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Washington, Friday, June 14, 1946

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

FRESH FRUITS AND VEGETABLES

INDEFINITE APPROVAL OF CERTAIN ACTIONS TAKEN BY THE OFFICE OF PRICE ADMINISTRATION

Approval is hereby given to orders issued by any regional or district office of the Office of Price Administration adjusting the weights retailers use in determining their ceiling prices for the fresh fruits and vegetables covered by Maximum Price Regulations 422 and 423, pursuant to authority delegated to them by section 18 (f) of MPR 423 and section 20 (t) of MPR 422. This approval is effective from June 12, 1946, until revoked.

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

JUNE 12, 1946.

[F. R. Doc. 46-10078; Filed, June 13, 1946; 11:07 a. m.]

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

PART 912—MILK IN THE DUBUQUE, IOWA, MARKETING AREA

SUSPENSION OF CERTAIN PROVISION

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area (7 CFR Dubuque, Iowa, marketing area (7 CFR Cum. Supp. 912.0 et seq.)), it is hereby determined that the provision of such order, as amended, which provides that the foundation price for Class I milk and Class II milk be based on the average of the basic or field prices ascertained to have been paid for milk of 3.5 percent butterfat content received during the

period beginning with the 16th day of the previous delivery period, and ending with the 15th day of the then current month, is a provision which does not tend to effectuate the declared policy of the act during the period from 12:01 a. m., June 12, 1946, to 11:59 p. m. July 31, 1946.

It is therefore ordered, That the words, "... the period beginning with the 16th day of the previous month and ending with the 15th day of . . ." in § 912.6 (a) (5) of the order, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area, be and are hereby suspended for the period from 12:01 a. m. on June 12, 1946 to 11:59 p. m. on July 31, 1946.

Done at Washington, D. C. this 12th day of June 1946.

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

[F. R. Doc. 46-10052; Filed, June 12, 1946; 4:05 p. m.]

PART 913—MILK IN THE GREATER KANSAS CITY MARKETING AREA

SUSPENSION OF CERTAIN PROVISION

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area (8 F.R. 2521, 8294; 11 F.R. 5469), it is hereby determined that the provision of such order, as amended, which provides that the basic formula price be based on the average of the basic or field prices ascertained to have been paid for milk of 3.5 percent butterfat content received during the immediately preceding delivery period at the listed plants is a provision which does not tend to effectuate the declared policy of the act during the period from 12:01 a. m. June 12, 1946, to 11:59 p. m. July 31, 1946.

It is therefore ordered, That the words, "immediately preceding," in § 913.7 (b) of the order, as amended regulating the handling of milk in the

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ried from 12:01 a. m., June 12, 1946 to 11:59 p. m., July 31, 1946.

It is, therefore, ordered, That the words, "the period beginning with the 16th day of the previous month and ending with the 15th day of" in § 944.4 (a) (3) of the order, as amended, regulating the handling of milk in the Quad Cities marketing area be and are hereby suspended for the period from 12:01 a. m., June 12, 1946 to 11:59 p. m., July 31, 1946.

Done at Washington, D. C., this 12th day of June 1946.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.
[F. R. Doc. 46-10055; Filed, June 12, 1946; 4:05 p. m.]

PART 968—MILK IN THE WICHITA, KANSAS, MARKETING AREA

SUSPENSION OF CERTAIN PROVISION

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Wichita, Kansas, marketing area (9 F.R. 5761; 10 F.R. 13587), it is hereby determined that the provision of such order, as amended, which provides that the basic formula price be based on the average of the basic or field prices ascertained to have been paid for milk of 3.5 percent butterfat content received during the immediately preceding delivery period is a provision which does not tend to effectuate the declared policy of the act during the period from 12:01 a. m. June 12, 1946, to 11:59 p. m. July 31, 1946.

It is therefore ordered, That the words "immediately preceding," in § 968.4 (b) of the order, as amended, regulating the handling of milk in the Wichita, Kansas, marketing area be and are hereby suspended, wherever appearing for the period from 12:01 a. m. June 12, 1946 to 11:59 p. m. July 31, 1946.

Done at Washington, D. C., this 12th day of June 1946.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.
[F. R. Doc. 46-10057; Filed, June 12, 1946; 4:06 p. m.]

PART 944—MILK IN THE QUAD CITIES, IOWA, MARKETING AREA

SUSPENSION OF CERTAIN PROVISION

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 USC 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Quad Cities marketing area (9 F.R. 3278), it is hereby determined that the provision of such order, as amended, which provides that the Class III price for each delivery period be based on the average of the basic or field prices ascertained to have been paid for milk of 3.5 percent butterfat content at the listed plants during the period from the 16th day of the previous month to the 15th day of the then current month is a provision which does not tend to effectuate the declared policy of the act during the pe-

riod for the following delivery period, and (2) which provide that the Class II price for each delivery period be based, in part, on the average of the daily prices per pound of 92 score butter at wholesale in the Chicago market for the period from the 25th day of the month second preceding such delivery period through the 24th day of the month immediately preceding such delivery period, are provisions which do not tend to effectuate the declared policy of the act during the period from 12:01 a. m., June 12, 1946, to 11:59 p. m., July 31, 1946.

It is, therefore, ordered, That the following provisions of the order, as amended, regulating the handling of milk in the Duluth-Superior marketing area be and are hereby suspended for the period from 12:01 a. m., June 12, 1946, to 11:59 p. m., July 31, 1946:

1. Section 954.2 (e) (1); and
2. In § 954.5 (a) (2) (i) the words "the period from the 25th day of the month second preceding such delivery period through the 24th day of the month immediately preceding."

Done at Washington, D. C., this 12th day of June 1946.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.
[F. R. Doc. 46-10053; Filed, June 12, 1946; 4:05 p. m.]

PART 970—MILK IN THE CLINTON, IOWA, MARKETING AREA

SUSPENSION OF CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Clinton, Iowa, marketing area (9 F.R. 11830; 11 F.R. 2915), it is hereby determined that the provision of such order, as amended, which provides that the Class II price for each delivery period be based on the average of the basic or field prices ascertained to have been paid for milk of 3.5 percent butterfat content at the listed plants during the period from the 16th day of the previous month to the 15th day of the then current month is a provision which does not tend to effectuate the declared policy of the act during the period from 12:01 a. m., June 12, 1946, to 11:59 p. m., July 31, 1946.

It is, therefore, ordered, That the words "... the period beginning with the 16th day of the previous month and ending with the 15th day of ..." in § 970.4 (a) (2) of the order, as amended, regulating the handling of milk in the Clinton, Iowa, marketing area be and are hereby suspended for the period from 12:01 a. m., June 12, 1946, to 11:59 p. m., July 31, 1946.

Done at Washington, D. C., this 12th day of June 1946.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.
[F. R. Doc. 46-10054; Filed, June 12, 1946; 4:05 p. m.]

PART 954—MILK IN THE DULUTH-SUPERIOR MARKETING AREA

SUSPENSION OF CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Duluth-Superior marketing area (6 F.R. 2246; 7 F.R. 595; 8 F.R. 8294, 9903) it is hereby determined that the provisions of such order, as amended, (1) which require the market administrator to compute and publicly announce, not later than the end of each delivery period, the prices for Class I milk and Class II milk and the butterfat differential to be effec-

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics

[Amdt. 92]

PART 600—DESIGNATION OF CIVIL AIRWAYS
REDESIGNATION OF CIVIL AIRWAYS

MAY 28, 1946.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By amending § 600.10207 to read as follows:

§ 600.10207 *Red civil airway No. 8 (Altoona, Pa., to Wilkes-Barre, Pa.)* From the intersection of the center lines of the on course signals of the southwest leg of the Elmira, N. Y., radio range and the west leg of the Williamsport, Pa., radio range via the Williamsport, Pa., radio range station to the intersection of the center lines of the on course signals of the east leg of the Williamsport, Pa., radio range and the southwest leg of the Wilkes-Barre, Pa., radio range.

2. By striking in § 600.10209 *Red civil airway No. 10 (Trinidad, Colo., to Charleston, S. C.)* the words: "a point located at latitude 36°47' and longitude 102°15'30"."

3. By amending § 600.10225 *Red civil airway No. 26 (New York, N. Y. to Syracuse, N. Y.)* to read as follows:

§ 600.10225 *Red civil airway No. 26 (Syracuse, N. Y., to New York, N. Y.)*. From the Syracuse, N. Y., radio range station via the Wilkes-Barre, Pa., radio range station to the Allentown, Pa., radio range station.

4. By amending § 600.10239 to read as follows:

§ 600.10239 *Red civil airway No. 40 (Shemya, Alaska to Homer, Alaska)*. From the Shemya, Alaska, radio range station via the Amchitka, Alaska, radio range station and the intersection of the center lines of the on course signals of the east leg of the Amchitka, Alaska, radio range and southwest leg of the Adak, Alaska, radio range to the Adak, Alaska, radio range station. From the Kodiak, Alaska, radio range station to the Homer, Alaska, radio range station.

5. By amending § 600.10338 *Blue civil airway No. 39 (Knoxville, Tenn., to Pittsburgh, Pa.)* to read as follows:

§ 600.10338 *Blue civil airway No. 39 (Knoxville, Tenn., to Syracuse, N. Y.)* From the Tri-City, Tenn., radio range station via a point located at 37°20' north and 81°52'40" west and the Charleston, W. Va., radio range station to the Pittsburgh, Pa., radio range station. From the intersection of the center lines of the on course signals of the southeast leg of the Pittsburgh, Pa., radio range and the south leg of the Altoona, Pa., radio range via the Altoona, Pa., radio range station to the intersection of the center lines of the on course signals of the northeast leg of the Altoona, Pa., radio range and the southwest leg of the Elmira, N. Y., radio

range via the Elmira, N. Y., radio range station to the intersection of the center lines of the on course signals of the northeast leg of the Elmira, N. Y., radio range and the south leg of the Syracuse, N. Y., radio range.

This amendment shall become effective 0001 e. s. t., June 15, 1946.

T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 46-10066; Filed, June 13, 1946;
9:47 a. m.]

[Amdt. 142]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, AIRPORT APPROACH ZONES, AIRPORT TRAFFIC ZONES AND RADIO FIXES

REDESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS AND RADIO FIXES

MAY 28, 1946.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulations No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By amending § 601.10226 *Red civil airway No. 26 airway traffic control areas (New York, N. Y., to Syracuse, N. Y.)* to read as follows:

§ 601.10226 *Red civil airway No. 26 airway traffic control areas (Syracuse, N. Y., to New York, N. Y.)* All of Red civil airway No. 26.

2. By amending § 601.10339 *Blue civil airway No. 39 airway traffic control areas (Knoxville, Tenn., to Pittsburgh, Pa.)* to read as follows:

§ 601.10339 *Blue civil airway No. 39 airway traffic control areas (Knoxville, Tenn., to Syracuse, N. Y.)*. All of Blue civil airway No. 39. From the Tri-City, Tenn., radio range station to a line extended at right angles across such airway through a point 25 miles northeast of the Tri-City, Tenn., radio range station; from a line extended at right angles across such airway through a point 25 miles south of the Charleston, W. Va., radio range to a point 25 miles northeast of the Charleston, W. Va., radio range station; from a line extended at right angles across such airway through a point 25 miles west of the Pittsburgh, Pa., radio range to the Pittsburgh, Pa., radio range station; from the intersection of the center lines of the on course signals of the southeast leg of the Pittsburgh, Pa., radio range and the south leg of the Altoona, Pa., radio range to the intersection of the center lines of the on course signals of the northeast leg of the Elmira, N. Y., radio range and the south leg of the Syracuse, N. Y., radio range.

3. By amending § 601.40240 to read as follows:

§ 601.40240 *Red civil airway No. 40 (Shemya, Alaska to Homer, Alaska)*. Amchitka, Alaska radio range station; the intersection of the center lines of the on course signals of the southwest leg of the Adak, Alaska radio range and the

southeast leg of the Tanaga, Alaska radio range; the Kodiak, Alaska radio range station.

4. By amending § 601.40325 to read as follows:

§ 601.40325 *Blue civil airway No. 25 (Cordova, Alaska to Big Delta, Alaska)*. The intersection of the center lines of the on course signals of the northeast leg of the Cordova, Alaska radio range and the southeast leg of the Gulkana, Alaska radio range.

5. By amending § 601.40326 to read as follows:

§ 601.40326 *Blue civil airway No. 26 (Anchorage, Alaska to Fairbanks, Alaska)*. Talkeetna, Alaska non-directional radio marker; Summit, Alaska radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Summit, Alaska radio range and the southeast leg of the Nenana, Alaska radio range.

This amendment shall become effective 0001 e. s. t., June 15, 1946.

T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 46-10067; Filed, June 13, 1946;
9:47 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5399]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

I. PUKEL

§ 3.6 (i) *Advertising falsely or misleadingly—Free goods or services*: § 3.6 (r) *Advertising falsely or misleadingly—Prices—Exaggerated as regular and customary*: § 3.72 (e) *Offering deceptive inducements to purchase or deal—Free goods*: § 3.99 (b) *Using or selling lottery devices—In merchandising*. In connection with the offering for sale, sale, and distribution of vanity chests, toiletries, novelties, or any other articles of merchandise in commerce (1) supplying to, or placing in the hands of, others, push cards or other devices which are to be used or may be used in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; (2) shipping, mailing or transporting to agents or to distributors or to members of the purchasing public, push cards or other devices which are to be used or may be used in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; (3) selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme; (4) using the term "free" or "gift" or any other term of similar import and meaning to describe, designate, or refer to any merchandise which is furnished as compensation for services rendered or the price of which is included in the price of other merchandise; or (5) representing as the customary or

regular price or value of respondent's merchandise, any price or value which is in excess of the price at which said merchandise is customarily offered for sale and sold in the normal and usual course of business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) (Cease and desist order, I. Pukel, Docket 5399, May 10, 1946)

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of May A. D. 1946.

In the Matter of Isadore Pukel, an Individual Trading as I. Pukel

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of respondent, in which answer respondent admits all of the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Isadore Pukel, an individual, trading as I. Pukel or under any other trade name, and his representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of vanity chests, toiletries, novelties, or any other articles of merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Supplying to, or placing in the hands of, others, push cards or other devices which are to be used or may be used in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

2. Shipping, mailing or transporting to agents or to distributors or to members of the purchasing public, push cards or other devices which are to be used or may be used in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

3. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

4. Using the term "free" or "gift" or any other term of similar import and meaning to describe, designate, or refer to any merchandise which is furnished as compensation for services rendered or the price of which is included in the price of other merchandise.

5. Representing as the customary or regular price or value of respondent's merchandise, any price or value which is in excess of the price at which said merchandise is customarily offered for sale and sold in the normal and usual course of business.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 46-10074; Filed, June 13, 1946; 11:02 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5517]

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

MISCELLANEOUS AMENDMENTS

In order to conform Regulations 111 (26 CFR. Cum. Supp., Part 29) to sections 101, 102, 103, 121 (a), (c), and (d), 122 (g) and (h), 131 (a), and 152 of the Revenue Act of 1945 (Public Law 214, 79th Congress), approved November 8, 1945, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.11-1 the following:

SEC. 101. REDUCTION IN NORMAL TAX AND SURTAX ON INDIVIDUALS. (Revenue Act of 1945.)
(a) *Reduction in normal tax on individuals.* Section 11 (relating to the normal tax on individuals) is amended to read as follows:

SEC. 11. NORMAL TAX ON INDIVIDUALS.
There shall be levied, collected, and paid for each taxable year upon the net income of every individual a normal tax determined by computing a tentative normal tax of 3 per centum of the amount of the net income in excess of the credits against net income provided in section 25, and by reducing such tentative normal tax by 5 per centum thereof. For alternative tax which may be elected if

adjusted gross income is less than \$5,000, see Supplement T.

(d) *Taxable years to which applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 2. Section 29.11-1, as amended by Treasury Decision 5458, approved June 15, 1945, is further amended by striking out the last sentence and inserting in lieu thereof the following:

For taxable years beginning after December 31, 1943, and before January 1, 1946, the normal tax on individuals is at the rate of 3 percent and is upon net income reduced by the amount of the normal tax exemption provided in section 25 (a) for such years and by the credits under section 25 (a) for interest on certain obligations of the United States and obligations of instrumentalities of the United States. For taxable years beginning after December 31, 1945, the normal tax on individuals is determined by computing a tentative normal tax of 3 percent of the amount of the net income in excess of the credits against net income provided in section 25 and by reducing such tentative normal tax by 5 percent thereof.

For treatment of taxable years beginning in 1945 and ending in 1946, see § 29.108-2.

PAR. 3. There is inserted immediately preceding § 29.12-1 the following:

SEC. 101. REDUCTION IN NORMAL TAX AND SURTAX ON INDIVIDUALS. (Revenue Act of 1945.)

(b) *Reduction in surtax on individuals.* Section 12 (b) (relating to the rate of surtax on individuals) is amended to read as follows:

(b) *Rates of surtax.* There shall be levied, collected, and paid for each taxable year upon the surtax net income of every individual a surtax determined by computing a tentative surtax under the following table, and by reducing such tentative surtax by 5 per centum thereof:

If the surtax net income is:	The tentative surtax shall be:
Not over \$2,000.....	17% of the surtax net income.
Over \$2,000 but not over \$4,000.....	\$340, plus 19% of excess over \$2,000.
Over \$4,000 but not over \$6,000.....	\$720, plus 23% of excess over \$4,000.
Over \$6,000 but not over \$8,000.....	\$1,180, plus 27% of excess over \$6,000.
Over \$8,000 but not over \$10,000.....	\$1,720, plus 31% of excess over \$8,000.
Over \$10,000 but not over \$12,000.....	\$2,340, plus 35% of excess over \$10,000.
Over \$12,000 but not over \$14,000.....	\$3,040, plus 40% of excess over \$12,000.
Over \$14,000 but not over \$16,000.....	\$3,840, plus 44% of excess over \$14,000.
Over \$16,000 but not over \$18,000.....	\$4,720, plus 47% of excess over \$16,000.
Over \$18,000 but not over \$20,000.....	\$5,660, plus 50% of excess over \$18,000.
Over \$20,000 but not over \$22,000.....	\$6,660, plus 53% of excess over \$20,000.
Over \$22,000 but not over \$26,000.....	\$7,720, plus 56% of excess over \$22,000.
Over \$26,000 but not over \$32,000.....	\$9,960, plus 59% of excess over \$26,000.
Over \$32,000 but not over \$38,000.....	\$13,500, plus 62% of excess over \$32,000.
Over \$38,000 but not over \$44,000.....	\$17,220, plus 66% of excess over \$38,000.
Over \$44,000 but not over \$50,000.....	\$21,180, plus 69% of excess over \$44,000.
Over \$50,000 but not over \$60,000.....	\$25,320, plus 72% of excess over \$50,000.
Over \$60,000 but not over \$70,000.....	\$32,520, plus 75% of excess over \$60,000.
Over \$70,000 but not over \$80,000.....	\$40,020, plus 78% of excess over \$70,000.
Over \$80,000 but not over \$90,000.....	\$47,820, plus 81% of excess over \$80,000.
Over \$90,000 but not over \$100,000.....	\$55,920, plus 84% of excess over \$90,000.
Over \$100,000 but not over \$150,000.....	\$64,320, plus 86% of excess over \$100,000.
Over \$150,000 but not over \$200,000.....	\$107,320, plus 87% of excess over \$150,000.
Over \$200,000.....	\$150,820, plus 88% of excess over \$200,000.

(c) *Limitation on tax.* Section 12 (g) (relating to the 90 per centum limitation) is amended by striking out "90 per centum" and inserting in lieu thereof "85½ per centum."

(d) *Taxable years to which applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 4. Section 29.12-1, as amended by Treasury Decision 5425, approved December 29, 1944, is further amended by striking out that portion thereof designated as "(b)" and inserting in lieu thereof the following:

(b) *Taxable years beginning after December 31, 1943, and before January 1, 1946.* For taxable years beginning after December 31, 1943, and before January 1, 1946, there is imposed, in addition to the normal tax, a surtax at the rates specified in section 12 prior to its amendment by the Revenue Act of 1945, upon the surtax net income of every individual, resident or nonresident, except nonresident alien individuals subject to the tax imposed by section 211 (a). The surtax net income for such years is the net income minus the credits for surtax exemptions provided in section 25 (b) prior to its amendment by the Revenue Act of 1945.

(c) *Taxable years beginning after December 31, 1945.* For taxable years beginning after December 31, 1945, there is imposed, in addition to the normal tax, a surtax determined as specified in section 12, upon the surtax net income of every individual, resident or nonresident, except nonresident alien individuals subject to the tax imposed by section 211 (a). The surtax net income for such years is the net income minus the credits provided in section 25 (b). Section 12 specifies that the surtax is 5 percent less than the amount of the tentative surtax computed in accordance with the tentative surtax table contained therein.

For treatment of taxable years beginning in 1945 and ending in 1946, see § 29.108-2.

PAR. 5. Section 29.12-2, as amended by Treasury Decision 5425, is further amended as follows:

(A) By amending the first sentence to read as follows: "The following tables show the surtax (or, for taxable years beginning after December 31, 1945, the tentative surtax) due upon certain specified amounts of surtax net income."

(B) By amending the fourth sentence to read as follows: "The last column gives the total surtax (or total tentative surtax) on a surtax net income equal to the second figure in the surtax net income column."

(C) By changing the heading of the surtax table for taxable years beginning after December 31, 1943, added by Treasury Decision 5425, to read as follows: "Surtax Table—Taxable Years Beginning After December 31, 1943, and Before January 1, 1946".

(D) By inserting at the end thereof the following:

TENTATIVE SURTAX TABLE
TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1945

Surtax net income	Per cent	Total tentative surtax
\$0 to \$2,000	17	\$340
\$2,000 to \$4,000	19	720
\$4,000 to \$6,000	23	1,180
\$6,000 to \$8,000	27	1,720
\$8,000 to \$10,000	31	2,340
\$10,000 to \$12,000	35	3,040
\$12,000 to \$14,000	40	3,840
\$14,000 to \$16,000	44	4,720
\$16,000 to \$18,000	47	5,660
\$18,000 to \$20,000	50	6,660
\$20,000 to \$22,000	53	7,720
\$22,000 to \$24,000	56	8,960
\$24,000 to \$26,000	59	10,300
\$26,000 to \$28,000	62	11,720
\$28,000 to \$30,000	66	13,220
\$30,000 to \$32,000	69	14,800
\$32,000 to \$34,000	72	16,460
\$34,000 to \$36,000	75	18,200
\$36,000 to \$38,000	78	20,020
\$38,000 to \$40,000	81	21,920
\$40,000 to \$42,000	84	23,900
\$42,000 to \$44,000	86	25,960
\$44,000 to \$46,000	87	28,100
\$46,000 up	88	30,320

The tentative surtax for any amount of surtax net income not stated in round numbers in the tentative surtax table is computed by adding to the tentative surtax for the largest amount stated which is less than the surtax net income, the tentative surtax upon the excess over that amount at the rate indicated in the table. Accordingly, the tentative surtax upon a surtax net income of \$63,128 would be \$34,866, computed as follows:

Tentative surtax on \$60,000 from table	\$32,520
Tentative surtax on \$3,128 at 75 percent	2,346
Total	34,866

Since section 12 specifies that the surtax is 5 percent less than the tentative surtax, the surtax upon a surtax net income of \$63,128 would be \$33,122.70, computed as follows:

Tentative surtax on \$63,128	\$34,866.00
Less: 5 percent of \$34,866	1,743.30
Surtax	33,122.70

PAR. 6. Section 29.12-3, added by Treasury Decision 5425, is amended as follows:

(A) By inserting immediately after "For taxable years beginning after December 31, 1943," the words "and before January 1, 1946."

(B) By inserting at the end thereof the following:

For taxable years beginning after December 31, 1945, the aggregate amount of the surtax and the normal tax, computed before the application thereto of the credit provided in section 31 (relating to the credit for foreign income tax), section 32 (relating to the credit for tax withheld at the source under section 143 or section 144), and section 35 (relating to the credit for tax withheld on wages), cannot exceed an amount equal to 85½ percent of the taxpayer's net income for the taxable year. For treatment of taxable years beginning in 1945 and ending in 1946, see § 29.108-2.

PAR. 7. There is inserted immediately preceding § 29.13-1 the following:

SEC. 122. REPEAL OF EXCESS PROFITS TAX IN 1946. (Revenue Act of 1945.)

(g) *Technical amendments.* Effective with respect to taxable years beginning after December 31, 1945—

(2) Section 13 (a) (2) (defining "normal tax net income") is amended by striking out "minus the credit income subject to the tax imposed by Subchapter E of Chapter 2 provided in section 26 (e) and".

(h) *Fiscal year taxpayers.* For taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 8. Section 29.13-1 is amended by striking out the second sentence of the second paragraph and inserting in lieu thereof the following:

The tax imposed by section 13 is computed upon the "normal-tax net income," that is, for taxable years beginning before January 1, 1946, the adjusted net income minus the credit provided in section 26 (e) for income subject to the excess profits tax imposed for such years by subchapter E of chapter 2 and minus the credit for dividends received provided in section 26 (b) prior to its amendment by the Revenue Act of 1945. For taxable years beginning after December 31, 1945, the normal-tax net income is the adjusted net income minus the credit for dividends received provided in section 26 (b). Section 26 (b) relates to dividends received from a domestic corporation which is subject to taxation under Chapter 1 (85 percent of dividends received). For taxable years beginning in 1945 and ending in 1946, see § 29.108-2.

PAR. 9. There is inserted immediately preceding § 29.15-1 the following:

SEC. 122. REPEAL OF EXCESS PROFITS TAX IN 1946. (Revenue Act of 1945.)

(g) *Technical amendments.* Effective with respect to taxable years beginning after December 31, 1945.

(3) Section 15 (a) (defining "corporation surtax net income") is amended (A) by striking out "minus the credit for income subject to the tax imposed by Subchapter E of Chapter 2 provided in section 26 (e) and"; and (B) by striking out "(computed by limiting such credit to 85 per centum of the net income reduced by the credit for income subject to the tax imposed by Subchapter E of Chapter 2 in lieu of 85 per centum of the adjusted net income so reduced)".

(h) *Fiscal year taxpayers.* For taxable years beginning in 1945 and ending in 1946, see section 131.

SEC. 121. DECREASE IN CORPORATION SURTAX. (Revenue Act of 1945.)

(a) *In general.* Section 15 (b) (relating to the corporation surtax) is amended to read as follows:

(b) *Imposition of tax.* There shall be levied, collected, and paid for each taxable year upon the corporation surtax net income of every corporation (except a Western Hemisphere trade corporation as defined in section 109, and except a corporation subject to a tax imposed by section 231 (a), Supplement G or Supplement Q) a surtax as follows:

(1) *Surtax net incomes not over \$25,000.* Upon corporation surtax net incomes not over \$25,000, 6 per centum of the amount thereof.

(2) *Surtax net incomes over \$25,000 but not over \$50,000.* Upon corporation surtax net incomes over \$25,000, but not over \$50,000, \$1,500 plus 22 per centum of the amount of

the corporation surtax net income over \$25,000.

(3) *Surtax net incomes over \$50,000.* Upon corporation surtax net incomes over \$50,000, 14 percent of the corporation surtax net income.

(d) *Taxable years to which applicable.* The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 10. Section 29.15-1 is amended as follows:

(A) By striking out so much as follows the first paragraph and precedes the example and inserting in lieu thereof the following:

For taxable years beginning before January 1, 1946, the "corporation surtax net income" of a corporation is its net income minus (1) the credit provided in section 26 (e) for income subject to excess profits tax imposed by subchapter E of chapter 2, (2) the credit provided in section 26 (b) for dividends received, and (3) in the case of a public utility, the credit provided in section 26 (h) for dividends paid on its preferred stock. For the purposes of determining the corporation surtax net income, dividends received on the preferred stock of a public utility must be disregarded in computing the credit provided in section 26 (b) for dividends received. For the purposes of determining the corporation surtax net income for taxable years beginning before January 1, 1946, such credit is limited to 85 percent of the corporation's net income reduced by the credit provided in section 26 (e) for income subject to the excess profits tax imposed by subchapter E of chapter 2, rather than to 85 percent of the adjusted net income so reduced.

For taxable years beginning before January 1, 1946, the rates of corporation surtax are as follows:

(1) Upon corporation surtax net incomes of \$25,000 or less, 10 percent of the amount thereof.

(2) Upon corporation surtax net incomes over \$25,000 but not over \$50,000, \$2,500, plus 22 percent of the amount of such income in excess of \$25,000.

(3) Upon corporation surtax net incomes of more than \$50,000, 16 percent of the entire amount thereof.

For taxable years beginning after December 31, 1945, the "corporation surtax net income" of a corporation is its net income minus (1) the credit provided in section 26 (b) for dividends received and (2) in the case of a public utility, the credit provided in section 26 (h) for dividends paid on its preferred stock. For the purposes of determining the corporation surtax net income, dividends received on the preferred stock of a public utility must be disregarded in computing the credit provided in section 26 (b) for dividends received.

For taxable years beginning after December 31, 1945, the rates of corporation surtax are as follows:

(1) Upon corporation surtax net incomes of \$25,000 or less, 6 percent of the amount thereof.

(2) Upon corporation surtax net incomes over \$25,000 but not over \$50,000, \$1,500 plus 22 percent of the amount of such income in excess of \$25,000.

(3) Upon corporation surtax net income of more than \$50,000, 14 percent of the entire amount thereof.

The credit provided in section 26 (a) for interest received on obligations of the United States or its instrumentalities is not allowable in computing corporation surtax net income for any taxable year.

For treatment of taxable years beginning in 1945 and ending in 1946, see § 29.108-2.

The computation of the surtax on corporations may be illustrated by the following examples:

(B) By redesignating the example as Example (1) and inserting at the end thereof the following:

Example (2). The B Corporation, a domestic corporation which is not a public utility, has for the calendar year 1946 a net income of \$75,000. The net income includes dividends received from a corporation which is not a public utility, in the amount of \$5,000, and dividends received on the preferred stock of a public utility in the amount of \$2,000. The B Corporation's surtax for the calendar year 1946 is \$9,905, computed as follows:

Net income.....	\$75,000
Less credit for dividends received (85 percent of \$5,000).....	4,250
Corporation surtax net income.....	70,750
Tax (14 percent of \$70,750).....	9,905

PAR. 11. There is inserted immediately preceding § 29.22 (b) (9)-1 the following:

SEC. 152. EXTENSION OF TREATMENT OF INCOME RESULTING FROM DISCHARGE OF INDEBTEDNESS. (Revenue Act of 1945, approved November 8, 1945.)

Section 22 (b) (9) and (10) (relating to the exclusion of income from the discharge of indebtedness) are amended by striking out "1945" in each of such paragraphs and inserting in lieu thereof "1946".

PAR. 12. Section 29.22 (b) (9)-1 is amended by striking from the first paragraph and from the third paragraph "January 1, 1946" and inserting in lieu thereof in each instance "January 1, 1947".

PAR. 13. There is inserted immediately preceding § 29.22 (b) (10)-1 the following:

SEC. 152. EXTENSION OF TREATMENT OF INCOME RESULTING FROM DISCHARGE OF INDEBTEDNESS. (Revenue Act of 1945, approved November 8, 1945.)

Section 22 (b) (9) and (10) (relating to the exclusion of income from the discharge of indebtedness) are amended by striking out "1945" in each of such paragraphs and inserting in lieu thereof "1946".

PAR. 14. Section 29.22 (b) (10)-1 is amended by striking from the first sentence and from the last sentence "January 1, 1946" and inserting in lieu thereof in each instance "January 1, 1947".

PAR. 15. There is inserted immediately preceding § 29.23 (x)-1 the following:

SEC. 102. Allowance of same exemptions for normal tax as for surtax. (Revenue Act of 1945.)

(b) *Technical amendments.* (1) Section 23 (x) (relating to the deduction for medical

expenses) is amended by striking out "surtax" wherever appearing therein.

(c) *Taxable years to which applicable.* The amendments and repeals made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 16. Section 29.23 (x)-1, as amended by Treasury Decision 5425, is further amended by striking from the third sentence of the fifth paragraph the expression "surtax exemption" which occurs twice therein and inserting in lieu of such expression in each instance "exemption under section 25 (b)".

PAR. 17. There is inserted immediately preceding § 29.25-1 the following:

SEC. 102. Allowance of same exemptions for normal tax as for surtax. (Revenue Act of 1945.)

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

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

(A) An exemption of \$500 for the taxpayer;

(B) An exemption of \$500 for the spouse of the taxpayer if:

(i) a joint return is made by the taxpayer and his spouse under section 51, in which case the aggregate exemption of the spouses under subparagraph (A) and this subparagraph shall be \$1,000, or

(ii) a separate return is made by the taxpayer, and his spouse has no gross income for the calendar year in which the taxable year of the taxpayer begins and is not the dependent of another taxpayer;

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

(b) *Technical amendments.*

(2) Section 25 (a) (3) (relating to the normal tax exemption) is repealed.

(c) *Taxable years to which applicable.* The amendments and repeals made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 18. Section 29.25-1, as amended by Treasury Decision 5425, is further amended as follows:

(A) By inserting immediately preceding the period in the heading of (b) "and before January 1, 1946".

(B) By inserting immediately preceding "the taxpayer's" in the first sentence of (b) "and before January 1, 1946".

(C) By amending the last sentence of (b) to read as follows: "For such taxable years no exemption for dependents is allowed for normal tax purposes."

(D) By inserting at the end thereof the following:

(c) *Taxable years beginning after December 31, 1945.* For taxable years beginning after December 31, 1945, the tax-

payer's net income as determined pursuant to sections 21 to 24, inclusive, is reduced, for the purpose of computing the normal tax, by (1) the income exempt from normal tax only received upon certain obligations of the United States and upon certain obligations of corporations organized under Act of Congress which are instrumentalities of the United States, and (2) the credits for both normal tax and surtax under section 25 (b). See § 29.25-3.

PAR. 19. Section 29.25-3, as amended by Treasury Decision 5425, is further amended as follows:

(A) By striking out "Personal exemption and surtax exemptions." and inserting in lieu thereof "Personal exemption, surtax exemptions, and exemptions for both normal tax and surtax."

(B) By inserting immediately preceding the period in the heading of (b) "and before January 1, 1946".

(C) By inserting immediately preceding "there are allowed" in the first sentence of (b) "and before January 1, 1946".

(D) By inserting at the end thereof the following:

(c) *Taxable years beginning after December 31, 1945.* For the purpose of the normal tax and surtax on individuals for taxable years beginning after December 31, 1945, there are allowed as credits against net income the exemptions specified in section 25 (b). Except that such exemptions are not designated "surtax exemptions" for such years and that they are allowable for the purpose of the normal tax as well as the surtax for such years, the provisions of (b) above are applicable thereto.

PAR. 20. Section 29.25-5, as amended by Treasury Decision 5425, is further amended by striking out the last two sentences and inserting in lieu thereof the following:

For taxable years beginning after December 31, 1943, the personal exemption, as such, of married persons is not applicable. There are substituted therefor, in the case of taxable years beginning after December 31, 1943, and before January 1, 1946, the normal-tax exemption and the surtax exemptions. In the case of taxable years beginning after December 31, 1945, the exemptions under section 25 (b) for both normal tax and surtax are applicable. See § 29.25-3.

PAR. 21. Section 29.25-6, as amended by Treasury Decision 5425, is further amended by striking "surtax" from the last sentence thereof.

PAR. 22. There is inserted immediately preceding § 29.26-1 the following:

SEC. 122. REPEAL OF EXCESS PROFITS TAX IN 1946. (Revenue Act of 1945.)

(g) *Technical amendments.* Effective with respect to taxable years beginning after December 31, 1945—

(1) Section 26 (e) (relating to the credit for income subject to the excess profits tax) is repealed.

(4) Section 26 (b) (relating to the credit for dividends received) is amended by striking out "reduced by the credit for income

subject to the tax imposed by Subchapter E of Chapter 2 provided in subsection (e).

(h) *Fiscal year taxpayers.* For taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 23. Section 29.26-4, as amended by Treasury Decision 5401, approved August 26, 1944, is further amended by striking out "A" at the beginning of the first sentence and inserting in lieu thereof "For taxable years beginning before January 1, 1946, a".

PAR. 24. There is inserted immediately preceding § 29.47-1 the following:

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

(b) *Technical Amendments.*

(3) Section 47 (e) (relating to the reduction of certain credits against net income) is amended to read as follows:

(e) *Reduction of credits against net income.* In the case of a return made for a fractional part of a year under section 146 (a) (1), the exemptions provided in section 25 (b) shall be reduced to amounts which bear the same ratio to the full exemptions so provided as the number of months in the period for which return is made bears to twelve months.

(c) *Taxable years to which applicable.* The amendments and repeals made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946. See section 131.

PAR. 25. Section 29.47-1, as amended by Treasury Decision 5458, is further amended by striking out the sixth sentence to the ninth sentence, inclusive, and inserting in lieu thereof the following:

If, for taxable years beginning after December 31, 1943, and before January 1, 1946, a return is made for a fractional part of a year resulting from the termination by the Commissioner under section 146 of the taxable period, the normal-tax exemption and the surtax exemptions shall be reduced to that proportion of the full normal-tax exemption (in the case of the normal tax) and the full surtax exemptions (in the case of the surtax) which the number of months in the period for which the return is made bears to 12 months, but such exemptions shall not be reduced for a fractional part of a year otherwise resulting. If, for taxable years beginning after December 31, 1945, such a return is made, the exemptions for normal tax and surtax shall be similarly reduced. A return is required in the case of every taxable year beginning before January 1, 1946, which is a period of less than 12 months, if the gross income for such taxable year is greater than the personal exemption or the normal-tax exemption, as the case may be, for such taxable year as so reduced. A return is required in the case of every taxable year beginning after December 31, 1945, which is a period of less than 12 months, if the gross income for such taxable year is greater than one exemption for normal tax and surtax as so reduced. In the case of a return by a corporation for a frac-

tional part of a year the credit provided by section 26 (e) for the income of the corporation subject to excess profits tax, for taxable years beginning before January 1, 1944, is considered the amount of which the excess profits tax of the corporation imposed for the taxable year computed without regard to the tax deferrer under section 710 (a) (5) is 90 percent, and for taxable years beginning after December 31, 1943, and before January 1, 1946, the amount of which such excess profits tax so computed is 95 percent. As to the definition of tax imposed for taxable years beginning before January 1, 1946, see section 26 (e). For treatment of taxable years beginning in 1945 and ending in 1946, see § 29.108-2.

PAR. 26. Section 29.47-2, as amended by Treasury Decision 5401, is further amended by inserting immediately after the words "for taxable years beginning after December 31, 1943," in the fifth sentence of the second paragraph of (a), the fifth sentence of the second paragraph of (b), and the third sentence of the fourth paragraph of (b) the words "and before January 1, 1946".

PAR. 27. There is inserted immediately preceding § 29.58-1 the following:

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

(b) *Technical amendments.*

(4) Section 58 (a) (1) (relating to the requirement of a declaration of estimated tax) is amended by striking out "surtax".

(c) *Taxable years to which applicable.* The amendments and repeals made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 28. Section 29.58-2, added by Treasury Decision 5419, approved November 25, 1944, is amended by striking out the word "surtax" wherever occurring therein in the matter preceding Example (1).

PAR. 29. There is inserted immediately preceding 29.102-1 the following:

SEC. 122. REPEAL OF EXCESS PROFITS TAX IN 1946. (Revenue Act of 1945.)

(g) *Technical amendments.* Effective with respect to taxable years beginning after December 31, 1945—

(5) Section 102 (d) (1) (defining terms for the purposes of the tax imposed by section 102) is amended by striking out subparagraph (D) thereof.

(h) *Fiscal year taxpayers.* For taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 30. Section 29.102-4, as amended by Treasury Decision 5458, is further amended by inserting immediately after the second sentence the following: "For taxable years beginning after December 31, 1945, the excess profits tax imposed by subchapter E of chapter 2 is not applicable. For taxable years beginning in 1945 and ending in 1946, see § 29.108-2."

PAR. 31. There is inserted immediately preceding § 29.108-1 the following:

SEC. 131. FISCAL YEAR TAXPAYERS. (Revenue Act of 1945, approved November 8, 1945.)

(a) *Income taxes.*—Section 108 of the Internal Revenue Code is amended by striking out "(c)" at the beginning of subsection (c) and inserting in lieu thereof "(d)", and by inserting after subsection (b) the following:

(c) *Taxable years beginning in 1945 and ending in 1946.* In the case of a taxable year beginning in 1945 and ending in 1946, the tax imposed by sections 11, 12, 13, 14, 15, and 400 shall be an amount equal to the sum of—

(1) That portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1945, were applicable to such taxable year, which the number of days in such taxable year prior to January 1, 1946, bears to the total number of days in such taxable year, plus

(2) That portion of a tentative tax, computed as if the law applicable to years beginning on January 1, 1946, were applicable to such taxable year, which the number of days in such taxable year after December 31, 1945, bears to the total number of days in such taxable year.

PAR. 32. There is inserted immediately following § 29.108-1 the following:

§ 29.108-2 *Computation of tax for taxable years beginning in 1945 and ending in 1946.* For a taxable year beginning in 1945 and ending in 1946, the normal tax, surtax, and optional tax imposed by sections 11, 12, and 400 upon taxpayers other than corporations, and the normal tax and surtax imposed by sections 13, 14, and 15 upon corporations shall be computed as follows:

(a) That portion of a tentative tax computed under the law applicable to taxable years beginning on January 1, 1945, which the number of days prior to January 1, 1946, in the taxable year of the taxpayer bears to the total number of days in such taxable year, and

(b) That portion of a tentative tax computed under the law applicable to taxable years beginning on January 1, 1946, which the number of days after December 31, 1945, in the taxable year of the taxpayer bears to the total number of days in such taxable year.

The provisions of section 108 apply to estates, trusts, and nonresident alien individuals whose tax is computed under sections 11 and 12. The method of computation prescribed in section 108 is not applicable, however, to an insurance company subject to Supplement G, an investment company subject to Supplement Q, or a Western Hemisphere Trade Corporation as defined in section 109.

The provisions of section 108 apply to a taxable year beginning in 1945 and ending in 1946, whether or not such taxable year is one of less than 12 months. In the case of a taxpayer, whether a corporation or a taxpayer other than a corporation, which is subject to the provisions of section 108 (c) and which because of a change in accounting period has a taxable year of less than 12 months, the net income shall be placed on an annual basis under the provisions of section 47 (c) (1) for the purpose of both tentative tax computations under section 108 (c), or shall be computed under the exception in section 47 (c) (2) for the purpose of both such tentative tax computations. Regardless of the method

adopted, the amounts of the tentative normal tax and surtax so computed upon the basis of 12 months' income shall be properly reduced under section 47 (c) in order to determine the tentative taxes under section 108 (c). However, in the case of a taxpayer, whether a corporation or a taxpayer other than a corporation, which is subject to the provisions of section 108 (c) and which because of any reason other than a change in accounting period has a taxable year of less than 12 months, the net income shall not be placed on an annual basis under section 47 (c) (1) and shall not be computed under the exception in section 47 (c) (2).

In any case in which the taxpayer, whether a corporation or a taxpayer other than a corporation, which is subject to the provisions of section 108 (c) has an excess of net long-term capital gains over net short-term capital losses, the alternative tax under section 117 (c) shall be an amount equal to the sum of the proper portions of the tentative taxes determined under section 108 (c), by computing each such tentative tax pursuant to the alternative tax computation provided in section 117 (c), regardless of whether either tentative tax so computed on the alternative basis is larger or smaller than the tentative tax computed without regard to section 117 (c).

Except as hereinafter provided, in the case of a corporation whose taxable year begins in 1945 and ends in 1946, the credit under section 26 (e) for income subject to the tax imposed by subchapter E of chapter 2 (the excess profits tax), for the purposes of the tentative tax computation provided in section 108 (c) (1), shall be the adjusted excess profits net income used in computing the tentative excess profits tax provided in section 710 (a) (7), and for the purposes of the tentative tax computation provided in section 108 (c) (2), no credit for income subject to the tax imposed by such subchapter E is allowable.

In the case of a taxable year of a corporation of less than 12 months, the credit under section 26 (e) for income subject to excess profits tax, for the purpose of the tentative tax under section 108 (c) (1), shall be an amount computed as provided in § 29.47-1 or § 29.47-2 (a) or (b), depending upon whether or not such taxable year is a year of less than 12 months because of a change in accounting period and upon whether the net income has been placed on an annual basis under section 47 (c) (1) or has been computed as the net income for a 12-month period under the exception contained in section 47 (c) (2).

In the case of a corporation computing its excess profits tax under section 721 (relating to abnormalities in income in the taxable period), section 726 (relating to corporations completing contracts under the Merchant Marine Act of 1933), section 731 (relating to corporations engaged in mining strategic minerals), or section 736 (b) (relating to corporations with income from long-term contracts), such credit for income subject to excess profits tax shall be, in the case of the tentative tax computed under section 108 (c) (1), the amount of which the

tentative excess profits tax computed under the provisions of section 710 (a) (7) without regard to the 80 percent limitation provided in section 710 (a) (1) (B) is 95 percent.

With respect to the credit for income subject to excess profits tax imposed by Chapter 2E for taxable years beginning before January 1, 1946, in case the corporation is entitled to use the excess profits credit based upon a constructive average base period net income, see § 29.26-4.

In the case of a taxpayer, whether a corporation or a taxpayer other than a corporation, subject to the provisions of section 108 (c), any credit against the tax otherwise imposed by sections 11, 12, 13, 14, 15, and 400, such as the credit for taxes paid to a foreign country or possession of the United States under section 131, shall be deducted from, and any limitation in such credit shall be based upon, the tax computed under section 108 (c). However, in those instances in which an individual taxpayer computes a tentative tax under section 108 (c) by taking into account the optional standard deduction under section 23 (aa), the following credits shall not be allowed: all credits under section 131 with respect to taxes of foreign countries and possessions, and all credits with respect to taxes withheld at the source under section 143 (a), relating to interest on tax-free covenant bonds.

Example. Corporation A is a domestic manufacturing corporation which makes its income tax returns on the basis of a fiscal year ending March 31. For the fiscal year ended March 31, 1946, it had a gross income of \$1,000,000, which did not include any dividends or interest. Its allowable deductions are \$400,000, its excess profits credit is \$200,000, and there are no adjustments to be made under section 711 in computing excess profits net income. Its adjusted excess profits net income for the purposes of the tentative excess profits tax computed under section 710 (a) (7) is \$390,000. The normal tax and surtax of Corporation A for its fiscal year ended March 31, 1946, are \$73,479.45 and \$46,027.40, respectively, computed as follows:

(a) *Computation of tentative taxes provided in section 108 (c) (1).*

Normal tax and surtax	
1. Gross income.....	\$1,000,000
2. Less deductions.....	400,000
3. Net income.....	600,000
4. Less credit under section 26 (e) for income subject to excess profits tax (adjusted net income for tentative excess profits tax under section 710 (a) (7)).....	390,000
5. Normal tax net income and corporation surtax net income.....	210,000
6. Normal tax (24 percent of item 5).....	50,400
7. Surtax (16 percent of item 5).....	33,600

(b) *Computation of tentative taxes provided in section 108 (c) (2).*

Normal tax and surtax	
8. Net income (item 3): Normal tax net income and corporation surtax net income.....	\$600,000
9. Normal tax (24 percent of item 8).....	144,000
10. Surtax (14 percent of item 8).....	84,000

(c) Computation of normal tax and surtax for fiscal year ended March 31, 1946.

11. Number of days in taxable year prior to January 1, 1946	275
12. Number of days in taxable year after December 31, 1945	90
Normal tax	
13. Tentative normal tax computed in (a)	\$50,400
14. 275/365ths of \$50,400	\$37,972.60
15. Tentative normal tax computed in (b)	\$144,000
16. 90/365ths of \$144,000	35,506.85
17. Total normal tax	73,479.45
Surtax	
18. Tentative surtax computed in (a)	\$33,600
19. 275/365ths of \$33,600	\$25,315.07
20. Tentative surtax computed in (b)	\$84,000
21. 90/365ths of \$84,000	20,712.33
22. Total surtax	46,027.40

PAR. 33. There is inserted immediately preceding § 29.131-1 the following:

SEC. 122. REPEAL OF EXCESS PROFITS TAX IN 1946. (Revenue Act of 1945.)

(g) *Technical amendments.* Effective with respect to taxable years beginning after December 31, 1945.

(6) Section 131 (b) (prescribing certain limitations on the foreign-tax credit) is amended by striking out paragraph (3) thereof.

(h) *Fiscal year taxpayers.* For taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 34. Section 29.131-8, as amended by Treasury Decision 5452, approved April 19, 1945, is further amended by striking out "The" at the beginning of the paragraph which begins with the words "The normal-tax net income" and inserting in lieu thereof "For taxable years beginning before January 1, 1946, the".

PAR. 35. There is inserted immediately preceding section 29.143-1 the following:

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

(b) *Technical amendments.*

(5) Section 143 (a) (2) (relating to credits against net income in the case of interest on tax-free covenant bonds) is amended by striking out "normal tax exemption provided in section 25 (a) (3) and the surtax".

(c) *Taxable years to which applicable.* The amendments and repeals made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 36. Section 29.143-3, as amended by Treasury Decision 5443, approved March 2, 1945, is further amended as follows:

(A) By inserting immediately after "December 31, 1943," in the second sentence "and before January 1, 1946."

(B) By inserting immediately preceding the sentence which begins with the words "To avoid inconvenience" the following:

For taxable years beginning after December 31, 1945, such withholding shall not be required if there is filed with the withholding agent when presenting coupons for payment, or not later than February 1 of the following year, an ownership certificate on Form 1000 stating:

(1) In the case of a citizen or resident of the United States, that his net income does not exceed his exemptions under section 25 (b); and

(2) In the case of an estate or trust, that the net income does not exceed the credit allowed in section 163 (a) (1).

(C) By striking out the next to the last paragraph and inserting in lieu thereof the following:

A nonresident alien individual not engaged in trade or business within the United States at any time within the taxable year is subject to the tax imposed by section 211 (a) on gross income and is not entitled to any personal exemption or credit for dependents for taxable years beginning before January 1, 1944, to the normal-tax exemption or the surtax exemptions for taxable years beginning after December 31, 1943, and before January 1, 1946, or to the exemptions under section 25 (b) for taxable years beginning after December 31, 1945. A nonresident alien individual who is engaged in trade or business within the United States at any time during the taxable year is entitled to the personal exemption for taxable years beginning before January 1, 1944, and to the normal-tax exemption and the surtax exemption allowed by section 25 (b) (1) (A) for taxable years beginning after December 31, 1943, and before January 1, 1946, and to the exemption allowed by section 25 (b) (1) (A) for taxable years beginning after December 31, 1945. If such nonresident alien is a resident of Canada or Mexico, he is also entitled to the credit for dependents for taxable years beginning before January 1, 1944, and to the surtax exemptions or exemptions for both normal tax and surtax allowed by section 25 (b) (1) (B) and (C) for taxable years beginning after December 31, 1943. The benefit of such exemptions or credit for dependents may not be received by filing a claim therefor with the withholding agent. However, in the determination of the tax to be withheld at the source under section 143 (b) with respect to remuneration paid on or after July 1, 1943, for labor or personal services performed within the United States by a nonresident alien, the benefit of the personal exemption for taxable years beginning before January 1, 1944, or the normal-tax and surtax exemptions or exemption for both normal tax and surtax for taxable years beginning after December 31, 1943, shall be allowed, prorated upon the basis of \$1.40 per day for the period of employment during any portion of which labor or personal services are performed within the United States by such alien. Thus if A, a nonresident alien seaman employed by the X Shipping Corporation, is paid upon the termination of the voyage and such voyage covers 100 days, and A performed personal services within the United States during, or incident to, such voyage, the amount of \$140 will be allocated as the portion of the personal exemption, normal-tax and surtax exemptions, or exemption for normal tax and

surtax to be allowed as a credit against the remuneration of A for personal services performed within the United States during such voyage, and withholding shall be applied against the balance, if any, of such remuneration. If, for example, the total remuneration paid to A for such voyage is \$800, of which the amount of \$120 is allocable to sources within the United States, there is no withholding. As to what constitutes remuneration for labor or personal services performed within the United States, see section 119 (a) (3) and § 29.119-4. The amount of the compensation allocable to labor or personal services performed within the United States together with the amount of the personal exemption, normal-tax and surtax exemptions, or exemption for both normal tax and surtax, prorated as set forth in this paragraph, shall be shown on the annual withholding return, Form 1042.

PAR. 37. There is inserted immediately preceding § 29.163-1 the following:

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

(b) *Technical amendments.*

(6) Section 163 (a) (1) (relating to credits of estates and trusts against net income) is amended to read as follows:

(1) For the purpose of the normal tax and the surtax, an estate shall be allowed, in lieu of the exemptions under section 25 (b) (1), a credit of \$500 against net income, and a trust shall be allowed, in lieu of the exemptions under section 25 (b) (1), a credit of \$100 against net income.

(c) *Taxable years to which applicable.* The amendments and repeals made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945, and ending in 1946, see section 131.

PAR. 38. Section 29.163-1, as amended by Treasury Decision 5425, is further amended by striking out the caption and the first two sentences of (b) and inserting in lieu thereof the following:

(b) *Exemption allowed estates and trusts for taxable years beginning after December 31, 1943.* For taxable years beginning after December 31, 1943, and before January 1, 1946, an estate is allowed the same normal tax exemption, namely, \$500, as is allowed a single person under section 25 (a) (3) and the same surtax exemption, namely, \$500, as is allowed an individual under section 25 (b) (1) (A). For taxable years beginning after December 31, 1945, an estate is allowed a credit of \$500 against net income for both normal tax and surtax purposes. For proration of such exemptions in the case of a fractional part of a year resulting from termination by the Commissioner under section 146 of the taxable period, see § 29.47-1.

PAR. 39. There is inserted immediately preceding § 29.214-1 the following:

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

(b) *Technical amendments.*

(7) Section 214 (relating to credits of nonresident aliens against net income) is amended to read as follows:

SEC. 214. CREDITS AGAINST NET INCOME.
In the case of a nonresident alien individual who is not a resident of a contiguous country, only one exemption under section 25 (b) shall be allowed.

(c) *Taxable years to which applicable.* The amendments and repeals made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 40. Section 29.214-1, as amended by Treasury Decision 5425, is further amended by striking out the last two sentences and inserting in lieu thereof the following: In the case of a nonresident alien individual (except a resident of Canada or Mexico) who at any time during the taxable year was engaged in trade or business within the United States, the normal tax exemption allowed as a credit against net income by section 25 (a) (3) and the surtax exemption allowed as a credit against net income by section 25 (b) shall, for taxable years beginning after December 31, 1943, and before January 1, 1946, each be \$500; and, for taxable years beginning after December 31, 1945, only one exemption under section 25 (b) for both normal tax and surtax purposes shall be allowed. In the case of a resident of Canada or Mexico, the same normal-tax exemption, surtax exemptions, and exemptions under section 25 (b) for both normal tax and surtax, as in the case of a citizen of the United States, shall apply.

PAR. 41. There is inserted immediately preceding § 29.215-1 the following:

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

(b) *Technical amendments.*

(8) Section 215 (b) (relating to credits of nonresident aliens against net income in case of tax withheld at source) is amended by striking out the words "normal tax exemption and the surtax exemptions" and by inserting in lieu thereof "the exemptions under section 25 (b)".

(c) *Taxable years to which applicable.* The amendments and repeals made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 42. There is inserted immediately preceding § 29.251-1 the following:

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

(b) *Technical amendments.*

(9) Section 251 (f) (relating to credits against net income in the case of citizens entitled to the benefits of section 251) is amended to read as follows:

(f) *Credits against net income.* A citizen of the United States entitled to the benefits of this section shall be allowed only one exemption under section 25 (b).

(c) *Taxable years to which applicable.* The amendments and repeals made by this section shall be applicable with respect to

taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 43. There is inserted immediately preceding § 29.362-1 the following:

SEC. 121. DECREASE IN CORPORATION SURTAX. (Revenue Act of 1945.)

(c) *Regulated investment companies.* Section 362 (b) (4) (relating to the surtax on regulated investment companies) is amended by striking out "16 per centum" and inserting in lieu thereof "14 per centum".

(d) *Taxable years to which applicable.* The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 44. Section 29.362-2 is amended by inserting after "16 percent of the amount thereof" in the first sentence the following: "for taxable years beginning before January 1, 1946, and at the rate of 14 percent of the amount thereof for taxable years beginning after December 31, 1945".

PAR. 45. There is inserted immediately preceding § 29.400-1 the following:

SEC. 103. INDIVIDUALS WITH ADJUSTED GROSS INCOMES OF LESS THAN \$5,000. (Revenue Act of 1945.)

(a) *In general.* The tax table (including the note at the foot of such table) in section 400 (relating to optional tax on individuals with adjusted gross incomes of less than \$5,000) is amended to read as follows:

If the adjusted gross income is—		And the number of exemptions is—				If the adjusted gross income is—		And the number of exemptions is—								
At least	But less than	1	2	3	4 or more	At least	But less than	1	2	3	4	5	6	7	8	9 or more
		The tax shall be—						The tax shall be—								
\$0	\$550	\$0	\$0	\$0	\$0	\$2,200	\$2,225	\$283	\$188	\$93	\$0	\$0	\$0	\$0	\$0	\$0
550	575	1	0	0	0	2,225	2,250	288	193	98	3	0	0	0	0	0
575	600	5	0	0	0	2,250	2,275	292	197	102	7	0	0	0	0	0
600	625	10	0	0	0	2,275	2,300	296	201	106	11	0	0	0	0	0
625	650	14	0	0	0	2,300	2,325	300	205	110	15	0	0	0	0	0
650	675	18	0	0	0	2,325	2,350	305	210	115	20	0	0	0	0	0
675	700	23	0	0	0	2,350	2,375	309	214	119	24	0	0	0	0	0
700	725	27	0	0	0	2,375	2,400	313	218	123	28	0	0	0	0	0
725	750	31	0	0	0	2,400	2,425	318	223	128	33	0	0	0	0	0
750	775	35	0	0	0	2,425	2,450	322	227	132	37	0	0	0	0	0
775	800	40	0	0	0	2,450	2,475	326	231	136	41	0	0	0	0	0
800	825	44	0	0	0	2,475	2,500	330	235	140	45	0	0	0	0	0
825	850	48	0	0	0	2,500	2,525	335	240	145	50	0	0	0	0	0
850	875	52	0	0	0	2,525	2,550	339	244	149	54	0	0	0	0	0
875	900	57	0	0	0	2,550	2,575	343	248	153	58	0	0	0	0	0
900	925	61	0	0	0	2,575	2,600	347	252	157	62	0	0	0	0	0
925	950	65	0	0	0	2,600	2,625	352	257	162	67	0	0	0	0	0
950	975	70	0	0	0	2,625	2,650	356	261	166	71	0	0	0	0	0
975	1,000	74	0	0	0	2,650	2,675	360	265	170	75	0	0	0	0	0
1,000	1,025	78	0	0	0	2,675	2,700	365	270	175	80	0	0	0	0	0
1,025	1,050	82	0	0	0	2,700	2,725	369	274	179	84	0	0	0	0	0
1,050	1,075	87	0	0	0	2,725	2,750	373	278	183	88	0	0	0	0	0
1,075	1,100	91	0	0	0	2,750	2,775	377	282	187	92	0	0	0	0	0
1,100	1,125	95	0	0	0	2,775	2,800	382	287	192	97	2	0	0	0	0
1,125	1,150	100	5	0	0	2,800	2,825	387	291	196	101	6	0	0	0	0
1,150	1,175	104	9	0	0	2,825	2,850	391	295	200	105	10	0	0	0	0
1,175	1,200	108	13	0	0	2,850	2,875	396	299	204	109	14	0	0	0	0
1,200	1,225	112	17	0	0	2,875	2,900	401	304	209	114	19	0	0	0	0
1,225	1,250	117	22	0	0	2,900	2,925	405	308	213	118	23	0	0	0	0
1,250	1,275	121	26	0	0	2,925	2,950	410	312	217	122	27	0	0	0	0
1,275	1,300	125	30	0	0	2,950	2,975	415	317	222	127	32	0	0	0	0
1,300	1,325	129	34	0	0	2,975	3,000	419	321	226	131	36	0	0	0	0
1,325	1,350	134	39	0	0	3,000	3,050	427	327	232	137	42	0	0	0	0
1,350	1,375	138	43	0	0	3,050	3,100	436	336	241	146	51	0	0	0	0
1,375	1,400	142	47	0	0	3,100	3,150	445	344	249	154	59	0	0	0	0
1,400	1,425	147	52	0	0	3,150	3,200	455	353	258	163	68	0	0	0	0
1,425	1,450	151	56	0	0	3,200	3,250	464	361	266	171	76	0	0	0	0
1,450	1,475	155	60	0	0	3,250	3,300	474	370	275	180	85	0	0	0	0
1,475	1,500	159	64	0	0	3,300	3,350	483	379	284	189	94	0	0	0	0
1,500	1,525	164	69	0	0	3,350	3,400	492	388	292	197	102	7	0	0	0
1,525	1,550	168	73	0	0	3,400	3,450	502	397	301	206	111	16	0	0	0
1,550	1,575	172	77	0	0	3,450	3,500	511	407	309	214	119	24	0	0	0
1,575	1,600	176	81	0	0	3,500	3,550	521	416	318	223	128	33	0	0	0
1,600	1,625	181	86	0	0	3,550	3,600	530	425	326	231	136	41	0	0	0
1,625	1,650	185	90	0	0	3,600	3,650	539	435	335	240	145	50	0	0	0
1,650	1,675	189	94	0	0	3,650	3,700	549	444	343	248	153	58	0	0	0
1,675	1,700	194	99	4	0	3,700	3,750	558	454	352	257	162	67	0	0	0
1,700	1,725	198	103	8	0	3,750	3,800	568	463	361	266	171	76	0	0	0
1,725	1,750	202	107	12	0	3,800	3,850	577	472	369	274	179	84	0	0	0
1,750	1,775	206	111	16	0	3,850	3,900	586	482	378	283	188	93	0	0	0
1,775	1,800	211	116	21	0	3,900	3,950	596	491	387	291	196	101	6	0	0
1,800	1,825	215	120	25	0	3,950	4,000	605	501	396	300	205	110	15	0	0
1,825	1,850	219	124	29	0	4,000	4,050	615	510	405	308	213	118	23	0	0
1,850	1,875	223	128	33	0	4,050	4,100	624	520	415	317	222	127	32	0	0
1,875	1,900	228	133	38	0	4,100	4,150	633	529	424	325	230	135	40	0	0
1,900	1,925	232	137	42	0	4,150	4,200	643	538	434	334	239	144	49	0	0
1,925	1,950	236	141	46	0	4,200	4,250	652	548	443	342	247	152	57	0	0
1,950	1,975	241	146	51	0	4,250	4,300	662	557	453	351	256	161	66	0	0
1,975	2,000	245	150	55	0	4,300	4,350	671	567	462	360	265	170	75	0	0
2,000	2,025	249	154	59	0	4,350	4,400	680	576	471	368	273	178	83	0	0
2,025	2,050	253	158	63	0	4,400	4,450	690	585	481	377	282	187	92	0	0
2,050	2,075	258	163	68	0	4,450	4,500	699	595	490	386	290	195	100	5	0
2,075	2,100	262	167	72	0	4,500	4,550	709	604	500	395	299	204	109	14	0
2,100	2,125	266	171	76	0	4,550	4,600	718	614	509	405	307	212	117	22	0
2,125	2,150	271	176	81	0	4,600	4,650	727	623	518	414	316	221			

(b) *Taxable years to which applicable.* The amendment made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 46. Section 29.400-1, as amended by Treasury Decision 5425, is further amended as follows:

(A) By striking out the first sentence of the paragraph in (b) which begins with the words "For the purposes" and inserting in lieu thereof the following:

For the purposes of determining whether a taxpayer may elect to pay the tax under Supplement T for taxable years beginning after December 31, 1943, the amount of the adjusted gross income is controlling, without reference to the number of exemptions or surtax exemptions, as the case may be, to which the taxpayer may be entitled.

(B) By striking out the paragraph in (b) which begins with the words "To determine" and inserting in lieu thereof the following:

To determine the amount of the tax for a taxable year beginning after December 31, 1943, the individual ascertains the amount of his adjusted gross income, refers to the schedule set forth in section 400 which is applicable to the taxable year, ascertains the income bracket into which such income falls, and, using the number of exemptions (or surtax exemptions) applicable to his case, finds the tax in the vertical column having at the top thereof a number corresponding to the number of exemptions (or surtax exemptions) to which the taxpayer is entitled. Thus, if for 1946 A has adjusted gross income of \$4,415 and has three exemptions, including his own exemption, his tax is \$481.

(C) By striking out the paragraph in (b) which begins with the words "In any case" and inserting in lieu thereof the following:

If, for a taxable year beginning after December 31, 1943, and before January 1, 1946, the taxpayer and his spouse elect to pay the tax imposed by Supplement T on the basis of a joint return and the return includes income of both husband and wife, the tax determined under the table shall be reduced by 3 percent of the smaller adjusted gross income but in an amount not in excess of \$15.

PAR. 47. There is inserted immediately preceding § 29.401-1 the following:

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

(b) *Technical amendments.*

(10) Section 401 (defining "surtax exemption" for the purposes of Supplement T) is amended to read as follows:

SEC. 401. DEFINITION OF "EXEMPTION." As used in the table in section 400, the term "number of exemptions" means the number of the exemptions allowed under section 25 (b) as credits against net income for the purpose of the normal tax and the surtax imposed by sections 11 and 12.

(c) *Taxable years to which applicable.* The amendments and repeals made by this section shall be applicable with respect to

taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

PAR. 48. Section 29.401-1, as amended by Treasury Decision 5425, is further amended by inserting at the end of the first paragraph of (b) the following:

The term "number of exemptions", which, for taxable years beginning after December 31, 1945, is used instead of the term "number of surtax exemptions", means the number of exemptions allowed under section 25 (b) for such years as credits against net income for the purpose of the normal tax and the surtax imposed by sections 11 and 12. See § 29.25-3.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U. S. C. 62) and sections 101, 102, 103, 121 (a), (c), and (d), 122 (g) and (h), 131 (a), and 152 of the Revenue Act of 1945 (Pub. Law 214, 79th Congress))

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

Approved: June 12, 1946.

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

[F. R. Doc. 46-10071; Filed, June 13, 1946;
10:55 a. m.]

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5518]

PART 186—GAUGING MANUAL

MARKING AND BRANDING REQUIREMENTS

Pursuant to the provisions of sections 2808, 2878, 2884, and 3176, Internal Revenue Code, the Gauging Manual, approved November 21, 1938, is hereby amended by adding the following new sections:

§ 186.153 *Marks and brands on wooden packages of distilled spirits.* The marks and brands required to be placed on wooden packages of distilled spirits by §§ 186.20, 186.48, 186.56, 186.57, 186.58, 186.60, 186.75, 186.79, 186.82 and 186.145 shall, notwithstanding the particular methods specified therein, be plainly and durably burned, cut, imprinted, or stenciled on such packages.

§ 186.154 *Original proof gallons, proof and tare.* In lieu of the gauging data required to be placed on the staves of wooden packages and on the sides of metal packages by §§ 186.59, 186.75, 186.80, 186.82, 186.83, 186.85 and 186.92; the original proof gallons, the original proof, and the original tare, determined at the time of filing, and the proof and tare, determined at the time of withdrawal, shall be plainly and durably burned, cut, imprinted, or stenciled on the Government head of the packages, abbreviated respectively as follows: "O. P. G. -----; O. P. -----; O. T. -----; P. -----; T. -----." The original proof gallons, the original proof, and the original tare shall be placed on the head of the barrel to the left side opposite the designation of the spirits. The proof

and tare shall be placed immediately below the date of withdrawal or taxpayer's name.

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

Approved: June 12, 1946.

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

[F. R. Doc. 46-10072; Filed, June 13, 1946;
10:55 a. m.]

TITLE 29—LABOR

Chapter IX—Department of Agriculture
(Agricultural Labor)

[Supp. 91]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN CURRY AND COOS COUNTIES, OREG.

WORKERS ENGAGED IN SHEARING SHEEP IN CURRY AND COOS COUNTIES, OREGON

§ 1110.14 *Workers engaged in shearing sheep in Curry and Coos Counties, State of Oregon.* Pursuant to § 4001.7 of Title 32, Chapter XVIII (regulations of the Economic Stabilization Director) relating to salaries and wages issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628) and to the regulations of the Secretary of Agriculture issued March 23, 1945 (10 F.R. 3177) entitled "Specific wage ceiling regulations" and based upon a certification of the Oregon USDA Wage Board that a majority of the producers of wool in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture, and based upon relevant facts submitted by the Oregon USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in shearing sheep in Curry and Coos Counties, Oregon, are agricultural labor as defined in § 4001.1 (1) (regulations of the Economic Stabilization Director) issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628; 11 F.R. 2517).

(b) *Maximum wage rates for shearing sheep.* Shearing sheep piece rate basis—25¢ per head plus board and lodging. Wages paid on any other basis shall not exceed the equivalent of the above rate.

(c) *Administration.* The Oregon USDA Wage Board, the location of which is 701 Pittock Block, Portland, Oregon, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued March 23, 1945 (10 F.R. 3177).

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

(e) *Effective date.* This section shall become effective at 12:01 a. m., Pacific Standard Time, June 12, 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 Secretary of Agriculture, 9 F.R. 655, 12117, 12611; 10 F.R. 7609, 9581; 9 F.R. 831, 12807, 14206, 10 F.R. 3177; 11 F.R. 5903)

Issued this 12th day of June 1946.

[SEAL] HOWARD A. PRESTON,
*Acting Director, Labor Branch,
Production and Marketing
Administration.*

[F. R. Doc. 46-10051; Filed, June 12, 1946;
4:05 p. m.]

Chapter XI—National Railway Labor Panel

[Gen. Wage Approval 3]

PART 1301—GENERAL WAGE APPROVALS

RAILWAY CARRIERS

§ 1301.3 *General Wage Approval No. 3.* The President of the United States having found, on May 22, 1946, that wage or salary increases of 2½ cents per hour made in settlement of existing disputes between certain employees subject to the Railway Labor Act, represented by twenty separate labor organizations, and certain carriers subject to the Railway Labor Act, represented by three Conference Committees, would be consistent with the standards then in effect, under the stabilization laws, for the purpose of controlling inflationary tendencies; and the various carriers concerned in these disputes, representing the larger part of the railway industry, having agreed to put such wage or salary increases into effect; and other carriers subject to the Railway Labor Act, but not concerned in these disputes, having in the past followed the practice of increasing wages or salaries in accordance with increases made by the majority of the railway industry; therefore, it is hereby found that the provisions of this section are consistent with, and will aid in the effectuation of the stabilization laws.

Therefore, pursuant to the authority vested in me by Executive Order 9299 of February 4, 1943, Executive Order 9581 of June 30, 1945, section 3 (a) of Executive Order 9697 of February 14, 1946, and section 308 (c) of the Supplementary Wage and Salary Regulations issued by the Economic Stabilization Director on March 8, 1946; *It is hereby ordered:*

(a) Any wage or salary increase not in excess of 2½ cents per hour made on or after May 22, 1946, by any carrier (as "carrier" is defined in Section 1, First, of Title I of the Railway Labor Act, as amended), with respect to any of such carriers' employees who are subject to

the jurisdiction of the Chairman, will be deemed approved.

(b) This section is not applicable to any carrier subject to the Railway Labor Act whose wage-setting practices follow the movements of any industry other than the railroad industry. In the case of organized employees with duly recognized bargaining representatives, the approval conveyed herein is applicable only in the event that the terms of the increase meet with the concurrence of such recognized representatives of the employees.

(c) This authorization is permissive in nature and shall not be construed as directing or ordering payment of such increases as are herein approved.

H. H. SCHWARTZ,
Chairman.

Approved:

CHESTER BOWLES,
Economic Stabilization Director.

[F. R. Doc. 46-10049; Filed, June 12, 1946;
3:11 p. m.]

TITLE 31—MONEY AND FINANCE:
TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

PROPERTY CERTIFIED BY GOVERNMENTS OF SPECIFIED COUNTRIES

JUNE 7, 1946.

Amendment to General License No. 95 under Executive Order No. 8389, as amended, Executive Order 9193, as amended, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Paragraph (d) (1) of § 131.95 (General License No. 95) is hereby amended to read as follows:

§ 131.95 *Property certified by governments of specified countries.* * * *

(d) *Definitions.* * * *

(1) The term "country specified herein" means the following:

- (i) France, effective October 5, 1945;
- (ii) Belgium, effective November 20, 1945;
- (iii) Norway, effective December 29, 1945;
- (iv) Finland, effective December 29, 1945;
- (v) The Netherlands, effective February 13, 1946;
- (vi) Czechoslovakia, effective April 26, 1946;
- (vii) Luxembourg, effective April 26, 1946;
- (viii) Denmark, effective June 14, 1946;

and each country specified herein shall be deemed to include any colony or other territory subject to its jurisdiction.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O.

8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942, as amended by E.O. 9567, June 8, 1945; Regulations, April 10, 1940, as amended June 14, 1941, July 26, 1941, and Feb. 19, 1946)

[SEAL] FRED M. VINSON,
Secretary of the Treasury.
[F. R. Doc. 46-10070; Filed, June 13, 1946;
10:55 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 320]

CERTIFICATE OF APPRECIATION

ORDER PRESCRIBING FORMS

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

Addition of a new form designated as DSS Form 31-A, entitled "Certificate of Appreciation."¹

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

LEWIS B. HERSHEY,
Director.

MAY 20, 1946.

[F. R. Doc. 46-10050; Filed, June 12, 1946;
3:20 p. m.]

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong.: E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-937]

DAYLITE MARKETS, INC.

Daylite Markets, Inc., a corporation with offices located at 6423 Colgate Avenue, Los Angeles, California, is engaged in the operation of a chain of food markets. On April 4, 1946, without authorization from the Civilian Production Administration, the corporation began and thereafter continued the construction of a market building and five stores at 8331-8343 East 18th Street, Los Angeles, California, at an estimated cost of \$52,000, which amount exceeded the limit of \$1,000 permitted by Veterans Housing

¹ Filed with the Division of the Federal Register.

Program Order-1. The responsible officers of the corporation were familiar with the restrictions on construction and their actions constituted a wilful violation of Veterans Housing Program Order-1. This violation has diverted scarce materials to uses not authorized by the Civilian Production Administration. In view of the foregoing facts, it is hereby ordered that:

§ 1010.937 *Suspension Order No. S-937.*
(a) Neither the Daylite Markets, Inc., its successors and assigns, nor any other person shall do any further construction on the market building and five stores located at 8331-8343 West Third Street, Los Angeles, including putting up, completing or altering the structures, unless hereafter authorized in writing by the Civilian Production Administration.

(b) Nothing contained in this order shall be deemed to relieve Daylite Markets, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except in so far as the same may be inconsistent with the provisions hereof.

Issued this 12th day of June 1946.

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

[F. R. Doc. 46-10061; Filed, June 12, 1946;
4:33 p. m.]

Chapter XI—Office of Price Administration PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-310, as Amended
June 13, 1946]

HIDES, SKINS AND LEATHER

The fulfillment of requirements for the defense of the United States has created shortages in hides, skins and leather 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:

- (a) General definitions.
- (b) Provisions applying to all hides, skins, and leather.
- (c) Untanned cattlehides, calfskins, and kips.
- (d) Pickled sheepskins and slats.
- (e) Regular reports.
- (f) Plants without quotas.
- (g) Appeals.
- (h) Communications to the Civilian Production Administration.
- (i) Violations.

§ 3290.196 *Conservation Order M-310—(a) General definitions.* (1) "Tanner" means a person in the business of tanning, dressing, or similarly processing hides or skins, who in any calendar month after April 1, 1940, processed or processes more than 500 hides or skins.

(2) "Contractor" means a person in the business of causing hides or skins to be tanned or dressed for his account in any tannery not owned or controlled by him.

(3) "Collector" means a person, including a dealer or importer, engaged in the business of acquiring from others untanned hides or skins for resale, or

removing hides or skins from animals not slaughtered by him.

(4) "Producer" means a person in the business of slaughtering animals.

(5) "Military order" means an order for hides, skins or leather for delivery against a specific contract placed by any of the following, or for incorporation in any product to be delivered against such a contract:

The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration.

(6) "Military specifications" or "military quality" means, except as herein otherwise specifically provided, the specifications applicable to military orders or the quality of material meeting such specifications.

(7) "Sole leather" means vegetable tanned sole leather unless otherwise specified.

(8) "Whole stock" means sides, crops, backs, bends, shoulders with heads on, shoulders with heads off, bellies and belly centers.

(b) *Provisions applying to all hides, skins and leather.* (1) No person shall process any hides, skins or leather contrary to any specific direction issued from time to time by the Civilian Production Administration relating to the processing or production of specific types of leather to meet military or designated civilian requirements.

(2) No producer, collector, tanner, contractor or cutter shall sell, deliver, accept delivery of, cut, use or incorporate in any product any hides skins or leather contrary to any specific direction issued from time to time by the Civilian Production Administration deemed necessary in order to fill military or designated civilian requirements.

(3) Notwithstanding the provisions of any regulation or order of the Civilian Production Administration, no preference rating shall be applied or extended for the delivery of hides, skins or leather, except:

(i) Leather for military orders (excluding sole leather whole stock and cattlehide splits in the blue, pickled, or lime state); or

(ii) When specifically authorized in writing by the Civilian Production Administration pursuant to this paragraph (b) (3) (ii).

(4) [Deleted May 13, 1946.]

(c) *Untanned cattlehides, calfskins and kips—(1) Definition.* "Cattlehide", "calfskin" and "kip" mean the hide or skin of a bull, steer, cow or buffalo, foreign or domestic (excluding slunks).

(2) No producer or collector shall put into process or cause to be put into process any untanned cattlehide, calfskin or kip, or portion thereof, other than splits and gluestock, except to the extent specifically authorized in writing by the Civilian Production Administration. Applications for such authorization may be made by letter setting forth the quantity of each kind of cattlehide, calfskin or kip, or portion thereof, which the applicant desires to put into process or cause to be put into process.

(3) No tanner or contractor shall purchase or accept delivery of any untanned cattlehide, calfskin or kip or portions of

any of them for any purpose except in quantities specifically authorized in writing by the Civilian Production Administration. A tanner, however, may accept delivery of and tan hides for the account of a contractor who he knows has been specifically authorized in writing to purchase hides. No person shall make any sale or delivery which he knows or has reason to believe would be accepted in violation of this paragraph. Applications may be made on Form CPA-1325 for the purchase of domestic cattlehides, and on Form CPA-1322 for the purchase of domestic calfskins and kips. Authorization to purchase is granted on Form CPA-1323 except from the Reconstruction Finance Corporation which is granted on Form CPA-3507. Form CPA-1323 must be returned to CPA with information showing the applicant's use of the authorization in accordance with the terms of the form. The following transactions may be made without authorization:

(i) Transactions between collectors and between producers and collectors for purposes of resale or delivery within the continental United States;

(ii) The purchase and acceptance of delivery of less than 500 hides or skins in any calendar month by any person (other than a tanner) not specifically authorized to purchase or accept delivery of hides or skins.

(4) In acting under paragraph (c) (3), it will be the policy of the Civilian Production Administration, so far as is practicable, to grant authorizations so that contractors or tanners will obtain cattlehides, calfskins or kips in the proportions that their respective wettings of such skins computed separately during the calendar year 1942, bore to all wettings thereof during that year by all contractors and tanners producing the same type of leather, except that authorizations to tanners or contractors having more than a practicable minimum working inventory may be withheld or may be granted in reduced quantities.

(d) *Pickled sheepskins and slats—(1) Effect of paragraph and definitions.* The provisions of this paragraph (d) restrict deliveries of pickled sheepskins and slats as defined below. Imported skins may not be withdrawn from Customs without specific authorization from the Civilian Production Administration. In addition the Civilian Production Administration authorizes deliveries of both domestic and imported skins to tanners and contractors. For the purposes of this order pickled sheepskins and slats are defined as follows:

(i) "Pickled sheepskin" means a de-wooled, untanned, unsplit skin which has been removed from a sheep or lamb, and has been either pickled or otherwise prepared for tanning. It does not include a hair sheepskin even after it has been de-haired or de-wooled, which has been imported from countries other than the following: Argentina, Uruguay, Chile, Peru, New Zealand, Australia, Iceland and Canada. A "hair sheepskin" is a skin from a sheep or lamb which is imported into the continental United States with the hair or wool on it of more than ¼" in length under Customs classification as free, or conditionally free under

carpet wool bond, or subject to carpet wool duty.

(ii) "Slat" means a sheepskin imported into the continental United States in the dried, untanned condition which has no wool or hair on it or has wool or hair less than $\frac{1}{4}$ " in length of no commercial value.

(2) *Restrictions on withdrawal from Customs.* No person shall withdraw any sheepskins, flesh splits of such skins, or slats from United States Customs within the continental United States except as specifically authorized in writing by the Civilian Production Administration. Before arrival of the sheepskins, flesh splits, or slats in the United States the importer shall notify the Civilian Production Administration, Hide and Leather Branch, Washington 25, D. C., Ref.: M-310, by letter specifying the quantity, type, country of origin, probable date of arrival, name of ship, if available, and the names of tanners or contractors, if any, to whom he prefers to sell pickled sheepskins or slats which he has no quota to receive as a tanner or contractor. The importer, or the tanner or contractor to whom he sells the skins, may be granted authorization by the Civilian Production Administration (on Form CPA-4403) to withdraw them from Customs, under the criteria in paragraphs (d) (5) or (f).

The provisions of this paragraph do not relieve the importer from complying with applicable provisions of General Imports Order M-63.

(3) *Restrictions on purchase and acceptance of delivery by a tanner or contractor.* (i) No tanner or contractor shall purchase or accept delivery of pickled sheepskins or slats for any purpose except in quantities specifically authorized in writing by the Civilian Production Administration. A tanner, however, may accept delivery of pickled sheepskins or slats for the account of a contractor who he knows has been specifically authorized in writing to have such skins tanned for his account either under this paragraph (d) (3) or under paragraph (d) (2). No person shall make any sale or delivery which he knows or has reason to believe would be accepted in violation of this paragraph. In the case of a tanner or contractor who performs the de-wooling operation or has it done for his account, the movement of pickled sheepskins after de-wooling to be tanned for him or for his account shall constitute an acceptance of delivery by him subject to this paragraph.

Application for authorization to purchase, accept delivery or have pickled sheepskins or slats tanned for the applicant's account must be made on Form CPA-4404.

(ii) However, this paragraph (d) (3) does not apply to any pickled sheepskins or slats before they are imported into the continental United States. Also, a tanner or contractor who has been designated in an authorization under paragraph (d) (2) to receive imported pickled sheepskins or slats, may receive them without restriction under this paragraph (d) (3) and without counting them against the total quantities specifically authorized under this paragraph (d) (3).

(4) No person shall split or frize the grain of any pickled sheepskins except as follows: a contractor or tanner may split or frize the grain of any skins (or have them split or frized for his account) which were in his possession before February 16, 1946, or which he has obtained under an authorization from CPA under paragraphs (d) (2) or (d) (3) above.

(5) *Policy.* In acting under paragraphs (d) (2) and (3), it will be the policy of the Civilian Production Administration, so far as is practicable, to grant authorizations so that:

(i) Each tanner and contractor will obtain pickled sheepskins and slats in the proportion that wettings for his own account of such skins during any calendar year 1941 to 1945, inclusive, bears to the total computed by adding together the wettings of such skins for his own account by each tanner and contractor during the calendar year from 1941 to 1945 which he selects.

(ii) Each tanner and contractor will obtain heavy foreign pickled sheepskins (averaging 45 pounds per dozen or heavier) in the proportion that his wettings of such skins during calendar year 1941 bore to the total thereof by all tanners and contractors during the same period.

Authorizations to tanners or contractors having more than a practicable minimum working inventory may be withheld or may be granted in reduced quantities.

(6) *Base period report.* Each tanner or contractor seeking to qualify under paragraph (d) (5) for authorizations under paragraphs (d) (2) or (3) shall file as soon as possible a one-time base period report on Form CPA-4405.

(e) *Regular reports.* Every person described below shall, on or before the 10th day of each month execute and file reports with the Civilian Production Administration, as directed on the respective forms mentioned below:

Tanners and contractors of cat-tie hides.....	CPA-1325
Tanners and contractors of calf-skins and kips.....	CPA-1322
Tanners and contractors of pickled sheepskins and slats.....	CPA-4404

Failure to file any of the reports mentioned above or any other reports requested pursuant to approval by the Bureau of the Budget shall constitute a violation of this order.

(f) *Plants without quotas.* Any person who owns a plant equipped to process hides or skins but whose past operations do not qualify him under paragraphs (c) (4) or (d) (5), may apply for authorization under paragraphs (c) or (d) by letter. The letter should be addressed to the Civilian Production Administration, Hide and Leather Branch, Washington 25, D. C., and should indicate the name and address of the plant, type and quantity of leather raw material which the applicant wishes to process per month, and the quantity of each type which he has processed during the preceding four calendar months. Authorizations may be granted on an equitable basis to applicants who did not process a monthly average of more than 500 hides and

skins of all kinds during the preceding four calendar months.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications to the Civilian Production Administration.* All reports, applications, forms, or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Civilian Production Administration, Textile Division, Washington 25, D. C., Ref: M-310.

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

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 13th day of June 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,

By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Revoked Aug. 27, 1945.

INTERPRETATION 2: Revoked Jan. 17, 1946.

[F. R. Doc. 46-10079; Filed, June 13, 1946;
11:23 a. m.]

PART 1305—ADMINISTRATION

[50 USC, Amdt. 28]

REVISED MAXIMUM PRICES FOR CERTAIN
COTTON 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. 131 is amended in the following respects:

1. The second sentence in section 2 (b) is amended by inserting, after the words "had not qualified for", the words "or did not charge."

2. Paragraph 3a (d) is added to read as follows:

(d) The otherwise applicable maximum prices for 50% wool and 50% cotton merino yarns, carded or combed, spun on the cotton system, covered by § 1410.64 (e) (2) (i) of Revised Price Schedule 58,² are increased by 5 percent.

¹ 10 F.R. 11296, 11890, 12116, 13268, 13269, 13812, 14504, 14657, 14779, 15004, 15383; 11 F.R. 532, 1771 1888, 2635, 2972, 3599, 3744, 4037, 4329, 4584, 4533, 4367, 4972, 5224, 5224, 5599.

² 9 F.R. 11643, 14437; 10 F.R. 3086, 11307, 13638, 14394; 11 F.R. 1044.

This amendment shall become effective June 13, 1946.

Issued this 13th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10091; Filed, June 13, 1946;
11:30 a. m.]

PART 1340—FUEL

[MPR 88, Amdts. 43 and 44]

FUEL OIL

NOTE: Amendments to the statements of consideration involved in the issuance of Amendments 43 and 44 to Maximum Price Regulation No. 88 were filed with the Division of the Federal Register as Documents Nos. 46-9677 (NP) and 46-9678 (NP), respectively, on June 13, 1946, at 11:29 a. m.

PART 1340—FUEL

[MPR 88, Amdt. 45 (§ 1340.151)]

FUEL OIL

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

Maximum Price Regulation No. 88 is amended in the following respects:

1. Sections 9.1 and 9.2 in the table of contents are amended to read as follows:

9.1 Kerosene, range oil, stove oil, Nos. 1, 2, 3 and 4 distillate fuel oil (including distillate diesel fuels and distillate gas oils) light and heavy tractor fuel and PS 100 and PS 200 fuel oil.

9.2 Nos. 4, 5 and 6 residual fuel oil, gas enrichment oil, heavy diesel oil, Navy special fuel oil, bunker "C" fuel oil, PS 300 and PS 400 fuel oil.

2. Section 2.36 (c) (1) is amended as follows:

(a) The line "Excepting: Township of Sandy..... 7.8" following Clearfield in the table of prices is revoked.

(b) The lines "Excepting townships of Chapman, East Keating, Ledy, Noyes, and West Keating..... 7.8" following Clinton in the table of prices is revoked.

(c) The price set forth for Erie County in the table of prices is amended as follows: "Erie..... 7.8".

(d) The price set forth for Lawrence County in the table of prices is amended as follows: "Lawrence..... 7.8".

3. Footnote 1 to section 3.5 is amended by adding the following thereto:

Price Area AA comprises Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York (excluding, however, Counties of Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee and Orleans, Pennsylvania (excluding, however, Counties of Potter, Cameron, Clearfield, Cambria, Somerset and all other Pennsylvania Counties West thereof), New Jersey, Maryland, District of Columbia, Delaware, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi Gulf Coast Ports, Louisiana Gulf Coast Ports, Louisiana, Mississippi River ports up to and including Baton Rouge, and Texas Gulf ports, and on and after September 15,

1944, Puerto Rico and the Virgin Islands of the United States.

BB comprises Mississippi (excluding, however, Gulf Coast ports), Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas (excluding, however, Gulf Coast ports), Tennessee, Arkansas, New Mexico, Oklahoma, Kansas (excluding, however, the area within a radius of 25 miles of Kansas City, Missouri), Missouri (excluding, however, the areas within a radius of 25 miles of Kansas City, Missouri and St. Louis, Missouri), Iowa, Minnesota, Wisconsin, North Dakota, Nebraska, and Wyoming.

CC comprises the following counties of Illinois: Lake, Cook, DuPage and Will; the following counties of Indiana: Lake, Porter, LaPorte, Ohio (excluding, however, the following counties of Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, Meigs); the following counties of New York: Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee, Orleans; the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset, and all other counties of Pennsylvania west thereof: West Virginia and Michigan.

DD comprises that part of Missouri within a radius of 25 miles of St. Louis, Missouri; Illinois (excluding, however, the counties of Lake, Cook, DuPage, and Will); Indiana (excluding, however, the counties of Lake, Porter, and LaPorte); the following counties of Ohio: Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, and Meigs; Kentucky.

EE comprises Colorado.

FF comprises Eastern Montana which is defined hereby as a portion of Montana east of the western boundaries of the counties of Blaine, Fergus, Golden Valley, Stillwater and Carbon.

GG comprises Western Montana which is defined hereby as the portion of Montana west of the eastern boundaries of the counties of Hill, Chouteau, Judith Basin, Wheatland, Sweet Grass and Park, Idaho.

HH comprises Utah.

II comprises the area within a 25 mile radius of Kansas City, Missouri.

4. Section 4.35 (a) (1) (i) is amended by changing the prices for second structure gasoline in columns 1, 2, 3 and 4, in the table of prices to read as follows:

Second structure... 6.625 6.75 6.875 7.625

5. Section 4.45 (a) (1) (i) is amended by changing the prices for second structure gasoline in columns 1, 2, 3 and 4, in the table of prices to read as follows:

Second structure... 6.625 6.75 6.875 7.625

This amendment shall become effective as of April 10, 1946.

Issued this 13th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10083; Filed, June 13, 1946;
11:29 a. m.]

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

[MPR 400, Amdt. 4]

MERCHANT'S PRICES FOR FINE PAPERS AND CERTAIN PAPERBOARDS

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 400 is amended in the following respects:

1. The last paragraph of section 3 is amended to read as follows:

Nothing in this section, however, shall permit the use of a manufacturer's base price which exceeds the maximum price now or hereafter established by the Office of Price Administration for each classification of paper as set forth in the pertinent Appendix of this regulation; *Provided, however*, Where the kind of packing is not specifically set forth in that Appendix, the merchant shall use as the price to which to apply his mark-up, the price charged him by the manufacturer for the particular kind of packing in the sale.

2. Section 4 (d) is amended to read as follows:

(d) *Packing differentials.* In any shipment by the merchant to the customer or by the manufacturer to the customer for the account of the merchant, where an additional charge for the kind of packing specified in the pertinent Appendix would be permitted when sold to the merchant, the merchant may add the amount of this charge to the selling price after the application of his percentage mark-up. If the manufacturer's differential for packing takes the form of a deduction for the kind of packing specified in the pertinent Appendix, a deduction in the same amount must be made by the merchant and this may be done after the application of his percentage mark-up.

3. The last sentence of section 12 is amended to read as follows: "Such transactions shall be subject to the provisions of the Maximum Import Price Regulation."

4. In Appendix A, column 3, under "Manufacturer's base price unit and quantity of sale", relative to "Paper Classifications" A2: Groundwood Book is amended to read: "Base price per pound for a sale of 4 cases"; A4: Specialty cover papers and A5: Text papers, are both amended to read: "Base price per pound for a sale of 4 cartons".

5. In Appendix B, column 3, under "Manufacturer's base price unit and quantity of sale", relative to "Paper Classifications" B 1: Coated Blanks and Boards and B 2: Plain Blanks and Boards, are both amended to read: "Base price per 1000 sheets for a sale of 4 cartons"; B9: Groundwood papers is amended to read: "Base price per cwt. for a sale of 16 bundles".

6. In Appendix B, column 5 under "Sale of small quantities" relative to Paper Classifications" B6 is amended to read as follows:

For quantities less than those specified in Quantity Bracket No. 2, the following differentials may be applied:

Base cost	Less than package	1 package to less than 1 carton
All grades not containing rag content..	Add 5¢ per lb. to the per lb. package price.	Add 5¢ per lb. to the per lb. carton price.
Rag content grades of less than 75% rag content.	Add 5¢ per lb. to the per lb. package price.	Add 6¢ per lb. to the per lb. carton price.
75% rag content and over.....	Add 5¢ per lb. to the per lb. package price.	Add 7¢ per lb. to the per lb. carton price.

7. In Appendix C, column 3, under "Manufacturer's base price unit and quantity of sale" relative to "Paper Classifications", C 1: Groundwood writing papers is amended to read: "Base price per cwt. for a sale of 16 bundles"; C 2: Chemical Woodpulp Writing papers and Rag Content Writing Papers of less than 75% Rag Content is amended to read: "Base price per cwt. for a sale of either 1 carton or 4 cartons as the manu-

facturer's practice may be"; and C 4: Opaque Circular is amended to read: "Base price per pound for a sale of 16 cartons."

8. In Appendix C, column 5, under "Sale of small quantities" relative to "Paper Classifications" C 1 is amended to read as follows:

For quantities less than those specified in Quantity Bracket No. 1, the following differentials may be applied:

Base cost	Less than package	1 package to less than 1 carton
All grades not containing rag content.	Add 5¢ per lb. to the per lb. package price.	Add 5¢ per lb. to the per lb. carton price.
Rag content grades of less than 75% rag content.	Add 5¢ per lb. to the per lb. package price.	Add 6¢ per lb. to the per lb. carton price.
75% rag content and over.....	Add 5¢ per lb. to the per lb. package price.	Add 7¢ per lb. to the per lb. carton price.

9. In Appendix D, column 5 under "Sale of small quantities" relative to "Paper Classifications" D 1 is amended to read as follows:

For quantities less than those specified in Quantity Bracket No. 1, the following differentials may be applied:

Base cost	Less than package	1 package to less than 1 carton
All grades not containing rag content.	Add 5¢ per lb. to the per lb. package price.	Add 5¢ per lb. to the per lb. carton price.
Rag content grades of less than 75% rag content.	Add 5¢ per lb. to the per lb. package price.	Add 6¢ per lb. to the per lb. carton price.
75% rag content and over.....	Add 5¢ per lb. to the per lb. package price.	Add 7¢ per lb. to the per lb. carton price.

10. In Appendix E 1, column 3 under "Manufacturer's base price unit and quantity of sale" is amended to read: Base price per ream or per cwt. for a sale of either 1 carton or 4 cartons, as the manufacturer's practice may be.

11. In Appendix E 2, column 3 under "Manufacturer's base price, unit and quantity of sale" is amended to read: Base price per ream or per cwt. or for a sale of either 1 carton or 4 cartons, as the manufacturer's practice may be.

12. In Appendix G, column 3, under "Manufacturer's base price, unit and quantity of sale" is amended to read: Base price per pound or per 1,000 sheets for a sale of 1 carton.

This amendment shall become effective June 20, 1946.

Issued this 13th day of June, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10085; Filed June 13, 1946; 11:30 a. m.]

PART 1372—SEASONAL COMMODITIES
[RMFR 298, Amdt. 1]

ROTENONE AND PYRETHRUM

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.

it in any manner for industrial or manufacturing purposes. An importer may also be a processor or a manufacturer.

4. Section 8 (a) (30) is added to read as follows:

(30) "Retail route seller," for the purposes of this regulation, is a person other than a manufacturer who sells at retail the commodity being priced from an inventory stocked and carried in trucks or other conveyances operated by driver salesmen over regular routes.

5. Appendix A, *Maximum prices for rotenone and rotenone products* is amended to read as follows:

APPENDIX A—MAXIMUM PRICES FOR ROTENONE AND ROTENONE PRODUCTS

The maximum prices below are in general for the material in large containers. Where no specific provision is made for pricing sales in small containers, the seller may add, on such sales, his customary "small package" differentials.

(a) (1) *Maximum prices for purchases outside the continental United States of rotenone-bearing roots.* Twenty-one cents f. o. b. river ports and 21½ cents f. o. b. ocean ports per pound of root, basis 5 per cent crude rotenone content by weight and not over 12 per cent moisture content by weight, with 4¼ cents added per pound for each unit of 1 per cent of crude rotenone content in excess of 5 per cent and proportionately for each fraction of 1/10 of 1 per cent crude rotenone content over 5 per cent, and with a corresponding amount deducted for each 1/10 of 1 per cent crude rotenone content of less than 5 per cent, weight and analysis as determined upon landing at United States ports.

(2) *Maximum prices for purchases outside the continental United States of rotenone-bearing powder:* Twenty-six and one-half cents f. o. b. river ports and 27 cents f. o. b. ocean ports per pound of powder, basis 5 per cent crude rotenone content by weight and not over 12 per cent moisture content by weight, with 4¼ cents added per pound for each unit of 1 per cent of crude rotenone content in excess of 5 per cent and proportionately for each fraction of 1/10 of 1 per cent crude rotenone content over 5 per cent, and with a corresponding amount deducted for each 1/10 of 1 per cent crude rotenone content of less than 5 per cent, weight and analysis as determined upon landing at United States ports.

(b) (1) *Rotenone roots for sale to processors.* Five and six-tenths cents per unit of crude rotenone per pound of root, seller to pay all costs of freight, insurance, entry, analysis, weighing and the like, ex-dock at port of entry.

(2) *Rotenone powder for sale to processors.* Seven and eight-tenths cents per unit of pure rotenone per pound of powder, seller to pay all costs of freight, insurance, entry, analysis, weighing and the like, ex-dock at port of entry.

(c) *Unfinished rotenone products for sale by processors and distributors—*(1) *Rotenone powder.* Nine cents per unit of pure rotenone per pound of powder, f. o. b. cars at New York, New York, except there may be added, for sales in quantities of less than 200 pounds, 10 per cent.

(2) *Rotenone resin.* Thirteen cents per unit of pure rotenone per pound of resin, f. o. b. processor's plant.

(3) *Rotenone liquid extract.* \$1.15 per unit of pure rotenone per gallon of extract plus the cost of one gallon of the solvent used for the extract, f. o. b. processor's plant.

(4) *Chemically pure rotenone.* \$14.50 per pound, f. o. b. processor's plant.

(5) *Technically pure rotenone.* \$12.05 per pound, f. o. b. processor's plant.

Revised Maximum Price Regulation 298 is amended in the following respects:

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

(a) Except as provided in paragraph (b) of this section with reference to emergency sales to the United States and its agencies and paragraph (c) of this section with reference to export sales, this regulation shall apply to all sales and deliveries other than at retail of imported rotenone and pyrethrum and of imported and domestic rotenone and pyrethrum products within the United States and the District of Columbia, whether immediate or future, and to all purchases in the course of trade or business of rotenone and pyrethrum to be imported into the United States and the District of Columbia.

2. Section 8 (a) (23) is amended to read as follows:

(23) "Processor" means any person who purchases rotenone bearing roots, rotenone powder and pyrethrum flowers from an importer. A processor may also be a manufacturer.

3. Section 8 (a) (29) is added to read as follows:

(29) "Importer" means, with respect to a particular lot of rotenone roots or powder or pyrethrum flowers or powder, the first person who owns such lot after entry into the United States and who sells it in the United States or who uses

(6) *Rotenone solvate*. \$9.65 per pound, f. o. b. processor's plant.

(7) *Other unfinished rotenone products*. The maximum price shall be determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a paragraph shall file with the Agricultural Chemicals Section of the Office of Price Administration in Washington, D. C., an application setting forth:

- (i) A description of the commodity for which a maximum price is sought,
- (ii) A list of materials used in the manufacture of the commodity,
- (iii) An outline of the manufacturing process,
- (iv) The seller's cost of raw materials, packages, manufacturing and other expenses,
- (v) Changes in the selling price since January 1, 1941, and
- (vi) The seller's maximum price under the General Maximum Price Regulation. When such authorization is given, it will be accompanied by instruction as to the method for determining the maximum price. Within ten days after such price has been determined, the seller shall report the price to the Agricultural Chemicals Section of the Office of Price Administration in Washington, D. C. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(d) *Finished rotenone insecticides for sale by manufacturers*—(1) *Finished rotenone insecticides for which a maximum price had been established prior to June 1, 1944*. The maximum price which the manufacturer might have charged for the insecticide on May 31, 1944 plus 3 cents per unit of pure rotenone per pound of the insecticide, except that on sales to all others than retail route sellers prices for the following finished insecticides may not exceed the prices listed therewith:

Dry finished insecticides for which rotenone powder is the base, in containers of ten pounds or more capacity, for sale to dealers, subject to customary wholesalers' discounts, f. o. b. manufacturer's plant, 16 cents per pound of finished insecticide guaranteed to contain 1 per cent pure rotenone, plus or minus, as the case may be, $\frac{1}{10}$ cents per pound of finished insecticide for each variation in pure rotenone content of $\frac{1}{10}$ of 1 per cent (0.1%). For example, the maximum prices for dusts containing .5% and .75% pure rotenone shall be 10 cents and 13 cents per pound, respectively. In the event the insecticide contains active insecticidal ingredients in addition to rotenone, the above prices may be increased by the amount of the delivered cost to the manufacturer for each such additional active ingredients guaranteed in the finished insecticide. If the manufacturer of the finished rotenone insecticide is also the manufacturer of the additional active ingredient he may use his maximum price for a sale to another insecticide manufacturer as his own delivered cost of such additional active ingredient.

(2) *Finished rotenone insecticides for which no maximum price had been established prior to June 1, 1944*. (1) The price for the most closely similar insecticide for which a maximum price is established in subparagraph (1) above plus or minus, as the case may be, the difference between the total cost of all raw materials and packages used in the manufacture of the similar insecticide and the total cost of all raw materials and packages used in the manufacture of the insecticide being priced.

(ii) If a manufacturer cannot otherwise determine his maximum price, he shall apply to the Office of Price Administration for authorization to establish a maximum price in accordance with the provisions of paragraph (c) (7) of this appendix

(e) *Finished rotenone insecticides for sale by wholesalers*. The maximum price which

the manufacturer may charge the wholesaler, as established by this regulation, plus the wholesaler's customary margin on sales of such insecticides to retailers.

6. Appendix B (c) (2) (ii) is amended to read as follows:

(ii) If a manufacturer cannot otherwise determine his maximum price, he shall apply to the Office of Price Administration for authorization to establish a maximum price in accordance with the provisions of paragraph (c) (7) of Appendix A.

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

This amendment shall become effective June 18, 1946.

Issued this 13th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10084; Filed, June 13, 1946;
11:29 a. m.]

PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 576, Amdt. 3]

DRY BATTERIES

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

Maximum Price Regulation No. 576 is amended in the following respects:

1. The "Bright Star" listings of model numbers, descriptions and maximum retail prices of batteries in Schedule B of section 3 (a) (2) is amended to read as follows:

Model No.	Description	Maximum retail prices	
		East	West
30-60	45 V. heavy duty "B".....	\$2.60	\$2.80
30-95	45 V. regular "B".....	2.15	2.30
6-A	"A" battery.....	.60	.55

2. The "Bright Star" listings of model numbers, descriptions and maximum retail prices of batteries in Schedule D of section 3 (a) (3) is amended to read as follows:

Model No.	Description	Maximum retail prices	
		East	West
6	Ignition, general purpose.....	\$0.45	\$0.50
6	Telephone.....	.40	.45
6	Industrial and railroad.....	.50	.55
4	4-inch general purpose.....	.30	.35
146	4-cell 6 V. "Vitaspark".....	2.25	2.55
156	4-cell 7½ V. "Vitaspark".....	2.75	3.10
166	6-cell 9 V. "Vitaspark".....	3.20	3.60
460	4-cell 6 V. railroad lantern battery.....	.55	.55

This amendment shall become effective on the 18th day of June 1946.

Issued this 13th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10087; Filed, June 13, 1946;
11:30 a. m.]

PART 1380—HOUSE AND SERVICE INDUSTRY MACHINES

[MPR 598, Amdt. 16]

POSTWAR HOUSEHOLD MECHANICAL REFRIGERATORS

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

Maximum Price Regulation No. 598 is amended in the following respects:

Section 24, Appendix A is amended by changing the listing therein of retail prices for the Firestone make of refrigerator to read as follows:

Make	Brand	Model No.	First zone ¹	Second zone ²
Firestone Tire & Rubber Company.	Firestone.	5-A-8	\$147.95	\$157.95
		5-A-1	135.95	145.95
		5-A-2	193.95	203.95

¹ The 1st zone price is applicable to retail sales made within all parts of the United States not included in the area specified in footnote 2 below as being in the 2d zone.

² The 2d zone price is applicable to retail sales made within the following area:

Arizona; California; Idaho; Oregon; Utah; Wyoming; Washington; Montana, except the cities of Richey and Veda and except the counties of Daniels (exclusive of the towns of Carbert, Glutton, Ossette, Peerless and West Fork), Richland (exclusive of the towns of Burns and Savage), Roosevelt (exclusive of the towns of Lohmiller, Volt and Washa), Sheridan and Wibaux Colorado (except the city of Towner); Nevada; New Mexico, except the counties of Chaves, Curry, De Baca, Eddy, Harding, Lea, Quay, Roosevelt and Union; the following counties in Nebraska: Banner, Box Butte, Cherry (except the cities of Crookston, Valentine, Thatcher, Woodlake, Sparks and Arabia), Cheyenne, Dawes, Deuel, Garden, Grant, Hooker, Kimball, Morrill, Scottsbluff, Sheridan and Sioux; the town of Philip and the following counties in South Dakota: Bennett, Butte, Custer, Fall River, Jackson, Lawrence, Meade (except the town of Faith), Pennington, Shannon, Washington and Washabaugh; and the following counties in Texas: Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, and Terrell.

This amendment shall become effective on the 13th day of June 1946.

Issued this 13th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10088; Filed, June 13, 1946;
11:30 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 2, Amdt. 1]

LIVESTOCK SLAUGHTER

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

Control Order 2 is amended in the following respects:

1. Section 1 (a) is amended by deleting the word "primarily" appearing in the second sentence of the definition of "Class 3 slaughterer."

2. Section 2 (a) (5) is added to read as follows:

(5) No custom slaughterer may slaughter livestock for any Class 3 slaughterer unless he receives from such slaughterer a written statement containing the following information:

(i) The name and address of the Class 3 slaughterer.

(ii) The liveweight by species of the livestock he wishes custom slaughtered.

(iii) A statement certifying that he is permitted to have the livestock slaughtered for him pursuant to the provisions of Control Order 2 and that the transfer or sale of meat resulting from such custom slaughter will not exceed his quota under Section 6 of Control Order 2.

3. Section 3 (b) is amended by inserting after the words "slaughtering establishment" appearing in the first sentence, the parenthetical phrase "(including the place of business of a Class 2 slaughterer who has livestock custom slaughtered for him)."

4. Section 5 is amended by deleting the word "primarily" appearing in the heading and in the first sentence of paragraph (a).

5. Section 15 (a) is amended by deleting the words "on or before May 15, 1946" appearing in the second sentence.

6. Section 15 (a) (4) is amended by changing the date "April 28, 1946" to read "April 25, 1946".

7. Section 15 (c) is amended by inserting immediately following the date "April 25, 1946" appearing in the first sentence the words "and applied on OPA Form MC-11 on or before May 15, 1946".

8. Section 16 (b) is amended to read as follows:

(b) In addition, any veteran, as defined in Supplementary Order No. 143, may apply for a class 2 slaughterer's license and quota bases for the slaughter of livestock by him or the custom slaughterer of livestock for him provided (1) that between September 1, 1945 and April 25, 1946, he had the controlling interest in and was the active head of a place of business from which he sold or transferred meat at wholesale or retail; and (2) that such wholesale or retail place of business was at a fixed address and had the necessary equipment, including storage space and cooling facilities, for the conduct of a wholesale or retail meat business; and (3) that between September 1, 1945, and April 25, 1946, the meat resulting from the slaughter of livestock by him or the custom slaughterer of livestock for him was used for the sole purpose of supplying his wholesale or retail place of business. Application must be made on Form MC-9.

9. Section 19 is amended to read as follows:

Sec. 19. *Appeals and review.* (a) Any person directly affected by the action of a District Director or Regional Administrator, on any application or other matter, may appeal from the action. Such appeal shall be brought in accordance with the terms and provisions of this section.

(b) An appeal from the action of a District Director may be made to the Regional Administrator by the person entitled to bring such appeal by filing a statement of appeal in writing with the District Director. The statement of appeal shall state the basis of the appeal and any other facts deemed by the appellant to be pertinent. The specific section or sections of the order claimed to

be inconsistent with the decision from which the appeal is taken need not be stated. The statement of appeal may be accompanied by documentary evidence supporting the appeal.

(1) Within five days of such filing, the District Director shall forward the statement of appeal together with his decision and all other pertinent records or papers to the Regional Administrator, unless the District Director, within such five-day period, upon reconsideration, reverses his decision.

(2) The Regional Administrator shall maintain an appeals docket and shall assign a number for each appeal when it reaches him, and shall enter such number, together with the name of the appellant, the name of the District Director, the action taken by the Regional Administrator, and the date on which a copy of the Regional Administrator's decision was mailed to the appellant.

(3) The Regional Administrator may require the appellant to present additional pertinent information.

(4) Appeals to the Regional Administrator shall be decided by the Regional Administrator who may affirm, modify or reverse the decision of the District Director. The decision shall be in writing and a copy of such decision shall be mailed to the appellant and to the District Director. The decision shall direct the District Director to take such action as may be necessary to give effect thereto.

(5) If no statement of appeal to the Washington Office is filed with the Regional Administrator within 30 days after the appellant has been notified of the Regional Administrator's decision, the record shall be closed and shall be returned to the District Office, where it shall remain on file. Thereafter, there shall be no right of appeal except as permitted in (d).

(c) An appeal to the Washington Office may be made from an adverse decision of the Regional Administrator by filing a statement of appeal in writing with the Regional Administrator. The statement of appeal shall state the basis for the appeal and any other facts deemed by the appellant to be pertinent. The specific section or sections of the order claimed to be inconsistent with the decision from which the appeal is taken need not be stated. The statement of appeal may be accompanied by documentary evidence supporting the appeal.

(1) Within five days of such filing, the Regional Administrator shall forward the statement of appeal together with his decision and all other pertinent records or papers to the Washington Office, unless the Regional Administrator shall, within such five-day period, upon reconsideration, reverse his decision.

(2) It shall be within the discretion of the Washington Office to pass upon or to refuse to pass upon an appeal. In either event, the Washington Office may require the appellant to furnish additional pertinent information.

(3) The Washington Office shall notify the appellant, the Regional Administrator and the District Director in writing, either of its refusal to pass upon the appeal or of its decision affirming, modifying or reversing the decision of the Regional Administrator. It shall, if it

modified or reversed the decision, direct the District Director or Regional Administrator to take such action as may be necessary to give effect thereto.

(4) When the Washington Office has acted upon the appeal or has refused to act upon it, the record of the case shall be returned to the District Office where it is to be filed. Thereafter there shall be no further right of appeal.

(d) A District Office or Regional Office shall give notice of its action to the person who has the right of appeal or to his agent, at its office or by mail. The appeal must be received in its office within 30 days after such mailing or the giving of such other notice. However, if the appellant shows good cause for his failure to file his appeal within the time prescribed by this section, such thirty day period may be waived.

(e) The Administrator reserves the right to review any action taken by a District Director or Regional Administrator pursuant to this Order and may change or modify the same as he may deem appropriate.

11. Section 21 (c) (1) is amended by deleting the word "slaughter" appearing at the end of the sentence and substituting therefor the words "sale or transfer".

12. Section 21 (c) (2) is amended by deleting the semi-colon (;) at the end thereof and adding the words "including the dates of such sale or transfer".

This amendment shall become effective June 18, 1946.

NOTE: All 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 13th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10082; Filed, June 13, 1946;
11:31 a. m.]

PART 1416—COAL TAR PRODUCTS

[MPR 447, Amdt. 3]

COAL TAR

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.

Appendix A to Maximum Price Regulation 447 is amended in the following respects:

1. Paragraph (e) is redesignated (f) and the first sentence is amended as follows: "The maximum prices established by paragraphs (a), (b), (c), (d), and (e) apply to good clean coal tar in which the water content has been reduced to a maximum of 2% by volume."

2. A new paragraph (e) is added to read as follows:

(e) Where a plant is equipped to burn fuel oil or coal tar as a fuel, the maximum prices for the sale of coal tar established in (a), (b), (c), and (d) may be increased if it appears the producer may divert the coal tar from distiller-buyers for utilization as fuel. The price in-

crease may be granted upon application by the producer to the Rubber, Chemicals & Drugs Price Branch, Office of Price Administration, Washington 25, D. C. The application submitted shall contain the following items of information:

(1) The name and address of seller and location of the plant.

(2) The grade and delivered price per gallon of fuel oil for which coal tar has been substituted as a fuel.

(3) The proposed price for coal tar which shall not exceed the delivered price of fuel oil after appropriate adjustment for the difference in British Thermal Unit value and increased handling charges, computed as set forth below.

(i) Multiply the percentage relation of the British Thermal Unit value of coal tar per gallon to fuel oil per gallon by the delivered price of fuel oil per gallon.

(ii) Additional handling charges incurred per gallon of fuel oil and coal tar may be added.

(4) A statement of the British Thermal Unit value per gallon of fuel oil purchased and coal tar to be sold and the amount of handling charges per gallon, if any.

(5) A statement that the seller is currently equipped to burn liquid fuel for which coal tar may be substituted.

(6) A statement that the buyer will use the coal tar for distilling and not as a fuel.

Any decrease in the delivered price of fuel oil below that contained in the application shall be reported within 5 days after such decrease to the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C.

The price increase may be granted by order if, in the judgment of the Administrator, it will result in the removal of an impediment to the distribution of coal tar for distilling purposes. Unless and until such an order is received signed by the Administrator, the existing maximum prices will continue to be the maximum prices. The maximum prices established by the order may be revoked or modified by the Administrator at any time.

This amendment shall become effective June 18, 1946.

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

Issued this 13th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10086; Filed, June 13, 1946;
11:30 a. m.]

PART 1448—EATING AND DRINKING
ESTABLISHMENTS

[Restaurant MPR 2, Amdt. 13]

FOOD AND DRINK SOLD FOR IMMEDIATE
CONSUMPTION

A statement of the considerations involved in the issuance of this amendment to Restaurant Maximum Price Regulation 2 has been issued simultaneously herewith and filed with the Division of the Federal Register.

1. Section 1 (b) (2) is amended in the following manner: after the third sentence, ending with the words "during the week of April 4 to 10, 1943," strike the period and insert a comma and add the following words, "except where expressly authorized by this regulation."

2. Section 1 (c) is amended in the following manner: after the word "business" in the final paragraph, strike the period and insert a comma, and add the following "or without permission from the director of your district OPA Office."

3. Add subparagraph (5) to section 1 (d) to read as follows:

(5) You may, however, on and after June 13, 1946, as an exception to the basic rule as contained in section 1 (d) (1), charge higher than your "April 4 to 10, 1943," prices for that class, for a new food item, meal or beverage within that class, and/or for any food item, meal or beverage, the major ingredient of which is exempt from price control at all other levels: The price for such food items, meals or beverages shall be computed by using the pricing formula as contained in section 1 (b) (3). Margin as used in that formula shall mean the percentage mark-up over current raw food cost that is currently being realized in your establishment.

You must maintain the prices established under this subparagraph for a period of 60 days, at which time, if the costs for items so priced have changed, you may file new ceiling prices, in accordance with the instructions contained in this subparagraph.

You may take advantage of this subparagraph only if you continue to offer and make freely available meals, food items and beverages at and below the middle prices of the class in which the new item falls, in accordance with section 1 (g) (2), except when a particular class consists entirely of items which are not controlled by maximum price regulation at other levels.

Any prices computed under this subparagraph must be filed in duplicate with the local Price Control Board within six (6) days after it is first offered.

This filing must contain the following information:

(i) The meal, food item, or beverage being priced.

(ii) The class in which it belongs.

(iii) The price of the new meal, food item, or beverage, together with the method of computation, setting forth the current raw food costs and the margin for the item being priced.

You must keep available on your premises for OPA inspection records of your raw food costs and total sales, which will substantiate your filed prices.

4. Section 12 (b) (1) (ii) is amended by striking all after the word, "Notice," and insert in lieu thereof, "In co-operation with the Famine Emergency Program our usual April 4 to 10, 1943, offerings of wheat, fats and oil products, or a substitute therefor, will be served only upon request."

5. Section 15 (b) (1) is amended in the following manner: strike the period at the end of the paragraph and insert a comma and add the following, "without permission from the director of your District OPA Office."

6. Section 17 is amended to read as follows:

(a) Adjustments may be made under the following conditions:

(1) If your establishment is operating under financial hardship, OPA will adjust your ceiling prices to a level which will permit you to recover total accounting costs, including salary to management; or

(2) If your establishment is operating under financial hardship and has maximum ceiling prices below those of comparable establishments in the same area, OPA will adjust your ceiling prices either to a level which will permit you to recover total accounting costs, including salary to management, plus 3% of sales, or to the level of prices of comparable establishments in that same area, whichever is lower.

(b) If you are the proprietor of an eating or drinking establishment which satisfies the above requirements, you may apply for an adjustment of your maximum prices by submitting in duplicate to your OPA District Office a statement setting forth:

(1) Your name and address and the name and address of your establishment.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch, and dinner), number of persons served per day during the most recent thirty-day period, and any other information which is necessary to describe your establishment and the nature and extent of your operation.

(3) The names and addresses of the three nearest eating places of the same type as yours.

(4) A list showing your present maximum prices and your requested, adjusted prices.

(5) A profit and loss statement for the establishment containing information as required by Bureau of Internal Revenue for (i) a three-months period which ended not earlier than ninety (90) days prior to the date of your application, (ii) the most recent twelve-months fiscal period of your operation.

(c) Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.

This amendment shall become effective June 13, 1946.

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

Issued this 13th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10089; Filed, June 13, 1946;
11:31 a. m.]

PART 1448—EATING AND DRINKING
ESTABLISHMENTS

[Restaurant MPR 2, Amdt. 14]

FOOD AND DRINK SOLD FOR IMMEDIATE
CONSUMPTION

A statement of the considerations involved in the issuance of this amendment

to Restaurant Maximum Price Regulation 2 has been issued simultaneously herewith and filed with the Division of the Federal Register.

1. Section 9 (a) is amended to read as follows:

(a) If you own or operate more than one establishment, you must do everything required by this regulation for each place separately, except as set forth in paragraph (c) of this section.

2. Section 9 (c) is amended to read as follows:

(c) If you own or operate more than one establishment and want to establish the practice of uniform prices in all or certain of your establishments, you may apply for a uniform pricing order. You may also apply for an adjustment of your maximum prices for all or certain of your establishments with a single application.

Applications for uniform pricing orders and for an adjustment of the maximum prices for multiple units, should contain the information required in revised S. O. 13 and section 17 of this regulation, respectively. Application under this subsection shall be filed and processed in:

(i) District OPA Office when all units are within the confines of a single district.

(ii) Regional OPA Office when all units are within the confines of a single region.

(iii) National OPA Office, Washington, D. C., when the several units are located within the confines of more than one region.

This amendment shall become effective June 13, 1946.

Issued this 13th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10090; Filed, June 13, 1946; 11:31 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 110, Amdt. 3]

PART 4003—SUBSIDIES; SUPPORT PRICES
GRAIN, FEED AND RELATED PRICES

Pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F.R. 7871); Executive Order 9328 of April 8, 1943 (8 F.R. 4681); Executive Order 9599 of August 18, 1945 (10 F.R. 10155); Executive Order 9651 of October 30, 1945 (10 F.R. 13487); Executive Order 9697 of February 14, 1946 (11 F.R. 1691); and Executive Order 9699 of February 21, 1946 (11 F.R. 1929); *It is hereby ordered:*

Directive 110 (11 F.R. 5228) is amended in the following respects:

The following commodity shall be added to the list of commodities in section 3 of the directive.

Commodity	Applicable regulation	Maximum price increase
Pure bran for human consumption.....	GMPR	Per ton \$10.00

Issued and effective this 11th day of June 1946.

CHESTER BOWLES,
Director.

[F. R. Doc. 46-10062; Filed, June 12, 1946; 4:44 p. m.]

Chapter XXIII—War Assets Administration

[Reg. 2, Amdt. 1]

PART 8302—DISPOSAL OF SURPLUS PERSONAL PROPERTY TO PRIORITY CLAIMANTS

Correction

In Exhibit A of Federal Register document 46-9655, appearing at page 6237 of the issue for Saturday, June 8, 1946, the second item under the heading "Construction, mining and excavating machinery" should read "Portable air compressors, truck or skid mounted, up to and including 500 CFM.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 207—NAVIGATION REGULATIONS

FOX RIVER, WISCONSIN

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.460, of the regulations governing the use, administration, and navigation of locks and canals in Fox River, Wisconsin, is hereby amended as follows:

§ 207.460 *Fox River, Wis.*—(a) *Use, administration, and navigation of locks and canals.* * * *

(8) *Draft of boats.* No boat shall enter the canal or locks whose actual draft exceeds the least depth of water in the channel of the canal as given by the lock tender.

(9) *Right of way.* Boats going downstream shall have the right of way over boats going upstream. Rafts must give to boats operated by power the side demanded by proper signal.

(i) Boats must not race or crowd alongside of each other while under way in the canal. If a boat meets a boat and tow on opposite sides of a lock and the boat with tow has the privilege of one lockage, the other boat shall have the next lockage.

(ii) When a boat and barge arrive at a lock and another boat overtakes them before the second of the two has entered the lock, the boat so overtaking shall have the privilege of the second lockage.

(10) *Boats and rafts without power.* No boat or raft without power shall be brought through the canal unless accompanied by a boat operated by power, except small boats controlled by sails or oars.

(Regs. 25 May 1946 (CE 800.215 (Fox River, Wis.)—SPEWR))

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

[F. R. Doc. 46-10073; Filed, June 13, 1946; 10:55 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Production and Marketing Administration.

[Docket AO 23-A6]

GREATER KANSAS CITY MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to the tentatively approved marketing agreement and order, as amended, regulating the handling of milk in the Greater Kansas City Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR, Cum. Supp. 900.1 et seq., 10 F.R. 11791), notice is hereby given of a public hearing to be held in District Court Room 409, Federal Building, Kansas City, Missouri, beginning at 10:00 a. m., c. s. t., June 18, 1946, with respect to proposed amendments to the tentatively approved marketing agreement and order, as amended, regulating the handling of milk in the Greater Kansas City Marketing Area (7 CFR, Cum. Supp. 913.2 et seq.; 7 CFR 1943 Supp. 913.16; 8 F.R. 2521, 3688, 8294; 11 F.R. 5468). These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to economic or marketing conditions which relate to the amendments, or any modification thereof, which are hereinafter set forth.

The Pure Milk Producers Association of Greater Kansas City, Inc., has proposed the following amendments:

1. Delete § 913.3 (a) (3) and substitute therefor the following:

(3) "Producer" means any person who, with respect to the regulations applicable to milk to be used for consumption as milk or cream in the marketing area, (i) under supervision of the Health Department of Kansas City, Missouri, Independence, Missouri, Excelsior Springs, Missouri, Kansas City, Kansas, or Leavenworth, Kansas, or (ii) under a permit issued by the Missouri State Board of Health or under a permit issued by the State of Kansas authority charged with the inspection for fluid milk in other parts of the marketing area, produces milk which is purchased or received at an approved plant: *Provided*, That any delivery of milk or cream during the period by such person is made only to an approved plant. The phrase "purchased or received at an approved plant" shall also apply to the milk of a producer which a cooperative association causes to be diverted from the farm of such producer to the plant of a non-handler for the account of such cooperative association.

2. Delete § 913.3 (a) (4) and substitute therefor the following:

(4) "Handler" means (i) any person who operates an approved plant from which Class I milk or Class II milk is disposed of in the marketing area, or (ii)

any cooperative association with respect to milk of any producer which such cooperative association causes to be temporarily diverted from the farm of such producer to the plant of a handler or to the plant of a non-handler for the account of such cooperative association.

3. Delete § 913.3 (a) (7) and substitute therefor the following:

(7) "Other source milk" means milk or milk products received from sources other than producers or handlers who receive milk from producers.

4. Add as § 913.3 (a) (11) the following:

(11) "Producer milk" means all milk produced by a producer as defined in (3) of this paragraph and purchased or received by a handler, either directly from such producer or from another handler.

5. Add as § 913.3 (a) (12) the following:

(12) "Approved plant" means any milk plant approved by the applicable health authority for the handling of milk disposed of for fluid consumption as milk in the marketing area and currently used for any or all of the handling functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk delivered by producers, as defined in (3) of this paragraph, for fluid sales or disposition as milk or cream for fluid consumption in the marketing area.

6. Delete § 913.5 (a) (5) and substitute therefor the following:

(5) The receipts of other source milk and the butterfat content.

7. Delete § 913.6 (a) and substitute therefor the following:

(a) *Milk to be classified.* All milk and milk products purchased or received by each handler at his approved plant shall be classified by the market administrator in the classes set forth in (b) of this section.

8. Delete in § 913.6 (b) the phrase "paragraph (a) of this section," and substitute therefor the following: "paragraph (c) of this section."

9. Reletter § 913.6 (c) as (d).

10. Add as § 913.6 (c) the following:

(c) *Transfers of milk and cream.* (1) Milk or skim milk sold or disposed of in fluid form by a handler to a plant of a non-handler who distributes fluid milk shall be Class I: *Provided*, That if the non-handlers' other receipts of milk were from qualified dairy farmers and if the market administrator is permitted to audit the records of such non-handler, such milk shall be classified as follows: (i) determine the use of all milk and milk products received at the plant of such non-handler and (ii) allocate the milk disposed of by the handler to such non-handler to the highest use remaining after subtracting, in series beginning with the highest use classification, the receipts of milk by such non-handler from qualified dairy farmers. This provision shall not apply if during any period the receipts of producer milk on the

Greater Kansas City market are less than Class I and Class II sales.

(2) Cream sold or disposed of as fluid cream by a handler to a plant of a non-handler who distributes fluid cream shall be Class II: *Provided*, That if the non-handlers' other receipts of milk were from qualified dairy farmers and if the market administrator is permitted to audit the records of such non-handlers, such cream shall be classified as follows: (i) determine the use of all milk and milk products received at the plant of such non-handler, and (ii) allocate the cream disposed of by the handler to such non-handler to the highest use remaining after subtracting in series beginning with the highest use classification, the receipts of milk by such non-handler from qualified dairy farmers. This provision shall not apply if during any period the receipts of producer milk on the Greater Kansas City market are less than Class I and Class II sales.

(3) Milk, skim milk, or cream sold or disposed of by a handler to a plant of a non-handler who does not distribute fluid milk or cream shall be Class III, subject to verification by the market administrator.

(4) Milk or skim milk sold or disposed of in fluid form by a handler who purchases or receives milk from producers to another handler who purchases or receives milk from producers shall be Class I, and this shall also apply to the milk of producers diverted from producers' farms to the plant of the second handler for not more than five full days during the period: *Provided*, That if the amount of such milk so sold or disposed of is in excess of the amount classified as Class I in such purchasing handler's plant, such excess milk shall be classified in series beginning with the next highest class in which such purchasing handler has use: *Provided*, That if either or both handlers have purchased other source milk, such milk so sold or disposed of shall be classified so as to return to the producers at both plants the highest class utilization of producer milk: *And provided further*, That if such milk was sold or disposed of from a handler's plant located outside the marketing area to another handler who purchases or receives milk from producers, such milk shall be allocated to the lowest class usage of such purchasing handler.

(5) Cream sold or disposed of as fluid cream by a handler who purchases or receives milk from producers to another handler who purchases or receives milk from producers shall be Class II: *Provided*, That if the amount of such cream so sold or disposed of is in excess of the amount classified as Class II in such purchasing handler's plant, such excess cream shall be classified in the next highest class in which such purchasing handler has use: *Provided*, That if either or both handlers have purchased other source milk, such cream so sold or disposed of shall be classified so as to return to the producers at both plants the highest class utilization of producer milk: *And provided further*, That if such cream was sold or disposed of from a handler's plant located outside the marketing area to another handler who

purchases or receives milk from producers, such milk shall be allocated to the lowest class usage of such purchasing handler.

(6) Milk or skim milk sold or disposed of in fluid form by a handler who purchases or receives milk from producers to a handler who purchases or receives no milk from producers shall be Class I.

(7) Cream sold or disposed of as fluid cream by a handler who purchases or receives milk from producers to a handler who purchases or receives no milk from producers shall be Class II.

11. Delete from § 913.6 (d) (6) (i) the phrase "pounds of milk" and substitute therefor the following: "pounds of producer milk".

12. Delete from § 913.6 (d) (6) (ii) the phrase "the pounds of milk which were received from sources other than producers, own farm production, and other handlers" and substitute therefor the phrase "the pounds of other source milk."

13. Delete § 913.6 (d) (6) (iii).

14. Reletter § 913.6 (d) as § 913.6 (g).

15. Reletter § 913.6 (e) as § 913.6 (h).

16. Add as § 913.6 (e) the following:

(e) *Allocation of producer milk.* (1) Producer milk received by a handler shall first be allocated to Class I but not to exceed the Class I pounds as determined pursuant to (d) (6) of this section.

(2) Producer milk received by a handler in excess of such Class I utilization shall be allocated to Class II but not to exceed the Class II pounds as determined pursuant to (d) (6) of this section.

(3) Producer milk received by a handler in excess of Class I and Class II utilization shall be Class III.

17. Add as § 913.6 (f) the following:

(f) *Allocation of other source milk.* Other source milk purchased or received at an approved plant of a handler who purchases or receives milk from producers shall be allocated to Class III, except that other source milk may be allocated to Class II to the extent that Class II use exceeds the amount of all producer milk less the amount of producer milk classified as Class I milk, and other source milk may be allocated to Class I only to the extent that the total amount of Class I milk exceeds the total amount of producer milk received.

18. Delete from § 913.7 (a) (1) the proviso.

19. Add to § 913.7 (a) (3) a proviso that will increase the price of Class III milk 25 cents per hundredweight for the delivery periods of September through March.

20. Delete § 913.8 (b).

21. Delete § 913.8 (c).

22. Delete § 913.8 (d).

23. Delete from § 913.8 (e) the phrase "milk or butterfat from sources determined as other than producers, own farm production, or other handlers," and substitute therefor "other source milk".

24. Delete from § 913.8 (e) the last sentence and substitute therefor the following: "This provision shall not apply if the handler can prove to the market administrator that such other source milk was used only to the extent that producer milk was not available."

25. Reletter § 913.8 (e) as § 913.8 (b).
 26. Delete from § 913.8 (f) the phrase "receipts from sources determined as other than producers, own farm production, or other handlers" and substitute therefor the following: "receipts of other source milk."

27. Reletter § 913.8 (f) as § 913.8 (c).
 28. Reletter § 913.8 (g) as § 913.8 (d).
 29. Add § 913.11 (j).

(j) *Statements to producers.* In making payments to producers as prescribed in (a) of this section, each handler shall furnish each producer with a supporting statement, in such form that it may be retained by the producer, which shall show:

(1) The delivery period and the identity of the handler and of the producer;

(2) The pounds per shipment, the total pounds, and the average butterfat test of milk delivered by the producer;

(3) The minimum rate or rates at which payment to the producer is required under the provisions of (a), (c), and (d) of this section;

(4) The rate which is used in making the payment, if such rate is other than the applicable minimum rate;

(5) The amount or the rate per hundredweight of each deduction claimed by the handler, including any deduction claimed under (b) of this section and § 913.12, together with a description of the respective deductions; and

(6) The net amount of payment to the producer.

30. Make such other changes as may be required to make the entire order conform with the proposals herewith submitted.

The Kansas City Milk Distributors Association has proposed the following amendments:

1. Delete the last two words in § 913.6 (b) (3), namely, "from producers" and add to the sentence the words "less receipts from other handlers".

2. Delete in § 913.6 (d) (5) (iii) the two words "from producers" as they appear in the parenthesis mark and add to the sentence the words "less receipts from other handlers".

3. So clarify the computation section reference cost of milk to handler so that handler is not charged with differential fat twice.

4. So amend § 913.7 (d) and other sections pertaining to station differentials making possible application of present station differential credit to handlers on new stations required.

Additional proposals of the Pure Milk Producers Association of Greater Kansas City, Inc.

1. In § 913.7 (a) (1) delete the words, "75 cents", and substitute therefor the words "\$1.15."

2. In § 913.7 (a) (2) delete the words, "50 cents", and substitute therefor the words "90 cents."

Copies of this notice of hearing and of the tentatively approved marketing agreement and order, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States De-

partment of Agriculture, in Room 1331 South Building, Washington 25, D. C., or may be there inspected.

Dated: June 12, 1946.

[SEAL] E. A. MEYER,
 Assistant Administrator for
 Regulatory and Marketing
 Service Matters, Production
 and Marketing Administra-
 tion.

[F. R. Doc. 46-10076; Filed, June 13, 1946;
 11:07 a. m.]

NEW YORK METROPOLITAN MARKETING AREA

NOTICE OF PROPOSED AMENDMENTS AND MARKETING AGREEMENTS

Notice of report and opportunity to file written exceptions on proposed amendments to the Order (No. 27), as amended, and to a proposed marketing agreement, regulating the handling of milk in the New York Metropolitan Milk Marketing Area.

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supp., 900.1 et seq., 10 F.R. 11791), notice is hereby given of the filing of this report with respect to proposed amendments to the order, as amended, and to a marketing agreement, regulating the handling of milk in the New York metropolitan milk marketing area, to be made effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.). Interested parties may file exceptions to the report with the Hearing Clerk, Room 1331, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 7th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Pursuant to notice of hearing issued on January 9, 1946 (11 F. R. 534), the hearing was convened in Brooklyn, New York, on January 17, 1946, in Watertown, New York, on January 21, 1946, and at Syracuse, New York, on January 22, 1946. Thereafter, by notice issued April 18, 1946 (11 F.R. 4417), a hearing was held at Utica, New York, beginning on May 14, 1946, for further consideration of proposals considered at the prior hearing and for consideration of additional proposals.

The issues developed at the hearing, and relative to which proposed amendments were considered, relate principally to the following:

1. Revision of the minimum prices for the various classes of milk;

2. Revision of butterfat differentials on Class III and Class IV-B milk;

3. Elimination or modification of provisions relating to payments for milk or milk products from other than producer sources;

4. Revision of the definition of Class III milk to include "syruped malted milk";

5. The addition of a new provision imposing an additional charge in connection with past due payments to or from the producer settlement fund;

6. Revision of provisions relating to the suspension and cancellation of pool plant designations, particularly as to requirements or obligations of handlers in supplying milk and cream for the marketing area;

7. The addition of a new provision for allocation of available milk supplies among handlers;

8. Expansion of the area in which location differentials are applicable, and provision for the payment by handlers of all such differentials;

9. The basis of classification as to the period allowed for handling cold storage cream, the movement of frozen desserts or homogenized mixtures in New York City, and the prior assignment in the prescribed accounting procedure, of producers' milk to Class II-B products;

10. The establishment of limitations on the time within which handlers may make claims on the producer settlement fund and within which the market administrator may audit, reaudit or charge handlers;

11. Storage cream payments, particularly as to claims for such payments, reports on the storage of cream, and eligibility for payments;

12. The addition of provisions authorizing the market administrator to recommend to the Secretary amendments to the order, and requiring the market administrator to publicly disclose the name of any person failing to make payments for administrative expense; and

13. Revision and reorganization, primarily for clarification and without significant change in meaning, of provisions (a) requiring announcement of prices by the market administrator, (b) relating to transportation differentials, and (c) relating to the accounting for and classification of skim milk.

Conclusions. With respect to the foregoing issues it is concluded:

1. The Class I-A price provision should be amended by, (a) extending the table contained therein to provide prices beyond the top limits now provided, (b) increasing the price 5 cents per hundredweight during the months of July through March and reducing the price 15 cents per hundredweight during the months of April through June, and (c) providing for a fixed minimum price of not less than \$4.15 during the months of July through December 1946.

2. Evidence in the record indicates that the Class I-B price should be increased, and in view of administrative complications involved in making the Class I-C price a floor under the Class I-B price as specifically proposed in the notice of hearing, it is concluded that the Class I-B price should be the same as the Class I-A price.

3. The Class II-A price provision should be amended by (a) extending the table contained therein to provide prices beyond the top limits now provided and (b) naming a fixed minimum price of not less than \$3.00 per hundredweight during the month of July 1946.

4. The Class II-B price, in order to be more nearly competitive with alternative sources of butterfat, should be the Class II-E price plus 25 cents during the months of August through February and plus 20 cents during the months of March

through July, but not less than the Class II-D price.

5. The Class II-D and Class II-E prices, including the floor now provided, should not be changed, except for rewording to retain the present floor during all months. Deletion of the factor of 10 cents in the floor provisions is not justified without further evidence as to conditions resulting from such a change.

6. In order to maintain a relatively favorable outlet for milk during seasons of the year when adequate outlets returning a higher price to producers may not be available, the Class III price should be reduced 10 cents per hundredweight during the months of March through June and 2 cents during the months of January, February, July, August, and September, but by reason of no apparent necessity for utilizing milk during the months of October, November, and December so as to result in a return to producers lower than somewhat above the present Class III price, the price during such months should be increased 5 cents per hundredweight. Revision of the Class III butterfat differential as herein provided is equivalent to a further reduction in the price of Class III milk of approximately 4 cents per hundredweight on milk of average butterfat content.

7. The Class IV-A and IV-B prices, in order not to be lower than necessary to result in the utilization in these classes of milk for which a higher value use is not available, should remain at their present level except that during the months of relatively short supply (October through February) the Class IV-A price should not be less than the Class II-E price, and the Class IV-B price should not be less than the Class III price. Evidence in the record at this time does not justify adoption of the posting and auction plan proposed relative to Class IV-A and Class IV-B milk.

8. The value of skim milk at the Class V-B price should be deducted from the Class III price before dividing by 35 in determining the Class III butterfat differential in order to more equitably adjust the cost to handlers of milk containing more or less than 3.5 percent butterfat.

9. The factor of "9.45" contained in the formula for determining the Class IV-B butterfat differential should be changed to "9.0" in order to correspond with an earlier change in the Class IV-B price formula.

10. The payments for cream and plain condensed milk from non-pool sources, upon a declaration by the market administrator of a temporary emergency should be reduced for such temporary period to an amount equal to the difference between the Class II-A or Class II-B price and the Class II-E price.

11. The term "other concentrated milk products" should be substituted, in the definition of Class III milk, for the terms "malted milk powder" and "ice cream powder" in order to facilitate the classification of new products.

12. Additional evidence is required before adding a new provision for adjustment of payments past due to or from the producers settlement fund.

13. In order to clarify the order as to the conditions under which pool plant designations may be suspended by the market administrator, and to more effectively and equitably provide for meeting the fluid milk and cream requirements of the market during the months of short supply, the provisions relative to the suspension and cancellation of pool plant designations should be amended to more specifically set forth the conditions under which the market administrator may suspend pool plant designations; to extend the period of August through December to the period of July through February during which pool plant designations may be suspended for failure to meet requirements; to establish varying monthly percentages of milk in certain classes, rather than the present figure of 75 percent, which, if met, will protect the handler from cancellation; and to restrict the classes of milk credited in meeting the percentage requirements during the months of November and December to Class I-A and Class I-C.

14. A new provision for the allocation of available milk supplies among handlers should not be included in the order.

15. Evidence in the record is not sufficient to justify a change at this time in the present provisions of the order relative to location differentials.

16. The order should be amended to permit classification in classes other than II-B of milk used in frozen desserts or homogenized mixtures which are moved from the plant where made to a second plant in New York City and then outside.

17. An amendment should be made setting forth the portion of the handling of cold storage cream required to be performed during the period of time allowed for establishing classification.

18. The provision setting forth the principles governing accounting procedure should be expanded to require assignment pool milk, cream, and plain condensed milk to Class II-B (in addition to Class I-A, II-A, and IV-A) prior to assignment of non-pool milk, cream, or plain condensed milk to Class II-B.

19. Further evidence should be obtained and consideration given the establishment of limitations on the time within which claims may be made by handlers on the producer settlement fund and within which the market administrator may charge handlers before such a provision is included in the order.

20. The order should be amended establishing a limitation on the time within which claims may be filed for storage cream payments; specifically requiring storage cream reports; and making handlers eligible for storage cream payments on butterfat used in Classes II-D, II-E, or II-F during the months of July to March (rather than October to March).

21. The order should be amended authorizing the market administrator to recommend to the Secretary amendments to the order, and requiring the market administrator to publicly disclose the name of any person failing to make the required payments for administrative expense.

22. That provision of the order requiring announcement of prices should be amended to require announcement of all product price quotations used in deter-

mining class prices; to include the term "nonfat dry milk solids"; to substitute the term "U. S. Grade A or U. S. 92-score butter" for the term "92-score butter"; to more specifically define the period within which price quotations for butter and nonfat dry milk solids are to be used in determining Class I-A and Class II-A prices; and to otherwise clarify the provision.

23. Provisions relating to transportation differentials should be amended to eliminate the 5-mile differential as between highway and mileage distances; to specifically designate the latest mileage guide issued by the Household Goods Carriers' Bureau for use in computing highway mileage distances; to designate Columbus Circle as the point in New York City from which mileage distances to plants are to be computed; and to otherwise coordinate the provision with the various class price amendments.

24. The order should be amended by bringing together in one section all provisions relating to the operation of the producer settlement fund, and by changing such provisions to provide for rendering once each month (rather than more frequently) to each handler a statement of his account.

25. The Class V-A and Class V-B definitions and other provisions relating to the classification of and accounting for skim milk should be amended merely for the purpose of clarification.

26. The provision on payments for administrative expense should be amended by changing the date on which such payments are due from the 20th to the 18th day of each month in order to coincide with the date on which producer settlement fund accounts are due, and also to provide for adjustment of errors in such payments.

Proposed amendments. The following amendments are set forth as the detailed means by which the foregoing recommended changes may be carried out. A proposed marketing agreement is not included in this report because the recommended provisions thereof would be the same as the provisions in the order, as amended and as recommended to be amended.

1. Amend § 927.2 (c) by adding the following provision:

(4) To recommend to the Secretary amendments to this order.

2. Amend § 927.2 (d) (5) by changing the last section reference therein from "§ 927.8" to "§§ 927.8, 927.9 or 927.10".

3. Amend § 927.2 (d) (8) by changing the section reference therein from "§ 927.9" to "§ 927.10".

4. Amend § 927.2 (e) (1) and (2) to read:

(e) *Announcement of prices.* The market administrator shall compute and publicly announce prices as follows:

(1) Not later than the 25th day of each month:

(i) The average, for the period beginning with the 25th of the immediately preceding month and ending with the 24th of the current month, of the highest prices reported daily by the United States Department of Agriculture for U. S.

Grade A or U. S. 92-score butter at wholesale in the New York market.

(ii) The average, for the period beginning the 25th of the immediately preceding month and ending with the 24th of the current month, of the prices (using the midpoint of any range as one quotation) reported daily in "The Producers' Price-Current" for hot roller process dry skim milk or nonfat dry milk solids "other brands, human consumption, carlots, bags or barrels."

(iii) The average, for the period beginning with the 25th of the immediately preceding month and ending with the 24th of the current month, of the prices (using the midpoint of any range as one quotation) reported daily in "The Producers' Price-Current" for hot roller process dry skim milk or nonfat dry milk solids "other brands, animal feed, carlots, bags, or barrels."

(iv) The simple average of the averages computed pursuant to (ii) and (iii) of this paragraph.

(v) The preliminary Class I-A, Class II-A and Class V-A prices for the following month pursuant to § 927.5 (a).

(2) Not later than the 5th day of each month:

(i) The minimum class prices pursuant to § 927.5 (a) for the preceding month.

(ii) The butterfat differentials, pursuant to § 927.5 (b) and § 927.8 (c), for the preceding month.

(iii) The average, for the preceding month as reported by the United States Department of Agriculture, of all weekly market quotations (using the midpoint of any weekly range as one quotation) of prices for a 40-quart can of 40 percent sweet cream approved for Pennsylvania.

(iv) The average, for the preceding month as reported by the United States Department of Agriculture, of all weekly market quotations (using the midpoint of any weekly range as one quotation) of prices for a 40-quart can of 40 percent sweet cream approved for Pennsylvania, Newark and Lower Merion Township.

(v) The simple average of the averages computed pursuant to (iii) and (iv) of this paragraph.

(vi) The weighted average price, for the preceding month as reported by the United States Department of Agriculture, per 40-quart can of 40 percent bottling quality cream in the Boston market.

(vii) The average, for the preceding month as reported to the United States Department of Agriculture, of the prices paid to dairy farmers for 3.5 percent milk at the evaporated milk plants at places set forth in § 927.5 (a) (11).

(viii) The average of the highest prices reported daily during the preceding month by the United States Department of Agriculture for U. S. Grade A or U. S. 92-score butter at wholesale in the New York market.

(ix) The average of the weekly price quotations during the preceding month for cheddars or twins at the Wisconsin Cheese Exchange as set forth in § 927.5 (a) (13).

(x) The average, for the preceding month, of the prices (using the midpoint of any range as one quotation) reported daily in "The Producers' Price-Current"

for hot roller process dry skim milk or nonfat dry milk solids "other brands, human consumption, carlots, bags or barrels."

(xi) The average, for the preceding month, of the prices (using the midpoint of any range as one quotation) reported daily in "The Producers' Price-Current" for hot roller process dry skim milk or nonfat dry milk solids "other brands, animal feed, carlots, bags or barrels."

(xii) The simple average of the averages computed pursuant to (x) and (xi) of this paragraph.

5. Amend § 927.3 (a) (4) (iv) by changing the months set forth in the first sentence from "August through December" to "July through February", and by adding the following just prior to (a): "No pool plant designation shall be suspended for failure to meet the requirement of (3) (i) of this paragraph unless the market administrator finds on the basis of available information that the handler operating a plant or the cooperative reporting a plant is failing to meet the percentages set forth in the table in (4) (iv) (a) of this paragraph: *Provided*, That during the period October 15 and December 31 a notice of suspension of the pool plant designation of any plant may be issued if the market administrator finds that the handler is using any milk received from producers in classes other than Class I-A and Class I-C in the area set forth in (4) (iv) (a) of this paragraph.

6. Amend § 927.3 (a) (4) (iv) (a) to read:

(a) No pool plant designation shall be cancelled for failure to meet the requirement of (3) (i) of this paragraph if the handler operating the plant, during the month in which the suspension by the market administrator was made effective, utilized the total milk he received from producers at all pool plants in accordance with the table set forth below: *Provided*, That the quantity of Class I-C milk used in the computation of the percentages set forth in such table shall be limited to milk ultimately distributed in the special cream area, in Fairfield County, Connecticut, or in Pennsylvania outside the counties of Allegheny, Beaver, Fayette, Greene, Washington and Westmoreland and shall not exceed 50 percent of the milk received by the handler from producers: *Provided further*, That the classes and the applicable percentages for any month for which the Secretary has found and declared an emergency to exist in the supplying of milk to the marketing area shall be established by the Secretary.

Month	Minimum percentage	Classes of milk for credit
July.....	60	Class I-A, I-C, II-A, and II-B. ¹
August.....	65	Do.
September.....	85	Do.
October.....	90	Do.
November.....	90	Class I-A and I-C.
December.....	90	Do.
January.....	90	Class I-A, I-C, II-A, and II-B. ¹
February.....	90	Do.

¹ Except cold storage cream.

No pool plant designation shall be cancelled if during the month in which the suspension is made effective the handler operating the plant utilized in the applicable classes for such month, as set forth in the table in this subparagraph, a percentage of the total milk he received from producers at all pool plants which percentage is not less than the percentage of the total milk reported by all handlers as received from producers during such month and which was reported to have been used in the applicable classes for such month.

7. Amend § 927.3 (a) (4) (iv) (c) to read:

(c) Cancellation of designations for failure to meet the requirements of (3) (i) of this paragraph shall be limited to those plants necessary to result in the utilization of milk received at the remaining pool plants operated by the handler, or reported by the cooperative, as the case may be, in accordance with the table set forth in (4) (iv) (a) of this paragraph or such other percentages and classes as has been established by the Secretary in declaring an emergency.

8. Amend § 927.4 (a) (2) by adding the following proviso: "*Provided*, That the holding of milk in the form of cream in a licensed cold storage warehouse at an average temperature below zero degrees Fahrenheit for at least 7 consecutive days shall constitute that portion of the handling of such cream, required pursuant to § 927.4 (c) (5), that is required to be performed during the month following its receipt from dairy farmers."

9. a. Amend § 927.4 (a) (3) by (a) changing the first sentence thereof to read: "Classification shall be determined at the plant where the milk is received from dairy farmers: *Provided*, That, if such milk is shipped in the form of milk, skim milk, cream, plain condensed milk, or frozen desserts or homogenized mixtures to another plant or other plants, it shall be classified, subject to the provisions of (i) through (vii) of this subparagraph, at the plant or plants to which it is shipped, and there shall be no limit on the number of interplant movements in the form of milk, skim milk, cream, plain condensed milk, or frozen desserts or homogenized mixtures prior to classification, except as set forth in (i) through (vii) of this subparagraph."

b. Section 927.4 (a) (3) is further amended by adding a new subdivision as follows:

(vii) If, pursuant to this subparagraph, classification of milk is to be based on butterfat leaving or on hand at a plant in the form of frozen desserts or homogenized mixtures, such classification shall be determined at the first plant at which the butterfat is held or from which the butterfat leaves in the form of frozen desserts or homogenized mixtures: *Provided*, That if the frozen desserts or homogenized mixtures are shipped from such first plant to a plant in New York City, the classification of the milk the butterfat from which is so shipped shall be determined at such New York City plant.

10. Amend § 927.4 (a) (5) (i) to read:

(i) Milk, cream, plain condensed milk, or skim milk received from pool plants or from producers shall be assigned as far as possible to Class I-A, Class II-A, Class II-B, or Class V-A, unless such classification is based on some product leaving or on hand at the plant in some form other than milk, cream, plain condensed milk, frozen desserts or homogenized mixtures, skim milk, or other than cultured or flavored milk drinks shipped or distributed in the marketing area.

11. Amend § 927.4 (c) (5) by changing the section reference therein from "§ 927.8 (j)" to "§ 927.9 (e)".

12. Amend § 927.4 (c) (10) by deleting the terms "malted milk powder" and "ice cream powder" and inserting in lieu thereof the term "other concentrated milk products".

13. Amend § 927.4 (c) (13) to read:

(13) Class V-A milk shall be the skim milk in all milk, which skim milk enters the marketing area in the form of fluid skim milk or cultured or flavored milk drinks containing less than 3 percent butterfat, or which is not accounted for in some product leaving or on hand at a plant.

14. Amend § 927.4 (c) (14) to read:

(14) Class V-B milk shall be the skim milk in all milk, which skim milk is not classified pursuant to (13) of this paragraph.

15. Amend § 927.5 by deleting the present provisions reading: "The prices for milk classified pursuant to (4), (5), (6), (7), (8), (9), and (11) of § 927.4 (c) shall represent the value of the 40 percent cream equivalent of the milk. The value of any excess skim milk in such milk shall be represented by either the Class V-A or the Class V-B price", and substituting therefor the following: "The prices for milk classified pursuant to (4), (5), (6), (7), (8), (9), and (11) of Sec. 927.4 (c) shall represent the value of the 40 percent cream equivalent of the milk. For purposes of this section, the quantity of skim milk to be priced at either the Class V-A or Class V-B price shall be 91.25 pounds (plus or minus 0.25 pounds for each point of butterfat in milk containing less or more than 3.5 percent butterfat) in each 100 pounds of milk classified pursuant to (4), (5), (6), (7), (8), (9), and (11) of § 927.4 (c): *Provided*, That if the quantity of Class V-A milk is greater than the quantity of skim milk to be so priced, the excess V-A skim milk shall be paid for at the difference between the Class V-A and Class V-B prices."

16. Amend § 927.5 (a) by changing subparagraph (1) thereof to read:

(1) For Class I-A milk the price per hundredweight during each month shall be as set forth in the table in this subparagraph: *Provided*, That the Class I-A price shall not be less than \$4.15 per hundredweight during the months of July through December 1946:

[U. S. Grade A or U. S. 92-score butter, wholesale, at New York, average price per pound announced pursuant to § 927.2 (e) (1) (i) for the period ending on the 24th of the preceding month, plus an amount calculated as follows: deduct 4 cents from the average dry skim milk or nonfat dry milk solids quotation per pound, announced pursuant to § 927.2 (e) (1) (iv) for the period ending on the 24th of the preceding month, and multiply by 1.8]

Cents	Class I-A price	
	April through June	July through March
	Dollars per cwt.	Dollars per cwt.
Under 25.....	1.70	2.15
25 or over, but under 30.....	1.90	2.35
30 or over, but under 35.....	2.10	2.55
35 or over, but under 40.....	2.30	2.75
40 or over, but under 45.....	2.50	2.95
45 or over, but under 50.....	2.70	3.15
50 or over, but under 55.....	2.90	3.35
55 or over, but under 60.....	3.10	3.55
60 or over, but under 65.....	3.30	3.75
65 or over, but under 70.....	3.50	3.95
70 or over, but under 75.....	3.70	4.15
75 or over, but under 80.....	3.90	4.35

Should the butter-dry skim milk price combination set forth above be 80 cents or more, the Class I-A price shall be the price which would result from further extension of this table to cover such butter-dry skim milk price combination.

17. Amend § 927.5 (a) by deleting subparagraph (2) thereof.

18. Amend § 927.5 (a) (3) to read:

(3) For Class I-B milk the price during each month shall be the price for Class I-A milk.

19. Amend § 927.5 (a) (5) to read:

(5) For Class II-A milk the price during each month shall be as set forth in the following table: *Provided*, That the Class II-A price during the month of July 1946 shall not be less than \$3.00 per hundredweight;

[U. S. Grade A or U. S. 92-score butter, wholesale, at New York, average price announced pursuant to § 927.2 (e) (1) (i) for the period ending on the 24th of the preceding month]

Cents per pound	Class II-A price	
	March through July	August through February
	Dollars per cwt.	Dollars per cwt.
Under 21.5.....	1.35	1.50
21.5 or over, but under 25.0.....	1.50	1.65
25.0 or over, but under 28.5.....	1.65	1.80
28.5 or over, but under 32.0.....	1.80	1.95
32.0 or over, but under 35.5.....	1.95	2.10
35.5 or over, but under 39.0.....	2.10	2.25
39.0 or over, but under 42.5.....	2.25	2.40
42.5 or over, but under 46.0.....	2.40	2.55
46 or over, but under 49.5.....	2.55	2.70

Should the average butter price set forth above be 49.5 cents or more the Class II-A price shall be the price which would result from further extension of this table at the same rate to cover such average butter price.

20. Amend § 927.5 (a) (6) to read:

(6) For Class II-B milk, the price shall be the Class II-E price plus 25 cents during the months of August through February and plus 20 cents during the months of March through July: *Provided*, That in no event shall the Class II-B price be lower than the Class II-D price.

21. Amend § 927.5 (a) (8) by changing the proviso therein to read: "*Provided*, That in no event shall the Class

II-D price be lower than an amount computed by the market administrator as follows: From the average of the highest prices reported daily during such month by the United States Department of Agriculture for U. S. Grade A or U. S. 92-score butter at wholesale in the New York market, deduct 4 cents, add 20 percent, multiply by 3.5, and add 10 cents."

22. Amend § 927.5 (a) (9) by changing the proviso therein to read: "*Provided*, That in no event shall the Class II-E price be lower than an amount computed by the market administrator as follows: From the average of the highest prices reported daily during such month by the United States Department of Agriculture for U. S. Grade A or U. S. 92-score butter at wholesale in the New York market, deduct 4 cents, add 20 percent, multiply by 3.5, and add 10 cents."

23. Amend § 927.5 (a) (11) by changing that portion preceding the proviso to read:

(11) For Class III milk the price during each month shall be the average, computed by the market administrator, of prices, as reported to the United States Department of Agriculture, paid during such month to farmers for 3.5 percent milk at evaporated milk plants at locations listed in this subparagraph: *Provided*, That the Class III price during the months of January, February, July, August, and September shall be such average plus 8 cents, and during the months of October, November and December shall be such average plus 15 cents.

24. Amend § 927.5 (a) (12) by changing the term "92-score butter" to "U. S. Grade A or U. S. 92-score" and by the following proviso: "*Provided*, That in no event shall the Class IV-A price during the months of October through February be less than the Class II-E price."

25. Amend § 927.5 (a) (13) by adding the following proviso: "*Provided further*, That in no event shall the Class IV-B price during the months of October through February be less than the Class III price."

26. Amend § 927.5 (a) (14) by deleting the proviso contained therein.

27. Amend § 927.5 (b) to read as follows:

(b) *Butterfat differentials*. The minimum price for Class I-A, I-B, and I-C milk shall be plus or minus 4 cents for each one-tenth of 1 percent of butterfat therein above or below 3.5 percent. The minimum price for Class III milk shall be plus or minus, for each one-tenth of 1 percent of butterfat therein above or below 3.5 percent, an amount computed as follows: Subtract from the Class III price an amount equal to 91.25 percent of the Class V-B price and divide by 35. The minimum price for Class IV-B milk shall be plus or minus, for each one-tenth of 1 percent of butterfat therein above or below 3.5 percent, an amount equal to the price set forth in subparagraph (13) of paragraph (a) of this section, divided by 9 and multiplied by 0.23. The minimum price for each of the other classes, except Classes V-A, and V-B, shall be

plus or minus, for each one-tenth of 1 percent of butterfat therein above or below 3.5 percent, an amount equal to the respective prices set forth in paragraph (a) of this section, divided by 35.

28. Amend § 927.5 (c) as follows:

a. Change that portion of each of the subparagraphs (1), (2), and (3) thereof preceding the table in each of such subparagraphs to read:

(1) The market administrator shall, from time to time, determine and publicly announce for each pool plant the freight zone set forth in the following schedule. The freight zone for plants located in the marketing area shall be the 1-10 mile zone. The freight zones for plants outside the marketing area shall be based on the railroad mileage distance from the plant to New York City terminals of the nearest railway shipping point, or the shortest highway mileage distance from the plant to Columbus Circle, New York City, as computed from the latest mileage guide issued by the Household Goods Carriers' Bureau, Agent, Washington, D. C., whichever is shorter. The minimum prices set forth in (a) of this section shall be plus or minus the amounts as set forth in the following schedule:

(2) The market administrator shall, from time to time, determine and publicly announce for each pool plant a zone based on its shortest highway mileage distance from the City Hall in Philadelphia, Pennsylvania, as computed from the latest mileage guide issued by the Household Goods Carriers' Bureau, Agent, Washington, D. C. The minimum price for Class II-D shall be subject to the minus differentials set forth in the following table applicable to the location of the plant at which the milk was received from producers:

(3) The market administrator shall, from time to time, determine and publicly announce for each pool plant a zone based on its shortest highway mileage distance from the State House in Boston, Massachusetts, as computed from the latest mileage guide issued by the Household Goods Carriers' Bureau, Agent, Washington, D. C. The minimum prices for Class II-E, Class II-F, and during the months of October through February Class IV-A milk shall be subject to the minus differential set forth in the following table applicable to the location of the plant at which milk was received from producers:

(b) Insert "I-B" in the heading of Column B of the table contained in subparagraph (1) thereof.

(c) Change the proviso in subparagraph (2) thereof to read: "Provided, That in no case shall the amount subtracted reduce the Class II-D price at any plant below an amount computed by the market administrator as follows: From the average of the highest prices reported daily during such month by the United States Department of Agriculture for U. S. Grade A or U. S. 92-score butter at wholesale in the New York market, deduct 4 cents, add 20 percent, multiply by 3.5, and add 10 cents."

(d) Change the proviso in subparagraph (3) thereof to read: "Provided, That in no case shall the amount subtracted reduce the Class II-E, the Class II-F or during the months of October through February the Class IV-A price at any plant below an amount computed by the market administrator as follows: From the average of the highest prices reported daily during such months by the United States Department of Agriculture for U. S. Grade A or U. S. 92-score butter at wholesale in the New York market, deduct 4 cents, add 20 percent, multiply by 3.5, and add 10 cents."

29. Amend § 927.6 a. By changing the section reference in the first sentence of paragraph (a) thereof from "§ 927.8 (e)" to "§ 927.9 (h)."

b. By changing paragraphs (c) and (d) thereof to (d) and (e) respectively.

c. By adding a new paragraph (c) as follows:

(c) *Storage cream reports.* On or before the last day of the period for establishing classification pursuant to § 927.4 (a) (2), or, if earlier, not later than 15 days prior to the date of final removal of the cream from storage, each handler shall report to the market administrator on forms prescribed by the market administrator information with respect to the storage of cream as a basis for Class II-B classification. Failure to make such report shall result in the disallowance of Class II-B classification.

d. By changing the section reference in subparagraph (4) of paragraph (d) (changed to paragraph (e)) from "§ 927.8 (d) and (f)" to "§ 927.9 (f) and (g)."

30. Amend § 927.7 by (a) changing, in the second sentence thereof, the words "in (d) and (g) of § 927.8, and in § 927.9" to "in (d) and (f) of § 927.9, and in § 927.10", and by (b) changing, in paragraph (b) thereof, the section references appearing therein from "§ 927.8 (g)", and "§ 927.8 (d)", and "§ 927.8 (e)" to "§ 927.9 (a)", "§ 927.9 (f)", and "§ 927.9 (h)", respectively.

31. Amend § 927.8 by:

a. Changing the title thereof to read: "Payment by handlers directly to producers".

b. Changing the title of paragraph (a) thereof to read: "(a) Time and rate of payments".

c. Adding the following sentence to the end of paragraph (a): "Whenever verification by the market administrator of the payment to any producer or cooperative association of producers for milk delivered to any handler discloses payment of less than is required by this order, the handler shall make up such payment to the producer or cooperative association of producers not later than the time of making payment next following such disclosure."

32. Change the numbers of §§ 927.9, 927.10, 927.11, and 927.12 to 927.10, 927.11, 927.12, and 927.13, respectively. Renumber paragraphs (d) and (e) of § 927.8 to paragraphs (f) and (h) of § 927.9. Delete paragraphs (f), (g), (h), (i), and (j) of § 927.8, and add new provisions of § 927.9 as follows:

§ 927.9 *Producer settlement fund and its operation.* The market administrator shall establish and maintain a separate fund known as "the producer settlement fund" into which he shall deposit all payments and out of which he shall make all payments pursuant to this section.

(a) *Handlers' accounts.* The market administrator shall establish an account for each handler who is required to make payments to the producer settlement fund or who received payments from the producer settlement fund. After computing the uniform price and each handler's pool debit or credit each month, and at such other times as he deems appropriate, the market administrator shall render each handler a statement of his account showing the debit or credit balance, together with all debits or credits entered on such handler's account since the previous statement was rendered.

(b) *Payment to the producer settlement fund.* On or before the 18th day of each month each handler shall make full payment of the debit balance, if any, of such handler shown on the last statement of account rendered pursuant to (a) of this section.

(c) *Payments out of producer settlement fund.* On or before the 20th day of each month the market administrator shall make payment to each handler of the credit balance, if any, of such handler shown on the last statement of account rendered pursuant to (a) of this section. If, at any such time, the balance in the producer settlement fund is insufficient to make full payment due to each handler, the market administrator shall reduce uniformly the payments to each handler and shall complete such payments as soon as the necessary funds are available. No handler who, on the 25th day of the month, has not received such payments in full from the market administrator shall be deemed to be in violation of § 927.8, if he reduces his total payments to producers for milk delivered by such producers during the preceding month by not more than the amount of the reduction in payment from the producer settlement fund.

(d) *Handlers' pool debit or credit.* After computing the uniform price for each month, the market administrator shall compute each handler's pool debit or pool credit as follows:

(1) Add to each handler's net pool obligation the value of his Class I-C milk at the uniform price.

(2) Multiply the quantity of milk received by each handler from producers by the uniform price.

(3) If the result obtained in (2) of this paragraph is less than the result in (1), the difference shall be entered on the handler's producer settlement fund account as such handler's pool debit.

(4) If the result obtained in (2) of this paragraph is greater than the result in (1), the difference shall be entered on the handler's producer settlement fund account as such handler's pool credit.

(e) *Adjustments of errors in payments.* Whenever verification by the

market administrator of reports or payments of any handler discloses errors made in payments to or from the producer settlement fund, the market administrator shall debit the handler's producer settlement fund account for any unpaid amount. Whenever verification discloses that payment is due from the market administrator to any handler, the market administrator shall credit the handler's producer settlement fund account for any such amount.

(g) *Storage cream payments.* With respect to butterfat in frozen cream held in one or more licensed cold-storage warehouses for more than 28 days under the conditions set forth in § 927.4 (c) (5), the handler whose net pool obligations included such butterfat as Class II-B milk may make claim, on forms supplied by the market administrator, for payments out of the producer settlement fund, if such butterfat was received from producers during the months of April to September, inclusive, and was used in Classes II-D, II-E, or II-F during the months of July to March, inclusive, or in Class IV-A during the months of January to March, inclusive. The market administrator shall, after investigation and audit of such claim, make payment to such handler out of the producer settlement fund, or issue credit against balances due from such handler to the producer settlement fund, in an amount equal to the difference between the Class II-B price and the class price for such utilization in effect for the month during which the milk was received from producers. Claims pursuant to this paragraph shall be made not later than 30 days after the month during which such frozen cream is utilized: *Provided*, That if the reported utilization of such cream is found by the market administrator to be in error, claims may be made during a period ending not later than 30 days after notice by the market administrator of such error.

33. Amend § 927.8 (e) (herein renumbered § 927.9 (h)) by:

a. Inserting in subdivision (2) (ii) thereof immediately following the words "Class V-B prices;" the following: "except as provided in (iv) of this subparagraph."

b. Adding to subparagraph (2) thereof the following:

(iv) If the market administrator finds that there is an inadequate supply of cream or plain condensed milk in the marketing area and that such products are available from non-pool sources, he may declare an emergency for a period ending not more than three months from the date of such declaration, in which case the payment during the period of such declared emergency shall be the difference between the value of the milk equivalent of such cream or plain condensed milk at the appropriate Class (II-A or II-B) price in the 201-210 mile zone and at the Class II-E price in the 0-250 mile zone from Boston.

c. Changing subparagraph (4) thereof to read:

(4) The amount due pursuant to this paragraph shall be entered on the han-

dlers account as a debit immediately after the filing of the report pursuant to § 927.6 (a).

34. Amend § 927.9 (herein renumbered § 927.10) by changing the word "20th" to "18th" and by adding to the end thereof the following: "Whenever verification by the market administrator discloses an error in the payment made by any handler, such error shall be adjusted not later than the date next following such disclosure on which payments are due pursuant to this section."

This report filed at Washington, D. C., this 12th day of June 1946.

[SEAL]

E. A. MEYER,
Assistant Administrator for Reg-
ulatory and Marketing Service
Matters, Production and Mar-
keting Administration.

[F. R. Doc. 46-10077; Filed, June 13, 1946;
11:07 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 2068]

AMERICAN AIRLINES, INC.

NOTICE OF ORAL ARGUMENT REGARDING ACQUI-
SITION OF MID-CONTINENT AIRLINES, INC.

In the matter of the application of American Airlines, Inc., for acquisition of control of Mid-Continent Airlines, Inc., under section 408 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 408 and 1001 of said Act, that oral argument in the above-entitled proceeding is assigned to be held on July 8, 1946, 10 a. m. (eastern standard time), in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., June 11, 1946.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 46-10069; Filed, June 13, 1946;
10:39 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-735]

NATURAL GAS PIPELINE CO. OF AMERICA

NOTICE OF APPLICATION

JUNE 11, 1946.

Notice is hereby given that on June 3, 1946, an application was filed with the Federal Power Commission by Natural Gas Pipeline Company of America ("Applicant"), a Delaware corporation with its principal place of business at Chicago, Illinois, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize (1) the construction and operation of certain facilities in Ogle County, Illinois; and (2) the sale of natural gas to Rochelle Gas Company

for resale for consumption in the City of Rochelle, Illinois, and its environs. Applicant, together with Texoma Natural Gas Company, owns and operates an integrated natural-gas transportation system which includes, among other facilities, a 24-inch main pipeline extending from the Panhandle Field in Texas in a general northeasterly direction across portions of Oklahoma, Kansas, Nebraska, Iowa and Illinois to a point near Joliet, Illinois; and a 20-inch lateral pipeline connecting with such main pipeline at Geneseo, Illinois, and extending therefrom in a northeasterly direction to a point approximately 29 miles south of the Wisconsin State line.

Applicant delivers natural gas for distribution in numerous communities in Illinois, Indiana, Iowa, Nebraska and Kansas.

The facilities which Applicant seeks authorization to construct and operate are described as follows:

A two-inch pipeline in Ogle County, Illinois, commencing at a point of connection with Applicant's aforementioned 20-inch lateral pipeline, in Township 41 North, Range 1 East, and extending therefrom in a southeasterly direction for a distance of approximately six miles to a point near the city limits of Rochelle, Illinois, connecting with a regulating and metering station to be there constructed; such station; and all necessary appurtenances thereto.

The application recites that Rochelle Gas Company has been manufacturing and distributing carbureted water gas in and in the vicinity of Rochelle, which in 1945 had an estimated population of 5,000; and that said company proposes to discontinue the manufacture of carbureted water gas and to substitute natural gas in lieu thereof.

The application further recites that it is contemplated that the pipeline system of Applicant will permit a pressure of 500 pounds per square inch at the point of commencement of such two-inch pipeline; that the capacity to deliver of such pipeline is estimated to be 1200 Mcf per day at a terminal pressure of 50 pounds per square inch; and that the requirements of Rochelle Gas Company will be supplied from gas reserves presently connected with the intake of Applicant's transportation system.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Part 67 of the provisional rules of practice and regulations under the Natural Gas Act, and if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of Natural Gas Pipeline Company of America should file with the Federal Power Commission, Washington 25, D. C., not later than fifteen (15) days from the date of this publication, a petition or protest in accordance with the

Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-10068; Filed, June 13, 1946;
9:47 a. m.]

[Docket Nos. G-719, G-723, and G-724]

UNITED GAS PIPE LINE CO.

ORDER CONSOLIDATING PROCEEDINGS AND
FIXING DATE OF HEARING

JUNE 11, 1946.

Upon consideration of the following applications filed by United Gas Pipe Line Company (Applicant) for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended:

(a) Application filed April 22, 1946, as amended May 6, 1946, Docket No. G-719, for authority to construct and operate approximately one mile of 2-inch natural gas transmission pipe line extending from a point on Applicant's existing Benton-Mobile line at approximately Milepost No. 135, said point being approximately 13 miles southeast of Applicant's Hattiesburg compressor station, located near the City of Hattiesburg, Mississippi, and extending in a northeasterly direction approximately one mile from this point to near the city limits of the Town of Richton, together with a measuring and regulating station and appurtenant facilities, at an estimated cost of \$7,294.

(b) Application filed May 6, 1946, Docket No. G-723, for authority to construct and operate the following described facilities:

(i) *Hayes gas field extension.* Approximately 16.6 miles of 12 $\frac{3}{4}$ inch O. D. natural gas transmission pipe line, and appurtenant facilities including measuring and regulating equipment and paralleling telephone line, beginning at the outlet side of a dehydration plant proposed to be constructed by Applicant in the Hayes Field in Calcasieu and Jefferson Davis Parishes, Louisiana, and extending in a northerly direction to Applicant's Iowa Compressor Station in Jefferson Davis Parish, Louisiana, at an estimated cost of \$442,128.

(ii) *Iowa compressor station additions.* Installation of five 170 H. P. compressor units and appurtenant equipment, at an estimated cost of \$193,277.

(c) Application filed May 6, 1946, Docket No. G-724, for authority to construct and operate the following described facilities:

(i) *Baxterville project.* Approximately 10.3 miles of 12 $\frac{3}{4}$ inch O. D. natural gas transmission pipe line and appurtenant facilities including measuring equipment, beginning at a point in the Baxterville field in Lamar and Marion Counties, Mississippi, and extending in a westerly direction to Applicant's Bogalusa main transmission line at approximately Milepost 51.4, at an estimated cost of \$281,696.

(ii) *Gwinville project.* Approximately 13.6 miles of 10 $\frac{3}{4}$ inch O. D. natural gas transmission line and appurtenant

facilities, including measuring equipment and a paralleling telephone line, beginning at the outlet side of a dehydration plant proposed to be constructed by Applicant in the Gwinville Field in Jefferson Davis County, Mississippi, and extending in a northeasterly direction to connect with Applicant's Benton Junction-Mobile 16-inch main gas transmission line at approximately Milepost 82, connecting the proposed line also with Applicant's Jackson-Hattiesburg 8-inch natural gas transmission pipe line at the point of their intersection, at an estimated cost of \$263,018.

(iii) *Hattiesburg project.* Additional 1000 H. P. compressor unit in Hattiesburg Compressor Station, Perry County, Mississippi, at an estimated cost of \$211,440.

(iv) *Laurel project.* Approximately 2.9 miles of 12 $\frac{3}{4}$ inch O. D. natural gas transmission pipe line, an extension to Applicant's present Laurel loop line in Jones County, Mississippi, at an estimated cost of \$62,461.

It appears to the Commission that: Good cause exists for consolidating the above matters for purposes of hearing.

The Commission orders that:

(A) The proceedings in Docket Nos. G-719, G-723 and G-724 be and they are hereby consolidated for the purposes of hearing.

(B) A public hearing be held commencing on June 25, 1946, at 2:00 p. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in these proceedings; provided, that if no protest or petition to intervene has been filed or allowed prior to the date hereinbefore fixed for hearing, or if a protest or petition to intervene, in the judgment of the Commission, raises no issue of substance, the Commission may dispose of the application without contested hearing, by order upon the application and evidence filed or available to the Commission and such additional evidence as the Commission may require to be filed for its consideration.

(C) Interested State Commissions may participate in this hearing in accordance with § 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. 46-10075; Filed, June 13, 1946;
11:03 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 529]

UNLOADING OF COAL AT NEWPORT NEWS, VA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on 12th day of June A. D. 1946.

It appearing, that numerous cars containing coal at Newport News, Virginia, on The Chesapeake and Ohio Railway

Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: It is ordered, that:

Coal at Newport News, Virginia be unloaded. (a) The Chesapeake and Ohio Railway Company, its agents or employees, shall unload forthwith the following named 7 cars and 163 other cars now on hand at Newport News, Virginia, all containing coal unloaded from the Steamship *Ida Strauss*:

C&O -----	131910	C&O -----	128036
C&O -----	77235	C&O -----	49788
C&O -----	57134	C&O -----	50139
C&O -----	133599		

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon The Chesapeake and Ohio Railway Company, and upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-10080; Filed, June 13, 1946;
11:23 a. m.]

[S. O. 530]

REPORTING B & O LAKE CARGO COAL TO CANADA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of June A. D. 1946.

It appearing that a dispute has arisen between the management and the employees on the lake cargo carriers operating under Canadian registry on the Great Lakes and that the vessels of said carriers plying between Charlotte Docks, Rochester, New York, and Canadian Ports have ceased operation stopping the transportation by lake vessel of coal in bulk from Charlotte Docks, Rochester, to Canadian destinations, that such cars loaded with coal are being delayed; that the delay to such cars is causing and has resulted in a serious shortage of coal cars for all roads and especially the Baltimore and Ohio Railroad; in the opinion of the Commission an emergency exists requiring immediate action to prevent a short-

age of coal cars in the coal regions in the Eastern part of the United States; it is ordered, that:

(a) *Rerouting coal from West Virginia.* Upon reconignment by the owners of the coal from points of origin south of Fairmont, West Virginia, moving via the Baltimore and Ohio Railroad, now held at Charlotte Docks or in transit to Charlotte Docks, that carrier is hereby directed (1) to forward that coal by the way of Genesee Dock, Ontario Car Ferry to Cobourg, Ontario, so that it may move therefrom; or (2) in the event the said car ferry ceases operation, then via all-rail routes to junctions with Canadian railroads so that it may move therefrom to Canadian destinations.

(b) *Rates to be applied.* The rate applicable to traffic so forwarded shall be the lowest joint all-rail single factor rate which was applicable via any all-rail route from origin to final destination in tariffs lawfully on file with this Commission in effect on date of shipment.

(c) *Divisions.* That in executing the directions of the Commission contained in this order, the common carriers involved shall proceed without reference to contracts, agreements or arrangements now existing between them with reference to the division of rates of transportation applicable to said traffic; that such divisions shall be during the time this order remains in force, voluntarily agreed upon by and between said carriers, and that, upon failure of the carriers to so agree, said division shall hereinafter be fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(d) *Application.* The provisions of this order shall apply only to foreign commerce. This order shall apply only to cars of coal shipped prior to the effective date of this order.

(e) *Regulations suspended—announcement required.* The operation of all rules and regulations insofar as they conflict with the provisions of this order is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing such suspension.

(f) *Effective date.* This order shall become effective at 7:00 a. m., June 13, 1946.

(g) *Expiration date.* This order shall expire at 7:00 a. m., June 27, 1946, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered, that copies of this order and direction shall be served upon the Baltimore and Ohio Railroad Company, The Ontario Car Ferry Company (Limited) and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy

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

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-10081; Filed, June 13, 1946;
11:23 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[SR 14D, Order 9]

BLOCH BROS. TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1499.4 (a) (1) (ii) of Supplementary Regulation 14D to the General Maximum Price Regulation, *It is ordered*, That:

(a) The Bloch Brothers Tobacco Co., Wheeling, West Virginia (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive "Mail Pouch" sweetened scrap chewing tobacco, in 2 ounce packages at the maximum list price and maximum retail price set forth below:

Variety	Brand	Size of package (ounces)	Maximum list price per dozen packages	Maximum retail price per package
Sweetened.	Mail Pouch.	2	\$1.35	Cents 14

¹ For delivery from applicant's California warehouse same maximum prices established for a 2-ounce size may be charged for 1½ ounces of this brand and variety.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of the item of "Mail Pouch" sweetened scrap chewing tobacco for which maximum prices are established by this order, the discounts and allowances they customarily granted during March 1942 on their sales of such item of scrap chewing tobacco in 1¾-ounce packages to purchasers of the same class, unless a change therein results in a lower price.

(c) Every retailer shall maintain, with respect to his sales of the item of "Mail Pouch" sweetened scrap chewing tobacco, for which maximum prices are established by this order the customary price differential below the manufacturer's stated retail price allowed by him during March 1942 with respect to such brand and variety of scrap chewing tobacco in 1¾-ounce packages.

(d) The manufacturer and every other seller (except a retailer) of the item of "Mail Pouch," sweetened scrap chewing tobacco, for which maximum prices are established by this order, shall notify the purchaser of such maximum prices. The notice shall conform to and be given in the manner prescribed by § 1499.4 (e) of Supplementary Regulation 14D to the General Maximum Price Regulation.

(e) Unless the context otherwise requires, the provision of § 1499.4 (except paragraph (a) (2)) of Supplementary

Regulation 14D to the General Maximum Price Regulation shall apply to sales for which ceiling prices are established by this order.

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

This order shall become effective as of June 3, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9972; Filed, June 12, 1946;
11:54 a. m.]

[Rev. SO 119, Order 250]

NATIONAL ENAMELING AND STAMPING 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.* National Enameling and Stamping Company of Milwaukee, Wisconsin, may compute its adjusted ceiling prices for galvanized household utensils of its manufacture by increasing by 10.8 percent the ceiling prices to each class of purchaser as established by Maximum Price Regulation No. 188.

As used in this paragraph "ceiling prices as established under Maximum Price Regulation No. 188," shall mean the ceiling prices established under that regulation without the inclusion in those ceiling prices either directly or indirectly of any adjustment, either individual or industry wide.

(b) *Ceiling prices of purchasers for resale.* (1) A purchaser for resale, who had an established ceiling price prior to the effective date of this order for any article, whose manufacturer's ceiling price was adjusted in accordance with the provisions of this order, may increase that established ceiling price by 10.8 percent.

(2) A purchaser for resale who had no established ceiling price prior to the effective date of this order for any article whose ceiling price is subject to this order, shall determine his ceiling price by adding to his invoice cost 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 one which meets all the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage mark-up is applied.

(iv) 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 price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the resale ceiling 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) *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 ceiling prices for resales of the articles. This notice may be given in any convenient form.

(e) All requests contained in the application for price adjustment filed by National Enameling and Stamping Company, on March 21, 1946, and all amendments and additions thereto, not specifically granted by this order are hereby denied.

(f) The provisions of Supplementary Order No. 153 shall have no application to any sale or delivery of any article subject to this order.

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

This order shall become effective on the 13th day of June 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10001; Filed, June 12, 1946; 11:55 a. m.]

[SO 133, Order 47]

KING AXE AND TOOL 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 Supplementary Order No. 133, it is ordered:

(a) *Manufacturer's maximum prices.* The King Axe and Tool Company, Oakland, Maine, may increase by 10 percent its current maximum prices (exclusive of any permitted increases), for sales of (axes) which it manufactures.

(b) *Maximum prices of purchasers for resale.* A reseller shall calculate his ceiling price by adding to his invoice cost

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:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) 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.

(iv) 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 the OPA Form 620-759 with regard to how he determined his ceiling price, 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.* Maximum prices adjusted by this order are subject to each seller's terms, allowances and other price differentials in effect during March 1942, or which have been properly established under the applicable OPA regulation.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the methods established in paragraph (b) of this order for determining adjusted maximum prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(e) *Reports.* The manufacturer shall file the report described in section 5 of Supplementary Order No. 133 with the Office of Price Administration, Washington 25, D. C.

The provision of Supplementary Order No. 153 shall not apply to resale prices of articles covered by this order.

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

(g) *Effective date.* This order shall become effective on the 13th day of June 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10002; Filed, June 12, 1946; 11:55 a. m.]

[SO 142, Order 135]

ROBBINS & MEYERS, INC.

DETERMINATION OF MAXIMUM PRICES

Order No. 135 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. Robbins & Meyers, Inc. Docket No. 6083-SO142-136-250.

For 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) Order No. L-432 under Supplementary Order No. 142, issued May 8, 1946 is hereby revoked.

(b) The maximum prices for sales by Robbins & Meyers, Inc., Springfield, Ohio of its line of Moyné pumps shall be determined by increasing by 7.5% the maximum prices in effect just prior to the issuance of Order No. L-432.

(c) The maximum prices for sales by resellers of the products described in paragraph (b) 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.

(d) Robbins & Meyers, Inc. shall notify each purchaser, who buys the products listed in paragraph (b) 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 25, D. C.

(e) All requests not granted herein are denied.

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

This order shall become effective immediately.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10003; Filed, June 12, 1946; 11:55 a. m.]

[SO 142, Order 136]

MILLER CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 136 Under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. The Miller Company. Docket No. 6083-S. O. 142-136-694.

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 The Miller Company, Meriden, Connecticut, of all its products manufactured by its Illuminating Division, shall be determined as follows: The maximum prices

for any of the above-described products, having a base date price, shall be the applicable base date price increased by 7.5% of that price.

The phrase in this order "base date price" shall mean a price frozen under the provisions of section 7 of Revised Maximum Price Regulation No. 136 except that for every product covered by this order the base date to be used for establishing the frozen price shall be October 1, 1941. The phrase does not include any price adjusted upward by industry-wide or individual adjustment orders.

(b) For any products for which a price is established under section 8 of Revised Maximum Price Regulation No. 136, the maximum price shall be computed under that section using the price computed under paragraph (a) of this order for the frozen priced product before change or modification.

(c) 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.

(d) The Miller 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.

(e) All requests not granted herein are denied.

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10004; Filed, June 12, 1946;
11:55 a. m.]

[SO 142, Order 138]

MANUFACTURERS BRUSH CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 138 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. The Manufacturers Brush Company. Docket No. 6083-SO 142-136-616.

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) Order No. 138 supersedes Order No. 41, effective March 2, 1946.

(b) The maximum prices for sales by the Manufacturers Brush Company of all its products which are covered by any of the regulations listed in Supplementary Order No. 142, shall be determined by increasing by 18% the maximum prices for

these products in effect just prior to March 2, 1946.

(c) The maximum prices for sales by resellers of the products described in paragraph (b) 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 March 2, 1946, by the percentage by which his net invoiced cost has been increased by reason of this order.

(d) The Manufacturers Brush Company shall notify each purchaser who buys the products listed in paragraph (b) above for resale of the percentage 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.

(e) All requests not granted herein are denied.

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

This order shall become effective as of March 2, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10006; Filed, June 12, 1946;
11:56 a. m.]

[SO 142, Order 137]

LELAND ELECTRIC CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 137 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. The Leland Electric Company. Docket Nos. 6083-136.21-650, 6083-SO 142-136-284, 6083-SO 142-136-386 and 6083-SO 142-136-463.

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 The Leland Electric Company, Dayton, Ohio, of all its products, which are covered by any of the regulations listed in Supplementary Order No. 142, shall be determined as follows: The maximum prices for any of the above described products, having a base date price, shall be the applicable base date price increased by 29.5% of that price.

The phrase in this order "base date price" shall mean a price frozen under the applicable regulation (by reference to published list prices, and to sales made during a defined period of time prior to a base date), except that for every product covered by this order the base date to be used for establishing a frozen price shall be October 1, 1941. The phrase does not include any price adjusted upward by industry-wide or individual adjustment orders.

(b) For any products for which a price is established under section 8 of Revised Maximum Price Regulation No. 136; section 4 (d) (1) (i) of Maximum Price Regulation No. 67, § 1361.53 of Maximum Price Regulation No. 246, § 1390.205 (d) of Maximum Price Regu-

lation No. 351; or section 9 of Maximum Price Regulation No. 82, the maximum price shall be computed under the appropriate provisions of the applicable regulation using the price computed under paragraph (a) of this order for the frozen priced product before change or modification.

(c) 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 same percentage by which his net invoiced cost has been increased by reason of this order.

(d) The Leland Electric Company shall notify each purchaser, who buys the products listed in paragraph (a) above for resale of the percentage 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.

(e) The Leland Electric Company, Dayton, Ohio, shall file with the Machinery Branch, Office of Price Administration, Washington 25, D. C., a profit and loss statement including a detailed breakdown of factory overhead and general, selling and administrative expenses for each calendar quarter of the year 1946 not later than 30 days after the close of each quarter beginning with the second quarter of 1946.

(f) All requests not granted herein are denied.

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10005; Filed, June 12, 1946;
11:56 a. m.]

[SO 142, Order 139]

GRAY MARINE MOTOR CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 139 Under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. Gray Marine Motor Company. Docket No. 6083-SO 142-136-659.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 2 (c) of Supplementary Order No. 142, *It is ordered:*

(a) The maximum prices for sales by Gray Marine Motor Company, 6910 East Lafayette Avenue, Detroit 7, Michigan, of its marine engines shall be determined as follows:

The company shall increase the maximum list prices in effect just prior to the issuance of Order No. 107 issued May 13, 1946, under Supplementary Order No. 142, in accordance with the schedule set forth in Exhibit A and Exhibit B submitted with its letter of May 16, 1946, and shall deduct from those resultant

maximum list prices all discounts, allowances, and other deductions in effect just prior to the issuance of Order No. 107.

(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 Order No. 107, by the percentage amount by which his net invoiced cost has been increased by reason of this order.

(c) The Gray Marine Motor 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) On or before December 15, 1946, the Gray Marine Motor Company shall file with the Machinery Branch, Office of Price Administration, Washington 25, D. C., a sales statement for the six months ended November 31, 1946, of the dollar volume of each item covered by this order at both the maximum price in effect just prior to the issuance of Order 107 and the maximum price determined under this order.

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

This order shall become effective immediately.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10007; Filed, June 12, 1946;
11:56 a. m.]

[MPR 64, Amdt. 2 to Order 170]

TENNESSEE STOVE WORKS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 11 of Maximum Price Regulation No. 64, *It is ordered*, That Order No. 170 under Maximum Price Regulation No. 64, be amended in the following respect:

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

(c) For purposes of this order Zones 1, 2, 3, and 4 comprise the following states:

Zone 1. Tennessee.

Zone 2. Kentucky, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Maine, Massachusetts, Vermont, Connecticut, Rhode Island, New Hampshire, New Jersey, Arkansas, Louisiana, Wisconsin, Iowa, Minnesota, Missouri, New York, Michigan, Pennsylvania, Delaware, Illinois, Indiana, Ohio, West Virginia, Virginia, Maryland and the District of Columbia.

Zone 3. North Dakota, Wyoming, Nebraska, Colorado, Kansas, South Dakota, New Mexico, Texas and Oklahoma.

Zone 4. Washington, Oregon, Montana, Idaho, California, Nevada, Utah, and Arizona.

This amendment shall become effective on the 13th day of June 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9973; Filed, June 12, 1946;
11:58 a. m.]

[MPR 64, Amdt. 1 to Order 278]

TENNESSEE STOVE WORKS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 11 of Maximum Price Regulation No. 64, *It is ordered*, That Order No. 278 under Maximum Price Regulation No. 64 be amended in the following respect:

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

(c) For purposes of this order Zones 1, 2, 3, and 4 comprise the following states:

Zone 1. Tennessee.

Zone 2. Kentucky, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Maine, Massachusetts, Vermont, Connecticut, Rhode Island, New Hampshire, New Jersey, Arkansas, Louisiana, Wisconsin, Iowa, Minnesota, Missouri, New York, Michigan, Pennsylvania, Delaware, Illinois, Indiana, Ohio, West Virginia, Virginia, Maryland and the District of Columbia.

Zone 3. North Dakota, Wyoming, Nebraska, Colorado, Kansas, New Mexico, Texas, Oklahoma and South Dakota.

Zone 4. Washington, Oregon, Montana, Idaho, California, Nevada, Utah, and Arizona.

This amendment shall become effective on the 13th day of June 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9975; Filed, June 12, 1946;
11:58 a. m.]

[MPR 64, Amdt. 1 to Order 280]

TENNESSEE STOVE WORKS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 11 of Maximum Price Regulation No. 64, *It is ordered*, That Order No. 280 under Maximum Price Regulation No. 64 be amended in the following respect:

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

(d) For purposes of this order Zones 1, 2, 3, and 4 comprise the following states:

Zone 1. Tennessee.

Zone 2. Kentucky, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Maine, Massachusetts, Vermont, Connecticut, Rhode Island, New Hampshire, New Jersey, Arkansas, Louisiana, Wisconsin, Iowa, Minnesota, Missouri, New York, Michigan, Pennsylvania, Delaware, Illinois, Indiana, Ohio, West Virginia, Virginia, Maryland and the District of Columbia.

Zone 3. North Dakota, Wyoming, Nebraska, Colorado, Kansas, South Dakota, New Mexico, Texas, and Oklahoma.

Zone 4. Washington, Oregon, Montana, Idaho, California, Nevada, Utah, and Arizona.

This amendment shall become effective on the 13th day of June 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9976; Filed, June 12, 1946;
11:59 a. m.]

[MPR 64, Amdt. 1 to Order 246]

TENNESSEE STOVE WORKS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 11 of Maximum Price Regulation No. 64, *It is ordered*, That Order No. 246 under Maximum Price Regulation No. 64 be amended in the following respect:

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

(d) For purposes of this order Zones 1, 2, 3, and 4 comprise the following states:

Zone 1. Tennessee.

Zone 2. Kentucky, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Maine, Massachusetts, Vermont, Connecticut, Rhode Island, New Hampshire, New Jersey, Arkansas, Louisiana, Wisconsin, Iowa, Minnesota, Missouri, New York, Michigan, Pennsylvania, Delaware, Illinois, Indiana, Ohio, West Virginia, Virginia, Maryland and the District of Columbia.

Zone 3. North Dakota, Wyoming, Nebraska, Colorado, Kansas, South Dakota, New Mexico, Texas, and Oklahoma.

Zone 4. Washington, Oregon, Montana, Idaho, California, Nevada, Utah, and Arizona.

This amendment shall become effective on the 13th day of June 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9974; Filed, June 12, 1946;
11:59 a. m.]

[MPR 188, Amdt. 1 to Order 127 Under Order A-2]

ENTERPRISE PAINT MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 127 under paragraph (a) (20) of Order A-2 under § 1499.159b of Maximum Price Regulation 188. Manufacturers' maximum prices for consumers' goods other than apparel. Enterprise Paint Manufacturing Company. Docket No. 6122.188.161-A-2-25.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to paragraph (a) (20) of Order A-2 under § 1499.159b of Maximum Price Regulation 188, *It is ordered*, That Order No. 127 under paragraph (a) (20) of Order A-2 under § 1499.159b of Maximum Price Regulation 188 is amended to delete all references to Enterprise Paint Manufacturing Company and Enterprise

Paint Company and to substitute in their places, Enterprise Paint Manufacturing Company and its wholly owned subsidiary, the Federal Varnish Company.

This amendment shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9978; Filed, June 12, 1946;
11:59 a. m.]

[MPR 188, Order 5034]

MERCURY INDUSTRIAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Mercury Industrial Corporation of 50 Church Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Wholesalers (jobbers)	Dropship jobbers	Department and chain stores	Other retailers	Consumers
Cream whipper...	None	Each \$0.375	Each \$0.395	Each \$0.45	Each \$0.50	Each \$0.75

Description: A glass tumbler 8" high 2 3/4" top diameter, fitted with a dasher with 3 perforated discs of aluminum and a loose-fitting aluminum cap with a hole for the dasher.

These maximum prices are for the articles described in the manufacturer's application dated May 7, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 1% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a

maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.75 Each
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 13th day of June 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9977; Filed, June 12, 1946;
11:59 a. m.]

[MPR 389, Order 69]

WALDOCK PACKING CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

On May 6, 1946, The Waldo Packing Company, Sandusky, Ohio filed an application for the establishment of maximum prices on sales of the sausage product known as "Jellied Tongue Loaf" and made in accordance with the individual secret formula submitted by the applicant. That application was assigned Docket No. 6036-3389-2(a)-96.

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to the provisions of section 2 (a) (6) of Maximum Price Regulation No. 389; *It is ordered:*

(a) That the maximum prices other than at retail for the sausage product known as "Jellied Tongue Loaf" and made by The Waldo Packing Company in accordance with the individual formula submitted to the Office of Price Administration for this order except that "Tongues, canner cured" may be substituted as the tongue ingredient, if desired, shall be determined by the seller as follows:

(1) The base price for this product is established at the following amount per hundredweight: \$33.50.

NOTE: If sold not boxed, 50 cents per cwt. must be deducted from the above price.

(2) To the base price should be added the proper zone differential provided in section 12 (b) of Maximum Price Regulation No. 389 for sausage which is not Kosher sausage, all beef sausage or sausage containing meat and meat by-products from swine only. In determining the proper zone differential to be added, the zone description provided in Section 14 of Maximum Price Regulation No. 389 shall be used.

(3) That to the sum of the base price plus the applicable zone differential the "Permitted additions to base prices" provided in section 12 (c) of Maximum Price Regulation No. 389 may be added when applicable.

(b) That with the first delivery of "Jellied Tongue Loaf" to a wholesaler, peddler-truck-seller, or intermediate distributor The Waldo Packing Company shall supply each such seller with a written notice in the following form:

(insert date)

Our OPA ceiling prices for "Jellied Tongue Loaf" have been established by the Office of Price Administration at the base price of \$33.50 per hundredweight. To this may be added the zone differentials provided in section 12 (b) of MPR 389 (See section 14 for zone boundaries) plus the permitted additions of section 12 (c). We are required to inform you that if you are a wholesaler, a peddler-truck-seller, or an intermediate distributor you must figure your ceiling prices for this product pursuant to the same sections of Maximum Price Regulation No. 389.

(c) That with the first delivery of "Jellied Tongue Loaf" to a retailer the seller shall supply such retailer with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for "Jellied Tongue Loaf" have been established by the Office of Price Administration. We are required to inform you that if you are a retailer, you must figure your ceiling price for this item in accordance with the provisions of Maximum Price Regulation No. 389.

(d) That all pertinent provisions of Maximum Price Regulation No. 389, including the descriptive labelling and invoicing provisions of section 4, the recording and reporting provisions of section 6, and the definitions of section 13, in addition to the pricing provisions of paragraphs (b) and (c) of section 12 shall be applicable to all sales made under this order.

(e) All prayers of this application not herein granted are denied.

(f) This Order No. 69 may be revoked or amended by the Price Administrator at any time.

This Order No. 69 shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9979; Filed, June 12, 1946;
11:59 a. m.]

[MPR 591, Order 595]

RYAN 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 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 linoleum covered plywood sink and counter tops manufactured by Ryan Manufacturing Company of Ware, Massachusetts and as described in its application dated May 6, 1946, shall be:

	<i>Per lineal foot</i>
Linoleum covered plywood sink and counter tops—26" deep, 1½" thickness:	
Plain tops (no backsplash).....	\$5.50
Tops with 4" backsplash.....	7.00
Tops with 8" backsplash.....	7.35
Tops with 16" backsplash.....	8.00

(b) On sales to dealers by any person, the maximum net prices, f. o. b. point of shipment, shall be the maximum net prices specified in (a) above less a discount of 40 percent.

(c) On sales to jobbers by any person, the maximum net prices, f. o. b. point of shipment, shall be the maximum net prices specified in (a) above less successive discounts of 40 and 20 percent.

(d) The maximum net prices established by this order shall be subject to cash 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 commodities within the same general category during March 1942.

(e) The maximum prices on an installed basis of the commodity covered by this order shall be determined in accordance with the provisions of 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 June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9980; Filed, June 12, 1946; 12:00 m.]

[MPR 591, Order 596]

INDUSTRIAL 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 section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following deep freeze cabinet manufactured by Industrial Manufacturing Company, San Francisco, California, and as described in the application dated February 25, 1946, which is on file with the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
17 cu. ft. 1/3 hp. condensing unit.....	\$300.00	\$360.00	\$600.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

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

(f) Industrial Manufacturing Company, San Francisco, California, shall stencil on the deep freeze cabinet covered by this order, substantially the following:

OPA Maximum Retail Price \$-----

Plus freight and crating as provided in Order No. 596 under Maximum Price Regulation No. 591.

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9981; Filed, June 12, 1946; 12:00 m.]

[MPR 591, Order 597]

GEORGE R. MARVIN 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 prices, excluding Federal Excise Tax, for sales by any per-

son of the following electric water heaters manufactured by George R. Marvin Company and described in its application dated December 19, 1945, shall be:

40 gallon automatic electric water heater, galvanized tank, insulated, double element.....	\$99.00
52 gallon automatic electric water heater, galvanized tank, insulated, double element.....	\$111.50

(b) The maximum net prices, f. o. b. point of shipment, excluding Federal Excise Tax, for sales by any person shall be the maximum prices specified in (a) above, less the following discounts:

1. On sales to dealers in quantities of less than 5 heaters, a discount of 33½ percent.
2. On sales to dealers in quantities of 5 or more heaters, a discount of 40 percent.
3. On sales to jobbers, a discount of 50 percent.

(c) The maximum prices established by this order are subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

(d) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

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

(f) George R. Marvin Company shall attach to each water heater covered by this order, a tag containing the following:

OPA Maximum Retail Price not installed, including actual Federal Excise Tax paid at source—\$-----

(Do Not Detach)

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9982; Filed, June 12, 1946; 12:01 p. m.]

[MPR 591, Order 599]

STANDLEY & 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 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following Milk Coolers manufactured by Standley and Company, Inc., St. Louis, Missouri, and as described in

the application dated January 11, 1946, which is on file with the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to—		
	Distributors	Dealers	Consumers
MC-41-4 can with pump.....	\$275.00	\$345.00	\$460.00
MC-61-6 can with pump.....	315.00	392.00	525.00
MC-81-8 can with pump.....	360.00	450.00	600.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

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

(f) Standley and Company, Inc., of St. Louis, Missouri, shall stencil on the milk coolers covered by this order, substantially the following:

OPA Maximum Retail Price \$-----

Plus freight and crating as provided in Order No. 599 under Maximum Price Regulation No. 591.

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9984; Filed, June 12, 1946;
12:01 p. m.]

[MPR 591, Order 600]

SHAW-PERKINS MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 600 under section 16 of Maximum Price Regulation No. 591. Specified mechanical building equipment. Adjustment of maximum prices

for sales of convector radiators and transformer coolers manufactured by the Shaw-Perkins Manufacturing Company of Pittsburgh, Pennsylvania. Docket No. 6123-SO 133-7.

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 of Maximum Price Regulation 591; it is ordered:

(a) *Adjustment of maximum prices for the Shaw-Perkins Manufacturing Company.* The Shaw-Perkins Manufacturing Company may increase its properly established maximum prices for its line of convector radiators and transformer coolers in effect on June 12, 1946, to each class of purchaser by 14.6 percent.

(b) *Maximum prices for resellers.* The maximum prices for sales by a reseller of any of the commodities for which adjustment is granted the Shaw-Perkins Manufacturing Company under this order shall be his maximum prices to each class of purchaser in effect on June 12, 1946, plus the actual dollars-and-cents increase in present acquisition costs resulting from the adjustment granted the Shaw-Perkins Manufacturing Company under this order.

(c) *Notification to all purchasers.* The Shaw-Perkins Manufacturing Company shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first billing after the adjustment granted by this order is put into effect:

Order No. 600 under Section 16 of Maximum Price Regulation No. 591 provides for increases in net prices for sales of convector radiators and transformer coolers manufactured by the Shaw-Perkins Manufacturing Company. Resellers may add the actual dollars-and-cents increase in their acquisition cost resulting from the adjustment granted the manufacturer to their existing maximum prices.

(d) All requests not granted in this order are denied.

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

This Order No. 600 shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9985; Filed, June 12, 1946;
12:01 p. m.]

[MPR 591, Order 601]

PALLEY 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 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 Steel Wall and Base Cabinets manufactured by Palley Manufacturing Company, Pittsburgh, Pa. and as described in its application dated May 21, 1946, shall be:

18" x 30" steel wall cabinet, 1 door...	\$18.50
24" x 30" steel wall cabinet, 2 door...	20.50
30" x 30" steel wall cabinet, 2 door...	20.50
18" x 36" steel wall cabinet, 2 door...	20.30
24 BC 24" base cabinet cupboard type with linoleum top.....	43.50
24 BD 24" base cabinet drawer type with linoleum top.....	48.50
30 BCD 30" base cabinet, drawer type with linoleum top.....	54.50

(b) On sales to dealers by any person the maximum net prices f. o. b. point of shipment shall be the maximum net prices specified in (a) above less a discount of 40 percent.

(c) On sales to jobbers by any person the maximum net prices f. o. b. point of shipment shall be the maximum net prices specified in (a) above less successive discounts of 40 and 20 percent.

(d) On sales to manufacturers by any person the maximum net price f. o. b. point of shipment shall be the maximum net prices specified in (a) above less successive discounts of 40, 20 and 10 percent.

(e) The maximum net prices established by this order shall be subject to further 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 commodities within the same general category during March 1942.

(f) The maximum price on an installed basis of the commodities covered in this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251, as amended.

(g) 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.

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9986; Filed, June 12, 1946;
12:02 p. m.]

[MPR 591, Order 602]

CRANE CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Maximum Price Regulation No. 591; *it is ordered:*

(a) The maximum list prices for sales by any person to plumbing and heating contractors, installers, industrial and commercial users of the following brass plumbing fixture fittings and trimmings manufactured by the Crane Company of Chicago, Ill., and described in its application dated May 27, 1946, shall be:

Plate No.	Description	Maximum list price
8-17	Chrome plated Crestmont lavatory supply and waste fitting for 45" panel back lavatory with chrome plated cover plate, handles and waste knob.	\$10.00
8-18	Chrome plated Crestmont lavatory supply fitting for panel back lavatories complete with chain and stopper, chrome plated cover plate and handles.	6.65
8-20	Chrome plated Crestmont lavatory supply fitting.	6.50
8-45	Chrome plated Crestmont direct lift pop-up waste for lavatory.	2.95
8-65	Chrome plated Temple 2-valve swing spout sink supply fitting.	10.95
8-70	Chrome plated Vantage 2-valve swing spout sink supply fitting.	*6.85
8-77	Chrome plated Crestmont deck type swing spout supply fitting with chrome plated metal cover plate and handles.	8.10
8-78	Chrome plated Crestmont deck type swing spout supply fitting with hose end and chrome plated cover metal and handle.	8.20
8-90	Vantage double laundry tub faucet for composition tub.	4.85
8-91	Vantage double laundry tub faucet for enameled iron tub.	4.75
8-690	19" chrome plated Temple towel bar for vitreous china lavatory.	3.80
8-695	19" chrome plated Crestmont towel bar for vitreous china lavatory.	2.80
8-696	14" chrome plated Crestmont towel bar for enameled iron lavatory.	2.50
8-696	16" chrome plated Crestmont towel bar for enameled iron lavatory.	2.55
8-706	Chrome plated Crestmont hexagon metal legs for enameled iron lavatory.	16.40
8-709	Chrome plated Crestmont round metal legs for enameled iron lavatory.	16.90
9-25	Chrome plated Temple concealed overrim bath supply fitting with 1/2" female union inlets.	*15.45
9-26	Chrome plated Temple concealed overrim bath supply fitting with 1/2" female inlets.	*14.55
9-31	Chrome plated Crestmont concealed overrim bath supply fitting with chrome plated cover plate and handles.	*13.85
9-40	Chrome plated Vantage double bath faucet with gooseneck spout, plastic cover plate and handles.	*5.20
9-50	Chrome plated Crestmont concealed waste and overflow for Criterion and Hygiene 16" deep baths.	4.15
9-52	Chrome plated Crestmont concealed waste and overflow for La Homa 12" deep baths.	4.15
9-220	Chrome plated Economy ball joint shower head with Cranelon spray guide.	1.45
9-291	3/8" chrome plated bent shower arm with escutcheon.	.85
9-292	3/8" chrome plated bent shower arm with escutcheon and locknut.	.85
9-300	1/4" chrome plated Temple concealed bath and shower valve with union inlet.	*4.25
9-301	1/4" chrome plated Temple concealed bath and shower valve with female inlet.	*4.00
9-225	Chrome plated Economy shower head.	*3.10
2-301	Chrome plated Crestmont bath and shower supply fitting with diverter spout, chrome plated cover plate and handles.	*17.75
2-350	Chrome plated Crestmont concealed shower supply fitting with plastic cover plate and handles.	*7.45
2-370	Chrome plated Temple concealed shower supply fitting with unions.	*18.10
2-371	Chrome plated Temple concealed shower supply fitting.	*16.90
2-385	Chrome plated Crestmont concealed shower supply fitting with plastic handles.	*7.10

¹ Per pair.

(b) The maximum list prices specified in (a) above shall be subject to the following discounts on sales to plumbing and heating jobbers and Crane Co. branches:

(1) On items marked with an asterisk, successive discounts of 25 and 5 percent.

(2) On items not marked with an asterisk, successive discounts of 20 and 5 percent.

(c) The maximum prices specified in (b) above shall be f. o. b. point of manufacture, with full freight allowed or shipments of 150 pounds or more.

(d) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251, as amended.

(e) In addition to the discounts and allowances enumerated above, the maximum net prices established by this order shall be subject to such further 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.

(f) The maximum prices approved under this order include all price increases authorized by sections 2.6 and 2.7 of Order 48 under Maximum Price Regulation No. 591, to date, and may not be further increased pursuant to the provisions of that order as are in effect as of the date of this order.

(g) 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.

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9987; Filed, June 12, 1946; 12:02 p. m.]

[MPR 591, Order 604]

PACIFIC WIRE PRODUCTS CORP.

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) *Manufacturers' maximum prices.* The maximum net prices, f. o. b. point of shipment, for sales by the Pacific Wire Products Corporation of Alclad Aluminum Wire Insect Screen Cloth manufactured by it and as described in the applications dated April 9, 1946, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	Per 100 sq. ft.
On sales in carloads.....	\$5.83
On sales in less-than-carloads.....	6.00
On direct shipments.....	6.18

(b) *Jobbers' maximum prices.* The maximum delivered price for sales by jobbers of Alclad Aluminum Wire Insect Screen Cloth manufactured by the Pacific Wire Products Corporation, shall be: \$7.50 per 100 square feet plus actual incoming freight paid to obtain delivery.

(c) *Retailers' maximum prices.* The maximum price for sales by retailers of Alclad Aluminum Wire Insect Screen Cloth manufactured by the Pacific Wire Products Corporation shall be:

	Cents per sq. ft.
On sales in 100 linear feet rolls.....	9
On sales in less than 100 linear feet rolls.....	10

(d) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

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

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9989; Filed, June 12, 1946; 12:02 p. m.]

[MPR 591, Order 603]

SCHMIDGALL 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 section 9 of Maximum Price Regulation No. 591, it is ordered:

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the "Holz-It" Clinker Tong manufactured by Schmidgall Manufacturing Company of Peoria, Ill., and as described in the application dated March 28, 1946, shall be:

	On sales to—		
	Distributors	Dealers	Consumers
"Holz-It" clinker tong.....	Per doz. \$7.50	Per doz. \$9.95	Each \$1.25

(b) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as fa-

avorable 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.

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

(d) Schmidgall Manufacturing Company shall attach a tag to the item covered by this order, containing substantially the following information:

OPA Maximum Retail Price—\$1.25

As provided in Order No. 603 under Maximum Price Regulation No. 591.

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9988; Filed, June 12, 1946; 12:02 p. m.]

[MPR 591, Order 605]

MUNCIE BURNER 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 section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, for sales by any person of the Model 1A Gas Conversion Burner manufactured by the Muncie Burner Manufacturing Company of 27293 Eureka Road, Romulus, Mich., and as described in the application which is on file with the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

On sales to—		
Distributors or jobbers (uninstalled)	Dealers or retailers (uninstalled)	Consumers (installed—complete ready for operation)
\$95.00	\$130.00	\$225.00

The maximum net prices above are f. o. b. point of shipment except on sales to consumers, which is a delivered price.

(b) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on commodities in the same general category during March 1942.

(c) The maximum prices established by this order include the industry-wide increase permitted under section 2.8 to

Order 48 of Maximum Price Regulation 591 and may not be further increased as of the date of this order.

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

(e) The Muncie Burner Manufacturing Company shall attach a tag to the gas conversion burner covered by this order, substantially stating the following:

OPA Maximum Retail Price \$225.00 Installed
(Do Not Detach)

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9990; Filed, June 12, 1946; 12:03 p. m.]

[MPR 591, Order 606]

PAGLIUSO ENGINEERING 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 list price for sales by any person to plumbing and heating contractors, installers and commercial and industrial users of the following brass polished chrome shower head manufactured by Pagliuso Engineering Company of Glendale, Calif., and described in its application dated March 29, and letter of May 16, 1946, shall be:

$1\frac{1}{16}$ " brass polished chrome peco shower head—\$3.25.

(b) On sales by any person to jobbers, the maximum net price, f. o. b. point of shipment, shall be the maximum list prices specified in (a) above less successive discounts of 20 and 5 percent.

(c) The maximum price specified in (a) and (b) above for sales by the Pagliuso Engineering Company shall be f. o. b. point of manufacture with freight allowance not exceeding \$1.50 per cwt. on shipments of 100 pounds or over.

(c) The maximum net prices established by this order shall be subject to cash 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 commodities within the same general category during March 1942.

(d) The maximum prices on an installed basis of the commodity covered in this order shall be determined in accordance with Revised Maximum Price Regulation No. 251, as amended.

(e) Each seller covered by this order 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 sales by the Pagliuso Engineering Company, as well as the maximum prices established for purchasers upon resale.

(f) The maximum prices approved under this order do not include the price increases authorized by section 2.6 of Order 48 under Maximum Price Regulation No. 591.

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9991; Filed, June 12, 1946; 12:03 p. m.]

[MPR 591, Order 607]

AQUA SPRAY LAWN SPRINKLER 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 price, for sales by any person to consumers of the following underground sprinkler head manufactured by Aqua Lawn Sprinkler Company of Detroit, Mich., and described in its application dated April 1, 1946, shall be:

Underground sprinkler head $2\frac{1}{2}$ " x 1" x 3" aluminum alloy—\$2.98.

(b) On sales to dealers by any person, the maximum net price f. o. b. point of shipment, shall be the net price specified in (a) above less a discount of 40 percent.

(c) On sales to jobbers by any person, the maximum net price, f. o. b. point of shipment, shall be the net price specified in (a) above less successive discounts of 40 and 20 percent.

(d) In addition to the discounts specified in (b) and (c) above, 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 commodities in the same general category during March 1942.

(e) The Maximum prices on an installed basis of the commodity covered in 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 except dealers, upon resale.

(g) Aqua Spray Lawn Sprinkler Company shall attach to each lawn sprinkler head covered by this order a tag containing the following:

OPA Maximum Retail Price Uninstalled—\$2.98

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9992; Filed, June 12, 1946; 11:56 a. m.]

[MPR 591, Order 608]

WILSON WELDING 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 steel undersink cabinet units manufactured by Wilson Welding Company, Zanesville, Ohio, and as described in its application dated May 11, 1946, shall be:

Steel undersink cabinet units, linoleum on plywood top, deck type faucets and basket type strainer:	
42" cabinet.....	\$90.00
54" cabinet.....	100.00
72" cabinet.....	120.00

(b) On sales to dealers by any person, the maximum net prices, f. o. b. point of shipment, shall be the net prices specified in (a) above less a discount of 20 percent.

(c) On sales to jobbers by any person, the maximum net prices, f. o. b. point of shipment, shall be the net prices specified in (a) above less a discount of 33 1/3 percent.

(d) In addition to the discounts provided for in (b) and (c) above, 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 commodities within the same general category during March 1942.

(e) The maximum prices on an installed basis of the commodity covered in 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, except dealers, upon resale.

(g) Wilson Welding Company, Zanesville, Ohio, shall stencil on each cabinet sink unit covered by this order, substantially the following:

OPA Maximum Retail Price Uninstalled \$-----

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9993; Filed, June 12, 1946; 11:57 a. m.]

[MPR 591, Order 609]

FANNING CORP.

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 list prices for sales by any person to consumers of the follow-

LINOLEUM SINK AND COUNTER TOPS ON STEEL CORE

[Depth: Up to and including 26" in 1/8" increments]

Length	18 1/2"	24 1/2"	30 1/2"	36 1/2"	42 1/2"	48 1/2"	54 1/2"	60 1/2"	66 1/2"
Cabinet top—No splashes.....	\$21.70	\$25.80	\$29.80	\$33.80	\$38.30	\$42.80	\$47.30	\$52.00	\$56.50
Cabinet top with back splasher only, 1" or 1 1/2" thick:									
4" back (1 1/2" Minimum).....	25.90	30.30	34.70	39.10	43.70	48.60	53.00	58.20	63.10
8" back.....	26.50	31.30	36.10	40.80	45.70	50.60	55.50	60.60	65.50
12" back.....	27.40	32.50	37.70	42.80	47.80	53.00	58.40	63.90	69.20
16" back.....	29.20	34.70	40.20	45.70	51.00	56.70	62.00	67.90	73.20
Cabinet top with back and one end splasher, 1" or 1 1/2" thick:									
4" back and one 4" end.....	35.50	40.70	45.90	51.00	56.40	61.70	67.00	72.40	77.70
8" back and one 8" end.....	37.30	42.80	48.40	53.90	59.20	64.90	70.20	76.10	81.90
12" back and one 12" end.....	39.10	45.00	50.90	56.70	62.90	68.60	74.70	80.60	86.70
16" back and one 16" end.....	42.90	49.20	55.40	61.70	67.80	73.90	80.00	86.70	92.90
Cabinet top with back and two end splashes, 1" or 1 1/2" thick:									
4" back and two 4" ends.....	44.00	49.90	55.80	61.70	67.30	73.10	78.80	85.10	90.80
8" back and two 8" ends.....	47.00	53.20	59.50	65.70	71.50	77.60	83.70	90.00	95.60
12" back and two 12" ends.....	50.30	57.00	63.60	70.20	76.80	82.90	89.40	96.10	102.20
16" back and two 16" ends.....	54.50	61.50	68.50	75.50	82.50	89.40	96.00	103.10	110.00

For prices of cabinet tops between sizes above specified use next higher price. All prices include crating and are f. o. b. factory.

LINOLEUM SINK ON STEEL CORE

[Depth: Up to and including 26" in 1/8" increments. Length: Any length in 1/8" increments]

Length.....	36 1/2"	42 1/2"	48 1/2"	54 1/2"	60 1/2"	66 1/2"	72 1/2"	78 1/2"	84 1/2"	90 1/2"
Cabinet top—No splasher.....	\$33.80	\$38.30	\$42.80	\$47.30	\$52.00	\$56.50	\$61.00	\$65.50	\$70.00	\$74.50
Cabinet sink with back splasher only, 1" or 1 1/2" thick:										
4" back (1 1/2" min.).....	39.10	43.70	48.60	53.00	58.20	63.10	67.60	72.40	76.60	81.90
8" back.....	40.80	45.70	50.60	55.50	60.60	65.50	70.40	75.30	80.20	85.10
12" back.....	42.80	47.70	53.00	58.30	63.90	69.20	74.50	79.40	84.70	90.00
16" back.....	45.70	51.00	56.70	62.00	67.90	73.30	79.00	84.30	90.00	95.80
Cabinet sink with back and one end splasher, 1" or 1 1/2" thick:										
4" back and one 4" end.....	51.00	56.40	61.60	66.90	72.40	77.70	83.00	88.40	93.70	99.00
8" back and one 8" end.....	53.90	59.20	64.90	70.20	76.10	81.90	87.10	92.90	98.20	103.50
12" back and one 12" end.....	56.70	62.80	68.60	74.70	80.60	86.70	92.50	98.60	104.30	110.40
16" back and one 16" end.....	61.60	67.80	73.90	80.00	86.70	92.90	99.00	105.60	111.70	117.80
Cabinet sink with back and two end splashes, 1" or 1 1/2" thick:										
4" back and two 4" ends.....	61.60	67.30	73.10	78.80	85.10	90.80	96.60	102.30	108.00	113.70
8" back and two 8" ends.....	65.70	71.40	77.50	83.70	90.00	95.60	101.90	107.60	113.70	119.80
12" back with two 12" ends.....	70.20	76.70	82.80	89.40	96.20	102.20	108.80	114.90	121.50	127.60
16" back with two 16" ends.....	75.50	82.50	89.40	96.00	103.10	110.10	116.60	123.50	130.40	137.00

For prices of Cabinet Sinks between sizes specified use next higher price. All prices include Crating and are f. o. b. factory.

LINOLEUM SINK AND COUNTER TOPS ON STEEL CORE

[Depth: Up to and including 26" in 1/4" increments. Length: Any length in 1/8" increments]

Length.....	72 1/2"	78 1/2"	84 1/2"	90 1/2"	96 1/2"	102 1/2"	108 1/2"	114 1/2"	120 1/2"	126 1/2"	132 1/2"	138 1/2"	144 1/2"	150 1/2"	156 1/2"
Cabinet top—no splashers.....	\$61.00	\$65.50	\$70.00	\$74.50	\$79.50	\$83.60	\$88.10	\$92.60	\$97.10	\$101.60	\$106.10	\$110.10	\$114.60	\$119.10	\$123.60
Cabinet top with back splasher only, 1" or 1 1/2" thick:															
4" back (1 1/2" min.).....	67.60	72.40	76.90	81.90	86.90	91.80	96.30	101.10	105.60	110.60	115.60	120.00	124.50	129.30	134.30
8" back.....	70.40	75.30	80.20	85.10	90.50	95.50	100.30	105.20	110.10	115.00	120.00	124.80	129.80	134.60	139.50
12" back.....	74.50	79.40	84.70	90.00	95.80	101.10	106.50	111.80	116.70	122.00	127.30	132.60	137.00	142.90	148.20
16" back.....	79.00	84.30	90.00	95.80	101.60	107.30	112.60	118.30	123.70	129.30	134.60	140.40	145.70	151.40	157.10
Cabinet top with back and one end splasher 1" or 1 1/2" thick:															
4" back and one 4" end.....	83.00	88.40	93.70	99.00	104.80	110.10	115.50	120.80	126.10	131.40	136.70	142.00	147.30	152.70	158.00
8" back and one 8" end.....	87.10	92.90	98.20	103.90	110.10	115.50	121.20	126.50	132.20	137.30	143.20	148.50	154.30	159.60	165.30
12" back and one 12" end.....	92.50	98.60	104.30	110.40	116.70	122.80	128.50	134.60	140.40	146.50	152.20	158.00	164.10	169.80	175.70
16" back and one 16" end.....	99.00	105.60	111.70	117.80	124.80	130.90	137.10	143.20	149.80	155.90	162.00	168.10	174.30	180.90	187.30
Cabinet top with back and two end splashers, 1" or 1 1/2" thick:															
4" back and two 4" ends.....	96.60	102.20	108.00	113.70	120.00	126.10	131.40	137.10	143.20	149.00	154.60	160.40	166.10	171.80	177.50
8" back and two 8" ends.....	101.90	107.50	113.70	119.80	126.10	132.20	138.30	144.10	150.20	155.90	162.00	168.10	173.80	180.00	186.10
12" back and two 12" ends.....	108.80	114.90	121.50	127.60	134.60	141.20	147.30	153.80	159.90	166.50	172.70	179.10	185.30	191.80	198.40
16" back and two 16" ends.....	116.60	123.50	130.40	137.00	144.50	151.40	158.00	164.90	171.80	178.80	185.30	192.30	198.80	205.70	212.60

For prices of cabinet tops between sizes specified use next higher price. All prices include crating and are f. o. b. factory.

LINOLEUM SINK ON STEEL CORE

[Depth: Up to and including 26" in 1/4" increments. Length: Any length in 1/8" increments]

Length.....	96 1/2"	102 1/2"	108 1/2"	114 1/2"	120 1/2"	126 1/2"	132 1/2"	138 1/2"	144 1/2"	150 1/2"	156 1/2"
Cabinet sink—no splasher.....	\$79.50	\$83.60	\$88.10	\$92.60	\$97.10	\$101.60	\$106.10	\$110.10	\$114.60	\$119.10	\$123.60
Cabinet sink with back splasher only 1" or 1 1/2" thick:											
4" back (1 1/2" min.).....	86.90	91.80	96.30	101.10	105.60	110.60	115.60	120.00	124.40	129.30	134.30
8" back.....	90.50	95.40	100.30	105.20	110.10	115.00	119.90	124.80	129.70	134.60	139.50
12" back.....	95.80	101.10	106.50	111.80	116.70	122.00	127.30	132.60	137.90	142.90	148.20
16" back.....	101.60	107.30	112.60	118.30	123.70	129.30	134.60	140.40	145.70	151.40	157.10
Cabinet sink with back and one end splasher, 1" or 1 1/2" thick:											
4" back with one 4" end.....	104.80	110.10	115.50	120.80	126.10	131.40	136.70	142.00	147.30	152.70	158.00
8" back with one 8" end.....	110.10	115.50	121.20	126.50	132.20	137.30	143.20	148.50	154.30	159.60	165.30
12" back with one 12" end.....	116.70	122.70	128.50	134.60	140.30	146.40	152.20	158.00	164.10	169.80	175.70
16" back with one 16" end.....	124.80	130.90	137.10	143.20	149.80	155.90	162.00	168.10	174.30	180.90	187.30
Cabinet sink with back and two end splashers 1" or 1 1/2" thick:											
4" back with two 4" ends.....	120.00	125.60	131.40	137.10	143.20	149.00	154.60	160.40	166.10	171.80	177.50
8" back with two 8" ends.....	126.10	132.20	138.30	144.10	150.20	155.90	162.00	168.10	173.80	180.00	186.10
12" back with two 12" ends.....	134.60	141.20	147.30	153.80	159.90	166.50	172.70	179.10	185.30	191.80	198.40
16" back with two 16" ends.....	144.50	151.40	158.00	164.90	171.80	178.80	185.30	192.30	198.80	205.70	212.60

For prices of cabinet sink tops between sizes above specified use next higher price. All prices include crating and are f. o. b. factory.

LINOLEUM SINK & COUNTER TOPS ON STEEL CORE

Special features

L- and U-shaped tops:	
For each leg 72" or shorter (wall dimensions) add.....	\$28.70
For each leg over 72" (wall dimensions) add.....	41.20
Low end.....	28.70
Short end.....	26.10
Partial pipe chase with splasher.....	57.80
Complete pipe chase with splasher.....	64.80
Partial window cut-out.....	24.30
Complete window cut-out.....	37.60
Partial pipe chase—no splasher.....	43.10
Complete pipe chase—no splasher.....	57.40
Corner angle—no splasher.....	28.70
Corner angle with splasher.....	43.10
Inside corner angle—add to price of L-shaped top.....	34.60
Cover strip—attached at factory.....	10.30
Cut-out for electric outlet.....	3.70
Drilling for Westinghouse dishwasher.....	3.75
Opening for G. E. dishwasher.....	28.70
Round corners and ends—counter tops, with flange F:	
Only 3" radius.....	24.00
Over 3" radius.....	32.00
Round end.....	42.70

For any feature not shown here—tops deeper than 26" splashers higher than 16" any dimensions out of line—Write for price, including sketch with inquiry. Drilling for faucet fixture. The fanning cabinet tops can be drilled for all standard faucet fixtures, wall or deck type. Manufacturer's name and catalogue number in most cases will give sufficient information for necessary drillings.

These prices do not include basin, and are based on two (2) standard colors, only, Black—Terra-cotta red. For special colors add 20% to all prices.

(g) The maximum price on an installed basis of the commodity covered in this order shall be determined in accordance with Revised Maximum Price Regulation No. 251, as amended.

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

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9994; Filed, June 12, 1946; 11:57 a. m.]

[MPR 591, Order 610]

HAMILTON 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 section 9 of Maximum Price Regulation No. 591, It is ordered:

(a) The maximum net prices, f. o. b. point of shipment, for sales by Hamilton Manufacturing Company to Sears, Roebuck and Company of Chicago, Illinois of the following steel kitchen cabinets manufactured by Hamilton Manufacturing Company of Two Rivers, Wis., and described in its application dated April 29, 1946, shall be:

No. 4144-21, 21" x 35 3/4" x 24", one door, one drawer, base cabinet, linoleum top.....	\$14.07
No. 4146-30, 30" x 35 3/4" x 24", two door, base cabinet, linoleum top.....	17.51

(b) The maximum net prices, f. o. b. the point indicated below, for sales by Sears, Roebuck and Company of Chicago, Ill., to any person of the following steel kitchen cabinets manufactured by the Hamilton Manufacturing Company of Two Rivers, Wis., shall be:

	Unit price on sales through mail order catalog, f.o.b. Brooklyn, N. Y.	Unit price on sales through retail stores f.o.b. store
No. 4144-21, 21" x 35 3/4" x 24" base cabinet, one door, one drawer, linoleum top.....	\$28.13	\$31.25
No. 4146-30, 30" x 35 3/4" x 24" base cabinet, two door, linoleum top.....	35.01	38.90

(c) The Hamilton Manufacturing Company shall notify Sears, Roebuck and Company, 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 Hamilton Manufacturing Company to Sears, Roebuck and Company as well as the maximum prices established for Sears, Roebuck and Company upon resale, including allowable transportation charges.

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9995; Filed, June 12, 1946; 11:57 a. m.]

[MPR 591, Order 611]

SUPERIOR REFRIGERATOR 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 section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following 15 cubic foot Freezer and Storage Cabinet manufactured by the Superior Refrigerator Manufacturing Company and as described in the application dated February 14, 1946 which is on file with the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
15 cu. ft.— $\frac{1}{2}$ hp. condensing unit.....	\$265	\$318	\$530

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

No. 116—6

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

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

(f) The Superior Refrigerator Manufacturing Company shall stencil on the food freezer and storage cabinet covered by this order, substantially the following:

OPA Maximum Retail Price—\$530.00

Plus freight and crating as provided in Order No. 611 under Maximum Price Regulation No. 591.

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9996; Filed, June 12, 1946; 11:58 a. m.]

[MPR 591, Order 612]

E. J. HORSMAN CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following Conversion Gas Burner manufactured by E. J. Horsman Company and as described in the application which is on file with the building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—				
	Exclusive company distributors	Public utility retailers	Distributors or jobbers	Dealers or retailers	Consumers
Model No. 50 conversion gas burner.....	\$51.50	\$66.22	\$73.58	\$97.86	\$147.15

(b) The maximum net prices established in (a) above reflect the industry-wide increases over October 1, 1941 prices authorized by section 2.8 of Order No. 48 under Maximum Price Regulation No. 591.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller ex-

tended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

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

(e) Maximum prices for the commodities covered by this order when sold on an installed basis are subject to the provisions of Revised Maximum Price Regulation No. 251.

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9997; Filed, June 12, 1946; 11:58 a. m.]

[MPR 591, Order 613]

TUMPANE 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 plumbing and heating contractors, installers and commercial and industrial users of the following chrome plated deck type swing spout faucet manufactured by Tumpane Company of Long Island City, N. Y., and described in its application dated April 11, 1946, shall be:

No. 203, special chrome plated brass swing spout faucet with soap dish, deck type with replaceable brass valve cylinder.....	\$9.60
No. 203, special chrome plated brass swing spout faucet without soap dish, deck type with replaceable brass valve cylinder.....	9.20

(b) On sales by any person to jobbers the maximum net prices, f. o. b. point of shipment, shall be the maximum list price specified in (a) above less successive discounts of 25 and 5 percent.

(c) The maximum prices specified in (a) and (b) above for sales by the Tumpane Company shall be f. o. b. point of manufacture with full freight allowed on shipments on 150 pounds or more.

(d) The maximum net prices established by this order shall be subject to further 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 commodities within the same general category 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) The Tumpane Company shall notify each of its 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 sales by the Tumpane Company as well as the maximum prices established for purchasers upon resale.

(g) The maximum prices approved under this order include all price increases authorized by section 2.6 of Order 48 under Maximum Price Regulation No. 591 to date and may not be further increased pursuant to the provisions of that order as are in effect as of the date of this order.

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

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9998; Filed, June 12, 1946;
11:58 a. m.]

[MPR 592, Order 52]

MAPLETON CLAY PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 52 under section 16 of Maximum Price Regulation No. 592. Mapleton Clay Products Company. Docket No. 6122-592.16-259.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592; *It is ordered:*

(a) The maximum net prices for sales by the Mapleton Clay Products Company, Canton, Ohio, of glazed building brick and glazed facing tile to its various classes of purchasers may be increased by an amount not in excess of \$3.00 per thousand for standard size brick equivalents or by an amount not in excess of \$1.20 per ton for structural hollow tile.

(b) If the Mapleton Clay Products Company had an established differential in price during the month of March 1942 for nonstandard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Mapleton Clay Products Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

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

This Order No. 52 shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9999; Filed, June 12, 1946;
12:00 p. m.]

[MPR 592, Order 53]

UNITED STATES GYPSUM CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 53 under section 16 of Maximum Price Regulation No. 592. Specified construction materials and refractories. United States Gypsum Company. Docket No. 6122-592.16-118.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, *It is ordered:*

(a) The present maximum f. o. b. plant prices or delivered prices for sales of the following products by the United States Gypsum Company, Chicago, Ill., manufactured at its Piedmont, S. Dak. plant may be increased by amounts not in excess of the following:

	Per ton
Crushed gypsum rock.....	\$0.45
Cement plaster.....	.40
Wood fibre plaster.....	.40
Gauging plaster.....	.40

(b) Any person purchasing any of the products described in paragraph (a) above from the United States Gypsum Company for the purpose of resale in the same form may increase his present maximum prices established under the General Maximum Price Regulation by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in costs resulting from the increase permitted the manufacturer in paragraph (a) above. However, notwithstanding the provisions of this paragraph (b), in any area where specific prices are fixed by an area pricing order, such specific maximum prices shall apply in that area.

(c) The maximum prices established herein shall be subject to cash, quantity and other discounts, transportation allowances, services and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(d) The United States Gypsum Company shall furnish to each buyer purchasing any of the products described in (a), above, produced at its Piedmont, South Dakota plant, for resale in the same form on or before the date it makes delivery at the adjusted price a written statement as follows, filling in the appropriate product and adjustment therefor in the blank spaces:

The OPA has granted an adjustment of \$_____ per _____ in the maximum prices for _____. You are permitted to add the actual amount of your increased cost resulting from the in-

crease permitted the United States Gypsum Company to your existing maximum prices for this product purchased from them, except that in any area where specific maximum prices are fixed by an area pricing order, such specific maximum prices shall apply in that area.

(e) All provisions of Maximum Price Regulation 592 not inconsistent with this order shall apply to sales covered by this order.

(f) All requests of the application not granted herein are denied.

(g) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10000; Filed, June 12, 1946;
12:00 m.]

[Rev. SO 119, Order 253]

APEX ELECTRICAL MFG. 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 Apex Electrical Manufacturing Company, 1070 E. 152d St., Cleveland, Ohio, shall increase its ceiling prices determined for each model, in the line of washing machines and ironing machines which it manufactures, in accordance with the provisions of sections 3 and 7 of Revised Maximum Price Regulation No. 86 (exclusive of any adjustments under Sections 5 or 5a of Revised Maximum Price Regulation No. 86) by 27.0 percent.

(b) *Distributors' ceiling prices.* Distributors shall redetermine or determine their ceiling prices for sales to dealers of each of the models listed in paragraph (c) below and purchased by them at ceiling prices which include the manufacturer's adjustment authorized by paragraph (a) of this order in accordance with the provisions of section 15 of Revised Maximum Price Regulation No. 86.

(c) *Dealers' ceiling prices.* The ceiling prices for sales in each zone, of the nine models of washing machines and ironing machines listed below, to ultimate consumers by dealers who have purchased the machines at ceiling prices determined in accordance with paragraph (a) or (b) are as follows:

Article	Model	Ceiling prices for sales to ultimate consumers		
		Zone 1	Zone 2	Zone 3
Wringer type washing machine.....	373	\$95.00	\$100.00	\$102.35
	390	85.75	90.55	92.55
	392	73.25	77.25	79.10
	373P	105.00	110.00	112.35
	390P	95.75	100.55	102.55
Electric ironing machine.....	392P	83.25	87.25	89.10
	390G	111.00	115.80	117.80
	541C	115.25	120.05	122.05
	533	37.00	38.90	38.55

(d) *Zones.* For purposes of this order Zones 1, 2 and 3 comprise the following states:

Zone 1. Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, Pennsylvania, New Jersey, Delaware, Maryland, District of Columbia, Virginia, West Virginia, Kentucky, Ohio, Indiana, Michigan, Wisconsin, Illinois, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, New York.

Zone 2. North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, Texas.

Zone 3. Washington, Oregon, California, Nevada, Arizona, New Mexico, Utah, Colorado, Wyoming, Montana, Idaho.

(e) *Notification.* At the time of, or prior to, the first invoice to each distributor covering a washing machine or ironing machine sold by the manufacturer at a ceiling price determined under this order, the manufacturer shall notify him of the method of determining ceiling prices established by this order for resales by the distributor. This notice may be given in any convenient form.

(f) *Relationship to Revised Maximum Price Regulation No. 86.* The ceiling prices established by this order supersede those established by Order No. 42 under Maximum Price Regulation No. 86 with respect to any washing machines or ironing machines sold by the manufacturer at prices adjusted in accordance with this order. All the provisions of Revised Maximum Price Regulation No. 86 continue to apply to all sales and deliveries covered by this order, except to the extent that these provisions are modified by this order.

(g) *Definitions.* Unless the context requires otherwise, the definitions set forth in the various sections of Revised Maximum Price Regulation No. 86 shall apply to the terms used herein.

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

This order shall become effective on the 12th day of June 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-10058; Filed, June 12, 1946; 4:29 p. m.]

[MPR 591, Order 598]

KITCHEN MAID CORP.

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 section 16, of Maximum Price Regulation 591, it is ordered:

(a) *Adjustment of maximum prices for the Kitchen Maid Corporation, Andrews, Indiana.* The Kitchen Maid Corporation of Andrews, Indiana, may increase its properly established maximum prices for its line of undersink cabinets in effect on June 12, 1946, to each class of purchaser by 6.6 percent.

(b) *Maximum prices for resellers.* The maximum prices for sales by a reseller

of any of the commodities for which adjustment is granted the Kitchen Maid Corporation under this order shall be his maximum price to each class of purchaser in effect on June 12, 1946, plus the actual dollars-and-cents increase in present acquisition costs resulting from the adjustment granted the Kitchen Maid Corporation under this order.

(c) *Notification to all purchasers.* The Kitchen Maid Corporation of Andrews, Indiana, shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first billing after the adjustment granted by this order is put into effect:

Order No. 598 under section 16 of Maximum Price Regulation No. 591 provides for increases in net prices for sales of undersink cabinets manufactured by the Kitchen Maid Corporation of Andrews, Indiana. Resellers may add the actual dollars-and-cents increase in their acquisition cost resulting from the adjustment granted the manufacturer to their existing maximum prices.

(d) All requests not granted in this order are denied.

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

This Order No. 598 shall become effective June 13, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9983; Filed, June 12, 1946; 12:01 p. m.]

[SR 14D, Order 8]

P. LORILLARD CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1499.4 (a) (1) (ii) of Supplementary Regulation 14D to the General Maximum Price Regulation; *It is ordered,* That:

(a) P. Lorillard Company, 119 West 40th Street, New York 18, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive "Beech-Nut" and "Bagpipe" sweetened scrap chewing tobacco, in 2 $\frac{3}{8}$ -ounce packages at the maximum list prices and maximum retail prices set forth below:

Variety	Brand	Size of package (ounces)	Maximum list price per dozen packages	Maximum retail price per package
Sweetened	Beech-Nut	2 $\frac{3}{8}$	\$1.44	15
	Bagpipe	2 $\frac{3}{8}$	1.44	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of the items of "Beech-Nut" and "Bagpipe" sweetened scrap chewing tobacco for which maximum prices are established by this order, the discounts and

allowances they customarily granted during March 1942 on their sales of such items of scrap chewing tobacco in 2 ounce packages to purchasers of the same class, unless a change therein results in a lower price.

(c) Every retailer shall maintain, with respect to his sales of the items of "Beech-Nut" and "Bagpipe" sweetened scrap chewing tobacco, for which maximum prices are established by this order, the customary price differentials below the manufacturer's stated retail prices allowed by him during March 1942 with respect to such brands and variety of scrap chewing tobacco in 2 ounce packages.

(d) The manufacturer and every other seller (except a retailer) of the items of "Beech-Nut" and "Bagpipe" sweetened scrap chewing tobacco, for which maximum prices are established by this order, shall notify the purchaser of such maximum prices. The notice shall conform to and be given in the manner prescribed by § 1499.4 (e) of Supplementary Regulation 14D to the General Maximum Price Regulation.

(e) Unless the context otherwise requires, the provisions of § 1499.4 (except paragraph (a) (2) of Supplementary Regulation 14D to the General Maximum Price Regulation) shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective as of June 3, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9971; Filed, June 12, 1946; 11:54 a. m.]

Regional and District Office Orders.

[Region I Order G-6 Under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN MAINE

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68, as amended, Region I Order No. G-6 Under General Order No. 68 is amended in the following respects:

(1) Paragraph 1 of Appendix A, "Area Covered," is amended so as to exclude the township of Patten in Penobscott County and the township of Jackman in Somerset County from the area covered by Appendix A, so that this paragraph will read as follows:

1. *Area covered.* The State of Maine, with the exception of Aroostock County, Washington County, the townships of Millinockett, East Millinockett and Patten in Penobscott County, the townships of Milo, Guilford and Greenville in Piscataquis County, and the township of Jackman in Somerset County.

(2) The following items of Table I, Appendix A, are amended to read as follows:

Item No.	Description of commodity	Unit	Maximum price
16	Fire clay.....	100 lb. bag.....	\$1.82
19	Asphalt roofing, 90 lb. mineral surface.....	108 sq. ft. roll.....	2.78
20	Asphalt or tarred felt 15 lb. 432 sq. ft. roll.....	432 sq. ft. roll.....	2.82
21	Asphalt or tarred felt 30 lb. 216 sq. ft. roll.....	216 sq. ft. roll.....	2.82
22	Asphalt shingles (3-in-line) 210 lbs. thick butt.....	Square.....	6.12
23	Asphalt shingles 165 lb. (standard hexagon).....	Square.....	5.32
25	Fibre insulation board $\frac{3}{8}$ " asphalt sheathing.....	1,000 sq. ft.....	69.00

(3) Paragraph 1 of Appendix B, "Area Covered", is amended so as to include the townships of Patten in Penobscot County and the township of Jackman in Somerset County within the area covered by Appendix B, so that this paragraph will read as follows:

1. *Area covered.* The following Counties and Townships in the State of Maine:

Aroostook County,
Washington County,
The Townships of Millinocket, East Millinocket, and Patten in Penobscot County,
The Townships of Milo, Guilford and Greenville in Piscataquis County, and
The Township of Jackman in Somerset County.

(4) The following items of Table I, Appendix B, are amended to read as follows:

Item No.	Description of commodity	Unit	Maximum price
9	Fire clay.....	100 lb. bag.....	\$3.07
11	Asphalt roofing, 90 lb. mineral surface.....	108-sq. ft.....	3.29
12	Asphalt or tarred felt 15 lb. 432' roll.....	432' roll.....	3.24
13	Asphalt or tarred felt 30 lb. 216' roll.....	216' roll.....	3.24
14	Asphalt shingles (3-in-line) 210 lbs. thick butt.....	Square.....	6.22
15	Asphalt shingles 165 lb. (standard) hexagon.....	Square.....	5.32
17	Fibre Insulation Board $\frac{3}{8}$ " asphalt sheathing.....	1,000 sq. ft.....	69.00

This amendment shall become effective June 3, 1946.

Issued this 3d day of June 1946.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 46-10045; Filed, June 12, 1946; 1:40 p. m.]

[Region I Order G-2 Under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN MASSACHUSETTS

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68, as amended, Region I Order No. G-2 under General Order No. 68 is amended in the following respects:

(1) The following items of Table I, Appendix A, "Metropolitan Boston Area Maximum Prices", are amended to read as follows:

Item No.	Description of commodity	Unit	Large quantity sales \$200 and over at one time	Small quantity sales under \$200 at one time
17	Fire clay.....	100 lb. bag.....	\$1.47	\$1.52
20	Asphalt roofing, 90 lb. 36" 108 sq. ft. mineral surface.....	Roll.....	2.70	2.95
21	Asphalt or tarred felt 15 lb. 432 sq. ft.....	Roll.....	2.64	2.74
22	Asphalt or tarred felt 30 lb. 216 sq. ft.....	Roll.....	2.64	2.74
23	Asphalt shingles (3 in line) 210 lbs. thick butt.....	Square.....	5.72	5.97
25	Fibre insulation board $\frac{3}{8}$ " asphalt sheathing.....	1,000 sq. ft.....	64.00	69.00

(2) The following items of Table I, Appendix B, "Central Massachusetts Area Maximum Prices", are amended to read as follows:

Item No.	Description of commodity	Unit	Maximum prices per unit
18	Fire clay.....	Bag (100 lbs.).....	\$1.67
20	90 lb. mineral surface asphalt roofing.....	Roll.....	2.95
21	Asphalt or tarred felt 15 lb. 432 sq. ft.....	Roll.....	2.74
22	Asphalt or tarred felt 30 lb. 216 sq. ft.....	Roll.....	2.74
23	Asphalt shingles (3 in line) 210 lbs. thick butt.....	Square.....	6.07

(3) The following items of Table I, Appendix C, "Western Massachusetts Area Maximum Prices", are amended to read as follows:

Item No.	Description of commodity	Unit	Maximum price
17	Fire clay.....	Bag (100 lb.).....	\$1.57
19	90 lb. mineral surface asphalt roofing.....	Roll.....	2.65
20	Asphalt or tarred felt 15 lb. 432 sq. ft.....	Roll.....	2.64
21	Asphalt or tarred felt 30 lb. 216 sq. ft.....	Roll.....	2.64
22	Asphalt shingles (3 in line) 210 lbs. thick butt.....	Square.....	5.97

(4) The following items of Table I, Appendix D, "Northeastern Massachusetts Area Maximum Prices", are amended to read as follows:

Item No.	Description of commodity	Unit	Maximum price
13	Fire clay.....	100 lb. bag.....	\$1.57
15	Asphalt roofing, 90 lb. mineral surface.....	Roll.....	2.65
16	Asphalt or tarred felt 15 lb. 432 sq. ft.....	Roll.....	2.70
17	Asphalt or tarred felt 30 lb. 216 sq. ft.....	Roll.....	2.70
18	Asphalt shingles (3 in line) 210 lb. thick butt.....	Square.....	5.72

(5) The following items of Table I, Appendix E, "Southeastern Massachusetts Area Maximum Prices", are amended to read as follows:

Item No.	Description of commodity	Unit	Maximum price
17	Fire clay.....	100-lb. bag.....	\$1.57
19	Asphalt roofing, 90 lb. mineral surface 36" 108 sq. ft.....	Roll.....	2.70
20	Asphalt or tarred felt 15 lb. 432 sq. ft.....	Roll.....	2.56
21	Asphalt or tarred felt 30 lb. 216 sq. ft.....	Roll.....	2.56
22	Asphalt shingles (3 in line) 210 lbs. thick butt.....	Square.....	5.72

(6) The following items of Table I, Appendix F, "Barnstable County Area Maximum Prices", are amended to read as follows:

Item No.	Description of commodity	Unit	Maximum price
14	Fire Clay.....	100 lb. bag.....	\$1.32
16	Asphalt roofing, 90 lb. mineral surface, 36" 108 sq. ft.....	Lb.....	.02
17	Asphalt or tarred felt 15 lb. 432 sq. ft.....	Roll.....	3.05
18	Asphalt or tarred felt 30 lb. 216 sq. ft.....	Roll.....	2.82
19	Asphalt shingles (3 in line) 210 lbs. thick butts.....	Square.....	2.82
			6.73

This amendment shall become effective May 29, 1946.

Issued this 29th day of May 1946.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 46-10046; Filed, June 12, 1946; 1:40 p. m.]

[Region I Order G-5 Under General Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN RHODE ISLAND

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order

No. 68, as amended, Region I Order No. G-5 under General Order No. 63 is amended in the following respects:

The following items of Appendix A, "Price List," are amended to read as follows:

Item No.	Description of commodity	Unit	Maximum prices for all sales covered by this order
19	Asphalt roofing 90 lb. mineral surface	108 sq. ft.	\$2.70
20	Asphalt or tarred felt 15 lbs.	Roll	2.49
21	Asphalt or tarred felt 30 lbs.	Roll	2.49
22	Asphalt shingles 210 lb. (3 in 1) thick butt	100 sq. ft.	6.07
23	Asphalt shingles 165 lb. 2 tab, hexagon	100 sq. ft.	4.67
24	Fire clay	100 lb.	1.57
25	Fire clay, high tempered	100 lb.	6.50
27	Fibre insulation board 25/32" (asphalt sheathing)	1,000 sq. ft.	69.00

This amendment shall become effective June 3, 1946.

Issued this 3d day of June 1946.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 46-10048; Filed, June 12, 1946; 1:40 p. m.]

[Columbia Order G-1 Under Gen. Order 68, Amdt. 4]

HARD BUILDING MATERIALS IN METROPOLITAN COLUMBIA, S. C., TRADE AREA

For the reasons set forth in the accompanying opinion, this Amendment No. 4 to Order No. G-1 under General Order No. 68 is issued.

Order No. G-1 under General Order No. 68 is amended in the following respects:

Table I in said order is amended by deleting therefrom the prices of the items set out below, and substituting therefor the following:

	Unit	Price
Mortar mix	Sack	\$0.70
	Barrel	2.60
Asphalt shingles:		
140 lb.	Square	4.26
Strip 12", 210 lb.	Square	5.60
Hex strip, 11 1/4" 167 lb.	Square	4.48
Roll roofing		
45 lb.	Roll	1.58
55 lb.	Roll	2.01
65 lb.	Roll	2.39
90 lb. mineral surfaced	Roll	2.65
Asphalt felt:		
15 lb.	Roll	2.15
30 lb.	Roll	2.15
Insulated brick asphalt siding	Square	13.00
Roll brick siding	Square	4.04

This amendment shall become effective on the 3d day of June 1946.

Issued this 28th day of May 1946.

EDWARD H. TALBERT,
District Director.

[F. R. Doc. 46-10042; Filed, June 12, 1946; 1:39 p. m.]

[Region VIII Order G-2 Under Gen. Order 68, Amdt. 2]

PONDOROSA PINE SCREEN DOORS IN SAN FRANCISCO REGION

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-2 under General Order No. 68 is amended in the following respects:

Appendix A and Appendix B are amended to read as is set forth in Appendix A and Appendix B attached hereto.

This amendment to Order No. G-2 shall become effective June 7, 1946.

BEN C. DUNIWAY,
Regional Administrator.

APPENDIX A—CALIFORNIA

The following are maximum retail prices on sales of Ponderosa Pine Screen Doors in broken bundles, F. O. B. seller's place of business.

I. Specifications. 16 mesh galvanized or black wire. Sizes shown are regular door opening sizes stated in feet and inches. Doors are 1 1/2" thick, in the white.

(a) P-2: 4" stiles and top rail, 8" bottom rail, 3" cross rail.

(b) A-2: 4" stiles and top rail, 12" bottom rail.

II. Maximum prices per door:

Size	P-2 (No. 551)	A-2 (No. 652)
2/6 x 6/0	\$4.91	\$4.25
2/8 x 6/0	5.08	4.39
2/0 x 6/6	4.56	3.93
2/6 x 6/6	4.91	4.25
2/8 x 6/6	5.08	4.39
3/0 x 6/6	5.33	4.62
2/0 x 6/8	4.65	4.00
2/4 x 6/8	4.91	4.25
2/6 x 6/8	5.14	4.44
2/8 x 6/8	5.14	4.44
3/0 x 6/8	5.42	4.70
2/6 x 7/0	5.17	4.47
2/8 x 7/0	5.24	4.56
3/0 x 7/0	5.57	4.85

III. Additions. For 5" stiles and top rail add \$.30 per door. For doors having 14 x 18 mesh galvanized wire screen add \$.06 per door.

IV. Deductions. P-2 Door—For 6" bottom rail deduct \$.14 per door.

APPENDIX B—WASHINGTON, OREGON, NEVADA, ARIZONA AND NORTHERN IDAHO

The following are maximum retail prices on sales of Ponderosa Pine Screen Doors in broken bundles, F. O. B. seller's place of business.

I. Specifications. 16 mesh galvanized or black wire. Sizes shown are regular door opening sizes stated in feet and inches. Doors are 1 1/2" thick, in the white.

(a) P-2: 4" stiles and top rail, 8" bottom rail, 3" cross rail.

(b) A-2: 4" stiles and top rail, 12" bottom rail.

II. Maximum prices per door:

Size	P-2 (No. 551)	A-2 (No. 552)
2/6 x 6/0	\$5.20	\$4.40
2/8 x 6/0	5.37	4.64
2/0 x 6/6	4.82	4.15
2/6 x 6/6	5.20	4.49
2/8 x 6/6	5.37	4.64
3/0 x 6/6	5.64	4.89
2/0 x 6/8	4.91	4.23
2/4 x 6/8	5.20	4.49
2/6 x 6/8	5.43	4.69
2/8 x 6/8	5.43	4.69
3/0 x 6/8	5.73	4.97
2/6 x 7/0	5.46	4.72
2/8 x 7/0	5.54	4.82
3/0 x 7/0	5.89	5.13

III. Additions. For 5" stiles and top rail add \$.30 per door. For doors having 14 x 18 mesh galvanized wire screen, add \$.06 per door.

IV. Deductions. P-2 Door—For 6" bottom rail deduct \$.14 per door.

[F. R. Doc. 46-10030; Filed, June 12, 1946; 1:35 p. m.]

[Region VIII Order G-19 Under RMPR 251]

ELECTRICAL SERVICES IN SPOKANE, WASH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by sections 9 and 20 of Revised Maximum Price Regulation No. 251, it is hereby ordered:

(a) What this order does. This order establishes maximum prices for all "electrical services" performed in the Spokane Area, which comprises the following:

In the State of Idaho. The Counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone.

In the State of Washington. The Counties of Adams, Asotin, Benton, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman, and that portion of Okanogan County lying south of a line extending northeast from the most northerly point of Douglas County.

(b) Maximum prices for jobs selling under \$100.00. The maximum price for "electrical services" selling for less than \$100.00 shall be the sum of a charge for labor, a charge for the materials used, and such other charges as may be permitted by this order. The maximum charge for labor shall be the sum of separate charges determined by multiplying the number of hours of labor performed in each category by the maximum hourly rate provided for that category by subparagraph (b) (1). The maximum price of the materials used shall be as provided by subparagraph (b) (2).

(1) Maximum labor charge: (i) For sellers who employ one or more workmen. The maximum hourly rate for each workman shall be the "labor cost" per hour multiplied by 1.5 (rounded to the nearest 5 cents), but not in excess of \$2.50.

(ii) For sellers who employ no workmen, but who perform their own work on the job, the maximum hourly rate shall be \$2.25.

(iii) Measurement of hours. The total number of hours per workman chargeable against any job is to be computed from the time such workman leaves the seller's shop or field office or the previous job (whichever is later) until he completes the job (if he proceeds to another job) or until he returns to the shop or field office (if he proceeds there directly), excluding, however, any stops or delays in transit. Time in transit to and from any job may be charged only once each day. The man-hours for which charges may be made shall not exceed those actually paid for by the seller and shown in the seller's pay roll and on any records or invoices which this order may require the seller to prepare, issue, or keep.

(iv) Overtime work may be charged for at 1 1/2 times the maximum hourly rate stated above, except that overtime may be charged at two times such rate whenever sellers are required by union contract to pay labor at such doubled rate; but an overtime rate may be charged only if overtime work is performed at the customer's written request and only if the employee (if any) is paid

on an overtime basis, and only if the work is performed on Saturday, Sunday, a legal holiday, or after the performance of a standard day's work on a given day and before 8:00 a. m. of the following day.

(v) *Minimum charge.* If a job requires less than one man-hour, there may be collected a minimum charge equal to the maximum charge for one hour.

(2) *Materials.* (i) The maximum price for any materials shall be the lower of the following:

(a) The highest price charged for such material by the seller during March 1942, plus any increase authorized by the Office of Price Administration.

(b) The price published as of the date of the issuance of this order in Moore's Electrical Goods Price Book published by Moore Price Services, Inc., Lloyd Bldg., Seattle, Washington; or, for materials not priced in such book, the maximum price provided by the appropriate maximum price regulation for uninstalled sales of such materials at retail or the seller's cost (not exceeding legal cost) plus 50%, whichever is lower.

(ii) Only materials actually and necessarily used on the job shall be charged to the customer.

(c) *Jobs selling for \$100.00 or more.*

(1) For any job selling for \$100.00 or more, the maximum price shall be the sum of labor costs, material costs, other direct costs, and a margin not exceeding the following:

Total labor, material, and other direct costs:	Margin— Percent of cost
For the first \$200 in costs.....	25
For the next \$300 in costs.....	20
For costs over \$500.....	15

Provided, That:

(i) For sellers in business during March 1942, the margin shall not exceed the margin used in the most comparable job in the period January 1, 1939, to March 31, 1942, or the margin stated above, whichever is lower; and

(ii) No margin may be added to the cost of subcontracts for "electrical services" and the margin to be added to the cost of subcontracts for other services incidental or supplemental to the main contract shall be 10% of costs; and, for the purpose of determining the margin applicable to other remaining costs, subcontract costs shall be treated as the first costs incurred on a job.

(2) Other Direct Costs include only the cost of subcontracts (subject to the limitations stated above), workmen's compensation insurance, Social Security tax, unemployment compensation tax, building permits and fees, and rentals of equipment covered by Maximum Price Regulation No. 134, the equipment rentals to be charged at prices not exceeding the maximum rental rates.

(3) Administrative and overhead costs, selling expenses, and those mileage and out-of-town expense allowances for which provision is made elsewhere in this order are not to be included as direct cost.

(d) *Estimates.* Where work is performed on a cost-plus job on the basis of an estimate submitted by the seller, the maximum price therefor shall be that provided by paragraph (b) or (c) of this order, whichever is applicable,

but shall not exceed the estimated price by more than 15%, except to the extent permitted by paragraph (e) relating to extra work.

(e) *Other charges—(1) Mileage.* For necessary travel to and from a job when the work is performed at a place more than 15 miles from the seller's nearest place of business, as measured along the most direct customary route, mileage may be charged at the rate of 6 cents per mile per day per job (both ways), but only for the excess over such distances.

(2) *Out-of-town expenses.* A seller shall be reimbursed for expenses paid by him for employees required to remain out of town for the purposes of the job, but not in excess of \$5.00 per day per employee.

(3) *Extra work.* Any changes in plans or specifications made at the written request of the customer involving an increase in the cost of the work covered by the original estimate shall be charged for under the terms of paragraph (c); *Provided, however,* That the margin used shall not exceed 15%.

(4) *Authorization by customer.* The above items must be explained to and authorized by the customer prior to starting the work and invoiced properly as a separate item.

(f) *Lump-sum contract.* Where a seller offers to supply services of the kind covered by this order on the basis of a lump-sum contract, the seller agreeing to charge a fixed price, such price may exceed the maximum price computed in accordance with the terms of paragraph (c) of this order but not by more than 5%. With respect to such job the seller shall keep records as required by other paragraphs of this order, these records to be available for inspection by the Office of Price Administration.

(g) *Definitions.* (1) "Electrical services" means the installation, alteration, or repair of any electrical device, wiring, equipment, or materials in a building, structure, or construction project, or the sale of such articles on an installed basis.

(2) "Labor cost" means the wage rate in effect on October 3, 1942, or the wage rate which has been established by proper governmental agencies for the particular classification of labor and in the area in which the seller has his business address, but not more than the wage rate actually paid. In the case of a seller performing some of the direct work on a job himself, his "labor cost" therefor shall be deemed to be the wage rate prevailing in the area for journeyman electricians.

(3) A standard day's work shall consist of eight hours unless otherwise stipulated in a contract between labor union and seller.

(h) *Scope of this order.* (1) The maximum prices established by this order include all expenses, and no additional charge may be made for any other cost or incidental services.

(2) Lower prices than the maximum prices established by this order may be charged, demanded, offered, or paid.

(i) *Records and invoices.* Every person making sales subject to paragraphs (b) and (c) of this order shall furnish each customer an invoice or sales slip on

which he has certified that the price charged does not exceed the price permitted by this Order No. G-19, and showing the time spent by each classification of employee on the job, the rate charged for each such classification, the materials for which charges are made and their quantities and the charges therefor, the names and addresses of the buyer and seller, the location of the job and the date of its completion, and an itemization of any other charges (such as for mileage or "other direct costs") authorized by this order. Such seller shall also keep records showing the same information, and in addition, the itemized cost of the labor and materials involved. These records and duplicates of such invoices or sales shall be kept by the seller at his place of business and shall be available for inspection by the Office of Price Administration.

(j) *Relation of this order to Revised Maximum Price Regulation No. 251.* Except as otherwise provided in this order, this order supersedes sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251 with respect to sales covered by this order; however, all other sections of Revised Maximum Price Regulation No. 251, together with all amendments thereto that have been or may be issued, shall apply to sales covered by this order. As to such sales it also supersedes any other order issued under section 9 of Revised Maximum Price Regulation No. 251.

(k) This order may be revoked, amended, or corrected at any time.

This order shall become effective June 7, 1946.

Issued this 28th day of May 1946.

BEN C. DUNIWAY,
Regional Administrator.

[F. R. Doc. 46-10032; Filed, June 12, 1946; 1:36 p. m.]

[Region VIII, Order G-5 Under Supp. Service Reg. 43 to RMPR 165, Amdt. 4]

EGGS IN SAN FRANCISCO REGION

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-5 under Supplementary Service Regulation No. 43 to Revised Maximum Price Regulation No. 165 is amended in the following respects:

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

(a) The maximum prices in Region VIII for the services of custom processing and custom candling of shell eggs are as follows:

Type of Service:	Price per case
Processing.....	\$0.30
Grading (including candling).....	.60
Candling only.....	.30
Grading and processing.....	.75

The above prices include all incidental services, such as handling, repairing cases, providing fillers, and repacking in cases.

2. Paragraph (b) (2) is amended to read as follows:

(2) "Grading" means weighing, cleaning, and candling individual eggs to de-

termine their interior quality and consumer grade and the segregation of those eggs by those standards.

3. Paragraph (b) (3) is renumbered paragraph (b) (4).

4. A new paragraph (b) (3) is hereby added to read as follows:

(3) "Candling" means individual examination of the interior of each egg by use of transmitted light as commonly practiced by the egg packing industry.

This amendment to Order No. G-5 shall become effective May 31, 1946.

Issued this 31st day of May 1946.

BEN C. DUNIWAY,
Regional Administrator.

[F. R. Doc. 46-10033; Filed, June 12, 1946; 1:37 p. m.]

[Region VIII Order G-4 Under SO 133]

FLETCHER AVIATION CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator by section 6 of Supplementary Order No. 133; *It is hereby ordered:*

(a) Sellers at retail of Executive Desk, SP-21, manufactured by Fletcher Aviation Corporation, 190 West Colorado Street, Pasadena, California, are herewith authorized to adjust their present legal ceiling price for such desk upward by 52%. The resulting figure shall constitute the adjusted dollars-and-cents maximum price of the article.

(b) All prices established pursuant to this order shall be subject to discounts, allowances, and price differentials no less favorable than those customarily granted by the sellers.

(c) This order shall be subject to revocation or amendment at any time hereafter either by special order or by any price regulation issued hereafter or any supplement or amendment hereafter issued as to any price regulation the provisions of which may be contrary hereto.

(d) This order shall become effective June 7, 1946.

Issued this 28th day of May 1946.

BEN C. DUNIWAY,
Regional Administrator.

[F. R. Doc. 46-10031; Filed, June 12, 1946; 1:36 p. m.]

[Region VIII Rev. Order G-1 Under Order 68, Under MIPR, Amdt. 1]

IMPORTED BITUMINOUS CANADIAN COAL IN SAN FRANCISCO REGION

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order No. G-1 under Order 68, as amended, of the Maximum Import Price Regulation is amended in the following respects:

1. The following item is added to Table V of the Appendix:

Size of coal	Column A	Column B
Slack ¾ x 0' and 1 x 0'.....	\$1.90	\$2.15

2. The following item is added to footnote to Table V of the Appendix:

Windatt Coal Company, Limited, Foothills Mine.

3. Table VII is added to the appendix, as follows:

TABLE VII—"MOUNTAIN PARK FIELD"

Size of coal	Column A	Column B
Minerun.....	\$3.95	\$4.20

NOTE: The producer to whose coals the above maximum prices apply is: Luscar Colliers, Ltd., Luscar, Alberta.

This amendment shall become effective June 7, 1946.

Issued this 28th day of May 1946.

BEN C. DUNIWAY,
Regional Administrator.

[F. R. Doc. 46-10029; Filed, June 12, 1946; 1:36 p. m.]

[Region VIII Order G-9 Under Gen. Order 68, Amdt. 1]

MILLWORK IN SOUTHERN CALIFORNIA

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-9 under General Order No. 68 is amended to the following respects:

Item	A Small sale		B Large sale		Cash discount
	Unit	Price	Unit	Price	
Asphalt roofing 90-lb. (mineral surface).....	Roll.....	\$2.80	Customary discount.....		Percent
Asphalt or tarred felt 15-lb.....	Roll 432 ft.....	2.94	do.....		2
Asphalt or tarred felt 30-lb.....	Roll 216 ft.....	2.74	do.....		2
Asphalt shingles 210-lb. (3-in-1 thick butt).....	Square.....	6.32	do.....		2
Asphalt shingles 165-lb. 2 tab hexagon.....	do.....	4.97	do.....		2
Fibre insulation board 25/32" asphalt sheathing.....	Sq. ft.....	.07	1,000 sq. ft.....	\$66.00	2

This amendment shall become effective June 3, 1946.

Issued this 3d day of June 1946.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 46-10047; Filed, June 12, 1946; 1:40 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register June 11, 1946.

Region I

Rhode Island Order 2-O, Amendment 5, covering eggs in Zone 15. Filed 3:09 p. m.

Rhode Island Order 3-O, Amendment 3, covering eggs in Zone 15. Filed 3:09 p. m.

1. Appendix A is amended by adding thereto item IV, as follows:

IV. *Increases in price.* Each seller may add to the prices set forth in this Appendix A the actual dollars and cents increase charged him by his supplier pursuant to Amendment 16 to Revised Maximum Price Regulation No. 293, but only after he has reported the amount of such increase for each item to the District Office of the Office of Price Administration having jurisdiction over his selling establishment and from that office has received acknowledgment of his report. Such acknowledgment must be posted with the maximum prices established by this order as provided by paragraph (d) thereof.

This amendment to Order G-9 shall become effective May 24, 1946.

Issued this 29th day of May 1946.

BEN C. DUNIWAY,
Regional Administrator.

[F. R. Doc. 46-10028; Filed, June 12, 1946; 1:35 p. m.]

[Region I Amendment No. 1 to Order G-1 Under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN VERMONT

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68, as amended, Region I Order No. G-1 under General Order No. 63 is amended in the following respects:

The following items of Table I, Appendix A, are amended to read as follows:

Region II

Buffalo Order 9-F, Amendment 15, covering fresh fruits and vegetables in certain cities in New York. Filed 3:22 p. m.

Newark Order 8-F, Amendment 20, covering fresh fruits and vegetables in certain counties in New Jersey except the Borough of North Plainfield, New Jersey. Filed 3:10 p. m.

Newark Order 9-F, Amendment 19, covering fresh fruits and vegetables in certain counties in New Jersey and the Borough of North Plainfield, New Jersey. Filed 3:42 p. m.

New York Order 12-D, Amendment 1, covering butter and cheese in New York, New Jersey, Pennsylvania, Delaware, Maryland and the District of Columbia and in Arlington and Fairfax counties and the city of Alexandria in Virginia. Filed 3:09 p. m.

Philadelphia Order 13-F, Amendment 20, covering fresh fruits and vegetables

in certain counties in Pennsylvania. Filed 3:45 p. m.

Philadelphia Order 14-F, Amendment 19, covering fresh fruits and vegetables in the city and county of Philadelphia. Filed 3:45 p. m.

Philadelphia Order 15-F, Amendment 19, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:45 p. m.

Philadelphia Order 16-F, Amendment 19, covering fresh fruits and vegetables in the counties of Berks, Lehigh and Northampton, Pennsylvania. Filed 3:45 p. m.

Philadelphia Orders 37 and 38, Amendment 3, covering dry groceries in certain counties in Pennsylvania. Filed 3:46 p. m.

Philadelphia Order 39, Amendment 3, covering dry groceries in certain counties in Pennsylvania. Filed 3:46 p. m.

Scranton Order 5-F, Amendment 20, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:44 p. m.

Scranton Order 6-F, Amendment 19, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:44 p. m.

Syracuse Order 5-F, Amendment 20, covering fresh fruits and vegetables in certain counties in New York. Filed 3:43 p. m.

Syracuse Order 6-F, Amendment 20, covering fresh fruits and vegetables in the cities of Syracuse, Watertown, Utica and their Free Delivery Zones, New York. Filed 3:43 p. m.

Syracuse Order 7-F, Amendment 15, covering fresh fruits and vegetables in certain areas in New York. Filed 3:43 p. m.

Region IV

Atlanta Orders 8-W and 40, Amendment 7, covering dry groceries in the Savannah area. Filed 3:15 p. m.

Columbia Orders 24-O and 25-O, Amendment 6, covering eggs in the South Carolina area. Filed 3:40 p. m.

Columbia Order 26-O, Amendment 6, covering eggs in the South Carolina area. Filed 3:40 p. m.

Jackson Order 6-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 3:43 p. m.

Memphis Order 8-F, Amendment 31, covering fresh fruits and vegetables in the city of Memphis and the county of Shelby, Tennessee. Filed 3:42 p. m.

Memphis Orders 14-C and 15-C, Amendment 3, covering poultry in Zone 17 except Shelby County, in the Memphis area. Filed 3:42 p. m.

Memphis Order 21-C, Amendment 3, covering poultry in Zone 21 in the Memphis area. Filed 3:42 p. m.

Nashville Order 14-F, Amendments 33 and 34, covering fresh fruits and vegetables in certain counties in Tennessee and in Bristol, Virginia. Filed 3:38 p. m.

Nashville Orders 47-O and 48-O, Amendment 17, covering eggs in Hamilton, Knox, Roane, and Anderson counties, Tennessee, Filed 3:38 and 3:39 p. m.

Richmond Orders 23 and 24, Amendment 6, covering dry groceries in the Richmond area. Filed 3:39 p. m.

Richmond Orders 25 and 26, Amendment 4, covering dry groceries in the Richmond area. Filed 3:39 p. m.

Richmond Orders 7-W and 8-W, Amendment 5, covering dry groceries in the Richmond area. Filed 3:39 p. m.

Region V

Dallas Order 4-F, Amendment 45, covering fresh fruits and vegetables in Dallas County, Texas. Filed 3:40 p. m.

Dallas Order 6-F, Amendment 34, covering fresh fruits and vegetables in McLennan County, Texas. Filed 3:41 p. m.

Dallas Order 8-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Texas. Filed 3:41 p. m.

Dallas Orders 4-C and 10-O, covering poultry in the cities of Dallas and University Park and town of Highland Park, Texas. Filed 3:41 p. m.

Dallas Order 31, Amendment 6, covering dry groceries. Filed 3:41 p. m.

Houston Order 4-F, Amendment 46, covering fresh fruits and vegetables in certain cities and towns of Texas. Filed 3:46 p. m.

Houston Order 7-F, Amendment 4, covering fresh fruits and vegetables in Chambers, Hardin, Jefferson, Liberty, and Orange counties, Texas. Filed 3:47 p. m.

Houston Order 8-F, Amendment 4, covering fresh fruits and vegetables in Jasper, Newton and Tyler counties, Texas. Filed 3:47 p. m.

Houston Order 9-F, Amendment 4, covering fresh fruits and vegetables in Galveston county, Texas. Filed 3:47 p. m.

Houston Order 10-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Texas. Filed 3:47 p. m.

Houston Orders 2-C and 4-O, covering poultry and eggs in Harris county, Texas. Filed 3:47 and 3:48 p. m.

Houston Orders 3-C and 5-O, covering poultry and eggs in Orange and Jefferson counties, Texas. Filed 3:47 p. m.

Houston Orders 4-C and 6-O, covering poultry and eggs in Galveston county, Texas. Filed 3:47 p. m.

Little Rock Order 10-F, Amendment 47, covering fresh fruits and vegetables in Garland county, Arkansas. Filed 3:42 p. m.

Oklahoma City Order 13-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 3:37 p. m.

Oklahoma City Orders 2-C and 1-O, covering poultry and eggs in Oklahoma, Tulsa, and Muskogee counties, Oklahoma. Filed 3:38 p. m.

Oklahoma City Orders 18 and 6-W, Amendment 3, covering dry groceries sold by Groups 1 and 2 stores. Filed 3:37 p. m.

Region VI

Omaha Order 40, covering dry groceries in certain areas in Nebraska. Filed 3:08 p. m.

Omaha Order 43, covering dry groceries in certain areas in Nebraska. Filed 3:09 p. m.

Omaha Order 44, covering dry groceries in certain counties in Nebraska. Filed 3:09 p. m.

Omaha Order 14-W, Amendment 39, covering dry groceries in certain areas in Nebraska. Filed 3:08 p. m.

Omaha Order 15-W, covering dry groceries in the city of North Platte, and McCook, Nebraska. Filed 3:08 p. m.

Omaha Order 16-W, covering dry groceries in the city of Crawford and the county of Scotts Bluff, Nebraska. Filed 3:08 p. m.

Sioux Falls Order 6-F, Amendment 3, covering fresh fruits and vegetables in certain counties in South Dakota, Minnesota and Lyon and Osceola counties in Iowa. Filed 3:43 p. m.

Sioux Falls Order 7-F, Amendment 3, covering fresh fruits and vegetables in certain counties in South Dakota. Filed 3:43 p. m.

Region VIII

Arizona Order 9-F, Amendment 44, covering fresh fruits and vegetables in the Phoenix area. Filed 3:43 p. m.

Arizona Order 10-F, Amendment 40, covering fresh fruits and vegetables in the Tucson area. Filed 3:43 p. m.

Arizona Order 11-F, Amendment 39, covering fresh fruits and vegetables in the Cochise area. Filed 3:43 p. m.

Nevada Order 11-F, Amendment 19-C, covering fresh fruits and vegetables in Reno and Sparks, Nevada. Filed 3:44 p. m.

Nevada Order 15-F, Amendment 19-C, covering fresh fruits and vegetables in certain areas in Nevada. Filed 3:44 p. m.

Seattle Order 16-F, Amendment 42, covering fresh fruits and vegetables in Seattle, Tacoma and Bremerton, Washington. Filed 3:44 p. m.

Seattle Order 17-F, Amendment 38, covering fresh fruits and vegetables in Bellingham and Everett, Washington. Filed 3:44 p. m.

Seattle Order 18-F, Amendment 39, covering fresh fruits and vegetables in Olympia, Aberdeen, Hoquiam, Centralia and Chehalis, Washington. Filed 3:45 p. m.

Seattle Order 19-F, Amendment 36, covering fresh fruits and vegetables in Yakima, Wenatchee, East Wenatchee, Washington. Filed 3:45 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-10059; Filed, June 12, 1946; 4:29 p. m.]

[Region VII Order G-66 Under 18 (c)]

FLUID MILK IN NEW MEXICO

Order No. G-66 under § 1499.18 (c) of the General Maximum Price Regulation. Adjusted maximum deposits for return of empty bottles that may be required of purchasers other than domestic consumers by sellers of fluid milk throughout the State of New Mexico. Docket No. 7-18 (c)-51.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Order No. G-66 is issued.

(a) *What this order does.* This Order No. G-66 increases from 3¢ to 5¢ per bottle the amount of the deposit which sellers of fluid milk in glass bottles may charge buyers other than domestic consumers to insure the return of empty bottles, in accordance with the long established historical practice of the trade.

(b) *Maximum deposit.* On and after the effective date of this Order No. G-66, the maximum deposit that may be required by a seller of fluid milk in glass bottles of the buyers other than domestic consumers to insure the prompt return of the empty bottles shall be 5¢ per bottle.

(c) *Geographical applicability.* This Order No. G-66 shall be applicable to sales of fluid milk in glass bottles only when delivered to the buyer within the State of New Mexico.

(d) *Right to revoke or amend.* This Order No. G-66 may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-66 shall become effective on the 29th day of May, 1946.

Issued this 29th day of May 1946.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 46-9816; Filed, June 10, 1946; 1:00 p. m.]

[Region VIII Order G-18 Under RMPR-251, Amdt. 2]

RECORDS AND INVOICES IN SAN FRANCISCO, CALIF., DISTRICT

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-18 under Revised Maximum Price Regulation No. 251 is amended in the following respects:

1. In paragraphs (a), (b) and (c) the date May 12, 1946, is substituted for the date April 12, 1946.

This amendment to Order No. G-18 shall become effective April 12, 1946.

Issued this 30th day of April 1946.

BEN C. DUNIWAY,
Regional Administrator.

[F. R. Doc. 46-9815; Filed, June 10, 1946; 1:00 p. m.]

[Region II Order G-1 Under MPR 376, Amdt. 6]

CERTAIN FRESH FRUITS AND VEGETABLES IN NEW YORK REGION

For the reasons set forth in an opinion simultaneously herewith and under the authority vested in the Regional Administrator of Region II of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376; *It is hereby ordered*, That Order No. G-1 under Maximum Price Regulation 376 shall be and is hereby amended in the following respects:

1. In the Table in Schedule I the prices listed for hothouse tomatoes from all shipping points, packed in baskets having

a minimum net weight of 8 pounds, are changed from \$2.40 to \$2.89.

2. A copy of this amendment has been filed with the Division of the Federal Register where it is open for inspection by the public.

3. This amendment shall become effective at 12:01 a. m. on June 3, 1946.

Issued this 3d day of June 1946.

LEO F. GENTNER,
Acting Regional Administrator.

Approved:

K. W. SCHAIBLE,
Chief, Northeast Marketing Field Office, Fruit and Vegetable Branch, Production and Marketing Administration, Department of Agriculture.

[F. R. Doc. 46-9904; Filed, June 11, 1946; 1:16 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1190]

THE UNITED CORP.

ORDER RELEASING JURISDICTION OVER LEGAL FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of June 1946.

The Commission by order entered in these proceedings on December 26, 1945 having approved a declaration filed by The United Corporation pursuant to sections 6 (a) (2) and 7 of the Public Utility Holding Company Act of 1935 regarding the reduction in the number of The United Corporation's authorized shares of common and preference stock and the reclassification of such shares from no par value stock to par value stock, such approval being subject to a reservation of jurisdiction with respect to the payment of all legal fees and expenses of counsel; and

An amendment having been filed setting forth information regarding the nature and extent of the services rendered for The United Corporation in connection with said declaration by Whitman, Ransom, Coulson & Goetz, for which approval of a fee of \$5,500 is requested and approval of reimbursement of expenses in the amount of \$83.49 is requested; and said amendment also setting forth information regarding the nature and extent of the services rendered for the company by Southerland, Berl & Potter, for which approval of a fee of \$500 is requested; and

It appearing to the Commission that such fees and expenses are not unreasonable;

It is ordered, That the jurisdiction heretofore reserved over the payment of all legal fees and expenses of counsel in connection with the proposed transactions be, and hereby is, released.

By the Commission,

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-10063; Filed, June 13, 1946; 9:47 a. m.]

[File No. 7-837]

LEONARD OIL DEVELOPMENT CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of June A. D. 1946.

In the matter of application by the Pittsburgh Stock Exchange to extend unlisted trading privileges to Leonard Oil Development Company, Common Stock, \$25 Par Value, File No. 7-837.

The Pittsburgh Stock Exchange having made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the Common Stock, \$25 Par Value, of Leonard Oil Development Company;

A public hearing having been held after appropriate notice;

The Commission, being duly advised finds:

(1) That the subject security is listed and registered on the New York Curb Exchange;

(2) That there are 2,000,000 shares of this security outstanding; that 21,200 shares are held by member firms for customers in the vicinity of the applicant exchange; and that 407 transactions involving 81,709 shares were effected by member firms during the twelve-month period ending August 31, 1945;

(3) That sufficient public distribution of and sufficient public trading activity in this security exists in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(4) That the extension of unlisted trading privileges is otherwise appropriate in the public interest and for the protection of investors.

Accordingly it is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of The Pittsburgh Stock Exchange for permission to extend unlisted trading privileges to the Common Stock, \$25 Par Value, of Leonard Oil Development Company be, and the same is, hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-10064; Filed, June 13, 1946; 9:47 a. m.]

[File No. 70-1311]

VIRGINIA ELECTRIC AND POWER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 12th day of June A. D. 1946.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Virginia Electric and Power Company (VEPCO), a public utility subsidiary of Engineers Public Service Company (Incorporated), registered holding company.

Notice is further given that any interested person may, not later than June 23, 1946, at 5:30 p. m., e. d. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application as filed or as amended may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt said transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application, which is on file in the offices of said Commission, for a statement of the transactions therein proposed which are summarized below.

VEPCO proposes to issue and sell privately \$6,500,000 aggregate principal amount of unsecured promissory notes ("New Notes") to mature serially from February 1, 1947 to August 1, 1956 and to bear interest at the rate of 1 $\frac{3}{4}$ % per annum. The New Notes are to be issued to the following institutions, not for resale to the public, in the amounts set forth opposite their respective names:

	Principal sum
Bank of the Manhattan Company, New York	\$1,800,000
Irving Trust Company, New York	1,800,000
First and Merchants National Bank of Richmond	450,000
State-Planters Bank and Trust Company, Richmond	550,000
The Central National Bank of Richmond	230,000
The Bank of Virginia, Richmond	150,000
Virginia Trust Company, Richmond	150,000
Bank of Commerce and Trusts, Richmond	120,000
National Bank of Commerce of Norfolk	220,000
The Seaboard Citizens National Bank of Norfolk	150,000
The Peoples National Bank, Charlottesville	105,000
The First National Bank of Newport News	75,000
First National Bank of Alexandria	55,000
Citizens Marine Jefferson Bank, Newport News	45,000
The Life Insurance Company of Virginia, Richmond	600,000
	6,500,000

Fees and expenses in connection with the issuance and sale of the New Notes are estimated by the company at \$3,300 of which amount \$2,000 represents estimated fees and expenses of counsel. After deducting fees and expenses, the net proceeds to VEPCO are estimated at \$6,496,700. A part of such proceeds is to be used for the payment of the presently outstanding \$5,195,000 principal amount of VEPCO's unsecured promissory 2 $\frac{1}{4}$ % notes ("Old Notes") in accordance with their terms, which require the payment of accrued interest to the proposed date of payment, August 1, 1946, and a premium of \$6,020 applicable

to certain of the notes to be prepaid at that date. The balance of the proceeds from the issuance and sale of the New Notes is to be used for capital additions and improvements.

The issuance and sale of the New Notes have been authorized by the State Corporation Commission of Virginia, the commission of the State in which VEPCO is organized and doing business. VEPCO has filed an application for the authorization of such issuance and sale with the North Carolina Utilities Commission, the commission of a State in which VEPCO is also doing business. VEPCO considers that section 6 (b) of the act and Rules U-42 (b) (2) and U-50 (a) (2) thereunder are applicable to the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-10065; Filed, June 13, 1946;
9:47 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6330]

KATHERINE HATMAN

In re: Estate of Katherine Hatman, deceased. File No. D-28-9871; E. T. sec. 13931.

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

That the property described as follows: Cash in the amount of \$2,814.57 is property in the possession of the Alien Property Custodian;

That such property was held by Arthur G. Norman, Executor of the Estate of Katherine Hatman, and is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Willmar Mannus, Germany.
Marla Mannus, Germany.

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending

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

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

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

Executed at Washington, D. C., on May 23, 1946.

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

[F. R. Doc. 46-9936; Filed, June 12, 1946;
10:58 a. m.]

[Vesting Order 6332]

ROBERT LINDNER

In re: Estate of Robert Lindner, deceased File No. D-28-10065; E. T. sec. 14310.

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

That the property described as follows: Cash in the amount of \$1877.40, is property in the possession of the Alien Property Custodian;

That such property was held by Augusta Lindner, Administratrix of the Estate of Robert Lindner, deceased, and is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, nationals of a designated enemy country, Germany namely,

Nationals and Last Known Address

Hugo Lindner, Germany.
Margaretta Heuher, Germany.
Richard Lindner, Germany.
Anna Pfeiffer, Germany.

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

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

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

sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on May 23, 1946.

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

[F. R. Doc. 46-9937; Filed, June 12, 1946;
10:58 a. m.]

[Vesting Order 6333]

GENOVEFA SCHNEIDER

In re: Estate of Genovefa Schneider, deceased. File D-66-1902; E. T. sec. 11048.

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

That the property described as follows: Cash in the amount of \$254.00, is property in the possession of the Alien Property Custodian;

That such property was held by Arthur Schneider, Administrator w/w/a of the Estate of Genovefa Schneider and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Mrs. Ella Helmprecht, Germany.

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

And having made all determinations and taken all action required by law,

including appropriate consultation and certification, and deeming it necessary in the national interest,

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

This vesting order is issued nunc pro tunc to confirm and ratify the vesting of the said property in the Alien Property Custodian by acceptance thereof on November 26, 1945, pursuant to the Trading with the Enemy Act, as amended.

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

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

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

Executed at Washington, D. C., on May 23, 1946.

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

[F. R. Doc. 46-9938; Filed, June 12, 1946;
10:58 a. m.]

[Vesting Order 6419]

DEUTSCHE REICHSBANK

In re: Bank account owned by Deutsche Reichsbank, also known as Reichsbankdirektorium. File No. F-28-1282 E-10.

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

1. That Deutsche Reichsbank, also known as Reichsbankdirektorium, the last known address of which is C111, Jaegerstrasse 34-36, Berlin, Germany, is a corporation, organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsche Reichsbank, also known as Reichsbankdirektorium, by Continental Illinois National Bank and Trust Company of Chicago, 231 South LaSalle Street, Chicago, Illinois, arising out of a banking account, entitled Reichsbankdirektorium, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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

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

Executed at Washington, D. C., on June 4, 1946.

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

[F. R. Doc. 46-9939; Filed, June 12, 1946;
10:58 a. m.]

[Supp. Vesting Order 6431]

FUJII JUNICHI SHOTEN, LTD.

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

1. Having found and determined in Vesting Order Number 238, dated October 15, 1942, that Fujii Junichi Shoten, Limited, is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that Junso Fujii has a claim against Fujii Junichi Shoten, Limited, which is represented on the books and records of Fujii Junichi Shoten, Limited, as an account payable in the amount of \$705.14, as of December 31, 1945, subject to any accruals or deductions thereafter, and which represents an interest in Fujii Junichi Shoten, Limited;

3. Finding that Junso Fujii, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

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

hereby vests in the Alien Property Custodian the interest of Junso Fujii in Fujii Junichi Shoten, Limited, more fully described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on June 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-9940; Filed, June 12, 1946;
10:58 a. m.]

[Vesting Order 6443]

WILHELM BERNHARD

In re: Bank account owned by Wilhelm Bernhard. File No. F-28-9252-E-1.

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

1. That Wilhelm Bernhard, whose last known address is Uslar, Hannover, Baustrasse, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Wilhelm Bernhard, by American Trust Company, 464 California Street, San Francisco, California, arising out of a Savings Account, Account Number 1971, entitled Wilhelm Bernhard, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date

hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

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

Executed at Washington, D. C., on June 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-9941; Filed, June 12, 1946;
10:58 a. m.]

[Vesting Order 6444]

ROSE BEUTEL

In re: Bank accounts owned by Rose Beutel. File No. F-28-9265-E-1.

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

1. That Rose Beutel, whose last known address is Muhlhausen Der Wurm Bei Pforzheim, Baden, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: a. That certain debt or other obligation owing to Rose Beutel, by The Philadelphia Saving Fund Society, 700 Walnut Street, Philadelphia, Pennsylvania, arising out of a Savings Account, Account Number 1,969,910, entitled Rose Beutel, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Emil Beutel, Trustee, by The Philadelphia Saving Fund Society, 700 Walnut Street, Philadelphia, Pennsylvania, arising out of a Savings Account, Account Number 2,001,000, entitled Emil Beutel in trust for Rose Beutel, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Rose Beutel, the aforesaid national of a designated enemy country;

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

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

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

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

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

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

Executed at Washington, D. C., on June 5, 1946.

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

[F. R. Doc. 46-9942; Filed, June 12, 1946;
10:58 a. m.]

[Vesting Order 6446]

JOSEPH EDELBLUT

In re: Bank account owned by Joseph Edelblut. File No. F-28-4081-E-1.

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

1. That Joseph Edelblut, whose last known address is Merzmuhler, Alsace, Germany, is a resident of Germany and a national of a designated enemy country

2. That the property described as follows: That certain debt or other obligation owing to Joseph Edelblut, by Central Savings Bank in the City of New York, Broadway at 73rd Street, New York, N. Y., arising out of a savings account, Account Number 923,423, entitled Joseph Edelblut, maintained at the branch office of the aforesaid bank located at Fourteenth Street, New York, N. Y., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a

national of a designated enemy country (Germany);

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

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

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

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

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

Executed at Washington, D. C., on June 5, 1946.

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

[F. R. Doc. 46-9943; Filed, June 12, 1946;
10:58 a. m.]

[Vesting Order 6448]

ANNA JUNG

In re: Bank account owned by Anna Jung. File No. F-28-4967-E-1.

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

1. That Anna Jung, whose last known address is Callenbergerstrasse 17, Coburg, Bayern, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Wolfgang T. Jung, by First-Stamford National Bank & Trust Company, One Atlantic Street, Stamford, Connecticut, arising out of a savings account, Account Number 15092,

entitled Anna Jung, By Wolfgang T. Jung, Attorney, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Anna Jung, the aforesaid national of a designated enemy country;

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

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

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

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

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

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

Executed at Washington, D. C., on June 5, 1946.

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

[F. R. Doc. 46-9944; Filed, June 12, 1946;
10:59 a. m.]

[Vesting Order 6449]

ANNA KOCH

In re: Bank account owned by Anna Koch. File No. F-28-23190-E-2.

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

1. That Anna Koch, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Karoline Schmitz, Trustee, by The First National Bank, Allendale, New Jersey, arising out of a Savings Account, Account Number 3074, entitled Karoline Schmitz in trust for Anna Koch, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Anna Koch, the aforesaid national of a designated enemy country;

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

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

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

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

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

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

Executed at Washington, D. C., on June 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-9945; Filed, June 12, 1946; 10:59 a. m.]

[Vesting Order 6450]

KOMAKI SHOKAI

In re: Debt owing to Eitaro Komaki, doing business as Komaki Shokai. File No. F-39-1180-C-1.

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

1. That Eitaro Komaki, doing business as Komaki Shokai, whose last known address is 221 Yamashitacho, Yokohama, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Eitaro Komaki, doing business as Komaki, Shokai, by Butler Brothers, 426 West Randolph Street, Chicago, Illinois, in the amount of \$5,608.24, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

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

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

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

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

admission of the existence, validity or right to allowance of any such claim.

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

Executed at Washington, D. C., on June 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-9946; Filed, June 12, 1946; 10:59 a. m.]

[Vesting Order 6451]

WERNER OFFT

In re: Bank account owned by Werner Offt, also known as B. Werner Offt and Werner Johannes Offt. File No. F-28-11832-E-1.

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

1. That Werner Offt, also known as B. Werner Offt and Werner Johannes Offt, whose last known address is 8 Tiechstrasse, Kiel, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Werner Offt, also known as B. Werner Offt and Werner Johannes Offt, by the Security-First National Bank of Los Angeles, 6th and Spring Streets, Los Angeles, California, arising out of a term savings account, Account Number 393465, entitled Werner Offt, maintained at the branch office of the aforesaid bank located at 110 South Spring Street, Los Angeles 12, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the

Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

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

Executed at Washington, D. C., on June 5, 1946.

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

[F. R. Doc. 46-9947; Filed, June 12, 1946;
10:59 a. m.]

[Vesting Order 6453]

HEDWIG RAYKOWSKI

In re: Bank account owned by Hedwig Raykowski. File No. F-28-13293-E-1.

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

1. That Hedwig Raykowski, whose last known address is Stettin, Muenzstrasse 17, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Hedwig Raykowski, by the Union Bank & Trust Co., of Los Angeles, 760 South Hill Street, Los Angeles, California, arising out of a term savings account, Account Number 84384, entitled Hedwig Raykowski, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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

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

Executed at Washington, D. C., on June 5, 1946.

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

[F. R. Doc. 46-9948; Filed, June 12, 1946;
10:59 a. m.]

[Vesting Order 6454]

DEUTSCHE REICHSBANK

In re: Bank account owned by Deutsche Reichsbank, also known as Reichsbank. File No. F-28-1282 E-16.

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

1. That Deutsche Reichsbank, also known as Reichsbank, the last known address of which is C111, Jaegerstrasse 34-36, Berlin, Germany, is a corporation, organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsche Reichsbank, also known as Reichsbank, by City National Bank and Trust Company of Chicago, 208 South LaSalle Street, Chicago, Illinois, arising out of a checking account, entitled Reichsbank Berlin, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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

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

Executed at Washington, D. C., on June 5, 1946.

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

[F. R. Doc. 46-9949; Filed, June 12, 1946;
10:59 a. m.]

[Vesting Order 6456]

CLARA STOLLENWERK

In re: Bank account owned by Clara Stollenwerk. File No. F-28-12343-E-1.

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

1. That Clara Stollenwerk, whose last known address is Simmerath, Germany,

is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Clara Stollenwerk, by the Mississippi Valley Trust Company, 225 North Broadway, St. Louis 2, Missouri, arising out of a current account, entitled Clara Stollenwerk, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should

be determined to take any one or all of such actions.

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

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

Executed at Washington, D. C., on June 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-9950; Filed, June 12, 1946;
11:00 a. m.]