. Thus, you may list \$1.735 as \$1.74, and \$1.734 as \$1.73.<sup>8</sup>

(c) *Column 3; list of offering prices.* In the third column from the left, list opposite each net cost shown in column 2, each different price at which you offered to your largest class of purchaser<sup>9</sup> an article of that category having that net cost.

(1) *Directions for listing offering prices.* (i) To avoid the distortion caused by markdowns you may list as your offering price for an article either the price at which you actually offered it on the base date, or the price at which you offered that article when you first offered it for sale. However, if you cannot determine the price at which you offered the article when you first offered it for sale, you may ignore that article in preparing your chart. If you list your first offering price rather than your base date offering price, place the letter "M" after the price you list in Column 3.

[Former subparagraphs (i), (ii), (iii) and (iv) redesignated (ii), (iii), (iv) and (v), new (i) added by Am. 1, 10 F.R. 3468, effective 4-4-45]

(ii) Do not list offering prices which are higher than your ceilings for the articles on the base date. If your offering price was higher than your ceiling, list your ceiling price.

(iii) Do not list any offering price for an article if the invoice you got for that article shows more than one "OPA adjustment charge" for the article.

(iv) If your offering price includes a tax on a particular sale or delivery (such as a sales tax or a compensating use tax) which the tax law permits you to state separately from the price, you must deduct the full amount of such tax from your offering price before you list it. You need not deduct from your offering price any tax which you stated separately from and in addition to your offering price.

(v) You will find that in some cases you have listed more than one offering price opposite a single net cost in a particular category. You must draw a circle around one of these prices, and subparagraph (3) tells you which offering

<sup>5</sup> "Your OPA District Office" is the district office having jurisdiction over the area in which your store is located. However, if you are a chain, subject to a uniform pricing order "your OPA District Office" for those outlets included in one group, class, zone or area under uniform pricing order is the OPA office which issued it. If you are either a mail order establishment (as defined above) or a chain which, pursuant to section 1 (c) files a single chart for a group of stores not subject to a uniform pricing order, "your OPA District Office" is the Central Pricing Office of the OPA, Washington 25, D. C.

[Footnote 5 amended by Am. 2]

<sup>6</sup> A department in a departmentalized establishment need not supply this information if the establishment files a statement showing its approximate total net dollar volume of retail sales of all commodities in all departments. This statement will take the place of information from each separate department.

<sup>7</sup> If you are an outlet of a chain not included in a group of outlets for which your central office is permitted to use the same pricing chart in accordance with section 1 (c), you may use the invoice furnished by your central office.

[Footnote 7 amended by Am. 2]

<sup>8</sup> You may, if you wish, list your gross invoice cost per dozen, per gross, or per hundred, and your purchase discounts, in parenthesis, following the net unit cost. Thus, you might list "\$1.29 (\$16.00, 3/10 EOM per dozen)."

<sup>9</sup> If you have more than one class of purchaser, use a footnote to show the class of purchaser used in preparing your chart.



price to circle. To select your "circled" price you first have to figure your "average percentage markup" for the category. Subparagraph (2) explains how to do this.

(2) *How to find your "average percentage markup."* Figure your average percentage markup as follows:

*Step 1.* Add together all the net costs listed for that category in column 2. To find the correct average, you must, of course, add together an equal number of costs and offering prices. Therefore, just for purposes of this step (you will, of course, be using a separate work sheet), you must add in each net cost as many times as you have listed different offering prices opposite it;

*Step 2.* Add together all the offering prices listed in column 3 for that category;

*Step 3.* Subtract the total of the net costs found in step 1 from the total of the offering prices found in step 2;

*Step 4.* Divide the remainder found in step 3 by the total of the net costs found in step 1. The result is your average percentage markup on cost.<sup>10</sup> When you have found your average percentage markup for a category, enter it in column 1 for that category.

*Example 1:* The average percentage markup for shirts (category 117) in the sample chart shown in Appendix A (a) is found as follows:

Total the net unit costs	Total the offering prices
\$1.21	\$1.98
1.25	1.98
1.38	2.25
(1.38)	2.50
1.82	2.98
1.94	3.50
3.64	5.95
(3.64)	6.95
5.34	7.95
(5.34)	8.95
\$26.94	\$44.99

(Note that the costs in parentheses appear only on your work sheet. They do not appear on your chart.)

Subtract the total of the net costs from the total of the offering prices. (\$44.99—\$26.94=\$18.05). Divide the remainder, \$18.05, by the total of the costs, \$26.94 (\$18.05÷\$26.94=67%). The result, 67%, is the average percentage markup on cost for category 117. Enter 67% in column 1.

(3) *How to select your "circled" price.* In any category where you have listed more than one offering price opposite a single net cost, take as your "circled" price the offering price closest to the price you get by applying to the net cost the average percentage markup for the category. If the price you get is midway between two offering prices, take the lower of the two. Draw a circle around the price you select.

*Example 2:* You have listed offering prices of \$2.88, \$3.00, and \$3.25 for a net cost of \$2.00 in category 202, and your average percentage markup for category 202 is 52%. To apply this markup, multiply \$2.00 by 52% (\$2.00×0.52=\$1.04) and add \$2.00 to the result (\$2.00+\$1.04=\$3.04), finding a price of \$3.04. When you look at the three offering

prices which you have listed for a \$2.00 net cost, you find that \$3.04 is closest to the \$3.00 offering price. Therefore, \$3.00 is your circled price.

If your average percentage markup had been 47% you would have found a price of \$2.94 (\$2.00×0.47=\$0.94; \$2.00+\$0.94=\$2.94). Since \$2.94 is midway between your listed offering prices of \$2.88 and \$3.00, you would have selected the lower of the two, and \$2.88 would have been your circled price.

(d) *Column 4; percentage markups—(1) What markups must be listed.* In the fourth column from the left, list the percentage markup for each different net cost listed in column 2. Where more than one offering price is listed opposite the same net cost in a category and you therefore have a circled price, you must list the percentage markup for that circled price only.

(2) *How to figure a percentage markup.* To figure your percentage markup, subtract the net cost listed in column 2 from the offering price listed opposite it in column 3, and divide the difference by the net cost. Round the result to one decimal place. That is, list 53.72% as 53.7%, and list 53.75% as 53.8%.

*Example 3:* If you have listed a net cost of \$3.22 and an offering price of \$4.95, you subtract \$3.22 from \$4.95 (\$4.95—\$3.22=\$1.73) and divide the difference, \$1.73, by the net cost, \$3.22 (\$1.73÷\$3.22=0.5373). Your percentage markup over cost for your \$3.22 net cost is, therefore, 53.7%. Enter 53.7% in column 4 opposite the \$3.22 net cost.

(e) *Column 5; list of invoices—(1) What invoices must be listed.* In the fifth column from the left, list at least one invoice for every offering price shown in column 3. The invoices you list must cover your purchase at the corresponding net cost listed in column 2 for an article of that category which you offered at that price.

(2) *How to list an invoice.* List your invoices in column 5 by stating your supplier's name and the date and number of the invoice. In parenthesis, following the listing of the invoice, you must identify the article whose purchase at the cost shown in column 2 is covered by the invoice.

(3) *Inspection of invoices.* On request, you must supply to the OPA or its agent for examination any invoice which you have listed in column 5.

**SEC. 5. Failure to file charts.** On and after May 4, 1945, you may not offer, sell or deliver any article covered by this regulation unless you have filed the chart described above. On and after May 10, 1945, you may not offer, sell or deliver any article covered by this regulation until you have received from the Office of Price Administration an acknowledgment of the filing of your chart.

[Sec. 5 amended by Am. 3, 10 F.R. 4494, effective 4-23-45]

**SEC. 6. Amendment of charts.** (a) *Amendment by seller.* If you find that you have filed an incorrect chart you must file an amendment to your chart with the OPA District Office where you filed your original chart, and you must attach to the amendment a statement explaining why the amendment is necessary. This amendment must show all changes which are necessary in your

chart as a result of the corrections you make.

[Above paragraph designated (a), paragraph heading and paragraph (b) added by Am. 8, 10 F.R. 15351, effective 12-21-45]

*For example:* If you wish to amend an inaccurate offering price list on your original chart, you must also refigure your average percentage markup for that category, and reexamine your circled prices in that category to see if the new average percentage markup requires a change in any of them. If it does, the amendment to your chart must show the corrected circle prices as well as the refigured average percentage markup.

You may not use the amendment to your chart in fixing maximum prices until you have received acknowledgment from your OPA District Office of receipt of the amendment. Your OPA District Office may, at any time, require you to submit to it your evidence that the information in the amendment is correct. In such cases, your OPA District Office may require you to use your original chart until it has examined this evidence and approved the amendment.

(b) *Amendment by OPA.* Your OPA District Office may issue an order amending your chart in order to bring your markups into line with markups established under this regulation, if you do not have sufficient records to substantiate the information appearing on your chart and if any percentage markup appearing on your chart is out of line with the level of markups established under this regulation.

#### ARTICLE III—MAXIMUM PRICES FROM BASE DATE PRICING CHARTS

**SEC. 7. How to fix maximum prices.** To fix your maximum price for any sale of an article covered by this regulation to an ultimate consumer, refer to your chart and use the first of the following pricing rules which applies to the article you are pricing. (Note that sales covered by this regulation to persons other than ultimate consumers must be priced under section 9.)

In applying these rules, you must figure your maximum price for each article to the class of purchaser you used in preparing your chart, and apply your customary differentials to that price to find your maximum price to all other classes of purchasers. You may not change the terms, allowances, discounts, or differentials which you customarily gave to various classes of purchasers, if the change would result in a higher net price.

If your invoice states a definite amount in dollars-and-cents which the OPA permits you to add to your price, you may add such amount to the maximum price fixed under this section.

Pricing Rules 2, 3, and 4 require you to figure your maximum price by applying a percentage markup to your net cost. To do this, you multiply your net cost by the markup (the rules tell what markup to use) and add your net cost to the result. The total is your maximum price.

"Net cost," in this section and section 9, means net unit cost of an article after deducting all discounts you could have taken, or your supplier's maximum

<sup>10</sup> You may, if you wish, figure your percentage markups as "markups on selling price" instead of on your net cost, but you must use the same method in figuring all percentage markups and average percentage markups. If you have chosen to list markups on selling price, you must state this on your chart, and must use markups on offering (or selling) price wherever this regulation, in this section or in section 7, refers to a markup over net cost.



price<sup>11</sup> for the article, whichever is lower. (You may round your cost to the nearest cent.) Freight or other similar charges may not be added. Do not include as part of your net cost any "OPA adjustment charge" which is shown on or attached to your invoice. If your invoice states a definite amount in dollars-and-cents which the OPA requires you to use as your cost for the article, you must consider that amount as your net cost under this section and section 9.

[Above paragraph amended by Am. 2, 10 F.R. 4236, effective 4-18-45]

NOTE: This regulation refers throughout to categories, prices, and markups listed on the seller's base date pricing chart. "Base date pricing chart" or "chart" refers only to a chart correctly prepared according to the directions in sections 3 and 4. If your chart is improper or inaccurate, your maximum prices under section 7 shall be prices figured on the basis of a correct chart.

(a) **Rule 1: Articles of a category and with a net cost listed on your chart.** If the article you are pricing is in a category listed in column 1 or your chart, and if it has a net cost listed in column 2, its maximum price is the offering price you listed in column 3 for that net cost and category. If you have a circled price for that net cost and category, the circled price is the maximum price for the article.

EXAMPLE 4: You wish to price a pair of men's pajamas which cost you \$1.29 net. On your chart you have listed offering prices of \$2.00 and \$2.24 for a \$1.29 net cost in category 116. You have circled \$2.00. Therefore, your maximum price for these pajamas is \$2.00 per pair.

If you had listed only one price—\$2.24, for a \$1.29 net cost, your maximum price would, of course, be \$2.24.

b) **Rule 2: Articles of a category listed on your chart, but having a net cost higher than any net cost listed for that category.** If the article you are pricing has a net cost higher than any net cost listed for that category in column 2 of your chart, you figure your maximum price by applying the average percentage markup listed for that category in column 1 to the net cost of the article.

EXAMPLE 5: You wish to price a woman's slip costing \$3.25 net. The highest net cost which you have listed for category 211 is \$2.76. Your average percentage markup for category 211 is 57%. You therefore figure your maximum price by multiplying your net cost by 57% ( $\$3.25 \times 0.57 = \$1.853$ ) and adding your net cost to the result ( $\$3.25 + \$1.853 = \$5.103$ ). Your maximum price for this slip is therefore \$5.10.

(c) **Rule 3: Articles of a category listed on your chart, but having a net cost lower than the lowest cost listed for that**

<sup>11</sup> If you are an outlet of a chain not included in a group of outlets for which your central office is permitted to use the same pricing chart in accordance with section 1 (c), and if your chart was not prepared on the basis of net cost of articles to your central office, "your supplier's maximum price" for articles shipped to you by your central office is the amount shown on your central office's invoice to you correctly prepared under General Order No. 1 issued under section 23 of this regulation.

[Footnote 11 amended by Am. 2]

category. If the article you are pricing has a net cost lower than the lowest net cost listed for that category in column 2 of your chart, you figure your maximum price by applying to the net cost of the article the percentage markup listed in column 4 for the lowest net cost shown for that category.

EXAMPLE 6: You wish to price a girl's sweater costing \$1.94 net. The lowest net cost which you have listed for category 208 is \$2.07, for which you have listed a percentage markup of 55.6%. Therefore your maximum price is \$3.02. ( $\$1.94 \times 0.556 = \$1.079$ ;  $\$1.94 + \$1.079 = \$3.019$ .)

(d) **Rule 4: Articles of a category listed on your chart, but having a net cost between two net costs listed for that category.** If the article you are pricing has a net cost between two net costs listed for that category in column 3 of your chart, you figure your maximum price by applying to the net cost of the article the percentage markup listed in column 4 for the lower of these two net costs.

EXAMPLE 7: You wish to price a man's shirt costing \$1.47 net. You have not listed any net cost of \$1.47 for category 117, but you have listed net costs of \$1.50 and \$1.46. Your \$1.46 net cost has a percentage markup of 54%. Therefore, your maximum price is \$2.26 per shirt ( $\$1.47 \times 0.54 = \$0.79$ ;  $\$1.47 + \$0.79 = \$2.26$ ).

(e) **Rule 5: Articles in a category comparable to a category listed on your chart.** If the article you are pricing does not belong to a category which is listed in column 1 of your chart, look in Appendix D where you will find for each category a list of other categories which are "comparable" to that category. See whether you have listed in column 1 of your chart the first of the comparable categories shown in Appendix D for the category to which the article you are pricing belongs. If you have not listed the first comparable category, see whether you have listed the second comparable category in column 1, then the third, and so forth, until you find a category which is listed on your chart. Then figure your maximum price by using Rule 1, 2, 3, or 4 as if the article you are pricing belonged in that category.

EXAMPLE 8: You have not listed category 701 on your chart, but now purchase a bedroom suite at a net cost of \$85.00. You look in Appendix D, and find that categories 706, 707, 711, and 721 are listed as comparable to category 701. Then you look in column 1 of your chart to see whether you have listed any of these categories. You have not listed category 706 on your chart, but you have listed category 707. Rule 5 requires you to figure your maximum price for this bedroom suite as if it belonged to category 707. You find that you have listed a net cost of \$85.00 in column 2 for category 707, and an offering price of \$150.00 in column 3 for that net cost. You therefore apply Rule 1, and your ceiling price for the bedroom suite is \$150.00.

(f) **Rule 6: Articles of a category which cannot be priced under any of the foregoing rules.** If the article you are pricing cannot be priced under any of the foregoing rules in this section and you have filed a base date pricing chart, you figure your maximum price under this rule. If you cannot price under this rule you determine your price under section 10.

(1) **Articles which belong to Categories 101-607 inclusive.** (i) If the article you are pricing is included in any category from 101-607 except categories 204, 214 or 353 and you have at least three categories of this group<sup>12</sup> on your chart, you list as many of these categories as you have on your chart, setting forth opposite each, your average percentage markup<sup>13</sup> for each category.

(ii) Compute the "group average" for these categories. You do this by adding together all the average markups for the categories you have listed and dividing this sum by the number of categories which you have listed.

(iii) You next turn to the table in Appendix E. The top row of the chart is divided into a series of percentage brackets. In the first column to the left find the category number which includes the article you are pricing. Follow this category number across and find the markup which appears in the column under the percentage bracket which includes the "group average" which you computed under subdivision (ii). This is your percentage of markup over cost for the new category. If, however, in pricing a non-furniture category your group average is over 101 or if, in pricing a furniture category your group average is over 127, you find your percentage markup over cost by multiplying your group average by the multiplier listed for that category in Appendix G.

EXAMPLE: If you are a house to house seller and have a "group average" of 150 for your categories in the group 101 to 607, inclusive, and you now wish to sell handbags (category 218) which you find you must price under this rule, you determine your markup over net cost as follows: refer to the multiplier opposite category 218 in Appendix G. There you will find the figure 1.045. This means that your markup on cost for handbags is 156.8 ( $150 \times 1.045 = 156.75$ ).

[Subparagraph (iii) Amended by Am. 10, 11 F.R. 2987, effective 3-19-46]

(iv) Multiply the net cost of the article you are pricing by this percentage markup. Add the result to the net cost of the article. This final result is your maximum price for the article you are pricing.

EXAMPLE 9: You wish to price a set of boys' ear muffs on which your net cost is 50 cents. Ear muffs belong to Category 123 on the MPR 580 chart. You find, on examining your chart, that neither this category, nor any one of the "comparable" categories 103, 107, 112, or 218 is listed on your chart.

Since category 123 belongs to the group of categories numbered from 101-607 inclu-

<sup>12</sup> Group as defined in this regulation includes any category which appears in this series of category numbers excluding categories 204, 214 and 353.

<sup>13</sup> Computations under this section are based on markups over cost. If you are on the "retail system," that is, if your chart markups are expressed as percentages of selling prices, you must convert your category markups to markups over cost. You do this by subtracting your average percentage markup over sales for the category from 100%. You divide the result thus obtained into your percentage of markup on selling price. After the percentage of markup on selling price for all your categories have been converted to markups on cost you proceed as set forth above.



sive, you look on your chart to find whether you have listed at least three categories in this group. If you do not have at least three such categories listed on your chart, (excluding categories 204, 214, and 353) you cannot use this pricing rule and the ear muffs must be priced under section 10.

Let us assume that actually you have listed on your chart articles belonging to eight categories of this group of numbers. These categories have percentage markups over cost as follows:

Category:	Average percentage markup
102-----	63
105-----	63
110-----	63
116-----	65
215-----	62
217-----	68
302-----	65
304-----	60

You next compute your "group average" for all these categories by adding the average markups for these categories and dividing the result by the number of categories which you have listed above (509÷8). Your "group average" is 63.625%.

You next turn to the table in Appendix E. In the first column to the left you will find a series of category numbers. Follow this column downward until you reach category 123. Follow this row across the table until you come to the percentage bracket appearing in the top row of the table which includes your "group average"—in this case the bracket designated "over 62 including 65." At this point you will find that the allowable percentage markup for category 123 is 65.7%. This is your percentage markup for this category and for the article you are pricing.

You next multiply the net cost of the article you are pricing by this percentage markup ( $\$.50 \times 65.7 = \$.3285$ ). Add this figure to your net cost of the article you are pricing  $\$.50 + \$.3285$ . The result ( $\$.8285$  or  $\$.83$ ) is your ceiling price for the article you are pricing.

(2) *Articles which belong to categories 701-752 inclusive.* If the article you are pricing is included in one of the categories from 701-752 inclusive, and you have at least three categories of this group on your chart, you list as many of these categories as you have on your chart, setting forth opposite each, your average percentage markup for each category and figure your ceiling price by using the same method as set forth in subparagraph (1) (ii), (iii) and (iv).

(3) *Articles which belong to categories 801-854 inclusive.* If the article you are pricing is included in one of the categories from 801-854 inclusive, and you have at least three categories of this group on your chart, you list as many of these categories as you have on your chart, setting forth opposite each, your average percentage markup for each category and figure your ceiling price by using the same method as set forth in subparagraph (1) (ii), (iii) and (iv).

(4) *Articles which belong to categories which cannot be priced under this pricing rule.* If the article you are pricing is included in categories 204, 214, 353 or in any other category which cannot be priced under this pricing rule, you price such article under Section 10.

[Paragraph (f) added by Am. 9, 11 F.R. 1739, effective 3-6-46]

SEC. 8. *When you must begin to use the pricing rules in section 7.* (a) *All sellers other than mail-order establishments.* Except as provided in paragraph (b) below, you must begin to use pricing rules 1 to 5 inclusive of section 7, where applicable, on April 20, 1945, and rule 6 of that section, if applicable on March 6, 1946, and after whichever of these dates applies to you, you may not offer, sell or deliver any article covered by this regulation at a price higher than the maximum prices fixed under section 7 of this regulation.

[Paragraph (a) amended by Am. 2, 10 F.R. 4236, effective 4-18-45, and Am. 9, 11 F.R. 1739, effective 3-6-46]

(b) *Special provision for mail order establishments.* If you are a mail order establishment as defined in section 1 (e) (2), the pricing rules in section 7 do not apply to any deliveries you make by mail in response to mail orders based upon any of your catalogs, booklets, circulars, flyers, or other forms of printed lists which were printed before the base date. Your maximum prices for deliveries by mail in response to mail orders based on such printed price lists, must be fixed under the regulation covering retail sales of each article on the base date. All provisions of this regulation except the pricing rules in section 7 do apply.

#### ARTICLE IV—MAXIMUM PRICES IN SPECIAL CASES

SEC. 9. *"Up stream" and "cross stream" sales and sales of "cross stream" articles to ultimate consumers—*(a) *Maximum prices for "up stream" sales.* Your maximum price for a sale of any article covered by this regulation to any person other than an individual ultimate consumer, another retailer, or an industrial, commercial, or institutional user, is the net cost of that article to you.

(b) *Maximum prices for "cross stream" sales.* (1) Your maximum price for a sale to another retailer of any article covered by this regulation shall be the sum of the following items:

(i) Your invoice cost less all discounts including cash discounts.

(ii) Any OPA adjustment charge appearing on your supplier's invoice.

(iii) Your incoming freight cost which you have separately paid.

(iv) The handling charge, if any, which you customarily made when selling articles covered by this regulation to another retailer immediately prior to March 1945. However, this charge may be added only if your records show your customary March 1942 handling charge or your method of establishing your handling charge in accordance with OPA regulations in effect before March 19, 1945, for such sales. In no event, however, may your handling charge exceed 10% of the costs listed in (i), (ii) and (iii), above.

You must give to the retailer an invoice which must state separately each item making up your costs as itemized in this subparagraph (1).

or

(2) If you customarily made sales of commodities covered by this regulation

to other retailers immediately prior to March 1945 on which you figured your price by granting a specific discount from your retail price, you may continue to make such sales (excepting sales of articles purchased by you from other retailers), but only if your records show your customary March 1942 discount or your method of establishing a discount for such sales in accordance with OPA regulations in effect before March 19, 1945.

On such sales you must furnish the buyer with an invoice which, in addition to showing your retail price as established by this regulation and the discount you granted, must contain the following notice:

#### NOTICE OF CEILING PRICE

Under section 9 of Maximum Price Regulation 580 you may not sell the above articles to consumers at prices higher than our retail ceiling price shown on this invoice.

(c) *Maximum prices for sales to ultimate consumers of articles purchased from other retailers.* (1) If you purchase articles covered by this regulation from another retailer and pay the seller his costs permitted to him under paragraph (b) (1), you must determine your maximum price for sales of these articles to ultimate consumers in accordance with section 7, taking your net cost from your supplier's invoice and excluding all freight, adjustment and handling charges.

(2) If you purchase articles covered by this regulation and pay the seller his retail price less a specified discount, you must use as your maximum price for sales of those articles to ultimate consumers the seller's retail price as stated on his invoice to you.

[Sec. 9 amended by Am. 5 10 F.R. 9962, effective 8-15-45]

SEC. 10. *Maximum prices for sellers who cannot price under other sections of the regulation.* (a) If you cannot fix your ceiling price for an article under section 7, 9, 12, 13 or General Retail Order No. 3, you figure your ceiling price for that article under this section. However, you may not sell or deliver an article which you are required to price under this section until you have first filed with your OPA District Office whichever of the reports, set forth below, is applicable to you.

(1) *Retailers who have never priced under section 10 prior to March 6, 1946.* (i) On and after March 6, 1946 if you have never priced an article under this section you figure your ceiling price for all articles which must be priced under this section as follows: Turn to the table in Appendix F. On the left side is listed a column of category numbers; opposite each category number is a percentage markup. Find the percentage markup for the category to which the article you are pricing belongs. Multiply the net cost of the article you are pricing by this percentage markup. Add the result, so obtained, to the net cost of the article. The result is your ceiling price for the article you are pricing.

(ii) *Reports.* You may not sell or deliver any article which you are required



to price under this section until you have filed with your OPA District Office two copies of one of whichever of the following reports is applicable, signed by you or your duly authorized agent, and have received from OPA a written acknowledgment thereof.

(a) If you have filed a base date pricing chart, a statement to that effect, and a list of the categories you intend to price under subdivision (i);

(b) If you have not filed a base date pricing chart, a statement to that effect and a statement containing the following information:

(1) Your name and address or your proposed name and address and the names and addresses of all owners, stockholders or officers of the business establishment. (Owners holding less than 10% of the total number of shares of corporate applicants need not be listed.)

(2) The date or the proposed date of the organization of the business establishment.

(3) Your previous business connections (if the business is individually owned) or the previous connections of the owners, stockholders or officers of the business establishment with any business handling MPR 580 merchandise or related merchandise.

(4) The names and addresses of other selling establishments under this regulation which you own or operate, if you are an individual owner, or which any of the owners, stockholders or officers of the business establishment own or operate.

(5) A list of the articles which you intend to price under this section after March 6, 1946.

(6) The type of store you operate or intend to operate (specialty shop, dry-goods, or men's furnishings, etc.).

(7) The class of merchandise and cost line which you handle or propose to handle (low, medium or high priced; regular or novelty; popular or exclusive).

(8) The amount of annual business you have done, for the 12 month period preceding date of application.

(9) Special services which you offer or intend to offer; installment selling, charge accounts, other credit terms, or free delivery service, etc.

(10) A list of names and addresses of three sellers whose method of doing business is most nearly like yours or like the type of business you intend to conduct.

(11) If you are a leased department, the name and address of the prior lessee.

(2) *Retailers who have priced articles under section 10 prior to March 6, 1946.* If you have priced any article under section 10 prior to March 6, 1946, you determine your ceiling prices for articles required to be priced under this section as follows:

(i) Your ceiling price for an article properly determined, under this section prior to March 6, 1946, shall remain the ceiling price of that article until April 1, 1946.

(ii) You fix the ceiling price of an article for which you have not determined a ceiling price prior to March 6, 1946, under the provisions of the regulation which on the base date covered sales at retail of the article you are pricing. Any

price thus determined shall remain the ceiling price of that article until April 1, 1946.

(iii) On and after April 1, 1946, you figure your ceiling price for all articles which you have prior to that date priced under section 10 and all articles which you price under this section after April 1, 1946, as follows: Turn to the table in Appendix F. On the left hand side is listed a column of category numbers with a percentage markup opposite each. Find the percentage markup for the category to which the article you are pricing belongs. Multiply the net cost of the article you are pricing by this percentage markup. Add the result, so obtained, to the net cost of the article. The result is your ceiling price for the article you are pricing.

(iv) *Reports.* After April 1, 1946, you may not sell or deliver any article which you are required to price under this section until you have filed with your OPA District Office, two copies of one of whichever of the following reports is applicable, signed by you or a duly authorized agent and have received from OPA a written acknowledgment thereof:

(a) If you have filed a base date pricing chart, a statement to that effect, and a list of the categories you intend to price under this subparagraph (2);

(b) If you have not filed a base date pricing chart, a statement to that effect and a further statement containing the following information:

(1) Your name and address.

(2) A list of all the articles priced by you under this section which you sold or offered for sale on March 6, 1946 setting forth your last invoice net cost for such article, your ceiling price therefor (which should not be higher than the ceiling price legally established under section 10), the regulation or order and section under which you determined your prices.

(3) The names and addresses of your three most competitive sellers of the same class.

(v) *Exception.* Where prior to April 1, 1946 you have made application pursuant to paragraph (b) of this section, because you priced pursuant to section 10 between March 19, 1945 and February 14, 1946 and had proper markups higher than those in Appendix F, you determine the ceiling prices for articles required to be priced under this section in accordance with subdivisions (i) through (iv), except that the date April 15, 1946 may be substituted for the date April 1, 1946 wherever it appears in subdivisions (i), (ii) and (iii).

[Subparagraph (v) added by Am. 12, 11 F.R. 3483, effective 4-1-46]

(b) *Application for markups in excess of Appendix F.* (1) You may apply to the OPA District Office having jurisdiction over the area in which your business is located for authorization to use markups in excess of those set forth in Appendix F, and the OPA may, by order, authorize such higher markups if it appears that:

(i) You already own one or more established stores selling MPR 580 merchandise with markups higher than those set forth in Appendix F; or

(ii) You already own one or more establishments selling goods not covered by MPR 580 at markups, which for such goods represent markups higher than average; or

(iii) You, (if you are an individually owned establishment), or any of the principal stockholders or managing officers had previous experience in selling MPR 580 merchandise or related commodities as an owner, officer, principal, or employee in an executive or managerial capacity in a business handling MPR 580 merchandise at markups higher than those listed in Appendix F and have not operated at or below the markups set forth in Appendix F since the base period; or

(iv) You priced pursuant to section 10 between March 19, 1945 and February 14, 1946, and your properly determined prices resulted in markups in excess of those in Appendix F.

[Subparagraph (iv) added by Am. 12, 11 F.R. 3483, effective 4-1-46]

(2) *Filing and contents of application.* Applications must be made by filing with your OPA District Office two copies of a separate letter signed by you or a duly authorized agent. Such letter must set forth any additional information, which, together with the information given in your report filed under paragraph (b), establishes that you meet at least one of the conditions set forth in paragraph (b) (1).

(c) The authorization granted in paragraph (a) or any authorization issued pursuant to paragraph (b) or (d) may be revised or revoked at any time by the Office of Price Administration.

(d) *Applications by sellers who repair or recondition.* If you do not have a base date pricing chart and you are in or propose to enter the business of regularly buying used or imperfect articles for the purpose of repairing and reconditioning them and selling them as reconditioned or repaired, you may apply to your OPA District Office for a pricing method which will reflect your costs of repairing or reconditioning the articles which you sell. In such a case, the OPA may, by order permit you to add to the ceiling price established under this section the actual net cost of reconditioning or repairing the articles which you sell. In no case shall the cost of reconditioning or repair include a cost greater than that required to restore the article to a factory standard article of the same type.

[Paragraph (c) amended and (d) added by Am. 13, effective 5-22-46]

[Sec. 10 amended by Am. 2, 10 F.R. 4236, effective 4-18-45; Am. 5, 10 F.R. 9962, effective 8-15-45; Am. 6, 10 F.R. 12602, effective 10-4-45, and Am. 9, 11 F.R. 1739, effective 3-6-46]

SEC. 11. *How you may fix uniform maximum prices for more than one store.* If you operate or intend to operate more than one store (as defined in section 1 (e) (1)), and if you wish to apply to the OPA for permission to fix uniform maximum prices for all or for certain articles



covered by this regulation in all or some of these stores, you may apply under Revised Supplementary Order 13.

**SEC. 12. Transfers of business—(a) How a transferee fixes his maximum prices.** This section applies to you if (1) after the base date, you purchase or otherwise acquire a substantial part of the business, assets, or stock in trade of any business which sells or sold (between December 31, 1944 and the base date) any articles covered by this regulation at retail, and (2) you carry on the business or continue to sell at retail articles in any category covered by this regulation and sold by your transferor before the transfer, and (3) you carry on the business or continue to sell in a store separate from any other store previously owned or operated by you for the sale of such articles at retail. If this section applies to you, your maximum prices are the same as those which your transferor would have had if the transfer had not taken place (except as provided in paragraphs (c) and (d) of this section). Your obligation to keep records sufficient to verify such prices shall be the same as if the transfer had not taken place. The transferor must either preserve and make available to you or turn over to you all records of transactions before the transfer which you need to comply with this regulation.

**(b) Filing charts.** If your transferor has not already filed a chart, you must file a chart based on his experience on the base date, using the base date which he would have used if no transfer had occurred. If your transferor has filed a chart, you may file a chart based on his experience, or, if you prefer, you may file with the OPA District Office where your transferor filed his chart, a statement showing your business name and address and the date of the transfer and stating that you intend to figure your ceiling prices on the basis of your transferor's chart. If the transferor's records are not available to you, you must fix your maximum prices under section 10.

**(c) Transfers to acquire a higher price.** No person shall buy, sell, transfer, lease, or exchange the business, assets or stock in trade of any business for the purpose of securing higher or different maximum prices or for the purpose of securing any other benefit which may be prohibited to him by this regulation.

**(d) Mergers and combinations.** If, after the base date, two or more sellers merge, consolidate, or combine and continue to operate as one seller, the seller who continues to operate shall fix his maximum prices under this regulation as if he were the seller who had the largest dollar volume of sales of articles covered by this regulation during the 12 months immediately preceding the merger or combination.

**Sec. 13. Uniform dollar-and-cents prices for certain articles—(a) How prices are established.** The OPA may by order, upon application, establish dollar-and-cent retail ceiling prices for branded articles whenever it appears that:

(1) The article (or an article of the same type) was sold at retail at substan-

tially uniform prices for a period immediately prior to March 19, 1945. OPA may establish uniform retail ceiling prices for any article if the applicant has received or is eligible to receive an order under this section for any of his articles.

If the applicant had a policy of uniform retail prices for his branded merchandise and can show that the article was sold at substantially uniform prices except for a limited area, OPA may establish uniform retail ceiling prices for the article and require retailers in the area in which prices were not maintained to sell in accordance with the pricing provisions of this regulation. Uniform retail prices may be established for separate zones (not to exceed five zones) where the applicant can show that such differential was maintained as part of his uniform pricing policy immediately prior to March 19, 1945.

Wherever an applicant ceased production of the article because of wartime restrictions or war contracts, the substantial uniformity of applicant's retail prices shall be determined by his last selling period.

(2) The price requested for the article is no higher than the existing level of ceiling prices under this regulation.

Orders issued under this section will remain effective unless revoked or suspended by the Administrator. Orders will be revoked or suspended only if the Administrator is satisfied that such revocation or suspension is not inconsistent with the effective control of prices.

**(b) What the order may contain.**

(1) An order may be issued under this section establishing uniform ceiling prices for all retail sales of an article covered by this regulation although the retail seller may not otherwise be subject to this regulation. A ceiling price thus established shall apply in place of the ceiling price that would otherwise have been determined under sections 7, 10, 11 and 12 of this regulation or under the provisions of any other regulation. Except as provided by the order, all of the provisions of this or whatever regulations would otherwise have applied shall remain applicable in all other respects.

(2) An order issued under this section will include a provision requiring the applicant to tag or ticket the article with the retail ceiling price and other specified information.

(3) An order issued under this section will require the applicant to send copies of the order and any subsequent amendments thereto to those purchasers for resale of the articles covered by the order.

(4) An order issued under this section will ordinarily be in the form of applicant's selling price and retail ceiling price relationships. Such an order will ordinarily require the applicant to submit, from time to time as specified in the order, a description of the articles which he is pricing pursuant to the terms of the order and any other information that may be required by the terms of the order.

**(c) Who may apply.** (1) A manufacturer, or a wholesaler of a branded article may apply under this section if he can submit the information required by paragraph (d).

(2) A group of manufacturers selling the same article under the same brand name may apply as a group under this section if they can submit the information required by paragraph (d).

**(d) What the application must contain.** Two copies of each application must be filed with the Consumer Goods Price Division, Washington 25, D. C. The application must contain the following:

(1) Business name and address of the applicant.

(2) A complete identification of the article for which the price is sought including:

(i) The brand name identifying the article, and its style or lot number.

(ii) Applicant's ceiling price.

(iii) An identification of the regulation and the section in that regulation or the identification of the order issued by the OPA under which his ceiling price was established.

(iv) His invoice price and terms to various classes of retailers.

(v) His suggested retail price, if any, immediately prior to March 19, 1945. [If he had a suggested retail price prior to March 19, 1945, he should submit evidence to show his method of requiring retail price maintenance, such as national advertising, catalogues sent to retailers, advertising mats furnished retailers, copies of letters enforcing retail price maintenance, etc. If he had no suggested retail price prior to March 19, 1945, or did not attempt to enforce his suggested retail price, but can show that the article was sold at substantially uniform prices, he should submit a list of the names and addresses, giving their retail selling price of the article immediately prior to March 19, 1945, of all of his retail customers in fifteen cities representing a cross section of his customers.]

(3) The uniform retail ceiling prices requested for the article.

(4) In the case of wholesalers applying under this section, the name and address of the manufacturer of the article and the manufacturer's style or lot numbers.

(5) In the case of a group of manufacturers applying for a single order covering the articles manufactured in common by the group, the application must contain, in addition to the requirements of subparagraph (2) above, evidence to show that each manufacturer of the group, who sold the article, maintained the same retail prices on the same article with the same brand.

[Sec. 13 amended by Am. 4, 10 F.R. 4611, effective 4-25-45; Am. 5, 10 F.R. 9962, effective 8-15-45 and Am. 11, 11 F.R. 3481, effective 4-7-46]

#### ARTICLE V—GENERAL PROVISIONS

**SEC. 14. How to treat taxes.** The ceiling prices determined under the pricing rules in section 7 are your ceiling prices exclusive of tax. If the tax law permits the tax to be separately stated, you may charge or collect the tax on the sale or delivery of the article in addition to the ceiling price fixed under the pricing rules: *Provided*, That you state the tax separately. This applies, however, only to a tax on a particular sale or delivery such as a sales tax or a compensating use



tax. You may separately state the tax by any method you choose, except that the Retail Federal Excise Tax on fur-trimmed articles and certain items of leather goods and other articles imposed by the Revenue Act of 1943 must be stated as provided in Supplementary Order 85.<sup>14</sup>

**SEC. 15. Marking, tagging, and posting.** On and after August 1, 1945, you must mark either the maximum price or the selling price of each article covered by this regulation by either of the methods described in paragraphs (b) and (c), in a manner plainly visible to, and understandable by, the purchasing public. In addition, each article which you receive on or after May 10, 1945, must be marked or tagged as required by this paragraph.

(b) **Marking.** You may mark the maximum price or the selling price on the shelf, bin, rack, or other holder or container upon or in which the article is kept provided all the articles kept on or in the shelf, bin, rack, holder or container have the same maximum price or selling price.

(c) **Tagging.** If you do not wish to mark the prices as described in (b), you must mark the maximum price or the selling price on each article itself by writing the price directly on the article or by attaching to the article a tag or ticket stating the maximum price or selling price.

(d) **Ways to mark or tag maximum prices.** If you wish to mark or tag your maximum prices, you may do so in either of the following ways:

- (1) "Ceiling Price \$-----" or
- (2) "Our Ceiling, \$-----"

(e) **How to mark or tag selling prices.** If you do not wish to mark or tag your maximum prices, you must mark or tag your selling price as follows: "OPA Price, \$-----"

(f) **Posting.** If you wish to mark or tag articles with the selling price as described in (e), you must also post in a prominent and clearly visible position in your store, a sign stating the following:

The "OPA Price" marked or tagged on merchandise in this store is no higher than the OPA ceiling price of the articles.

(g) **How to mark or tag articles on and after May 10, 1945.** On and after May 10, 1945 you may not offer or sell any article covered by this regulation unless it is marked or tagged with the maximum price or the selling price under this regulation. However, until August 1, 1945, the words "Ceiling Price", "Our Ceiling", or "OPA Price" need not be shown on the marking or tag except in the case of articles which you received on or after May 10, 1945.

(h) **Visibility of marking.** If you adopt the method in (b) above, the maximum price or selling price of each article offered for sale must be clearly visible to the purchaser at the place in your store where it is offered for sale. The price for an article must not be obscured by or combined with the marking of prices of other articles or commodities. Note that you may not adopt the method described

in (b) above if the articles are kept in a container, room, or place not readily visible to the purchaser.

(i) **By mail order establishments.** (1) Mail order establishments must mark their maximum prices for articles listed in printed price lists which have been printed after the base date, in either of the following ways:

(i) State the maximum price for each article covered by this regulation and listed in the price list, at the place in the publication where the article is listed.

(ii) Print on the front cover of each printed price list (or on the front page of any list that has no cover) the following statement:

#### NOTICE TO CONSUMERS

No price for any article listed or described herein exceeds the ceiling price for that article, as determined under the applicable maximum price regulation issued by the Office of Price Administration. As required by that Office, we will, upon request, furnish you with a statement of our maximum prices on any of the commodities listed about which you inquire.

If you use this method, you must, upon request, furnish to any customer who requests it a statement of your maximum price for any articles listed or described in your printed price list and covered by this regulation.

(2) Any mail order establishment may apply to its OPA District Office for permission to mark its maximum prices in some way different from that described in (1). The application must describe the manner in which the seller wishes to mark his maximum prices and must show why the requirements of (1) are inequitable or inappropriate as applied to the applicant's business, and that the requested method of marking is substantially in line with the requirements of (1).

[Sec. 15 amended by Am. 2, 10 F.R. 4236, effective 4-18-45].

**SEC. 16. Records.** The records required by this section must be kept for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. All such records must be kept at your store, except that a chain subject to a uniform pricing order or a chain which files its chart with the Central Pricing Office, Washington, D. C., or a person who sells through salesmen making sales at uniform prices, must keep all the records required by this section at the seller's main office (or at the office indicated in the seller's uniform pricing order).

[Above paragraph amended by Am. 2]

(a) **Current records—(1) Preserving invoices.** You must preserve the purchase invoices which you receive on and after April 20, 1945, for all articles covered by this regulation. You must keep these invoices in alphabetical, numerical, or chronological order, or according to some other recognized filing system. Upon request of any authorized agent of the OPA, you must let him examine your purchase invoices for any articles covered by this regulation.

(2) **"Retailing" invoices.** Before selling or offering for sale any article covered by this regulation which is delivered to you on or after April 20, 1945, you must "retail" the invoice, that is, you must

mark your first selling price for each article on the invoice covering your purchase of the article, and the number of the sections or the pricing rules under MPR 580 or the general retail order or other order under which you figured your maximum price for the article. If under section 10, you are required to fix your ceiling prices under the pricing provisions of any other regulations, state the regulation and the section therein under which you fixed your ceiling. (The pricing rule and method may be stated merely as "Rule 1" or "Rule 3" or "Rule 6" or "MPR 177 section 2 (a)" or "GMPR section 3 (a)" or "Appendix F" of section 10 or Order No. of "sec 10.") If the invoice does not state the quantity of each article, style, model or lot number which it covers, you must also enter the quantity on each invoice.

[Subparagraph (2) amended by Am. 6, 10 F.R. 12602, effective 10-4-45 and Am. 9, 11 F.R. 1739, effective 3-6-46]

(3) **Recording different selling prices.** If you wish to show that you have sold any articles at prices different from the selling prices marked on your purchase invoice under (2) above, you must keep a record of all sales you make of those articles at prices different from such selling prices. The record must show each such different selling price at which you sell the articles and the quantity you sold at each price and must identify the article by style, model, lot or invoice number, or in some other way. The record just described may be kept in a separate list, or if you wish, it may be kept by entering the different selling prices and quantities on your purchase invoice. In this case you need not identify the article.

(4) If you customarily prepared your sales slips in more than one copy, you must preserve for at least 6 months after delivery a duplicate copy of each sales slip delivered by you pursuant to section 17.

(5) If, under section 10, you must fix your maximum prices for any articles under the provisions of the GMPR,<sup>15</sup> MPR 142,<sup>16</sup> MPR 177,<sup>17</sup> MPR 210,<sup>18</sup> or MPR 332,<sup>19</sup> you must keep, for each of these articles, all of the records required by the regulation under which you fix your maximum prices for that article.

(6) If you wish to fix a ceiling price under this regulation for any article in a "general" category (as described in Appendix C), and if that article is not specifically listed in that category in Appendix C and was not offered for sale by you on your base date, you must enter the name of that article in column 1 of the copy of your chart which you have kept for your own use. (You need not file an amendment of your chart to show this entry.)

(b) **Base date records.** You must preserve for inspection by the OPA, the last invoice which you received before your

<sup>15</sup> 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274, 14965.

<sup>16</sup> 7 F.R. 3553, 3720, 5179, 5520, 8945, 8948, 13050.

<sup>17</sup> 8 F.R. 13713; 10 F.R. 6231, 14448.

<sup>18</sup> 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109; 8 F.R. 973, 6359, 16170; 9 F.R. 11177, 11758, 14126; 10 F.R. 1608, 8659, 10028, 15034; 11 F.R. 349.

<sup>19</sup> 8 F.R. 2350, 2783; 10 F.R. 11152, 13450.

<sup>14</sup> 9 F.R. 3506, 4607.



base date for each style, model, or lot number of the articles offered for sale by you on your base date, and all other records and data such as sales slips, inventory records, work sheets, etc., used by you in preparing your chart, or showing your costs and offering prices on your base date.

(c) *Records under previously applicable regulations.* You must preserve for inspection by the OPA all your records under the GMPR, MPR 142, MPR 177, MPR 210 and MPR 332.

[Paragraph (c) added by Am. 2, 10 F.R. 4236, effective 4-18-45]

SEC. 17. *Sales slips.* Every seller who has customarily given his customers a sales slip, receipt, or similar evidence of purchase must continue to do so. Upon request from a customer, such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller, the description of each article sold and the price received for it.

SEC. 18. *What acts are prohibited by this regulation.* On and after April 20, 1945, regardless of any contract or other obligation, the following practices are forbidden:

(a) *Charging more than maximum prices.* Every person is prohibited from selling or delivering any article at a price higher than the maximum price permitted by this regulation. A lower price may, of course, be charged.

(b) *Buying for more than maximum price.* Every person is prohibited from buying or receiving, in the course of trade or business, any article sold in violation of any of the provisions of this regulation.

(c) *Changing customary terms of sale.* Every person is prohibited from changing his customary terms, discounts, allowances, or price differentials on sales of articles, if the change results in a higher net price. This includes differentials allowed to cash purchasers by sellers who customarily extend credit.

(d) *Combination sales.* Every person is prohibited from requiring any purchaser to buy or agree to buy any other article, service, package, or wrapper in connection with the sale or delivery of any article covered by this regulation. Every person is likewise prohibited from making a sale of articles which is conditioned directly or indirectly on the purchase of any other commodity or service. (Matched sets, however, if designed by the manufacturer for sale at a unit price, and so purchased by the seller, may be sold at a unit price unless such sale is prohibited by any order of the War Production Board; and matched groupings of furniture articles (covered by categories 701-722) may also be sold at a unit price as suites or sets, if all the articles in the grouping were produced by the same manufacturer).

(e) *Indirect price increases.* Every person is prohibited from doing any other act which directly or indirectly increases, above the maximum price, the consideration paid for any article or delivery of any article, or, for the purposes of evading the price limitations set forth in this regulation, to purchase, deliver, contract, deal, or otherwise operate

with or through any other person under common control with, controlled by, controlling, or otherwise affiliated with the seller. No person shall do any other act which directly or indirectly increases the consideration paid for any article. Any practice which is a device to secure the effect of a higher-than-ceiling price is as much a violation as an outright sale above the maximum price.

(f) *Indirect violations.* Every person is prohibited from agreeing, offering, soliciting, or attempting to do any of the acts prohibited by this regulation.

SEC. 19. *Licensing and enforcement—*  
(a) *Licensing.* The provisions of Licensing Order No. 1,<sup>20</sup> licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of this regulation. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Penalties.* Any person who violates any provisions of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 20. *Relation to other maximum price regulations—*(a) *Regulations superseded.* Except as provided in sections 8, 10 and 16 (a) (5), the following regulations shall not apply and this regulation shall apply to sales at retail of articles described in Appendix C of this regulation:

[Above paragraph amended by Am. 2, 10 F.R. 4236, effective 4-18-45]

(1) The General Maximum Price Regulation.

(2) Maximum Price Regulation 142—Retail Prices for Summer Seasonal Commodities.

(3) Maximum Price Regulation 177—Men's and Boys' Tailored Clothing.

(4) Maximum Price Regulation 210—Retail and Wholesale Prices for Fall and Winter Seasonal Commodities.

(5) Maximum Price Regulation 332—Simplified Men's and Boys' Shirts and Pajamas.

(6) Maximum Price Regulation 178<sup>21</sup> (Women's Fur Garments) insofar as that regulation applies to sales by retailers of fur hats and muffs.

[Subparagraph (6) added by Am. 2]

(b) *Imported commodities.*—This regulation applies to imported as well as domestic commodities except those you import. If you are the "importer" of the commodities, as that term is defined in the Maximum Import Price Regulation,<sup>22</sup> you must establish your maximum prices for them under that regulation.

(c) *Sales of yard goods to manufacturers.* This regulation does not apply to sales of yard goods to persons who fabricate commodities from such yard goods, or who furnish such yard goods to the fabricators for production into commodities, whether or not such finished com-

modities are covered by this regulation. Such sales of yard goods are covered by the applicable regulation, such as MPR 39 (Woven Decorated Fabrics), MPR 118 (Cotton Products); MPR 127<sup>23</sup> (Finished Piece Goods); MPR 163 (Woolen and Worsted Civilian Apparel Fabrics); MPR 508 (Rayon Knit Fabrics and the Knitting Thereof), or the GMPR.

[Paragraph (c) added by Am. 2, 10 F.R. 4236, effective 4-18-45]

SEC. 21. *Where this regulation applies.* This regulation applies in the 48 States and the District of Columbia.

SEC. 22. *Petitions to amend this regulation.* Any person may file a petition for an amendment of general applicability to any provision of this regulation in accordance with the provisions of Revised Procedural Regulation No. 1.<sup>24</sup>

SEC. 23. *Orders modifying this regulation.* The provisions of this regulation, as applied to certain commodities or persons subject to this regulation, may be modified by general orders under this section, or by orders under the Maximum Import Price Regulation or any regulation covering the establishment of manufacturers' ceiling prices for articles covered by this regulation.

SEC. 24. *Other definitions.* (a) Unless a specific provision or the context otherwise requires, the definitions in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used in this regulation.

[Above paragraph designated (a) and (b) added by Am. 3, 10 F.R. 4494, effective 4-23-45]

(b) An article is "bought and sold in substantially the same form" if the article which you sell belongs to the same category as the article you bought, and if, before offering it for sale, you have not added to the article you sell, materials which cost you more than 10% of the net cost (as defined in section 7) of the original article. If you have added to the article, materials which cost you more than 10% of the net cost of the original article, or if the change you make causes you to be a manufacturer under Maximum Price Regulation No. 188,<sup>25</sup> it is not bought and sold in substantially the same form and therefore is not covered by this regulation.

SEC. 25. *Delegation of authority.* Any Regional office of the OPA, or such other offices as may be authorized by order issued by the appropriate Regional office, may act on all: (a) base date pricing charts and amendments thereto filed or required by sections 2 and 6, respectively; (b) authorizations, revisions and modifications of authorizations under section 10 and all reports and applications filed pursuant to that section; and (c) applications by mail order establishments under section 15 (i) (2).

[Sec. 25 added by Am. 2, 10 F.R. 4236, effective 4-18-45; amended by Am. 5, 10 F.R. 9962, effective 8-15-45 and Am. 10, 11 F.R. 2937, effective 3-19-46]

<sup>20</sup> 8 F.R. 13240.

<sup>21</sup> 7 F.R. 5277, 6771, 8017, 8946, 8948; 8 F.R. 7601; 9 F.R. 754, 10358; 10 F.R. 3723, 8857; 11 F.R. 246.

<sup>22</sup> 9 F.R. 2350, 7504, 8062, 10925, 12270; 10 F.R. 922, 4265, 13129.

<sup>23</sup> 10 F.R. 14507, 14628, 15006.

<sup>24</sup> 9 F.R. 10476, 13715; 10 F.R. 11295.

<sup>25</sup> 10 F.R. 9109, 9928, 10972, 12773, 13153, 13551, 13814; 11 F.R. 678.



## APPENDIX A—EXAMPLES OF A BASE DATE PRICING CHART—Continued

## (a) Men's furnishings department—Continued

## OFA BASE DATE PRICING CHART

Men's Furnishings Department (Dept. No. 21) in Chain Store  
(Statement of total store volume filed separately)ABC Department Store  
123 Maine Street  
New City, Kansas

Category (1)	Net cost (per unit) (2)	Offering price (per unit) (3)	Percentage markup on cost (4)	Supporting invoice (5)
Category 118, Hosiery	\$0.22 (\$2.75, 3/10 EOM, per dozen).	\$0.35	59.1	#23451 E. & F. Hosiery Co., 2/20/45 (anklets).
Average percentage markup, 63.7%.	\$0.24 (\$3.00, 3/10 EOM, per dozen).	.39	62.5	#34512 Stockings, Inc., 12/18/44 (boy's socks).
Category 119, Handkerchiefs, scarves, mufflers. (Neckkerchiefs)	\$0.25 (\$3.00, 2/10 EOM, per dozen).	.30	58.0	#45123 G. & H. Hosiery Mills, 2/24/45 (men's socks).
Average percentage markup, 85.5%.	\$0.30 (\$3.75, 3/10 EOM, per dozen).	.49	63.3	#51234 E. & F. Hosiery Co., 1/16/45 (men's socks).
Category 120, Ties, (Tie and handkerchief set).	\$0.34 (\$4.25, 3/10 EOM, per dozen).	.59	73.5	#3215 Stockings, Inc., 1/17/45 (sweat socks).
Average percentage markup, 71.2%.	\$0.10 (\$1.25, 3/10 EOM, per dozen).	.15	50.0	#4326 Handkerchiefs, Inc., 2/7/45 (handkerchief).
Category 121, Handkerchiefs, scarves, mufflers. (Neckkerchiefs)	\$0.12 (\$1.50, 3/10 EOM, per dozen).	.19	58.3	#17014 G. & Q. Handkerchief Co., 12/21/44 (handkerchief).
Average percentage markup, 85.5%.	\$0.14 (\$1.75, 3/10 EOM, per dozen).	.25	78.6	#19201 Stockings, Inc., 1/14/45 (handkerchief).
Category 122, Ties, (Tie and handkerchief set).	\$0.15 (\$1.85, 3/10 EOM, per dozen).	.25	66.7	#4020 Handkerchiefs, Inc., 1/22/45 (handkerchief).
Average percentage markup, 85.5%.	\$0.33 (\$6.50, 3/10 EOM, per dozen).	1.00	88.7	#15380 R. & S. Knitting Co., 12/3/44 (scarf).
Category 123, Ties, (Tie and handkerchief set).	\$0.55 (\$6.75, 3/10 EOM, per dozen).	1.00	81.8	#16541 T. & U. Mills, Inc., 2/1/45 (scarf).
Average percentage markup, 85.5%.	\$0.57 (\$7.00, 3/10 EOM, per dozen).	1.00	75.4	#15542 Jones Company, 1/17/45 (neckkerchief).
Category 124, Ties, (Tie and handkerchief set).	\$1.09 (\$13.50, 3/10 EOM, per dozen).	2.00	83.5	#17760 T. & U. Mills, Inc., 1/19/45 (scarf).
Average percentage markup, 85.5%.	\$1.21 (\$15.00, 3/10 EOM, per dozen).	2.00	65.8	#19143 R. & S. Knitting Co., 2/20/45 (scarf).
Category 125, Ties, (Tie and handkerchief set).	\$1.25 (\$15.00 net, per dozen).	2.50	100.0	#19398 Jones Company, 12/14/44 (scarf).
Average percentage markup, 85.5%.	\$0.52 (\$6.75, 7/10 EOM, per dozen).	1.00	92.3	#18709 T. & U. Mills, Inc., 2/1/45 (scarf).
Category 126, Ties, (Tie and handkerchief set).	\$0.74 (\$7.00, 7/10 EOM, per dozen).	1.00	85.2	#32154 JKL Neckwear Co., 12/13/44 (bow tie).
Average percentage markup, 85.5%.	\$0.74 (\$8.50, 7/10 EOM, per dozen).	1.50	102.7	#21543 Ties, Inc., 2/15/45 (four-in-hand tie).
Category 127, Ties, (Tie and handkerchief set).	\$0.81 (\$10.50, 7/10 EOM, per dozen).	1.50	85.2	#19432 JKL Neckwear Co., 1/18/45 (bow tie).
Average percentage markup, 85.5%.	\$1.05 (\$13.50, 7/10 EOM, per dozen).	2.00	90.5	#31132 Fashion Neckwear, 2/1/45 (four-in-hand tie).
Category 128, Ties, (Tie and handkerchief set).	\$1.16 (\$15.00, 7/10 EOM, per dozen).	2.00	72.4	#73261 Ties, Inc., 2/15/45 (four-in-hand tie).
Average percentage markup, 85.5%.	\$1.70 (\$21.00, 3/10 EOM, per dozen).	2.50	72.4	#64790 JKL Neckwear Co., 2/7/45 (sweat tie).
Category 129, Ties, (Tie and handkerchief set).	\$1.82 (\$22.50, 3/10 EOM, per dozen).	2.98	75.3	#72195 Ties, Inc., 12/15/44 (Tie and handkerchief set).
Average percentage markup, 85.5%.	\$1.82 (\$22.50, 3/10 EOM, per dozen).	2.98	63.7	#12650 Superior Gloves, 12/9/44 (leather glove).
Category 130, Ties, (Tie and handkerchief set).	\$2.18 (\$27.00, 3/10 EOM, per dozen).	3.98	82.6	#10650 Brown Knitting Co., 12/22/44 (crocheted glove).
Average percentage markup, 85.5%.	\$2.43 (\$30.00, 3/10 EOM, per dozen).	3.98	63.8	#18905 Green Mills, Inc., 1/12/45 (wool lined glove).
Category 131, Ties, (Tie and handkerchief set).				#18001 Superior Gloves, 2/18/45 (leather glove).

Signed: ABC DEPARTMENT STORE,  
Dept. 21.  
By: JOHN DOE, Dept. Head.

## APPENDIX A—EXAMPLES OF A BASE DATE PRICING CHART

## (a) Men's furnishings department

## OFA BASE DATE PRICING CHART

Men's Furnishings Department (Dept. No. 21) in Chain Store  
(Statement of total store volume filed separately)ABC Department Store  
123 Maine Street  
New City, Kansas

Category (1)	Net cost (per unit) (2)	Offering price (per unit) (3)	Percentage markup on cost (4)	Supporting invoice (5)
Category 116, Underwear and Nightwear. (Sleeping shorts)	\$0.32 (\$4.00, 3/10 EOM, per dozen).	\$0.49	53.1	#12345 ABC Underwear Co., 2/1/45 (boy's undershirt).
Average percentage markup, 70.9%.	\$0.34 (\$4.25, 3/10 EOM, per dozen).	.59	73.5	#23456 XYZ Underwear Co., 1/6/45 (man's undershirt).
Category 117, Shirts.	\$0.36 (\$4.50, 3/10 EOM, per dozen).	.59	63.9	#34567 CBA Underwear Co., 1/24/45 (man's undershirt).
Average percentage markup, 70.9%.	\$0.44 (\$5.50, 3/10 EOM, per dozen).	.79	79.5	#45678 ZYX Underwear Co., 1/25/45 (man's undershirt).
Category 118, Shirts.	\$0.46 (\$5.75, 3/10 EOM, per dozen).	.79	71.7	#56789 ABC Underwear Co., 2/1/45 (man's undershirt).
Average percentage markup, 70.9%.	\$0.49 (\$6.00, 3/10 EOM, per dozen).	.79	61.2	#67890 XYZ Underwear Co., 12/19/44 (boy's undershirt).
Category 119, Shirts.	\$0.57 (\$7.00, 3/10 EOM, per dozen).	1.00	75.4	#54321 ABC Underwear Co., 1/29/45 (T shirt).
Average percentage markup, 70.9%.	\$0.58 (\$7.00 net, per dozen).	1.00	72.4	#65432 ZYX Underwear Co., 2/5/45 (man's undershirt).
Category 120, Shirts.	\$0.77 (\$9.50, 3/10 EOM, per dozen).	1.39	80.5	#76543 ABC Underwear Co., 1/29/45 (man's undershirt).
Average percentage markup, 70.9%.	\$0.85 (\$10.50, 3/10 EOM, per dozen).	1.49	75.3	#87654 ABC Underwear Co., 1/6/45 (boy's union suit).
Category 121, Shirts.	\$1.01 (\$12.50, 3/10 EOM, per dozen).	1.69	67.3	#98765 XYZ Underwear Co., 1/6/45 (boy's union suit).
Average percentage markup, 70.9%.	\$1.82 (\$22.50, 3/10 EOM, per dozen).	2.98	63.7	#13579 MNO Pajama Co., 1/9/45 (man's sleeping short).
Category 122, Shirts.	\$2.43 (\$30.00, 3/10 EOM, per dozen).	3.98	63.8	#35791 MNO Pajama Co., 2/2/45 (man's pajama).
Average percentage markup, 70.9%.	\$2.79 (\$34.50, 3/10 EOM, per dozen).	4.98	78.5	#57913 MNO Pajama Co., 1/9/45 (man's pajama).
Category 123, Shirts.	\$2.88 (\$34.50 net, per dozen).	4.98	72.9	#79135 S. & L. Pajama Co., 12/15/44 (man's pajama).
Average percentage markup, 70.9%.	\$1.21 (\$15.00, 3/10 EOM, per dozen).	1.98	63.6	#91357 Ace Shirt Co., 2/24/45 (man's business shirt).
Category 124, Shirts.	\$1.25 (\$15.50, 3/10 EOM, per dozen).	1.98	58.4	#79131 Excellent Shirt Co., 1/10/45 (boy's business shirt).
Average percentage markup, 70.9%.	\$1.38 (\$16.50 net, per dozen).	2.25	63.0	#75319 Top Shirt Co., 1/23/45 (man's business shirt).
Category 125, Shirts.	\$1.82 (\$22.50, 3/10 EOM, per dozen).	2.98	63.7	#31975 Ace Shirt Co., 2/24/45 (man's business shirt).
Average percentage markup, 70.9%.	\$1.94 (\$24.00, 3/10 EOM, per dozen).	3.50	80.4	#19753 Top Shirt Co., 1/23/45 (man's business shirt).
Category 126, Shirts.	\$3.64 (\$3.75, 3/10 EOM).	5.95	63.5	#24680 Sportswear, Inc., 12/6/44 (boy's sport shirt).
Average percentage markup, 67%.	\$5.34 (\$5.50, 3/10 EOM).	6.95	63.5	#6892 X Sport Shirts, Inc., 12/15/44 (man's sport shirt).
Category 127, Shirts.		7.95	67.6	#8024 Sportswear, Inc., 2/6/45 (man's sport shirt).
Average percentage markup, 67%.		8.95	67.6	#9246 X Sport Shirts, Inc., 1/26/45 (man's sport shirt).

Based on sales to cash customers.

Percentage markups on offering prices may be listed if so labeled in this column.



## APPENDIX A—EXAMPLES OF A BASE DATE PRICING CHART—Continued

## (b) Furniture store

## OPA BASE DATE PRICING CHART

XY Furniture Co.  
1010 Pennsylvania Ave.  
Rutland, Vermont

Type of store—Independent furniture store  
Total retail sales \$300,000 in 1944

Category	Net cost (per unit)	Offering price (per unit) <sup>1</sup>	Percentage markup on cost <sup>2</sup>	Supporting invoice	
(1)	(2)	(3)	(4)	(5)	
Category 701 Wood bedroom suites.	\$32.34 (\$33.00, 2/10).....	\$59.95	85.4	F. C. Mfg. Co., 1/10/45, #1134 (3 pc. maple).	
	\$39.20 (\$40.00, 2/10).....	69.95	78.4	K. F. Furn. Co., 1/15/45, #6910 (3 pc. walnut veneer).	
	\$41.16 (\$42.00, 2/30).....	74.50	81.0	C. B. Furn. Co., 12/20/44, #7315 (3 pc. maple).	
	\$47.04 (\$48.00, 2/10).....	89.50	90.3	K. F. Furn. Co., 1/15/45, #6910 (3 pc. walnut veneer).	
		98.00		J. W. Jones Co., 2/4/45, #142 (5 pc. maple).	
	\$55.00 (net).....	100.00	81.8	S. W. Mfg. Co., 1/5/45, #23691 (3 pc. mahogany).	
	\$61.74 (\$63.00, 2/10).....	109.00	76.5	J. Smith Industries, Inc., 1/4/45 #23 (5 pc. walnut veneer).	
	\$63.70 (\$65.00, 2/10).....	119.00	86.8	A. B. Bedroom Co., 11/4/44, #4210 (3 pc. mahogany).	
	Average Percentage Markup 84.5%.	\$98.00 (\$100.00, 2/30).....	179.00	82.7	X Y. Mfg. Co., 2/1/45, #25498, 1/31/45, #25401 (3 pc. bleached mahogany).
		\$103.88 (\$106.00, 2/10).....	189.00	81.9	S. A. Mfg. Co., 1/6/45, #54691 (5 pc. mahogany).
Category 709, Upholstered chairs and rockers.	\$151.91 (\$159.90, 5/10).....	279.00	83.7	W. M. Co., 1/21/45, #4569 (7 pc. bleached mahogany).	
	\$4.50 (net).....	7.95	76.7	Brown Furn. Co., 2/3/45, #6789 (occasional).	
	\$6.37 (\$6.50, 2/10).....	10.95	71.9	Smith Furn. Co., 2/15/45, #1234 (occasional).	
	\$8.33 (\$8.50, 2/10).....	14.95	79.5	Jones Mfg. Co., 1/11/45, #2345 (maple).	
	\$11.27 (\$11.50, 2/10).....	19.95	77.0	Brown Furn. Co., 2/3/45, #6789 (lounge).	
	\$13.72 (\$14.00, 2/30).....	24.95	81.9	Brown Furn. Co., 2/3/45, #6789 (lounge).	
	\$16.17 (\$16.50, 2/15).....	29.50	82.4	Northern Mfg. Co., 12/7/44, #10123 (cogswell).	
	\$17.15 (\$17.50, 2/10).....	29.50		Smith Furn. Co., 12/10/44, #9213 (barrel).	
		32.50	89.5	L. & W. Chair Co., 1/10/45, #2435 (wing chair).	
	Average percentage markup 82.9%.	\$21.56 (\$22.00, 2/10).....	39.50	83.2	Brown Furn. Co., 12/18/44, #5910 (channel back).
	\$24.01 (\$24.50, 2/10).....	44.50	85.3	Northern Mfg. Co., 9/10/44, #8724 (platform rocker).	
	\$32.34 (\$33.00, 2/10).....	59.50	84.0	L. & W. Chair Co., 11/23/44, #2478 (club).	
	\$37.24 (\$38.00, 2/10).....	69.50	86.6	Smith Furn. Co., 1/5/44, #9538 (barrel).	
	\$38.00 (net).....	69.50	82.9	Upholstered Furn. Co., 1/10/45, #4026 (channel back).	
	\$43.12 (\$44.00, 2/10).....	79.50	84.4	W. K. Sales Co., 2/20/45, #251 (wing).	

<sup>1</sup> These prices are for sales to customers who pay cash. Credit sales made on basis of additional charge of 6% per annum of unpaid balance.

<sup>2</sup> Percentage markups on offering prices may be listed if so labeled in this column.

Signed: X Y FURNITURE CO.  
By: RICHARD ROE, President.

## APPENDIX B—WHAT COMMODITIES ARE NOT COVERED BY THIS REGULATION

This regulation does not cover any of the following commodities.

(a) Used articles.

(b) Any article for which the OPA has established a uniform dollar-and-cents retail ceiling price otherwise than pursuant to section 13 of this regulation.

[Paragraph (b) amended by Am. 2, 10 F.R. 4236, effective 4-18-45]

(c) Any article which the OPA requires the manufacturer to mark with the retail ceiling price or as to which the OPA requires the supplier to notify the retailer of the retail ceiling price.

(d) Any article of which you are the "importer." ("Importer" is defined in the Maximum Import Price Regulation.)

(e) Women's full length rayon, silk, or nylon hosiery subject to second RMPR 339,<sup>26</sup> MPR 274,<sup>27</sup> and MPR 95,<sup>28</sup> respectively.

<sup>26</sup> 9 F.R. 206, 4024, 4475, 10926; 10 F.R. 5523, 12532.

<sup>27</sup> 7 F.R. 9951, 10378, 10791; 8 F.R. 8512, 8860.

<sup>28</sup> Revoked: 10 F.R. 14251.

No. 99—4

(f) Women's, girls', children's, and toddlers' outerwear garments subject to RMPR 330.<sup>29</sup>

(g) Staple work clothing subject to RMPR 208.<sup>30</sup>

(h) Staple work gloves subject to RMPR 506.<sup>31</sup>

(i) Specified men's and boys' work and sport shirts subject to RMPR 304.<sup>32</sup>

(j) Men's shirts and shorts and women's slips and housedresses subject to MPR 547.<sup>33</sup>

(k) Victory line waterproof rubber footwear subject to RMPR 229.<sup>34</sup>

(l) Specified military uniforms subject to MPR 385.<sup>35</sup>

(m) Garments and articles subject to MPR 578.<sup>36</sup>

<sup>29</sup> 9 F.R. 11350; 10 F.R. 331, 9960; 11 F.R. 997.

<sup>30</sup> 10 F.R. 13502, 14738; 11 F.R. 1297.

<sup>31</sup> 9 F.R. 10862.

<sup>32</sup> 8 F.R. 12315; 10 F.R. 5039, 11495, 14339.

<sup>33</sup> 9 F.R. 7701, 10875.

<sup>34</sup> 9 F.R. 1992, 14981; 10 F.R. 10432, 12808; 11 F.R. 1103.

<sup>35</sup> 8 F.R. 6114, 8009, 10661; 10 F.R. 5323.

<sup>36</sup> 2d Revised: 10 F.R. 13114, 13637, 14506, 14627.

(n) Women's fur coats, capes, jackets, scarves, and stoles subject to MPR 178.

(o) Bedsprings subject to RMPR 213.<sup>37</sup>

(p) Handhooked cotton rugs subject to sec. 5.2 of S. R. 14J.<sup>38</sup>

(q) Rubber or rubber substitute commodities whose retail ceiling prices are subject to MPR 220.<sup>39</sup>

(r) Antiques.

(s) Indian and Eskimo handicraft objects which are produced by the manual skill of American Indians, Alaskan Indians or Eskimos.

(t) Flat woven Navajo type rugs produced on hand looms from domestic wool.

(u) Knotted oriental rugs.

[Paragraphs (q), (r), (s), (t) and (u) added by Am. 2, 10 F.R. 4236, effective 4-18-45]

(v) Naval uniforms sold at prices determined by contracts entered into under the Naval Officer's Uniform Plan.

[Paragraph (v) added by Am. 3, 10 F.R. 4494, effective 4-23-45]

## APPENDIX C—WHAT COMMODITIES ARE COVERED BY THIS REGULATION

This appendix describes the articles covered by this regulation. These articles are grouped into "categories," each of which is given a number in this appendix. Paragraph (a) lists the categories of apparel and apparel accessories. Paragraph (b) lists the categories of piece goods and certain household textile commodities covered. Paragraph (c) lists the categories of certain consumer durable goods covered.

Each category is classified as either a "general" category or a "specific" category. A "specific" category is one which includes only the articles which are specifically listed for that category. A "general" category is one which includes not only the articles which are specifically listed for that category but also all other related articles which fall within the general category description and are not listed in any other category in this appendix. You must include in a "general" category, all the articles listed in that category; you may, if you wish, include in addition all other related articles which fall within the general category description and are not listed in any other category.

If you buy together at a unit price two or more articles, you may, for purposes of this regulation, consider the combination of articles as belonging to any category to which one of the articles belongs unless the combination is listed in a particular category.

(a) Categories of apparel and apparel accessories. You will note that in the descriptions of several of the categories listed below, it is stated that certain articles subject to Maximum Price Regulation 578 are not included. All of these articles will be marked with labels when you receive them, showing the OPA retail ceiling price and the letters "WPB-328B," or "WPB-385," or "WPB-388A."

[Above paragraph amended by Am. 5, 10 F.R. 9962, effective 8-15-45]

(1) Masculine apparel and apparel accessories.

NOTE: Categories 101-107 include only men's apparel; categories 108-113 include only boys' apparel, including youth's and students' size ranges, but not including infants' size ranges; and categories 114-124 include apparel and accessories for both men and boys in all size ranges except infants' size ranges.

If, on the base date, you offered for sale both boys' and girls' garments, categories

<sup>37</sup> 3d Revised: 11 F.R. 394.

<sup>38</sup> 10 F.R. 1216, 2975, 4102, 4103, 4356, 4983, 5526, 7500, 8937, 11858, 11906, 13113, 13777, 14574, 14779, 15127; 11 F.R. 714.

<sup>39</sup> 8 F.R. 16689; 9 F.R. 1116, 6431, 7198, 9650; 10 F.R. 1747, 4599, 12084, 12160, 12741, 13310.



108-113, do not include any coats, jackets, snowsuits, legging sets, separate leggings, ski pants, slacks or slack suits, overalls and coveralls in "children's" or "toddlers'" size ranges. These garments are subject to RMPR 330.<sup>40</sup>

**Category 101—Men's Tailored Topcoats, Overcoats, and Linings.**

This is a "general" category, except that it does not include any military or civilian uniform overcoats, topcoats, raincoats, or other coats covered by categories 105, 106, and 107. Among the articles included are:

- Tailored topcoats and overcoats.
- Tailored fingertip-length coats, and tailored rain and reversible coats of all lengths.
- Detachable coat linings.

**Category 102—Men's Suits and Jackets.**

This is a "general" category except that it does not include any garments covered by categories 105 and 106, military uniforms subject to MPR 385, slack suits covered by category 104 and sport and utility heavy outerwear covered by category 107. Among the garments included are:

- Tailored suits.
- Other sack or sport suits made of cotton, rayon, wool, or other fibres or of mixtures.
- Separate tailored jackets, including tailored sport jackets.

**Category 103—Men's Trousers and Related Items.**

This is a "general" category except that it does not include any staple work clothing subject to RMPR 208,<sup>41</sup> or any garments covered by categories 105, 106, and 107. Among the garments included are:

- Separate trousers, pants, and slacks.
- Breeches, riding pants, and jodhpurs.
- Knickers and walking shorts.
- Vests made of woven cloth.

**Category 104—Men's Slack Suits.**

This is a "general" category.

**Category 105—Men's Civilian Uniforms, Work Suits, and Other Work Garments.**

This is a "general" category, except that it does not include staple work clothing subject to RMPR 208. Among the garments included are:

- Uniform suits (such as conductors', chauffeurs', policemen's, firemen's, etc.).
- Uniform overcoats and topcoats.
- Uniform jackets.
- Uniform trousers.
- Uniform hats and caps.
- Work suits (one-piece, or with matching pants and shirt or jacket).
- Work and shop aprons, frocks, smocks, gowns, etc.

**Category 106—Men's Military Uniforms.**

This is a "general" category, except that it does not include uniforms subject to MPR 385. Among the garments included are:

- Suits.
- Topcoats and overcoats.
- Fingertip length coats and rain and reversible coats of all lengths.
- Separate jackets, middies, and blouses made in the manner commonly used for jackets.
- Separate trousers, breeches, and tropical shorts.
- Hats and caps.

**Category 107—Men's Sports and Utility Heavy Outerwear and Rainwear.**

This is a "general" category. Among the garments included are:

- Leather coats and jackets.
- Combination leather and fabric coats and jackets.
- Wool coats and jackets made of woven cloth (such as mackinaws, parkas, loafer coats, swagger coats, melton jackets).
- Cotton shell coats and jackets (lined or unlined).
- Lined cotton shell vests.
- Water-repellent and rain coats, capes, suits, jackets, pants, overalls, aprons, vests, leggings, and hats.
- Hunting and fishing coats, jackets, breeches, vests, and caps.
- Ski and skating jackets and pants.

**Category 108—Boys' Topcoats and Overcoats.**

This is a "general" category, except that it does not include uniform overcoats and topcoats covered by Category 111 or other coats covered by Category 112. Among the garments included are:

- Tailored topcoats and overcoats.
- Tailored fingertip-length coats and tailored rain and reversible coats of all lengths.
- Detachable coat linings.

**Category 109—Boys' Suits and Jackets.**

This is a "general" category, except that it does not include any garments covered by Categories 111, 112, and 113. Among the garments included are:

- Tailored suits.
- Other sack and sport suits made of cotton, rayon, wool, or other fibres or of mixtures.
- Separate tailored jackets, including tailored sport jackets.

**Category 110—Boys' Trousers and Related Items.**

This is a "general" category, except that it does not include any staple work clothing subject to RMPR 208, or any pants subject to MPR 578, or any garments covered by categories 111 and 112. Among the garments included are:

- Separate trousers, pants, and slacks.
- Breeches, riding pants, and jodhpurs.
- Knickers and outer shorts.
- Vests made of woven cloth.

**Category 111—Boys' Civilian Uniforms.**

This is a "general" category, except that it does not include staple work clothing subject to RMPR 208 and boy scout shirts subject to RMPR 304. Among the garments included are:

- Uniform suits (such as messenger boys', ushers', bellhops', busboys', boy scouts', etc.).
- Uniform overcoats and topcoats.
- Uniform jackets.
- Uniform trousers.
- Uniform hats and caps.

**Category 112—Boys' Sport and Utility Heavy Outerwear and Rainwear.**

This is a "general" category. Among the garments included are:

- Leather coats and jackets.
- Combination leather and fabric coats and jackets.
- Wool coats and jackets made of woven cloth (such as mackinaws, parkas, loafer coats, swagger coats, melton jackets).
- Cotton shell coats or jackets (lined or unlined).
- Lined cotton shell vests.

Water-repellent and rain coats, capes, suits, jackets, pants, overalls, vests, leggings, and hats.

Hunting and fishing coats, jackets, breeches, vests, and caps.

Ski and skating jackets and pants.

Snowsuits, legging sets, and separate leggings.

**Category 113—Boys' Play and Work Clothes.**

This is a "general" category, except that it does not include any wash suits, blouses, or shorts subject to MPR 578 or any overalls, coveralls, or work suits subject to RMPR 208 or RMPR 330. Among the garments included are:

- Slack suits.
- Play suits and play clothes.
- Wash suits.
- Overalls, coveralls, and work suits.
- Cowboys', soldiers', sailors', firemen's, and related suits.

**Category 114—Men's and Boys' Bathing Wear.**

This is a "general" category. Among the garments included are:

- Bathing suits and trunks.

**Category 115—Men's and Boys' Sweaters.**

This is a "general" category, including all knitted outerwear. Among the garments included are:

- Sweaters.
- Sweater vests.
- Sweater coats.
- Knitted pullovers.
- Knitted cardigans.

**Category 116—Men's and Boys' Underwear and Nightwear.**

This is a "general" category, including all underwear and nightwear garments made of either knitted or woven fabrics, except that it does not include men's shorts subject to MPR 547 or men's or boys' shorts or pajamas subject to MPR 578. Among the garments included are:

- Union suits.
- Shorts, drawers, and briefs.
- Undershirts and T shirts.
- Pajamas.
- Nightshirts and sleeping coats.

**Category 117—Men's and Boys' Shirts.**

This is a "general" category, including all types of shirts made from all fabrics, except that it does not include any staple work shirts subject to RMPR 208, or any cotton flannel shirts or boy scout shirts subject to RMPR 304, or any men's and boys' shirts subject to MPR 547 or 578. It includes military shirts. Among the garments included are:

- Dress shirts.
- Neck-band shirts.
- Collar-attached shirts.
- Business shirts.
- Sport shirts.
- Polo and basque shirts.
- Boys' blouses.
- Sweat shirts.

**Category 118—Men's and Boys' Hosiery.**

This is a "general" category. Among the garments included are:

- Regular length socks.
- Golf socks.
- Slack socks.
- Crew or sweat socks.
- Work socks.
- Anklets.
- Full length stockings.

<sup>40</sup> 9 F.R. 11350; 10 F.R. 331, 9960; 11 F.R. 997.

<sup>41</sup> 10 F.R. 13502, 14738; 11 F.R. 1297.



**Category 119—Men's and Boys' Handkerchiefs, Scarves, and Mufflers.**

This is a "general" category, except that it does not include any handkerchiefs subject to MPR 578. Among the articles included are:

- Pocket handkerchiefs.
- Sport handkerchiefs.
- Fancy handkerchiefs.
- Woven mufflers and scarves.
- Knitted mufflers and scarves.

**Category 120—Men's and Boys' Neckties.**

This is a "general" category. Among the articles included are:

- Bow ties.
- Four-in-hand ties.
- Cravats.
- Ascot ties.

**Category 121—Men's and Boys' Sundries.**

This is a "specific" category. The articles included are:

- Suspenders, garters, and arm bands.
- Belts.
- Separate collars.
- Spats.

**Category 122—Men's and Boys' Gloves and Mittens.**

This is a "general" category, except that it does not include any staple work gloves subject to RMPR 506<sup>4</sup> or athletic gloves covered by category 351. Among the articles included are:

- Gloves.
- Mittens.

**Category 123—Men's and Boy's Hats.**

This is a "general" category, except that it does not include any military or civilian uniform hats and caps covered by categories 105, 106, or 111 or hats and caps covered by categories 107 and 112. Among the articles included are:

- Hats and caps.
- Helmets, hoods, and ear muffs.

**Category 124—Men's and Boy's Lounging Wear.**

This is a "general" category. Among the garments included are:

- Bathrobes, beach robes, beach coats, and dressing gowns.
- Smoking jackets and coats.
- Cocktail and lounging jackets and coats.

**(2) Feminine apparel and apparel accessories.**

NOTE: Categories 201-206 include apparel only in women's, misses', and juniors' size ranges. These are called "women's" categories.

Categories 207-209 include apparel only in teen age, girls', children's, and toddlers' size ranges. These are called "children's" categories.

Categories 210-218 include feminine apparel and accessories in all size ranges except infants' size ranges. These are called "women's and children's" categories.

**Category 201—Women's Sportswear and Beachwear.**

This is a "general" category. Among the articles included are:

- Shorts and culottes.
- Playsuits, sunsuits, and halters.
- Polo shirts and basque shirts.
- Bathing suits.
- Beach coats, robes, and capes.
- Beach pajamas.
- Beach bags.
- Bathing and shower caps.
- Sweat shirts.

**Category 202—Women's Knitted Outerwear.**

This is a "general" category, except that it does not include garments cut and sewn from knitted yard goods, which are subject to RMPR 330. Among the garments included are:

- Pullovers and blouses.
- Sweaters, sweater coats, jackets, and cardigans.
- Jerkins and vestees.
- Dresses, skirts, and suits.

**Category 203—Women's Rainwear.**

This is a "general" category, except that it excludes uniform rainwear covered by category 205 or any garment which does not have as its chief use protection against rain. (Such garments are subject to RMPR 330 in the case of coats, capes, and jackets.) Among the garments included are:

- Raincoats, raincoats, rain jackets, rain hats, and rain hoods.

**Category 204—Women's Foundation Garments.**

This is a "general" category. Among the articles included are:

- Corsets, girdles, and corselettes.
- Brassieres.
- Garters and garter belts.
- Sanitary belts and aprons.
- Combinations or all-in-ones.
- Supports.
- Leg shields.
- Bust forms.

**Category 205—Women's Military Uniforms.**

This is a "specific" category. It includes uniforms for all the armed services and the Red Cross. The articles covered are:

- Coats, capes, and suits.
- Separate uniform jackets and skirts.
- Uniform blouses.
- Uniform dresses.
- Uniform hats and caps.
- Uniform slacks.
- Raincoats and capes and rain hats and hoods.

**Category 206—Women's Civilian Uniforms and Washable Service Apparel.**

This is a "general" category, except that it does not cover any garments subject to RMPR 330. Among the garments included are:

- Uniforms (such as elevator operators', usherettes', nurses', waitresses', maids', messengers', beauticians', laundry workers', etc.) and separate parts of uniforms.
- Uniform coats and capes.
- Uniform dresses.
- Uniform blouses.
- Uniform hats and caps.
- Uniform slacks and overalls.
- Uniform aprons.
- Separate uniform jackets and skirts.
- Work and shop aprons, frocks, dresses, smocks, gowns, jackets, coats, slacks, coveralls, hats, and caps, etc.
- All other aprons and Hooverettes.

**Category 207—Children's Sportswear and Beachwear.**

This is a "general" category, except that it does not cover any playsuits or sunsuits subject to MPR 578. Among the articles included are:

- Shorts and culottes.
- Playsuits, sunsuits, and halters.
- Polo shirts and basque shirts.
- Beach coats, robes, and capes.
- Beach pajamas.
- Beach bags.
- Bathing caps.
- Sweat shirts.

**Category 208—Children's Knitted Outerwear.**

This is a "general" category, except that it does not include garments cut and sewn from knitted yard goods, which are subject to RMPR 330. Among the garments included are:

- Pullovers and blouses.
- Sweaters, sweater coats, jackets, and cardigans.
- Jerkins and vestees.
- Dresses, skirts, and suits.
- Knitted coats and legging sets.

**Category 209—Children's Rainwear.**

This is a "general" category, except that it excludes any garment which does not have as its chief use protection against rain. (Such garments are subject to RMPR 330 in the case of coats, capes, and jackets.) Among the garments included are:

- Raincoats, raincoats, rain jackets, rain hats, and rain hoods.

**Category 210—Women's and Children's Riding Wear and Jackets.**

This is a "general" category, except that it does not include any jackets, coats, windbreakers, or vests made of materials other than leather or artificial leather, which are subject to RMPR 330. Among the garments included are:

- All riding breeches and jodhpurs.
- All leather and artificial leather coats, windbreakers, jackets, and vests.

**Category 211—Women's and Children's Underwear and Nightwear.**

This is a "general" category, except that it does not include any slips subject to MPR 547 or garments subject to MPR 578. It includes garments made from both woven and knitted fabrics. Among the garments included are:

- Union suits and combinations.
- Undershirts and vests.
- Bloomers, panties and briefs, drawers, and step-ins.
- Slips and petticoats.
- Chemises and camisoles.
- Dance sets.
- Sleeping pajamas and sleepers.
- Nightgowns.
- Bed jackets and shoulderettes.

**Category 212—Women's and Children's Lounging Wear.**

This is a "general" category. It includes garments made from both woven and knitted fabrics. Among the garments included are:

- Housecoats.
- Negligees and bathrobes.
- Dressing gowns and lounging robes.
- Hostess gowns.
- Lounging or hostess tunics and slacks.
- Cocktail coats.
- Lounging pajamas.

**Category 213—Women's and Children's Hosiery.**

This is a "general" category, except that it does not include women's full length nylon silk, or rayon hosiery, subject to MPR 95, MPR 274, and 2d RMPR 339, respectively. Among the articles included are:

- Full length stockings.
- Knee length stockings and socks.
- Other socks.
- Anklets.
- Peds and sockettes.
- Bed socks and foot warmers.

**Category 214—Women's and Children's Millinery and Hats.**

This is a "general" category. Among the garments included are:

- Hats.
- Berets.
- Bonnets.

<sup>4</sup> 9 F.R. 10862.



**Category 215—Women's and Children's Gloves and Mittens.**

This is a "general" category, except that it does not include any staple work gloves subject to RMPR 506, or any athletic gloves covered by category 351. Among the articles included are:

- Gloves.
- Mittens.
- Mitts.

**Category 216—Women's and Children's Handkerchiefs and Related Items.**

This is a "general" category, except that handkerchiefs subject to MPR 578 are not included. Among the articles included are:

- Pocket handkerchiefs.
- Fancy handkerchiefs.
- Evening handkerchiefs.
- Sport handkerchiefs.
- Handkerchief cases.
- Underwear cases.
- Stocking cases.

**Category 217—Women's and Children's Neckwear and Related Items.**

This is a "general" category. Among the articles included are:

- Scarves and kerchiefs.
- Dickies, vests, gilets, and bibs.
- Collars, cuffs, and collar and cuff sets.
- Fascinator, parkas, and babushkas.
- Ties.
- Ruchings and edgings.

**Category 218—Women's and Children's Handbags.**

This is a "general" category. Among the articles included are:

- Handbags, purses, and pocketbooks.
- Muff bags made of fur, fabric, or leather.
- Belts made of fur, fabric, or leather.

**(3) Infants' apparel and accessories.**

NOTE: Categories 301-307 include apparel in infants' size ranges for both sexes and accessories designed for use by infants.

**Category 301—Infants' Coats, Snowsuits, and Leggings.**

This is a "general" category. It includes garments made of either knitted or woven fabric. Among the articles included are:

- Coats and coat sets.
- Snowsuits and snowsuit sets.
- Separate leggings.

**Category 302—Infants' Knitted and Crocheted Outerwear.**

This is a "general" category, except that it does not include any knitted coats, snowsuits, or leggings. Among the articles included are:

- Sweaters, sweater sets, and knitted suits.
- Jackets.
- Mittens and gloves.
- Shawls and scarves.

**Category 303—Infants' Woven Outerwear.**

This is a "general" category, except that it does not include any coats, snowsuits, or leggings made of woven fabric or any garments subject to MPR 578. Among the articles included are:

- Rompers, creepers, and crawlers.
- Sunsuits and playsuits.
- Dresses and wash suits.
- Overalls (long and short).
- Woven jackets.

**Category 304—Infants' Headwear.**

This is a "general" category. It includes all crocheted, knitted, and woven hats. Among the articles included are:

- Hats.
- Bonnets.
- Caps.
- Hoods.

**Category 305—Infants' Underwear and Nightwear.**

This is a "general" category, except that it does not include any garments subject to MPR 578. Among the articles included are:

- Panties except rubber panties.
- Gowns and sleepers.
- Kimonos, wrappers, and bath robes.
- Sacques.
- Slips and gertrudes.
- Training pants and training suits.
- Socks, stockings, and anklets.
- Bands.
- Soakers.

**Category 306—Infants' Bedding and Related Items.**

This is a "general" category. Among the articles included are:

- Crib sheets, pillow cases, and blankets.
- Other infants' blankets.
- Rubber sheets.
- Pads (including pads for cribs, high chairs, play pens, baskets, bassinets, and nursery floor pads).
- Diapers.
- Buntings and carriage suits.
- Infants' towels and wash cloths.

[Above category amended by Am. 5, 10 F.R. 9962, effective 8-15-45]

**Category 307—Infants' Novelties.**

This is a "specific" category. The articles covered are:

- Carriage covers.
- Blanket covers.
- Infants' quilts.
- Bibs.
- Booties.

**(4) Masculine and feminine apparel.**

NOTE: Categories 351-353 include apparel and accessories for men and women and girls and boys in all size ranges except infants' size ranges.

**Category 351—Athletic Clothing and Accessories.**

This is a "general" category. Among the articles included are:

- All athletic uniforms (such as baseball, softball, football, basketball, and related suits and separate parts of suits).
- Gym, track, and related suits.
- Sweat suits.
- Tennis, boxing, track, and related shorts.
- Bloomers (for girls and women).
- Abdominal, athletic, ankle, and similar supporters.
- Special athletic hose (such as baseball and football hose).
- Knee, shoulder, chest, hip, and similar pads, guards, and protectors.
- Athletic gloves.

**Category 352—Umbrellas.**

This is a "specific" category. The articles covered are:

- Umbrellas.
- Parasols and sunshades.
- Umbrella cases and separate umbrella covers.

**Category 353—Miscellaneous Clothing.**

This is a "general" category. Among the garments included are:

- Costumes.
- Regalia.
- Baptismal suits.
- Ecclesiastical vestments and habits.
- Academic gowns.
- All other related garments.

**(5) Footwear.**

NOTE: Categories 401-410 include footwear of all descriptions and in all sizes for both sexes, including corrective footwear. They do not include any footwear subject to

RMPR 229. Wherever in these categories the terms "rationed" and "nonrationed" are used the terms refer to shoes of the types and kinds which on October 30, 1945, were rationed or non-rationed under Ration Order 17.

[Note amended by Am. 7, 10 F.R. 13715, effective 11-5-45]

**Category 401—Men's Dress Shoes.**

This is a "general" category. It includes both rationed and nonrationed shoes. Among the shoes included are:

- Street shoes.
- Sport shoes.
- Evening pumps and shoes.
- High top street shoes.
- Low-cut shoes or oxfords, other than work oxfords.
- Sandals, casuals, and moccasins for outdoor wear.

**Category 402—Men's Work Shoes.**

This is a "general" category, except that it does not include any safety shoes covered by category 410. It includes both rationed and nonrationed shoes. Among the shoes included are:

- High top work shoes.
- Low-cut or oxford type work shoes.
- Logger boots, utility cowboy boots, and men's high-cut laced boots.
- Shearling or felt shoes (other than slippers).
- Industrial protective rubber footwear.
- Pacs.

**Category 403—Little Gents', Youths', and Boys' Shoes.**

This is a "general" category. It includes both rationed and nonrationed shoes. Among the shoes included are:

- Street shoes.
- Sport shoes.
- High top shoes.
- Low-cut shoes or oxfords.
- Sandals, casuals, and moccasins for outdoor wear.
- Work shoes.

**Category 404—Women's and Growing Girls' Rationed Shoes.**

This is a "general" category, except that it does not include any nonrationed shoes or any athletic shoes covered by category 409 or any safety shoes covered by category 410. Among the shoes included are:

- Street shoes.
- Sport shoes.
- Evening slippers.
- Pumps and step-ins.
- Strap shoes.
- Ties and oxfords.
- High top shoes.
- Sandals, casuals, and moccasins for outdoor wear.
- Play shoes, except nonrationed play shoes.
- Stadium boots.

**Category 405—Women's and Growing Girls' Nonrationed Shoes.**

This is a "general" category, except that it does not include any rationed shoes or any athletic shoes covered by category 409 or any safety shoes covered by category 410. Among the shoes included are:

- Street shoes.
- Sport shoes.
- Evening slippers.
- Pumps and step-ins.
- Strap shoes.
- Ties and oxfords.
- High top shoes.
- Sandals, casuals, and moccasins for outdoor wear.
- Beach shoes, clogs, and sandals.
- Nonrationed play shoes.
- Stadium boots.



**Category 406—Misses' and Children's Shoes.**

This is a "general" category, except that it does not include any athletic shoes covered by category 409. It includes both rationed and nonrationed shoes in sizes up to and including size 3. Among the shoes included are:

- Street shoes.
- Pumps and step-ins.
- Strap shoes.
- Ties and oxfords.
- High top shoes.
- Sandals, casuals, and moccasins for outdoor wear.
- Play shoes.

**Category 407—Infants' Shoes.**

This is a "general" category. It includes both rationed and nonrationed shoes. Among the shoes included are:

- Soft-soled shoes.
- Hard-soled shoes.
- Sandals.
- High top shoes.
- Strap shoes.
- Ties or oxfords.

**Category 408—House Slippers.**

This is a "general" category. It includes house shoes and slippers made of all materials in all size ranges and for both sexes. Among the shoes and slippers included are:

- Bedroom slippers.
- House slippers.
- Mules.
- Scuffs.
- Hard-soled house shoes and slippers.
- Soft-soled house shoes and slippers.
- Romeos.
- Jullets.
- Lounging shoes and slippers for indoor wear.
- Moccasins for indoor wear.

**Category 409—Athletic Shoes.**

This is a "general" category. It includes both rationed and nonrationed shoes in all size ranges and for both sexes. Among the shoes included are:

- Baseball, basketball, football, soccer, track, tennis, and related athletic shoes.
- Gym shoes.
- Spiked golf shoes.
- Bowling shoes.
- Skating shoes.
- Boxing shoes.
- Ski boots.
- Riding boots and jodhpur boots.

**Category 410—Safety Shoes.**

This is a "general" category. It includes safety shoes for both men and women. Among the shoes included are:

- Shoes having steel box toes.

(b) *Categories of household textile commodities and yard goods.*

NOTE: Categories 501-507 include certain household textile commodities; and Categories 601-607 include certain yard goods.

(1) *Certain household textile commodities.*

**Category 501—Bed Linens.**

This is a "specific" category. It does not include any crib sheets, pillow cases, or rubber sheets covered by category 306, or any waterproof sheets covered by category 505. It includes articles made of all types of fabrics. The articles covered are:

- Bed sheets.
- Pillow slips and cases.
- Bleached and unbleached sheeting and pillow tubing.

**Category 502—Blankets and Quilts.**

This is a "general" category, except that it does not include any infants' or crib blank-

ets, quilts, robes, or carriage covers covered by categories 306 and 307. Among the articles included are:

- Blankets, blanketing, and blanket robe cloth.
- Quilts.
- Comforts.
- Afghans and throws.

**Category 503—Bath and Kitchen Linens and Accessories.**

This is a "general" category. It does not include any infants' towels or wash cloths covered by category 306. It includes articles made of all types of fabrics. Among the articles included are:

- Turkish or terry cloth towels, towel sets, and towelings.
- Huck towels, towel sets, and towelings.
- Kitchen towels and towelings.
- All other towels and towelings.
- Wash cloths.
- Dish cloths.
- Bath mats.
- Toilet lid covers.
- Mat and lid cover sets.
- Pot holders.

**Category 504—Table and Fancy Linens.**

This is a "general" category. It includes articles made of all types of fabrics except oilcloth or other coated fabrics. Among the articles included are:

- Table cloths.
- Woven table cloth material.
- Napkins.
- Table cloth and napkin sets.
- Table pads and padding.
- Bridge sets.
- Doilies and doily sets.
- Place mats and luncheon sets.
- Fancy linens other than bed linens.
- Dresser sets.
- Scarves and runners.

**Category 505—Domestics.**

This is a "specific" category. It does not include any crib spreads or rubber sheets covered by category 306 or any carriage covers covered by category 307. The articles covered are:

- Bed spreads and counterpanes.
- Pillow covers.
- Mattress covers.
- Ticks and ticking.
- Batts and batting.
- Blanket covers and quilt covers.
- Waterproofed sheets and sheeting.
- Bed pads.
- Ironing-board pads, covers, and sets.

**Category 506—Curtains and Slip Covers.**

This is a "specific" category. The articles covered are:

- Window and door curtains.
- Ready-made draperies.
- Ready-made slip covers.
- Shower curtains.
- Kitchen curtains and cottage sets.

**Category 507—Curtain, Drapery, and Upholstery Fabrics.**

This is a "specific" category. The articles covered are:

- Curtain fabrics.
- Drapery fabrics.
- Upholstery fabrics.
- Slip-cover fabrics.

(2) *Certain yard goods.*

**Category 601—Cotton "White Goods."**

This is a "specific" category. It includes woven finished combed cotton yard goods of the type generally known in the trade as "white goods." The fabrics covered are:

- Nainsooks.
- Batistes.
- Dimities.
- Lawns.
- Combed muslins.
- Organdies.
- White or pastel dotted swiss.

**Category 602—All Other Cotton Yard Goods.**

This is a "general" category, except that it does not include any cotton "white goods" covered by category 601, any pile fabrics covered by category 605, any lace, net, or fancy goods covered by category 606, or any sheeting, pillow tubing, towelings, table-cloth material, blanketing, or curtain, drapery, or upholstery fabrics covered by categories 501-504 or 507. It includes all finished fabrics woven or knitted of yarn containing 75 percent or more by weight of cotton or cotton waste. Among the fabrics included are:

- All woven cotton yard goods except that covered by category 601.
- Knitted cotton yard goods.

**Category 603—All Wool Yard Goods.**

This is a "general" category, except that it does not include any blanketing covered by category 502 or drapery or upholstery fabrics covered by category 507. It includes all woolen and worsted yard goods, woven or knitted of yarns containing 25 percent or more by weight of wool fibres. Among the fabrics included are:

- Woven woolen and worsted yard goods.
- Knitted woolen and worsted yard goods.

**Category 604—Linen Yard Goods.**

This is a "general" category, except that it does not include any towelings covered by category 503, or any table cloth material covered by category 504, or any net, lace, or fancy fabrics covered by category 606. It includes all fabrics woven of yarns containing 50 percent or more by weight of flax yarns. Among the fabrics included are:

- Handkerchief linen.
- Dress linen.

**Category 605—Rayon, Silk, and Synthetic Fibre Goods, Pile Fabrics and Mixtures.**

This is a "general" category. It includes all woven and knitted fabrics made of all yarns or mixtures other than those covered by categories 601-604 or 606 and 607. Among the fabrics included are:

- Viscose rayons.
- Bemberg rayons.
- Acetate rayons.
- Spun rayons.
- Aralac.
- Glass fibre.
- Nylon.
- Lastex.
- Plush.
- Velvets and velveteens.

**Category 606—Lace, Net, and Miscellaneous Fancy Fabrics.**

This is a "specific" category. It includes woven, knitted, and crocheted fabric. Fabrics covered are:

- Lace fabrics (over 12 inches wide).
- Embroidered fabrics.
- Net and mesh fabrics, including tulle and maline.
- Metallic cloths.

**Category 607—Coated Fabrics.**

This is a "general" category. It includes all types of coated fabrics. Among the fabrics included are:

- Oilcloth.
- Rubberized fabrics.
- Pyroxylin-coated fabrics.

(c) *Categories of consumer durable goods.* All categories of consumer durable goods are "general" categories.

NOTE: Categories numbered consecutively from 701 include only furniture; from 751 include only bedding; from 801 include only floor coverings; and those from 851 include only lamps and lamp shades.

(1) *Household furniture.* Unless otherwise specified, all these categories include



only articles of finished wood household furniture. Separate categories are provided for articles of unfinished wood furniture, metal bedroom furniture, juvenile furniture, and sun room and outdoor furniture. As used in this regulation, household furniture means furniture which is primarily designed for and generally used in homes. Articles of this type are covered even though they are sold for use in other places, such as hotels, clubs, institutions, ships, etc. Articles of furniture and equipment specifically designed for office or commercial use are not included in these categories.

Certain categories include or are confined to "suites" or "sets." As used below, a suite or set is any combination of matching pieces made by one manufacturer. List the combination in the appropriate category if, on the base date, you were not offering the pieces separately, or if you were offering the combination at a price different from the sum of the offering prices for the individual pieces. If on the base date you were offering for sale separately an article which is part of a listed combination, you must also list that article in its appropriate category as an individual piece.

#### Category 701—Wood Bedroom Suites.

#### Category 702—Beds.

This category does not include headboards sold separately. See category 751.

#### Category 703—Individual Chests of Drawers, Dressers, Vanities, Wardrobes, and Chiffoniers.

This category also includes cedar lined wardrobes and chiffoniers, but not cedar chests which are in category 705.

#### Category 704—Individual Bedroom Chairs, Night Tables, Benches, Vanity Stools, and Mirrors From Bedroom Suites.

#### Category 705—Cedar Chests.

This category includes any wood finished cedar or cedar-lined chests.

#### Category 706—Dining Room Suites.

A suite belongs in this category, rather than category 707, if the buffet in the manufacturer's grouping from which the suite is composed is 60 inches or larger.

#### Category 707—Dinette and Breakfast Sets.

A suite belongs in this category rather than category 706, if the buffet in the manufacturer's grouping from which the suite is composed is smaller than 60 inches or if the grouping contains no buffet or no case pieces at all. This category includes dinette and breakfast sets made of wood, plastics, composition, metal, or any combination of these materials.

#### Category 708—Individual Pieces of Dining Room, Dinette, and Breakfast Sets.

This category includes individual chairs, tables, buffets, china closets, cupboards, benches, hutches, cabinets, servers, etc.

#### Category 709—Upholstered Chairs and Rockers.

This category includes all upholstered chairs and rockers, including those with outside frames or arms made of wood, such as upholstered occasional, pull-up, club, lounge, boudoir, maple frame, oak frame, etc.; upholstered chair and ottoman combinations; ottomans; chaise longues, etc. It does not include upholstered chairs listed in other categories, such as dining room, sun-room, juvenile, etc.

#### Category 710—Upholstered Sofas and Love Seats.

This category includes all upholstered sofas and love seats (including those with outside frames or arms made of wood). It does not include sofas and love seats in categories 712 and 717.

#### Category 711—Upholstered Suites.

This category does not include any set or suite covered in categories 712 and 717.

#### Category 712—Upholstered Dual Purpose Sleeping Equipment.

This category includes upholstered sofa beds; single and double studio couches; love seats, chairs, davenports, etc., which open into beds; and any set or suite of these articles with chairs.

#### Category 713—Living-Room Tables of All Types.

This category includes cocktail, end, coffee, gate-leg, lamp, drop-leaf, etc., tables made of wood, glass, plastics, etc. It does not include tables listed in other categories.

#### Category 714—Desks, Secretaries, and Break-Fronts.

#### Category 715—Living-Room Novelty Pieces.

This category includes smokers, cellarettes, magazine racks, bookcases, record cabinets, sewing cabinets, bridge sets, telephone sets, costumers, footstools, etc.

#### Category 716—Kitchen and Utility Cabinets, Kitchen Tables, Chairs, Stools.

This category includes kitchen cabinets of all kinds, kitchen tables, kitchen chairs, kitchen stools, utility cabinets. It does not include any unfinished furniture or dinette or breakfast sets.

#### Category 717—Sunroom and Outdoor Furniture.

This category includes sunroom, porch, and lawn furniture, whether made of wood, metal, reed, fibre, rattan, or any combination of these. Included here are chairs, rockers, tables, canvas folding cots, settees, garden and beach umbrellas, gliders, swings, garden umbrella sets, collapsible folding chairs, adirondack chairs, rustic chairs, etc.

NOTE: Sets or suites as well as individual pieces are included in this category.

#### Category 718—Juvenile Furniture.

This category includes all articles of infants', nursery, and youths' furniture. Among these are bassinets, cribs, play yards, porch gates, chests, dressers, chiffoniers, high chairs, bathinets, nursery seats, juvenile tables, chairs, rockers, etc.

NOTE: Sets or suites as well as individual pieces are included in this category.

#### Category 719—Unfinished Furniture.

This category includes all unfinished furniture such as unfinished kitchen sets, tables and chairs, bookcases, chests, dressers, beds, magazine racks, record cabinets, etc.

#### Category 720—Miscellaneous Chairs.

This category includes all chairs not included in any other category such as rush-seat chairs, fibre-seat chairs, individual slip-seat chairs, benches, rockers, etc.

#### Category 721—Metal Bedroom Suites.

#### Category 722—Individual Pieces of Metal Bedroom Suites.

This category includes metal beds, dressers, chests of drawers, vanities, night tables, wardrobes, chiffoniers, chairs, double-deck bunk beds, etc.

(2) *Bedding.* These categories do not cover household textile commodities such as sheets, pillow cases, mattress protectors, blankets, comforters, etc., which are included in paragraph (b) of this appendix, nor pillows, nor metal bedsprings which have dollars-and-cents retail ceilings.

#### Category 751—Mattresses, Box Springs, Mattress Pads, and Headboards.

This category includes mattresses, box springs, mattress pads, upholstered and nonupholstered headboards of all types and

materials. It also includes box springs on legs, set combinations of a matching mattress and box spring, a matching mattress and box spring on legs, headboard sets (consisting of a headboard and box spring with or without a mattress), etc.

#### Category 752—Metal Cots.

This category includes folding and non-folding metal cots of all kinds, and any combination set consisting of a cot and mattress or mattress pad.

(3) *Floor coverings.* All floor coverings are included in these categories, except knotted oriental rugs (which are exempt from price control) and certain hand-hooked cotton rugs (which have dollars-and-cents ceilings).

#### Category 801—Soft Surface Carpeting by the Yard.

This category includes all kinds of carpeting made of cotton, wool, jute, rayon, or other fibres or any combination of these materials, which is sold on the basis of the price per yard.

#### Category 802—Soft Surface Broadloom Rugs.

This category includes all kinds of broadloom rugs, 4' x 6' or larger, made of cotton, wool, jute, rayon, or other fibres or any combination of these materials, which are sold on the basis of the price per rug.

#### Category 803—Soft Surface Bordered Rugs.

This category includes all kinds of bordered rugs, 4' x 6' or larger, made of cotton, wool, jute, rayon, or other fibres or any combination of these materials, which are sold on the basis of the price per rug. A bordered rug is one which has a pattern or design along the border, distinct from that of the rest of the rug.

#### Category 804—Hard Surface Floor Covering by the Yard.

This category includes all kinds of hard surface floor covering (linoleum, felt base, etc.), which is offered on the basis of the price per yard.

#### Category 805—Hard Surface Rugs.

This category includes all kinds of hard surface floor covering (linoleum, felt base, etc.), which is offered on the basis of the price per rug.

#### Category 806—Miscellaneous Floor Coverings.

This category includes novelty rugs made of cotton, cotton waste, rayon, rayon waste, wool, wool waste, or other materials or any combination of materials. It includes scatter rugs, summer fibre floor coverings (such as sisal or coir), cocoa and other door mats, stair pads, rug cushions, animal skin rugs, etc. Broadloom and bordered rugs, smaller than 4' x 6', are also included in this category.

(4) *Lamps and lamp shades.* Matching lamps and shades not offered separately, or offered at a price different from the sum of the prices for the lamp and the shade when sold separately, must be listed under the appropriate lamp category; all shades offered separately are included in category 854.

#### Category 851—Floor Lamps.

This category includes floor lamps, reflector lamps, bridge lamps, etc., of all types and materials.

#### Category 852—Table and Desk Lamps.

This category includes table and desk lamps of all types, sizes, and materials. It includes hurricane lamps, girandole lamps, vanity lamps, mantel lamps, urn reflectors, night-light lamps, etc.

#### Category 853—Miscellaneous Lamps.

This category includes pin-up lamps, snap-on lamps, piano lamps, picture-frame lamps, etc.

#### Category 854—Lamp Shades.

This category includes lamp shades of all types, sizes, and materials.



## APPENDIX D—LIST OF COMPARABLE CATEGORIES

This appendix shows the comparable categories which you use in fixing your ceiling price under Rule 5. You use this appendix as follows:

In the first column at the left of the table below you find the category to which the article you are pricing belongs. If you go across the table to the right on the same line, you will find that several other "comparable" categories are listed opposite the category to which the article belongs. You look in column 1 of your chart to see whether you have listed the first comparable category shown in the table. If you have not listed the first comparable category in column 1

of your chart, look on your chart for the second comparable category, then the third and so forth until you find a comparable category which is listed in column 1 of your chart. When you have such a comparable category, you figure your ceiling price under Rule 5 as if the article you are pricing belonged to the first comparable category which appears in column 1 of your chart.

You will note that for certain categories (306 and 307, 351 and 353, 501-507, and 601-607) no comparable categories are listed in the table below. These categories therefore cannot be priced under Rule 5. Thus, if these categories are not listed in column 1 of your chart, you must fix your ceiling price for them under section 10.

## APPENDIX D

## Comparable categories

Category you are pricing	Comparable categories					
	First	Second	Thrd	Fourth	Fifth	Sixth
101	102	108	100	107	112	
102	101	109	108	107	112	
103	110	104	107	112	115	
104	103	111	115	110		
105	107	112	103	110		
106	102	101	100	109	108	
107	112	102	101	109	108	
108	100	101	102	112	107	
109	108	102	101	112	107	
110	103	104	112	107	115	
111	101	109	105	102	101	
112	107	109	108	104	113	
113	110	117	207	110	104	
114	107	104	207	113	117	
115	107	104	202	208	117	
116	115	111	211	113		
117	116	104	201	116		
118	116	213	119	217		
119	118	216	216	217		
120	119	217	216	217		
121	120	216	216	217		
122	121	119	120	218		
123	103	107	112	218		
124	107	112	212	218		
201	202	207	208	114	104	104
202	201	208	207	115	114	
203	201	208	207	115	114	
204	211	212	210	107		
205	211	212	210	405		
206	211	212	210			
207	211	105	202	216		
208	208	201	202	114	113	
209	207	202	201	115	114	
210	207	203	112	201		
211	212	107	103	203		
212	211	212	207	116		
213	211	213	207			
214	211	117	217	104		
215	204	405	211	123		
216	217	217	117	123		
217	217	217	213	120	121	
218	215	213	119	120	121	
219	211	404	211	104		
220	211	408	208	107		
221	112	202	115			



APPENDIX E—TABLE FOR FIXING IN-LINE CATEGORY MARK-UPS UNDER RULE 6 OF SECTION 7

Category you are pricing	Your average percentage mark-up bracket																							
	Under and including 35	Over 35, including 38	Over 38, including 41	Over 41, including 44	Over 44, including 47	Over 47, including 50	Over 50, including 53	Over 53, including 56	Over 56, including 59	Over 59, including 62	Over 62, including 65	Over 65, including 68	Over 68, including 71	Over 71, including 74	Over 74, including 77	Over 77, including 80	Over 80, including 83	Over 83, including 86	Over 86, including 89	Over 89, including 92	Over 92, including 95	Over 95, including 98	Over 98, including 101	
Group I:																								
101	36.1	39.4	42.6	45.8	49.1	52.3	55.5	58.8	62.0	65.2	68.5	71.7	74.9	78.2	81.4	84.7	87.9	91.1	94.4	97.6	100.8	104.1	107.3	
102	34.2	37.3	40.3	43.4	46.4	49.5	52.6	55.6	58.7	61.8	64.8	67.9	70.9	74.0	77.1	80.1	83.2	86.3	89.3	92.4	95.4	98.5	101.6	
103	32.7	35.6	38.6	41.5	44.4	47.3	50.3	53.2	56.1	59.0	62.0	64.9	67.8	70.8	73.7	76.6	79.5	82.5	85.4	88.3	91.3	94.2	97.1	
104	34.8	38.0	41.1	44.2	47.3	50.4	53.6	56.7	59.8	62.9	66.0	69.2	72.3	75.4	78.5	81.6	84.8	87.9	91.0	94.1	97.2	100.4	103.5	
105	28.5	31.1	33.6	36.2	38.7	41.3	43.8	46.4	48.9	51.5	54.1	56.6	59.2	61.7	64.3	66.8	69.4	71.9	74.5	77.0	79.6	82.1	84.7	
106	33.2	36.2	39.2	42.2	45.1	48.1	51.0	54.1	57.0	60.0	63.0	66.0	68.9	71.9	74.9	77.9	80.8	83.8	86.8	89.8	92.8	95.7	98.7	
107	31.6	34.4	37.2	40.1	42.9	45.7	48.5	51.4	54.2	57.0	59.8	62.7	65.5	68.3	71.2	74.0	76.8	79.6	82.5	85.3	88.1	90.9	93.8	
108	33.7	36.7	39.6	42.6	45.5	48.4	51.3	54.2	57.1	60.0	62.9	65.8	68.7	71.6	74.5	77.4	80.3	83.2	86.1	89.0	91.9	94.8	97.7	
109	33.7	36.7	39.6	42.6	45.5	48.4	51.3	54.2	57.1	60.0	62.9	65.8	68.7	71.6	74.5	77.4	80.3	83.2	86.0	88.1	91.1	94.1	100.1	
110	31.1	33.9	36.7	39.4	42.2	45.0	47.8	50.6	53.4	56.1	58.9	61.7	64.5	67.3	70.1	72.8	75.6	78.4	81.2	84.0	86.8	89.6	92.3	
111	19.0	20.7	22.4	24.1	25.8	27.5	29.3	31.0	32.7	34.4	36.1	37.8	39.5	41.2	42.9	44.6	46.3	48.0	49.7	51.4	53.1	54.8	56.5	
112	31.1	33.9	36.7	39.4	42.2	45.0	47.8	50.6	53.4	56.1	58.9	61.7	64.5	67.3	70.1	72.8	75.6	78.4	81.2	84.0	86.8	89.6	92.3	
113	31.6	34.5	37.3	40.1	43.0	45.8	48.6	51.4	54.3	57.1	59.9	62.8	65.6	68.4	71.3	74.1	76.9	79.8	82.6	85.4	88.3	91.1	93.9	
114	35.7	38.9	42.1	45.3	48.5	51.7	54.9	58.1	61.3	64.5	67.7	70.9	74.1	77.3	80.5	83.6	86.8	90.0	93.2	96.4	99.6	102.8	106.0	
115	32.6	35.6	38.5	41.4	44.3	47.3	50.2	53.1	56.0	59.0	62.0	65.0	68.0	71.0	74.0	77.0	80.0	83.0	86.0	89.0	92.0	95.0	97.9	
116	33.0	35.9	38.9	41.8	44.8	47.7	50.7	53.6	56.6	59.5	62.5	65.4	68.4	71.3	74.3	77.2	80.2	83.1	86.1	89.1	92.0	95.0	97.9	
117	32.2	35.1	38.0	40.9	43.8	46.6	49.5	52.4	55.3	58.2	61.1	63.9	66.8	69.7	72.6	75.5	78.4	81.3	84.1	87.0	89.9	92.8	95.7	
118	33.1	36.0	39.0	42.0	44.9	47.9	50.8	53.8	56.8	59.7	62.7	65.6	68.6	71.6	74.5	77.5	80.5	83.4	86.4	89.3	92.3	95.3	98.2	
119	35.2	38.3	41.5	44.6	47.8	50.9	54.1	57.2	60.4	63.5	66.6	69.7	72.9	76.1	79.2	82.4	85.5	88.7	91.8	95.0	98.1	101.3	104.4	
120	39.0	42.5	45.9	49.4	52.9	56.4	59.9	63.4	66.9	70.4	73.9	77.4	80.8	84.3	87.8	91.3	94.8	98.3	101.8	105.3	108.8	112.3	115.8	
121	37.3	40.6	43.9	47.3	50.6	53.9	57.3	60.6	63.9	67.3	70.6	73.9	77.3	80.6	84.0	87.3	90.6	94.0	97.3	100.6	104.0	107.3	110.7	
122	35.6	38.8	42.0	45.2	48.4	51.6	54.8	58.0	61.2	64.4	67.6	70.8	73.9	77.1	80.3	83.5	86.7	89.9	93.1	96.3	99.5	102.7	105.9	
123	34.7	37.8	40.9	44.0	47.1	50.2	53.3	56.4	59.5	62.6	65.7	68.8	71.9	75.0	78.1	81.2	84.3	87.4	90.5	93.6	96.7	99.8	103.0	
124	35.9	39.1	42.3	45.5	48.7	51.9	55.1	58.3	61.5	64.8	68.0	71.2	74.4	77.6	80.8	84.0	87.2	90.4	93.7	96.9	100.1	103.3	106.5	
201	37.6	40.9	44.3	47.7	51.0	54.4	57.8	61.1	64.5	67.9	71.2	74.6	78.0	81.3	84.7	88.0	91.4	94.8	98.1	101.5	104.9	108.2	111.6	
202	35.6	38.8	42.0	45.2	48.3	51.5	54.7	57.9	61.1	64.3	67.5	70.7	73.9	77.1	80.3	83.5	86.7	89.9	93.1	96.3	99.5	102.7	105.9	
203	38.2	41.6	45.1	48.5	51.9	55.3	58.8	62.2	65.6	69.0	72.4	75.9	79.3	82.7	86.1	89.5	93.0	96.4	99.8	103.2	106.7	110.1	113.5	
205	34.4	37.4	40.5	43.6	46.7	49.7	52.8	55.9	59.0	62.0	65.1	68.2	71.3	74.4	77.4	80.5	83.6	86.7	89.7	92.8	95.9	99.0	102.1	
206	34.2	37.3	40.3	43.4	46.4	49.5	52.6	55.6	58.7	61.8	64.8	67.9	70.9	74.0	77.1	80.1	83.2	86.3	89.3	92.4	95.4	98.5	101.6	
207	32.9	35.8	38.7	41.7	44.6	47.5	50.5	53.5	56.4	59.3	62.3	65.2	68.2	71.1	74.1	77.0	80.0	83.0	86.0	89.0	92.0	95.0	97.9	
208	32.6	35.6	38.5	41.4	44.3	47.3	50.2	53.1	56.0	59.0	61.9	64.8	67.7	70.6	73.5	76.4	79.3	82.3	85.3	88.2	91.1	94.0	97.0	
209	35.0	38.1	41.3	44.4	47.5	50.7	53.8	56.9	60.1	63.2	66.3	69.4	72.5	75.6	78.7	81.8	84.9	88.0	91.1	94.2	97.3	100.4	103.5	
210	36.3	39.6	42.8	46.1	49.4	52.6	55.9	59.1	62.4	65.6	68.9	72.1	75.4	78.6	81.9	85.2	88.4	91.7	94.9	98.2	101.4	104.7	108.0	
211	34.5	37.6	40.7	43.8	46.9	50.0	53.1	56.2	59.3	62.4	65.5	68.6	71.7	74.8	77.9	81.0	84.1	87.2	90.3	93.4	96.5	99.6	102.7	
212	37.2	40.5	43.9	47.2	50.5	53.9	57.2	60.5	63.8	67.2	70.5	73.8	77.2	80.5	83.8	87.2	90.5	93.8	97.2	100.5	103.8	107.2	110.5	
213	33.7	36.7	39.8	42.8	45.8	48.8	51.8	54.8	57.9	60.9	63.9	66.9	69.9	73.0	76.0	79.0	82.0	85.0	88.1	91.1	94.1	97.1	100.1	
215	34.6	37.7	40.8	43.9	47.0	50.1	53.1	56.2	59.3	62.4	65.5	68.6	71.7	74.8	77.9	81.0	84.1	87.2	90.3	93.4	96.5	99.6	102.7	
216	35.3	38.5	41.6	44.8	48.0	51.1	54.3	57.5	60.6	63.8	67.0	70.1	73.3	76.4	79.6	82.8	85.9	89.1	92.3	95.4	98.6	101.7	104.9	
217	35.8	39.0	42.2	45.4	48.6	51.8	55.0	58.2	61.5	64.7	67.9	71.1	74.3	77.5	80.7	83.9	87.1	90.3	93.5	96.7	99.9	103.1	106.4	
218	35.0	38.1	41.3	44.4	47.5	50.7	53.8	56.9	60.1	63.2	66.3	69.4	72.5	75.6	78.7	81.8	84.9	88.0	91.1	94.2	97.3	100.4	103.5	
301	36.0	39.2	42.5	45.7	48.9	52.1	55.4	58.6	61.8	65.0	68.3	71.5	74.7	78.0	81.2	84.4	87.6	90.9	94.1	97.3	100.5	103.8	107.0	
302	32.9	35.9	38.8	41.8	44.7	47.6	50.6	53.5	56.5	59.4	62.4	65.3	68.3	71.2	74.2	77.1	80.1	83.0	86.0	88.9	91.9	94.8	97.8	
303	31.9	34.8	37.7	40.6	43.5	46.4	49.3	52.2	55.1	58.0	60.9	63.8	66.7	69.6	72.5	75.4	78.3	81.2	84.1	87.0	89.9	92.8	95.7	
304	34.1	37.2	40.3	43.3	46.4	49.4	52.5	55.5	58.6	61.7	64.7	67.8	70.8	73.9	76.9	80.0	83.1	86.1	89.2	92.2	95.3	98.4	101.4	
305	32.4	35.3	38.2	41.1	44.0	46.9	49.8	52.7	55.6	58.5	61.4	64.3	67.2	70.1	73.0	75.9	78.8	81.7	84.6	87.5	90.4	93.3	96.2	
306	32.4	35.3	38.2	41.1	44.0	46.9	49.8	52.7	55.6	58.5	61.4	64.3	67.2	70.2	73.1	76.0								



TABLE FOR FIXING IN-LINE CATEGORY MARK-UPS UNDER RULE 6 OF SECTION 7—Continued

Category you are pricing	Your average percentage mark-up bracket																							
	Under and including 62	Over 62, including 65	Over 65, including 68	Over 68, including 71	Over 71, including 74	Over 74, including 77	Over 77, including 80	Over 80, including 83	Over 83, including 86	Over 86, including 89	Over 89, including 92	Over 92, including 95	Over 95, including 98	Over 98, including 101	Over 101, including 104	Over 104, including 107	Over 107, including 110	Over 110, including 113	Over 113, including 116	Over 116, including 119	Over 119, including 122	Over 122, including 125	Over 125, including 127	
Group II:																								
701.....	64.9	68.1	71.3	74.5	77.7	80.9	84.2	87.4	90.6	93.8	97.0	100.2	103.5	106.7	109.8	113.1	116.3	119.5	122.8	126.0	129.2	132.4	135.6	
702.....	63.6	66.8	69.9	73.1	76.2	79.4	82.5	85.7	88.8	92.0	95.1	98.3	101.5	104.6	107.8	110.9	114.0	117.2	120.4	123.5	126.7	129.8	133.0	
703.....	60.8	63.8	66.8	69.8	72.8	75.8	78.8	81.9	84.9	87.9	90.9	93.9	96.9	99.9	102.9	105.9	108.9	111.9	114.9	117.9	120.9	123.9	126.9	
704.....	63.4	66.6	69.7	72.8	76.0	79.1	82.3	85.4	88.6	91.7	94.9	98.0	101.1	104.3	107.4	110.6	113.7	116.8	120.0	123.2	126.3	129.4	132.6	
705.....	65.1	68.4	71.6	74.8	78.0	81.3	84.5	87.7	91.0	94.2	97.4	100.7	103.9	107.1	110.3	113.6	116.8	120.0	123.3	126.5	129.7	132.9	136.2	
706.....	71.4	75.0	78.5	82.0	85.6	89.1	92.7	96.2	99.7	103.3	106.8	110.3	113.9	117.4	121.0	124.5	128.1	131.6	135.1	138.7	142.2	145.8	149.3	
707.....	59.8	62.8	65.8	68.7	71.7	74.7	77.6	80.6	83.6	86.5	89.5	92.5	95.4	98.4	101.4	104.3	107.3	110.3	113.2	116.2	119.2	122.2	125.1	
708.....	63.4	66.6	69.7	72.8	76.0	79.1	82.3	85.4	88.6	91.7	94.9	98.0	101.1	104.3	107.4	110.6	113.7	116.9	120.0	123.2	126.3	129.4	132.6	
709.....	59.2	62.2	65.1	68.1	71.0	73.9	76.9	79.8	82.7	85.7	88.6	91.6	94.5	97.4	100.4	103.3	106.2	109.2	112.1	115.1	118.0	120.9	123.9	
710.....	65.7	69.0	72.2	75.5	78.8	82.0	85.3	88.5	91.7	95.1	98.3	101.6	104.8	108.1	111.3	114.6	117.9	121.1	124.4	127.6	130.9	134.2	137.4	
711.....	64.0	67.2	70.4	73.5	76.7	79.9	83.0	86.2	89.4	92.6	95.7	98.9	102.1	105.3	108.4	111.6	114.8	118.0	121.1	124.3	127.5	130.7	133.8	
712.....	62.1	65.2	68.2	71.3	74.4	77.5	80.6	83.6	86.7	89.8	92.9	96.0	99.0	102.1	105.2	108.3	111.3	114.4	117.5	120.6	123.7	126.8	129.8	
713.....	59.0	62.0	64.9	67.8	70.8	73.7	76.6	79.5	82.5	85.4	88.3	91.3	94.2	97.1	100.0	103.0	105.9	108.8	111.7	114.7	117.6	120.5	123.5	
714.....	64.9	68.1	71.4	74.6	77.8	81.0	84.2	87.5	90.7	93.9	97.1	100.3	103.6	106.8	110.0	113.2	116.4	119.7	122.9	126.1	129.3	132.5	135.8	
715.....	57.7	60.6	63.4	66.3	69.2	72.0	74.9	77.8	80.6	83.5	86.3	89.2	92.1	94.9	97.8	100.6	103.5	106.4	109.2	112.1	115.0	117.8	120.7	
716.....	52.7	55.3	57.9	60.5	63.2	65.8	68.4	71.0	73.6	76.2	78.8	81.4	84.1	86.7	89.3	91.9	94.5	97.1	99.7	102.3	105.0	107.6	110.2	
717.....	58.2	61.1	64.0	66.8	69.7	72.6	75.5	78.4	81.3	84.2	87.0	89.9	92.8	95.7	98.6	101.5	104.3	107.2	110.1	113.0	115.9	118.8	121.7	
718.....	51.4	54.4	57.4	60.4	63.4	66.4	69.4	72.4	75.4	78.4	81.4	84.4	87.4	90.4	93.4	96.4	99.4	102.4	105.4	108.4	111.4	114.4	117.4	
719.....	54.4	57.1	59.8	62.5	65.2	67.9	70.6	73.3	76.0	78.7	81.4	84.1	86.8	89.5	92.2	94.9	97.6	100.3	103.0	105.7	108.4	111.1	113.8	
720.....	62.5	65.6	68.7	71.8	74.9	78.0	81.1	84.2	87.3	90.4	93.5	96.6	99.7	102.8	105.9	109.0	112.1	115.2	118.3	121.4	124.5	127.6	130.6	
721.....	46.7	49.1	51.4	53.7	56.0	58.3	60.7	63.0	65.3	67.6	69.9	72.2	74.6	76.9	79.2	81.5	83.8	86.2	88.5	90.8	93.1	95.4	97.7	
722.....	65.3	68.5	71.7	75.0	78.2	81.4	84.7	87.9	91.1	94.4	97.6	100.9	104.1	107.3	110.6	113.8	117.0	120.3	123.5	126.7	130.0	133.2	136.5	
723.....	55.6	58.4	61.1	63.9	66.6	69.4	72.2	74.9	77.7	80.4	83.2	85.9	88.7	91.5	94.2	97.0	99.7	102.5	105.2	108.0	110.8	113.5	116.3	
724.....	59.4	62.4	65.3	68.3	71.2	74.2	77.1	80.1	83.0	86.0	88.9	91.9	94.8	97.8	100.7	103.7	106.6	109.6	112.5	115.4	118.4	121.3	124.3	

Category you are pricing	Under and including 35	Over 35, including 38	Over 38, including 41	Over 41, including 44	Over 44, including 47	Over 47, including 50	Over 50, including 53	Over 53, including 56	Over 56, including 59	Over 59, including 62	Over 62, including 65	Over 65, including 68	Over 68, including 71	Over 71, including 74	Over 74, including 77	Over 77, including 80	Over 80, including 83	Over 83, including 86	Over 86, including 89	Over 89, including 92	Over 92, including 95	Over 95, including 98	Over 98, including 101
Group III:																							
801.....	35.4	38.6	41.8	44.9	48.1	51.3	54.5	57.6	60.8	64.0	67.2	70.3	73.5	76.7	79.8	83.0	86.2	89.4	92.5	95.7	98.9	102.0	105.2
802.....	35.1	38.2	41.4	44.5	47.7	50.8	53.9	57.1	60.2	63.4	66.5	69.7	72.8	75.9	79.1	82.2	85.4	88.5	91.7	94.8	97.9	101.1	104.2
803.....	36.1	39.3	42.6	45.8	49.0	52.3	55.5	58.7	62.0	65.2	68.4	71.6	74.8	78.0	81.3	84.6	87.8	91.0	94.3	97.5	100.7	104.0	107.2
804.....	36.3	39.6	42.8	46.1	49.3	52.6	55.8	59.1	62.3	65.6	68.8	72.1	75.3	78.6	81.8	85.1	88.3	91.6	94.8	98.1	101.3	104.6	107.8
805.....	31.0	33.8	36.6	39.4	42.1	44.9	47.7	50.5	53.3	56.0	58.8	61.6	64.4	67.2	69.9	72.7	75.5	78.3	81.1	83.8	86.6	89.4	92.2
806.....	28.4	31.0	33.5	36.1	38.6	41.2	43.7	46.3	48.8	51.4	53.9	56.5	59.0	61.5	64.1	66.6	69.2	71.7	74.3	76.8	79.4	81.9	84.5
851.....	35.4	38.6	41.7	44.9	48.1	51.2	54.4	57.6	60.7	63.9	67.1	70.2	73.4	76.5	79.6	82.7	85.8	88.9	92.0	95.1	98.2	101.3	104.4
852.....	34.5	37.6	40.7	43.8	46.9	50.0	53.0	56.1	59.2	62.3	65.4	68.5	71.6	74.7	77.8	80.9	83.9	87.0	90.1	93.2	96.3	99.4	102.5
853.....	31.4	34.2	37.0	39.8	42.7	45.5	48.3	51.1	53.9	56.7	59.5	62.3	65.2	68.0	70.8	73.6	76.4	79.2	82.0	84.8	87.7	90.5	93.3
854.....	31.1	33.9	36.7	39.5	42.3	45.0	47.8	50.6	53.4	56.2	59.0	61.8	64.6	67.3	70.1	72.9	75.7	78.5	81.3	84.1	86.8	89.6	92.4

Category you are pricing	Under and including 35	Over 35, including 38	Over 38, including 41	Over 41, including 44	Over 44, including 47	Over 47, including 50	Over 50, including 53	Over 53, including 56	Over 56, including 59	Over 59, including 62	Over 62, including 65	Over 65, including 68	Over 68, including 71	Over 71, including 74	Over 74, including 77	Over 77, including 80	Over 80, including 83	Over 83, including 86	Over 86, including 89	Over 89, including 92	Over 92, including 95	Over 95, including 98	Over 98, including 101
Group III:																							
801.....	35.4	38.6	41.8	44.9	48.1	51.3	54.5	57.6	60.8	64.0	67.2	70.3	73.5	76.7	79.8	83.0	86.2	89.4	92.5	95.7	98.9	102.0	105.2
802.....	35.1	38.2	41.4	44.5	47.7	50.8	53.9	57.1	60.2	63.4	66.5	69.7	72.8	75.9	79.1	82.2	85.4	88.5	91.7	94.8	97.9	101.1	104.2
803.....	36.1	39.3	42.6	45.8	49.0	52.3	55.5	58.7	62.0	65.2	68.4	71.6	74.9	78.1	81.3	84.6	87.8	91.0	94.3	97.5	100.7	104.0	107.2
804.....	36.3	39.6	42.8	46.1	49.3	52.6	55.8	59.1	62.3	65.6	68.8	72.1	75.3	78.6	81.8	85.1	88.3	91.6	94.8	98.1	101.3	104.6	107.8
805.....	31.0	33.8	36.6	39.4	42.1	44.9	47.7	50.5	53.3	56.0	58.8	61.6	64.4	67.2	69.9	72.7	75.5	78.3	81.1	83.8	86.6	89.4	92.2
806.....	28.4	31.0	33.5	36.1	38.6	41.2	43.7	46.3	48.8	51.4	53.9	56.5	59.0	61.5	64.1	66.6	69.2	71.7	74.3	76.8	79.4	81.9	84.5
807.....	35.4	38.6	41.7	44.9	48.1	51.2	54.4	57.6	60.7	63.9	67.1	70.2	73.4	76.6	79.7	82.9	86.1	89.2	92.4	95.6	98.8	101.9	105.1
808.....	34.5	37.6	40.7	43.8	46.9	50.0	53.0	56.1	59.2	62.3	65.4	68.5	71.6	74.7	77.8	80.9	83.9	87.0	90.1	93.2	96.3	99.4	102.5
809.....	31.4	34.2	37.0	39.8	42.7	45.5	48.3	51.1	53.9	56.7	59.5	62.3	65.2	68.0	70.8	73.6	76.4	79.2	82.0	84.9	87.7	90.5	93.3
810.....	31.1	33.9	36.7	39.5	42.3	45.0	47.8	50.6	53.4	56.2	59.0	61.8	64.6	67.3	70.1	72.9	75.7	78.5	81.3	84.1	86.8	89.6	92.4

[Appendix E added by Am. 9, 11 F.R. 1739, effective 3-6-46 and amended by Am. 10, 11 F.R. 2987, effective 3-19-46]

APPENDIX F—TABLE FOR FIXING CATEGORY MARK-UPS UNDER SECTION 10

Category you are pricing	Per-centage mark-up on cost	Category you are pricing	Per-centage mark-up on cost
101.....	67.4	205.....	64.1
102.....	63.8	206.....	63.8
103.....	61.0	207.....	61.3
104.....	65.0	208.....	60.9
105.....	53.2	209.....	65.3
106.....	62.0	210.....	67.8
107.....	58.9	211.....	64.4
108.....	62.9	212.....	69.4
109.....	62.9	213.....	62.9
110.....	58.0	214.....	81.6
111.....	35.5	215.....	64.5
112.....	58.0	216.....	65.9
113.....	59.0	217.....	66.8
114.....	66.6	218.....	65.3
115.....	60.9	301.....	67.2
116.....	61.5	302.....	61.4
117.....	60.1	303.....	59.6
118.....	61.7	304.....	63.7
119.....	65.6	305.....	60.4
120.....	72.7	306.....	60.5
121.....	69.5	307.....	61.3
122.....	66.5	351.....	62.7
123.....	64.7	352.....	62.5
124.....	66.9	353.....	74.2
201.....	70.1	401.....	62.8
202.....	66.4	402.....	57.2
203.....	71.3	403.....	57.4
204.....	67.5	404.....	63.4

Category you are pricing	Per-centage mark-up on cost	Category you are pricing	Per-centage mark-up on cost
405.....	62.4	708.....	95.9
406.....	60.2	709.....	89.6
407.....	61.2	710.....	99.4
408.....	59.2	711.....	96.8
409.....	59.7	712.....	93.9
410.....	58.1	713.....	89.3
501.....	56.4	714.....	98.2
502.....	58.8	715.....	87.3
503.....	61.2	716.....	79.7
504.....	61.9	717.....	88.0
505.....	60.0	718.....	77.8
506.....	65.1	719.....	82.3
507.....	67.9	720.....	94.5
601.....	66.1	721.....	70.7
602.....	60.4	722.....	98.7
603.....	61.4	751.....	84.1
604.....	64.7	752.....	89.9
605.....	64.9	801.....	84.7
606.....	68.5	802.....	83.9
607.....	58.0	803.....	86.3
701.....	98.1	804.....	86.8
702.....	96.2	805.....	74.2
703.....	91.9	806.....	68.0
704.....	95.9	851.....	84.6
705.....	98.5	852.....	82.5
706.....	108.0	853.....	75.1
707.....	90.5	854.....	74.4

[Appendix F added by Am. 9, 11 F.R. 1739, effective 3-6-46]

APPENDIX G—MULTIPLIERS FOR GROUP AVERAGES OVER 101 FOR CATEGORIES IN GROUPS I AND III, AND FOR GROUP AVERAGE OVER 127 FOR CATEGORIES IN GROUP II OF APPENDIX E

Category you are pricing:	
Group I:	<i>Multiplier</i>
101.....	1.079
102.....	1.021
103.....	.976
104.....	1.040
105.....	.851
106.....	.992
107.....	.942
108.....	1.006
109.....	1.006
110.....	.928
111.....	.568
112.....	.928
113.....	.944
114.....	1.065
115.....	.974
116.....	.984
117.....	.962
118.....	.988
119.....	1.050
120.....	1.163
121.....	1.112
122.....	1.064
123.....	1.035
124.....	1.070
201.....	1.121
202.....	1.062
203.....	1.140



## Category you are pricing:

Group I:	Multiplier
205.....	1.026
206.....	1.021
207.....	.980
208.....	.974
209.....	1.045
210.....	1.085
211.....	1.030
212.....	1.111
213.....	1.006
215.....	1.032
216.....	1.054
217.....	1.068
218.....	1.045
301.....	1.076
302.....	.982
303.....	.953
304.....	1.020
305.....	.967
306.....	.968
307.....	.980
351.....	1.003
352.....	1.000
401.....	1.005
402.....	.915
403.....	.918
404.....	1.015
405.....	.998
406.....	.963
407.....	.979
408.....	.947
409.....	.955
410.....	.850
501.....	.903
502.....	.941
503.....	.979
504.....	.991
505.....	.960
506.....	1.041
507.....	1.086
601.....	1.058
602.....	.967
603.....	.982
604.....	1.035
605.....	1.038
606.....	1.096
607.....	.928
Group II:	
701.....	1.073
702.....	1.052
703.....	1.004
704.....	1.048
705.....	1.077
706.....	1.180
707.....	.989
708.....	1.048
709.....	.979
710.....	1.086
711.....	1.058
712.....	1.026
713.....	.976
714.....	1.074
715.....	.954
716.....	.872
717.....	.962
718.....	.851
719.....	.899
720.....	1.033
721.....	.773
722.....	1.079
751.....	.919
752.....	.982
Group III:	
801.....	1.057
802.....	1.048
803.....	1.078
804.....	1.084
805.....	.926
806.....	.840
851.....	1.056
852.....	1.030
853.....	.938
854.....	.928

**Effective date.** This regulation shall become effective March 20, 1945. [Maximum Price Regulation 580 originally issued March 20, 1945]

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

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

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8345; Filed, May 17, 1946;  
11:30 a. m.]

## PART 1382—HARDWOOD LUMBER

[MPR 458, 1 Amdt. 5]

## OAK, PECAN AND MISCELLANEOUS HARDWOOD FLOORING

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 458 is amended in the following respects:

1. Section 2 is amended to read as follows:

**SEC. 2. What products, transactions and persons are covered.** This regulation covers all direct mill sales of unfinished and prefinished hardwood flooring produced from the species and in the regions indicated as follows:

Species	Regions where produced
Oak, pecan and gum...	Anywhere in the United States.
All hardwood species except oak, pecan gum, hard maple and birch.	Anywhere in the United States except in the Northern, Northeastern, and North Central hardwood regions as those regions are described in Maximum Price Regulations 223, 368, and 155.

For the purposes of this regulation, prefinished hardwood flooring means flooring that has been sanded, filled, finished, waxed, and pressure rubbed to form a finished product ready for immediate use after installation. The regulation applies regardless of the kind of mill or plant in which the flooring is produced, and regardless of whether the particular item is specifically priced in the price tables or not. Any person who makes a sale of this kind for himself or others, is subject to this regulation.

**NOTE:** See Supplementary Order 150.

All grade terms in this regulation have the meaning given in the effective Official Flooring Grading Rules for Oak, Pecan,

<sup>1</sup> 8 F.R. 15323; 9 F.R. 457, 10 F.R. 12118; 11 F.R. 1622.

Beech, Birch and Hard Maple issued by the National Oak Flooring Manufacturers' Association insofar as those rules apply to species covered by this regulation. One of the grade requirements of these rules, and of this regulation in order for the prices established herein to be charged, is that the hardwood flooring of the indicated species must be made from properly kiln-dried lumber, side matched and end matched, and machined to pattern. In addition, of course, it must meet all of the other grade requirements.

2. Section 3 is amended to read as follows:

**SEC. 3. Maximum f. o. b. mill prices.** (a) The maximum f. o. b. mill prices for the hardwood flooring covered by this regulation are set forth in Articles IV to VIII, inclusive.

(b) *Small quantity shipments, other than by rail at the carload rail rate or water.* When the purchaser's order specifically requires that shipments of hardwood flooring covered by this regulation be made solely by some means of transportation other than rail at the rail carload rate, or water, an addition of \$4.00 per thousand feet board measure to the maximum f. o. b. mill prices for the hardwood flooring so ordered, may be made by the seller. The \$4.00 addition may be made by the seller under the conditions referred to in this paragraph if shipment is made solely by truck, express or by rail at the less-than-carload rates. If all or any part of the hardwood flooring covered by such order is shipped by rail at the carload rail rate or water, the above addition shall not be made.

3. Immediately following section 12, and immediately preceding Article IV, a table is added reading as follows:

Coverage of Articles IV-VIII

Article	Species	Producing regions
IV	Oak.....	Southern and South Central hardwood regions, and elsewhere in the United States except in Appalachian, North Central, Northern and Northeastern hardwood lumber regions.
V	Oak.....	Appalachian, North Central, Northern and Northeastern hardwood lumber regions.
VI	Beech.....	Southern and South Central hardwood lumber regions, and elsewhere in United States except in Appalachian, North Central, Northern and Northeastern hardwood lumber regions.
VII	Pecan, gum....	United States.
VIII	Beech.....	Appalachian hardwood lumber region.

4. In section 8, *Prohibited practices*, a new paragraph is added to read as follows:

It shall be a violation of the regulation to mark, label, or otherwise identify hardwood flooring produced outside the regions covered by Articles V and VIII, in any manner which would reasonably lead any purchaser to believe that the

[Appendix G added by Am. 10, 11 F.R. 2987, effective 3-19-46]



that the registration has been received. The registration may be in any form so long as it shows the exact name of the mill, and the location of the mill (town, county, and State).

2. The producing mill must either stamp each piece with the name and location (town and State) of the mill, or securely tag or label each bundle, the tag or label to bear the following wording:

Produced by \_\_\_\_\_  
(Exact name of producing mill)  
At \_\_\_\_\_  
(Location of producing mill)  
Authorized maximum price fixed  
by Article V of MPR 458

NOTE: Since Order No. 3 (effective April 11, 1946) permitted agreements to adjust prices upward to reflect increased granted by this amendment, the above two requirements do not apply to shipments made prior to May 31, 1946.

The maximum prices for any oak flooring produced by a mill which fails to meet the registration and labeling requirements set forth above shall be the maximum prices established in Article IV of the regulation.

flooring produced in mills located in certain regions. These regions are the Appalachian, North Central, Northern and Northeastern hardwood lumber regions, as defined in Maximum Price Regulations 146, 155, 223, and 368. The maximum prices set forth are for 1000 feet board measure for the indicated species, grade, and size, f. o. b. mill.

In order that the Office of Price Administration may properly enforce these maximum prices, particularly on sales out of distribution yard stocks, it is necessary that it maintain an accurate file of hardwood flooring mills located in these regions, and that all flooring produced in such mills be easily identifiable as such. Therefore, the following two requirements must be complied with before the prices in this Article V may be charged:

1. The producing mill must register with the Lumber Branch, Office of Price Administration, Washington 25, D. C., and must keep on file an acknowledgement from OPA

TABLE 3—MAXIMUM PRICES PER M<sup>3</sup>BM FOR STANDARD GRADES AND VICTORY GRADE OAK FLOORING

Grades and species	M <sup>3</sup> BM									
	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved
Clear quartered white oak	141.00	126.00	118.50	123.00	127.50	123.00	127.50	123.00	127.50	123.00
Clear quartered red oak	127.50	116.50	109.00	103.00	107.50	103.00	107.50	103.00	107.50	103.00
Select quartered white oak	121.00	113.50	106.00	100.00	104.50	100.00	104.50	100.00	104.50	100.00
Select quartered red oak	121.00	113.50	106.00	100.00	104.50	100.00	104.50	100.00	104.50	100.00
Clear plain white oak	122.50	112.50	105.00	99.00	103.50	99.00	103.50	99.00	103.50	99.00
Clear plain red oak	122.50	112.50	105.00	99.00	103.50	99.00	103.50	99.00	103.50	99.00
Select plain white oak	116.50	107.50	100.00	94.00	98.50	94.00	98.50	94.00	98.50	94.00
Select plain red oak	116.50	107.50	100.00	94.00	98.50	94.00	98.50	94.00	98.50	94.00
No. 1 Common white oak	109.00	100.00	93.00	87.00	91.50	87.00	91.50	87.00	91.50	87.00
No. 1 Common red oak	109.00	100.00	93.00	87.00	91.50	87.00	91.50	87.00	91.50	87.00
No. 2 Common white oak	82.50	72.00	64.00	58.00	62.50	58.00	62.50	58.00	62.50	58.00
No. 2 Common red oak	82.50	72.00	64.00	58.00	62.50	58.00	62.50	58.00	62.50	58.00
No. 1 Common and better mixed oak shorts	93.00	81.50	74.50	70.50	75.00	70.50	75.00	70.50	75.00	70.50
No. 2 Common mixed oak shorts	64.00	59.50	55.50	54.50	48.50	45.50	48.50	45.50	48.50	45.50
Victory grade red or white oak	115.50	107.50	97.00	86.50	95.00	88.00	97.00	88.00	97.00	88.00
Victory grade red or white oak shorts	89.00	82.50	72.00	64.00	68.00	62.00	68.00	62.00	68.00	62.00

Notes on standard grades and victory grade oak flooring: 2' bundles only. For 2' bundles only, the maximum price shall be 80 percent of the maximum price for the same grade and size in regular length stock, as set forth in this table. 2' and 3' bundles only. For 2' and 3' bundles only (to include at least 20 percent of footage in 3' bundles), the maximum price shall be 85 percent of the maximum price for the same grade and size in regular length stock, as set forth in this table.

ure of flooring of the indicated species, grade and size, f. o. b. mill, produced anywhere in the United States, except in Appalachian, North Central, Northern and Northeastern hardwood lumber regions, as those regions are described in Maximum Price Regulations 146, 155, 223, and 368.

## ARTICLE IV—PRICE TABLES

The maximum prices established in Article IV are for 1000 feet board measure.

TABLE 1—MAXIMUM PRICES PER M<sup>3</sup>BM FOR STANDARD GRADES AND VICTORY GRADE OAK FLOORING

Grades and species	M <sup>3</sup> BM									
	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved	3/4 x 3 1/4" E. M. tongued and grooved
Clear quartered white oak	131.00	117.00	110.00	103.50	107.00	103.50	107.00	103.50	107.00	103.50
Clear quartered red oak	118.50	105.00	101.50	95.00	98.50	95.00	98.50	95.00	98.50	95.00
Select quartered white oak	111.50	104.50	93.00	87.00	90.50	87.00	90.50	87.00	90.50	87.00
Select quartered red oak	111.50	104.50	93.00	87.00	90.50	87.00	90.50	87.00	90.50	87.00
Clear plain white oak	114.00	105.50	94.00	88.00	91.50	88.00	91.50	88.00	91.50	88.00
Clear plain red oak	114.00	105.50	94.00	88.00	91.50	88.00	91.50	88.00	91.50	88.00
Select plain white oak	108.00	103.50	90.00	84.00	87.50	84.00	87.50	84.00	87.50	84.00
Select plain red oak	108.00	103.50	90.00	84.00	87.50	84.00	87.50	84.00	87.50	84.00
No. 1 Common white oak	101.50	93.00	85.00	78.00	81.50	78.00	81.50	78.00	81.50	78.00
No. 1 Common red oak	101.50	93.00	85.00	78.00	81.50	78.00	81.50	78.00	81.50	78.00
No. 2 Common mixed oak	77.00	67.00	59.50	53.00	56.50	53.00	56.50	53.00	56.50	53.00
No. 1 Common and better mixed oak shorts	86.00	76.00	69.00	63.00	66.50	63.00	66.50	63.00	66.50	63.00
No. 2 Common mixed oak shorts	59.50	55.50	51.50	45.00	48.50	45.00	48.50	45.00	48.50	45.00
Victory grade red or white oak	107.00	100.00	90.00	80.50	85.00	80.50	85.00	80.50	85.00	80.50
Victory grade red or white oak shorts	82.50	77.00	67.00	59.50	63.00	57.50	63.00	57.50	63.00	57.50

Notes on standard grades and victory grade oak flooring: 2' bundles only. For 2' bundles only, the maximum price shall be 80 percent of the maximum price for the same grade and size in regular length stock, as set forth in this table. 2' and 3' bundles only. For 2' and 3' bundles only (to include at least 20 percent of footage in 3' bundles), the maximum price shall be 85 percent of the maximum price for the same grade and size in regular length stock, as set forth in this table.

TABLE 2—MAXIMUM PRICES PER M<sup>3</sup>BM FOR PREFINISHED RED OAK OR WHITE OAK FLOORING

Grade	M <sup>3</sup> BM				
	3/4 x 3 1/4"	3/4 x 3 1/4"	3/4 x 3 1/4"	3/4 x 3 1/4"	3/4 x 3 1/4"
Prime	131.00	124.50	121.50	117.50	110.50
Standard	128.50	120.00	117.50	113.50	106.50
Standard and better	123.00	115.00	112.00	108.00	102.50

Notes on prefinished red or white oak flooring: Prime grade: Same as select and better strip oak flooring, and will average approximately 50 percent each clear and select. Bundles: 2' and longer; minimum average 4 1/2'. Standard grade: A combination of No. 1 Common and No. 2 Common strip oak flooring, and will average approximately 70 percent No. 1 Common and 30 percent No. 2 Common. Bundles: 1 1/2' and longer; minimum average 3 1/2'. Standard and better grade: A combination of prime grade and standard grade, to include the normal percentage of each of these grades developing. Additions and deductions: For standard or better grade, shipped in 2' and longer bundles, add \$2.00 per M<sup>3</sup>BM to the price for the regular grade (2' bundles contain pieces 18" to 30"). For prime, standard or standard and better grade, shipped in 1 1/2' bundles only, deduct \$15.00 per M<sup>3</sup>BM from the price for the appropriate grade in table 2.

6. Four new articles, designated Article V, Article VI, Article VII and Article VIII, are added, to read as follows: Article V may not be charged except for

## ARTICLE V—PRICE TABLES

The maximum prices established in Article V may not be charged except for



TABLE 4—MAXIMUM PRICES PER M'BM FOR PREFINISHED RED OAK OR WHITE OAK FLOORING

Grade	$2\frac{1}{2}$ x $3\frac{1}{4}$ "	$2\frac{1}{2}$ x $2\frac{3}{4}$ "	$2\frac{1}{2}$ x $2\frac{1}{4}$ "	$1\frac{1}{2}$ x $2\frac{1}{2}$ "	$1\frac{1}{2}$ x 2"	$3\frac{1}{2}$ x 2"
Prime.....	\$139.50	\$132.00	\$132.00	\$128.00	\$128.00	\$110.00
Standard.....	135.00	127.50	127.50	124.00	124.00	105.50
Standard and better.....	137.60	129.50	129.50	126.00	126.00	107.50

Notes on prefinished red or white oak flooring:

Prime grade: Same as select and better strip oak flooring, and will average approximately 50 percent each clear and select. Bundles: 2' and longer; minimum average:  $4\frac{1}{4}$ '.

Standard grade: A combination of No. 1 Common and No. 2 Common strip oak flooring, and will average approximately 70 percent No. 1 Common and 30 percent No. 2 Common. Bundles:  $1\frac{1}{4}$ ' and longer; minimum average:  $3\frac{1}{4}$ '.

Standard and better grade: A combination of prime grade and standard grade, to include the normal percentage of each of these grades developing.

Additions and deductions: For standard or standard and better grade, shipped in 2' and longer bundles, add \$2.00 per M'BM to the price for the regular grade (2' bundles contain pieces 18" to 30").

For prime, standard or standard and better grade, shipped in  $1\frac{1}{4}$ ' bundles only, deduct \$15.00 per M'BM from the price for the appropriate grade in table 4.

## ARTICLE VI—PRICE TABLES

The maximum prices established in Article VI are for 1,000 feet board measure of flooring of the indicated species, grade and size, f. o. b. mill, produced anywhere in the United States except in the Appalachian, North Central, Northern and Northeastern hardwood lumber regions, as those regions are described in Maximum Price Regulations 146, 155, 223, and 368.

TABLE 5—MAXIMUM PRICES PER M'BM FOR STANDARD GRADES AND VICTORY GRADE BEECH FLOORING

Grade	Maximum price per M'BM
$2\frac{1}{2}$ x $1\frac{1}{2}$ "	
First grade—red.....	\$85.50
First grade.....	79.00
Second grade.....	76.00
Third grade.....	62.50
Third grade and better shorts.....	56.00
Victory grade.....	74.00
$2\frac{1}{2}$ x $2\frac{1}{4}$ "	
First grade—red.....	103.50
First grade.....	97.00
Second grade.....	93.50
Third grade.....	78.50
Third grade and better shorts.....	71.00
Victory grade.....	91.00
$2\frac{1}{2}$ x $3\frac{1}{4}$ "	
Victory grade.....	97.50

TABLE 6—MAXIMUM PRICES PER M'BM FOR PREFINISHED BEECH FLOORING

Grade	$2\frac{1}{2}$ x $3\frac{1}{4}$ "	$2\frac{1}{2}$ x $2\frac{3}{4}$ "	$2\frac{1}{2}$ x $2\frac{1}{4}$ "	$1\frac{1}{2}$ x $2\frac{1}{2}$ "	$1\frac{1}{2}$ x 2"
Prime.....	\$124.50	\$118.00	\$118.00	\$118.00	\$118.00
Standard.....	121.00	114.50	114.50	114.50	114.50
Standard and better.....	123.00	116.00	116.00	116.00	116.00

Notes on prefinished beech flooring.

Prime grade: Same as second and better strip beech flooring, and will average about 50 percent first grade and 50 percent second grade. Bundles: 2' and longer; minimum average: 4'.

Standard grade: Same as third grade. Bundles:  $1\frac{1}{4}$ ' and longer; minimum average: 3'.

Standard and better grade: A combination of prime grade and standard grade to include the normal percentage of each of these grades developing.

Additions and deductions: For standard or standard and better grade, shipped in 2' and longer bundles, add \$2.00 per M'BM to the price for the regular grade (2' bundles contain pieces 18" to 30").

For prime, standard or standard and better grade, shipped in  $1\frac{1}{4}$ ' bundles only, deduct \$15.00 per M'BM from the price for the appropriate grade in table 6.

## ARTICLE VII—PRICE TABLES

The maximum prices established in Article VII are for 1,000 feet board measure of flooring of the indicated species, grade and size, f. o. b. mill, produced anywhere in the United States.

TABLE 7—MAXIMUM PRICES PER M'BM FOR STANDARD GRADES AND VICTORY GRADE GUM FLOORING, TONGUED AND GROOVED, END-MATCHED, KILN-DRIED

Grade	Maximum price per M'BM
$2\frac{1}{2}$ x $2\frac{1}{4}$ "	
Clear.....	\$99.50
Select.....	97.00
No. 1 Common.....	82.00
No. 2 Common.....	66.50
Victory grade.....	85.50
Victory grade shorts.....	66.50
$2\frac{1}{2}$ x $3\frac{1}{4}$ "	
Clear.....	106.50
Select.....	104.00
No. 1 Common.....	88.00
No. 2 Common.....	70.50
Victory grade.....	91.50
Victory grade shorts.....	70.50
$2\frac{1}{2}$ x $1\frac{1}{2}$ "	
Clear.....	84.50
Select.....	82.50
No. 1 Common.....	65.50
No. 2 Common.....	51.00
Victory grade.....	68.50
Victory grade shorts.....	50.50

Notes on standard grades and victory grade gum flooring:

For purposes of this regulation, the grades of gum flooring are defined as follows:

**Clear.**—Face practically free of defects, 2' and longer, permitting up to 30% 2' and 3'.

**Select.**—Admits small tight knots, pin worm holes, and slight imperfections in working. 2' and longer, permitting up to 40% 2' and 3'.

**No. 1 Common.**—Will lay a sound floor without cutting. 1' and longer, permitting up to 60% 1' to 3'.

**No. 2 Common.**—Admits defects of all kinds, but will lay a serviceable floor with some cutting. 1' and longer, permitting up to 80% 1' to 3'.

**Victory.**—Shall be machine run, consisting of all grades named herein developed in a normal run of average grade lumber, with all grades bundled together. The lowest piece admitted shall not be less than No. 2 Common and lay a serviceable floor without cutting. The bundles are to be 2' and up, with an average length of not less than  $4\frac{1}{2}$ '.

## MANUFACTURING REQUIREMENTS

Flooring must meet all of the manufacturing requirements for tongued and grooved, end-matched flooring, as required by rules of the National Oak Flooring Manufacturers Association for standard grades of oak and other hardwood flooring.

Flooring shall not be considered to meet the requirements of these grades unless the lumber from which the flooring is manufactured has been properly kiln-dried.

TABLE 8—MAXIMUM PRICES PER M'BM FOR STANDARD GRADES AND VICTORY GRADE PECAN FLOORING

Grade	Maximum price per M'BM
$2\frac{1}{2}$ x $1\frac{1}{2}$ "	
First grade.....	\$84.00
Second grade.....	73.50
Third grade.....	64.50
Fourth grade.....	47.00
Victory grade.....	70.00
Victory grade shorts.....	55.50
$2\frac{1}{2}$ x $2\frac{1}{4}$ "	
First grade—white.....	104.50
First grade—red.....	104.50
First grade—regular.....	101.50
Second grade—red.....	99.00
Second grade—regular.....	94.00
Third grade.....	86.00
Fourth grade.....	63.00
Fourth grade—15" shorts.....	53.00
Victory grade.....	91.00
Victory grade shorts.....	72.50
$2\frac{1}{2}$ x $3\frac{1}{4}$ "	
Victory grade.....	97.50
Victory grade shorts.....	79.50

TABLE 9—MAXIMUM PRICES PER M'BM FOR PREFINISHED PECAN FLOORING

Grade	$2\frac{1}{2}$ x $3\frac{1}{4}$ "	$2\frac{1}{2}$ x $2\frac{3}{4}$ "	$2\frac{1}{2}$ x $2\frac{1}{4}$ "
Prime.....	\$123.00	\$116.00	\$116.00
Standard.....	119.50	113.00	113.00
Standard and better.....	121.00	114.50	114.50

Notes on prefinished pecan flooring.

Prime grade: Same as second and better strip pecan flooring, and will average about 50 percent first grade and 50 percent second grade. Bundles: 2' and longer; minimum average: 4'.

Standard grade: Same as third grade. Bundles:  $1\frac{1}{4}$ ' and longer; minimum average: 3'.

Standard and better grade: A combination of prime grade and standard grade to include the normal percentage of each of these grades developing.

Additions and deductions: For standard or standard and better grade, shipped in 2' and longer bundles, add \$2.00 per M'BM to the price for the regular grade (2' bundles contain pieces 18" to 30").

For prime, standard or standard and better grade, shipped in  $1\frac{1}{4}$ ' bundles only, deduct \$15.00 per M'BM from the price for the appropriate grade in table 9.

## ARTICLE VIII

The maximum prices established in Article VIII may not be charged except for flooring produced in mills located in the Appalachian hardwood region, as defined in Maximum Price Regulation 146. The maximum prices set forth are for 1000 feet board measure for the indicated species, grade, and size, f. o. b. mill.

In order that the Office of Price Administration may properly enforce these maximum prices, particularly on sales out of distribution yard stocks, it is necessary that it maintain an accurate file of hardwood flooring mills located in this region, and that all flooring produced in such mills be easily identifiable as such. Therefore, the following two requirements must be complied with before the prices in this Article VIII may be charged:

1. The producing mill must register with the Lumber Branch, Office of Price Administration, Washington 25, D. C., and must keep on file an acknowledgment from OPA that the registration has been received. The registration may be in any form so long as it shows the exact name of the mill, and the location of the mill (town, county, and state).

2. The producing mill must either stamp each piece with the name and location (town and state) of the mill, or securely tag or label each bundle, the tag or label to bear the following wording:



Produced by -----  
(Exact name of producing mill)  
At -----  
(Location of producing mill)  
Authorized maximum price fixed by Article  
VIII of MPR 458.

NOTE: Since Order No. 3 (effective April 11, 1946) permitted agreements to adjust prices upward to reflect increases granted by this amendment, the above requirements do not apply to shipments made prior to May 31, 1946.

The maximum prices for beech flooring produced by a mill which fails to meet the registration and labeling requirements set forth above shall be maximum prices set forth in Article VI.

TABLE 10—MAXIMUM PRICES PER M'BM FOR STANDARD GRADES AND VICTORY GRADE BEECH FLOORING

Grade	Maximum price per M'BM
$\frac{3}{4}$ x $1\frac{1}{2}$ ":	
First grade—red.....	\$88.00
First grade.....	81.00
Second grade.....	78.00
Third grade.....	64.50
Third grade and better shorts.....	57.50
Victory grade.....	76.50
$\frac{3}{4}$ x $2\frac{1}{4}$ ":	
First grade—red.....	106.50
First grade.....	100.00
Second grade.....	96.00
Third grade.....	80.50
Third grade and better shorts.....	73.00
Victory grade.....	93.50
$\frac{3}{4}$ x $3\frac{1}{4}$ ": Victory grade.....	100.50

TABLE 11—MAXIMUM PRICES PER M'BM FOR PRE-FINISHED BEECH FLOORING

Grade	$\frac{3}{4}$ x $3\frac{1}{4}$ "	$\frac{3}{4}$ x $2\frac{1}{4}$ "	$\frac{3}{4}$ x $2\frac{1}{2}$ "	$\frac{1}{2}$ x $2\frac{1}{2}$ "	$\frac{1}{2}$ x 2"
Prime.....	\$127.50	\$120.50	\$120.50	\$120.50	\$120.50
Standard.....	124.00	117.00	117.00	117.00	117.00
Standard and better.....	126.00	118.50	118.50	118.50	118.50

Notes on prefinished beech flooring.  
Prime grade: Same as second and better strip beech flooring, and will average about 50 percent first grade and 50 percent second grade. Bundles: 2' and longer; minimum average: 4'.  
Standard grade: Same as third grade. Bundles  $1\frac{1}{4}$ ' and longer; minimum average: 3'.  
Standard and better grade: A combination of prime grade and standard grade to include the normal percentage of each of these grades developing.  
Additions and deductions: For standard or standard and better grade, shipped in 2' and longer bundles, add \$2.00 per M'BM to the prices for the regular grade (2' bundles contain pieces 18" to 30").  
For prime, standard or standard and better grade, shipped in  $1\frac{1}{4}$ ' bundles only, deduct \$15.00 per M'BM from the price for the appropriate grade in table 11.

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

This amendment shall become effective May 17, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8346; Filed, May 17, 1946;  
4:44 p. m.]

#### PART 1305—ADMINISTRATION

[SO 126, Amdt. 34]

##### BRUSHES AND BROOMS

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 126 is amended in the following respect:

Paragraph (c) of section 8, Article II, is amended by adding the following items thereto:

Domestically processed Animal Hair, Vegetable Fiber, and Bristle (except Broom Corn) and mixtures thereof in any combination, used in the manufacture of brushes and brooms.

This amendment shall become effective May 20, 1946.

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8427; Filed, May 20, 1946;  
11:53 a. m.]

#### PART 1305—ADMINISTRATION

[SO 129, Corr. to Amdt. 17]

##### EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF MACHINES, PARTS, INDUSTRIAL MATERIALS AND SERVICES

In section 13 (a) of Supplementary Order 129, the item "Zinc engravers plates . . ." is amended to read as follows:

Zinc engravers plates, raw and finished.

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8428; Filed, May 20, 1946;  
11:53 a. m.]

#### PART 1305—ADMINISTRATION

[SO 149<sup>1</sup>, Amdt. 1]

##### INDIVIDUAL COMPANY ADJUSTMENT PROVISION FOR PRODUCERS OF CERTAIN COTTON, WOOL AND LINEN TEXTILES

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. 149 is amended in the following respect:

1. Section 2 is amended to read as follows:

SEC. 2. *Designated commodities.* The commodities included in this order are those covered by Revised Price Schedule or Maximum Price Regulation Nos.<sup>2</sup> 7,

<sup>1</sup> 11 F.R. 2640.

<sup>2</sup> RPS-7—Combed cotton yarns and the processing thereof—7 F.R. 2000, 2132, 2277, 2393, 2509, 2737, 3160, 3551, 3664, 5481, 8948, 9782, 10496; 8 F.R. 972, 5755, 9285, 11870, 12611, 14004; 9 F.R. 10636, 11903, 12412; 10 F.R. 1141, 3552.

MPR-11—Fine cotton goods—9 F.R. 2661, 3577, 4879, 5162, 11531, 13020, 13056, 14850; 10 F.R. 1141, 3090, 6307, 8977.

MPR-33—Carded cotton yarns and the processing thereof—7 F.R. 7557, 8948, 10070; 8 F.R. 2345, 3526, 9759, 13497; 9 F.R. 10575, 11903.

RPS-35—Carded gray and colored-yarn cotton goods—8 F.R. 1936, 5309, 15906, 16744; 9 F.R. 2020, 2237, 2477, 2790, 3339, 7700, 9278,

11, 33, 35, 39, 58, 89, 118, 127, 163, 220, 221, 287, 506, 570, 572, 595, 605, 607, and spun, twisted, braided, woven, or knitted articles when made in whole or major part of cotton, wool, or flax (or any combination thereof), covered by the General Maximum Price Regulation.<sup>3</sup>

This amendment shall become effective May 25, 1946.

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8429; Filed, May 20, 1946;  
11:53 a. m.]

#### PART 1312—LUMBER AND LUMBER PRODUCTS [MPR 608, Amdt. 1]

##### SPECIAL MILLWORK

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 608 is amended in the following respect:

The first paragraph in section 3 (a) (2) preceding subdivision (i) is amended to read as follows:

(2) *Filing pricing method.* Every seller who is required to determine maximum prices for special millwork under

9838, 10085, 10921; 10 F.R. 3876, 8129, 9669, 10293.

MPR-39—Woven decorative fabrics—9 F.R. 14067; 10 F.R. 4662, 11663, 14063, 14659.

RPS-58—Wool and wool tops and yarns—8 F.R. 5988, 11738; 9 F.R. 7943, 10425; 10 F.R. 1143, 1446.

RPS-89—Bed linens—7 F.R. 2107, 2000, 2132, 2299, 2739, 3163, 3327, 3447, 3962, 4176, 4732, 7599, 8937, 8948; 8 F.R. 8070, 11245; 9 F.R. 1717, 9616, 6645.

MPR-118—Cotton products—8 F.R. 12186, 12934; 9 F.R. 401, 10088, 10925, 14211, 14383, 14676; 10 F.R. 705, 857, 1492, 2025, 3875, 8134, 8979, 10310.

MPR-127—Finished piece goods—10 F.R. 14507, 14628, 15006.

MPR-163—Woolen and worsted civilian apparel fabrics—9 F.R. 3972, 4396; 10 F.R. 12261, 13546, 15006.

MPR-220—Certain rubber commodities—8 F.R. 16689; 9 F.R. 1116, 6431, 7198, 9650; 10 F.R. 1747, 4599, 12084, 12160, 12741, 13310; 11 F.R. 2179, 3026.

MPR-221—Manufacturers' prices for Fall and Winter knitted underwear—7 F.R. 7318, 9615, 10719; 8 F.R. 4514, 13847; 9 F.R. 5174, 11758, 8659.

RMPPR-287—Manufacturers' prices for women's, girls' and children's outerwear garments—8 F.R. 9122, 10304, 10001; 9 F.R. 974, 12590; 10 F.R. 5720, 13449.

RMPPR-506—Maximum prices for staple work gloves—10 F.R. 10862.

MPR-570—Women's, misses' and children's underwear, nightwear and negligee garments—10 F.R. 655, 1788, 4662, 14448.

MPR-572—Manufacturers' prices for certain Fall and Winter Outerwear—10 F.R. 1433, 2387, 4813.

MPR-595—Woven woolen and worsted automobile flat fabrics—10 F.R. 11664.

MPR-605—Manufacturers' prices for shirts, shorts, pajamas and related items—10 F.R. 15115; 11 F.R. 350.

MPR-607—Manufacturers' prices for men's and boys' tailored clothing and related garments—11 F.R. 2693.

<sup>3</sup> General Maximum Price Regulation—8 F.R. 5307, 6362, 14765, 15586; 9 F.R. 579, 4239, 6238, 6817, 12132; 10 F.R. 2610.



subparagraph (1) shall within 60 days after the issuance of this regulation, file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., a report, in duplicate, setting forth:

This Amendment No. 1 shall become effective as of May 3, 1946.

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

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8424; Filed, May 20, 1946;  
11:54 a. m.]

#### PART 1389—APPAREL

[RMPPR 506<sup>1</sup> incl. Amtds. 1-3]

#### MAXIMUM PRICES FOR STAPLE WORK GLOVES

This compilation of Revised Maximum Price Regulation 506 includes Amendment 3, effective May 20, 1946. The text added or amended by Amendment 3 is underscored. Changes made by Amendment 3 in Tables 1 through 12 of Appendix A are indicated by notes.

A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation No. 506 has been issued simultaneously herewith and filed with the Division of the Federal Register.<sup>2</sup> In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

§ 1389.604 *Maximum prices for staple work gloves.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and No. 9328, Revised Maximum Price Regulation No. 506 (Maximum Prices for Staple Work Gloves) which is annexed hereto, and made a part hereof, is hereby issued.

#### Sec.

1. Scope of this regulation.
2. How to find retail ceiling prices.
3. How to find wholesale ceiling prices.
4. How to find manufacturers' ceiling prices.
5. When taxes may be added.
6. Marking of gloves.
7. Disclosure.
8. Records and reports.
9. Excessive prices forbidden.
10. Adjustable pricing agreements.
11. Licensing and enforcement.
12. Relation to other regulations.
13. How this regulation may be amended.

Appendix A—Tables of ceiling prices for sales by manufacturers and sales at wholesale.

Appendix B—Tables of ceiling prices for sales at retail.

<sup>1</sup> 9 F.R. 10862.

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

Appendix C—Suggested form to be used by manufacturers in applying for ceiling prices under section 4 (b).

AUTHORITY: § 1389.604 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; E.O. 9697, 11 F.R. 1691.

SECTION 1. *Scope of this regulation—*  
(a) *Kinds of work gloves covered.* The specified staple work gloves covered by this regulation are work gloves of the following kinds:

- (1) Single thickness canton flannel gloves.
- (2) Canton flannel gloves with double thickness palm.
- (3) Fully-lined canton flannel gloves.
- (4) Two-thumbed canton flannel gloves.
- (5) Jersey gloves.
- (6) Combination leather and canton flannel or jersey gloves. However, grain leather palm gloves are not covered by this regulation.

For the purposes of this regulation (except Appendix A) "gloves" means both gloves and mittens.

(b) *Kinds of sales covered.* This regulation applies to all sales including sales at retail, sales at wholesale and sales by manufacturers. These kinds of sales are defined as follows:

(1) *Sales at retail.* All sales to individual consumers are "sales at retail." Such sales may, of course, be made by someone who is primarily a wholesaler or a manufacturer.

Sales to industrial, commercial, governmental, and charitable institutions which do not resell are also considered "sales at retail" if made by a person who sells principally to individual consumers, and only incidentally to institutions of these kinds. If not made by such a person, sales to these institutions are considered sales at wholesale or sales by manufacturers.

(2) *Sales at wholesale.* A sale at wholesale is any sale which is neither a sale at retail as explained in (1) nor a sale by a manufacturer as explained in (3). For example, a sale by a jobber, who buys work gloves from a manufacturer and resells them to a retailer or to an industrial user, is a sale at wholesale. Sales from jobber to jobber, and from retailer to retailer are also sales at wholesale, but are called "special sales", as explained in section 3.

(3) *Sales by a manufacturer.* A sale by a manufacturer is a sale of work gloves by a person:

- (i) Who fabricated the gloves sold; or
- (ii) Who sold or consigned to the fabricator of the gloves any of the principal materials from which they were made; or
- (iii) Whose business is under the same ownership or control as the person who fabricated the gloves.

(c) *Where this regulation applies.* This regulation covers sales in the 48 states and the District of Columbia.

SEC. 2. *How to find retail ceiling prices.* Ceiling prices for sales at retail are listed in the tables in Appendix B. Two tables of ceiling prices are provided. Table I

lists retail ceiling prices for gloves purchased from a wholesaler (the term "wholesaler" is defined in section 3 (a)). Table II lists retail ceiling prices for gloves purchased direct from the manufacturer.

The ceiling prices in the tables are not given by the kind of glove, but by the supplier's net ceiling price. The tables show the retail ceiling price which corresponds to each different supplier's net ceiling price. Before using the tables, the retailer must find his supplier's net ceiling price according to the instructions given below. Retailers should also pay particular attention to section 6 (Marking of gloves).

[Above paragraphs amended by Am. 2, 9 F.R. 10862, effective 9-1-44]

(a) *Where retailer does not know the supplier's ceiling price.* If the retailer does not know the ceiling price of the manufacturer or wholesaler who supplies him, he may inquire of the supplier, who is required to disclose his ceiling price. Moreover, if the gloves to be priced are those specified in Appendix A, the retailer can find the ceiling prices for manufacturers in column (a) of the tables in Appendix A, and the ceiling prices for wholesalers in column (b) of these tables. Note, however, that the ceilings listed for manufacturers in column (a) are on a gross basis. Thus for gloves purchased from manufacturers "the supplier's net ceiling" is the price listed in column (a) of the appropriate table, less 2% (the discount available on all purchases from manufacturers), or less such more favorable terms as may be extended by your supplier.

[Paragraph (a) amended by Am. 3, effective 5-20-46]

(b) *Where retailer's suppliers have different ceiling prices.* Some manufacturers have two ceiling prices for the same number—a Group I ceiling and a Group II ceiling. If the retailer pays the Group I ceiling price (or less), he takes that ceiling to figure his retail price; but if he pays the manufacturer a higher price, he takes the Group II ceiling. If, however, he buys gloves with the identical manufacturer's lot number or brand name at different prices, making one purchase at or below the Group I ceiling and another above, he must use the Group I ceiling to figure his retail price on all gloves of this lot number or brand name. Moreover, if he buys gloves with the identical manufacturer's lot number or brand name from a wholesaler and also from the manufacturer, he must use Table II in determining his retail ceiling price, and must take the manufacturers' ceiling, not the wholesalers' ceiling, to figure his retail ceiling for this number.

*Example.* Retailer B buys lot No. 902 from the X Company, the manufacturer, at \$2.40, 2/20, net 40, per dozen, which is the manufacturer's ceiling specified in Appendix A. Later he gets more gloves of lot No. 903 from a wholesaler, who charges him \$2.85 per dozen, the wholesalers' ceiling listed in Appendix A.



In figuring his retail ceiling for work gloves of this lot number, B takes \$2.40 less 2% as his supplier's net ceiling price, or \$2.35. In Table II of Appendix B, he finds 26¢ per pair as his ceiling price for this lot number (not 32¢ based on \$2.85).

[Example amended by Am. 3, effective 5-20-46]

[Paragraph (b) amended by Am. 2, 9 F.R. 10862, effective 9-1-44]

(c) *Where gloves are bought at a "special sale".* Sales which are neither sales by a manufacturer nor "regular sales" at wholesale are called "special sales". These include sales by retailers to retailers, sales by brokers, commission merchant, job-lot dealers or like persons and sales of other types. (The difference between "regular" and "special" sales is more fully explained in section 3.)

If the retailer has bought a glove at a "special sale", he does not figure his ceiling price by taking the price of his own supplier. Instead, he takes the ceiling price of the supplier of the person who made the "special sale". If a succession of special sales has been made, he takes the ceiling price of the supplier of the person who made the first of these special sales. Thus, the retail ceiling price of a pair of gloves is the same as if the retailer had bought directly from the original supplier, without any special sale intervening.

*Example 1.* C, a retail chain, buys one dozen 8 oz. canton flannel gloves from a manufacturer at \$1.72½, 2/20, net 40, which is the manufacturer's ceiling listed in Appendix A. C sells them to D, another retail chain, for \$1.77½ (which is equal to C's cost plus freight actually paid by him).

In figuring his retail ceiling D assumes his supplier's ceiling to be \$1.69 (\$1.72½ less 2%), the net ceiling price of C's supplier, not \$1.77½, the price D actually paid. Accordingly, from Table II in Appendix B, D finds a retail ceiling of 19¢ per pair.

*Example 2.* E, an independent retailer, buys one dozen 18 oz. double palm cotton flannel gloves from a wholesaler at \$3.15 (the jobber's ceiling). He decides to liquidate and sells them to an auctioneer for \$2.75 a dozen. The auctioneer resells them to F, another retailer, for \$3.20 (this being the price paid by E, plus transportation charges incurred by the auctioneer).

In figuring his retail ceiling F takes \$3.15 as his supplier's ceiling, so that his retail ceiling, found from Table I in Appendix B, is 35¢ (not 36¢).

[Examples 1 and 2 amended by Am. 2, 9 F.R. 10862, effective 9-1-44, and Am. 3, effective 5-20-46]

(d) *Where a retail sale is made by manufacturer.* Where a sale at retail is made by a manufacturer, the retail ceiling is found from Table II in Appendix B. But since the manufacturer has no "supplier," he takes the Group I manufacturers' ceiling for these gloves (found in column (a) of the tables in Appendix A) and uses this as his "supplier's ceiling price."

[Paragraph (d) amended by Am. 2, 9 F.R. 10862, effective 9-1-44]

SEC. 3. *How to find wholesale ceiling prices.* Under this regulation, there are two kinds of sales at wholesale. They are called "regular sales" and "special sales", and are explained in this section. Different methods of pricing are provided for these two kinds of sales.

(a) *Regular sales at wholesale—*(1) *What is a regular sale.* A "regular sale" is a sale by a wholesaler to a person who sells principally at retail or is an industrial user, and whose business is not under the same ownership and control as the seller's.

A "wholesaler" is a person or business organization to which all the following statements apply:

(i) It sells goods to retailers in general, and not primarily to a single retailer, or to a group of retailers which are under common ownership.

(ii) It buys and sells goods in "wholesale quantities", as understood in the trade, and sells through traveling salesmen or circulated catalogs.

(iii) It carries at all times at its principal place of business a representative stock of work gloves, and makes at least 50% of its work glove deliveries from stock (as opposed to drop shipments).

(iv) It is not under the same ownership or control as the person who fabricates the work gloves which it sells.

(v) It extends credit, and carries its own accounts. It may, of course, entrust or assign its delinquent accounts to others for collection.

(vi) It is not (a) a buying office or other agency representing retailers, (b) a stock-carrying affiliate of retailers, (c) a central office or warehouse for stores which are commonly owned or controlled, (d) a drop shipper, (e) a broker, (f) a commission-merchant, (g) a selling-agent, or (h) a job-lot dealer.

A person who wishes to qualify as a "wholesaler" but was not such a wholesaler in 1942, must, before making any sales at ceilings for regular sales at wholesale, send a statement by registered mail to the Office of Price Administration ("Men's Clothing Section"), Washington 25, D. C. The statement must give the "wholesaler's" name and address, and the date on which he commenced business as a wholesaler.

(2) *Ceiling prices for "regular sales".* For the work gloves specified in Appendix A, ceiling prices for regular sales at wholesale are those stated in column (b) of the tables in that appendix.

For work gloves not specifically priced in Appendix A and which a wholesaler had in stock on the effective date of this regulation, the ceiling prices for regular sales at wholesale are those established under the prior applicable price regulation (either the General Maximum Price Regulation<sup>3</sup> or Maximum Price Regulation 210<sup>4</sup>).

In some cases, the Office of Price Administration may establish by individual order manufacturers' ceiling prices for

<sup>3</sup> 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.  
<sup>4</sup> 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109; 8 F.R. 973, 1813, 2025, 6359, 13050, 13742, 16170; 9 F.R. 11177, 11758, 14126; 10 F.R. 1608, 8659, 10028, 15034; 11 F.R. 349.

work gloves not specifically priced in Appendix A. In each such case, the wholesaler figures his ceiling price by taking the manufacturer's Class I gross ceiling price and multiplying this price by 1.168.

[Above paragraph amended by Am. 3, effective 5-20-46]

(b) *Special sales.* Sales at wholesale which are not "regular sales" as explained in paragraph (a) are "special sales". They include (but are not confined to) sales by wholesalers to wholesalers, sales by retailers to retailers, and all sales by brokers, commission merchants, job-lot dealers, and like persons.

(1) *Ceiling prices for special sales.* The ceiling prices for a "special sale" is the net price actually paid by the seller (not exceeding the ceiling price), plus any charges for transportation actually paid by him. Moreover, any person who buys at a special sale and resells at another special sale must figure his ceiling price by taking the price paid by the seller in the first special sale.

*Example 1.* G, a large retailer, buys a dozen 8 oz. canton flannel gloves from a manufacturer at \$1.72½, 2/20, net 40, the manufacturer's ceiling price, and pays 10¢ per dozen for freight. He now wants to resell them to H, a second retailer. G's ceiling price for this sale is \$1.79—his cost plus freight.

*Example 2.* L, a wholesaler, buys a dozen hot mill gloves from a manufacturer at \$3.57½, 2/20, net 40, per dozen, the manufacturer's ceiling price. L now liquidates and resells the gloves to auctioneer M for \$3.25 per dozen. Now M wants to resell the gloves to another wholesaler.

In figuring his price for this second special sale, M takes as his cost \$3.50½ per dozen (\$3.57½ less 2%), the price paid by L, and adds freight paid by M. If M pays 10¢ for freight, N's ceiling is \$3.60½.

[Examples 1 and 2 amended by Am. 2, 9 F.R. 10862, effective 9-1-44 and Am. 3, effective 5-20-46]

(2) *Disclosure in special sales.* In any special sale, the seller must mark the bill or invoice with the words "special sale", and must disclose any information required by the provisions of section 7 (a).

SEC. 4. *How to find manufacturers' ceiling prices—*(a) *Work gloves specified in Appendix A.* For the work gloves specified in Appendix A, ceiling prices for sales by manufacturers are those stated in column (a) of the tables in that appendix. Column (a), however, states two manufacturers' ceiling prices for each glove specified—a Group I ceiling and a Group II ceiling. Some manufacturers must use the Group I ceiling only, some may use the Group II ceiling only, and some may use both, according to the rules stated in the following subparagraphs (1), (2), and (3).

(1) *How a manufacturer finds his "wholesale percentage".* (i) In order to find what proportion of his sales must be made at Group I prices, a manufacturer must find the percent of his 1941 deliveries which were made at wholesale prices. This is called the manufacturer's "wholesale percentage". A "whole-



sale price" means (a) any price at or below which a manufacturer, during 1941, normally supplied wholesalers, or any other large volume purchaser (e. g., chain stores and mail order houses) commonly known or regarded as "wholesale trade"; (b) any price at which industrial users or other purchasers (e. g., independent retailers) were supplied during 1941, if, during this period, the manufacturer's price to them was no higher than his price to "wholesale trade"; (c) any price during 1941 at which a manufacturer, who did not sell to "wholesale trade" during this period, normally supplied industrial users or other purchasers, if this price was no higher than the prices at which manufacturers supplying "wholesale trade" sold to such trade during 1941. In determining whether certain sales were made at "wholesale prices," allowance must be made for differences in gloves sold.

*Example 1.* During 1941, W, a work glove manufacturer, supplied only wholesalers, chain store, and mail order houses. For the purposes of this regulation, all of the prices at which W sold these purchasers are "wholesale prices."

*Example 2.* During 1941, Y, a work glove manufacturer, supplied only wholesalers and industrial users. He sold the same gloves to both types of purchasers at the same prices. For the purposes of this regulation, all of the prices at which Y sold these purchasers are "wholesale prices."

*Example 3.* During 1941, Z, a work glove manufacturer, supplied only wholesalers and independent retailers. He sold the same gloves to independent retailers as he sold to wholesalers, but at higher prices. Only the prices at which Z sold to wholesalers are "wholesale prices."

*Example 4.* During 1941, V, a work glove manufacturer, supplied wholesalers and independent retailers. He sold a number to wholesalers at \$4.75 a dozen. He also sold to independent retailers at \$5.00 a dozen, a number which was similar except for an extra feature that was worth 25¢ a dozen. Both the \$4.75 and the \$5.00 sales would be considered sales at "wholesale prices."

(ii) A manufacturer will figure his "wholesale percentage" as follows:

(a) Find the number of dozens of staple work gloves covered by this regulation delivered to all purchasers in 1941.

(b) Find the number of these which were delivered at wholesale prices.

(c) Divide the number delivered at wholesale prices by the total of all deliveries (divide (b) by (a)). The resulting figure, expressed as a percent, is the manufacturer's "wholesale percentage".

*Example 1.* P, a work glove manufacturer, delivered 10,000 dozen staple work gloves in 1941. All these were delivered at prices generally charged to independent retailers, and none at "wholesale prices."

P's "whole percentage" is zero.

*Example 2.* R, a work glove manufacturer, delivered 100,000 dozen staple work gloves in 1941. All these deliveries were made to volume purchasers including jobbers. Chain stores and industrial users and none were delivered at higher prices.

R's "whole percentage" is 100%.

*Example 3.* S, a work glove manufacturer, delivered 50,000 dozen staple work gloves in 1941. 20,000 of these were delivered to his volume trade at "wholesale prices", and 30,000 to independent retailers at higher prices.

S's "whole percentage" is 40% (20,000 divided by 50,000).

(2) *How a manufacturer uses his wholesale percentage.* Each manufacturer who delivered staple work gloves at "wholesale prices" in 1941 must, during the remainder of 1944 and each subsequent calendar year, make a certain quota of his deliveries of staple work gloves at Group I prices. This quota is that percentage of his total annual deliveries which is equal to his "wholesale percentage" (found under (1)). For example, if a manufacturer's "wholesale percentage" is 40%, and he delivers 300,000 dozen staple work gloves during the remainder of 1944, 120,000 dozen must be delivered at Group I prices. If, at the end of a year, a manufacturer fails to meet his quota, he has exceeded his ceiling prices to the extent of the deficiency, and will be liable to civil and criminal penalties accordingly. In calculating the annual quota of deliveries which must be made at Group I prices, follow these instructions:

(i) *What deliveries are counted in finding the quota.* In figuring the quota of deliveries which must be made at Group I prices in 1944, the manufacturer takes all deliveries made from May 16, 1944, to December 31, 1944, inclusive. In any subsequent year, all deliveries for the entire calendar year will be included.

*Example 1.* In 1941 the ABC Company sold 70% of its staple work gloves at "wholesale prices" and 30% at higher prices. Its "whole percentage" is 70%. From May 16, 1944, to December 31, 1944, its anticipated deliveries of work gloves are 250,000 dozen.

The ABC Company will determine its obligation as follows:

Anticipated deliveries.....	Dozen
Quota to be delivered at Group I prices (70% of 250,000).....	175,000
Remainder which may be sold at Group II prices.....	75,000

For convenience in meeting the quota of deliveries which must be made at Group I prices, it is suggested that a manufacturer keep a current record of deliveries at Group I and Group II prices made after May 16, 1944, in this form:

Date	Number of dozens delivered at group I prices	Number of dozens delivered at group II prices	Total number of dozens delivered

At periodic intervals (e. g., at the end of each month), the manufacturer should total deliveries at Group I prices and all deliveries. He should then divide the former total by the latter. If the proportion of deliveries at Group I prices is below his wholesale percentage, it would be advisable for him to ship only at his Group I ceilings until the proportion of deliveries at Group I prices equals the wholesale percentage. This procedure should be repeated for subsequent periods, until the end of the year.

*Example 2.* In 1941 the X Company sold all of its staple work gloves at "wholesale prices". Its "whole percentage" is thus 100%. In 1944, all of its deliveries must be made at Group I prices.

*Example 3.* In 1941 the Z Company sold none of its staple work gloves at "wholesale prices". Its "whole percentage" is thus zero. In 1944, all of its deliveries may be made at Group II prices.

(ii) *Sales to particular purchasers not required.* A manufacturer who may make deliveries at Group II prices may make these deliveries to any class of purchaser. Likewise, a manufacturer may make deliveries at Group I prices to any class of purchaser. Moreover, a manufacturer who delivers the required proportion of his work gloves at Group I prices may deliver as many more at Group I prices as he wishes.

(iii) *Calculating and filing the "whole percentage."* Every manufacturer of staple work gloves must keep available for inspection by the Office of Price Administration the records and the tabulation or work sheets which he used in figuring his "wholesale percentage". He is also required to file a statement of his wholesale percentage, as provided in section 8 (c) (2).

(3) *Inability to calculate a wholesale percentage.* Any manufacturer who sells staple work gloves but did not do so in 1941, or who, because of other reasons, is unable to determine a wholesale percentage, must apply to the Office of Price Administration (Men's Clothing Section), Washington 25, D. C., for the authorization of a "wholesale percentage."

This application must set forth: (i) the manufacturer's name and address; (ii) the date when he commenced business; and (iii) the total number of dozens of staple work gloves delivered to each class of purchaser during the first 12 months of business, or, if the manufacturer does not have one year's experience, during such other portion of time as he has been in business. Until this authorization is granted the manufacturer must make all deliveries at or below Group I ceiling prices.

[Subparagraph (3) amended by Am. 2, 9 F.R. 10862, effective 9-1-44]

(b) *Other work gloves covered by this regulation.* For work gloves covered by this regulation but not specified in Appendix A, a manufacturer's ceiling prices are those authorized by the Office of Price Administration, on application by the manufacturer.

An application for the fixing of a ceiling price must be filed with the Office of Price Administration (Men's Clothing Section), Washington 25, D. C. The application must contain information in the detail indicated by the suggested form in Appendix C, and must be accompanied by a sample of the glove.

Pending action on such an application a person must not sell or deliver the glove except in accordance with the provisions of section 10 (b) (Adjustable pricing agreements).

Maximum prices authorized by orders issued under this provision prior to May 20, 1946, may be adjusted in accordance with the table below. The new maximum price is calculated by multiplying the price authorized by the applicable percentage multiplier. The manufacturer must send corrected price notices to each



of his customers with the first numbers shipped after the price changes have become effective.

Type of glove	Adjustment multiplier for manufacturers (to be applied to Group I and Group II authorized ceilings)	Adjustment multiplier for wholesalers (to be applied to manufacturer's Group I adjusted ceiling)
Canton flannel.....	1.10	1.168
Jersey.....	1.03	1.168
Leather combination..	1.041	1.168

[Above paragraph and table added by Am. 3, effective 5-20-46]

**SEC. 5. When taxes may be added.** When a tax on a particular sale or delivery is imposed by a statute or ordinance which permits stating the tax separately from the price, the tax may be separately charged or collected in addition to the ceiling price. This applies only to sales taxes, gross receipt or gross proceeds taxes, and compensating use taxes, and does not apply to any tax imposed on a prior sale or delivery.

**SEC. 6. Marking of gloves—(a) Marking required at retail.** Every person is forbidden to sell or offer to sell at retail or display in a retail store any pair of staple work gloves which is not marked as required by this section. If any part of the required marking has not been performed by the manufacturer, it must be supplied by the retailer.

(1) On and after June 21, 1944, the marking must show the retail ceiling price.

(2) On and after September 15, 1944, the marking must show, in addition to the retail ceiling price, the manufacturer's lot number or brand name for the glove and a statement of defects (if any).

[Paragraph (a) amended by Am. 1, 9 F.R. 6239, effective 6-6-44]

(b) **Marking and information required of manufacturers.** Every manufacturer is forbidden to deliver any pair of work gloves which is put into the process of manufacture on or after August 6, 1944, unless it contains markings showing the manufacturer's lot number or brand name for the glove, and a statement of defects (if any). Moreover, each manufacturer must supply each retail purchaser with a list of retail ceiling prices for staple work gloves supplied him. If the gloves are distributed through wholesalers, the manufacturer must supply the wholesaler who in turn must supply each retailer. This list must be forwarded by the manufacturer or wholesaler not later than the first invoicing or billing of any pair of staple work gloves covered by this regulation, or before June 6, 1944 (whichever is later). The manufacturer or wholesaler must keep this list up to date thereafter by sending supplemental lists to each customer at the time of shipment of any new numbers subsequently sold, or, if the manufacturer's or wholesaler's net ceiling price is changed, by sending corrected lists with the first numbers

shipped after the price changes have been effective. The list must be in substantially the following form:

[Paragraph (b) amended by Am. 1 and Am. 3, effective 5-20-46]

RETAIL CEILING PRICE LIST AS REQUIRED BY THE  
OFFICE OF PRICE ADMINISTRATION

[Retail ceiling prices for ABC Company staple work gloves for work gloves bought from manufacturers at Group I prices.]

Manufacturer's lot number or brand name	Description of glove	Appendix A RMPR 506 number <sup>2</sup> (if any)	Retail price per pair
903.....	8 oz. men's single thickness canton flannel gloves, knit wrist.	Table 1....	\$0.19
607.....	Double palm, canton flannel gloves, men's 18 oz. quilted palm, 8 oz. stripe back, knit wrist.	Table 2....	.29
XYZ brand..	Gunn pattern, men's split palm, ¾ leather thumb, leather pull, leather knuckle strap, 8 oz. canton flannel back, waterproof safety cuff.	Table 12, 14B.	.66

<sup>1</sup> The gloves may be identified by trade-mark or by manufacturer's or distributor's name.

<sup>2</sup> In appropriate cases, the list would be entitled "for work gloves bought from wholesalers" or "for work gloves bought from manufacturers at Group II prices."

<sup>3</sup> The number of the table, and the place in the table where the glove is described in Appendix A of RMPR 506. If the glove is not specified in Appendix A, write "none."

Notice: Each pair of gloves must be marked with the ceiling price. A pair of gloves must not be sold above the ceiling price, but may be sold for less. This list must be promptly displayed to any person on request during regular business hours.

[Above table amended by Am. 3, effective 5-20-46]

(c) **Elements of marking.** The elements required to be marked are explained in this paragraph.

(1) **Lot number or brand name.** The lot number or brand name must be different for each pair of gloves having a different manufacturer's ceiling price.

(2) **Ceiling price.** This must be the correct ceiling price for the circumstances in which the pair of gloves is offered for sale at retail.

(3) **Defects, if any.** If the pair of gloves is a "second" or imperfect, it must be so marked.

(d) **Manner of marking.** The required markings must be attached to at least one glove of each pair. The required marking must be attached by stitching, adhesive, pins or staples, or stamped on the glove itself, except where some other method is authorized. The required markings may be in one or more parts, and may be accompanied by other information, but all portions must be clearly visible to the purchaser.

EXAMPLE OF MARKING

LOT NO. 903  
RETAIL CEILING 17¢

(e) **Exceptions to marking requirements.** (1) Industrial users need not attach the markings required by this section to any gloves which they sell to

their employees at or below the net prices actually paid by the industrial user plus any charges for transportation actually paid by him. On all other sales by industrial users to their employees the industrial user is required to mark only the retail ceiling price.

(2) On sales and deliveries by manufacturers to industrial users it is not necessary to attach the required markings to each pair of gloves. In such cases, the seller may place the required markings on the package, wrapper or other container in which the gloves are packed.

[Paragraph (e) added by Am. 1, 9 F.R. 6239, effective 6-6-44]

(3) In the case of sales at retail which are based on orders received by mail pursuant to a mail order catalog, the retail seller need not mark each pair of gloves, as required by section 6 (a), if he forwards with the gloves a sales memorandum stating the retail purchase price (not exceeding the ceiling price), and the identity of the gloves.

[Subparagraph (3) added by Am. 2, 9 F.R. 10862, effective 9-1-44]

**SEC. 7. Disclosure—(a) Description of gloves.** Any person who has sold for resale any staple work gloves may be required to supply any subsequent buyer with any information needed by him for the marking and pricing of these gloves. This information must be furnished in writing promptly upon receipt of a written request from the buyer. Unless he has reason to believe it is erroneous, the buyer may rely on the information so furnished. If the buyer does have reason to believe the information is erroneous, he may nevertheless act on it, providing he immediately sends to a district or state office of the Office of Price Administration a statement of the circumstances and a request for a determination of the facts.

(b) **Sales slips and receipts.** Any seller who has customarily given a purchaser a sales slip, receipt or similar evidence of purchase must continue to do so. Upon request from a purchaser any seller, regardless of previous custom, must give the purchaser a receipt showing the date, the name and address of the seller, the type of gloves sold, and the price received for it.

(c) **Retail ceiling price list.** Any retailer who has received from his supplier a "retail ceiling price list" must display it promptly to any person who requests to see it during regular business hours. If the retailer sells through more than one department or selling establishment, a copy of the list must be made available in each separate unit where staple work gloves are sold.

(d) **Invoices.** Every manufacturer selling staple work gloves and very person selling these gloves at wholesale, must give the purchaser an invoice showing: (1) the name and address of the purchaser; (2) the manufacturer's lot number or brand name for each different pair of gloves sold; (3) a description of each pair of gloves bearing a different lot number or brand name, similar to the description in Appendix A, or some



identifying reference to the description set forth in the "retail ceiling price list" (described in section 6 (b)) previously supplied the same purchaser for the same lot number or brand name; (4) the quantity sold and the selling price of each different lot number or brand name; and (5) the terms of sale (e. g., 2/20 net 40, freight prepaid to city of destination).

[Paragraph (d) amended by Am. 1, 9 F.R. 6239, effective 6-6-44]

**Sec. 8. Records and reports—(a) Records to be kept by retailers.** Every person who sells staple work gloves governed by this regulation at retail must keep the following records, and make them available on request, to the Office of Price Administration.

(1) Invoices and other documents received by the seller showing costs, descriptions and sources of work gloves sold by him.

(2) Such records as he has customarily kept showing prices charged by him for work gloves sold at retail.

(b) **Records to be kept and filed by persons selling at wholesale.** Every person who sells work gloves covered by this regulation at wholesale must keep the following records, and make them available on request to the Office of Price Administration:

(1) Invoices and other documents received by the seller showing costs, descriptions and sources of work gloves sold by him.

(2) Copies of invoices and other documents showing prices and identification by name, trademark, lot number, etc., of work gloves sold by him at wholesale.

Moreover, every person who wishes to qualify as a "wholesaler" under section 3 (a) (1), but was not such a wholesaler in 1942, must file the statement therein described before making any sales at ceilings for regular sales at wholesale.

(c) **Records to be prepared, kept, and filed by manufacturers—(1) Price list.** Every manufacturer of staple work gloves must prepare a list of all staple work glove items which he delivers on or after May 16, 1944. This list must show the lot number of each such work glove, and, following each lot number, a description of the glove and the manufacturer's ceiling price. If the lot number is sold at Group I prices, the list must show whether it is sold to retailers or to wholesalers or to both. The description, like the descriptions in Appendix A, should specify cut or pattern, weight, and kind of materials used, thickness of glove, type of wrist, additional features (if any), and size classification. This record must be prepared on or before June 6, 1944, and must be kept up to date thereafter by adding any new numbers or any changes in the description of old numbers. This list must be kept and made available on request to the Office of Price Administration, but need not be filed.

(2) **Records and statement of wholesale percentage.** Every manufacturer of staple work gloves must keep the records and work sheets from which he found his "wholesale percentage" as provided in section 4 (a) (1). These records must include a list showing: (i) each lot number of staple work gloves covered by this regulation delivered dur-

ing 1941; (ii) a description of each such number, in detail similar to descriptions in Appendix A; (iii) each class of purchaser (e. g., jobbers, chain stores, mail order houses, industrial users, independent retailers) to which each number was delivered; (iv) the quantity (in dozens) delivered to each class of purchaser, and (v) the prices at which delivery was made to each class of purchaser. The records required by this subparagraph must be prepared on or before June 6, 1944, and thereafter must be kept and made available on request to the Office of Price Administration. Further, the manufacturer must file with the Office of Price Administration (Men's Clothing Section) Washington 25, D. C., on or before June 6, 1944, a statement showing the total number of dozens of staple work gloves delivered by him in 1941, and the number delivered at wholesale prices.

**Sec. 9. Excessive prices forbidden.** On and after the effective date of this regulation, the following practices are forbidden regardless of any contract or other obligation:

(a) **Charging more than ceiling price.** Every person is forbidden to sell or deliver any staple work gloves at a price higher than the ceiling price set by this regulation. A lower price may, of course, be charged.

(b) **Buying for more than the ceiling price.** Every person is forbidden to buy or receive any staple work gloves, in the course of trade or business, at a price higher than the price set by this regulation.

(c) **Combination sales.** Every person

*Example.* X, a wholesaler, customarily grants a trade discount of 3% to its customers. In selling gloves with ceiling of \$2.02½ net, it may prepare the invoice as follows:

Lot No.	Quantity	Description	Price	Amount
723	50 dozen.....	Men's 8 oz., single thickness canton flannel gloves, knit wrist, \$2.02½ net per dozen. Retail ceiling price 23¢ per pair.	\$2.08½	\$104.25

[Example amended by Am. 1, 9 F.R. 6239, effective 6-6-44; Am. 2, 9 F.R. 10862, effective 9-1-44 and Am. 3, effective 5-20-46]

**Sec. 10. Adjustable pricing agreements.** Adjustable pricing agreements may be entered into notwithstanding the provisions of section 9, to the extent permitted by this section.

(a) **When regulation fixes a ceiling price.** In cases where this regulation fixes a ceiling price, a person may sell at that ceiling price, subject to an agreement with the buyer to charge a higher price if it becomes the legal ceiling price by the time of delivery. But one must never charge a price which is higher than the maximum price in effect at the time of delivery. Moreover, unless specifically authorized by the Office of Price Administration, a person must not deliver or agree to deliver at a price which is to be adjusted upward in accordance with action by the Office of Price Administration after delivery.

(b) **Where regulation does not fix a ceiling price.** In cases where a ceiling price is not fixed by the regulation, a person must not make any contract or sale unless the price is expressly subject to adjustment in accordance with any ac-

tion which may be taken by the Office of Price Administration. Moreover, unless specifically authorized by the Office of Price Administration, a person must not make any delivery until a ceiling price has been fixed by the Office of Price Administration.

(c) **When specific authorization will be given.** Specific authorization to deliver or agree to deliver at a price which is to be adjusted in accordance with action by the Office of Price Administration after delivery will be given only where:

(1) A request for the fixing or changing of a ceiling price has been filed; and

(2) The authorization is necessary to promote distribution or production; and

(3) It will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

This authorization may be given by the Administrator or by any other official of the Office of Price Administration to whom the power to grant such authorization has been delegated, and may be given by order, letter or telegram.

[NOTE: Supplementary Order 149 (11 F.R. 2640) provides for individual company adjustment for producers of certain cotton, wool and linen textiles.]



**SEC. 11. Licensing and enforcement—**  
(a) *Licensing.* The provisions of Licensing Order No. 1,<sup>8</sup> licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or this regulation. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Penalties.* Any person who violates any provisions of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

**SEC. 12. Relation to other regulations—**  
(a) *Regulations superseded.* The coverage of this regulation is stated in section 1. Where this regulation applies, it supersedes (except as indicated in section 3 (a) (2), the provisions of the following regulations:

- (1) General Maximum Price Regulation.
- (2) Section 3.5 of Revised Supplementary Regulation No. 14 (formerly § 1499.73 (a) (37) of Amendment 49 to Supplementary Regulation 14). [Now section 1.1 of Supplementary Regulation 14E.]
- (3) Maximum Price Regulation 210 (Retail and Wholesale Prices for Fall and Winter Seasonal Commodities).

(b) *Contractor's services.* This regulation does not apply to charges for contractors' services, which are governed by Maximum Price Regulation 172<sup>9</sup> (Charges of Contractors in the Apparel Industry).

"Contractor" is defined in § 1389.52 of that regulation.

(c) *War procurement agencies.* This regulation does not apply to sales of work gloves made according to military specifications, when the sales are made to any war procurement agency as defined in Maximum Price Regulation 157<sup>7</sup> (Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes).

(d) *Export sales.* This regulation does not apply to export sales of work gloves. Such sales are covered by the Second Revised Maximum Export Price Regulation.<sup>8</sup>

(e) *Import sales.* The provisions of this regulation do not apply to deliveries made from points outside the 48 states and the District of Columbia. Such sales and deliveries are governed by the provisions of the Maximum Import Price Regulation.<sup>9</sup> This regulation does, however, apply to domestic sales when the articles sold were originally imported.

**SEC. 13. How this regulation may be amended.** (a) Any person who seeks a

modification of any provision of this regulation may file a petition for amendment of general applicability in accordance with Revised Procedural Regulation No. 1<sup>10</sup> issued by the Office of Price Administration.

(b) Pending an amendment, a person must not sell or deliver work gloves at prices other than those fixed in the regulation except in accordance with the provisions of section 10 (Adjustable pricing agreements).

#### APPENDIX A—TABLES OF CEILING PRICES FOR SALES BY MANUFACTURERS AND SALES AT WHOLESALE

(a) *Instructions for manufacturers.* 1. In using the following tables, bear in mind the rules for pricing by manufacturers which are stated in section 4 (How to find manufacturers' ceiling prices).

2. Prices are stated in column (a), per dozen pair of gloves. On shipments weighing 100 pounds, or more, the seller must prepay or allow transportation costs to the city of destination. However, where such shipments are made at transportation rates higher than freight rates, the seller is required to allow or prepay only that portion of the transportation cost which is equal to the freight cost on such shipments. On less than 100 pound shipments, the seller need not allow or prepay any transportation costs.

3. All prices are net 40 days, less 2% in 20 days. If the seller wishes, he may extend more favorable terms. But no seller may change these terms if the change would result under any circumstances in a higher net price.

(b) *Instructions for wholesalers.* 1. In using the following tables, bear in mind the rules for wholesale pricing in section 3 (How to find wholesale ceiling prices). Notice especially that these prices apply only to "regular sales", not to "special sales".

2. Prices are stated in column (b), per dozen pair of gloves, f. o. b. seller's place of business.

3. Terms for sales at wholesale are net 30 days. If the seller wishes, he may extend more favorable terms. But no seller may change these terms if the change would result under any circumstances in a higher net price.

**NOTE:** The ceiling prices listed for manufacturers and wholesalers in the tables below apply to first quality gloves. The ceiling for a pair of work glove "seconds" is determined by dividing the appropriate dozen ceiling price in the tables for the same gloves of first quality by 12, and then multiplying the quotient by 75%.

[Note added by Am. 2, 9 F.R. 10862, effective 9-1-44]

TABLE 1—WHITE AND UNBLEACHED CANTON FLANNEL GLOVES, WITH SINGLE THICKNESS BACK AND PALM

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Clute pattern:			
Knit wrist: <sup>1</sup>			
6 oz. Men's.....	\$1.55	\$1.67½	\$1.80
6 oz. Women's.....	1.52½	1.65	1.77½
6 oz. Small Women's.....	1.50	1.62½	1.75
8 oz. Men's.....	1.72½	1.87½	2.02½
8 oz. Women's.....	1.70	1.85	1.97½
10 oz. Men's.....	1.92½	2.10	2.25
10 oz. Women's.....	1.90	2.07½	2.22½
12 oz. Men's.....	2.12½	2.30	2.47½
12 oz. Extra large men's.....	2.25	2.42½	2.62½

<sup>10</sup> 9 F.R. 10476, 13715; 10 F.R. 11295.

TABLE 1—Continued

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Clute pattern—Continued			
Band top: <sup>2</sup>			
8 oz. Men's.....	\$1.70	\$1.87½	\$1.97½
8 oz. Women's.....	1.67½	1.85	1.95
10 oz. Men's.....	1.95	2.12½	2.27½
12 oz. Men's.....	2.17½	2.37½	2.55
Double gauntlet: <sup>3</sup>			
10 oz. Men's.....	2.82½	3.00	3.30
12 oz. Men's.....	3.02½	3.20	3.52½
12 oz. Men's, with turtle neck <sup>4</sup> not less than 10 oz.....	3.07½	3.25	3.57½
Gunn or fourchette pattern:			
Knit wrist: <sup>1</sup>			
8 oz. Men's.....	1.72½	1.87½	2.02½
8 oz. Men's, reversible.....	1.75	1.90	2.05
10 oz. Men's.....	1.92½	2.10	2.25
10 oz. Men's, reversible.....	1.92½	2.10	2.25
12 oz. Men's.....	2.12½	2.30	2.47½
Double gauntlet: <sup>3</sup>			
10 oz. Men's.....	2.82½	3.00	3.30
12 oz. Men's.....	3.02½	3.20	3.52½
12 oz. Men's, with turtle neck <sup>4</sup> not less than 10 oz.....	3.07½	3.25	3.60

[Table 1 amended by Am. 2, 9 F.R. 10862, effective 9-1-44. Prices amended by Am. 3, effective 5-20-46]

TABLE 2—CANTON FLANNEL GLOVES, WITH DOUBLE THICKNESS NAP OUT PALM AND SINGLE THICKNESS BACK

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Quilted palm:			
Knit wrist: <sup>1</sup>			
Men's 14½ oz. palm, 8 oz. stripe back.....	\$2.45	\$2.70	\$2.85
Men's 18 oz. palm, 8 oz. stripe back.....	2.65	2.85	3.10
Women's 18 oz. palm, 8 oz. stripe back.....	2.62½	2.82½	3.07½
Men's 18 oz. palm, 10 oz. white back.....	2.70	2.92½	3.15
Women's 18 oz. palm, 10 oz. white back.....	2.67½	2.90	3.12½
Double safety: <sup>2</sup>			
Men's 18 oz. palm, 8 oz. stripe back.....	3.05	3.27½	3.55½
Men's 18 oz. palm, 8 oz. stripe back, with turtle neck not less than 10 oz.....	3.10	3.32½	3.62½
Men's 18 oz. palm, 10 oz. white back.....	3.10	3.32½	3.62½
Men's 18 oz. palm, 10 oz. white back, with turtle neck not less than 10 oz.....	3.15	3.37½	3.67½
Double gauntlet: <sup>3</sup>			
Men's 18 oz. palm, 8 oz. stripe back.....	3.55	3.75	4.15
Men's 18 oz. palm, 8 oz. stripe back, with turtle neck <sup>4</sup> not less than 10 oz.....	3.60	3.80	4.20
Men's 18 oz. palm, 10 oz. white back.....	3.60	3.82½	4.20
Men's 18 oz. palm, 10 oz. white back, with turtle neck <sup>4</sup> not less than 10 oz.....	3.65	3.87½	4.25
Processed palm:			
Knit wrist: <sup>1</sup>			
Men's 14½ oz. material palm, 8 oz. stripe back.....	2.52½	2.75	2.95
Men's 18 oz. material palm, 8 oz. stripe back.....	2.70	2.92½	3.15
Women's 18 oz. material palm, 8 oz. stripe back.....	2.67½	2.90	3.12½
Men's 18 oz. material palm, 10 oz. white back.....	2.75	3.00	3.20
Women's 18 oz. material palm, 10 oz. white back.....	2.72½	2.97½	3.17½

Footnotes at end of table.

<sup>8</sup> 8 F.R. 13240.

<sup>7</sup> 7 F.R. 4862, 6634, 8351, 8948, 10864; 8 F.R. 8063; 10 F.R. 12208.

<sup>9</sup> 9 F.R. 11059; 10 F.R. 776, 1910, 2014, 6307, 8979; 11 F.R. 4329.

<sup>8</sup> 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9835, 11273, 12919, 14436; 10 F.R. 863, 923, 2432, 6590, 8746, 8611, 9586, 10029, 15348; 11 F.R. 1297.

<sup>2</sup> Revised: 11 F.R. 2827.



TABLE 2—Continued

	Column A—Manufacturers' prices		Column B—Wholesale prices
	Group I ceiling	Group II ceiling	
Double safety: <sup>1</sup>			
Men's 18 oz. material palm, 8 oz. stripe back.....	\$3.10	\$3.35	\$3.62½
Men's 18 oz. material palm, 8 oz. stripe back with turtle neck not less than 10 oz.....	8.15	3.40	3.67½
Men's 18 oz. material palm, 10 oz. white back.....	3.15	3.40	3.67½
Men's 18 oz. material palm, 10 oz. white back, with turtle neck not less than 10 oz.....	3.20	3.45	3.75
Double gauntlet: <sup>2</sup>			
Men's 18 oz. material palm, 8 oz. stripe back.....	3.60	3.82½	4.20
Men's 18 oz. material palm, 8 oz. stripe back, with turtle neck not less than 10 oz.....	3.65	3.87½	4.25
Men's 18 oz. material palm, 10 oz. white back.....	3.65	3.90	4.25
Men's 18 oz. material palm, 10 oz. white back, with turtle neck not less than 10 oz.....	3.70	3.95	4.32½

[Table 2 amended by Am. 1, 9 F.R. 6239, effective 6-6-44; Am. 2, 9 F.R. 10862, effective 9-1-44.]

Prices amended by Am. 3, effective 5-20-46]

TABLE 3—HOT MILL GLOVES (INSEAM OR OUTSEAM, NAP IN OR NAP OUT)

	Column A—Manufacturers' prices		Column B—Wholesale prices
	Group I ceiling	Group II ceiling	
Quilted palm:			
Knit wrist: <sup>1</sup> Men's 12 oz. palm, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap.....	\$3.57½	\$3.87½	\$4.17½
Band top: <sup>2</sup> Men's 12 oz. palm and pull, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap.....	4.02½	4.37½	4.70
Band top: <sup>2</sup> Men's 12 oz. palm, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap.....	3.77½	4.12½	4.40
Double gauntlet: <sup>3</sup> Men's 12 oz. palm and pull, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap.....	4.67½	4.97½	5.45
Double gauntlet: <sup>3</sup> Men's 12 oz. palm, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap.....	4.47½	4.77½	5.22½

TABLE 4—WHITE FLANNEL GLOVES, WITH DOUBLE THICKNESS PALM AND SINGLE THICKNESS BACK, NAP IN

	Column A—Manufacturers' prices		Column B—Wholesale prices
	Group I ceiling	Group II ceiling	
Quilted palm:			
Knit wrist: <sup>1</sup> Men's 18 oz. palm, 10 oz. back.....	\$2.65	\$2.85	\$3.10
Band top: <sup>2</sup> Men's 18 oz. palm, 10 oz. back.....	2.70	2.92½	3.15
Double gauntlet: <sup>3</sup> Men's 18 oz. palm, 10 oz. back.....	3.55	3.75	4.15

TABLE 5—DOUBLE THROUGHOUT, NAP OUT FLANNEL "CHORE" GLOVES

	Column A—Manufacturers' prices		Column B—Wholesale prices
	Group I ceiling	Group II ceiling	
Quilted material:			
Knit wrist: <sup>1</sup>			
Men's 12-13½ oz.....	\$2.57½	\$2.80	\$3.00
Men's extra large 12-13½ oz.....	2.70	2.92½	3.15
Women's 12-13½ oz.....	2.55	2.77½	2.97½
Men's 14½ oz.....	2.67½	2.90	3.12½
Men's extra large 14½ oz.....	2.80	3.02½	3.27½
Women's 14½ oz.....	2.65	2.85	3.10
Men's 16 oz.....	2.77½	3.02½	3.25
Men's extra large 16 oz.....	2.90	3.15	3.37½
Women's 16 oz.....	2.75	3.00	3.20
Men's 18 oz.....	2.97½	3.22½	3.47½
Men's extra large 18 oz.....	3.10	3.40	3.62½
Double safety: <sup>2</sup>			
Men's 12-13½ oz.....	2.97½	3.20	3.47½
Men's 14½ oz.....	3.07½	3.30	3.60
Men's 16 oz.....	3.17½	3.42½	3.70
Processed material:			
Knit wrist: <sup>1</sup>			
Men's 12-13½ oz. material.....	2.67½	2.90	3.12½
Men's extra large 12-13½ oz. material.....	2.80	3.02½	3.27½
Women's 12-13½ oz. material.....	2.65	2.85	3.10
Men's 14½ oz. material.....	2.75	3.00	3.20
Men's extra large 14½ oz. material.....	2.87½	3.12½	3.35
Women's 14½ oz. material.....	2.72½	2.97½	3.17½
Men's 16 oz. material.....	2.85	3.10	3.32½
Men's extra large 16 oz. material.....	2.97½	3.25	3.47½
Women's 16 oz. material.....	2.82½	3.07½	3.30
Men's 18 oz. material.....	3.07½	3.37½	3.60
Men's extra large 18 oz. material.....	3.20	3.50	3.75
Double safety: <sup>2</sup>			
Men's 12-13½ oz. material.....	3.07½	3.30	3.60
Men's 14½ oz. material.....	3.15	3.40	3.67½
Men's 16 oz. material.....	3.25	3.50	3.80

[Prices in Tables 3, 4 and 5 amended by Am. 3, effective 5-20-46]

TABLE 6—GUNN AND FOURCHETTE PATTERN-TWO-THUMB (NOT REINFORCED), WHITE NAP OUT SINGLE THICKNESS CANTON FLANNEL GLOVES ("HUSKING" GLOVES)

	Column A—Manufacturers' prices		Column B—Wholesale prices
	Group I ceiling	Group II ceiling	
Gunn pattern:			
Knit wrist: <sup>1</sup>			
Men's 8 oz.....	\$1.92½	\$2.10	\$2.25
Women's 8 oz.....	1.90	2.07½	2.22½
Men's 10 oz.....	2.15	2.35	2.50
Women's 10 oz.....	2.12½	2.32½	2.47½
Men's 12 oz.....	2.37½	2.57½	2.77½
Fourchette pattern:			
Knit wrist: <sup>1</sup>			
Men's 8 oz.....	2.07½	2.25	2.42½
Women's 8 oz.....	2.05	2.22½	2.40
Men's 10 oz.....	2.30	2.50	2.67½
Women's 10 oz.....	2.27½	2.47½	2.65
Men's 12 oz.....	2.52½	2.72½	2.95

[Table 6 amended by Am. 3, effective 5-20-46]

TABLE 7—TWO-THUMB WHITE NAP OUT SINGLE THICKNESS CANTON FLANNEL WELT SEAM MITTENS

	Column A—Manufacturers' prices		Column B—Wholesale prices
	Group I ceiling	Group II ceiling	
Knit wrist: <sup>1</sup>			
Men's 12 oz. palm and thumb, with 6 oz. thumb reinforcement.....	\$2.52½	\$2.75	\$2.95
Women's 10 oz. palm and thumb, with 6 oz. thumb reinforcement.....	2.12½	2.30	2.47½

TABLE 8—"CHORE" AND SMELTER MITTENS

	Column A—Manufacturers' prices		Column B—Wholesale prices
	Group I ceiling	Group II ceiling	
Double throughout nap-out flannel "chore" mittens:			
Knit wrist: <sup>1</sup>			
Men's 14½ oz.....	\$2.42½	\$2.67½	\$2.82½
Men's 16 oz.....	2.62½	2.82½	3.07½
Men's 20 oz.....	2.75	3.00	3.20
Double throughout nap out canton flannel "smelter" mittens:			
Open top Men's 20 oz.....	3.05	3.30	3.57½

TABLE 9—SINGLE THICKNESS PLAIN JERSEY GLOVES

	Column A—Manufacturers' prices		Column B—Wholesale prices
	Group I ceiling	Group II ceiling	
Knit wrist: <sup>1</sup>			
Men's 8 oz.....	\$1.67½	\$1.82½	\$1.95
Men's 9 oz.....	1.82½	1.97½	2.12½
Women's 9 oz.....	1.80	1.95	2.10
Small Women's 9 oz.....	1.77½	1.92½	2.07½
Men's 10½ oz.....	1.95	2.12½	2.27½
Women's 10½ oz.....	1.92½	2.10	2.25
Men's 13 oz.....	2.17½	2.35	2.55

TABLE 10—FULL LINED JERSEY GLOVES, OPEN WRIST ("SLIP ON")

	Column A—Manufacturers' prices		Column B—Wholesale prices
	Group I ceiling	Group II ceiling	
Men's 13½-14 oz. plain shell.....	\$2.57½	\$2.80	\$3.00
Men's extra large 13½-14 oz. plain shell.....	2.67½	2.90	3.12½
Women's 13½-14 oz. fleece in or out plain shell.....	2.37½	2.57½	2.77½
Men's 13½-14 oz. cut presser fancy shell.....	2.70	2.92½	3.15

TABLE 11—CHILDREN'S SINGLE THICKNESS JERSEY GLOVES

	Column A—Manufacturers' prices		Column B—Wholesale prices
	Group I ceiling	Group II ceiling	
Knit wrist:			
Ages up to 5, 9 oz. plain.....	\$1.45	\$1.57½	\$1.70
Ages 5 to 10, 9 oz. plain.....	1.47½	1.60	1.72½
Ages 10 to 15, 9 oz. plain.....	1.50	1.65	1.75
Ages up to 5, 9 oz. plain mitten.....	1.17½	1.30	1.37½
Ages 5 to 10, 9 oz. plain mitten.....	1.20	1.32½	1.40
Ages 10 to 15, 9 oz. plain mitten.....	1.22½	1.35	1.42½
Gauntlet:			
Ages up to 5, 9 oz. plain.....	1.92½	2.07½	2.25
Ages 5 to 10, 9 oz. plain.....	2.02½	2.22½	2.37½
Ages 10 to 15, 9 oz. plain.....	2.12½	2.32½	2.47½

Footnotes at end of table.



TABLE 12—LEATHER COMBINATION GLOVES (LINED LEATHER PALM, 8 OZ. CANTON FLANNEL BACK)

	Column A—Manufacturers' prices		Column B—Wholesale prices
	Group I ceiling	Group II ceiling	
No. 12. Clute pattern—split palm, 5 oz. or heavier lining, without leather finger tips, not more than 3/4 leather thumb:			
A. Men's knit wrist <sup>1</sup> .....	\$3.55	\$3.85	\$4.15
B. Women's knit wrist <sup>1</sup> .....	3.45	3.75	4.02 1/2
C. Men's single ply safety (not less than 2 1/2" finished).....	3.70	4.00	4.32 1/2
D. Men's single ply gauntlet (not less than 4 1/2" finished).....	3.82 1/2	4.12 1/2	4.47 1/2
E. Women's single ply gauntlet (not less than 4" finished).....	3.72 1/2	4.02 1/2	4.35
No. 12 1/2. Clute pattern—split palm, 5 oz. or heavier lining, without leather finger tips, not more than 3/4 leather thumb, 6 oz. canton flannel back:			
A. Men's knit wrist <sup>1</sup> .....	3.42 1/2	3.75	4.00
B. Women's knit wrist <sup>1</sup> .....	3.32 1/2	3.60	3.87 1/2
C. Men's single ply safety (not less than 2 1/2" finished).....	3.57 1/2	3.90	4.17 1/2
D. Men's single ply gauntlet (not less than 4 1/2" finished).....	3.70	4.02 1/2	4.32 1/2
E. Women's single ply gauntlet (not less than 4" finished).....	3.60	3.92 1/2	4.20
No. 13. Gunn pattern—knit wrist, 6 oz. or heavier palm lining, leather finger tips:			
A. Men's split palm, 3/4 leather thumb.....	5.00	5.42 1/2	5.85
B. Men's side split palm, 3/4 leather thumb.....	5.87 1/2	6.45	6.85
B/1. Men's heavy side split palm, 3/4 leather thumb.....	6.15	6.65	7.17 1/2
C. Men's heavy side split palm, 3/4 leather thumb, forefinger and little finger, leather wrist pull.....	7.02 1/2	7.70	8.20
D. Men's side split palm, 3/4 leather thumb and forefinger.....	6.20	6.72 1/2	7.25
D/1. Men's heavy side split palm, 3/4 leather thumb and forefinger.....	6.40	6.97 1/2	7.47 1/2
E. Men's side split palm, 3/4 leather thumb, 10 1/2 oz. seal jersey back.....	5.82 1/2	6.40	6.80
E/1. Men's heavy side split palm, 3/4 leather thumb, 10 1/2 oz. seal jersey back.....	6.02 1/2	6.60	7.05
No. 13 1/2. Gunn pattern—split palm, 6 oz. or heavier lining, 3/4 leather thumb, leather finger tips:			
A. Men's single safety (not less than 2 1/2" finished).....	5.10	5.52 1/2	5.95
B. Men's double safety.....	5.30	5.77 1/2	6.20
C. Men's single gauntlet (not less than 4 1/2" finished).....	5.20	5.67 1/2	6.07 1/2
D. Men's double gauntlet (not less than 4 1/2" finished).....	5.57 1/2	6.05	6.50
No. 14. Gunn pattern—6 oz. or heavier palm lining, leather finger tips, waterproof safety:			
A. Men's split palm, 3/4 leather thumb.....	5.35	5.82 1/2	6.25
Women's split palm, 3/4 leather thumb.....	5.25	5.72 1/2	6.12 1/2
B. Men's split palm, 3/4 leather thumb, leather pull, leather knuckle strap.....	6.05	6.60	7.07 1/2
C. Men's side split palm, 3/4 leather thumb, leather pull, leather knuckle strap.....	7.02 1/2	7.70	8.20
Women's side split palm, 3/4 leather thumb, leather pull, leather knuckle strap.....	6.92 1/2	7.60	8.10
C/1. Men's heavy side split palm, 3/4 leather thumb, leather pull, leather knuckle strap.....	7.27 1/2	7.97 1/2	8.50
Women's heavy side split palm, 3/4 leather thumb, leather pull, leather knuckle strap.....	7.17 1/2	7.87 1/2	8.37 1/2

TABLE 12—Continued

	Column A—Manufacturers' prices		Column B—Wholesale prices
	Group I ceiling	Group II ceiling	
No. 14—Continued			
D. Men's side split palm, 3/4 leather thumb and forefinger, leather pull, leather knuckle strap.....	\$7.22 1/2	\$7.90	\$8.45
D/1. Men's heavy side split palm, 3/4 leather thumb and forefinger, leather pull, leather knuckle strap.....	7.55	8.22 1/2	8.82 1/2
E. Men's side split palm, 3/4 leather thumb and forefinger, leather pull, 3/4 length leather back.....	7.55	8.22 1/2	8.82 1/2
E/1. Men's heavy side split palm, 3/4 leather thumb and forefinger, leather pull, 3/4 length leather back.....	7.80	8.47 1/2	9.10
G. Men's side split palm, 3/4 leather thumb and forefinger, leather pull, 3/4 length leather back.....	7.75	8.42 1/2	9.05
G/1. Men's heavy side split palm, 3/4 leather thumb and forefinger, leather pull, 3/4 length leather back.....	8.07 1/2	8.75	9.42 1/2
H. Men's heavy side split palm, 3/4 leather thumb and finger backs, leather pull, leather knuckle strap.....	8.07 1/2	8.75	9.42 1/2
Men's heavy side split palm, 3/4 leather thumb and finger backs, leather pull.....	7.85	8.52 1/2	9.17 1/2
H/1. Clute pattern—Men's heavy side split palm, 3/4 leather thumb and finger backs, leather pull, leather knuckle strap.....	7.97 1/2	8.65	9.32 1/2
Clute pattern—Men's heavy side split palm, 3/4 leather thumb and finger backs, leather pull.....	7.75	8.42 1/2	9.05
No. 15. Gunn pattern—6 oz. or heavier palm lining, leather finger tips, waterproof gauntlet:			
A. Men's split palm, 3/4 leather thumb, gauntlet cuff <sup>10</sup> .....	5.82 1/2	6.40	6.80
Women's split palm, 3/4 leather thumb, gauntlet cuff <sup>10</sup> .....	5.72 1/2	6.30	6.67 1/2
B. Men's split palm, 3/4 leather thumb, leather pull, leather knuckle strap, gauntlet cuff <sup>10</sup> .....	6.55	7.12 1/2	7.65
C. Men's side split palm, 3/4 leather thumb, leather pull, leather knuckle strap, gauntlet cuff <sup>10</sup> .....	7.55	8.22 1/2	8.82 1/2
Women's side split palm, 3/4 leather thumb, leather pull, leather knuckle strap, gauntlet cuff <sup>10</sup> .....	7.40	8.07 1/2	8.65
C/1. Men's heavy side split palm, 3/4 leather thumb, leather pull, leather knuckle strap, gauntlet cuff <sup>10</sup> .....	7.80	8.47 1/2	9.10
Women's heavy side split palm, 3/4 leather thumb, leather pull, leather knuckle strap, gauntlet cuff <sup>10</sup> .....	7.70	8.37 1/2	9.00
D. Men's side split palm, 3/4 leather thumb and forefinger, leather pull, leather knuckle strap, gauntlet cuff <sup>10</sup> .....	7.75	8.42 1/2	9.05
D/1. Men's heavy side split palm, 3/4 leather thumb and forefinger, leather pull, leather knuckle strap, gauntlet cuff <sup>10</sup> .....	8.07 1/2	8.75	9.42 1/2
E. Men's side split palm, 3/4 leather thumb and forefinger, leather pull, 3/4 length leather back, gauntlet cuff <sup>10</sup> .....	8.02 1/2	8.70	9.37 1/2
E/1. Men's heavy side split palm, 3/4 leather thumb and forefinger, leather pull, 3/4 length leather back, gauntlet cuff <sup>10</sup> .....	8.32 1/2	9.10	9.72 1/2

TABLE 12—Continued

	Column A—Manufacturers' prices		Column B—Wholesale prices
	Group I ceiling	Group II ceiling	
No. 15—Continued			
G. Men's side split palm, 3/4 leather thumb and forefinger, leather pull, 3/4 length leather back, gauntlet cuff <sup>11</sup> .....	\$8.22 1/2	\$9.00	\$9.60
G/1. Men's heavy side split palm, 3/4 leather thumb and forefinger, leather pull, 3/4 length leather back, gauntlet cuff <sup>11</sup> .....	8.60	9.37 1/2	10.05
H. Men's heavy side split palm, 3/4 leather thumb and finger backs, leather pull, leather knuckle strap, gauntlet cuff <sup>11</sup> .....	8.60	9.37 1/2	10.05
Men's heavy side split palm, 3/4 leather thumb and finger backs, leather pull, gauntlet cuff <sup>11</sup> .....	8.37 1/2	9.15	9.77 1/2
H/1. Clute pattern—Men's heavy side split palm, 3/4 leather thumb and finger backs, leather pull, leather knuckle strap, gauntlet cuff <sup>11</sup> .....	8.47 1/2	9.27 1/2	9.90
Clute pattern—Men's heavy side split palm, 3/4 leather thumb and finger backs, leather pull, gauntlet cuff <sup>11</sup> .....	8.27 1/2	9.05	9.65

<sup>1</sup> Knit wrist—Maximum weight of tubing: 12 yards per pound. Minimum wrist length: men's, 2 1/2" finished; women's and small women's 2 1/4" finished; men's extra large, 2 3/4" finished.

<sup>2</sup> Band top—Same weight material as glove. Minimum wrist length: men's, 1 3/4" finished; women's and small women's 1 1/2" finished.

<sup>3</sup> Gauntlet cuff—Double, 2 ply thickness, not less than 5" finished.

<sup>4</sup> Gauntlet cuff—Double, 2 ply thickness, not less than 4 1/2" finished.

<sup>5</sup> Safety cuff—Double, 2 ply thickness, not less than 2 1/2" finished.

<sup>6</sup> Shoulders and other pound stock (except middle splits), and light weight side split leather not in excess of 2 oz. per square foot.

<sup>7</sup> Average minimum weight of palm leather 2 1/4 oz. per square foot. Either cow or horse side split.

<sup>8</sup> Average minimum weight of palm leather 3 oz. per square foot. Either cow or horse side split.

<sup>9</sup> Safety cuff—Waterproofed. Minimum length of cuff: Men's, 2 1/2" finished; women's 2" finished. Weight of cuff material not less than 23 oz. per square yard.

<sup>10</sup> Gauntlet cuff—Waterproofed. Minimum length of cuff: men's, 4 1/2" finished; women's, 4" finished. Weight of cuff material not less than 23 oz. per square yard.

<sup>11</sup> Gauntlet cuff—Waterproofed, not less than 5" finished. Weight of cuff material not less than 23 oz. per square yard.

[Tables 3 through 12 amended by Am. 2, 9 F.R. 10862, effective 9-1-44. Prices in Tables 7 through 12 amended by Am. 3, effective 5-20-46]

APPENDIX B—TABLES OF CEILING PRICES FOR SALES AT RETAIL

Instructions. Ceiling prices for staple work gloves are not given by kind of glove but by the supplier's net ceiling price. This price must be found according to the rules in section 2 (How to find retail ceiling prices). Read this section before using the tables.

Two tables of retail ceiling prices are provided. You must use Table I to find the retail ceiling price for gloves purchased from a wholesaler. Table II must be used to find the retail ceiling price for gloves purchased direct from the manufacturer.

When you have found your supplier's net ceiling price, look in Column 1 of the appropriate table for the bracket in which this price belongs. Then look at the figure opposite in Column 2; this is your retail ceiling price per pair of gloves.

For example, suppose you purchase 8 oz. men's canton flannel gloves from the manufacturer at \$1.72 1/2, 2/20, net 40. Your "sup-



plier's net ceiling price is \$1.69 (\$1.72½ less 2%), and your ceiling price will be found in Table II. Follow down Column 1 in Table II until you find the bracket \$1.67-1.75+. Opposite these figures, in Column 2, you find the retail ceiling of 19¢. If your supplier's net ceiling price had been \$1.75½, your ceiling would still be 19¢, since \$1.75+ includes any fraction of a cent over \$1.75.

[Above table amended by Am. 3, effective 5-20-46]

However, if you purchase gloves at a "special sale", you are not permitted to use these tables, but you must find your ceiling according to the rule given in section 2 (c).

TABLE I—RETAIL CEILING PRICES FOR WORK GLOVES PURCHASED FROM WHOLESALE

Column 1— Supplier's Ceiling Price (per dozen)	Column 2—Retail Ceiling (per pair)	Column 1— Supplier's Ceiling Price (per dozen)	Column 2—Retail Ceiling (per pair)
\$1.00-1.10+	\$0.12	\$7.06-7.14+	\$0.80
1.11-1.19	.13	7.15-7.23	.81
1.20-1.28	.14	7.24-7.32	.82
1.29-1.37	.15	7.33-7.41	.83
1.38-1.46	.16	7.42-7.50	.84
1.47-1.55	.17	7.51-7.59	.85
1.56-1.64	.18	7.60-7.68	.86
1.65-1.73	.19	7.69-7.76	.87
1.74-1.82	.20	7.77-7.85	.88
1.83-1.90	.21	7.86-7.94	.89
1.91-1.99	.22	7.95-8.03	.90
2.00-2.08	.23	8.04-8.12	.91
2.09-2.17	.24	8.13-8.21	.92
2.18-2.26	.25	8.22-8.30	.93
2.27-2.35	.26	8.31-8.39	.94
2.36-2.44	.27	8.40-8.47	.95
2.45-2.53	.28	8.48-8.56	.96
2.54-2.61	.29	8.57-8.65	.97
2.62-2.70	.30	8.66-8.74	.98
2.71-2.79	.31	8.75-8.83	.99
2.80-2.88	.32	8.84-8.92	1.00
2.89-2.97	.33	8.93-9.01	1.01
2.98-3.06	.34	9.02-9.10	1.02
3.07-3.15	.35	9.11-9.18	1.03
3.16-3.24	.36	9.19-9.27	1.04
3.25-3.32	.37	9.28-9.36	1.05
3.33-3.41	.38	9.37-9.45	1.06
3.42-3.50	.39	9.46-9.54	1.07
3.51-3.59	.40	9.55-9.63	1.08
3.60-3.68	.41	9.64-9.72	1.09
3.69-3.77	.42	9.73-9.81	1.10
3.78-3.86	.43	9.82-9.89	1.11
3.87-3.95	.44	9.90-9.98	1.12
3.96-4.03	.45	9.99-10.07	1.13
4.04-4.12	.46	10.08-10.16	1.14
4.13-4.21	.47	10.17-10.25	1.15
4.22-4.30	.48	10.26-10.34	1.16
4.31-4.39	.49	10.35-10.43	1.17
4.40-4.48	.50	10.44-10.52	1.18
4.49-4.57	.51	10.53-10.60	1.19
4.58-4.66	.52	10.61-10.69	1.20
4.67-4.75	.53	10.70-10.78	1.21
4.76-4.83	.54	10.79-10.87	1.22
4.84-4.92	.55	10.88-10.96	1.23
4.93-5.01	.56	10.97-11.05	1.24
5.02-5.10	.57	11.06-11.14	1.25
5.11-5.19	.58	11.15-11.23	1.26
5.20-5.28	.59	11.24-11.32	1.27
5.29-5.37	.60	11.33-11.40	1.28
5.38-5.46	.61	11.41-11.49	1.29
5.47-5.54	.62	11.50-11.58	1.30
5.55-5.63	.63	11.59-11.67	1.31
5.64-5.72	.64	11.68-11.76	1.32
5.73-5.81	.65	11.77-11.85	1.33
5.82-5.90	.66	11.86-11.94	1.34
5.91-5.99	.67	11.95-12.03	1.35
6.00-6.08	.68	12.04-12.11	1.36
6.09-6.17	.69	12.12-12.20	1.37
6.18-6.25	.70	12.21-12.29	1.38
6.26-6.34	.71	12.30-12.38	1.39
6.35-6.43	.72	12.39-12.47	1.40
6.44-6.52	.73	12.48-12.56	1.41
6.53-6.61	.74	12.57-12.65	1.42
6.62-6.70	.75	12.66-12.73	1.43
6.71-6.79	.76	12.74-12.82	1.44
6.80-6.88	.77	12.83-12.91	1.45
6.89-6.96	.78	12.92-13.00	1.46
6.97-7.05	.79		

TABLE II—RETAIL CEILING PRICES FOR WORK GLOVES PURCHASED DIRECT FROM MANUFACTURERS

Column 1— Supplier's Ceiling Price (per dozen)	Column 2—Retail Ceiling (per pair)	Column 1— Supplier's Ceiling Price (per dozen)	Column 2—Retail Ceiling (per pair)
\$1.00-1.12+	\$0.12	\$7.15-7.23+	\$0.80
1.13-1.21	.13	7.24-7.32	.81
1.22-1.30	.14	7.33-7.41	.82
1.31-1.39	.15	7.42-7.50	.83
1.40-1.48	.16	7.51-7.59	.84
1.49-1.57	.17	7.60-7.68	.85
1.58-1.66	.18	7.69-7.77	.86
1.67-1.75	.19	7.78-7.86	.87
1.76-1.84	.20	7.87-7.95	.88
1.85-1.93	.21	7.96-8.04	.89
1.94-2.02	.22	8.05-8.13	.90
2.03-2.11	.23	8.14-8.22	.91
2.12-2.20	.24	8.23-8.31	.92
2.21-2.29	.25	8.32-8.40	.93
2.30-2.38	.26	8.41-8.49	.94
2.39-2.47	.27	8.50-8.58	.95
2.48-2.56	.28	8.59-8.67	.96
2.57-2.65	.29	8.68-8.76	.97
2.66-2.74	.30	8.77-8.85	.98
2.75-2.83	.31	8.86-8.94	.99
2.84-2.92	.32	8.95-9.03	1.00
2.93-3.01	.33	9.04-9.12	1.01
3.02-3.10	.34	9.13-9.21	1.02
3.11-3.18	.35	9.22-9.30	1.03
3.19-3.27	.36	9.31-9.38	1.04
3.28-3.36	.37	9.39-9.47	1.05
3.37-3.45	.38	9.48-9.56	1.06
3.46-3.54	.39	9.57-9.65	1.07
3.55-3.63	.40	9.66-9.74	1.08
3.64-3.72	.41	9.75-9.83	1.09
3.73-3.81	.42	9.84-9.92	1.10
3.82-3.90	.43	9.93-10.01	1.11
3.91-3.99	.44	10.02-10.10	1.12
4.00-4.08	.45	10.11-10.19	1.13
4.09-4.17	.46	10.20-10.28	1.14
4.18-4.26	.47	10.29-10.37	1.15
4.27-4.35	.48	10.38-10.46	1.16
4.36-4.44	.49	10.47-10.55	1.17
4.45-4.53	.50	10.56-10.64	1.18
4.54-4.62	.51	10.65-10.73	1.19
4.63-4.71	.52	10.74-10.82	1.20
4.72-4.80	.53	10.83-10.91	1.21
4.81-4.89	.54	10.92-11.00	1.22
4.90-4.98	.55	11.01-11.09	1.23
4.99-5.07	.56	11.10-11.18	1.24
5.08-5.16	.57	11.19-11.27	1.25
5.17-5.25	.58	11.28-11.36	1.26
5.26-5.34	.59	11.37-11.45	1.27
5.35-5.43	.60	11.46-11.54	1.28
5.44-5.52	.61	11.55-11.63	1.29
5.53-5.61	.62	11.64-11.72	1.30
5.62-5.70	.63	11.73-11.81	1.31
5.71-5.79	.64	11.82-11.90	1.32
5.80-5.88	.65	11.91-11.99	1.33
5.89-5.97	.66	12.00-12.08	1.34
5.98-6.06	.67	12.09-12.17	1.35
6.07-6.15	.68	12.18-12.26	1.36
6.16-6.24	.69	12.27-12.35	1.37
6.25-6.33	.70	12.36-12.44	1.38
6.34-6.42	.71	12.45-12.53	1.39
6.43-6.51	.72	12.54-12.62	1.40
6.52-6.60	.73	12.63-12.71	1.41
6.61-6.69	.74	12.72-12.80	1.42
6.70-6.78	.75	12.81-12.89	1.43
6.79-6.87	.76	12.90-12.98	1.44
6.88-6.96	.77	12.99-13.07	1.45
6.97-7.05	.78	13.08-13.16	1.46
7.06-7.14	.79		

[Appendix B amended by Am. 2, 9 F.R. 10862, effective 9-1-44]

APPENDIX C—SUGGESTED FORM TO BE USED BY MANUFACTURERS IN APPLYING FOR CEILING PRICES UNDER SECTION 4 (b).

APPLICATION FOR AN AUTHORIZED CEILING PRICE

This is a suggested form. Copies will not be supplied by the Office of Price Administration.

Firm Name..... Address.....  
 Type of trade cus- Chain stores or mail order houses ( )  
 tomarily sold to. Other Retailers ( )  
 (Check)..... Jobbers ( )  
 Glove Description:  
 Cut or pattern.....  
 Thickness..... Size Classification.....  
 Type of wrist.....  
 Additional features (if any).....  
 Material Description:  
 Glove fabric..... Weight.....  
 Cuff fabric..... Weight.....  
 Lining fabric..... Weight.....  
 Leather..... Grade.....

Item	Yards per dozen	Current ceiling price	Cost per dozen
Material Cost:			
Glove fabric.....	Per yd.....		
Cuff fabric.....	Per yd.....		
Lining fabric.....	Per yd.....		
Leather.....	Per sq. ft.....		
Freight in.....			
Total Material Cost.....			
Deduct Discount on Purchases.....			
Net Material Cost.....			
Trimming Cost:			
Thread.....			
Boxes and cartons.....			
Labels.....			
Others (specify).....			
Total Trimming Cost.....			
Total Material and Trimming Cost.....			
Direct Labor Excluding Make-up, Overtime and Social Security:			
Cutting.....			
Sewing.....			
Put-up.....			
Inspection.....			
Total Direct Labor.....			

Submitted by:

Name.....  
 Title.....  
 Date.....

**Effective date.** This regulation shall become effective for sales by manufacturers and sales at wholesale on May 16, 1944, and for sales at retail on June 6, 1944. Prior to the effective date, any person may sell and deliver either at prices determined under existing regulations, or at prices determined under Revised Maximum Price Regulation 506. [Revised Maximum Price Regulation 506 originally issued May 11, 1944]

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

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

Issued this 20th day of May 1946.

PAUL A. PORTER,  
 Administrator.

[F. R. Doc. 46-8423; Filed, May 20, 1946;  
 11:53 a. m.]

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[3d Rev. RO 3, Amdt. 13]

### SUGAR

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

Third Revised Ration Order 3 is amended to read as follows:

1. Section 7.2 (a) is amended to read as follows:

(a) Every person residing in the United States for a period of 60 days or more may get either a War Ration Book Four or Sugar Ration Book except the following:

(1) Persons confined in a prison, asylum, or similar institution of involuntary



confinement, whether public or private; or

(2) Members of the armed forces of the United States or a United Nation who are subsisted or authorized to be subsisted in kind, or who, although not subsisted or authorized to be subsisted in kind, eat at least 14 meals a week at a mess where the rationed food used are acquired, directly or indirectly, by the use of ration checks issued by the Army, Navy, Marine Corps or Coast Guard, or by an officer authorized to issue such checks; or

(3) Members of the armed forces of the United States or of the United Nations who are on leave or furlough.

2. Section 7.3 (a) is amended to read as follows:

(a) Application for a Sugar Ration Book shall be made on OPA Form R-146 (Revised) at the District Office having jurisdiction over the place where the applicant lives, or at any other place designated by the Office of Price Administration. The application must be signed by the person to whom the book is to be issued, or by his agent.

3. Section 7.4 (a) is amended to read as follows:

(a) Before issuing a Sugar Ration Book, the District Office shall remove all expired stamps and all valid stamps except the last stamp which became valid and the "home canning sugar" stamp (or stamps).

4. Section 7.9 (c) is amended to read as follows:

(c) If the Ration Book is being replaced because of mutilation, the District Office, before issuing the new ration book, shall remove all expired stamps and all valid stamps except the last consumer sugar stamp which became valid on or before the date the book is issued and the "home canning sugar" stamps (or stamps). However, if the applicant states that the ration book did not contain the currently valid consumer sugar stamp at the time of the mutilation of such book, the last consumer sugar stamp which became valid on or before the date the book is issued shall also be removed. Further, if the applicant states that the ration book did not contain the "home canning sugar" stamp (or stamps) at the time of the mutilation of such book, the "home canning sugar" stamp (or stamps) shall also be removed.

5. The last sentence of section 7.10 (b) is deleted.

6. Section 7.12 (a) is amended to read as follows:

(a) If a Ration Book is being replaced because of loss, theft, destruction or wrongful withholding, the District Office, before issuing the new ration book, shall remove all expired stamps and all valid stamps except the last consumer sugar stamp which became valid on or before the date the book is issued and the "home canning sugar" stamp (or stamps). However, if the applicant states that the ration book did not contain the currently valid consumer sugar stamp at the time of the loss, theft, de-

struction or wrongful withholding, the last consumer sugar stamp which became valid on or before the date the book is issued shall also be removed. Further, if the applicant states that the ration book did not contain the "home canning sugar" stamp (or stamps) at the time of the loss, theft, destruction or wrongful withholding, the "home canning sugar" stamp (or stamps) shall also be removed.

7. Section 9.1 (c) (ii) is amended to read as follows:

(ii) Will be (or was) on leave or furlough for a consecutive period of at least seven days and intends to eat (or ate) during the time, at a place where sugar is obtained by using the stamps of the persons eating there, although not on leave or furlough, he will eat (or ate) at least twenty-one meals during a month at such place, or that he is (or was) on temporary duty in the United States for at least seven, but less than sixty days, and intends to eat (or ate) at such a place, it shall issue coupons by which the sugar he eats (or ate) can be acquired or replaced. The coupons, if issued to applicants who are not on leave or furlough, shall be for one pound of sugar for each twenty-one meals; all other persons shall be issued coupons on the basis of one pound of sugar for seven through twenty days, two pounds of sugar for twenty-one through thirty-nine days and three pounds of sugar for forty through fifty-nine days which he will eat at such place during the period of time stated on the application. In addition, if the applicant is on leave or furlough for a consecutive period of sixty days or more, coupons shall be issued on the basis of four pounds for sixty through seventy-nine days, five pounds for eighty through ninety-nine days and six pounds for one hundred through one hundred twenty days. No coupon, however, shall be issued to an applicant who is not on leave or furlough, for longer than a one month period, nor shall any coupon issued to such applicant be computed on the basis of more than three meals a day.

This amendment shall become effective May 24, 1946.

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

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8420; Filed, May 20, 1946;  
11:52 a. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS [MPR 201, Amdt. 15]

##### MAXIMUM PRICES IN VIRGIN ISLANDS

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.

19 F.R. 10494; 10 F.R. 2025, 11657.

Maximum Price Regulation 201 is amended in the following respects:

1. Section 1418.101 is amended to read as follows:

§ 1418.101 *Prohibition against dealing in commodities above maximum prices.* On and after August 17, 1942, with respect to any commodity not actually manufactured or produced in the Virgin Islands of the United States, regardless of any contract or obligation:

(a) No person shall sell or deliver in the Virgin Islands of the United States any such commodity at a price higher than the maximum price established by this regulation.

(b) No person in the course of trade or business shall buy or receive any such commodity at a price higher than the maximum price established by this regulation.

(c) No person in the Virgin Islands of the United States shall export, or transfer for purposes of exportation to a foreign place, any such commodity at a price higher than the maximum price established by this regulation.

(d) No person shall agree, offer, solicit or attempt to do any of the foregoing.

2. Section 1418.101a is added to read as follows:

§ 1418.101a. *Commodities and transactions excepted from this Maximum Price Regulation 201.* The provisions of this regulation shall not apply to the following:

(a) Sales which are covered by Revised Maximum Price Regulation 395—Maximum Prices in the Virgin Islands of the United States.

(b) Sales of used or secondhand commodities whether they are imported as such or whether they become used or secondhand in the Virgin Islands.

(c) Sales of commodities or transactions excepted from the General Maximum Price Regulation by Revised Supplementary Regulation 1 which are not otherwise subject to price regulation in the continental United States.

(d) Sales which are covered by any other OPA regulations or orders applicable in the Virgin Islands, but no such regulation or order shall be deemed to apply in the Virgin Islands unless it contains an express provision to the effect that it shall apply in the Virgin Islands notwithstanding the provisions of Maximum Price Regulation 201.

3. Section 1418.102 (a) is amended by deleting the words, "for which a maximum price has been established in the continental United States and . . ."

4. Section 1418.102 (b) is amended by deleting the words, "for which a maximum price regulation has been issued in the continental United States and . . ."

This amendment shall become effective May 25, 1946.

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8421; Filed, May 20, 1946;  
11:52 a. m.]



PART 1444—ICE BOXES  
[MPR 399, Amdt. 30]

NEW ICE BOXES

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

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

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

1. Section 14, Table A—Retail ceiling

prices in each State for sales of ice boxes by ice companies and retail establishments controlled by ice companies, is amended by adding ceiling prices for the models of ice boxes set forth below:

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

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Ala-bama	Ari-zona	Ar-kansas	Calif-ornia	Colo-rado	Conne-cticut	Del-a-ware	District of Co-lumbia	Florida	Geor-gia	Idaho	Illinois	
Ice Cooling Appliance Corp.	Vitalaire	AH 7S	50	\$60.50	\$60.50	\$60.75	\$60.50	\$60.75	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	
	do	AH 9S	75	90.50	90.75	92.25	90.75	92.25	91.25	90.75	90.75	90.75	91.75	91.25	92.25	90.50	
Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Indi-ana	Iowa	Kansas	Ken-tucky	Louis-i-ana	Maine	Mary-land	Massa-chu-setts	Michi-gan	Minne-sota	Missis-sippi	Mis-souri	
Ice Cooling Appliance Corp.	Vitalaire	AH 7S	50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	
	do	AH 9S	75	90.50	90.50	90.50	90.75	90.50	91.25	91.25	90.75	91.25	90.50	90.50	90.75	90.50	
Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Mon-tana	Ne-braska	Ne-vada	New Hamp-shire	New Jersey	New Mexi-co	New York	North Caro-lina	North Da-kota	Ohio	Okla-homa	Oregon	
Ice Cooling Appliance Corp.	Vitalaire	AH 7S	50	\$60.50	\$60.50	\$60.50	\$60.75	\$60.50	\$60.50	\$60.75	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.75	
	do	AH 9S	75	90.50	92.25	90.75	92.25	91.75	90.75	92.25	90.75	90.75	91.25	90.50	91.25	92.25	
Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Penn-syl-vania	Rhode Island	South Caro-lina	South Da-kota	Ten-nessee	Texas	Utah	Vermont	Vir-ginia	Wash-ington	West Vir-ginia	Wis-consin	Wy-oming
Ice Cooling Appliance Corp.	Vitalaire	AH 7S	50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50	\$60.50
	do	AH 9S	75	90.50	90.75	91.25	91.25	90.75	90.50	91.75	92.25	91.75	90.75	92.25	90.75	90.50	91.75

2. Section 16, Table C—Ceiling prices in each State for all other sales of ice boxes at retail, is amended by deleting the ceiling prices for Automatic brand Models H10 and H12 and the Vitalaire brand Models H7S and H9S ice boxes manufactured by Ice Cooling Appliance Corporation, and adding ceiling prices for the models of ice boxes as set forth below:

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

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Ala-bama	Ari-zona	Ar-kansas	Calif-ornia	Colo-rado	Conne-cticut	Del-a-ware	District of Co-lumbia	Florida	Geor-gia	Idaho	Illinois	
Ice Cooling Appliance Corp.	Automatic.	AH 10...	75	\$57.75	\$58.50	\$59.25	\$58.50	\$59.25	\$58.75	\$58.50	\$58.50	\$58.50	\$59.00	\$58.75	\$59.25	\$58.25	
	do.....	AH 12...	100	67.25	68.50	69.75	68.50	69.75	68.75	68.50	68.50	68.50	69.00	68.50	69.50	68.00	
	Vitalaire...	AH 7S...	50	71.25	72.00	72.75	72.00	72.75	72.25	72.00	72.00	72.00	72.50	72.25	72.75	71.75	
	do.....	AH 9S...	75	106.75	108.25	109.75	108.25	109.75	108.75	108.25	108.25	108.25	109.25	108.75	109.75	107.75	
Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Indi-ana	Iowa	Kansas	Ken-tucky	Louis-i-ana	Maine	Mary-land	Massa-chu-setts	Michi-gan	Minne-sota	Missis-sippi	Mis-souri	
Ice Cooling Appliance Corp.	Automatic.	AH 10...	75	\$57.75	\$58.25	\$58.25	\$58.50	\$58.25	\$58.75	\$58.75	\$58.50	\$58.75	\$58.25	\$58.25	\$58.50	\$58.25	
	do.....	AH 12...	100	67.25	68.00	67.75	68.25	68.00	68.75	68.75	68.50	68.50	68.00	68.00	68.50	68.00	
	Vitalaire...	AH 7S...	50	71.25	71.75	71.75	72.00	71.75	72.25	72.25	72.00	72.25	71.75	71.75	72.00	71.75	
	do.....	AH 9S...	75	106.75	107.75	107.75	108.25	107.75	108.75	108.75	108.25	108.75	107.75	107.75	108.25	107.75	
Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Mon-tana	Ne-braska	Ne-vada	New Hamp-shire	New Jersey	New Mexi-co	New York	North Caro-lina	North Da-kota	Ohio	Okla-homa	Oregon	
Ice Cooling Appliance Corp.	Automatic.	AH 10...	75	\$57.75	\$58.50	\$58.50	\$59.25	\$58.75	\$58.50	\$59.25	\$58.50	\$58.50	\$58.75	\$58.25	\$58.75	\$59.25	
	do.....	AH 12...	100	67.25	69.50	68.25	69.75	68.50	68.50	69.75	68.50	68.50	68.50	67.75	68.50	69.75	
	Vitalaire...	AH 7S...	50	71.25	72.75	72.00	72.75	72.25	72.00	72.75	72.00	72.00	72.25	72.25	72.25	72.75	
	do.....	AH 9S...	75	106.75	109.75	108.25	109.75	108.75	108.25	109.75	108.25	108.25	108.75	107.75	108.75	109.75	
Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Penn-syl-vania	Rhode Island	South Caro-lina	South Da-kota	Ten-nessee	Texas	Utah	Vermont	Vir-ginia	Wash-ington	West Vir-ginia	Wis-consin	Wy-oming
Ice Cooling Appliance Corp.	Automatic.	AH 10...	75	\$57.75	\$58.50	\$58.75	\$58.75	\$58.50	\$58.25	\$58.75	\$59.25	\$58.75	\$58.50	\$59.25	\$58.50	\$58.00	\$58.75
	do.....	AH 12...	100	67.25	68.25	68.50	68.75	68.50	68.25	69.00	69.50	68.75	68.75	69.75	68.25	67.75	69.00
	Vitalaire...	AH 7S...	50	71.25	72.00	72.25	72.25	72.00	71.75	72.25	72.75	72.25	72.00	72.75	72.00	71.50	72.25
	do.....	AH 9S...	75	106.75	108.25	108.75	108.75	108.25	107.75	108.75	109.75	108.75	108.25	109.75	108.25	107.25	108.75

This amendment shall become effective on the 25th day of May 1946.

Issued this 20th day of May 1946.

PAUL A. PORTER, Administrator.



PART 1439—UNPROCESSED AGRICULTURAL  
COMMODITIES

[MPR 397, Amdt. 9]

## FLAXSEED

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

Maximum Price Regulation 397 is amended in the following respects:

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

(1) At the following terminal basing points where the lot sold is not delivered by truck:

Per bushel	
Minneapolis, Duluth and Red Wing, Minn.	\$3.35
Milwaukee, Wis.	3.35
Chicago, Ill.	3.35
Portland, Ore.	3.35
Emporia and Fredonia, Kans.	3.20
Corpus Christi, Harlingen and Houston, Tex.	3.15

2. Section 5 (a) (3) is amended to read as follows:

(3) At the following terminal basing points, whether the lot is or is not delivered by truck:

San Francisco, Oakland, Berkeley, Los Angeles, Long Beach, Wilmington, Buena Park, and Fresno, California.	\$3.60
--	--------

3. Section 5 (a) (4) is amended to read as follows:

(4) At any point in Area A, \$3.35 per bushel plus the lowest domestic carload proportional all-rail rate (or, if none, the lowest carload local all-rail rate) per bushel from Minneapolis to the point in Area A in question; *Provided*, That whenever flaxseed purchased under this subparagraph (4) has moved from producer to any buyer in whole or in part by water, the foregoing maximum price shall be reduced by any amount equivalent to the difference in the actual water rate and said rail rate for the distance moved by water.

This amendment shall become effective May 17, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

Approved: May 16, 1946.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-8347; Filed, May 17, 1946;  
4:43 p. m.]

PART 1499—COMMODITIES AND SERVICE  
[RMFR 165, Amdt. 4 to Supp. Service Reg. 6]  
REPAIR OF AUTOMOTIVE VEHICLES AND FARM  
EQUIPMENT

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

Section 1499.656 is amended in the following respects:

<sup>1</sup> 8 F.R. 6840, 7392, 10757, 12668, 12892; 9 F.R. 9836; 10 F.R. 2017, 2688, 7412, 10029.

No. 99—7

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

(3) The average basic hourly wage rate (before payment of overtime) paid to employees performing such work in the week which includes March 31, 1942, plus 60¢; and adding thereto an amount equal to the increase, since March 31, 1942 in the average basic hourly wage rate (before payment of overtime) paid employees performing such work, *Provided*, That such wage rates were not in violation of the regulations affecting wage increases.

2. Appendix A, *Form for Recording Increase in Service Rate*, is amended to read as follows:

APPENDIX A—FORM FOR RECORDING INCREASE  
IN SERVICE RATE

(If you increase your maximum customer's hourly rate, you must fill out this form and keep it as a part of your permanent records, and make it available for inspection during your regular business hours. You must also file a copy with your Price Control Board.)

Explanation of increase in customer's hourly rate effective -----

(Give date)

(a) Present average basic hourly wage rate. (1) Total amount of straight-time wages (excluding overtime payments) paid to employees directly engaged in repair and maintenance work in the week before the increase—\$-----

(2) Total number of straight-time hours (excluding overtime) worked by such employees in the week before the increase-----

Present average basic hourly wage rate (divide item 1 by item 2)-----Item A. \$-----

(b) Average basic hourly wage rate on March 31, 1942.

(1) Total amount of straight-time wages (excluding overtime payments) paid in the week which includes March 31, 1942, to employees directly engaged in repair or maintenance work—\$-----

(2) Total number of straight-time hours (excluding overtime) worked by such employees in the week which includes March 31, 1942-----

Average basic hourly wage rate in March 1942 (divide item 1 by item 2)-----Item B. \$-----

(c) Increase in average basic hourly wage rate (Item A minus item B)-----Item C. \$-----

(d) New maximum customer's hourly rate (1) The highest customer's hourly rate actually charged in March 1942—\$-----

(2) The average basic hourly wage rate in March (item B above) multiplied by 2—\$-----

(3) The average basic hourly wage rate in March (item B above) plus 60¢—\$-----

Highest of (1), (2), or (3) above-----Item D. \$-----

Tentative maximum customer's hourly rate (Item C plus Item D)-----Item E. \$-----

Final maximum customer's hourly rate—\$-----

(If item E cannot be divided evenly by five cents, you may round it upward to the nearest nickel.)

This amendment shall become effective May 25, 1946.

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

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8425; Filed, May 20, 1946;  
11:54 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[RMFR 165, Amdt. 4 to Supp. Service Reg. 22]

## REPAIR OF CERTAIN APPLIANCES AND EQUIPMENT

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

Section 1499.674 is amended in the following respects:

1. Paragraph (a) (4) is redesignated (a) (5) and amended to read as follows:

(5) Where the rates under subparagraphs (2), (3) or (4) are not divisible by 5¢, they may be adjusted upward to the nearest amount so divisible.

2. A new paragraph (a) (4) is added to read as follows:

(4) He may if he employs a total of not more than 8 persons and if wage increases paid by him were not in violation of any regulations affecting wage increases, add to a customer's hourly rate, determined under subparagraphs (1), (2) or (3) an amount equal to the increase since October 3, 1942, in the average basic straight-time hourly rate for mechanics performing each type of service. Adjustments under this subparagraph (4) may not be made more often than once every thirty days.

3. Paragraph (d) (4) is redesignated (d) (5), and a new paragraph (d) (4) is added to read as follows:

(4) In the case of sellers adjusting their prices under paragraph (a) (4), a statement of the hourly wage rate of each employee, on the date of any price increase, made under this regulation.

This amendment shall become effective May 25, 1946.

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

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8426; Filed, May 20, 1946;  
11:54 a. m.]



## Notices

### DEPARTMENT OF THE TREASURY.

Office of the Secretary.

[1946 Dept. Circ. 788]

#### 7/8 PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES E-1947

##### OFFERING OF CERTIFICATES

MAY 20, 1946.

**I. Offering of Certificates.** 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated 7/8 percent Treasury Certificates of Indebtedness of Series E-1947, in exchange for Treasury Certificates of Indebtedness of Series E-1946, maturing June 1, 1946. Approximately \$2,000,000,000 of the maturing certificates will be retired on cash redemption.

**II. Description of certificates.** 1. The certificates will be dated June 1, 1946, and will bear interest from that date at the rate of 7/8 percent per annum, payable semiannually on December 1, 1946, and June 1, 1947. They will mature June 1, 1947, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

**III. Subscription and allotment.** 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including \$25,000 will be allotted in full, and subscriptions for amounts over \$25,000 will be allotted to

all holders on an equal percentage basis, but not less than \$25,000 on any one subscription. The basis of the allotment will be publicly announced, and allotment notices will be sent out promptly upon allotment.

**IV. Payment.** 1. Payment at par for certificates allotted hereunder must be made on or before June 1, 1946, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series E-1946, maturing June 1, 1946, which will be accepted at par, and should accompany the subscription.

**V. General provisions.** 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL]

FRED M. VINSON,  
Secretary of the Treasury.

[F. R. Doc. 46-8393; Filed, May 20, 1946;  
10:47 a. m.]

[1946 Dept. Circ. 787]

#### ISSUES OF TREASURY BONDS RESTRICTED AS TO OWNERSHIP BY COMMERCIAL BANKS WHICH ACCEPT DEMAND DEPOSITS

##### MODIFICATION OF VARIOUS DEPARTMENT CIRCULARS

MAY 17, 1946.

**I. Enumeration of department circulars affected.** 1. The Department circulars modified by this circular and the Treasury bond issues which they govern, are as follows:

Nos. 685 and 692. 2 1/2 percent Treasury Bonds of 1962-67.

No. 701. 2 1/2 percent Treasury Bonds of 1963-68.

No. 708. 2 1/2 percent Treasury Bonds of 1964-69 (dated April 15, 1943).

Nos. 719 and 724. 2 1/2 percent Treasury Bonds of 1964-69 (dated Sept. 15, 1943).

Nos. 729, 734, and 740. 2 1/2 percent Treasury Bonds of 1965-70.

Nos. 730 and 735. 2 1/4 percent Treasury Bonds of 1956-59.

Nos. 755 and 760. 2 1/2 percent Treasury Bonds of 1966-71.

No. 768. 2 1/2 percent Treasury Bonds of 1967-72 (dated June 1, 1945).

No. 769. 2 1/4 percent Treasury Bonds of 1959-62 (dated June 1, 1945).

No. 776. 2 1/2 percent Treasury Bonds of 1967-72 (dated Nov. 15, 1945).

No. 777. 2 1/4 percent Treasury Bonds of 1959-62 (dated Nov 15, 1945).

**II. Modification of circulars.** 1. Each of the circulars enumerated in Section I hereof provides that the bonds issued thereunder may not be transferred to or be held by commercial banks, which were defined for this purpose as banks accepting demand deposits, before vari-

ous fixed dates, except to the extent and in the manner set forth in the governing circulars. These provisions are hereby modified to permit any such bank to hold, for the purpose of facilitating transactions for the account of customers, bonds issued pursuant to said circulars in an aggregate amount not to exceed at the close of business on any day one percent of its demand deposits, excluding United States war loan deposits and inter-bank deposits, or \$500,000, whichever is less. Such bonds shall be in addition to and shall be held in an account separate from those otherwise acquired pursuant to the provisions of the offering circulars.

[SEAL]

FRED M. VINSON,  
Secretary of the Treasury.

[F. R. Doc. 46-8416; Filed, May 20, 1946;  
11:39 a. m.]

### DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

#### PRODUCERS STOCK YARDS

##### NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Producers Stock Yards, Lexington, Kentucky, posted on February 26, 1931, as the Lexington Live Stock Commission Company Stockyards, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, the name of which was changed on the list of posted stockyards in 9 CFR 204.1 by order of the Secretary of Agriculture on April 6, 1944, to the Producers Stock Yards, no longer comes within the definition of a stockyard under the act. Therefore, notice of such fact is given to the owner of such stockyard and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Done at Washington, D. C., this 17th day of May 1946.

[SEAL]

N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 46-8341; Filed, May 17, 1946;  
4:20 p. m.]

#### Production and Marketing Administration.

##### 1946 FLORIDA SUGARCANE WAGES AND PRICES

##### NOTICE OF POSTPONEMENT OF HEARING

Notice is hereby given that the hearing with respect to 1946 Florida sugarcane wages and prices which was scheduled (11 F.R. 5075) to be held in the High School Auditorium, Clewiston, Florida, beginning at 9:30 a. m., May 18, 1946, is postponed, and shall be held at the same place and hour on June 13, 1946.

Issued this 17th day of May 1946.

[SEAL]

N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 46-8342; Filed, May 17, 1946;  
4:20 p. m.]



## DEPARTMENT OF LABOR.

## Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES  
ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and expiration dates of the certificates are as follows:

*Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724)*, as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890):

Phillips-Lester Manufacturing Company, 2300 First Avenue No., Birmingham, Alabama; Overalls, jackets and work shirts; ten (10) per cent (T); effective May 13, 1946, expiring May 12, 1947.

*Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530)*, as amended by Administrative Order March 13, 1943 (8 F.R. 3079):

Princeton Hosiery Mills, Inc., Eddyville, Kentucky; seamless; fifty (50) learners (E); effective May 13, 1946, expiring November 12, 1946.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at sub-minimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at New York, New York, this 15th day of May 1946.

PAULINE C. GILBERT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 46-8419; Filed, May 20, 1946; 12:01 p. m.]

## CIVIL AERONAUTICS BOARD.

[Docket No. 1602 et al]

DULUTH AIR LINES; CHICAGO-SEATTLE CASE  
NOTICE OF HEARING

In the matter of the application of Duluth Air Lines, Docket No. 1602 et al, for certificates of public convenience and necessity, under section 401 (h) of the Civil Aeronautics Act of 1938 as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401, 408, and 1001 of said act, that hearing in the above-entitled proceeding is assigned to be held on June 3, 1946, at 10:00 a. m. (eastern standard time) in Conference Room A, Departmental Auditorium, Constitution Avenue between Twelfth and Fourteenth Streets, NW., before Examiner Herbert K. Bryan.

Dated Washington, D. C., May 17, 1946.

By the Civil Aeronautics Board.

FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 46-8417; Filed, May 20, 1946; 11:49 a. m.]

[Docket No. SA-117]

## ACCIDENT NEAR RICHMOND, VA.

## NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 53218 which occurred near Richmond, Virginia, on May 16, 1946.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Friday, May 24, 1946 at 9:00 AM (local time), in Room 337, Federal Building, Richmond, Virginia.

Dated at Washington, D. C., May 20, 1946.

ROBERT W. CHRISP,  
Presiding Officer.

[F. R. Doc. 46-8418; Filed, May 20, 1946; 11:49 a. m.]

## FEDERAL POWER COMMISSION.

[Docket Nos. G-210, G-661, G-688, G-693]

## MICHIGAN CONSOLIDATED GAS CO.

## ORDER GRANTING APPLICATION FOR RECONSIDERATION, REOPENING AND CONSOLIDATING PROCEEDINGS, AND FIXING DATE OF HEARING

MAY 10, 1946.

Michigan Consolidated Gas Company v. Panhandle Eastern Pipe Line Company and Michigan Gas Transmission Corporation, Docket No. G-210; City of Detroit, a Municipal Corporation, and County of Wayne, a Municipal Corporation, both of the State of Michigan v. Panhandle Eastern Pipe Line Company and Michigan Consolidated Gas Company, Docket No. G-661; In the matter of Panhandle Eastern Pipe Line Company and Michigan Consolidated Gas Company, Docket No.

G-688; in the matter of Panhandle Eastern Pipe Line Company, Docket No. G-693.

Upon consideration of the application filed on April 15, 1946, by Panhandle Eastern Pipe Line Company (Panhandle), requesting abrogation or modification of the Commission's order of March 14, 1946, dismissing without prejudice Panhandle's application for certificate of public convenience and necessity in Docket No. G-693, or, in the alternative for a reconsideration thereof;

It appearing to the Commission that:

(a) By order of the Commission dated December 18, 1945, the following proceedings were consolidated:

City of Detroit, a Municipal Corporation, and County of Wayne, a Municipal Corporation, both of the State of Michigan v. Panhandle Eastern Pipe Line Company and Michigan Consolidated Gas Company, Docket No. G-661; in the matter of Panhandle Eastern Pipe Line Company and Michigan Consolidated Gas Company, Docket No. G-668.

(b) By said order of December 18, 1945, the Commission ordered that:

(A) Panhandle Eastern Pipe Line Company show cause at the public hearing hereinafter ordered:

(i) Why the supply of natural gas to Ford Motor Company, as provided in its contract of October 20, 1945, (1) will not impair its ability to provide adequate and reasonable natural gas service to consumers entitled to such service under the Natural Gas Act and orders of this Commission, and (2) will not violate orders of this Commission authorizing the construction and limiting the operation of facilities under section 7 of the Natural Gas Act as provided in such orders; and

(ii) Why appropriate and timely application should not be made under section 7 of the Natural Gas Act for the construction and operation of all necessary pipe line facilities required for the interstate transportation of natural gas to the Ford Motor Company including all measuring and regulating equipment which may be required.

(B) An investigation be and it is hereby instituted for the purpose of enabling the Commission:

(i) To determine with respect to the sale of natural gas by Panhandle Eastern Pipe Line Company to Michigan Consolidated Gas Company whether in connection with such transportation or sale, subject to the jurisdiction of the Commission, any contract or arrangement relating to such supply, for resale or underground storage in the State of Michigan, or the rates, charges, or classifications demanded, observed, charged or collected for such gas, or any rules, regulations, practices or contracts relating to such supply or affecting such rates, charges or classifications are unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful and in violation of the provisions of the Natural Gas Act.

(ii) To determine and fix by order or orders just and reasonable rates, charges, classifications, rules, regulations, practices or contracts to be thereafter observed and in force, if the Commission, after hearing has been had, shall find,



with respect to the transportation and sale of natural gas by Panhandle Eastern Pipe Line Company to Michigan Consolidated Gas Company, that any rates, charges, classifications, rules, regulations, practices, or contracts, subject to the Jurisdiction of the Commission, are unjust, unreasonable, unduly discriminatory or preferential.

(c) On January 10, 1946, Panhandle filed an application (Docket No. G-693) under section 7 of the Natural Gas Act, as amended, for a certificate of public convenience and necessity to construct and operate certain facilities for the transportation of natural gas to the Ford Motor Company.

(d) A public hearing has been held with respect to the matters involved and issues presented as referred to in paragraph (b), (A), (i), above.

(e) Subsequent to the public hearing referred to in paragraph (d), the Commission entered its Opinion No. 130 with respect to Docket Nos. G-661 and G-688, and its order of March 14, 1946, in Docket No. G-693, such latter order dismissing without prejudice the application filed in the latter docket, in pursuance to the findings of the Commission in its Opinion No. 130.

(f) A public hearing has been held with respect to the matters involved and issues presented in Michigan Consolidated Gas Company v. Panhandle Eastern Pipe Line Company, et al., Docket No. G-210.

The Commission finds that:

(1) Good cause exists for (a) granting the application for reconsideration of the Commission's order of March 14, 1946, in Docket No. G-693, (b) reopening the record in the proceedings in Docket No. G-210 for the purpose of taking further evidence thereon, and (c) for completing the evidence with respect to the record in the proceedings in Docket Nos. G-661 and G-688 as to the matters involved and issues presented in paragraph (b), (B), above.

(2) The matters involved and the issues presented in these proceedings may concern substantially the same facts and issues, and good cause, therefore, exists for consolidating the above-docketed matters for the purpose of hearing.

The Commission orders that:

(A) The application for reconsideration of the Commission's order entered on March 14, 1946, in the Matter of Panhandle Eastern Pipe Line Company, Docket No. G-693, be and the same is hereby granted.

(B) The record in the proceedings in Michigan Consolidated Gas Company v. Panhandle Eastern Pipe Line Company, and Michigan Gas Transmission Corporation, Docket No. G-210, be and it is hereby reopened for the purpose of taking further evidence thereon.

(C) The reopened proceedings in Docket Nos. G-210 and G-693 be consolidated for purposes of hearing with matters involved and the issues presented in Docket Nos. G-661 and G-688, respecting such of the issues in the latter two dockets remaining to be heard.

(D) A public hearing be held with respect to such consolidated proceedings commencing on August 26, 1946, at 10 a. m. (E. S. T.) in the Hearing Room, Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

(E) All persons heretofore permitted to intervene in any of the above matters may participate in the reopened and consolidated proceedings in accordance with leave heretofore granted to them.

(F) Interested State commissions may participate in the said hearing, as provided for in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-8392; Filed, May 20, 1946;  
9:56 a. m.]

#### OFFICE OF DEFENSE TRANSPORTATION.

##### FEDERAL MANAGER OF GOVERNMENT CONTROLLED RAILROADS

##### DELEGATION OF AUTHORITY

Pursuant to Executive Order 9727 of the President of the United States, dated May 17, 1946 (*supra*), concerning possession, control, and operation of certain railroads; *It is hereby ordered*, That:

1. Charles H. Buford, be, and he is hereby, appointed Federal Manager of the transportation systems and properties taken into the possession and control of the United States by said Executive order. For the purposes of this order and in the exercise of the authority and powers herein delegated he is hereby designated "Federal Manager of Government Controlled Railroads."

2. The authority and powers vested in the Director of the Office of Defense Transportation by said Executive order are hereby delegated to said Charles H. Buford as Federal Manager of Government Controlled Railroads, with full authority to exercise such powers either personally or through such public or private instrumentalities or persons as he may designate and with power of successive redelegation.

3. The exercise of the authority hereby delegated shall be subject to the general control and supervision of, and the right of modification or revocation in any specific case by, the Director of the Office of Defense Transportation.

This order shall become effective at 4:00 o'clock P. M., May 17, 1946.

Issued at Washington, D. C., this 17th day of May 1946.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 46-8382; Filed, May 17, 1946;  
4:34 p. m.]

[Federal Manager's Notice and Order 1]

##### FEDERAL MANAGER OF GOVERNMENT CONTROLLED RAILROADS

##### POSSESSION, CONTROL AND OPERATION OF CERTAIN RAILROADS

To each carrier by railroad named in the Executive Order 9727 of the President of the United States, dated May 17, 1946 (*supra*), concerning possession, control, and operation of certain railroads:

1. By order of the Director of the Office of Defense Transportation, dated May 17, 1946 (*supra*), the authority vested in said Director by Executive Order 9727 of the President of the United States, dated May 17, 1946, whereby possession and control of your transportation system, plants, and facilities are taken and assumed by the United States as of 4:00 o'clock p. m., May 17, 1946, has been duly delegated by said Director to the undersigned as Federal Manager of Government Controlled Railroads.

2. Until further order, you are hereby directed to continue operations in the usual and ordinary manner and course of business, as a going enterprise, in your own name, and by means of the instrumentalities, agents, officers, and employees customarily employed by you, as fully as if possession and control had not been taken and assumed by the United States, subject, however, to the terms of said Executive order, and to all general and special orders, rules, and regulations which may be issued thereunder. Title to the properties and other assets of which possession has been taken remains in the owners thereof. Possession by the United States is not exclusive and the United States asserts, and will assert, only such control over the properties in its limited possession as may be necessary to accomplish the purposes of the Executive order.

3. All personnel, officers, agents, and employees, employed by you in the operation of your transportation system, plants, and facilities, are called upon to resume or continue the performance of their usual duties and in the customary manner until otherwise ordered. No such officer, agent, or employee shall be deemed to be an official or employee of the United States.

4. Subject to the terms of the Executive order, wage scales and working conditions in effect on the effective date of the Executive order shall be maintained and full recognition shall be given to the rights of the employees and all classes thereof. All deductions for the benefit of employees now being made by law or agreement, including insurance payments, Railroad Retirement and Unemployment Compensation deductions, and other deductions of every kind, and all arrangements governing the payment of wages, including bond purchase plans, shall be continued, subject to any legal right of discontinuance.

5. Subject to the terms of the Executive order, the operation of the carrier shall be in conformity with the Inter-



state Commerce Act, as amended, the Railway Labor Act, as amended, the Safety Appliance Acts, the Employers' Liability Acts, and other applicable Federal and State laws, Executive orders, local ordinances, and rules and regulations issued pursuant to such laws, Executive orders, and ordinances.

6. The accounts of the carrier will continue to be kept in the customary manner. The carrier will assume full financial responsibility for the operation of its properties; will retain all income or proceeds resulting from such operations; and will pay all expenses incurred by the carrier in connection with such operations.

7. Until further order, carriers will remain subject to suit as heretofore and to the levy of attachments by mesne process, garnishment, execution or otherwise, on or against the properties or other assets of such carriers, but no receivership, reorganization, or similar proceeding affecting any carrier whose transportation system, plants, and facilities are or may be taken under the Executive order shall be instituted without the prior written consent of said Director. Nothing herein shall be deemed to require approval of any action authorized or required by any interlocutory or final decree of any United States Court in reorganization proceedings now pending under the Bankruptcy Act or in any equity receivership cases now pending.

8. (A) Any carrier which objects to assuming responsibility for any action which it is required to take pursuant to this order, or to any other order, rule, regulation, or direction issued by the Director of the Office of Defense Transportation, the Federal Manager of Government Controlled Railroads, or by any duly authorized representative of the Director or the Federal Manager, shall protest such order, rule, regulation, or direction, to the Federal Manager, in writing, and in such protest shall specify:

(i) The particular order, rule, regulation, or direction which the carrier asserts has resulted, or will result in loss, costs, damages, or expenses to it;

(ii) The particular action taken, or to be taken, pursuant to such order, rule, regulation, or direction, which action would not have been taken, or would not be taken, except for such order, rule, regulation, or direction, and which the carrier asserts has resulted, or will result, in loss, costs, damages, or expenses to it; and

(iii) The nature of the loss, costs, damages, or expenses asserted to have been, or to be caused by compliance with such order, rule, regulation, or direction, and an estimate of the amount of compensation claimed therefor.

(B) Each such protest shall be made to the Federal Manager by registered mail or telegram within five (5) days after the receipt by the carrier of the particular order, rule, regulation, or direction so protested. Such protest shall be addressed to the Federal Manager of Government Controlled Railroads, Interstate Commerce Commission Building, Washington 25, D. C.

9. A copy of said Executive order and a copy of this notice and order shall be posted by each carrier on each bulletin

board maintained by the carrier at its principal offices, division and section headquarters, stations, depots, shops, and yards.

10. Communications concerning this order should be addressed to Federal Manager of Government Controlled Railroads, Interstate Commerce Commission Building, Washington 25, D. C.

Issued at Washington, D. C., this 17th day of May 1946.

CHARLES H. BUFORD,  
Federal Manager,  
Government Controlled Railroads.

[F. R. Doc. 46-8383; Filed, May 17, 1946;  
4:34 p. m.]

#### ILLINOIS CENTRAL RAILROAD CO.

##### NOTICE OF CHANGE OF FEDERAL MANAGER

You are hereby notified that the appointment of Homer C. King as Federal Manager of the transportation system and properties of the Illinois Central Railroad Company is hereby revoked, effective May 17, 1946.

Charles H. Buford is hereby appointed Federal Manager of the transportation system and properties of the Illinois Central Railroad Company, effective May 17, 1946, with full authority, subject to my direction, to perform the duties heretofore delegated to W. F. Kirk, by notice and order of the Director of the Office of Defense Transportation dated August 23, 1945 (10 F.R. 10991), and subsequently redelegated to Homer C. King by notice and order of the Director of the Office of Defense Transportation dated October 29, 1945 (10 F.R. 13414).

Issued at Washington, D. C., this 17th day of May, 1946.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 46-8394; Filed, May 17, 1946;  
4:34 p. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[Rev. SO 119, Order 212]

##### MARTIN STEEL PRODUCTS CORP.

##### ADJUSTMENT OF MAXIMUM PRICES

Order No. 212 under Revised Supplementary Order 119. Docket No. 6123-SO 119-75. Adjustment of maximum prices for sales of prefabricated metal farm buildings manufactured by the Martin Steel Products Corporation of Mansfield, Ohio.

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 Revised Supplementary Order No. 119, it is ordered:

(a) Maximum prices for the Martin Steel Products Corporation of Mansfield, Ohio. (1) The above manufacturer may determine his maximum prices for his line of prefabricated metal farm buildings by increasing by 19.5 percent his prices on these items in effect on October 1, 1941, to each class of purchaser.

(2) Since the provision of this order are not intended to reduce properly established maximum prices the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under the General Maximum Price Regulation in the event that such prices exceed the prices in effect to each class of purchaser of October 1, 1941, plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March 1942.

(b) Resellers' maximum prices. All resellers of the commodities covered by this order may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) Notification to all purchasers. The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 212 under Revised Supplementary Order No. 119 authorizes a 19.5 percent increase in October 1, 1941, net prices for sales of prefabricated metal farm buildings manufactured by this company.

Resellers may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 212.

(d) All prayers for relief not granted herein are denied.

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

This order shall become effective May 18, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8333; Filed, May 17, 1946;  
11:31 a. m.]

[SO 142, Order 111]

##### KERMATH MFG. CO.

##### ADJUSTMENT OF MAXIMUM PRICES

Order No. 111 under supplementary Order No. 142, adjustment provisions for sales of industrial machinery and equipment. Kermath Manufacturing Company. Docket No. 6083-SO 142-136-334.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 2 of Supplementary Order No. 142, It is ordered:

(a) The maximum prices for sales by Kermath Manufacturing Company, 5890 Commonwealth Avenue, Detroit 8, Mich., of all its products, which are covered by any of the regulations listed in Supplementary Order No. 142, shall be deter-



mined by increasing by 27% the maximum prices for these products in effect just prior to March 16, 1946.

(b) The maximum prices for sales by resellers of the products described in paragraph (a) above shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a purchaser of the same class, just prior to the issuance of this order, by the percentage amount by which his net invoiced cost has been increased by reason of this order.

(c) The Kermath Manufacturing Company shall notify each purchaser, who buys the products listed in paragraph (a) above for resale of the percentage amount by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(d) All requests not granted herein are denied.

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

This order shall become effective May 18, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8334; Filed, May 17, 1946;  
11:31 a. m.]

[RMPR 136, Order 626]

ACME MFG. CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136, It is ordered:

(a) Acme Manufacturing Company, 1445 San Pablo Avenue, Berkeley, California, may sell, f. o. b. plant, each Acme utility trailer described in subparagraph (1) below at a price not to exceed \$175.94 plus federal excise tax, and state and local taxes on the sale or delivery of the trailer, and the cost of transporting it to the purchaser, if any.

#### (1) Description.

Acme Deluxe, heavy duty utility trailer Model 8, 1½ ton capacity, all steel body, dimensions 4' wide x 6' long x 16" high, equipped with 6.00 x 16, 4-ply synthetic tires and additional detailed specifications included in the report filed with this Office.

(b) Acme Manufacturing Company is authorized to suggest to resellers a resale price for the trailer described in paragraph (a) (1) consisting of the following:

#### (1) Suggested resale prices.

To dealers.....	\$211.13
To consumers.....	281.51

(2) Charges. (i) A charge for transportation, if any, not to exceed the actual rail freight charge from the factory at Berkeley, California, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charge made by Acme Manufacturing Company, to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trailer.

(c) A reseller of Acme utility trailers in any of the territories or possessions of the United States is authorized to sell the trailer described in paragraph (a) at a price not to exceed the price established in paragraph (b) to which it may add a sum equal to the expense incurred or charged to it for payment of territorial and insular taxes, on the purchase, sale or introduction of the trailer; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(d) The Acme Manufacturing Company shall report to this office no later than November 30, 1946, cost data covering this trailer based on actual operations for May, June, July, August, September and October 1946 but computed in accordance with the limitations of section 10 of Revised Maximum Price Regulation 136.

(e) All requests not granted herein are denied.

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

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specification or equipment of the trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective May 18, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8327; Filed, May 17, 1946;  
11:31 a. m.]

[RMPR 136, Order 628]

L. A. YOUNG SPRING AND WIRE CORP.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136, It is ordered:

(a) L. A. Young Spring and Wire Corporation, 900 High Street, Oakland, California, may sell, f. o. b. plant, each one wheel trailer described in subparagraph (1) below at a price not to exceed \$48.67 plus federal excise tax, state and local taxes on the sale or delivery of the trailers and any cost of transporting it to the purchaser.

#### (1) Description.

"Trailaway", Model No. 8, one wheel utility trailer, 750 lb. capacity, body dimensions 42"

wide x 48" long x 9" high, all steel construction, equipped with a 4.00 x 8, 4-ply synthetic tire and other detailed specifications included in the report filed with this Office.

"Speedaway", Model No. 9, one wheel utility trailer, 750 lb. capacity, body dimensions 42" wide x 48" long x 9" high, all steel construction, equipped with a 4.00 x 8, 4-ply synthetic tire and other detailed specifications included in the report filed with this Office.

(b) L. A. Young Spring and Wire Corporation is authorized to suggest to resellers a resale price for the trailer described in paragraph (a) (1) consisting of the following:

(1) Suggested resale price. \$73.00.

(2) Charges. (i) A charge for transportation, if any, not to exceed the actual rail freight charge from the factory at Oakland, California, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charge made by L. A. Young Spring and Wire Corporation to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payment of State and local taxes on the purchase, sale or delivery of the trailer.

(c) A reseller of Trailaway or Speedaway trailers in any of the Territories or possessions of the United States is authorized to sell the trailer described in paragraph (a) at a price not to exceed the price established in paragraph (b) to which it may add a sum equal to the expense incurred or charged to it for payment of territorial and insular taxes, on the purchase, sale or introduction of the trailer; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(d) All requests not granted herein are denied.

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

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under Section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specification or equipment of the trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective May 18, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8328; Filed, May 17, 1946;  
11:32 a. m.]

[RMPR 136, Order 630]

SPORTSMAN MFG. CO.

#### APPROVAL OF MAXIMUM PRICES

Order No. 630 Under Revised Maximum Prices Regulation 136, Machines, Parts and Industrial Equipment.

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



with the Division of the Federal Register, and pursuant to sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136, *It is ordered:*

(a) Sportsman Manufacturing Company, Grand Prairie, Texas, may sell, f. o. b. plant, each "Sportsman" trailer described in subparagraph (1) below at a price not to exceed \$247.35 plus federal excise tax, and state and local taxes on the sale or delivery of the trailer and the cost of transporting it to the purchaser, if any.

(1) *Description.*

"Sportsman" two-wheel, enclosed camping trailer, dimensions 4' wide x 8' long x 4' high, equipped with 6.00 x 16, 4-ply synthetic tires and tubes and additional detailed specifications included in report filed with this Office.

(b) Sportsman Manufacturing Company is authorized to suggest to resellers a resale price for the trailer described in paragraph (a) (1) consisting of the following:

(1) *Suggested resale price.* \$329.80.

(2) *Charges.* (i) A charge for transportation, if any, not to exceed the actual rail freight charge from the factory at Grand Prairie, Texas, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charge made by Sportsman Manufacturing Company to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trailer.

(c) A reseller of Sportsman trailers in any of the territories or possessions of the United States is authorized to sell the trailer described in paragraph (a) at a price not to exceed the price established in paragraph (b) to which it may add a sum equal to the expense incurred or charged to it for payment of territorial and insular taxes, on the purchase, sale or introduction of the trailer; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(d) The Sportsman Manufacturing Company shall report to this Office no later than November 30, 1946, cost data covering this trailer based on actual operations for May, June, July, August, September and October but computed in accordance with the limitations of section 10 of Revised Maximum Price Regulation 136.

(e) All requests not granted herein are denied.

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

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under Section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specification or equipment of the trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective May 18, 1946.

Issued this 7th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8329; Filed, May 17, 1946;  
11:32 a. m.]

[MPR 188, Amdt. 1 to Order 4114]

FRANKLIN TRANSFORMER MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

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

1. In order No. 4114 under § 1499.158 of Maximum Price Regulation No. 188 paragraph (a) is amended to read as follows:

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezers manufactured by the Franklin Transformer Manufacturing Company, Minneapolis 13, Minn., and as described in the application dated June 30, 1945, which is on file with the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model		On sale to—			
		National distributors	Local distributors	"A" dealers	Consumers
4	4 cu. ft. ½ hp. condensing unit.....	\$118	\$130	\$146	\$236
6	6 cu. ft. ½ hp. condensing unit.....	144	158	185	288
8	8 cu. ft. ½ hp. condensing unit.....	168	185	216	336
16	16 cu. ft. ½ hp. condensing unit.....	232	355	306	463

This amendment shall become effective May 18, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8330; Filed, May 17, 1946;  
11:33 a. m.]

[MPR 188, Rev. Order 4352]

ALLIED SALES & SERVICE CO. AND BRITTANY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:* Order No. 4352 under Maximum Price Regulation No. 188 is revised and amended to read as set forth herein.

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Allied Sales & Service Company, and The Brittany Company, 485 First Avenue, New York, N. Y.

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

Article and Model No.	For sales by the manufacturer to—		For sales by any person to consumers
	Jobbers	Retailers	
Hand sewn rayon silk oval bed light with ruffled braid trim completely equipped with socket, switch and cord: BL.....	\$2.12	\$2.50	\$4.50
Hand sewn rayon silk lamp shades in various styles and shapes with individual and diversified trims, i. e., ruching, braid, ribbon and fringe:			
17" C-14-M.....	7.65	9.00	16.20
17" 101 CB.....	7.65	9.00	16.20
17" 205 CB.....	7.65	9.00	16.20

These maximum prices are for the articles described in the manufacturer's application dated January 24, 1946.

(2) For sales by all persons the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

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

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

Model Number -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

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

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

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

(f) This revised order shall become effective on the 17th day of May 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8331; Filed, May 17, 1946;  
11:33 a. m.]



[MPR 591, Order 507]

## DELTA SHOWER DOOR CO.

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, for sales by any person to consumers of the following shower door manufactured by Delta Shower Door Company, Los Angeles, Calif., and as described in the application dated March 15, 1946, shall be:

Glass shower door: Model—Deluxe, glass shower door; polished aluminum frame 1¼"; size 27" x 64"; \$33.00.

(b) The maximum net price, f. o. b. point of shipment, for sales by any person to dealers shall be the maximum net price specified in (a) above less a discount of 20 per cent.

(c) The maximum net price, f. o. b. point of shipment, for sales by any person to jobbers or distributors shall be the maximum net price specified in (a) above less a discount of 35 per cent.

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

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

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

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

This order shall become effective May 18, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8332; Filed, May 17, 1946;  
11:33 a. m.]

[Rev. SO 119, Order 213]

## ELGIN METAL CASKET CO.

## ADJUSTMENT 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 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* The Elgin Metal Casket Company of 363 Bluff City, Elgin, Illinois, may sell and deliver the metal burial caskets which it

manufactures at prices computed as follows:

(1) For an article in his line during October 1941, the adjusted ceiling price is the highest price charged during that month to each class of purchaser, plus an adjustment charge of no more than 10 percent of each such price.

(2) For an article not in his line during October 1941, but which has a properly established ceiling price, the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) plus an adjustment charge equal to the percentage of that price determined in accordance with "Note 3" in section 8 of Revised Supplementary Order No. 119.

(3) The manufacturer's price computed in accordance with this order is his new ceiling price if it is higher than the previously established ceiling price, including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) *Maximum prices of purchasers for resale.* Resellers of any article which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows:

A reseller who had a properly established maximum price in effect before this order was issued for an article covered by this order may add to that maximum price an adjustment charge in the same dollar-and-cents amount as the adjustment charge authorized by this order for, and which he has paid to his supplier.

If the reseller did not have a properly established maximum price for the article in effect before this order was issued he shall first determine a maximum price (exclusive of adjustment charges), and to that price he may add an adjustment charge in the same dollar-and-cents amount as the adjustment authorized by this order, and which he has paid to his supplier. To find his maximum price (exclusive of adjustment charges) for this purpose the reseller shall add to his invoice cost, less an adjustment charge stated on that invoice, the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is the one which meets all of the following tests:

(1) It belongs to the narrowest trade category which includes the article being priced.

(2) Both it and the article being priced were purchased from the same class of supplier.

(3) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(4) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling prices, for so

long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under §1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts and allowances on sales to each class of purchaser in effect during March 1942, or thereafter properly established under OPA regulations.

(d) *Change in resellers' margins.* Resellers' maximum prices adjusted in accordance with this order are subject to further adjustments which may result from any change in resellers' margins which may be effected by the Office of Price Administration to obtain absorption by resellers of any industry-wide increase in manufacturers' maximum prices.

(e) The provisions of Supplementary Order No. 153 shall not apply to sales covered by this order.

(f) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

Invoices for sales of articles covered by this order (except for sales at retail) must separately state the amount of the adjustment authorized by this order.

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

(h) This order shall become effective on the 17th day of May 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8358; Filed, May 17, 1946;  
4:44 p. m.]

[RMPR 136, Amdt. 1 to Order 583]

## WHITE MOTOR CO.

## ESTABLISHMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 583 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. White Motor Company. Docket No. 6085-136.21-702.

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:*

(1) The schedule following the narrative in paragraph (a) (1) of Order No. 584 under Revised Maximum Price Regulation 136 is amended to include the following truck chassis:



Model No.	Description	List price f. o. b. factory
WA-122	Chassis, truck, 22,000 pounds gross vehicle weight; 1942 standard specifications and equipment, excepting the following modifications; hydraulic tilting mechanism; synthetic tires in lieu of natural rubber tires (wheelbase):	
	109 inches.....	\$3,600
	121 inches.....	3,635
	139 inches.....	3,670
	157 inches.....	3,710
	175 inches.....	3,750
	193 inches.....	3,805

(2) All requests not granted herein are denied.

(3) This amendment may be revoked or amended by the Administrator at any time.

This amendment shall be effective May 17, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8350; Filed, May 17, 1946;  
4:45 p. m.]

[RMPR 136, Order 629]

HARRIS MFG. CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136, *It is ordered:*

(a) Harris Manufacturing Company, 702 North Wilson Way, Stockton, California, may sell, f. o. b. plant, each Harris trailer described in subparagraph (1) below at a price not to exceed those listed in subparagraph (2) below, plus federal excise tax, State and local taxes on the sale or delivery of the trailer and any cost of transporting it to the purchaser.

(1) *Description.* Harris Model 1B,  $\frac{3}{4}$  ton capacity, two wheel utility trailer with torsion axle spring, 48" wide x 84" long, chassis only, knocked down and unassembled, equipped with 6.00 x 16, 4-ply synthetic rubber tires and other detailed specifications included in the report filed with this Office.

Harris Model III,  $\frac{1}{4}$  ton capacity, one-wheel utility trailer, 42" wide x 48" long, knocked down and unassembled, equipped with one 4.00 x 8, 4 ply Hi-Speed Industrial synthetic tire and other detailed specifications included in the report filed with this Office.

#### (2) Prices.

Model 1B.....\$68.41  
Model III.....47.74

(b) Harris Manufacturing Company is authorized to suggest to resellers a resale price for the trailers described in paragraph (a) (1) consisting of the following:

#### (1) Suggested resale prices.

Model 1B.....\$97.72  
Model III.....68.20

(2) *Charges.* (i) A charge for transportation, if any, not to exceed the actual

No. 99—8

rail freight charge from the factory at Stockton, California, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charge made by Harris Manufacturing Company to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trailer.

(c) A reseller of Harris trailers in any of the territories or possessions of the United States is authorized to sell the trailer described in paragraph (a) at a price not to exceed the price established in paragraph (b) to which it may add a sum equal to the expense incurred or charged to it for payment of territorial and insular taxes, on the purchase, sale or introduction of the trailer; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(d) The Harris Manufacturing Company shall report to this Office no later than December 31, 1946, cost data covering these trailers based on actual operation for June, July, August, September, October and November 1946 but computed in accordance with the limitations of section 10 of Revised Maximum Price Regulation 136.

(e) All requests not granted herein are denied.

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

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specification or equipment of the trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.)

This order shall become effective May 18, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8351; Filed, May 17, 1946;  
4:43 p. m.]

[RMPR 136, Order 631]

ROY STOVE

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136; *It is ordered:*

(a) Roy Stove, 7146 South Lowe Ave., Chicago 21, Illinois, may sell, f. o. b. plant each one-wheel trailer described in subparagraph (1) below at a price not to exceed \$41.07 plus Federal excise tax, State and local taxes on the sale or delivery of the trailer and any cost of transporting it to the purchaser.

(1) *Description.* Stove one-wheel utility trailer, 750-lb. capacity, equipped with wood body 42" wide x 54" long x 9 $\frac{1}{2}$ " high, 4.00 x 8, 4-ply synthetic tires and additional detailed specifications included in the report filed with this Office.

(b) Roy Stove is authorized to suggest to resellers a resale price for the trailer described in paragraph (a) (1) consisting of the following:

(1) *Suggested resale price:* \$58.66.

(2) *Charges.* (i) A charge for transportation, if any, not to exceed the actual rail freight charge from the factory at Chicago, Illinois, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charge made by Roy Stove to cover Federal excise taxes.

(iii) A charge equal to reseller's expense for payment of State and local taxes on the purchase, sale or delivery of the trailer.

(c) A reseller of Stove one-wheel trailers in any of the Territories or possessions of the United States is authorized to sell the trailer described in paragraph (a) at a price not to exceed the price established in paragraph (b) to which it may add a sum equal to the expense incurred or charged to it for payment of Territorial and insular taxes on the purchase, sale or introduction of the trailer; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(d) All requests not granted herein are denied.

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

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specification or equipment of the trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective May 18, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8352; Filed, May 17, 1946;  
4:43 p. m.]

[RMPR 136, Order 632]

MARMON-HERRINGTON CO., INC.

#### 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 sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136; *It is ordered:*

(a) Marmon-Herrington Company, Inc., 1511 West Washington Street, Indianapolis, Ind., hereinafter called the



Company, is authorized to charge a price not to exceed the applicable list price in subparagraph (1) adjusted as provided in that subparagraph, plus the applicable charges set forth in subparagraph (2).

(1) *List price.* The following list price f. o. b. factory, subject to the discounts approved by letter dated March 25, 1946, to the applicable class of purchasers:

Chassis model	Description	List price f. o. b. factory
DVL-1....	Delivr.-All light delivery front wheel drive truck; 90" wheel-base; 4 cylinder, L-head 60 h. p.; equipped with 7.50 x 16 8-ply synthetic tires; maximum gross vehicle weight 6,250 lbs.; approximate inside body dimensions 74" wide x 75" high x 65" long; power unit removable as complete assembly; loading capacity 182 cubic feet; turning radius 24 feet.	\$2,379
DVL-1A...	Delivr.-All light delivery front wheel drive truck; standard specifications and equipment same as Model DVL-1 with the following exceptions: 105" wheel-base; loading capacity 287 cubic feet; turning radius 28 feet.	2,540
DVL-1B...	Delivr.-All light delivery front wheel drive truck; standard specifications and equipment same as Model DVL-1 with the following exceptions: 118" wheel-base; loading capacity 338 cubic feet; turning radius 32 feet.	2,648

(2) *Charges.*—(i) *Extra or optional equipment.* A charge for extra, special and optional equipment, affixed to or shipped with the truck for which a charge is made, which shall not exceed the following applicable list price subject to the discounts to the applicable class of purchasers in effect on March 31, 1942.

Description	List price
Change in rear tire size, wheels and hubs—8.25 x 18 10-ply synthetics in lieu of 7.50 x 16 8-ply standard synthetics.	\$72.00
Foot accelerator—steel mechanism consisting of foot pedal, various rods, joints, etc.	25.60
Rear shock absorbers, per pair.	17.25
Installation of right hand exterior rear view mirror.	3.80
Side ventilating window—steel and safety glass window built in sections, hinged to provide vertical opening for ventilation, each.	10.70
Steel and safety glass stationary rear window provided in otherwise solid rear panel.	5.65
Pedestal seat in lieu of folding seat—imitation leather trimmed, bucket-type, mounted on steel tubing welded to suitable base.	29.00
Rear suspension heavy duty unit—rear wheels, each mounted independently in wheel housing, each equipped with double semi-elliptic springs, four shackles on each suspension, 8.25 x 18 10-ply tires.	444.00
Windshield wiper, vacuum operated Trice type.	8.60
Door operating mechanism, welded steel, consisting of various rods, levers and springs.	13.50
Folding rear doors, all steel construction, made in 3 sections, each equipped with safety glass window.	56.00
Reflectors for mounting on body—commercial red or amber metal contained glass reflectors, approximately 4" in diameter. Gibson Co. #2170 or equivalent, each.	1.40

Description	List price
Floor mat—constructed of old auto tire carcasses bound together by wire.	\$19.45
Rubber fenders, Models DVL-1-6671 R. H. and DVL-1-6656 L. H., per pair.	20.65
Application of finish coat of paint—any kind or color (not including lettering).	100.00
Block sign lettering, any color:	
3" letter.	.30
4" letter.	.38
5" letter.	.45
6" letter.	.63
Edged sign lettering, any color:	
3" letter.	.40
4" letter.	.47
5" letter.	.55
6" letter.	.63
Shaded sign lettering, any color:	
3" letter.	.55
4" letter.	.63
5" letter.	.71
6" letter.	.77
Rear suspension light duty unit—rear wheels, each mounted independently in wheel housing, each equipped with double semi-elliptic springs, four shackles on each suspension, 7.50 x 16 8-ply tires.	369.00
Complete driving mechanism, Model DVL-1-6425.	1,470.00

(ii) *Transportation expense.* A charge to cover transportation expense, if any, from Indianapolis, Indiana, to the point at which delivery is made to the purchaser, computed in accordance with the Company's method in effect on March 31, 1942, plus transportation tax at the current legal rate.

(iii) *Taxes.* A charge at current legal rates to cover Federal excise taxes on the truck and extra or optional equipment, computed in accordance with the method the Company had in effect on March 31, 1942, and also state and local taxes on the sale or delivery of the truck and extra or optional equipment.

(iv) *Handling and preparation for delivery charge.* A charge for handling and preparation for delivery of the truck computed by the same method that was in effect on March 31, 1942, for comparable trucks providing the Company actually made such a charge.

(3) If the Company charges a net price lower than the net price obtained by applying to a list price authorized in this paragraph applicable discounts in effect on March 31, 1942, he shall adjust the list price and so notify the resellers, to reflect markups over resellers' invoice costs no higher than such markups in effect on March 31, 1942. The Company shall immediately notify the Automotive Branch, National Office of Price Administration, Washington, D. C., of price decreases referred to in this subparagraph.

(b) A reseller of Marmon-Herrington Delivr.-All motor trucks may sell delivered at a place of business, each Marmon-Herrington light delivery front wheel drive truck described in subparagraph (1) of paragraph (a) at a price not to exceed the total of the applicable list price in that subparagraph and the following applicable charges in subparagraph (1) below (less the discounts the reseller had in effect on March 31, 1942):

(1) *Charges.*—(i) *Extra or optional equipment.* A charge for extra, special and optional equipment, affixed to or

shipped with the truck as original equipment, which shall not exceed the applicable list price contained in subparagraph (2) of paragraph (a);

(ii) *Transportation expense.* A charge for transportation which shall not exceed the charge Marmon-Herrington would make for the transportation of the truck and extra or optional equipment from the factory to the place of business of the reseller, plus transportation tax;

(iii) *Taxes.* A charge equal to the charge made by Marmon-Herrington in accordance with the method which Marmon-Herrington had in effect on March 31, 1942, to cover Federal taxes on tires and tubes and other Federal excise taxes and a charge equal to the reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trucks and extra or optional equipment;

(iv) *Handling and delivery charges.* A charge equal to the reseller's actual expense for handling and delivery.

(2) In the event the Company effects a reduction in price in accordance with the provisions of subparagraph (3) of paragraph (a), resellers shall determine their maximum resale prices by using the adjusted list price of which they are notified by the manufacturer instead of the list price authorized in this paragraph.

(c) A reseller is authorized to sell each of the trucks listed in paragraph (a) (1) in a territory or possession of the United States at a price not to exceed the maximum price permitted by paragraph (b) to which he may add a sum equal to the expense incurred by or charged to him for: payment of territorial and insular taxes on the purchase, sale or introduction of the truck in the territory or possession; export premiums; boxing and crating for export purposes; assembly costs, if any; marine and war risk insurance; landing, wharfage and terminal operations; ocean freight; and freight to port of embarkation.

(d) Not later than August 31, 1946, the Marmon-Herrington Company, Inc., shall submit to the Automotive Branch, National Office of Price Administration, Washington, D. C., calculations of maximum prices based on its price determining method used in determining the list prices contained in paragraph (a) (1) and (2) by reflecting actual experience of direct labor hours and materials quantities required to produce the trucks and extra or optional equipment during each of the months of April, May, June and July 1946.

(e) All requests not granted herein are denied.

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

This order shall become effective May 17, 1946.

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under Section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specifications or equipment of the truck, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on



such a cost increase, but in the case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8353; Filed, May 17, 1946;  
4:45 p. m.]

[RMPR 136, Order 633]

GREAT AMERICAN INDUSTRIES, INC.

#### 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 sections 8, 9, 10 and 11 (c) of Revised Maximum Price Regulation 136, It is ordered:

(a) Great American Industries, Inc., Ward LaFrance Truck Division, Elmira, New York, hereinafter called the Company, is authorized to charge a price not to exceed the applicable list price in subparagraph (1) adjusted as provided in that subparagraph, plus the applicable charges set forth in subparagraph (2).

(1) *List price.* The following list price f. o. b. factory, subject to a discount of 40% to distributors, 35% to dealers, 30% to small dealers and 25% to fleet owners:

Chassis model	Description	List price f. o. b. factory
D-1	Chassis, truck, 25,000 lbs. gross vehicle weight; 1942 standard specifications of Model 136 excepting the following modifications: frame—"Fish Belly" type, chrome manganese steel, heat treated; engine—Continental Model B-6427 in lieu of Waukesha Model SRR; steering gear—Ross T71; front axle—Timken 3501TW in lieu of Timken 3500H; rear axle—Timken 58415PA X2 in lieu of Wisconsin 1337H axle; service brakes—Westinghouse air brake No. 219374 in lieu of Lockheed hydraulic brake No. 41HV; additional 6 volt battery; Timken torque type radius rod in lieu of ball type radius rod; flat top fenders in lieu of crown top fenders; 6 10.00 x 20 12-ply synthetic rubber tires in lieu of natural rubber tires.	\$5,340.23
D-2	Chassis, truck, 20,000 lbs. gross vehicle weight; 1942 standard specifications of Model 156 excepting the following modifications: frame—"Fish Belly" type, chrome manganese steel, heat treated; engine—Continental Model R6513 in lieu of Waukesha Model SRR; steering gear—Ross T71 in lieu of Ross 730; emergency brake—American Chain and Cable Model 65D17572 in lieu of Model 65D16550; transmission—Fuller 5A-920 in lieu of 5A-430; additional 6 volt battery; Timken torque type radius rod in lieu of ball type radius rod; flat top fenders in lieu of crown top fenders; 6 11.00 x 20 synthetic rubber tires in lieu of natural rubber tires.	7,558.08
D-3	Chassis, truck; 35,000 lbs. gross vehicle weight; 1942 standard specifications of Model 201 excepting the following modifications: frame—"Fish Belly" type, chrome manganese steel, heat treated; engine—Continental R6572 in lieu of standard Waukesha engine; emergency brake—American Chain and Cable Model 65D17572 in lieu of Model 65D16550; additional 6 volt battery; Timken torque type radius rod in lieu of ball type radius rod; flat top fenders in lieu of crown top fenders; wheels—Budd Disc 22 x 9-10, 6 3/4 Disc, 10 Stud; 6 11.00 x 22 synthetic rubber tires in lieu of natural rubber tires of standard tire size.	8,168.77

Chassis model	Description	List price f. o. b. factory
D-5	Chassis, truck; 1942 standard specifications of Model 201D with the following exceptions: front axle—Timken 26458-W in lieu of Timken 26452-TW; tires—6 11.00 x 22 12-ply synthetic tire assemblies in lieu of 6 11.00 x 20 12-ply crude tire assemblies; wheels—6 9-10 x 22 wheels in lieu of 6 9-10 x 20 wheels; transmission—Fuller 5A-920 in lieu of Fuller 4A-86.	\$9,081.40
D-1-B	Chassis, truck; standard specifications of Model D-1 with the following exception: engine—Continental 22R developing 148 hp. at 2,400 r. p. m. in lieu of Continental B-6427 developing 127 hp. at 2,600 r. p. m.; transmission—Fuller 5A-430 in lieu of Fuller 5A-450.	5,670.60
D-2-B	Chassis, truck; standard specifications of Model D-2 with the following exception: engine—Continental 22R developing 148 hp. at 2,400 r. p. m. in lieu of Continental R6513 developing 180 hp. at 2,600 r. p. m.	6,774.80
D-1-C	Chassis, truck; standard specifications of Model D-1 with the following exceptions: rear axle—Timken S-200-P, double reduction, rated at 22,000 lbs. in lieu of Timken 58415PA, single reduction, rated at 18,000 lbs. capacity; necessary changes in rear spring pressure block and miscellaneous attaching parts; 11.00 x 20 12-ply synthetic tires in lieu of 10.00 x 20 12-ply standard synthetic tires.	5,689.70

(2) *Charges*—(i) *Extra or optional equipment.* A charge for extra, special and optional equipment, when mounted on the truck chassis at the factory during assembly, which shall not exceed the list or established price in effect on March 31, 1942, subject to the discounts in effect on that date for such equipment; however, for the following items of optional equipment the charge shall not exceed the applicable list prices subject to the discounts in effect on March 31, 1942, to the applicable class of purchasers:

Chassis model	Description	List price
All	Special cowl and windshield.	\$103.00
	Spare tire carrier—winch type (longer W. B. only).	22.00
D-1	Front shock absorbers.	38.67
D-2 and 3	Front shock absorbers.	50.00
All	Second outside mirror.	3.33
All	Directional signals (set of 4).	27.33
All	Marker lights (cluster of 3).	6.67
All	5th wheel mounting equipment.	41.33
All	2 1/4 fenders with tool boxes.	104.67
All	2 1/4 fenders with tool boxes.	44.00
All	Limiting valve for front brakes.	22.00
D-1	2 speed axle, Timken 98415.	180.00
D-2 and 3	2 speed axle, Timken 5300.	126.67
D-3 and 5	2 speed axle, Timken U300.	128.00
All	Fire extinguisher—1 qt. size.	11.33
All	Cover plate back of cab.	33.33
All	Tail pipe extension.	4.00
All	Directional signals—front.	16.00
D-1	Std. frame for 16' body—200" W. B.	33.33
D-1	Std. frame for 18' body—213" W. B.	60.66
D-1	Std. frame for 20' body—220" W. B.	120.00
D-2 and 3	Std. frame for 16' body—200" W. B.	36.00
D-2 and 3	Std. frame for 18' body—213" W. B.	66.00
D-2 and 3	Std. frame for 20' body—220" W. B.	106.66
All	Heater with defroster.	38.66
All	Pintle hook.	66.00
All	Second windshield wiper (air).	18.66
All	Tow hooks (rear).	11.00
All	Second stop and tail light.	5.33
All	Cab corner marker lights, front.	5.33
All	Second gas tank assembly mounted (60 gal.).	54.66
D-2 and D-2-B	U200 axle and spring.	66.67
D-1-C	S200 axle with U200 spring.	15.33

(ii) *Transportation expense.* A charge to cover transportation expense from Elmira, New York, to the point at which delivery is made to the purchaser, computed in accordance with the Company's method in effect on March 31, 1942, plus transportation tax at the current legal rate;

(iii) *Taxes.* A charge at current legal rates to cover Federal excise taxes on the trucks and extra or optional equipment, computed in accordance with the method the company had in effect on March 31, 1942, and also State and local taxes on the sale or delivery of the truck and extra or optional equipment;

(iv) *Handling and preparation for delivery charge.* A charge for handling and preparation for delivery of the truck computed by the same method that was in effect on March 31, 1942.

(3) If the Company charges a net price lower than the net price obtained by applying to a list price authorized in this paragraph applicable discounts listed in this paragraph, he shall adjust the list price and so notify the resellers, to reflect markups over resellers' invoice costs no higher than such markups in effect on March 31, 1942, or the markups authorized in this paragraph. The Company shall immediately notify the Automotive Branch, National Office of Price Administration, Washington, D. C., of price decreases referred to in this subparagraph.

(b) A reseller of Ward LaFrance motor trucks may sell delivered at a place of business, each Ward LaFrance truck described in subparagraph (1) of paragraph (a) at a price not to exceed the total of the applicable list price in that subparagraph and the following applicable charges in subparagraph (1) below (less the discounts the reseller had in effect on March 31, 1942):

(1) *Charges*—(i) *Extra or optional equipment.* A charge for extra, special and optional equipment, when mounted on the truck chassis at the factory during assembly, which shall not exceed the charge the reseller had in effect on March 31, 1942; however, for the items of optional equipment listed in subparagraph (2) of paragraph (a) the charge shall not exceed the applicable list price;

(ii) *Transportation expense.* A charge for transportation which shall not exceed the charge the Company would make for the transportation of the truck and extra or optional equipment from the factory to the place of business of the reseller, plus transportation tax;

(iii) *Taxes.* A charge equal to the charge made by the Company in accordance with the method which the Company had in effect on March 31, 1942, to cover Federal taxes on tires and tubes and other Federal excise taxes and a charge equal to the reseller's expense for payment of State and local taxes on the purchase, sale or delivery of the trucks and extra or optional equipment;

(iv) *Handling and delivery charges.* A charge equal to the reseller's actual expense for handling and delivery.

(2) In the event the Company effects a reduction in price in accordance with the provisions of subparagraph (3) of paragraph (a), resellers shall determine their maximum resale prices by using the adjusted list price of which they are no-



tified by the manufacturer instead of the list price authorized in this paragraph.

(c) A reseller is authorized to sell each of the trucks listed in paragraph (a) (1) in a territory or possession of the United States at a price not to exceed the maximum price permitted by paragraph (b) to which he may add a sum equal to the expense incurred by or charged to him for: payment of territorial and insular taxes on the purchase, sale or introduction of the truck in the territory or possession; export premiums; boxing and crating for export purposes; assembly costs, if any; marine and war risk insurance; landing, wharfage and terminal operations; ocean freight; and freight to port of embarkation.

(d) All requests not granted herein are denied.

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

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specifications or equipment of the truck, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in the case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective May 17, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8354; Filed, May 17, 1946;  
4:46 p. m.]

[MPR 77, Order 1]

#### BEEHIVE OVEN COKE

##### ORDER AUTHORIZING ADJUSTABLE PRICING

At the request of a number of producers of beehive oven coke, the Office of Price Administration has undertaken a study to measure the propriety of the maximum prices now established for that commodity by Maximum Price Regulation No. 77. It appears that some time will elapse before this study can be completed. Most of the employees of beehive oven coke producers are members of the United Mine Workers and any adjustment of wages hinges upon the outcome of negotiations now in progress between representatives of that union and representatives of coal mine operators. Coal costs, furthermore, cannot be accurately determined until a new contract between the miners and operators has been consummated. On the other hand, any increases in costs arising from such contract will be retroactive. The parties have agreed that any wage adjustments will be retroactive and the Office of Price Administration has granted mine operators permission to enter into adjustable pricing agreements in connection with their sales of bituminous coal.

In view of these considerations, it appears that unless beehive oven coke producers also are granted authority to en-

ter into adjustable pricing agreements they will sustain severe hardship which will jeopardize their ability to resume and maintain production of coke essential to effective transition to a peacetime economy. This order grants such permission and extends the same privilege to distributors. Many beehive oven operators market their coke through distributors who buy and resell for direct shipment from the producing facility to the purchaser and who obtain a small margin for their services. Under these circumstances, adjustable pricing permission granted to producers alone would be meaningless.

The Price Administrator has determined, therefore, that the action taken in this order is necessary to promote the production and distribution of essential beehive oven coke, and that it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

In view of the foregoing, and in accordance with section 3 of Maximum Price Regulation No. 77, It is ordered:

(a) Producers and distributors of beehive oven coke may sell and deliver, and any person may buy and receive, that product at existing maximum prices subject to an agreement for price adjustment in accordance with action taken by the Office of Price Administration after delivery and pursuant to the pending request for an increase in existing maximum prices. Prior to such action, no payment in excess of the maximum prices in effect at time of delivery shall be made or received.

(b) The permission granted by this order may be revoked by the Administrator at any time, but in any event it shall terminate upon action taken pursuant to Maximum Price Regulation No. 77 increasing existing maximum prices for beehive oven coke.

This order shall become effective this 17th day of May 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8348; Filed, May 17, 1946;  
4:44 p. m.]

[RMPR 136, Order 634]

#### FORD MOTOR CO.

##### AUTHORIZATION OF MAXIMUM PRICES

Order No. 634 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Ford Motor Company; Docket No. 6086-136.21-17.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; It is ordered:

(a) Ford Motor Company, Dearborn, Michigan is authorized to charge a price not to exceed the applicable list price in subparagraph (1) adjusted as provided in that subparagraph, plus the applicable charges set forth in subparagraph (2).

(1) List price. The following applicable list price f. o. b. factory, subject to

the discounts to the applicable class of purchasers, in effect on March 31, 1942:

Chassis model	Description	List price f. o. b. factory
61T-84	Truck, H. D. conventional chassis and cowl, 1½ ton nominal rating; 134" wheelbase; 8-cylinder, 90 hp. motor; 4 synthetic rubber tires in lieu of natural rubber tires; 1942 standard specifications and equipment.	
61T-85	Truck, H. D. conventional chassis and cowl with windshield; 1½ ton nominal rating; 134" wheelbase; 8-cylinder, 90 hp. motor; 4 synthetic rubber tires in lieu of natural rubber tires; 1942 standard specifications and equipment.	\$930.00
61T-81	Truck, H. D. conventional chassis and closed cab; 1½ ton nominal rating; 134" wheelbase; 8-cylinder, 90 hp. motor; 4 synthetic rubber tires in lieu of natural rubber tires; 1942 standard specifications and equipment.	950.00
618T-84	Truck, H. D. conventional chassis and cowl; 1½ ton nominal rating; 158" wheelbase; 8-cylinder, 90 hp. motor; 4 synthetic rubber tires in lieu of natural rubber tires; 1942 standard specifications and equipment.	1,025.00
618T-85	Truck, H. D. conventional chassis and cowl with windshield; 1½ ton nominal rating; 158" wheelbase; 8-cylinder, 90 hp. motor; 4 synthetic rubber tires in lieu of natural rubber tires; 1942 standard specifications and equipment.	955.00
618T-81	Truck, H. D. conventional chassis and closed cab; 1½ ton nominal rating; 158" wheelbase; 8-cylinder, 90 hp. motor; 4 synthetic rubber tires in lieu of natural rubber tires; 1942 standard specifications and equipment.	975.00
61T-86	Truck, H. D. conventional chassis and closed cab with stake rake body; 1½ ton nominal rating; 134" wheelbase; 8-cylinder, 90 hp. motor; 4 synthetic rubber tires; 1942 standard specifications and equipment.	1,050.00
618T-86	Truck, H. D. conventional chassis and closed cab with stake rake body; 1½ ton nominal rating; 158" wheelbase; 8-cylinder, 90 hp. motor; 4 synthetic rubber tires in lieu of natural rubber tires; 1942 standard specifications and equipment.	1,159.67
611W-81	Truck, H. D. cab-over-engine chassis and closed cab; 1½ ton nominal rating; 101" wheelbase; 8-cylinder, 90 hp. motor; 4 synthetic rubber tires in lieu of natural rubber tires; 1943 standard specifications and equipment.	1,212.47
61W-81	Truck, H. D. cab-over-engine chassis and closed cab; 1½ ton nominal rating; 134" wheelbase; 8-cylinder, 90 hp. motor; 4 synthetic rubber tires in lieu of natural rubber tires; 1942 standard specifications and equipment.	1,150.00
618W-81	Truck, H. D. cab-over-engine chassis and closed cab; 1½ ton nominal rating; 158" wheelbase; 8-cylinder, 90 hp. motor; 4 synthetic rubber tires in lieu of natural rubber tires; 1942 standard specifications and equipment.	1,170.00
614T-84	Truck, H. D. conventional chassis and cowl; 1½ ton nominal rating; 194" wheelbase; 8-cylinder, 90 hp. motor; 6 synthetic rubber tires in lieu of natural rubber tires; 1942 standard specifications and equipment.	1,195.00
		1,078.50

(2) Charges. (i) A charge for extra, special and optional equipment not to exceed the list or established price the Ford Motor Company had in effect on March 31, 1942, to the applicable class of purchasers for such equipment (subject to the discounts and deductions in effect on that date to the applicable class of purchasers);



(ii) A charge to cover handling and delivery expense, computed in accordance with the Ford Motor Company's method in effect on March 31, 1942;

(iii) Transportation expense. A charge to cover transportation expense which shall not exceed the amount obtained in accordance with the method the Ford Motor Company had in effect on March 31, 1942, including transportation tax at the current legal rate.

(iv) A charge to include federal tires-weight tax and other federal excise taxes, and State or local taxes on the sale or delivery of the truck.

(3) (i) The Ford Motor Company is authorized to sell f. o. b. Detroit, Michigan, the basing point, each of the Ford models listed in the schedule in subparagraph (1) above on a knocked down basis. The maximum price for the knocked down model shall be the maximum net selling price under subparagraphs (1) and (2) above for the complete unit less the following deductions:

(i) When chassis is delivered as knocked down material.....	\$55.00
(ii) When cab is delivered as knocked down material.....	28.50
(iii) When cowl is delivered as knocked down.....	7.00
(iv) When closed drive-away front-end is delivered as knocked down material.....	7.00
(v) When stake body is delivered as knocked down material.....	18.00

(ii) When the Ford Motor Company makes a sale of a Ford model on a knocked down basis, including a knocked down chassis, in accordance with this paragraph, in addition to the price it may charge under subparagraph (i) above, it may charge an amount not to exceed 2.6 percent of the maximum net selling price in subparagraph (i) to cover additional expense of loading the knocked down vehicle in railroad cars for shipment.

(b) A reseller of Ford Motor trucks may sell f. o. b. place of business, each of the Ford trucks referred to in paragraph (a) at a price not to exceed the total of the list price in subparagraph (1) below and the applicable allowances in subparagraph (2) below, subject to the discounts the reseller had in effect on March 31, 1942 to the applicable class of purchaser.

(1) List price. The list price for the truck being sold determined by the manufacturer under paragraph (a).

(2) Allowances. (i) An allowance for extra, special and optional equipment not to exceed the allowance the reseller had in effect on March 31, 1942 to the applicable class of purchaser for such equipment when sold in connection with the applicable truck model.

(ii) The reseller's actual transportation costs.

(iii) Allowance to include federal, state, and local taxes on his purchase, and sale, or delivery, of the applicable truck model, computed in accordance with the reseller's method in effect on March 31, 1942.

(iv) The reseller's charge for handling and delivery in effect on March 31, 1942.

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942, to the applicable class of purchaser.

(c) A reseller that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942, shall determine its maximum price by adding to the applicable list prices set forth in the schedule in paragraph (a) (1) above the following applicable charges:

(1) Charges. (i) The original equipment retail charge that the Ford Motor Company suggested on March 31, 1942, to be made by resellers, for extra, special and optional equipment attached to the truck chassis as original equipment;

(ii) A charge to cover the reseller's actual transportation costs;

(iii) A charge equal to the charge made to the reseller by the Ford Motor Company, in accordance with its March 31, 1942 method, to cover tires-weight tax and other federal excise taxes;

(iv) A charge equal to the reseller's expense for payment of State and local taxes on the purchase, sale or delivery of the truck;

(v) A charge equal to reseller's actual expense for handling and delivery.

(d) A reseller of Ford Motor trucks in any of the territories or possessions of the United States is authorized to sell each of the trucks described in paragraph (a), at a price not to exceed the applicable maximum price established in paragraph (b) or (c), to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(e) Revised Order 270, under Maximum Price Regulation 136 and Revised Order 104, under Maximum Price Regulation 136 are revoked.

(f) All requests not granted herein are denied.

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

NOTE: Where the manufacturer has an established price in accordance with section 8 of Revised Maximum Price Regulation 136, which is different than a price permitted under paragraph (a) because of substantial changes in design, specifications or equipment of the truck, the reseller may add to its price under paragraph (b), (c) or (d) any increase in price to it over the price it would otherwise pay under paragraph (a), plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a) the reseller must reduce its price under paragraph (b), (c) or (d) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective May 17, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8355; Filed, May 17, 1946;  
4:46 p. m.]

[MPR 580, Amdt. 1 to Order 23]

PIONEER SUSPENDER CO.

ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580,  
Amendment 1 to Order 23, Establishing

ceiling prices at retail for certain articles; Docket No. 6063-580-13-657.

For the reasons set forth in the opinion issued simultaneously herewith, Order 23 issued under section 13 of Maximum Price Regulation 580 on application of Pioneer Suspender Company, 315 to 323 North Twelfth Street, Philadelphia, Pennsylvania, is amended in the following respects:

1. Paragraph (a) is amended by adding the following:

Article	Style name	Manufacturer's selling price (per dozen)	Ceiling price at retail (per unit)
Belts.....	Pioneer.....	\$19.50	\$3.00
	.....do.....	27.00	4.00

2. Paragraph (c) is amended by adding thereto the following undesignated paragraph:

Upon issuance of any amendment to this order which either adds an article to those already listed in paragraph (a) or changes the retail ceiling price of a listed article, the manufacturer or wholesaler, as to such article, must comply with the preticketing requirements of this paragraph within 30 days after the issuance of the amendment. After 60 days from the issuance date, no retailer may offer or sell the article unless it is preticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so preticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this order. However, the pricing provisions of this order or of any subsequent amendment thereto shall apply as of the effective date of the order or applicable amendment.

This amendment shall become effective May 21, 1946.

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8444; Filed, May 20, 1946;  
11:59 a. m.]

[MPR 188, Order 4 Under Order 7]

FREE SEWING MACHINE 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 Order No. 7 under § 1499.159e of Maximum Price Regulation No. 188, it is ordered:

(a) Purpose of this order. This order specifies a price increase factor by which the Free Sewing Machine Company, Rockford, Illinois, may increase its ceiling prices currently in effect for sales to persons other than ultimate consumers of the domestic sewing machines which it manufactures. It also specifies dollar-and-cent ceiling prices for resales of the same machines by wholesalers and retailers.



(b) *Manufacturer's ceiling price.* The Free Sewing Machine Company may increase its current ceiling prices for sales of the domestic sewing machines it manufactures, to persons other than ultimate consumers, by 18.8%.

(c) *Ceiling prices of purchasers for resale at wholesale.* The ceiling prices for sales in each zone by a purchaser for resale at wholesale of the models of sewing machines listed below are as follows:

Models		Ceiling prices for sales by wholesalers to retailers		
Free Westing-house	New Home	Zone 1	Zone 2	Zone 3
ARE 210	NHR 210	\$114.70	\$116.50	\$117.70
220	220	111.00	112.80	114.00
240	240	107.30	109.10	110.30
230	230	103.60	105.40	106.60
214	214	99.85	101.65	102.85
64	64	96.15	97.35	98.25
202	62	85.00	86.20	87.10
212	72	81.30	82.50	83.40
218	78	81.30	82.50	83.40
0198	058	77.60	78.80	79.70
232	4232	77.60	78.80	79.70
1364	1456	73.90	75.10	76.00
200	600	68.70	69.90	69.90
005	005	67.95	68.55	69.15
1232	5232	79.80	81.00	81.90
ALR 210	NLR 210	119.99	121.70	122.90
220	220	116.20	118.00	119.20
240	240	112.50	114.30	115.50
230	230	108.80	110.60	111.80
214	214	105.05	106.25	107.15
64	64	101.35	102.55	103.45
202	62	90.20	91.40	92.30
212	72	86.50	87.70	88.60
218	78	86.50	87.70	88.60
0198	058	82.80	84.00	84.90
232	4232	82.80	84.00	84.90
1364	1456	79.10	80.30	81.20
200	600	73.90	74.50	75.10
005	005	73.15	73.75	74.35
1232	5232	85.00	86.20	87.10

(d) *Ceiling prices for sales to consumers.* The ceiling prices for all sales to ultimate consumers in each zone of the domestic sewing machines manufactured by The Free Sewing Machine Company are as follows:

Models		Ceiling prices for sales to ultimate consumers		
Free Westing-house	New Home	Zone 1	Zone 2	Zone 3
ARE 210	NHR 210	\$184.50	\$187.50	\$189.50
220	220	179.50	182.50	184.50
240	240	174.50	177.50	179.50
230	230	169.50	172.50	174.50
214	214	164.50	166.50	168.00
64	64	159.50	161.50	163.00
202	62	144.50	146.50	148.00
212	72	139.50	141.50	143.00
218	78	144.50	146.50	148.00
0198	058	134.50	136.50	138.00
232	4232	134.50	136.50	138.00
1364	1456	129.50	131.50	133.00
200	600	107.50	108.50	109.50
005	005	106.50	107.50	108.50
1232	5232	137.50	139.50	141.00
ALR 210	NLR 210	191.50	194.50	196.50
220	220	186.50	189.50	191.50
240	240	181.50	184.50	186.50
230	230	176.50	179.50	181.50
214	214	171.50	173.50	175.00
64	64	166.50	168.50	170.00
202	62	151.50	153.50	155.00
212	72	146.50	148.50	150.00
218	78	151.50	153.50	155.00
0198	058	141.50	143.50	145.00
232	4232	141.50	143.50	145.00
1364	1456	136.50	138.50	140.00
200	600	114.50	115.50	116.50
005	005	113.50	114.50	115.50
1232	5232	144.50	146.50	148.00

(e) For the purpose of this order, Zones 1, 2, and 3 consist of the following States:

Zone 1. Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, West Vir-

ginia, Maryland, Pennsylvania, District of Columbia.

Zone 2. North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Arkansas, Louisiana, Mississippi, Tennessee, Virginia, North Carolina, South Carolina, Georgia, Alabama, New York, New Jersey, Delaware, Connecticut, Massachusetts, Vermont, New Hampshire, Maine, Rhode Island.

Zone 3. Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, Texas and Florida.

(f) *Terms and conditions of sale.* Ceiling prices established under this order are subject to each seller's terms, discounts, allowances and other price differentials no less favorable than those he had in effect for similar sales during the period of March, 1942. If the seller made no such sales during the period of March, 1942, his ceiling prices are subject to the terms, discounts, and allowances no less favorable than those of his closest seller of the same class during the same period on sales of similar articles or which were thereafter properly established under applicable OPA regulations.

(g) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale showing a ceiling price established in accordance with the terms of this order, the seller shall notify the purchaser in writing of the dollar and cent ceiling prices established by this order for the purchaser's resales.

(h) *Labelling.* On and after the effective date of this order, no person may sell at retail any machine covered by this order unless there is attached to the machine a tag or label containing the OPA retail ceiling price for sales of the sewing machine by the particular retail seller. This tag or label may not be removed until after the sewing machine has been delivered to the ultimate consumer.

(i) *Sales invoices.* Every person who on or after May 17, 1946, sells a sewing machine covered by this order shall furnish every purchaser with an invoice showing the date of sale, the name and address of both the buyer and seller, the model number of each sewing machine he sold, the price charged, the quantity of each model sold, the terms of sale, and the nature and amount of any additional charges. Every seller must keep a copy of every sales invoice available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(j) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(k) *Effective date.* This order shall become effective on the 17th day of May 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8356; Filed, May 17, 1946;  
4:46 p. m.]

[SO 94, Order 123]

WAR ASSETS ADMINISTRATION ET AL.  
SPECIAL MAXIMUM PRICES FOR CERTAIN WIRE  
INSECT SCREEN CLOTH

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,

and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the sale and delivery by any reseller of the new wire insect cloth hereinafter described which has been or may be purchased from the War Assets Administration or any other United States Government agency.

(b) *Maximum prices.* The maximum prices (f. o. b. shipping point) for sales and deliveries by all resellers of the wire insect screen cloth described herein purchased from the United States Government or any agency thereof, in any quantity and to any class of purchaser, shall be as follows:

Description	Maximum prices	
	Per full roll of 100 sq. ft.	Cut length per sq. ft.
New wire insect screen cloth steel, galvanized or japanned, widths ranging from 24" to 48", and of the following meshes:		
12" black mesh	\$3.00	\$0.04
16" black mesh	3.75	0.05
16" galvanized opal mesh	4.00	0.055
18" galvanized opal mesh	4.50	0.06

(c) *Notification.* Any person who sells the wire insect screen cloth 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 conspicuously display at the place where the wire screen cloth is offered for sale a suitable sign which plainly states selling prices not in excess of the appropriate ceiling prices.

(d) *Tagging.* Any person who sells the wire insect screen cloth described in paragraph (b) at retail shall conspicuously display at the place where the wire screen cloth is offered for sale a suitable sign which plainly states selling prices not in excess of the appropriate ceiling prices.

(e) *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.

(f) *Definitions.* (1) "Retailer" means any person who sells to ultimate consumers.

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

This order shall become effective May 21, 1946.

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8450; Filed, May 20, 1946;  
11:54 a. m.]

[SO 94, Order 124]

WAR ASSETS ADMINISTRATION ET AL.  
SPECIAL MAXIMUM PRICES FOR CERTAIN  
BRONZE INSECT SCREEN CLOTH

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



with the Division of the Federal Register, and 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 bronze insect screen cloth herein-after described may be sold and delivered by the War Assets Administration or any other Government agency, and by any subsequent reseller.

(b) *Maximum prices.* The maximum prices (f. o. b. shipping point) for the bronze insect screen cloth described herein shall be:

Description	Price for all sales to wholesaler per full roll of 100 sq. ft.	Price for all sales to retailer per full roll of 100 sq. ft.	Price for all sales at retail	
			Per full roll of 100 sq. ft.	Cut length per sq. ft.
New 18" x 14" mesh bronze insect screen cloth, widths ranging from 24" to 48"	\$5.00	\$6.65	\$9.00	\$0.125

<sup>1</sup> Plus freight actually paid by wholesaler.

(c) *Notification.* Any person who sells the insect screen cloth 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 conspicuously display at the place where the screen cloth is offered for sale a suitable sign which plainly states selling prices not in excess of the appropriate ceiling prices.

(d) *Tagging.* Any person who sells the screen cloth described in paragraph (b) at retail shall conspicuously display at the place where the screen cloth is offered for sale a suitable sign which plainly states selling prices not in excess of the appropriate ceiling prices.

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

(f) *Definitions.* (1) "Wholesaler" means any person who sells to purchasers for resale.

(2) "Retailer" means any person who sells to ultimate consumers.

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

This order shall become effective May 21, 1946.

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8451; Filed, May 20, 1946; 11:55 a. m.]

[MPR 120, Order 1669]

#### BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

#### ESTABLISHING MAXIMUM PRICES AND GRANTING PERMISSION FOR ADJUSTABLE PRICING

For the reasons set forth in an opinion which has been issued simultaneously herewith and filed with the Division of the Federal Register, under authority

vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with the provisions of Maximum Price Regulation No. 120, it is ordered:

(a) Producers of bituminous coal operating captive mines for which price classifications or maximum prices have not been established who are directed by the Solid Fuels Administration for War to ship coals for commercial use may take as their price classifications and maximum prices the price classifications and the schedule maximum prices established by Maximum Price Regulation No. 120 for the coals produced at the nearest mine in the same or substantially similar seam: *Provided*, That, the producer immediately notifies the Solid Fuel Price Branch of the Office of Price Administration, Washington, D. C., of the name, location and mine index number of such nearest mine.

(b) Producers of bituminous coal operating captive mines who are directed by the Solid Fuels Administration for War to ship coals for commercial use may sell such coal at no more than current schedule maximum prices. However, if the representative costs of production of such captive mine exceeds its potential realization at current maximum prices, agreements can be made with the purchasers of the coals to adjust the current maximum prices to whatever price is permitted for the coals under an order of the Office of Price Administration adjusting the maximum prices of such mine when such order is issued. Prices for deliveries for which adjustable pricing agreements are not made cannot subsequently be adjusted.

(c) Producers of bituminous coal operating captive mines who desire to secure an adjustment in their maximum prices for the reasons set forth in paragraph (b) above shall file an application with the Solid Fuel Price Branch of the Office of Price Administration, Washington 25, D. C., pursuant to the provisions of § 1340.207 (a) of Maximum Price Regulation No. 120. However, the granting of the adjustable pricing authority set forth in paragraph (b) shall not be construed to mean that an application for adjustment in maximum prices will necessarily be granted in whole or in part.

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

(e) This order shall become effective May 17, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8349; Filed, May 17, 1946; 4:45 p. m.]

[MPR 189, Order 13]

#### BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

#### GRANTING PERMISSION FOR ADJUSTABLE PRICING

For the reasons set forth in an opinion which has been issued simultaneously herewith and filed with the Division of

the Federal Register, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with § 1340.303 of Maximum Price Regulation No. 189, it is ordered:

(a) Suppliers of bituminous coal sold for direct use as bunker fuel subject to Maximum Price Regulation No. 189 may sell bunker fuel at no more than current maximum prices. However, on and after May 17, 1946, suppliers of bunker fuel may enter into agreements with purchasers to adjust their current maximum prices on deliveries of bunker fuel made prior to any increase in maximum prices authorized by the Office of Price Administration as a result of the current bituminous coal wage negotiations and the agreement reached therein, in the amount of the price adjustment.

(b) This order may be revoked or amended by the Price Administrator at any time and, in any event, shall expire on the effective date of any price increase authorized by the Office of Price Administration as a result of the new wage agreement.

This order shall become effective May 17, 1946.

Issued this 17th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8357; Filed, May 17, 1946; 4:47 p. m.]

[MPR 580, Amdt. 4 to Order 32]

#### COBBLERS, INC.

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Amendment 4 to Order 32. Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-628.

For the reasons set forth in the opinion issued simultaneously herewith, Order 32 issued under section 13 of Maximum Price Regulation 580 on application of Cobblers, Inc., 1212 Stanford Avenue, Los Angeles 21, California, is amended in the following respects:

1. Paragraph (a) is amended by adding the following:

Article	Brand name	Manufacturer's unadjusted selling price (per pair)	Ceiling price at retail (per pair)
Woman's casual shoes.	"Strip-Toes"---	\$2.75	\$4.95

2. Paragraph (c) is amended by adding thereto the following undesignated paragraph:

Upon issuance of any amendment to this order which either adds an article to those already listed in paragraph (a) or changes the retail ceiling price of a listed article, the manufacturer or wholesaler, as to such article, must comply with the preticketing requirements of this paragraph within 30 days after the issuance of the amendment. After 60 days from the issuance date, no retailer may offer or sell the article unless it is preticketed



in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so preticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this order. However, the pricing provisions of this order or of any subsequent amendment there-to shall apply as of the effective date of the order or applicable amendment.

This amendment shall become effective May 21, 1946.

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8445; Filed, May 20, 1946;  
11:59 a. m.]

[MPR 580, Rev. Order 42]

MOYER MFG. CO.

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Revised Order 42. Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-627.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, Order 42 is redesignated Revised Order 42, to read as follows; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Moyer Manufacturing Company, 18-24 North Walnut Street, Youngstown 3, Ohio, and described in the manufacturer's applications dated April 24, 1945, and April 12, 1946:

Article	Brand name	Style	Manufacturer's selling price	Retail ceiling price
Men's slacks...	Seven Seas	Joye poplin	\$4.50	\$7.50
	do.	do.	3.50	5.95

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after June 15, 1946, Moyer Manufacturing Company must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)  
OPA Price—\$-----

On and after July 15, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated

above. Prior to July 15, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

Upon the issuance of any amendment to this order, the manufacturer is allowed 30 days and the retailer is allowed 60 days within which to mark or tag the articles in the form prescribed above. Within that 60 day period, unless the article is marked or tagged in the form prescribed above, the retailer shall comply with the marking, tagging and posting provisions of the previously applicable regulation. However, the pricing provisions of this order or any amendment shall apply as of the effective date of the order or applicable amendment.

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

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

This order shall become effective May 21, 1946.

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8446; Filed, May 20, 1946;  
11:59 a. m.]

[MPR 580, Amdt. 1 to Order 263]

LASKIN BROS., INC.

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Amendment 1 to Order 263. Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-648.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 263 issued under section 13 of Maximum Price Regulation 580 on application of Laskin Brothers, Inc. of Philadelphia, Pennsylvania, is amended in the following respects:

1. Paragraph (a) is amended by adding the following:

Style name	Manufacturer's selling price (per dozen)		Retail ceiling price (each)	
	Regular sizes	Extra sizes	Regular sizes	Extra sizes
Nu-Eve panties..... 6560 6564 6565	\$14.00	\$15.50	\$1.95	\$2.25

2. Paragraph (d) is amended by adding thereto the following undesignated paragraph:

Upon the issuance of any amendment to this order establishing or changing any retail ceiling price, the manufacturer is allowed 30 days and the retailer is allowed 60 days within which to mark or tag the articles in the form pre-

scribed above. Within that 60 day period, unless the article is marked or tagged in the form prescribed above, the retailer shall comply with the marking, tagging and posting provisions of the previously applicable regulation. However, the pricing provisions of this order or any amendment shall apply as of the effective date of the order or applicable amendment.

3. Paragraph (e) is amended by adding the words "and all applicable amendments" after the words "the seller shall send the purchaser a copy of this order."

This amendment shall become effective May 21, 1946.

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8447; Filed, May 20, 1946;  
11:59 a. m.]

[RMPR 528, Order 109]

GOODYEAR TIRE & RUBBER CO., INC.

#### AUTHORIZATION OF MAXIMUM PRICES

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

(a) The maximum retail prices for the following new sizes of tires manufactured by The Goodyear Tire & Rubber Company, Inc., Akron, Ohio, shall be:

Size	Ply rating	Type	Maximum retail price, each
21.00-24...	24	Sure grip truck tire	\$828.55
7.50-18...	6	Special service front tractor tire	37.00
7.50-20...	6	Special service front tractor tire	41.50

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

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

This order shall become effective May 21, 1946.

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8443; Filed, May 20, 1946;  
11:59 a. m.]

#### Regional and District Office Orders.

#### COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register May 13, 1946.

#### Region V

New Orleans Order 3-F, Amendment 41, covering fresh fruits and vegetables in Louisiana, Parishes of Orleans, St. Bernard and Jefferson except Grand Isle. Filed 10:27 a. m.



New Orleans Order 4-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 10:27 a. m.

New Orleans Order 5-F, Amendment 32, covering fresh fruits and vegetables in the cities of Shreveport, Bossier City, Monroe, and West Monroe, Louisiana. Filed 10:28 a. m.

New Orleans Order 6-F, Amendment 32, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 10:28 a. m.

#### Region VI

Omaha Order 14-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Nebraska. Filed 10:30 a. m.

Omaha Order 15-F, Amendment 16, covering fresh fruits and vegetables in certain counties in Nebraska and the city of Council Bluffs, Iowa. Filed 10:30 a. m.

Omaha Order 16-F, Amendment 16, covering fresh fruits and vegetables in certain counties in Nebraska. Filed 10:30 a. m.

Omaha Order 17-F, Amendment 16, covering fresh fruits and vegetables in certain counties in Nebraska. Filed 10:30 a. m.

Omaha Order 7-C, Amendment 4, covering poultry in certain counties in Nebraska. Filed 10:30 a. m.

Chicago Order 3-O, covering eggs in Cook County, Illinois, filed 10:30 a. m.

Chicago Order 14, Amendment 4, covering dry groceries sold by Groups 1 and 2 stores. Filed 10:28 a. m.

Chicago Order 6-W, Amendment 4, covering dry groceries sold to retailers by Classes 1, 2, 3, and 4 wholesalers. Filed 10:30 a. m.

#### Region VII

Albuquerque Orders 31-C and 38-O, covering poultry and eggs in the Albuquerque areas. Filed 10:31 a. m.

Salt Lake City Order 14-F, Amendments 6, 7, and 8, covering fresh fruits and vegetables in Salt Lake, Davis and Weber. Filed 10:31 and 10:32 a. m.

Salt Lake City Order 15-F, Amendments 6, 7, and 8, covering fresh fruits and vegetables in Cache, Carbon and Emery. Filed 10:32 a. m.

Salt Lake City Order 16-F, Amendments 6, 7, and 8, covering fresh fruits and vegetables in Rich, Daggett, Duchesne, Uintah, Grand, Wayne and San Juan county area. Filed 10:32 a. m.

#### Region VIII

Los Angeles Order 3-F, Amendments 45 and 46, covering fresh fruits and vegetables in the Los Angeles Metropolitan area. Filed 10:33 a. m.

Los Angeles Order 4-F, Amendments 44 and 45, covering fresh fruits and vegetables in the San Bernardino-Riverside area. Filed 10:33 a. m.

Los Angeles Order 5-F and 6-F, Amendments 44 and 45, covering fresh fruits and vegetables in the Santa Barbara, Ventura and San Luis Obispo areas. Filed 10:33 and 10:34 a. m.

Los Angeles Order 7-F, Amendments 28 and 29, covering fresh fruits and vegetables in the Bakersfield area. Filed 10:34 a. m.

Los Angeles Order 8-F, Amendments 25 and 26, covering fresh fruits and vegetables in the San Diego Metropolitan area. Filed 10:34 a. m.

Los Angeles Order 9-F, Amendments 24 and 25, covering fresh fruits and vegetables in certain areas in California. Filed 10:34 and 10:35 a. m.

Los Angeles Order 10-F, Amendments 24 and 25, covering fresh fruits and vegetables in certain areas in California. Filed 10:35 a. m.

Nevada Order 11-F, Amendments 18-B and 18-C, covering fresh fruits and vegetables in Reno and Sparks, Nevada. Filed 10:36 and 10:37 a. m.

Nevada Order 15-F, Amendments 18-B and 18-C, covering fresh fruits and vegetables in certain areas in Nevada. Filed 10:36 a. m.

San Francisco Order 2-D, Amendments 2 and 3, covering butter and cheese in the San Francisco geographical area. Filed 10:24 a. m.

San Francisco Order 9-C, Amendment 10, covering poultry in certain areas in California. Filed 10:24 a. m.

San Francisco Order 14, Amendment 15, covering dry groceries in certain counties in California and the city and county of San Francisco. Filed 10:24 a. m.

San Francisco Order W-1, Amendment 18, covering dry groceries in certain counties in California and the city and county of San Francisco. Filed 10:25 a. m.

San Francisco Order 38, Amendment 5, covering dry groceries in certain areas in California. Filed 10:24 a. m.

San Francisco Order 41, Amendment 3, covering dry groceries in certain areas in California. Filed 10:24 a. m.

San Francisco Order 48, Amendment 4, covering dry groceries in certain counties in California. Filed 10:24 a. m.

San Francisco Order 49, Amendment 2, covering dry groceries in certain counties in California. Filed 10:24 a. m.

San Francisco Order 4-W, Amendment 38, covering dry groceries in certain counties in California. Filed 10:25 a. m.

Seattle Order 16-F, Amendment 38, covering fresh fruits and vegetables in Seattle, Tacoma, and Bremerton, Washington. Filed 10:25 a. m.

Seattle Order 17-F, Amendment 34, covering fresh fruits and vegetables in Bellingham and Everett, Washington. Filed 10:25 a. m.

Seattle Order 18-F, Amendment 35, covering fresh fruits and vegetables in Olympia, Aberdeen, Hoquiam, Centralia and Chehalis, Washington. Filed 10:26 a. m.

Seattle Order 19-F, Amendment 32, covering fresh fruits and vegetables in Yakima, Wenatchee, and East Wenatchee, Washington. Filed 10:26 a. m.

Spokane Order 20-F, Amendment 15, covering fresh fruits and vegetables in certain areas of Spokane county, Washington and Kootenai county, Idaho. Filed 10:26 a. m.

Spokane Order 21-F, Amendment 15, covering fresh fruits and vegetables in certain areas of Shoshone and Kootenai counties, Idaho. Filed 10:26 a. m.

Spokane Order 22-F, Amendment 15, covering fresh fruits and vegetables in certain areas of Latah county, Idaho and Whitman county, Washington. Filed 10:27 a. m.

Spokane Order 23-F, Amendment 15, covering fresh fruits and vegetables in certain areas of Asotin county, Washington and Nez Perce county, Idaho. Filed 10:27 a. m.

Spokane Order 24-F, Amendment 14, covering fresh fruits and vegetables in certain counties of Columbia, Walla Walla, Benton and Franklin counties, Washington. Filed 10:27 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. 46-8173; Filed, May 15, 1946; 11:28 a. m.]

[Region I Order G-1 Under RMPR 333]

#### SHELL EGGS IN BOSTON RETAIL TRADING ZONE

For the reasons set forth in an opinion issued simultaneously herewith under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 3.3 (g)<sup>1</sup> of Revised Maximum Price Regulation No. 333; It is ordered:

(a) On and after the effective date of this order the maximum prices established by Revised Maximum Price Regulation No. 333 for sales of shell eggs by first receivers and jobbers in the area comprising the Boston retail trading zone, as designated herein, shall be increased by 1.5 cents.

(1) For the purposes of this order the area designated as the Boston retail trading zone shall consist of the following cities and towns:

All the cities and towns in the counties of Suffolk, Essex and Norfolk.

The following cities and towns in the county of Middlesex: Acton, Arlington, Ashland, Ayer, Bedford, Belmont, Billerica, Boxboro, Burlington, Carlisle, Cambridge, Chelmsford, Concord, Dracut, Dunstable, Everett, Framingham, Groton, Holliston, Hopkinton, Hudson, Lexington, Lincoln, Littleton, Lowell, Malden, Marlboro, Maynard, Medford, Melrose, Natick, Newton, North Reading, Pepperell, Reading, Sherborn, Shirley, Somerville, Stoneham, Stow, Sudbury, Tewksbury, Tyngsboro, Wakefield, Waltham, Watertown, Wayland, Westford, Weston, Wilmington, Winchester and Woburn.

The following cities and towns in the county of Worcester: Berlin, Bolton, Harvard, Hopedale, Mendon, Milford, Northboro, Southboro, Upton and Westboro.

The following cities and towns in the county of Bristol: Attleboro, Easton, Mansfield, North Attleboro, Norton, Raynham.

The following cities and towns in the county of Plymouth: Abington, Bridgewater, Brockton, Duxbury, East Bridgewater, Halifax, Hanover, Hanson, Hingham, Hull, Kingston, Marshfield, Middleboro, Norwell, Pembroke, Plympton, Rockland, Scituate, West Bridgewater and Whitman.

(b) The adjustment authorized by this order shall be applicable only to sales to independent retailers, large retailers at

<sup>1</sup> Added by Amendment 8, effective August 13, 1945.



individual stores, independent retail route sellers and institutional users located in the Boston retail trading zone.

(c) This order is subject to amendment, revision or revocation at any time by the Office of Price Administration on its own motion.

(d) This order shall become effective the 1st day of November 1945.

ELDON C. SHOUP,  
Regional Administrator.

Approved: November 1, 1945.

J. B. HUTSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 46-8335; Filed, May 17, 1946;  
11:34 a. m.]

[Region IV Order G-3 Under MPR 592,  
Amdt. 1]

#### CONCRETE BLOCK IN JOINT DISTRICT AREA, FLORIDA

Amendment No. 1 to Order No. G-3 under Section 17 of Maximum Price Regulation 592. Maximum prices for sales of concrete block by manufacturers located in certain counties within the State of Florida and designated as the "Joint District Area". Docket No. IV-592-17-3.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by section 17 of Maximum Price Regulation 592, it is hereby ordered that Order No. G-3 under section 17 of Maximum Price Regulation 592, issued on March 27, 1946, effective April 1, 1946, be and the same is hereby amended by inserting a paragraph between paragraphs (d) and (f) to be designated as paragraph "(e)", to read as follows:

(e) *Sizes not listed in this order.* Any manufacturer producing a size of block not listed in this order must file a schedule showing the size, proposed price f. o. b. plant and delivered price with the District Office in which his plant is located. Such price shall be subject to approval, disapproval or revision within 20 days of the date of filing.

The District Director of the office with which the schedule is filed is, under the terms of this order, authorized to approve, disapprove, or revise the requested price. In the absence of disapproval or revision within the 20 day period, the requested price, if properly filed, shall be deemed to have been approved by that office, subject to later disapproval or revision, not to apply retroactively.

Except to the extent herein amended, all other provisions of order No. G-3 under section 17 of Maximum Price Regulation 592 remain of full force and effect.

This amendment shall become effective as of April 1, 1946.

A copy of this amendment has today been filed in this office where it is open to inspection by the public.

Issued April 3, 1946.

ALEXANDER HARRIS,  
Regional Administrator.

[F. R. Doc. 46-8336; Filed, May 17, 1946;  
11:34 a. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-1284, 70-1287]

MISSOURI POWER & LIGHT CO. AND NORTH  
AMERICAN LIGHT & POWER CO.

#### NOTICE OF FILING AND ORDER OF CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of May 1946.

An application and declaration (File No. 70-1284) having been filed with this Commission pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 by Missouri Power & Light Company, a subsidiary of North American Light & Power Company, a registered holding company, regarding (1) the redemption of all of its outstanding First Mortgage Bonds and the issuance and sale of New First Mortgage Bonds; (2) the redemption and acquisition for retirement of all of its outstanding Preferred Stock and the issuance and sale of New Preferred Stock; (3) the reclassification and conversion of all of its outstanding Common Stock; and (4) the making of an interim bank loan; and (5) other transactions incident to said proposals; and

North American Light & Power Company having filed an application and declaration (File No. 70-1287) pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, regarding the surrender, as a capital contribution, to Missouri Power & Light Company, of shares of the latter Company's Preferred Stock and the acquisition of new shares of common stock of Missouri Power & Light Company; and

It appearing to the Commission that the foregoing matters under File Nos. 70-1284 and 70-1287 are related and involve common questions of law and fact, and that the proceedings on these matters should be consolidated;

It is ordered, That the proceedings upon the applications and declarations filed by Missouri Power & Light Company and with American Power & Light Company be and the same are hereby consolidated; and

Notice is hereby given that any interested person may not later than May 24, 1946, at 5:30 p. m., e. d. t., request the Commission in writing that a hearing be held on such matters, 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 applications and declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said applications and declarations which are on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Missouri Power & Light Company proposes:

(a) To redeem and retire all of its outstanding 50,000 shares of \$6 Preferred Stock, stated value \$100 per share, at their redemption price of \$105 per share, plus accrued dividends, by the redemption of 46,702 publicly-held shares and the acquisition and cancellation of the remaining 3,928 shares of said preferred stock from its parent as a capital contribution. In order to provide itself with funds for the redemption of its Preferred Stock, Missouri Power & Light Company will make an interim bank loan and for such purpose will issue and sell to a commercial bank and not for resale to the public its promissory note in the principal amount of \$4,000,000, dated June 1, 1946, maturing December 1, 1946, subject to prepayment, and bearing interest at the rate of 1½% per annum;

(b) To redeem all of its presently outstanding First Mortgage Bonds, 3¾% Series, due 1966, in the aggregate principal amount of \$9,000,000. For this purpose Missouri Power & Light Company proposes to issue and sell, pursuant to Rule U-50, new First Mortgage Bonds, ----% Series, due 1976, in the aggregate principal amount of \$7,500,000 and to apply the proceeds from the issue and sale of such bonds, together with other treasury funds, to the redemption of its presently outstanding bonds. The new First Mortgage Bonds, ----% Series, due 1976, are to be issued and sold under the terms and conditions of a new Mortgage and Deed and Trust and Supplemental Indenture both to be dated July 1, 1946.

Upon the redemption and retirement of its presently outstanding \$6 Preferred Stock, Missouri Power & Light Company proposes by appropriate amendment to its charter to increase its authorized preferred stock from 50,000 shares, stated value \$100 per share, to 75,000 shares of the par value of \$100 per share and to increase its authorized common stock from 75,000 shares, without par value, stated value \$3,300,000, to 250,000 shares of common stock of the par value of \$20 per share. The Company also proposes:

(a) To issue and sell, pursuant to Rule U-50, 40,000 shares of its new authorized Preferred Stock to be designated "----%, Cumulative Preferred Stock," par value \$100; and

(b) To reclassify and convert its presently outstanding 75,000 shares of common stock, stated value \$3,300,000 into 165,000 shares of its new common stock, par value \$20 per share, and to issue the 165,000 shares of new common stock to its parent in exchange for its presently outstanding 75,000 shares of common stock.

Missouri Power & Light Company states that issuance and sale of the proposed new preferred stock and new bonds are solely for the purpose of financing the business of the Company and are to be authorized by the Missouri Public Service Commission of the State of Missouri in which State the Company is organized and doing business.

North American Light & Power Company in connection with above-described transactions proposes (a) to surrender, as a capital contribution, to Missouri



Power & Light Company the aforesaid 3,298 shares of the latter Company's \$6 preferred stock for retirement and cancellation, and (b) to acquire through conversion the aforesaid 165,000 shares of new common stock of Missouri Power & Light Company, par value \$20 per share, in exchange for the 75,000 shares of that Company's presently outstanding common stock.

The applicants and declarants have designated sections 6, 7, 9 (a), 10, 12 (c), and 12 (d) of the Public Utility Holding Company Act of 1935 and Rules U-23, U-42, and U-50 as applicable to the proposed transactions.

It is further ordered, That the Secretary of this Commission shall serve notice of the aforesaid notice and order by mailing a copy thereof to Missouri Power & Light Company, North American Light & Power Company, Missouri Public Service Commission, to the Federal Power Commission, and to Balfour S. Jeffrey and to Clayton B. Kline at their address at 908 National Bank of Topeka Building, Topeka, Kansas, by registered mail, and that notice be given to all other person by publication of this notice in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-8386; Filed, May 20, 1946;  
9:55 a. m.]

[File No. 70-998]

#### ARKANSAS-MISSOURI POWER CORP.

#### SUPPLEMENTAL OPINION AND ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of May 1946.

On July 6, 1945, we issued our findings and opinion and order (Holding Company Act Release No. 5913) approving proposals by Arkansas-Missouri Power Corporation ("Arkansas") regarding the refunding of its outstanding First Mortgage Bonds. In our findings we stated, among other things:

Arkansas has agreed that as soon as the necessary corporate action and State Commission approvals can be obtained, it will increase the par value of its outstanding common stock from \$1 per share to \$5 per share and will transfer the sum of \$664,660 from earned surplus account to common stock account. Walton, who will own about 43% of the common stock of Arkansas, has agreed that his best efforts will be used to effect the increase in par value and that he will vote his stock in favor of such action. Accordingly, our order will contain a condition restricting earned surplus to the extent of \$664,660 against the payment or declaration of any dividends on common stock, other than dividends payable in shares of such stock.

By its terms the condition restricting earned surplus is to terminate if the increase in the par value of the common stock is effected through a transfer from the earned surplus account.

Arkansas having advised us that it has secured the necessary authorization from its stockholders and the approval

of the Arkansas Public Service Commission and the Missouri Public Service Commission with respect to the increase in the par value of its common stock, and having requested this Commission, insofar as further action under the Holding Company Act may be required, to issue an order approving the change in par value; and

The Commission deeming it appropriate to consider such request as a declaration, pursuant to sections 6 (a) (2) and 7 (e) of the act, and finding that the applicable standards of such sections are satisfied;

It is ordered, That said declaration with respect to the increase in the par value of the common stock of Arkansas from \$1 to \$5 per share, to be effected through a transfer from the earned surplus account, be, and hereby is, permitted to become effective.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-8387; Filed, May 20, 1946;  
9:55 a. m.]

[File No. 812-420]

#### SISTO FINANCIAL CORP.

#### NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of May A. D. 1946.

An application having been filed by Sisto Financial Corporation for an order pursuant to sections 6 (c), 17 (b), and 23 (c) of the Investment Company Act of 1940 exempting from the operation of those sections certain proposed transactions.

Practically all the assets of Sisto Financial Corporation consist of shares of Barium Steel Corporation. Certain stockholders have indicated their desire for the liquidation of the Sisto Financial Corporation. However, the Corporation, as an alternative desires to offer each stockholder shares of stock of Barium Steel Corporation in exchange for their stock in Sisto Financial Corporation.

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on June 3, 1946 at 9:45 a. m. eastern daylight saving time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That Allen MacCullen, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings

may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-8388; Filed, May 20, 1946;  
9:55 a. m.]

[File No. 70-1082]

#### EASTERN UTILITIES ASSOCIATES

#### ORDER PERMITTING WITHDRAWAL OF DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of May 1946.

Eastern Utilities Associates ("EUA"), a registered public utility holding company, having filed a declaration on May 15, 1945 pursuant to the Public Utility Holding Company Act of 1935 and Rule U-65 thereunder relative to a proposed expenditure in excess of \$1,000 but not in excess of \$5,000 for the purpose of paying Georgeson & Co., 50 Wall Street, New York, New York, for services rendered by such firm in connection with the solicitation of proxies in behalf of the management for use at the 1945 annual meeting of stockholders of EUA; and

A public hearing having been held on such declaration on June 12, 1945 and on July 5, 1945, after hearing oral argument, this Commission having issued its order denying effectiveness to said declaration; and

EUA on July 10, 1945 having petitioned for a rehearing and reargument on said declaration and this Commission having issued an order granting the company's petition and rescinding its order of July 5, 1945; and

EUA on May 9, 1946 having filed a written request for permission to withdraw the declaration of May 15, 1945; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers to grant such request.

It is hereby ordered, That the request of Eastern Utilities Associates for withdrawal of said declaration be, and the same hereby is, granted and that said declaration be, and the same hereby is, deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-8389; Filed, May 20, 1946;  
9:55 a. m.]

[File No. 70-1244]

#### EASTERN UTILITIES ASSOCIATES

#### ORDER PERMITTING WITHDRAWAL OF DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of May 1946.

Eastern Utilities Associates ("EUA"), a registered public utility holding com-



pany, having filed a declaration on March 1, 1946 pursuant to the Public Utility Holding Company Act of 1935 and Rule U-65 thereunder, proposing to expend not more than \$5,000 for the purpose of paying Georgeson & Co., or some other professional proxy soliciting organization, for services proposed to be rendered by them in connection with the solicitation of proxies for use at the 1946 annual meeting of stockholders of EUA; and

It having been stated, in part, in the declaration that the reason for the proposal was the belief of the trustees of EUA that it would not be possible to obtain a quorum at said annual meeting in view of the activities of a group calling itself "Committee to Inform Shareholders of Eastern Utilities Associates", which group had theretofore solicited shareholders to withhold or revoke their proxies for the 1945 annual meeting; and

The Commission on March 12, 1946, having issued its notice of and order for hearing and a hearing having been held on April 3, 1946, and the Commission not having entered any order either denying or granting effectiveness to such declaration; and

EUA having filed a written request for an order for permission to withdraw the declaration of March 1, 1946, in which it is recited that a quorum was obtained at the 1946 adjourned annual meeting of stockholders held on May 3, 1946, and that no expenditure for the purpose proposed in the declaration has been made

and that none is presently contemplated; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers to grant such request:

*It is hereby ordered*, That the request of Eastern Utilities Associates for withdrawal of said declaration be, and the same hereby is, granted and that said declaration be, and the same hereby is, deemed withdrawn.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-8390; Filed, May 20, 1946;  
9:55 a. m.]

[File No. 812-427]

ATLAS CORP. AND FRANKLIN SIMON & Co.,  
INC.

#### NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of May A. D. 1946.

Atlas Corporation, a registered management investment company, and Franklin Simon & Co. Inc., affiliated persons of each other, have filed jointly an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provi-

sions of section 17 (a) of said act the proposed redemption by Franklin Simon & Co. Inc. of all of its outstanding 7% Cumulative Preferred Stock at the call price of \$115 per share plus accrued dividends to the extent that the shares of such stock so to be redeemed shall include shares held by Atlas Corporation.

*It is ordered*, Pursuant to section 40 (a) of said act that a hearing on the aforesaid application be held on May 27, 1946 at 9:45 a. m., e. d. s. t., in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

*It is further ordered*, That William W. Swift, or any other officer of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to Atlas Corporation and Franklin Simon & Co. Inc. and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-8391; Filed, May 20, 1946;  
9:56 a. m.]