Regulations

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 203—ACCEPTANCE OF MEMBER BANKS OF DRAFTS OR BILLS OF EXCHANGE

Sec. 203.0 Introduction.

203.0 Acceptance of drafts or bills to furnish dollar exchange.


Notes: The numbers to the right of the decimal point correspond with the section numbers in Regulation C, Board of Governors of the Federal Reserve System, revised effective August 31, 1946.

§ 203.0 Introduction. This part is based upon and issued pursuant to various provisions of the Federal Reserve Act, particularly the provisions of the seventh and twelfth paragraphs of section 13 of such act. This part relates to the acceptance by member banks of drafts or bills of exchange. Provisions governing the eligibility of bankers' acceptances of drafts or bills of exchange drawn upon Federal Reserve Banks for discount by the Federal Reserve Banks are contained in Part 201, and provisions governing the purchase of bankers' acceptances by the Federal Reserve Banks are contained in Part 202.

§ 203.1 Acceptance of commercial drafts or bills—Authority. Any member bank may accept drafts or bills of exchange drawn upon it which grow out of any of the following transactions hereinafter referred to as "commercial drafts or bills":

(a) The importation or exportation of goods, that is, the shipment of goods between the United States and any foreign country, or between the United States and any of its dependencies or insular possessions, or between dependencies or insular possessions and foreign countries, or between foreign countries; (b) The shipment of goods within the United States, provided shipping documents conveying or securing title are attached or are in the physical possession of the accepting bank or its agent at the time of acceptance; (b) The storage in the United States or in any foreign country of readily marketable staples. Provided, That the draft or bill of exchange is secured at the time of acceptance by a warehouse receipt or other such document conveying or securing title covering such readily marketable staples.

(b) Maturity. No member bank shall accept any commercial draft or bill unless at the date of its acceptance such draft or bill has not more than six months to run, exclusive of days of grace.

(c) Acceptances for one person. No member bank shall accept commercial drafts or bills, whether in a foreign or domestic transaction, for any one person, company, firm, or corporation in an amount equal at any time in the aggregate to more than 10 per cent of its paid-up and unimpaired capital stock and surplus, unless the bank be and remain secured as to the amount in excess of such 10 per cent limitation by either attached documents or some other actual security.

A member bank accepting any commercial draft or bill growing out of a transaction of the kinds described in § 203.1 (a) (1) will be expected to obtain before acceptance and retain in its files satisfactory evidence, documentary or otherwise, showing the nature of the transactions underlying the credit extended.

A readily marketable staple within the meaning of this part means an article of commerce, agriculture, or industry, of such use as to make it the subject of constant dealings in ready markets with such frequent quotations of price as to make (a) the price easily and definitely ascertainable, and (b) the staple itself easy to realize upon by sale at any time.

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Part 191—Requisition of merchandise, as defined herein, for the purpose of furnishing dollar exchange (hereinafter referred to as “dollar exchange drafts or bills”) as required by the Usages of Trade in the respective countries, dependencies, or insular possessions, subject to the conditions set forth in this section. Any member bank desiring to obtain such permission shall file with the Board of Governors through the Federal Reserve Bank of its district an application for such permission. Such application need not be in any particular form but shall show the present and anticipated need for the authority requested. (2) The Board of Governors may at any time rescind any permission granted by it pursuant to this section after not less than 90 days’ notice in writing to the bank affected. (1) Any such foreign country or dependency or insular possession of the United States must be one of those specified in a list published by the Board of Governors for the purposes of this part, with respect to which the Board of Governors has found that the usages of trade are such as to justify banks or bankers therein in drawing on member banks for the purpose of furnishing dollar exchange. Any member bank desiring to place itself in position to accept drafts or bills of foreign exchange from a country, dependency, or insular possession not specified in such list may request the Board of Governors through the Federal Reserve Bank of its district an application for such permission. Such application need not be in any particular form but shall show the present and anticipated need for the authority requested.

(b) Countries with respect to which dollar exchange drafts or bills may be accepted. (1) Any such foreign country or dependency or insular possession of the United States must be one of those specified in a list published by the Board of Governors for the purposes of this part, with respect to which the Board of Governors has found that the usages of trade are such as to justify banks or bankers therein in drawing on member banks for the purpose of furnishing dollar exchange. Any member bank desiring to place itself in position to accept drafts or bills of exchange from a country, dependency, or insular possession not specified in such list may request the Board of Governors through the Federal Reserve Bank of its district an application for such permission. Such application need not be in any particular form but shall show the present and anticipated need for the authority requested.
(2) The Board of Governors may at any time, after 60 days' published notice, remove from such list the name of any country, dependency, or insular possession, contained therein.

(c) Purpose of transaction. (1) Any such dollar exchange draft or bill must be drawn and accepted in good faith for the purpose of furnishing dollar exchange as required by the usages of trade in the country, dependency, or insular possession in which the draft or bill is drawn. Drafts or bills otherwise drawn merely because dollar exchange is at a premium in the place where drawn or for any speculative purpose or drafts or bills commonly referred to as "finance bills" (i.e., which are not drawn primarily to furnish dollar exchange) will not be deemed to meet the requirements of this section.

(2) The aggregate of drafts or bills accepted by any member bank for any one foreign bank or banker shall not exceed an amount which the member bank would expect such foreign bank or banker to liquidate within the terms of the agreement which the drafts or bills were accepted, through the proceeds of export documentary bills or from other sources reasonably available to such foreign bank or banker arising in the normal course of trade.

(d) Maturity. Such member bank shall not accept any dollar exchange draft or bill unless at the date of its acceptance it has not more than three months to run, exclusive of days of grace.

(e) Acceptance. (1) Acceptance. Each bank or banker. Such member bank shall not accept dollar exchange drafts or bills for any one bank or banker in an amount exceeding in the aggregate 10 per cent of the paid-up and unimpaired capital and surplus of the accepting bank, unless it be and remain secured as to the amount in excess of such 10 per cent limitation by documents conveying or securing title or by some other adequate security.

(2) Limitation on aggregate amount. Such member bank shall not accept dollar exchange drafts or bills for any one bank or banker in an amount exceeding at any one time in the aggregate 50 per cent of its paid-up and unimpaired capital and surplus. This limitation is separate and distinct from and not included in the limitations prescribed by §203.1(d) with respect to acceptances of commercial drafts or bills. Dollar exchange drafts or bills accepted by another bank, whether domestic or foreign, at the request of a member bank which agrees to put such other bank in funds to meet such acceptances at maturity shall be considered as part of the acceptance liabilities of the member bank requesting such acceptances as well as of such other bank, if a member bank, within the meaning of the limitations prescribed in this section.

FEDERAL REGISTER, Saturday, August 17, 1946

TITLE 43—PUBLIC LANDS: INTERIOR
Chapter I—Bureau of Land Management, Department of the Interior
Subchapter B—Applications and Entries
[Circ. 1265]
PART 102—AGRICULTURAL ENTRIES ON MINERAL LANDS
FUSIONABLE MATERIALS
The following text is added to Part 102:
§102.43 Reservation of fusionable materials in patents and conveyances. Any patents or conveyances of public lands based upon rights acquired on or after August 1, 1946, under which there might result the extraction of any uranium, thorium or other materials which are or may be determined to be peculiarly essential to the production of fusionable materials, shall contain a reservation to the United States, pursuant to the provisions of the act of August 1, 1946 (Public Law 558, 79th Cong.), of all such materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine and remove the same. (Sec. 5b, act of August 1, 1946, Public Law 558, 79th Cong.)
Sec. 61.402 Numbering immigration visas.
61.403 Reports to Department of visas
granted or refused.
61.404 Filing of records.

VISA CORRESPONDENCE
61.405 Visa correspondence.
61.406 Correspondence regarding refusals.
61.407 Review of correspondence.
61.408 Correspondence with the Department.


NOTES: The visa forms in use on the date of issue of the regulations printed below (§§ 61.101 to 61.408) will continue to be used until the new forms specified in these regulations are available.

The regulations contained in 22 CFR 61.101 are hereby canceled and these regulations are issued in lieu thereof.

§ 61.101 Definitions. As used in the regulations in §§ 61.101 to 61.408, inclusive, the term:

(a) "The act" means the Immigration Act approved May 26, 1924, as amended.

(b) "Alien" means an individual who is not a citizen of the United States or its territories, territories of the United States, or the District of Columbia, who owes allegiance to the United States or its territories, territories of the United States, or the District of Columbia.

(c) "Immigrant" means any alien otherwise than a nonimmigrant, who is not a citizen of the United States, who applies for admission into the United States.

(d) "Nonimmigrant" means an alien who is not a citizen of the United States, who applies for admission into the United States.

(e) "Passport" means a document containing certification of identity and nationality issued by the appropriate authorities in a foreign country.

(f) "Passport visa" means a stamp placed upon an alien's passport or other appropriate document showing that the alien has been found to be entitled to proceed to the United States to apply for admission as a nonimmigrant.

(g) "Immigration visa" includes the original copy of the application for such visa, properly prepared, approved, signed, and lawfully issued in accordance with the regulations in §§ 61.101 to 61.408, inclusive.

(h) "Consular officer" means the officer of the Foreign Service of the United States acting in a consular capacity (or a consular agent), the Executive Agent of the Panama Canal, and the Governors of Guam and American Samoa, designated under the authority contained in the act and the regulations in §§ 61.101 to 61.408, inclusive, to issue immigration visas or to grant passport visas or other documents to nonimmigrants.

(i) "Transit certificate" means a stamp placed upon an alien's passport or other appropriate document showing that the alien has been found to be entitled to proceed to the United States to apply for a limited entry.

(j) "Limited-entry certificate" means a stamp placed upon an alien's passport or other appropriate document showing that the alien has been found to be entitled to proceed to the United States to apply for a limited entry.

(k) "Nonresident alien's border-crossing identification card" means a card issued to aliens in certain categories residing in Canada or Mexico showing that the alien has been found to be entitled to apply for admission into the United States as a nonimmigrant.

(l) "Port of entry" means a port or place designated by the Attorney General or the Commissioner of Immigration and Naturalization at which aliens may apply for admission into the United States.

(m) "United States" means the States, the District of Columbia, Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

(n) "Lawful permanent resident of the United States" means an alien who has been lawfully admitted into the continental United States.

(o) "Chinese person" means a person having as much one-half Chinese blood and not as much as one-half blood of a race or races ineligible to naturalization.

(p) "Attempts to enter" means the action taken by an alien to obtain the documents, including a visa, necessary to apply for admission into the United States.

(q) "Application for admission" means an application for admission at a port of entry.

(r) "Wife" and "husband" do not include a wife or husband by proxy or picture marriage when used with reference to the documentary requirements and classification of immigrants.

(s) "Child", "father", and "mother" do not, when used in reference to the documentary requirements and classification of immigrants under the act, include a child or parent by adoption on or after January 1, 1924, or a stepchild, or a step-parent.

(t) "Unmarried" means not married at the time the visa is issued or granted to the alien concerned, regardless of whether the alien was previously married.

(u) "Immigration laws" means the act and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, or expulsion of aliens.

(v) "Diplomatic visa" means a visa granted under the regulations contained in 22 CFR 60.1, et seq.

(w) "Citizen" and "citizen of the United States" are regarded as synonymous.

(x) "Removed", when used with reference to an alien means an alien who has been removed from the United States at the expense of the Federal Government, as provided in section 33 of the Immigration Act of February 5, 1917, as amended.

(y) "Western Hemisphere" means the United States, the Panama Canal, and the Virgin Islands.

§ 61.103 American citizens not to be documented as aliens. An immigration or passport visa, transit certificate, a limited-entry certificate, or a border-crossing identification card shall not be documented as an alien even though the child is included in the foreign passport of a parent.

§ 61.103 Expatriates, presumptive expatriates, and aliens claiming to be American citizens—(a) Expatriates. Section 318(b) of the Nationality Act of 1940 provides: "No former citizen of the United States, expatriated through the expatriation of such person's parent or parents, shall be obliged to comply with the requirements of the immigration laws, if he has not acquired the nationality of another country by any affirmative act other than the expatriation of his parent or parents, and if he has not come or shall come to the United States before reaching the age of twenty-five years." No visa of any kind will be required in such cases.

(b) Presumptive expatriates. A person who is residing under an unrebutted presumption of expatriation as provided in the nationality laws of the United States is not to be issued a visa as an
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ion of such a person, see passport regu-

ations of the Department of State (22

CFR 32 and 33).

(c) Aliens claiming to be American
citizens. Section 303 of the Nationality
Act of 1940 provides for the documenta-
tion for entry into the United States of a
person who claims a right or privilege
as a national of the United States, who
has been denied such right or privilege
by any Department or agency, or execu-
tive official thereof, upon the ground
that he is not a national of the United
States, and whose nationality status is
pending before a court in the United

States. (With regard to the documenta-
tion of such a person, see 22 CFR part
19.)

§ 61.104 Classification of alien. Al-

tens, with respect to their classification for
admission into the United States, may be
divided into the following cate-
gories:

<table>
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<th>Example</th>
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<tr>
<td>5. Those who are entering the United States</td>
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§ 61.105 Nonimmigrant classes. The
classes of nonimmigrants stated in sec-
tion 3 of the act, as amended, are:

(a) An accredited official of a for-
gain government recognized by the
Government of the United States, his
family, attendants, servants, and em-
ployees. (For documentation of diplo-
matic officers, their families, and at-
tendants, see 22 CFR 60.1 et seq.)
(b) An alien visiting the United
States temporarily as a tourist or tem-
porarily for business or pleasure.
(c) An alien in continuous transit
through the United States.
(d) An alien lawfully admitted into
the United States as a nonimmigrant,
who later goes in transit from one part
of the United States to another through
foreign contiguous territory.
(e) A bona-fide alien seaman serv-
ing as such on a vessel arriving at a
port of the United States and seeking
to enter the United States temporarily
and solely in the pursuit of his calling
as a seaman. (For documentation, see
22 CFR 65.51 et seq.)
(f) An alien entitled to enter the
United States solely to carry on trade
between the United States and the for-
gain state of which he is a national
under and in pursuance of the provi-
sions of a treaty of commerce and naviga-
tion, and his wife, parents, unmar-
ried children under 21 years of age, if ac-
companying or following to join him.

§ 61.106 Documentary requirements
for nonimmigrants. With the excep-
tions hereinafter provided, a nonimmi-
grant must present an unexpired pass-
port, and a nonimmigrant seeking to
erenter the United States under section 3
(1), 3 (2), 3 (3), or 3 (6) of the act
must also present a passport visa, unless
he is a nonimmigrant who may be issued,
sion or territory to another, or from one main­land port to another, without stop­over, although touching at a foreign port.

(n) A resident of remote Pacific is­lands, who, after arrival at a port of entry in the United States, is found to be a bona-fide temporary visitor under section 3 (2) of the act, or a bona-fide transient under section 3 (3) of the act.

(o) A person presenting a certificate of identity issued by an American consular officer under the provisions of section 505 of the Nationality Act of 1940 and the regulations promulgated thereunder. (See 22 CFR 19.18-19.29.)

(p) A British subject domiciled in the British Virgin Islands or in the British islands of Anguilla, St. Kitts, or Nevis; a French citizen domiciled in the French island of St. Bartholomew or in the French portion of the Island of St. Martin; or a Netherlands subject domiciled in the Netherlands Islands of St. Eustatius or Saba, or in the Netherlands portion of the Island of St. Martin; who is seeking admission to the Virgin Islands for business or pleasure may enter the United States for a period of less than 30 days on any one visit.

(q) A Canadian citizen or British sub­ject domiciled, permanently residing, or stationed in Canada, who is entering the United States temporarily from Canada, to visit the United States on a visit of less than 30 days for business or pleasure, and who has assurance of admission into Canada or some other country.

(r) An alien who arrives at a port in Canada, who is proceeding in direct transit by continuous journey through the United States to a destination in Canada by means of a transportation line which runs through the territory or waters of both countries.

(s) An alien proceeding in continuous travel from Paterson, British Columbia, to Casco Bay, British Columbia.

(t) A citizen or a resident of for­eign contiguous territory and who is enter­ing the United States from such territory for less than 30 days in a case of emergency, such as one involving seri­ous illness or death, the alien having no opportunity to obtain consular docu­mentation or having assurance of re­admission into foreign contiguous terri­tory.

(u) An airman or a passenger on an aircraft proceeding from one place to another in foreign contiguous territory and landing temporarily in the United States under emergency conditions.

(v) A person who claims to be a citi­zen of the United States and who is apply­ing for admission under the conditions stated in § 61.103 (c).

§ 61.103 Nonimmigrants required to present passports but not visas. The passport-visa requirements are waived for nonimmigrants of the following emergency classes, but they must present passports:

(a) A Mexican military or civilian of­ficial, and a member of his family, or his suite, who is entering the United States from Mexico for personal business or pleasure.

(b) A citizen of Newfoundland, domiciled therein or in Canada, who is pro­ceeding to the United States for a pe­riod of less than 30 days for personal business or pleasure.

(c) An alien who has been lawfully admitted into the United States as a nonimmigrant and who goes in continu­ous transit without stopping at the United States to another through foreign con­tinuous territory.

§ 61.109 Nonimmigrants required to present visas or nonresident alien's border-crossing identification cards but not passports. The following persons are waivered for nonimmigrants in the following classes, but such aliens must present valid passport visas or valid non­resident alien's border-crossing identification cards:

(a) A citizen of a country contiguous to the United States in whose case a visa or other nonimmigrant documenta­tion is required may present, in lieu of a valid passport, any document of identi­ty or nationality previously used or usable for entry into the United States provided such document is valid for the bearer's residence, valid for the purpose of his nationality. In such a case the nonimi­grant visa should be stamped upon Form 25fa, which has a space provided for that purpose, and the following passport visa continues to be valid should be deleted from the visa. A notation regard­ing the granting of the visa may, if found to be feasible, be placed on the document used in lieu of a valid passport to identify the bearer.

(b) An alien who is a member of the crew of a vessel of United States, British, or Canadian registry engaged solely in traffic on the Great Lakes and connect­ing waterways, who is entering the United States temporarily as a seaman, provided that the permit to enter pre­sented by such alien consists of a valid nonresident alien's border-crossing iden­tification card.

§ 61.110 Officers authorized to grant or issue nonimmigrant documentation.

(a) A consular officer may grant a passport visa, a limited-entry certificate, or may issue a non­resident alien's border-crossing identifi­cation card, to a bona-fide nonimmi­grant who is found to be qualified for such a document under these regula­tions. Such border-crossing cards may also be issued by officers of the Immi­gration and Naturalization Service. The Executive Secretary of the Panama Canal, the Governor of American Samoa, and the Governor of Guam are authorized to grant passport visas, transit certificates, and limited-entry certificates to aliens who are found to be bona-fide nonimmigrants proceeding to the United States from the territory under their jurisdiction.

(b) The chief and the assistant chiefs of the Visa Division of the Department are authorized to grant, in their discre­tion, appropriate nonimmigrant passport visas to individuals who are officials of for­eign governments, or who hold positions tantamount thereto, the members of their families, and their attendants, ser­vants, and employees, who are in the United States and who desire to reenter the United States after a temporary absence.

§ 61.111 Aliens who may be included in a passport visa.

(a) A single passport visa is sufficient to cover a spouse, any married children under 21 years of age, or any unmarried children under 21 years of age, if included in the passport. If any per­son is included in a separate passport visa, that person may not be included in a single passport visa, a separate passport visa shall be stamped in the passport for such a person.

(b) A group passport visa may not be granted to include aliens other than those mentioned in the preceding para­graph, unless the Secretary of State specifically authorizes the granting of such a visa. In urgent cases a tele­graphic report of the essential facts should be sent to the Secretary of State for consideration of a possible waiver of the passport and visa requirements.

§ 61.112 Applications for passport visas, limited-entry certificates, and transit visas or certificates.

(a) Application for a passport visa, transit visa or certificate, or limited-entry certifi­cate, or any other visa issued to aliens under section 503 of the Nationality Act of 1940 and the regulations issued thereunder. (See 22 CFR 19.18-19.29.)

(b) The chief and the assistant chiefs of the Visa Division of the Department are authorized to grant, in their discre­tion, appropriate nonimmigrant passport visas to individuals who are officials of for­eign governments, or who hold positions tantamount thereto, the members of their families, and their attendants, ser­vants, and employees, who are in the United States and who desire to reenter the United States after a temporary absence.

(c) If, in the preliminary examination of a case, ground for the refusal of the
For the journey to the United States of a nonimmigrant, a rubber stamp in the following form should be impressed upon the alien’s passport or other appropriate document to be presented to the consul means of transportation, and the port of entry, should be sent to the consular officer in the alien’s home district, where the consular officer has a space provided for the classification of the alien’s home district.

In such cases, however, a notification to the Department immediately should appear; the alien should be authorized to enter the United States at any time during twelve months from the date provided passport notations. The impression seal should be used on the visa. In granting a passport visa, the figure “3” should be written in the parenthesis, and the words “Treaty alien” should be written in the visa on the line provided for the classification of the bearer.

(c) In granting a passport visa to an alien classifiable as a nonimmigrant under section 3 (d) of the act the figure “1” should be inserted in the parenthesis and the words “Treaty alien” should be written in the visa on the line provided for the classification of the bearer.

§ 61.112 Supporting documents with passport-visa application. All important documents and letters not presented in duplicate by an applicant in support of his application, the names of all persons covered in the application, the figure “4” should be written in the visa on the line provided for the classification of the alien concerned is excludable at a port of entry.

§ 61.115 Form of passport visa. (a) In granting a passport visa to a nonimmigrant alien, a rubber stamp in the following form should be impressed upon the alien’s passport or other appropriate document to be presented to the consul at the port of entry in the United States.

No. American Consulate at .

(seal) Date

Visa granted as nonimmigrant under section 3 (c) of the Immigration Act of 1924.

(b) The names of all persons covered by the visa should be inserted when completing the visa application with the appropriate notations. The impression seal should be used on the visa.

(c) In granting a nonimmigrant passport visa to an alien having no official status and classifiable under section 3 (2) of the act, the figure “2” should be inserted in the parenthesis and the words “temporary visitor” should be written in the visa on the line provided for the classification of the bearer.

The word “temporary visitor trainee” should be written on a nonimmigrant visa granted to an alien proceeding to the United States in connection with a recognized training program.

§ 61.116 Validity of passport visa. (a) A passport visa, unless otherwise specified therein, is valid for 12 months and may be used for any number of entries into the United States within the period of validity; provided the nonimmigrant alien status is maintained by the holder. The period of validity of a passport visa relates only to the period within which it may be used for application for admission at a port of entry and not to the period of the alien’s stay in the United States. The latter period will be determined by the immigration authorities, in their discretion, if the alien should be admitted into the United States.

(b) The attention of applicants whose passports will expire within a year should be called to the fact that, although a passport visa is valid for a year if the passport on which it is placed remains valid for that period, such visa becomes invalid if the passport expires within one year from the date of issuance of the visa. Whether an extension of the period of validity of the passport should be obtained in such cases, which will make the visa valid during the whole possible period of validity, or whether the bearer must apply for a new passport on which he will have no visa, must, of course, be decided by the applicant concerned. A visa cannot be transferred from one passport to another.

§ 61.117 Fees for passport-visa services. (a) As provided in reciprocal agreements concluded under the act of February 25, 1929, or as established by regulations issued under Executive Order No. 5427 of August 20, 1930, or as stated in § 61.130, a fee of $1 shall be charged for executing each application of an alien for a visa and $2 for each visa of the passport of an alien in accordance with section 2 of the act of June 4, 1920. However, as stated therein, no fee shall be collected from any officer of any foreign government, or members of his immediate family, or commissioned officers of its armed forces, or consular officer of a state, district, or municipality thereof, traveling to or through the United States.

(b) List of countries for whose national passport visas fees have been prospectively reduced or waived under authority of Executive order.

<table>
<thead>
<tr>
<th>Country</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albania</td>
<td>Gratia</td>
</tr>
<tr>
<td>Argentina</td>
<td>Do.</td>
</tr>
<tr>
<td>Argentina Plata</td>
<td>$2.00</td>
</tr>
<tr>
<td>Barbados</td>
<td>$2.00</td>
</tr>
<tr>
<td>Belgium</td>
<td>Gratia</td>
</tr>
<tr>
<td>Brazil</td>
<td>Gratia</td>
</tr>
<tr>
<td>Canada</td>
<td>Do.</td>
</tr>
<tr>
<td>China</td>
<td>$1.75</td>
</tr>
<tr>
<td>Colombia</td>
<td>$2.50</td>
</tr>
<tr>
<td>Cuba</td>
<td>Do.</td>
</tr>
<tr>
<td>Czechoslovakia</td>
<td>Do.</td>
</tr>
<tr>
<td>Dominica</td>
<td>Do.</td>
</tr>
<tr>
<td>Dominican Republic</td>
<td>Do.</td>
</tr>
<tr>
<td>Ecuador</td>
<td>Do.</td>
</tr>
<tr>
<td>El Salvador</td>
<td>Gratia</td>
</tr>
<tr>
<td>Estonia</td>
<td>Do.</td>
</tr>
<tr>
<td>France</td>
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</tr>
<tr>
<td>Great Britain</td>
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</tr>
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<td>Gratia</td>
</tr>
<tr>
<td>Haiti</td>
<td>Do.</td>
</tr>
<tr>
<td>Honduras</td>
<td>Do.</td>
</tr>
<tr>
<td>Hungary</td>
<td>Do.</td>
</tr>
<tr>
<td>Iceland</td>
<td>Do.</td>
</tr>
<tr>
<td>Iran</td>
<td>Do.</td>
</tr>
<tr>
<td>Iraq</td>
<td>$2.00</td>
</tr>
<tr>
<td>Ireland</td>
<td>$2.00</td>
</tr>
<tr>
<td>Italy</td>
<td>Gratia</td>
</tr>
<tr>
<td>Liechtenstein</td>
<td>Do.</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>Do.</td>
</tr>
<tr>
<td>Mexico</td>
<td>$2.00</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Do.</td>
</tr>
<tr>
<td>Netherlands East Indies</td>
<td>Do.</td>
</tr>
<tr>
<td>Netherlands West Indies</td>
<td>Do.</td>
</tr>
<tr>
<td>Newfoundland</td>
<td>Do.</td>
</tr>
<tr>
<td>Nicaragua</td>
<td>Do.</td>
</tr>
<tr>
<td>New Zealand</td>
<td>Do.</td>
</tr>
<tr>
<td>Panama</td>
<td>Do.</td>
</tr>
<tr>
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<td>Do.</td>
</tr>
<tr>
<td>Poland</td>
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</tr>
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</tr>
<tr>
<td>Romania</td>
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</tr>
<tr>
<td>Russia</td>
<td>$2.00</td>
</tr>
<tr>
<td>Sweden</td>
<td>$1.25</td>
</tr>
<tr>
<td>Switzerland</td>
<td>Gratia</td>
</tr>
<tr>
<td>Venezuela</td>
<td>$2.50</td>
</tr>
<tr>
<td>Yugoslavia</td>
<td>$2.00</td>
</tr>
</tbody>
</table>

Reduction applies only to citizens of Brazil domiciled in Brazil.

*Waiver agreements temporarily in suspension.*
extend beyond 2 years from the date on which the original visa was issued and provided further, that the passport bearing the original visa is still valid. When a second visa is issued during the period from the date of issuance of the second visa to the expiration date of the original visa, the terms of the agreement, as amended, no visa fees shall be collected and other members of the alien's family who are traveling to the United States with the alien may be admitted.
represent, and who is proceeding to the United States for the purpose of transacting official business for his government.

(b) The term "accredited official of a foreign government" is interpreted, in the case of a citizen official of a foreign government, to mean a person holding an official position regardless of his rank. For example, a clerk in the office of a foreign government in the United States may be considered as a foreign-government official if he is paid by his government, as distinguished from being paid personally by his superior officer from the latter's private funds. In the latter case, the clerk may be an employee of a foreign-government official within the meaning of section 3 (1).

(c) The term "family" as used in section 3 (1) of the act, as amended, is interpreted to mean relatives by blood or from the latter's private funds. In the foreign government" is interpreted, in

ment.

United States for the purpose of transacting official business, a member of the family of such official, an attendant, a servant, or an employee who is accompanying such a foreign-government official, a member of his family, to the United States.

§ 61.26 Official students. An alien who is coming to the United States for the purpose of study at a school, college, academy, seminary, or university may be classified as a nonimmigrant under section 3 (1) of the act when (a) he holds an official position in his government, and (b) he is being sent to the United States at the expense of his government.

When it is not possible to state in such an alien the words "Official student" should be written in the visa on the classification line.

§ 61.27 Procedure in doubtful official capacity. Where an alien is coming to the United States on official business, the words "foreign-government official" or "attendant of foreign-government official" should be added to the classifying words stated in the preceding paragraph, in which case "temporary visitor trainee" will be used as classifying words. The visa stamp should be filled in to show that the visa was granted to a nonimmigrant under section 3 (2) of the act.

When an alien is classified as a nonimmigrant under section 3 (2) a representative capacity, but does in

include an alien of one nationality employed in a personal or non-representative capacity by, or paid from the personal funds of, a foreign government or a foreign-government official of another nationality. Such an alien may be classified as a nonimmigrant under section 3 (1), as the case may be, should be written on the line giving the purpose of the alien's visit.

§ 61.28 Applications for official visas. An application for a section 3 (1) visa may be granted or refused on the application of the principal officer. Such an application may be filed in to show that the visa was granted or refused, Forms 257a to 257d are available.

§ 61.29 Fees for official visas. (a) The act of June 4, 1920, relating to passort-visa fees, provides that no fee shall be charged in connection with the application of, or for a passport visa granted to, "any officer of any foreign Government or of any State, district, or municipality thereof, or for a passport visa granted to an official proceeding to the United States on official business, the words "Foreign government official" should be added to the classifying words prescribed in paragraph (b) above.

(e) An alien classified as a foreign-government official, a member of his family, his attendant, servant, or employee, or as an official student or trainee should not be issued an immigration visa without the express authorization of the Department.

(f) In granting a passport visa without a fee, the word "gratis" should be written or stamped on the visa.

§ 61.30 Fees for official visas. (a) The act of June 4, 1920, relating to passport-visa fees, provides that no fee shall be charged in connection with the application of, or for a passport visa granted to, "any officer of any foreign Government or of any State, district, or municipality thereof, or for a passport visa granted to a nonimmigrant under section 3 (2) of the act, the words "in transit" should be added to the classifying words prescribed in paragraph (b) above.

(g) In Classifying words regarding facts other than the name and official position, the governmental authority by which he is employed, and the destination and purpose of his journey to the United States.

§ 61.40 Procedure in granting or refusing official visas. (a) When an official visa is granted or refused, Forms 257a, 257b, 257c, and 257d may be filled out by a consular officer from the data available.

(b) When a nonimmigrant passport visa is granted to an alien falling within one of the classes specified in section 3 (1) of the act, the words "in transit" should be added to the classifying words prescribed in paragraph (b) above.

(c) When a nonimmigrant passport visa is granted to an alien falling within one of the classes specified in section 3 (1) of the act, the words "in transit" should be added to the classifying words prescribed in paragraph (b) above.

(d) If a nonimmigrant section 3 (3) passport visa, instead of a transit certificate, is granted to an alien falling within one of the classes specified in section 3 (1) of the act, the words "in transit" should be added to the classifying words prescribed in paragraph (b) above.

(e) An alien classified as a foreign-government official, a member of his family, his attendant, servant, or employee, or as an official student or trainee should not be issued an immigration visa without the express authorization of the Department.

(f) In granting a passport visa without a fee, the word "gratis" should be written or stamped on the visa.
However, exemption from visa fees is not who is proceeding to the Department on post to which he has been assigned, or the Foreign Service of the United States or an officer in the Foreign Service of the United States for permanent is classifiable as an immigrant.

§ 61.132 Diplomatic visas. (a) Consular officers should not issue diplomatic visas except under the authority of the mission or the Department. (See diplomatic-visa regulations, 22 CFR 60.1 et seq.). An applicant who presents a diplomatic visa in the following official or consular office shall therefore ordinarily be referred to the mission.

(b) Should there be no diplomatic mission in the country or at the place where an applicant applies for a visa, the consular officer to whom a diplomatic passport is presented may grant a diplomatic visa if he has been authorized to do so and if the applicant is entitled to such a visa. If the consular officer has not been authorized to grant a diplomatic visa, he may grant an official visa under section 3 (1), 3 (2), or 3 (3) viss, or a transit certificate, if the alien is entitled thereto.

(c) Should a mission determine in any case that the holder of a diplomatic passport is not entitled to a diplomatic visa, he may grant an official visa, or a transit certificate, or a limited-entry certificate, if the alien is entitled thereto.

§ 61.133 Couriers. (a) An alien who is regularly and professionally employed to carry documents or merchandise on which he owes allegiance will ordinarily apply at a post to which he has been assigned, or who is proceeding to the Department on detail, may be granted a visa under section 3 (2), provided the alien is properly classifiable and lawfully admissible as nonimmigrant. The alien servant of an American Foreign Service officer who is returning to the United States permanently is classifiable as an immigrant.

§ 61.134 Temporary visitors. (a) A nonimmigrant temporary visitor is defined in section 3 (2) of the act as follows: "an alien visiting the United States temporarily as a tourist or temporarily for business or pleasure".

(b) The term "tourist" is construed to include an alien going to a temporary tour in the United States for educational, cultural, or recreational purposes, and who will not be employed in the United States.

(c) The term "pleasure" is construed as including not only intercourse of a commercial character but any other legitimate activity of a temporary nature classifiable within the ordinary meaning of the term "business", but not classifiable as a temporary visitor, unless it include employment contravening the contract-labor clause in section 3 of the Immigration Act of February 5, 1917, as amended, unless a waiver of the contract-labor clause shall have been granted.

§ 61.135 Evidence of temporary visitor status. (a) The burden of proof rests on an alien to establish nonimmigrant status as a temporary visitor for one of the purposes mentioned in section 3 (2) of the act. Evidence that the alien has close ties abroad of a permanent nature is material. On the other hand, absence of ties to any foreign country tend to induce the alien to return abroad voluntarily, coupled with the presence of near relatives and means of support in the United States, may be regarded as evidence that the alien has no definite intention of remaining temporarily in the United States and that he is not entitled to nonimmigrant status. If such an applicant has previously expressed a desire to immigrate into the United States for permanent residence and is applying for a visa as a temporary visitor only because he is prevented from immigrating by quota or other restrictions, the above implication is strengthened.

(b) Each applicant for a temporary visitor's visa will be required to present reasonably conclusive evidence that upon his departure from the United States he will be admitted into the country of his nationalitv or into some other foreign country to which he intends to return or to proceed. Such evidence may include written assurance from the appropriate foreign authorities or confirmation obtained at the applicant's expense through American diplomatic or consular representatives in third countries.

(c) No visa should be granted to a nonimmigrant alien coming under section 3 (2) of the act whose passport or other travel document is not valid for
his entry into some country other than the United States for a period of at least 60 days beyond the length of time the alien desires to remain in the United States, unless he is in possession of some additional official document which is so validated. In the event that an applicant for a temporary visitor’s visa is unable to obtain a passport or other official document valid for his return abroad, or for the required period of validity for such an entry, then the consular officer may, if reasonably satisfied that the alien will nevertheless be able and intends to return abroad upon the termination of his visit to the United States, report all the facts in the case to the Department for an advisory opinion regarding the evidence of ability to return abroad which would be acceptable under the law, or for a waiver of the requirement regarding the period of validity of the alien’s passport or other document. The report should include the name of the port of entry to which the alien desires to enter the United States and the approximate date of his arrival. It may be sent by telegraph at the alien’s expense.

§ 61.136 Temporary visitors who will be employed in the United States. (a) Permits may be granted to the following classes of aliens seeking to enter the United States temporarily for employment, provided they are able to qualify as bona-fide nonimmigrant temporary visitors within the meaning of section 3 (2) of the act:

1. An alien domestic servant accompanying his American or alien employer, who is temporarily residing abroad in the United States on a temporary visit, provided it is established that he will depart from the United States with or before his employer.

2. An alien seeking to enter the United States temporarily for the purpose of accepting employment of a temporary nature which is specifically exempt from the excluding provisions of the alien contract-labor law by the fifth proviso to section 3 of the act of February 5, 1917 but which does not involve employment in a domestic service.

3. An alien in whose behalf the Department of Justice has waived the contract-labor provisions of the immigration laws and whose admission has been authorized for a temporary period.

4. An alien whose temporary admission for employment has been authorized by the Attorney General in accordance with the authority contained in the ninth proviso to section 3 of the Immigration Act of 1917.

5. An alien who is a physician or dentist, or a graduate medical or dental student, and who desires to proceed to the United States temporarily for the purpose of receiving training in his profession.

6. An alien who has no recognized official status, who is coming to the United States temporarily for recognized training purposes approved by the Commissioner of Immigration and Naturalization, in an American commercial, financial, or industrial establishment, or governmental agency. The word “trainee” should be written after the word “temporary” in the space provided in the passport visa for the classification of the bearer.

(b) Should an application for a nonimmigrant visa, other than that provided by an alien who does not fall within any of the categories mentioned in (a) above, who desires to enter the United States temporarily for the purpose of accepting temporary employment in any kind, and who will be paid compensation of any kind by any person or company in the United States, action should be suspended on the visa application. The consular officer should inform the alien that, if he should desire to do so, he may communicate with his prospective employer, requesting him to submit all the facts pertaining to the case to the Immigration and Naturalization Service of the Department of Justice with a view to obtaining a waiver of the contract-labor provisions of the immigration laws. A full report should be submitted to the Department in all such cases for the Department’s files and for possible transmission to the Department of Justice. Upon receipt by the Department of a communication from the Department of Justice regarding the case, the consular officer concerned will be appropriately instructed.

(c) A full report should be submitted to the Department and instructions awaited in the case of an alien not falling within the categories who is applying for a temporary visitor’s visa, who is being sent to the United States by his employer abroad for a temporary period of time for the purpose of receiving training in an American commercial, financial, or industrial establishment, and who will not be paid by any person or company in the United States.

§ 61.137 Trainees, students, and candidates for religious orders, coming as temporary visitors. (a) An alien who is recognized as holding an official position in his government and who is being sent to the United States under his government for recognized training purposes approved by the Commissioner of Immigration and Naturalization in an American commercial, financial, or industrial establishment, or governmental agency, and not exclusively in an institution of learning, may be granted a temporary visitor visa as a nonquota immigrant under section 3 (2) of the act. The words “temporary visitor official trainee” should be written in the visa on the classification line.

(b) An alien student, except an official student, should, as a rule, be issued a nonquota section 4 (e) immigration visa, if found qualified therefor, rather than a nonquota temporary visitor’s visa under section 3 (2) of the act. Examples of cases in which an alien may be considered as a nonimmigrant temporary visitor under section 3 (2) of the act are those where an alien who has not reached the age of 15 years, or an alien who is coming to pursue a course of study which will be completed in less than one year and who has been or will be admitted into the United States and return to Canada, Mexico, Cuba, or some other country in the Western Hemisphere within one year after entry into the United States. A nonimmigrant visa, however, should not be granted to an alien who will be gainfully employed in the United States, or who is not properly classifiable as a bona-fide nonimmigrant, or who fails to present sufficient evidence to show that he has made definite and satisfactory arrangements to pursue a suitable course of study in the United States notwithstanding any difficulties of language or financial arrangements.

(c) An alien candidate for a religious order, who is coming to the United States temporarily for religious training and who does not qualify as a nonquota immigrant under section 4 (e) of the act, ordinarily may be classified as a temporary visitor under section 3 (2) of the act.

§ 61.138 Representatives of unofficial international organizations. An alien who is an official, representative, agent, or member of an unofficial international organization, who holds no official position under a government, and who is not coming to the United States on business for such a government ordinarily would be classified as a temporary visitor under section 3 (2) when coming to the United States temporarily.

§ 61.139 Acceptance of bond not authorized. (a) Consular officers are not authorized either to require or to accept bonds. Willingness to give bond upon arrival at a port of entry in the United States, if required by the immigration authorities, is not in itself sufficient to overcome an inference, arising from the circumstances in a case, that the alien concerned is not entitled to nonimmigrant status. The question of bond ordinarily does not arise until after an alien has received a visa and has arrived at a port of entry in the United States.

(b) In the case of an alien whose temporary admission into the United States under bonds authorized in advance by the Immigration and Naturalization Service, the consular officer should inform the alien at the time he applies for a visa that the posting of bond with the immigration port authorities is a matter which must be arranged by him or by someone in the United States acting in his behalf.

TREATY ALIENS

§ 61.140 Treaty-alien classes. (a) Section 3 (6) of the act provides nonimmigrant status for “an alien entitled to enter the United States solely to carry on trade between the United States and the foreign state of which he is a national under and in pursuance of the provisions of a treaty of commerce and navigation, and his wife, and his unmarried children under 21 years of age, if accompanying or following to join him.”

(b) The law contemplates substantial trade of an international character to be carried on by an alien in his own behalf, or as an agent, after entering the United States. Such trade must be principally between the United States and the particular country of which the alien is a national.
(c) The term "national" as used in section 3 (6) of the act means a citizen or subject of any country which has a treaty of commerce and navigation with the United States.

(d) The term "trade" as used in section 3 (6) of the act is construed to include, for example, the act of any individual, whether a citizen of the United States or not, in buying, selling, or engaging in any business, traffic, or commerce, by land, air, or water, or in forming any partnerships, companies, or associations, for the purpose of carrying on trade or commerce between the two countries or between the case of one engaged principally in trade or commerce between the two countries, or one proceeding to the United States with a stock of goods produced in his own country to be sold by him in the United States and to be replenished from other goods he sells in his own country, would be entitled to the benefits of the statutory and treaty provisions in question. However, consideration should be given to conditions in the country of which an applicant in question is a citizen or national which might affect his ability to carry on trade between the United States and that country.

(e) It is important to distinguish between the case of one engaged principally in trade or commerce between the two countries and the case of an immigrant or settler who seeks to come without such a relation to trade or commerce.

(f) If an alien is coming to the United States solely for the purpose of carrying on international trade or commerce as provided by the law, the fact that he may incidentally engage in other transactions would not preclude his classification as a nonimmigrant under section 3 (6).

§ 61.144 List of treaties for section 3 (6) purposes.

Argentina: Treaty of friendship, commerce, and navigation, signed July 27, 1853; Article II.

Belgium: Treaty of commerce and navigation, signed March 8, 1899; Article II.

Bolivia: Treaty of peace, friendship, commerce, and navigation, signed May 13, 1856; Article III.

Borneo: Treaty of peace, friendship, commerce, and navigation, signed June 28, 1850; Article II.

China: Immigration treaty, signed November 17, 1859; Article II.

Colombia: Treaty of friendship, peace, amity, navigation, and commerce, signed with New Granada, December 12, 1846; Article III.

Costa Rica: Treaty of friendship, commerce, and navigation, signed July 10, 1851; Article II.

Denmark: Convention of friendship, commerce, and navigation, signed April 26, 1826; Article II and VI.

El Salvador: Treaty of friendship, commerce, and consular rights, signed February 22, 1826; Article I.

Estonia: Treaty of friendship, commerce, and consular rights, signed February 23, 1825; Article I.

Ethiopia: Treaty of commerce, signed June 27, 1914; Article I.

Finland: Treaty of friendship, commerce, and consular rights, signed February 13, 1914; Article I.

Great Britain: Convention to regulate commerce and navigation, signed July 3, 1818; Article I.

Greece: Treaty of establishment, signed November 21, 1898; Article I.

Honduras: Treaty of friendship, commerce, and consular rights, signed December 7, 1827; Article I.

Ireland (Eire): Convention to regulate commerce and navigation, signed with Great Britain July 3, 1815; Article I.

Latvia: Treaty of friendship, commerce, and consular rights, signed April 24, 1929; Article I.

Liberia: Treaty of commerce and navigation, signed October 21, 1862; Article II.

Norway: Treaty of commerce and navigation, signed with Sweden and Norway July 4, 1827; Article I.

Norway: Treaty of friendship, commerce, and consular rights, signed June 9, 1928; and additional article, signed February 26, 1929; Article I.

Ottoman Empire: Convention of friend­ship, commerce, and navigation, signed February 4, 1839; Article I.

Paraguay: Treaty of friendship, commerce, and navigation, signed February 4, 1839; Article I.

Poland: Treaty of friendship, commerce, and consular rights, signed June 15, 1831; Article I.

Russia: Treaty of commerce and navigation, signed with Serbia October 2, 1843; Article I.

Ireland was embraced within the territories to which the convention of 1818 with Great Britain applied, and the subsequent treaty of the Irish Free State and the change of the name of the state from "Irish Free State" to "Eire," which is only applicable to British territories, is having as affecting the applicability of the convention to Ireland. The convention is, therefore, applicable between the United States and Eire, as well as between the United States and the United Kingdom of Great Britain and Northern Ireland.

The treaty of 1827 with Sweden and Norway and the other treaties in force between the United States and the Union of Sweden and Norway at the time of its dissolution in 1905 were recognized by separate understandings of Sweden and Norway with the United States, and the treaty of 1827 was applicable to the latter.

The treaty of 1827 was abrogated as to Sweden by notice given to Sweden by the United States on February 4, 1918, whereby the provisions of the convention to Ireland. The convention is, therefore, applicable between the United States and Eire, as well as between the United States and the United Kingdom of Great Britain and Northern Ireland.

Ireland was embraced within the territories to which the convention of 1818 with Great Britain applied, and the convention is superseded as between the United States and Eire, as well as between the United States and the United Kingdom of Great Britain and Northern Ireland.

The treaty of 1827 was abrogated as to Sweden by notice given to Sweden by the United States on February 4, 1918, whereby the provisions of the convention to Ireland are superseded as between the United States and Eire, as well as between the United States and the United Kingdom of Great Britain and Northern Ireland.

The convention of 1818 was abrogated as to Sweden by notice given to Sweden by the United States on February 4, 1918, whereby the provisions of the convention to Ireland are superseded as between the United States and Eire, as well as between the United States and the United Kingdom of Great Britain and Northern Ireland.

The convention of 1818 was abrogated as to Sweden by notice given to Sweden by the United States on February 4, 1918, whereby the provisions of the convention to Ireland are superseded as between the United States and Eire, as well as between the United States and the United Kingdom of Great Britain and Northern Ireland.

The treaty of 1827 was abrogated as to Sweden by notice given to Sweden by the United States on February 4, 1918, whereby the provisions of the convention to Ireland are superseded as between the United States and Eire, as well as between the United States and the United Kingdom of Great Britain and Northern Ireland.
§ 61.145 Aliens in transit. “An alien in continuous transit through the United States” was defined in the meaning of section 3 (3) of the act as one who is passing through the United States in transit to a foreign destination and remaining in the United States for a period not exceeding 60 days.

§ 61.146 Aliens eligible for transit visas and transit certificates. (a) When proceeding to the United States for the purpose of passing in transit to a foreign destination, an alien who is an officer of any foreign government, or a member of his immediate family, its armed forces, or of any State, district, or municipality thereof, or who is an accompanying attendant, servant, or employee of a foreign-government official, may be granted a gratis passport visa as a nonimmigrant in transit under section 3 (3) of the act.

(b) An alien who is proceeding to the United States in transit to a foreign destination, and who does not have the status mentioned in the preceding paragraph, may be granted a transit certificate.

(c) An alien who does not have the status mentioned in paragraph (a) of this section and who for special reasons is unable to furnish even approximately the information concerning the date or port of his arrival in, and departure from, the United States as required for the issuance of a transit certificate, but who is nevertheless properly classifiable as a nonimmigrant in transit, may be granted a passport visa as a nonimmigrant under section 2 (2) of the act, for which the usual fee, if any, will be charged. (Sec. § 61.117.)

§ 61.147 Group transit certificates. Group transit certificates may be granted to bona-fide nonimmigrants in any case in which the Department specifically authorizes the issuance of a group transit certificate. In urgent cases a telegraphic report of the essential facts should be submitted to the Department for consideration of a possible waiver of the passport and visa requirements.

§ 61.148 Applications for transit visas or certificates. (a) Application for a transit certificate or visa should be made on Forms 257a to 257d, inclusive, under oath administered by the consular officer, and photographs should be required and fixed as provided in § 61.112. The consular officer should be careful to see that before taking the oath the alien understands the declarations required of him by the application form. The consular impression seal shall be used in completing the alien’s application.

(b) If, in the preliminary examination of a case, ground for the refusal of the transit visa or certificate should appear, the consular officer so advises, and his formal application need not be taken unless he so requests.

(c) An alien should ordinarily make his application for a transit visa or certificate to the consular officer in whose district he resides. However, his application may be accepted outside of his home district as provided in § 61.112 (d). If satisfactory evidence of transit status is not produced, the consular officer to whom the alien applies may request the assistance of the consular officer in the alien’s home district in investigating the case, or may refer the applicant to that consular officer.

§ 61.149 Evidence of transit status. (a) The purpose of proof rests upon the alien to establish that he is classifiable as a nonimmigrant in transit under section 3 (3) of the act. He must have a domicile in a home country or be proceeding to take up a domicile in some other foreign country. The fact that he may intend to travel by a route other than the most direct for his transit journey and that he may desire to engage in sightseeing, to visit relatives or friends, or to transact business on his transit journey through the United States will not prevent him from being classified as a nonimmigrant in transit.

(b) He may also pass through the United States to rejoin the ship on which he arrives, or to join another ship. As pointed out in the regulations of the Department of Justice, transient aliens may be temporarily admitted for a reasonable time, not exceeding 60 days, for the purpose of their transit journey through the United States.

(c) The passport of a nonimmigrant alien coming to the United States under section 3 (3) of the act must be valid for entry into the United States and the country of the alien’s destination for a period of at least 60 days beyond the length of time necessary for his transit journey, to be in possession of some additional official document which is so valid. If the passport was issued by a country other than that of the alien’s destination, the alien must also be in possession of a visa or other assurance of admission into the country of destination. If the permission to enter the country of destination consists merely of a visa issued by an officer of that country an alien must show that in the event of his rejection by the country of his destination he will be able to return to the country from which he is departing or will be able to enter some other country.

(d) In the event that an alien is unable to obtain a passport or assurance of entry into the country of his destination, or some other foreign country, as required in the preceding paragraph, the consular officer may, if he is reasonably satisfied that the alien will nevertheless be able and intends to enter some foreign country upon the completion of his transit journey through the United States, report all the facts to the Department for an advisory opinion regarding the evidence of ability to enter a foreign country which would be acceptable under the law, or for a possible waiver of the requirement regarding the period of validity of the passport or other travel document. The report should include the name of the port at which the alien desires to enter or leave the United States, the approximate date of his arrival, the maximum period of time he expects to remain in the United States, the port of the alien’s contemplated departure from the United States, and the country to which he is destined.

§ 61.150 Supporting documents of aliens in transit. All important documents and letters not presented by an applicant in duplicate in support of his claim to nonimmigrant status as an alien in transit shall be their contents briefly described on Form 257c or in a memorandum to be attached thereto. After examination of an applicant’s documents the originals thereof should be returned to the applicant, who should be informed that they may be required for further examination by the immigration officers at the port of entry in the United States, and that the intended dates and ports of entry and departure should be made on Form 257c.

§ 61.151 Form of transit certificate. (a) The form of the transit certificate is as follows:

No. ____________________________

American Consulate at ____________________________

I hereby certify that the bearer of this passport, according to satisfactory evidence presented to me, was through the territory of the United States in transit to (country) via (port of entry) (date of entry) (date of departure) ____________________________ ____________________________

[SEAL]

(b) When a transit certificate covers more than one person, the names of the additional persons being included in the passport, the following notation should be added in writing immediately below the transit-certificate stamp:

Transit certificate covers following persons:

(names of persons)

§ 61.152 Transit visa or certificate not to be placed on travel document issued by unrecognized government. When the travel document presented by an applicant is one issued by a government not recognized by the United States, no notation of any kind should be placed on the travel document. A transit certificate in such a case should be stamped on Form 257a, which has a space provided for that purpose.

§ 61.153 Validity of transit visa or certificate. (a) A transit certificate is valid for a single journey to the United States. A transit visa has the same period of validity of a passport visa (§ 61.110). An additional transit certificate is not necessary to enable an alien who, after entering the United States with a transit certificate, reapplies for admission after an entry into Canada or Mexico, to complete a transit journey through the United States, provided the alien reenters within the transit period of 60 days (or other period for which he was originally admitted) and presents the document bearing the transit certificate upon which he was originally admitted.

(b) An alien may be granted a transit visa, or more than one transit certificate, which may be used for more than one application for admission in transit.
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§ 61.154 Fees for transit visas or certificates. No fees have been prescribed for granting a transit certificate or for application therefor.

§ 61.155 Refusal of transit visas or certificates. (a) The act clearly distinguishes between a visit to the United States (section 2 (12)) and a transit (section 3 (3)) through the United States. Hence a transit visa or certificate should not be granted if the applicant intends to enter the United States primarily for a purpose other than to pass through the country in transit.

(b) A transit visa or certificate should be refused an alien as provided in § 61.118.

(c) The consular officer's findings, in refusing a transit visa or certificate, should be noted on Form 257a or on a memorandum attached thereto.

(d) The procedure relating to refusal cards (§ 61.351) should be followed whenever a transit visa or certificate is refused. Persons classifiable as immigrants for whom a transit visa or certificate is refused may endeavor to obtain transit visas or certificates elsewhere should also be reported on Form 258. Refusal-card files are to be consulted before granting a transit visa or certificate.

LIMITED-ENTRY CERTIFICATES

§ 61.156 Aliens making limited entries. An alien making a limited entry into the United States must be a bona-fide nonimmigrant who desires to land temporarily for a legitimate purpose, while the vessel on which he is a passenger remains in a port of the United States, or who desires to cross the Canadian or Mexican border into the United States for a legitimate purpose, in neither case to remain in the United States for a period of more than 10 days. A limited-entry certificate may be granted anyone who she is not mandatorily excludable from the United States under the immigration laws. An alien making a limited entry into the United States is considered to be a nonimmigrant under section 3 (2) or section 3 (3) of the act.

§ 61.157 Applications for limited-entry certificates. (a) Application for a limited-entry certificate will be made on Forms 257a to 257d, inclusive. Forms 257b and 257c should be executed by the applicant under oath administered by the consular officer, and photographs should be required and affixed as provided in § 61.112. The consular officer should be careful to see that before taking the oath the alien understands the declarations required of him by the form.

(b) If, in the preliminary examination of a case, ground for refusal of the limited-entry certificate should exist, the alien should be so advised, and his formal application should not be taken unless he so requests.

§ 61.158 Evidence of limited-entry status. The consular officer may, upon an application of an alien to establish that he is a nonimmigrant entering the United States for a limited period of time as provided in § 61.156. The passport of a nonimmigrant entering the United States to make a limited entry must be valid for a period of at least 60 days beyond the length of time he desires to remain in the United States, or the alien must have some other assurance of admission into a foreign country during such period.

§ 61.159 Supporting documents for limited-entry certificates. All important documents and letters not presented by an applicant in duplicate in support of his claim to limited-entry status should be listed and their contents briefly described on Form 257c or in a memorandum to be attached thereto. After examination of an alien's documents the originals should be returned to the applicant, who should be informed that the consular officer has reason to believe may endeavor to obtain transit visas or certificates elsewhere should also be reported on Form 258. Refusal-card files are to be consulted before granting a transit visa or certificate.

§ 61.160 Form of limited-entry certificate. (a) The term "limited-entry certificate" is applied to the limited-entry stamp, and is placed by a consular officer on the passport of an alien proceeding to the United States to make a limited entry within the meaning of § 61.156. The form of a limited-entry certificate is as follows:

No. _____________________________
American Consulate at ____________________________
I hereby certify that according to satisfactory evidence produced to me the bearer of this passport, ________ is about to proceed to the United States as a nonimmigrant for a period not exceeding 10 days, during which he is temporarily from the S. S. ____________________________ while in a port of the United States (or) cross the border, entering and departing via the same port of entry; arriving on or about ____________________________

[Valid for presentation at United States ports within 60 days from date provided passport continues to be valid.]

(b) The names of all persons covered by the certificate should be inserted therein, and the stamp should be otherwise completed with notations and the deletion appropriate to the case. If an alien is traveling by sea and the vessel on which he is a passenger will call at more than one port in the United States, the name of each port and approximate date of arrival should be inserted in the certificate. The impression seal shall be used on the certificate.

§ 61.161 Limited-entry certificate not to be placed on travel document issued under § 61.156. When the travel document presented by an applicant for a limited-entry certificate is one issued by a government not recognized by the United States, no notation of any kind should be made on the travel document. In such a case the limited-entry certificate should be stamped on Form 257a to 257d, inclusive, which has a space provided for that purpose.

§ 61.162 Validity of limited-entry certificate. (a) A limited-entry certificate may be presented at a port of entry in the United States within 60 days from the date of issuance, provided such certificate may be granted thereon, except that if the alien is a passenger on a vessel he may be permitted to land in each port while the vessel is in port, with his stay in each port not to exceed 10 days.

(b) The holder of an unexpired limited-entry certificate may land temporarily in one port, for example New York, and remain there while the vessel on which he is a passenger proceeds to another port, for example Philadelphia, and returns to the first port, provided the alien is to depart with the same vessel. An alien making a limited entry may be admitted under section 3 (2) or 3 (3) of the act, and in the discretion of the immigration authorities he may be permitted to land at another port of entry than that through which entry was made.

§ 61.163 Fees for limited-entry certificates. No fee has been prescribed for granting a limited-entry certificate or for an application therefor.

§ 61.164 Refusal of limited-entry certificates. (a) A limited-entry certificate should not be issued to an alien who is an immigrant, or who intends to remain in the United States for a period exceeding 10 days, or, in the case of an alien arriving by sea, who intends to depart on a vessel other than the one on which he arrived.

(b) A limited-entry certificate should also be refused an alien as provided in § 61.119.

(c) The consular officer's findings in refusing a limited-entry certificate should be noted on Form 257a, or stated in a memorandum attached thereto,

§ 61.165 Border-crossing identification cards.

§ 61.165 Border-crossers and computers. (a) For the purposes of this part, a border-crosser is a bona-fide nonimmigrant alien who is:

(1) A citizen of Mexico residing or domiciled in that country,

(2) A Canadian citizen or other British subject residing or domiciled in Canada, and

(3) Entering the United States directly from the country of his domicile for a period or periods of not more than 29 days.

(b) A border-crosser may be issued a nonresident alien's border-crossing identification card at an American consular office in Canada or at an American consular office in Mexico. (For conditions under which nonresident border-crossing identification cards may be issued by
the Immigration and Naturalization Service, see 8 CFR 166.11 et seq.)

(d) A Mexican citizen residing and domiciled in Mexico and applying for a nonresident alien's border-crossing identification card must be in possession of a Mexican passport or, when residing near the Mexican border, a Form 5-C issued by the Mexican authorities as valid for the reentry of the bearer into Mexico.

(e) A commuter is an immigrant alien who resides on one side of the border and who travels back and forth daily or regularly to his employment, business, or profession on the other side of the border. A commuter is classifiable as an immigrant and may not be issued a nonresident alien's border-crossing identification card. Such an alien may apply to the Immigration and Naturalization Service for a resident alien's border-crossing identification card if he shall have been lawfully admitted into the United States as an immigrant with the privilege of permanent residence. Such an alien is not classifiable as a nonimmigrant temporary visitor.

§ 61.166 Application for nonresident alien's border-crossing identification card. (a) Application for a nonresident alien's border-crossing identification card shall be made on Form I-390 in duplicate. The applicant shall execute the application under oath administered by the consular officer. Two photographs, size approximately 2 by 2 inches, will be required with the application, one photograph to be attached to or filed with the copy of the application form retained in the consular files, the other to be attached to the card when issued. The consular officer should be careful to see that before taking the oath the alien understands the declarations required of him in executing the application. The consular impression seal should invariably be used in completing the application.

(b) If, in the preliminary examination of a case, ground for the refusal of the border-crossing card should appear, the alien should be so advised, and his formal application should not be taken under consideration.

(c) A consular officer may issue a border-crossing identification card only to a resident of his district.

§ 61.167 Evidence of border-crosser status. The burden of proof rests upon an applicant for a nonresident border-crosser identification card to establish that he is classifiable as a nonimmigrant and is eligible to receive such a card. The applicant should present a passport or other travel document evidencing evidence that he will be able to reenter foreign contiguous territory, if such a document is required by Mexico or Canada.

§ 61.168 Supporting documents for border-crossers. All important documents not presented in duplicate by an applicant in support of his claim to the status of a nonresident border-crosser should be listed and their contents briefly described on the consular file copy of the application or in a memorandum to be attached thereto. After examination such documents should be returned to the applicant, who should be informed that they may be required for further examination by the immigration officials at the port of entry in the United States.

$61.169 Fees for border-crossing identification cards. No fees have been prescribed for the issuance of a nonresident alien's border-crossing identification card or for the application therefor.

§ 61.170 Refusal of nonresident alien's border-crossing identification card. A nonresident alien's border-crossing identification card shall not be issued to an alien who is classifiable as an immigrant or an alien who intends to cross the border and remain in the United States for a period exceeding 29 days. Such a card should also be refused an alien as provided in § 61.119.

§ 61.171 Form of nonresident alien's border-crossing identification card. (a) Except as provided in paragraph (b) of this section, the alien's border-crossing identification card shall be issued on Form I-186, which may be obtained upon requisition from the Department. In no case should such cards be printed locally. They should bear the date of issuance, a photograph of the bearer, the signature of the issuing consular officer, and appropriate data relating to the alien. The cards ordinarily will be valid for an indefinite period.

(b) A nonresident alien's border-crossing identification card may be issued by consular officers in different colors as specified by the Department to obviate duplication and use by unauthorized persons, aliens, and nonaliens for purposes other than those for which the cards were intended. Colored cards will be valid for one year from the date of issuance and may be renewed for two further periods of one year each.

(c) A nonresident alien's border-crossing identification card shall not be fastened to the alien's passport, or Mexican Form 5-C, or other travel document.

(d) Irrespective of the type of the nonresident alien's border-crossing identification card which may be issued by a consular officer, one copy of the application Form I-150 must be attached to the card upon its delivery to the applicant. This copy of the application form will be detached by the immigration officer at the port of the alien's first entry into the United States.

IMMIGRANTS

§ 61.200 Immigrants. (a) An "immigrant" is an alien who is departing from any place outside of the United States and is destined for the United States, except an alien who is classifiable in a nonimmigrant category specified in section 3 of the act, as amended. It is not necessary that an alien be coming to the United States for permanent residence in order to be classified as an immigrant. Failure to qualify for classification in a nonimmigrant category leaves an alien in the immigrant category. An alien who could qualify for nonimmigrant status if he so desired may be considered as an immigrant, if he prefers, but an alien who is classifiable only as an immigrant may not be considered as a nonimmigrant even if he does not desire to be classified as an immigrant.

(b) Before an immigration visa may be issued to an alien who could qualify as a nonimmigrant under section 3 (1) of the act, the consular officer to whom the application is made for the immigration visa.

§ 61.201 Documentary requirements for immigrants. Except as hereinafter provided, an immigrant to the United States must present a valid, unexpired passport and a valid individual immigration visa, quota or nonquota, issued in accordance with the requirements of the regulations in §§ 61.101 to 61.498, inclusive.

§ 61.202 Immigrants not required to present passports or visas. Immigrants in the following emergency cases are not required to present passports or visas, inasmuch as the requirement thereof is hereby waived:

(a) An alien immigrant child born subsequent to the issuance of the immigration visa to an accompanying parent, the visa not having expired.

(b) An alien immigrant child born during the temporary visit abroad of an alien who is a lawful permanent resident of the United States: Provided, That the child is accompanying a parent who is admissible into the United States and who is entering the United States for permanent residence upon the first return of the parent to the United States after the child's birth: And provided further, That application is made for admission into the United States within a period of two years of the child's birth.

(c) An alien immigrant child born during the temporary visit abroad of a mother who is an American citizen or national: Provided, That the child is accompanying a parent who is admissible into the United States and who is entering the United States for permanent residence upon the first return of the parent to the United States after the child's birth: And provided further, That application is made for admission into the United States within a period of two years of the child's birth.

(d) An alien who is a lawful permanent resident of the United States, who is returning after a temporary absence in Canada or Mexico only, and who presents a valid resident alien's border-crossing identification card, including such an alien who is employed as a member of the crew of a vessel of United States, British, or Canadian registry engaged solely in traffic on the Great Lakes and connecting waterways.

(e) An alien who is a lawful permanent resident of the United States, who is returning to the United States only, and who presents an unexpired permanent resident's alien passport issued pursuant to section 10 of the act.

(f) An alien who is a lawful permanent resident of the United States who
Section 52.205 Certain Spanish nationals returning to Puerto Rico. (a) An immigrant Spanish national who on April 11, 1899 (whether adult or minor) was a bona-fide resident of Puerto Rico or adjacent islands which comprised the Province of Puerto Rico, and who, in accordance with article IX of the treaty between the United States and Spain of May 26, 1899 (whether adult or minor) was a bona-fide resident of Spain, may present a passport or an immigration visa issued under section 3 of the act, in lieu of an immigration visa, for entry into Puerto Rico. (Act of May 26, 1899; 30 Stat. 208.) Such aliens may be admitted into Puerto Rico without regard to the provisions of the Immigration Act of 1924, except section 23 thereof, which places upon an alien attempting to enter the United States the burden of proving that he is not subject to exclusion under the immigration laws. (b) An alien mentioned in the preceding paragraph must obtain and present a passport visa and must pay fees as prescribed by section 2 of the act of June 4, 1920, viz: $1 for the execution of the application and $9 for the visa. In presenting a passport visa to such an alien the lower portion of the visa stamp relative to the alien's classification under section 3 of the act should be omitted and the following notation added: "Visa issued to Spanish national returning to Puerto Rico under the provisions of act of May 26, 1926." If a person to whom such a visa is issued is embarked upon a mainland port there should be added to the visa the word "visa" followed by the name of the port. (See act of May 26, 1926; 44 Stat. 567.)

An alien who is a lawful permanent resident of the United States, and who is returning to the United States while engaged in airplane-ferrying operations between St. Thomas, British West Indies, and the United States, and is returning without being disqualified by section 3 of the act, may present a passport visa and must pay fees as prescribed by section 2 of the act of June 4, 1920, viz: $1 for the execution of the application and $9 for the visa. (Act of May 26, 1926; 44 Stat. 567.) Such an alien may be given first priority on the waiting list if chargeable to a quota which is oversubscribed.
given first priority on the waiting list if chargeable to a quota which is over­
scribed.

(d) A Spanish national falling within the provisions of the act of May 26, 1926 may, of course, make application for an immigration visa with which to seek admission into the United States and who was born in the Virgin Islands under the Immigration Act of 1924 into the United States (which includes Puerto Rico) instead of a passport visa with which to seek admission into Puerto Rico. Any Spanish national may apply for a passport visa with which to seek admission into the United States (which includes Puerto Rico) as a non­immigrant under the Immigration Act of 1926, and in such a case the non­immigrant passport-visa fees to be charged will be determined in accordance with § 61.117.

(e) Where paragraph 32 of the act is applicable to aliens coming within the purview of the act of May 26, 1926, a passport visa should not be issued as provided in paragraphs (b) and (c) of this section, unless the provisions of the act of May 26, 1926. In such a case, the usual immigration-visa fee will be collected if the immigration visa is issued. Any Spanish national may apply for a passport visa with which to seek admission into the United States (which includes Puerto Rico) as a non­immigrant under the Immigration Act of 1926, and in such a case the non­immigrant passport-visa fees to be charged will be determined in accordance with § 61.117.

§ 61.208 Immigrants born in the Virgin Islands. The act of June 26, 1922 provides that an alien who was born in the Virgin Islands and who and who were natives of the Virgin Islands should, for a period of 2 years from the date of the enactment of the act, be considered nonimmigrants in the provisions of section 401 (c) of the act and should not be required to have passports or immigration visas. As the 2-year period referred to has expired, an alien who was born in the Virgin Islands and who is otherwise an alien born in Puerto Rico, that is, "not chargeable to any quota" imposed by the Immigration Act of 1924, and should be documented in the same manner as an alien born in Puerto Rico. (See § 61.204.)

§ 61.209 Certain American citizens expatriated. (a) Section 317 (c) of the Nationality Act of 1940 provides that:

A person who shall have been a citizen of the United States and also a national of a foreign state, and who shall have lost his citizenship of the United States under the provisions of section 401 (c) of this Act, shall be entitled to the benefits of the provisions of subsection (a) of this section, except that contained in subdivision (2) thereof. Such person, if abroad, may enter the United States as a nonquota immigrant, for the purpose of recovering his citizenship, upon compliance with the provisions of the Immigration Acts of 1917 and 1924. (54 Stat. 1141; U.S.C. 211(a).)

(b) Section 401 (c) of the act, to which reference is made above, provides that a national of the United States shall lose his nationality by:

(c) A person falling within the provisions of paragraphs (a) and (b) above must apply for a nonquota immigration visa when immigrating into the United States. On the Forms 256a and 256b, in the block headed, "I claim to be a nonquota immigrant," there should be inserted, "under Section 317 (c) of the Nationality Act of 1940." The basis for such claim should then be briefly stated on the visa side of the application form. On the visa, the words "subdivision (c) of section 4" should be deleted, and in lieu thereof the following words should be inserted. "Section 317 (c) of the Nationality Act of 1940."

NONQUOTA IMMIGRANTS

§ 61.208 Relatives of American citizens. (a) Section 4 (a) of the act provides nonquota status for:

An immigrant who is the unmarried child under 21 years of age, or the wife, or the husband of a citizen of the United States. Provided, That the marriage shall have occurred prior to enactment of this act and in the case of the husband or wife prior to July 1, 1932. (This provision of law does not apply to a marriage entered into after the date of the enactment of the act until he shall have been authorized by the Department to do so upon the basis of a petition (Form I-133) executed by the American-citizen relative and approved by the Department of Justice in accordance with the provisions of section 9 of the act, and until the applicant establishes that he or she is not subject to exclusion under the immigration laws.

§ 61.209 Illegitimate children. A petition for nonquota status for an illegitimate child who is an alien may be filed with the Department of Justice when the petition is executed by the mother, if she is a citizen of the United States, or by the father, if he has subsequently married the mother of the illegitimate child and thereby conferred on the child the rights of legitimacy or has legitimated the child under the law of his domicil, and if he is an American citizen. (See § 61.102.)

§ 61.210 Returning resident aliens. Sections 4 (b) of the act provides nonquota status for:

An immigrant previously lawfully admitted to the United States, who is returning from a temporary visit abroad. (This provision of law applies equally to all aliens regardless of race.)

(b) An alien qualified for nonquota status under this category may be issued a nonquota immigration visa under section 4 (b) of the act upon establishing that he has not been excluded from the United States under the immigration laws.

§ 61.211 Reentry permits and border­crossing identification cards in lieu of section 4 (b) visas. (a) An alien returning to the United States after returning after a temporary visit in a foreign country may present, in lieu of an immigration visa, (1) a resident alien's border-crossing identification card expires 6 months after the date of the act of not more than 6 month: Provided, That such absence shall not have visited any foreign territory of Canada, or Mexico; or (2) an unexpired permit to enter the United States. Possession of a valid reentry permit or resident alien's border-crossing identification card will exempt an alien in such a case, and any accompanying child born during the trip abroad, from the necessity of obtaining or presenting an immigration visa from an American consular officer, under the conditions set forth in § 61.202 (b).

(b) When it appears to a consular officer that a reentry permit or a border­crossing identification card was applied for by a person other than the one to whom it was issued, or when an alien in possession of a border-crossing card is outside of foreign contiguous territory, the permit or card should not be accepted if possible, and a full report of the case should be forwarded to the Department, together with the permit or card, for transmission to the Department of Justice for possible cancellation of the permit or card. If a consular officer should have reason to believe that the bearer of a reentry permit or a border-crossing identification card has obtained it through fraud, he should immediately inform the Department by telegraph and submit all available evidence at once by mail. The permit or card in such a case should not be taken up or canceled by the consular officer without instructions from the Department.

(c) No notation of any kind should be placed upon a reentry permit or a border-crossing identification card, even though the bearer is believed by the consular officer to be inadmissible into the United States. Any case should be reported to the Department by telegraph or airmail.

(d) If the bearer of an expired reentry permit or border-crossing identification card is granted an immigration visa, the expired permit or card should be attached to the original copy of the visa application, which is delivered to the applicant, and which bears the immigration visa. If an immigration visa is refused in such a case the expired permit or card should be attached to Form 256b and retained in the consul files with a statement as to why the immigration visa was refused.

§ 61.212 Extension of reentry permits. (a) When the bearer of a valid reentry permit desires to have it extended, he shall be advised that he may make an application in the following form to the Immigration and Naturalization Service of the Department of Justice, Washington, D.C. for an extension. The alien's application should state:

(1) His name and address in the United States;

(2) When, where, and by what means he departed from the United States;

(3) The port of landing and date of arrival abroad;
§ 61.215 Statutory residents. (a) Section 306 of the Nationality Act of 1940 provides that "any alien who has been lawfully admitted into the United States for permanent residence and who has not been excluded or deported, or her capacity as a regularly ordained clergyman or nun, shall be considered as residing in the United States for the purpose of maintaining, notwithstanding any such absence from the United States...

(b) An alien who is absent from the United States under the provisions of section 307 (b) of the Nationality Act of 1940 is considered to be a statutory resident of the United States.

c) An alien whose case falls within the provisions of one of the two preceding paragraphs is considered to be entitled to receive a nonquota section 4 (b) immigration visa so far as the question of his absence from the United States may be concerned. Other questions arising in regard to such cases should be referred to the Department for appropriate instructions.

§ 61.216 Verification of previous lawful admission. The burden of proof rests on a returning resident alien applying for a nonquota immigration visa under section 4 (b) of the act to show:

(a) That he previously has been admitted lawfully into the United States for permanent residence;

(b) That he has been departed from the United States with the intention of returning to reside in the United States;

(c) That he has an unexpired reentry permit issued by the Immigration and Naturalization Service for permanent residence;

(d) Payment by an alien of the fee of $3 required for granting an extension of a reentry permit should be made to the Department for appropriate instructions.

§ 61.217 Previous admission as student or nonimmigrant insufficient. Previous admission of an alien into the United States as a nonimmigrant, or as a student under section 4 (e), is not considered as constituting lawful admission within the meaning of section 4 (b) of the act.

§ 61.218 Verification of circumstances of entry. The consular officer shall verify all circumstances of entry stated in the affidavit, and shall require the alien to make a deposit of a sufficient sum of money to cover the possible cost of furnishing, in addition to the alien's name, date and ship of arrival, information regarding his age, place of birth, marital status, the name of a relative or friend in the United States, and such other information as may be requested by the consular officer or by the immigration officials responsible for the proper identification of the applicant. The telegraph should be used only in cases of the utmost urgency.

(c) That he has been lawfully admitted into the United States for permanent residence. An expired reentry permit originally issued under section 3(c) of the act is considered as constituting lawful admission.

§ 61.219 Waiver of supporting documents. An alien applying for a nonquota immigration visa under section 4 (b) of the act, who was previously admitted into the United States for permanent residence with an immigration visa issued under some other classification, is not required to furnish the documents referred to in section 7 (c) of the act, unless they are necessary to establish his identity or admissibility.

§ 61.220 Notice of Western Hemisphere countries. An alien who is a native of a nonquota country, the consular officer may act upon such application in a manner that the alien is admitted under the immigration laws. In such cases the alien may be informed that after arrival in the United States he may be concerned in the capacity of the Immigration and Naturalization Service regarding the question of the effect which such an entry, along with other factors, may have upon the continuity of his residence for naturalization purposes.

(c) When official verification of the alien's previous lawful admission has been obtained, a copy of the official statement verifying the entry should be attached to the visa issued.

§ 61.217 Previous admission as student or nonimmigrant insufficient. Previous admission of an alien into the United States as a nonimmigrant, or as a student under section 4 (e), is not considered as constituting lawful admission within the meaning of section 4 (b) of the act.

§ 61.218 Verification of circumstances of entry. The consular officer shall verify all circumstances of entry stated in the affidavit, and shall require the alien to make a deposit of a sufficient sum of money to cover the possible cost of furnishing, in addition to the alien's name, date and ship of arrival, information regarding his age, place of birth, marital status, the name of a relative or friend in the United States, and such other information as may be requested by the consular officer or by the immigration officials responsible for the proper identification of the applicant. The telegraph should be used only in cases of the utmost urgency.

(c) That he has been lawfully admitted into the United States for permanent residence. An expired reentry permit originally issued under section 3(c) of the act is considered as constituting lawful admission.

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(c) That he has been lawfully admitted into the United States for permanent residence. An expired reentry permit originally issued under section 3(c) of the act is considered as constituting lawful admission.

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(c) When official verification of the alien's previous lawful admission has been obtained, a copy of the official statement verifying the entry should be attached to the visa issued.
not found to be inadmissible into the United States under the immigration laws.

§ 61.22 Classes entitled to nonquota status. (a) Section 4 (c) of the act provides nonquota status for an immigrant (regardless of sex) who was born in or was a resident of a country or place specified in that section of the law, regardless of the residence, citizenship, or nationality of the immigrant.

(b) If the wife of an immigrant specified in the preceding paragraph is accompanying or following to join her husband and was not born in a quota country she would nevertheless be entitled to nonquota status under section 4 (c), regardless of her birthplace, residence, citizenship, or nationality.

(c) The unmarried child under 18 years of age, accompanying or following to join a parent specified in paragraph (a), is entitled to nonquota status under section 4 (c) regardless of the birthplace, residence, citizenship, or nationality of the child.

(d) Nonquota status under section 4 (c) cannot be affected by the provisions of section 12 (a) of the act. The wife, born in a quota country or place, of an alien born in a quota country is entitled to nonquota status under section 4 (c), regardless of the birthplace, residence, citizenship, or nationality of the husband and regardless of whether the wife is preceding, accompanying, or following to join her husband in the United States. An alien child, regardless of age or marital status, born in a quota country or place, is entitled to nonquota status under section 4 (c), even if the child is minor and is accompanying an alien parent born in a quota country.

(e) Section 4 (c) does not provide nonquota status for a child 18 years of age or over, or married, who was not born in a quota country.

(f) If a nonquota immigrant classifiable under section 4 (c) desires to bring in or send for his or her alien child 18 years of age or over, or married, who was born in a quota country, such child will be classifiable as a quota immigrant. Such child should be charged to the quota of the country of birth, unless the child is under 21 years of age and is accompanying a parent born in a quota country, in which event the child should be charged to the quota of the country of birth of the accompanying parent. As the act does not specifically prescribe a waiting-list procedure for quota immigrants, and as section 12 (a) apparently was intended to render the child from being separated from its accompanying parent by quota restrictions, a child who is 18 years of age or over but who is under 21 years of age, married or unmarried, and who was born in a quota country and is accompanying to the United States a parent or parents classifiable under section 4 (c) of the act, may be issued a nonquota immigration visa, if eligible for admission into the United States under the immigration laws, and the first unused quota number under the quota of the country in which the child was born may be assigned for use in issuing an immigration visa to the child without regard to the question of the priority of such child on a waiting list.

§ 61.223 Ministers and professors. (a) Section 4 (d) of the act provides nonquota status for:

An immigrant who continuously for at least 2 years immediately preceding the time of his application for admission to the United States has been, and who seeks to enter the United States solely for the purpose of carrying on the exclusive or principal occupation of any religious denomination, or professor of a college, academy, seminary, or university; and his wife, married children under 21 years of age, if accompanying or following to join him. (This provision of law applies equally to all aliens regardless of sex.)

(b) It is considered that the purpose of section 4 (d) of the act is to enable religious bodies and institutions of learning in the United States to bring needed ministers and professors from foreign countries rather than to exempt such persons from quota requirements merely because of their vocational status.

(c) An alien who is able to qualify for nonquota status under section 4 (d) of the act may be issued a nonquota immigration visa, provided he is not found to be inadmissible into the United States under the immigration laws.

§ 61.225 Evidence of minister or professor status. (a) A consular officer should be convinced that the minister of religion for whom a nonquota immigration visa is proceeding to the United States solely for the purpose of carrying on his vocation. Documentary evidence of proposed employment as a minister of religion is ordinarily required. Similarly, a professor may be required to present a contract of employment in an educational institution as evidence of his purpose in coming to the United States.

(b) Section 4 (d) of the act requires that an applicant for a nonquota immigration visa under that section shall establish that he has been engaged in his vocation of minister of religion or professor of a college, academy, seminary, or university for a period of at least 2 years immediately preceding the date of his application for admission.

§ 61.226 Conditions under which nonquota status under section 4 (d) accorded. (a) A nonquota status under section 4 (d) of the act should be accorded to the wife and children of a minister of religion only if he or she has obtained or has obtained a section 4 (d) immigration visa, thereby showing that he has qualified under the section cited. If the child or children is following to join the husband or father, who has already entered the United States, he must not only have obtained a section 4 (d) immigration visa but must also have been admitted into the United States under that section of the act and must not have abandoned the profession of minister or professor.

§ 61.227 Nonquota students. (a) Section 4 (e) of the act provides nonquota status for:
§ 61.221 Institutions not on approved list. In the case of an alien seeking student status except for a knowledge of English, a nonquota section 4 (e) visa may be issued a nonquota section 4 (e) immigration visa, provided the alien is not found to be inadmissible into the United States under immigration laws. Such an alien should be given the examination applicable to all immigrants, including a thorough medical examination.

§ 61.223 Evidence of nonquota student status. (a) The application of a bona-fide student under section 4 (e) of the act may be made by a consular officer when the student presents evidence that he has been accepted by an institution of learning approved by the Attorney General. Provided, however, that that the student is destined. An alien who in evidence that he intends to leave the United States and can enter some foreign country when his student status is completed.

(b) An applicant for a nonquota section 4 (e) visa as a student must establish that he is in possession of sufficient funds to cover his expenses or that adequate financial arrangements have been made to provide for his expenses. If it will be necessary for a student to accept employment he may do so, provided the employment will not interfere with his pursuance of a full course of study in day classes. In such a case the alien should be required to submit satisfactory evidence showing that arrangements for his employment in the United States have been made.

(c) A student should have sufficient scholastic preparation and knowledge of the English language to enable him to undertake a full course of study in the schools in the institutions of learning to which he is admitted. An alien who intends to study only English while in the United States or to study only English in day classes equivalent in hours and credit to a regular prescribed course. A regular prescribed course is considered to require at least twelve semester hours based on a fifteen- or sixteen-semester-hour course. If an alien is a bona-fide student except for a knowledge of English, a nonquota section 4 (e) visa may be issued to him full course of study in day classes in another language, a nonquota section 4 (e) visa may be issued.

§ 61.230 Waiver of supporting documents for certain 4 (e) students. In the case of an alien who has been admitted into the United States under section 4 (e) of the act, who is maintaining a satisfactory student status as may be evidenced by a letter from the educational institution he is attending, and who has departed from the United States on a valid certificate of admission to Canada or Mexico, a new section 4 (e) visa may be issued without requiring the presentation of new section 7 (e) supporting documents if the alien returns to the United States within three months of the date of his departure, solely for the purpose of resuming his studies, provided the consular officer is satisfied that the alien has not abandoned his intention to pursue his studies.

§ 61.231 Women expatriates. (a) Section 3 of the act approved July 3, 1930 (46 Stat. 854) amended section 4 (f) of the act of 1924 to provide nonquota status for:

A woman who was a citizen of the United States and lost her citizenship by reason of her marriage to an alien, or the loss of United States citizenship of her husband, or marriage to an alien and residence in a foreign country. (This provision of law applies equally to the naturalization of the children of such women as the children of United States citizens are entitled to naturalization without documentation.)

(b) A woman who was a citizen of the United States and who lost her citizenship for one of the reasons mentioned in section 4 (f) of the act may be issued a nonquota visa under that section, provided she is admissible into the United States under the immigration laws, regardless of the date on which she lost her citizenship and regardless of her present marital status.

(c) An alien woman who was a citizen of the United States at birth, who has or is believed to have lost her citizenship solely by reason of her marriage prior to September 20, 1929, to an alien, and whose marital status has or shall have terminated may, if no other nationality was acquired by affirmative act other than such marriage, take an oath of allegiance before an American diplomatic or consular officer abroad, in accordance with sections 317 (b) and 335 (b) of the Nationality Act of 1940. Such an oath will restore her American citizenship.

§ 61.250 Determination of quota nationality. (a) Section 12 of the act provides that for the purposes of the act the quota nationality of an immigrant shall be determined by the country of birth. The act further provides the following three exceptions to the general rule for the determination of the national quota to which a quota immigrant shall be charged:

(1) A child under 21 years of age must be charged to the country of the native parent or, if the child is an adoptee, to the country of the adopter.

(2) A wife may be charged to the country of her husband if she was a citizen of the United States at the time of marriage, or if she was a resident alien at that time or later, but if she was not a citizen or resident alien at the time of marriage she shall be charged to the country of her national parent or of her country of birth.

(b) An alien who is a lawful permanent resident of the United States may go abroad in order to confer upon his wife and his minor children the benefits of his quota nationality. The husband in such a case may return with a reentry permit, a nonquota immigration visa issued under section 4 (b) of the act, a resident alien's border-crossing identification card in an appropriate case, or without any document if he is entitled to reenter the United States without documentation.

(c) An immigrant born in the United States who lost his American citizenship shall be considered as born in the country of which he is a citizen or subject, or if he is not a citizen or subject of any country then in the country from which he comes, which means the country of his residence or domicile.

(d) The case of an immigrant born on the high seas and not specifically entitled to quota status under any provision of the act or the regulations is chargeable, when the monthly quota to which she would ordinarily be chargeable is exhausted: Provided, That (i) she is accompanying him, (ii) he has been admitted under a nonquota immigration visa, and (iii) the monthly quota to which he is chargeable is not exhausted.

(e) An alien born in the United States and who has lost his American citizenship shall be considered as born in the country of which he is a citizen or subject, or if he is not a citizen or subject of any country then in the country from which he comes, which means the country of his residence or domicile.
under 18 years of age, if accompanying or following to join them. This section is not applicable to Chinese persons or to aliens racially ineligible to naturalization in the United States.

§ 61.253 First-preference relatives of citizens. (a) The classification of an alien parent or alien husband of an American citizen as a first-preference immigrant shall be established upon the basis of a petition (Department of Justice Form 1-133) executed by the American citizen, filed with and approved by the Department of Justice, and authorization from the Secretary of State, based upon such approval. This paragraph is not applicable to Chinese persons or aliens racially ineligible to naturalization in the United States.

(b) Second preference under a quota is not available to Chinese persons or to aliens racially ineligible to naturalization.

§ 61.255 Evidence of second-preference status. Before according an alien second-preference status under a quota, the consular officer should be satisfied of the identity of the United States States of the resident relative concerned, as well as of the fact of the relationship claimed. The resident relative should accompany Form I-475 to the immigration official at the port of his entry in the case of an entry prior to July 1, 1924. Such form should be sent to the Immigration and Naturalization Service, Department of Justice, Washington, D.C., if arrival occurred on or after July 1, 1924. The immigration official at the port of entry, upon verifying the resident relative's status as a lawful resident of the United States, will forward the form duly completed direct to the Department of State for routing to the consular officer to whom the prospective applicants concerned will apply for visas. In cases involving verification of lawful entry by the Immigration and Naturalization Service, Department of Justice, the executed Form I-475 will be routed by that Service through the Department of State to the appropriate consular officers. The submission of Form I-475 is considered as the exclusive means of establishing the previous lawful admission of the applicant's relative residing in the United States.

§ 61.256 Nonpreference quota immigrants. Section 6 of the act requires that any portion of the quotas not used for the issuance of immigration visas to first-preference quota and second-preference quota immigrants shall be available for admission of nonpreference quota immigrants. If the eligible first-preference demand exceeds the first 50 percent of the quota, and the eligible second preference demand exceeds the second 50 percent of the quota, the unused portion of the second 50 percent of the quota shall be made available to the excess of qualified nonpreference quota immigrants and to qualified non-preference quota immigrants, without regard to preference between these classes but in accordance with the approved and registered priority of the applicants of both classes. In such a situation the waiting list of excess first-preference applicants and the waiting list of nonpreference applicants should, in effect, be combined and all eligible applicants registered thereon may be issued nonpreference quotation immigration visas under the remaining portion of the quota.

(b) An alien who is chargeable to the quota for Chinese persons is not chargeable under the provisions of section 12 (a) or sections 4 (a) or 4 (c) of the Immigration Act of 1924, as amended.

§ 61.258 Chinese persons. An alien having 50 percent or more of Chinese blood and not as much as 50 percent blood of a race or races eligible to citizenship is a Chinese person and is therefore chargeable to the quota for Chinese persons unless he is able to qualify for nonquota status under subsections (b), (d), (e), or (f) of section 4 of the act, or under subsection (c) of section 317 of the Nationality Act of 1940, or as a nonimmigrant.

§ 61.259 Chinese quota-preference category. The act of December 17, 1943 provides that preference up to 75 percent of the quota for Chinese persons shall be given to Chinese persons born in China or to their second preference relatives under this quota. The ordinary first-preference and second-preference categories under other quotas do not exist under the quota for Chinese persons. Preference status under this quota is granted without the petition procedure applicable to preference status under other quotas.

§ 61.260 Chinese quota-nonpreference category. The 25 percent nonpreference portion of the quota for Chinese persons, plus any unused portion of the first 75 percent, shall be made available to Chinese persons born or residing outside of China. This quota applies to Chinese persons born in China and residing outside thereof, as well as Chinese persons born outside of China but residing therein.

§ 61.261 Unused portions of Chinese quota. If the demand for visas under the quota for Chinese persons on the part of Chinese persons born and residing in China exceeds 75 percent of the quota for Chinese persons, such applicants may be considered as under the remaining portion of the quota for Chinese persons, after the demand for such visas on the part of Chinese persons born or residing in China has been satisfied and if such demand is not sufficient to exhaust the second portion. The reverse of this situation is also true, that is, if the demand for immigration visas under the 75 percent preference portion of the quota for Chinese persons on the part of qualified applicants born and residing in China is insufficient to exhaust that part of the quota for Chinese persons, immigration visas under the unused portion of that part of the quota may be issued to qualified applicants born not and residing in China.

§ 61.262 Quota for China. The quota of 105 established for Chinese persons in pursuance of the act of December 17, 1943, has no effect upon the quota of 105 annually for China, to which are chargeable all aliens, except Chinese persons, who were born in China and who are eligible to citizenship.

IMMIGRATION-VISA PROCEDURE

§ 61.300 Procedure in nonquota cases. A registration or waiting-list procedure...
for nonquota immigrants is not necessary to determine the priority of applicants for nonquota visas, there being no priority of one nonquota class over another among immigrants in a particular nonquota class. Consular officers are authorized, however, in their discretion to establish a procedure, which may be comparable to the maintaining of a waiting list for quota immigrants, at consular offices where the demand for nonquota visas is so heavy that all applications may not be acted upon currently within 10 days. Under this procedure the documents of prospective applicants may be examined in advance of their appearance at the consular office and an orderly schedule of appointments for the personal appearance of the applicants may be instituted. (For procedure by which nonquota status may be established for section (a) nonquota immigrants, see § 61.301.)

§ 61.301. Issuance of quota visas out of turn. Under no circumstances should an applicant for a quota immigration visa be issued such a visa out of his proper turn with other qualified applicants having earlier priority. First priority, however, will have the effect of according the applicant an unauthorized preference over other qualified applicants having earlier priority. First priority is nonpreference quota immigrants is provided for the immigrants mentioned in §§ 61.304 (b), 61.305 (c), and 61.221 (f).

§ 61.302. Registration of quota visa applicants. All registration or waiting lists are under any quota prior to January 1, 1944 should be abolished. In lieu thereof the following instructions are given for the general guidance of consular officers, but they may, in their discretion, adopt such slightly different procedure as may appear best suited to meet local needs:

(a) Undersubscribed quotas. The registration of an intending immigrant chargeable to an oversubscribed quota is not necessary if immediate action can be taken in the case. If immediate action cannot be taken the procedure for oversubscribed quotas should be followed.

(b) Oversubscribed quotas. The registration of an intending immigrant chargeable to an oversubscribed quota should be made only upon the basis of a registration form submitted by mail to the consular office. Such registration forms may be filed at an office which has been authorized to accept applications for immigration visas of aliens regardless of whether quota members are likely to be available for use in issuing visas in the future.

(c) Registration form. The registration form may, in the discretion of the principal officer, be printed in the English language only, a foreign language or both. The form should call for information useful to the consular officer in dealing with a case in a preliminary manner to the appearance of the name of each applicant; marital status, residence; age, sex, race; birthplace; nationality; family; and other details. The form should be kept at the end of each quota section in the quota waiting-list book for entries relating, for example, to persons who may have come to the consular district from other than consular districts and whose claim to registration on a certain date at the consular office in such district has been verified; to immediate members of a family group whose names were inadvertently omitted from the original registration; or to children born subsequent to the original registration.

(d) Use of typewriter. The registration form should be completed by the typewriter or by hand printing with pen and ink.

(e) Perforated forms. The registration form may be printed with perforations to provide a detachable portion of the form on which to record the name and address of the applicant and his references and number. The alien’s quota, his registration number, and the date of registration should be inserted at the consular office and the detachable portion of the form is to be returned to the applicant in a stamped addressed envelope to be furnished by him. The portion of the form so detached will thus serve as the applicant’s record of his registration and will provide him with a reference number to be mentioned in any correspondence. A notice should be included in this portion of the registration form requesting the applicant to notify the consular office promptly by mail regarding any change of facts in the application’s case, such as: marriage, divorce, separation; death of a member of the applicant’s family; birth in the family; abandonment of desire to immigrate, or desire to postpone his immigration. The registration form may also contain a perforated detachable index card for use in an alphabetical or chronological card-index file, such card bearing the alien’s name, quota number, nationality, date of registration, and registration number.

(f) Card index. If the visa dossiers are filed alphabetically it will ordinarily be unnecessary to keep a separate alphabetical card-index file. In offices handling a considerable volume of work, such a file may be kept in the discretion of the consular officer.

(g) Registration form to be endorsed with date of receipt. The registration form received at the consular office should be dated by rubber stamp with the date of receipt, which will become the registration date.

(h) Entry in quota waiting-list book. The names of aliens appearing on the registration form for each day should be recorded, in chronological order of the date of registration, in a quota waiting-list book in the sections earmarked for the quotas involved. Quota waiting-list books will be furnished by the Department. They will be in loose-leaf form to permit the addition of new sheets in the various quota sections. The sheets will be numbered in which to note the quota and with columns for recording the date of registration, the number of the registration, name, residence, and source of supply for the various quotas will be furnished.

(i) Care in making entries in book. The entries should be made by a trusted member of the consular staff. Under no circumstances should an eraser or ink eraser be used on any page. Entries should be made on alternate lines and interlinearations should never be made other than by notation on the intervening line, initiated by an officer referring to an issued or issued or sought to be kept at the end of each quota section in the quota waiting-list book for entries relating, for example, to persons who may have come to the consular district from other than consular districts and whose claim to registration on a certain date at the consular office in such district has been verified; to immediate members of a family group whose names were inadvertently omitted from the original registration; or to children born subsequent to the original registration.

(j) Signing of pages in book. As each page of entries is completed, the sheet should be initialed by the clerk responsible for the entries and by a consular officer.

(k) Custody of book. The registration book should be kept in the office safe at night and should be in the supervisory charge during the day of an officer under whom supervision the clerk either the entire section of the officer or to other members of the staff preparing correspondence, making schedules for appointments, etc.

§ 61.303. First-preference quota waiting lists. If the first-preference portion of a quota should be oversubscribed by qualified applicants it will be necessary to establish a waiting list for such applicants. This may be done either by the use of special sheets for first-preference applicants under each quota in the regular registration book, or by the use of the file of approved petitions, arranged in the chronological order of their preference priority, and interposed with skilled-agriculturist reference sheets referring to the individual files on skilled-agriculturist preference applicants. An alien who was originally registered as a skilled-agriculturist preference applicant may have his name transferred to the first-preference list upon qualifying for preference as a skilled agriculturist, or a reference sheet regarding his case may be placed in the proper priority order in the file of first-preference petitions. Separate first-preference waiting lists or priority records should be maintained for each quota under which the first-preference portions are oversubscribed.

§ 61.304. Second-preference quota waiting lists. If the second-preference portion of a quota should be oversubscribed by qualified applicants it will be necessary to establish a waiting list for such applicants. This may be done either by the use of special sheets for second-preference applicants under each quota in the regular registration book or by the use of a card index file containing a card for each second-preference applicant, arranged in the chronological order of the applicant’s second-preference priority. An alien who was originally registered as a nonquota preference applicant may have his name transferred to the second-preference list upon qualifying for a second-preference status. Separate second-preference waiting lists should be maintained for each quota.
under which the second-preference portion is oversubscribed.

§ 61.305 Quota for Chinese persons, preference waiting lists. If the preference portion of the quota for Chinese persons is oversubscribed it will be necessary to establish a waiting list for qualified applicants for preference under this quota. This may be done by maintaining separate pages under the quota for Chinese persons in the regular registration book. The first-preference and the second-preference categories established by law under other quotas will have no application to the quota for Chinese persons.

§ 61.306 Registration of aliens who are in the United States. An alien who is in the United States and who entered illegally may not file a registration form at an American consular office. No alien who is chargeable to an oversubscribed quota may spend his waiting time for an immigration visa in the United States. An alien who is in the United States and is chargeable to an oversubscribed quota therefore may not have his priority determined by a date earlier than that of his last departure from the United States.

§ 61.307 Registration of family as a unit. (a) The registration of a husband or parent should be considered as conferring the same registration priority on his wife or minor children even if they are not registered at the time of the original registration form. A wife who was not married to her husband at the time of his registration and a minor child who was born subsequent to the parents' registration are included within the intent of the preceding sentence. Similarly the registration of an adult alien upon a waiting list may be considered as conferring his registration priority upon the members of his or her immediate family whom he would naturally desire to have immigrate with him into the United States. In all such cases upon the filing of the original registration form the consular officer with whom the registrant has registered, may have his name reinstated on the registration list under his original priority, or transferred to another consular officer, upon his prompt departure from the United States.

(b) The separation of families may be attended by unfortunate consequences when the husband, father, mother, or some other member of the family proceeds to the United States, leaving behind a member or members of the family who are mentally or physically defective or some other respect disqualified under the law from receiving an immigration visa. When an applicant proposes to precede his family to the United States the consular officer may offer to arrange for an examination of the other members of the family in order to determine whether there exist at the time any grounds for the refusal of immigration visas to the other members of the family.

(c) If a member of an alien's family is found to be inadmissible upon such a preliminary examination, the head of the family may be informed of the findings and allowed to make his own decision as to whether he wishes to proceed without the inadmissible member. However, before an immigration visa is issued to the head of the family, or the member thereof who desires to precede the other members to the United States, when one of the family should be requested to sign a statement acknowledging that he has been informed of the apparent inability of the other member of his family to qualify for immigration visas.

(d) A satisfactory showing on a preliminary examination carries no obligation whatever that a visa will be issued later if a member of an immigrant's family is found on final examination to be inadmissible. The head of the family should be clearly informed to this effect.

§ 61.308 Removal of names from registration lists. If the registration of quota immigrants should be canceled under the following circumstances:

(1) If the registrant dies or abandons his intention to immigrate into the United States.

(2) If the registrant enters the United States unlawfully or as a nonquota student.

(3) If the registrant enters the United States as a nonimmigrant, except as a nonimmigrant under section 3 (5) of the act:

(b) Upon the receipt of an authorization from the Department of Justice of a petition (Department of Justice Form 1-133), making a presentation of further evidence or by approval of the petition in the following cases:

(1) If it is ascertained before issuing the visa that the citizen petitioner has lost his American citizenship, has died, or, in the case of a husband or wife, has become divorced.

(2) If, in the case of a child in whose behalf a petition was approved while the child was a minor, the beneficiary has failed to apply for a visa before reaching the age of 22 years, and the consular officer is not satisfied that the alien immigrator has been prevented from applying for a visa by justifiable reasons over which he had little or no control.

(3) If, in the case of a child, the beneficiary has married.

(4) In the case of an alien falling within the provisions of subparagraphs (1), (2), or (3) of this section the consular officer may proceed to issue a non-preference-quotum immigration visa if the alien concerned is chargeable to an unfiled quota and the alien is qualified for an immigration visa.

(b) In the case of a petition in whose behalf a relative petition has been approved the consular officer should consider the approval of the petition as establishing prima facie facts for a period of one year that the petitioner is able and willing to support the immigrant as provided in section 9 (b) (6) of the act. After the lapse of the one-year period the consular officer should determine the alien's admissibility under the public-charge clause not only in the light of the annuality of the petition and the existence of further evidence or by a probable change in the circumstances of his case.

(b) Whenever possible, an alien should be advised when his name is removed from the registration list.

(c) In canceling an alien's registration a notation ordinarily should be made in the "remarks" column and a red-ink line may be ruled through the line on which the alien's name appears.

§ 61.309 Petition for nonquota and preference-quotum status for certain alien relatives of American citizens. (a) Sections 9 (a) and 9 (e) of the act provide that relationships previously provided were or are in accordance with section 4 (a) (1) (A) of the act and section 9 (b) (6) of the act, and that section 9 (e) of the act, and that section 9 (b) (6) of the act, and that section 9 (e) of the act, and that section 9 (b) (6) of the act.

(b) Upon the receipt of the original and copy of the petition to the Immigration and Naturalization Service, Department of
and may be acted upon by the office to authorization from the Department, but be placed in an inactive file.

The dossier in the case in the file of visas
petitions,

of a visa the petition should be filed with action is pending should be kept in a

petitioner for at least one year and upon the United States who have known the
citizens forward their affidavits direct to the petitioner is arranging to have two

port in lieu of the petition. If it is im-

possible to complete the petition with

beneficiaries mentioned in the petition.

ment for his conclusions, and the rela-
tion of his opinion regarding the Amer-
can citizenship of the petitioner, the
communication to the Department by airmail, or by tele-

relative of an American citizen, by the

registration form by mail to the con-

Second preference. The priority of a second-preference quota immigrant shall be determined:


(ii) In the case of a skilled agricultur-
ist, by the date the alien submitted a registration form and was received

be determined:


(i) First-priority nonpreference class.
The first-priority nonpreference cate-
gory of quota immigrants shall consist of aliens who have served honorably in the armed forces of the United States, the alien widows and alien unmarried minor children of citizens of the United States served, and aliens who have served honorably as seamen for at least one year on vessels of the United Nations engaged in sailing from ports in the United States, the service in either of which occurred during the period of the war which began on Sep-

entry so long as they were not physi-

ical incapacitated for such service. Aliens in this category shall have their applications for nonpreference-quota immigration visas considered only after consideration shall have been given to the applications of all first-preference and second-preference quota immigrants awaiting visas. Aliens in the first-prior-

ity nonpreference-quota category shall not be entitled to have their cases considered until consideration shall have been given to the cases of all aliens awaiting visas in the first-preference, second-preference, first-priority and second-priority nonpreference categories. Aliens in the non-
priority nonpreference-quota category may have their cases considered only in the order in which their individual reg-
istration forms were properly filled out and received in the consular office at which they are applying for visas, but consideration need not be given to the visa application of any alien in this category unless a quota number is likely to be available for use in issuing a visa to him.


(iii) Nonpriority nonpreference-quota class. The nonpriority nonpreference-quota category shall consist of aliens who do not fall in-prefer-

preference, second-preference, first-priority or second-priority nonpreference categories. Aliens within the nonpriority non-
preference-quota category shall not be el-
titled to have their cases considered until consideration shall have been given to the cases of all aliens awaiting visas in the first-preference, second-preference, first-priority and second-priority nonpreference categories.


(3) Quota for Chinese persons. The priority of applicants for visas under the 75 percent preference portion and under the 25 percent nonpreference portion of the quota for Chinese persons shall be determined as follows:


(i) In the case of a Chinese person who was subject to the requirement of filing a Form BC, by the date on which the alien filed said form with the consular office or the date on which the Department may call for the necessary witnesses' affi-


(ii) In the case of a Chinese person who was not subject to the requirement of filing a Form BC, by the date on which the alien filed a properly executed regi-

Registration form at the consular office of any alien in the second-priority nonpreference-quota category shall be determined as follows:


(iii) Transfer of priority. An alien who is registered at a consular office,
and who changes his residence to another consular district, may request that his registered place of residence be transferred.

§ 61.314 Consular responsibility regarding quota requests. The act prohibits an American consular official from issuing quota immigration visas to aliens of a particular quota nationality in excess of the annual quota established for that nationality. Consular officers are concurrently responsible with the Department for keeping quota immigration within the prescribed quotas. No consular officer, therefore, should issue a quota immigration visa until a quota number for such visa has been obtained from the quota control office in the Department or from such other place as may hereafter be designated.

(b) The act further provides that in quotas of 300 or more the rate of issuance of quota immigration visas shall not exceed 10 percent of the annual quotas of 300 or more the rate of issuance of quota immigration visas shall be shown by indicating the number of quota immigration visas to aliens of a particular quota nationality in excess of the annual quota established for that nationality. Consular officers are concurrently responsible with the Department for keeping quota immigration within the prescribed quotas. No consular officer, therefore, should issue a quota immigration visa until a quota number for such visa has been obtained from the quota control office in the Department or from such other place as may hereafter be designated.

§ 61.315 Requests for allotment of quota numbers—(a) Undersubscribed quotas. A request should be sent to the Department by airmail or telegraph for issuance during the following quarter an inquiry should be sent to the Department if there are any qualified applicants in each category under a particular quota nationality in excess of the annual quota established for that nationality. Consular officers are concurrently responsible with the Department for keeping quota immigration within the prescribed quotas. No consular officer, therefore, should issue a quota immigration visa until a quota number for such visa has been obtained from the quota control office in the Department or from such other place as may hereafter be designated.

(b) The act further provides that in quotas of 300 or more the rate of issuance of quota immigration visas shall not exceed 10 percent of the annual quotas of 300 or more the rate of issuance of quota immigration visas shall be shown by indicating the number of quota immigration visas to aliens of a particular quota nationality in excess of the annual quota established for that nationality. Consular officers are concurrently responsible with the Department for keeping quota immigration within the prescribed quotas. No consular officer, therefore, should issue a quota immigration visa until a quota number for such visa has been obtained from the quota control office in the Department or from such other place as may hereafter be designated.

§ 61.316 Immigration quotas. The following is a list of the annual immigration quotas established for the various quota countries of the world:

![Image of a table showing immigration quotas for various countries, with columns for Country or Quota Area, Quota, and notes about specific countries and their quotas.](image-url)

1. Aliens, other than Chinese persons, who were born within the area defined in the Immigration Act of 1929, which are admissible under the immigration laws of the United States, (a) if born in countries to which the quotas here established are applicable, will be charged to the quotas of those countries; (b) if born in colonies, dependencies, or protectorates of France, Great Britain, the Netherlands, or Portugal, and such aliens have no separate quota, will be charged to the quota of the country to which such colony or dependency belongs or by which it is administered as a protectorate.

2. The quota area denominated "Arabian peninsula" comprises all territory situated for the population of the Arabian peninsula, which comprises all territory which is under the control, or protectorate of any country to which a quota applies comprises all territory which is under the control, or protectorate of any country to which a quota applies. There are no quota restrictions for Great Britain and Northern Ireland.

3. A separate immigration quota is provided for each of the mandated territories, in accordance with the provisions of the Immigration Act of 1929.

4. The region to which the Turkish quota applies comprises all territory which is under Turkish sovereignty. It therefore includes...
all the territory the cession of which was confirmed to Turkey by the treaty of Kars of October 13, 1921, between the Governments of Turkey, Armenia, Azerbaijan, and Georgia—the present viles of Ardahan and Kars.

With certain exceptions, all Chinese persons entering the United States annually as immigrants are charged to this quota.

**IMMIGRATION-VISA APPLICATIONS**

§ 61.317 Where immigration-visa application may be made. (a) An application for an immigration visa may be made at any American consular office, or other office specifically designated, which has been authorized to issue immigration visas. No consular agency may issue immigration visas.

(b) An alien ordinarily should make his application for an immigration visa at the American consular office in his foreign home district. An alien who deliberately leaves his foreign home district for the purpose of making an application for an immigration visa elsewhere will be considered back to the American consular office in his foreign home district. However, an alien may apply for an immigration visa at a consular office outside of his foreign home district if the consular officer to whom he applies is satisfied:

(1) That the alien has a bona-fide reason for applying outside of his foreign home district;

(2) Of the alien's true identity;

(3) That the alien has no adverse record in his foreign home district which would preclude the issuance of an immigration visa to him;

(4) That the alien is in possession of all the "available" documents which can be obtained from his home district.

(c) In no case of an adult alien who is not well and favorably known to the principal consular officer should an immigration visa be issued outside of the alien's foreign home district without notification to, and receipt of approval from, the consular officer in the alien's foreign home district, the principal consular office in the country of the alien's nationality, or the principal consular office in the foreign country of the alien's birth, wherever the alien may have lived. An alien who has in good faith abandoned his residence or domicile in his former home country with the purpose of circumventing the immigration laws of the United States may have his visa application accepted at an American consular office in the district in which he is temporarily residing or sojourning while awaiting an opportunity to immigrate into the United States. In such cases, however, the consular officer may require the presentation of photographs (b) and (c) above are applicable.

(d) Questionable cases may be reported to the Department for a ruling on the question of jurisdiction.

§ 61.318 Applications of minors. In the case of a minor under 14 years of age the immigration-visa application may be executed and sworn to by the applicant's parent or guardian. In the case of an applicant under 14 years of age but having no parent or guardian the application may be executed and sworn to by the applicant or by any person having lawful custody of, or a legitimate interest in, the applicant. A minor 14 years of age or over shall execute his own application. In any case the minor should be required to present himself in person at the consular office for examination prior to the issuance of a visa.

§ 61.319 Immigration-visa application form. Applications for applicant's statement shall be made in duplicate on Forms 256a and 256b, which provide for the classification of each applicant as a first-preference, second-preference, preference, nonpreference immigrant and for the subclassification of each applicant as a first-preference, second-preference, preference, nonpreference immigrant. Space is also provided for the classification of the immigrant not falling within any of the categories above mentioned. Supplies of the official immigration-visa application forms may be obtained upon requisition from the Department.

§ 61.320 Excluding provisions of law to be explained to applicants. An alien must state in his application for an immigration visa whether or not he is a member of the classes excluded under the immigration laws, which classes are listed in the application. As the action to be taken on an application for an immigration visa may depend to a large extent upon the applicant's statement in this respect, the consular officer should be careful to see that before taking the oath the applicant fully understands the meaning of the excluded classes listed in the application. Consular officers should be prepared, upon the request of the applicant, to explain to him the pertinent excluding provisions of the law. The possibility of swearing falsely should be explained to an applicant if such action is deemed to be desirable.

§ 61.321 Burden of proof. Section 23 of the act provides in part that "Whenever any alien attempts to enter the United States the burden of proof shall be upon such alien to establish that he is not subject to exclusion under any provisions of the immigration laws." The application of an alien for a visa at an American consular office is the first step in attempting to enter the United States.

§ 61.322 Preparation of applications. (a) Applications should be typewritten at the consular office. All questions should be answered on the form, or the blank spaces following unanswered questions should be filled in with ink or typewritten. The applicant will be required to furnish three copies of his photograph, approximately two inches square, full front view, without hat, on light background, and on thin paper. A copy of the alien's photograph shall be firmly attached in the space provided therefor on Forms 256a and 256b and impressed with the legend machine in a manner which does not cover the features. The signed copy of the alien's photograph shall be placed in a sealed envelope and attached to the section (c) document to Form 256a in accordance with instructions in § 61.327 (1). Applicants not having a legible machine will use the impression seal. The consular impression seal should invariably be used in completing the alien's application.

(b) Occupations noted on visa-application forms should be in accord with the following list:

- **PROFESSIONAL**
  - Actors
  - Architects
  - Clergy
  - Editors and writers
  - Engineers
  - Lawyers
  - Minsters
  - Other professional

- **SKILLED**
  - Bakers
  - Barbers and beauticians
  - Butchers
  - Engineers
  - Physicians and surgeons
  - Photographers
  - Plumbers
  - Printers and bookworkers
  - Gardeners
  - Garment workers
  - Jewelers
  - Marines
  - Masons
  - Mechanics and machinists
  - Other skilled
  - Metal workers
  - Smiths

- **MISCELLANEOUS**
  - Agents
  - Merchants and dealers
  - Bankers
  - Farmers and farm servants
  - Laborers
  - Manufacturers
  - Fishermen
  - No occupation (including women and children)
  - Hotel keepers
  - Lawyers
  - Mechanics and machinists
  - Actors
  - Fishermen
  - Fishermen

(c) An applicant's statement regarding the race to which he belongs shall be accepted as satisfactory for the purpose of filing an application, unless the applicant claims to be of a race ineligible to naturalization and the consular officer knows or has reason to believe that the applicant is of an ineligible race, in which event the consular officer should attach to the application a memorandum of his conclusions regarding the race of the applicant. The consular file copy of the application should show, in any case, regardless of whether the question of race is material, the consular officer's conclusion regarding the race of each applicant, if such conclusion is different from the applicant's statement.

§ 61.323 Inclusion of additional statements. (a) When the consular officer deems it advisable, he may require an applicant to prepare a statement regarding the material matters affecting his case which it is desired to have included in his visa application.

(1) The statement should be headed:

**[Name]**

(2) An applicant for an immigration visa, making the following statement under oath which statement I request to be made a part of, and incorporated in, my
application for an immigration visa. My oath and signature to the attached applica-
tion form cover my statements contained herein.

(2) On the immigration-visa applica-
tion form, above the sentence commen-
cing, "Wherefore, I apply for an Immigra-
tion Visa * * *", the following state-
ment should be entered:

That the information contained in my ap-
plication for an immigration visa includes the in-
formation contained in the attached state-
ment which I hereby make a part of my ap-
plication under oath for an immigration visa.

(3) The alien's statement mentioned in
subparagraph (1) of this paragraph should be
attached securely by ribbon and wafer seal to the application form and the state-
ment quoted in subparagraph (2) of this paragraph should be
inserted on the application form prior to
administering the oath to the alien and
before he signs the application. The an-
alien's oath and signature on the appli-
cation form are essential thereto. Accordin-
gly, since only one service is involved it will not be ne-
necessary to administer a separate oath or to
require the alien to pay a separate nota-

tional fee.

(b) In connection with the preceding
paragraph and subparagraphs, reference is made to section 7 (b) (3) of the act,
which provides that an immigrant shall
furnish in his visa application "such ad-
tditional information necessary to the
proper enforcement of the immigration
laws and the naturalization laws, as may be
by regulations prescribed."

§ 61.324 Interpreters. Care should
be taken to use only competent inter-
preters in order to avoid misunderstand-
ings and misinterpretation.

§ 61.325 Signature and verification.
The act provides that an applicant for
an immigration visa shall sign both the
original and the duplicate copy of the
immigration visa application in the presence of the consular officer and that the
applicant, by his signature, shall certify
under oath or by affirmation before the
consular officer. Consular officers should
sign the duplicate copies of visa appli-
cations as well as the originals.

§ 61.326 Fee for immigration-visa ap-
plication. The fee for the preparation
and acknowledgment of an application for
an immigration visa is $1 which should be
collected by the consular officer.

The amount should be affixed to the appli-
cation and canceled thereon.

§ 61.327 Supporting documents to be
attached to immigration visas. (a) Docu-
ments in duplicate which are required of
an applicant under section 7 (c) of the act
and which are to be attached to his
visa application are copies of public
records "kept by the Government to which
he owes allegiance", which are

ascertained to be "available". The rec-
ords may be those of the municipal, pro-
vincial, or national authorities. If the
applicant is in possession of only one
copy of any of the required documents a
certified duplicate or photostatic copy
of the original may be made from that
copy.

(b) With reference to the term "dos-
ter" there should be required any avail-
able official document setting forth the
alien's police record Section 7 (c) of the
act requires the presentation of two
copies of a dossier (or police record)
from the country to which an alien owes
allegiance. According to the provi-
sions of section 23 of the act an alien
may be required to present similar evi-
dence from any other country in which
the consular officer has a reasonable
reason to believe the alien may have a record.

(c) With reference to the term "prison
record" there should be required any
available official document showing
whether an applicant has been inccer-
cerated in a penal institution.

(d) With reference to the term "mili-
itary record" there should be required
any available official document settin-
forth the applicant's record while serv-
ing with the military forces. (This does
not refer to those personal documents,
such as a discharge certificate or en-
listment record which are usually required to remain in the individual's possession, although
the consular officer may require an ap-

tlicant to exhibit such a document for inspection, if he believes it is in the best in-

terest of the United States to have it if it is
deemed to be necessary to establish the
applicant's identity or admissibility
into the United States under the im-
migration laws.)

(e) The term "birth certificate" means a

certificate issued by the custodian of

the records of births in the country of
an applicant's birth, showing the date
and place of such birth and the names
of the parents. A consular of-

ficer is to require and to attach to the
visa application any other available sat-
satisfactory documentary evidence of birth. If a birth certificate is not available
and such evidence is necessary to establish
an applicant's place or date of birth or
parentage. In such a case a memoran-
dum regarding the date and place of the
applicant's birth as shown in any pass-
port or other travel document he may
have in possession should be attached to
the visa application.

(f) The phrase "all other available
public records", as used in section 7 (c)
of the act, refers to available official rec-
ords necessary for the identification of an
applicant or the determination of his
admissibility into the United States un-
der the immigration laws. A copy of the
marriage record, for example, may or
may not, according to the circumstances
of the particular case, be a requisite
document.

(g) When copies of public records kept
by a government to which
an applicant owes allegiance are
ascertained to be available and are nec-
esary to establish an applicant's iden-
tity or admissibility into the United States
under the immigration laws, as

in the case of an applicant who has for-

merly owed allegiance to another gov-

ernment or of an applicant who is re-
siding in a country other than the one
to which he owes allegiance, the con-
sular officer should require such docu-
ments and attach them to the original
and duplicate copies of the visa appli-
cation.

(h) The immigration visa should be

initialed by the medical officer of the
United States Public Health Service who
examined the immigrant prior to the
issuance of the visa, or, if the immigrant
was examined by a local physician or
surgeon, the medical certificate issued
by him should be attached to the visa
with the section 7 (c) documents. In

cases where it is considered desirable,
the medical certificate may be placed in
a sealed envelope, which should be at-
tached to the visa with the section 7 (c)
documents.

(i) The following method of attach-
ing required documents to immigration
visas should be uniformly followed:

(1) The documents should be laid on
the lower left-hand corner of the applica-
tion form, face up, with their left-hand edges and
tops even with the bottom and left-hand
edge of the application side of the form.
The upper left-hand corners of the docu-
ments will be on the lower left-hand
corner of the application side of the form.
Any part of the documents which may extend beyond the lower right-hand edge
e of the application form, the visa applica-
tion form should be folded over along the edge of the form. The documents should then be
fastened to the application form near the
left-hand corner of the form. The applica-
tion form is to be folded over along the
eround metal eyelets, one approximately
1½ inches from the bottom edge, the
other in a horizontal line, approximately
1½ inches from the right of the first eyelets.
If necessary a ribbon should then be
passed through the eyelets and double-
knotted on the visa side of the applica-
tion form.

(2) Documents in support of an appli-
cation other than those required to be
attached to the visa should be returned to
the alien for possible use at the port of
entry. This refers particularly to
documents of a personal nature, such as
college degrees, certificates of ordina-
tion, certificates of marriage, letters of
recommendation, affidavits, and other
evidence of support.

§ 61.328 Availability of supporting
documents. (a) A document is "avail-
able" when it can be obtained by reason-
able effort. Consular officers should con-
sult the reference sheets furnished by
the Department listing the documents
which have been reported to be generally
available in the various countries. If the
civil records in any country or district
have been destroyed or disturbed since
the date of the last sheet issued, a suit-
able report should be sent to the De-
partment by the consular officer in such
country or district in order that the ap-
propriate reference sheet may be revised.

(b) In issuing a visa without one or
more of the documents which have been
found to be generally available, and re-
quired under section 7 (c) (1) of the act,
to an immigrant unable to obtain the docu-
ment or documents, the consular officer
should affix to the visa a certificate, over
his signature and seal, stating in detail the
reason why the document or documents were not available
for the immigrant.

§ 61.329 Authenticity of supporting
documents. If a consular officer has reason
to doubt the authenticity of the document submitted to him, he should take
appropriate steps to determine
whether such document may be accepted
as genuine and as properly issued. In the case of a questionable document emanating from a source in the United States, the document may be submitted to the Department with a full report for possible investigation in the United States.

§ 61.330 Preliminary examination of documents. (a) In communicating with a prospective immigrant who desires to apply for a visa, a consular officer, after advising the alien of the documentary requirements, may inform the alien that a preliminary examination will be made of such documents as he may submit, preferably by mail, at his own risk, and may state that he will advise the alien at a later date whether the documents appear to be sufficient and satisfactory so far as can be ascertained in advance of the required personal appearance of the applicant at the consular office to execute a formal application for a visa.

(b) An alien who is in the United States and desires to obtain an immigration visa with which to apply for admission for permanent residence may, if he is not chargeable to an overstay, have his documents examined at a consular office before he leaves the United States.

(c) When informing an alien that his documents appear to be sufficient and satisfactory, it should be added that no assurance can be given that a visa will be granted until the alien has personally appeared at the consular office, has been examined, and has been found to be eligible to receive a visa under the immigration laws and regulations. The alien should also be advised to present himself promptly at the consular office for visa examination, as new or additional documents may be required of him to meet any change which may occur in the circumstances of his case.

(d) If the documents submitted are inadequate, unsatisfactory, or insufficient, a letter informing the alien should advise him of what respects they are insufficient or unsatisfactory and that he may present such other documents as he may desire to supplement. A suggestion that further documents may be submitted, however, would not be appropriate if the alien is found to be inadmissible into the United States on some ground which cannot be overcome by the submission of further documents.

(e) It is considered to be advisable for consular officers to retain the documents submitted in any case, pending the personal appearance of the applicant.

§ 61.331 Medical certificates. In order that the admissibility of an immigrant under certain provisions of section 3 of the Immigration Act of 1917 may be determined before a visa is issued to him, it will be necessary that such immigrant undergo an appropriate medical examination. At consular offices at which medical officers of the United States Public Health Service are assigned, such examination will be conducted by the officers of that Service. At consular offices of the United States Public Health Service not assigned, an immigrant shall be required to obtain a medical certificate from a local doctor designated by the consular officer showing, after appropriate examination, the physical and mental condition of the applicant, with special reference to tuberculosis, loathsome or dangerous contagious disease, physical or mental defects which may affect the ability of the alien to earn a living. The medical certificate issued by a local doctor shall be transmitted directly to the consular officer and should not be delivered by him to the applicant for presentation to the consular officer.

§ 61.332 Designation of examining physicians. A consular officer at whose office no medical officer of the United States Public Health Service has been assigned to conduct the medical examinations of intending immigrants should prepare a list of reputable and competent physicians in his district designated to conduct appropriate medical examinations of immigrants and furnish appropriate medical certificates. The consular officer shall send to each such physician a certificate of registration from the Department of State, a consular officer shall be authorized and empowered to sign the consular officer and should not be delivered by him to the applicant for presentation to the consular officer.

§ 61.333 Quota immigrants not to be issued nonquota visas. Under no circumstances should an alien who is classifiable only as a quota immigrant be issued an immigration visa as a nonquota immigrant.

§ 61.334 Quota visas may be issued to nonquota immigrants. In view of the provisions of section 11 (g) of the act a quota immigration visa may be issued to a nonquota immigrant when it is certain that the quota involved will not be exhausted during the fiscal year. As a rule qualified nonquota immigrants should be issued nonquota immigration visas when the regulations of the United States Public Health Service governing the medical examination of aliens. The fees charged the immigrants by the designated doctors should be reasonable in amount.

§ 61.335 Fee for immigration visa. (a) The fee for an immigration visa is $9 which should be collected by the consular officer issuing such a visa. A fee stamp for the prescribed amount should be affixed to the immigration visa and canceled thereon.

(b) The fee collected for an immigration visa which has been issued should not be refunded without specific authorization of the Department. Such authorization is subject to the control of the Department in the following circumstances:

1. If the consular officer in issuing the visa committed an error of such character as to render the visa invalid; and
2. If the applicant was not at fault.
migrant visa has been lost or mutilated, or has expired, may be issued a new nonquota immigration visa at the same or another office upon the payment of new fees for the application and for the visa, provided he is found to be still qualified to receive a nonquota immigration visa. The new visa should be given a new number in the series of nonquota immigration visas issued at the consular office. Consular officers are authorized to communicate, in their discretion, with the original issuing office in such cases before issuing a new visa. Before issuing a new nonquota immigration visa to an immigrant alleging that his original visa has been lost or destroyed, a consular officer should be satisfied that the loss or destruction of the visa has actually occurred.

§ 61.343 Replace quota visas. A quota immigrant whose quota immigration visa has been lost or mutilated or has expired may be issued a replace visa under the same quota number during the same quota year in which the immigrant was previously admitted, if the original visa was issued, upon payment of new fees, provided the immigrant is found to be still qualified to receive an immigration visa. The replace visa may be issued at the same or another office. Before issuing a replace quota immigration visa to an immigrant alleging that the original visa has been lost or destroyed, a consular officer should be satisfied that the loss or destruction of the visa has actually occurred.

§ 61.344 Disposition of mutilated or expired immigration visas. An immigration visa which has been mutilated or has expired should be taken up, endorsed as "canceled", and filed with the duplicate of the replace visa issued. The date of cancelation should be noted on the visa over the signature of the canceling officer. The section 7 (c) documents attached to the visa which are not obsolete may be detached and used in issuing the replace visa. The fee stamps on the old visa should be mutilated.

§ 61.345 Report of loss of immigration visa. The circumstances of every case involving the loss of an immigration visa should be promptly reported to the Department.

§ 61.346 Refusal of immigration visa. (a) An informal refusal of an immigration visa occurs when a consular officer, in his preliminary examination of an alien at a consular office, discovers cause for refusal and the alien, upon being informed thereof, decides not to execute a formal application.

(b) A formal refusal of an immigration visa occurs when a consular officer declines to issue an immigration visa after an alien has executed a formal application on the prescribed form and has paid the prescribed application fee. (c) A formal refusal of an immigration visa may be refused only on ground provided in the law and regulations.

§ 61.347 Authority to refuse immigration visas. (a) The legal authority of a consular officer to refuse to issue an immigration visa is provided in section 2 (f) of the Immigration Act of 1924 and section 1 of the act of June 20, 1941. In time of war an immigration visa may also be refused in accordance with the regulations (22 CFR Part 58) prescribed under the proclamation of the President (Procl. 2323 of November 14, 1941) issued in pursuance of the act of June 21, 1941, which amended the act of May 22, 1917.

(b) Section 2 (f) of the Immigration Act of 1924 provides five separate grounds upon which an immigration visa may be refused:

1. When the consular officer knows that the immigrant is inadmissible into the United States under the immigration laws.
2. When the consular officer has reason to believe that the immigrant is inadmissible into the United States under the immigration laws.
3. When it appears to the consular officer from statements made in the application that the immigrant is inadmissible into the United States under the immigration laws.
4. When it appears to the consular officer from statements made in the application, or from examination of documents submitted with the application that the immigrant is inadmissible into the United States under the immigration laws.
5. When the application fails to comply with the provisions of the Immigration Act of 1924. This means that the immigration visa may be refused if the alien fails to furnish in his application the information required to be stated therein; if he makes a false statement in the application; if the application is not accompanied by necessary supporting documents; if the fees are not paid; if the alien fails to execute the oath to the application; or if the application in any other manner fails to comply with the act.

§ 61.348 Review of refusal cases. Whenever there is more than one consular officer at a consular office, a refusal case should be reviewed carefully by a second officer and both should sign the memorandum of refusal provided for in § 61.350. In every case the officer having supervision over visa work should sign the memorandum of refusal.

§ 61.349 Endorsement and disposal of application for replacement of immigration visa. When an immigration visa is formally refused, the completed application form 256a, bearing the canceled $1 fee stamp, and a copy of the application (form 256b) should be endorsed "Visa refused under authority of Immigration Act of 1924" in red ink (in writing or by rubber stamp) in the space provided for the visa. The duplicate copy should show the specific ground of refusal. The endorsement should be signed and dated by the officer refusing the visa. The fee stamp should be mutilated and approximately one inch of paper should be cut from each corner of the form. The original application form should be returned to the applicant, and form 256b should be placed in the file of visa refusals. The original section 7 (c) documents submitted by the applicant in connection with this application may be returned to him.

§ 61.350 Memorandum of refusal. Every refusal of an immigration visa must be explained in a memorandum of refusal, which should be placed in the file of visa refusals. The memorandum should contain sufficient information to form the basis of an adequate report to the Department or to an interested person if such a report should be requested at some later date.

§ 61.351 Refusal cards. (a) Upon the refusal of an immigration visa, either formal or informal, on security grounds, or on mandatory immigration grounds such as, for example, because the alien has been convicted of, or has admitted committing, an offense involving moral turpitude, or because he is suffering from a class-B medical defect, refusal cards (Form 247) should be prepared in sufficient number to provide one copy to be retained in the files of the office. The refusal card should be sent to the supervisory consular general or other central clearing office in the country of application, one copy to be sent to the central clearing office in the country of the alien's birth, and one copy to be sent to the central clearing office in the country of the alien's nationality. Fewer cards would, of course, have to be made in the case of an alien who, for example, applies in the country of his birth and nationality. Offices preparing or receiving such cards should arrange or file them in readily accessible order as promptly as possible.

(b) It is not necessary to prepare cards covering refusals of visas upon grounds which may possibly be overcome by effective change of status or by petition, or by the presentation of further documentary evidence of the true facts, as in the case of an alien initially considered likely to become a public charge, or an alien believed to be a contract laborer, or an alien suffering from a class-B medical defect. If it is suspected that fraud may be attempted at another office, the necessary refusal cards should be prepared and distributed.

§ 61.352 Lookout cards. Action similar to that required by § 61.351 will also be taken in the case of an alien believed to be inadmissible into the United States under immigration laws but who has not been refused a visa, if the consular officer has reason to suspect that an attempt may be made to obtain a visa at another office.

§ 61.353 Deportation cards. Cards containing the names of persons who have been deported from the United States since March 4, 1929, received at a consular office, should be placed in the immigration card file. If the office does not have cards covering deported persons of an applicant's nationality it may in a doubtful case request that a check be made by the Department.
may be made by telegraph at the alien's expense to the consular office which may have a previous card. The photograph attached to the affidavit should be impressed with the nationality, if any, of the applicant. The photograph should be attached to the affidavit. (See §61.351.)

§ 61.354 Removal-notification cards. Cards containing the names of persons who have been removed from the United States under the provisions of section 23 of the Immigration Act of February 5, 1917, as amended, received at a consular office, should be placed in the visa refusal card file. The card-checking procedure described in §61.333 for deportees should be followed in the cases of visa applicants whose inadmissibility into the United States as removed aliens may be in doubt. (See §61.351.)

§ 61.355 Refusal and lookout cards to be consulted. The office file of refusal and lookout cards should be consulted in each case before the issuance of a visa.

§ 61.356 Refusal and lookout cards to be recalled upon issuance of visa. In cases in which refusal or lookout cards relating to an alien have been sent out and the alien has been issued a visa, the visa-issuing office will forward new cards bearing the alien's name, a reference to the previous cards, and a notation of the issuance of the visa, to each office which may have a previous card.

§ 61.357 Verification on behalf of the Department of Justice of an alien's departure from the United States. (a) When the Department transmits a request received from the Department of Justice for verification of an alien's departure from the United States and arrival in a foreign country, the consular officer who is requested to make the verification should communicate with the alien and endeavor to verify his presence in the foreign country. If such presence is verified a certificate should be prepared containing the following:

Name:

Place and date of birth:

Last residence in the United States:

Port of entry:

Port, date, and steamship (if any), of alien's arrival in the United States:

Present address:

A photography of the alien:

Signature of the alien:

A consular officer should comply with the wishes of the Department of Justice whenever it is practicable to do so. The photograph is to be supplied by the alien and the certificate should be forwarded to the Department with a covering despatch for transmission to the Department of Justice.

(b) In accordance with Item No. 38, Tariff of United States Foreign Service Pay, the photograph should be charged for performing the service indicated.

PASSPORTS AND TRAVEL DOCUMENTS

§ 61.375 Persons who may be included in one passport. A passport may include any person or persons whose inclusion in the passport is proper under the regulations of the issuing government and whose photograph is attached to the passport, except that the photograph of a child or children under 14 years of age need not be attached if not required by the regulations of the issuing government. If any person is included in a foreign passport who may not be included in a single passport visa, a separate passport shall be stamped in the passport for such person.

§ 61.376 Aliens unable to present valid passports. (a) An alien who is unable to present a valid passport issued by the government of the country to which he owes allegiance, an alien of no nationality or an alien who is unable to obtain a passport and is outside of the territory of the country to which he owes allegiance when he applies for a visa, may present a travel document which is issued by an official duly authorized to issue such a document, and which shows the bearer's identity and his nationality, if any. (See §61.101 (e).)

(b) An expired passport may be considered as a document of identity only. Such a passport should be issued by a consular officer in lieu of a valid passport if the bearer is able to submit a full and satisfactory reason why he is unable to obtain a valid passport or an official document of a passport from the government to which he owes allegiance and is able to present a document in lieu of a valid passport as provided in the preceding paragraph.

(c) The travel document to be used in lieu of a valid passport, as provided in the two preceding paragraphs, may include any person or persons whose inclusion is proper under the regulations of the issuing authority and whose photographs are attached thereto, except that the photograph of a child or children under 14 years of age need not be attached if not required by the regulations of the issuing authority.

§ 61.377 Aliens unable to present passports or documents in lieu thereof. (a) If a visa applicant is unable to present a valid passport or a travel document in lieu thereof as provided in the preceding section (as in the case of an alien woman married to an American citizen subsequent to the act of September 22, 1922), the consular officer may accept an affidavit to which the signed photograph of the alien shall have been securely affixed. Such affidavit should set forth the nationality, if any, of the applicant and the reasons why a regular passport or a travel document in lieu thereof is unobtainable. The photograph attached to the affidavit should be impressed with the consular legend machine in a manner which does not obscure the features. Offices not having a legend machine will use the impression seal. Such an affidavit should include:

1. The alien's name and address in full;

2. Information concerning the date and place of the alien's birth and, in the case of a married woman, the full name of her husband and the date and place of his birth;

3. Information concerning the date and place of marriage, in the case of a married woman;

4. A statement regarding the date and place of any declaration of intention by the alien to become an American citizen;

5. Information concerning the date and place of the naturalization in the United States of the alien's husband, if any;

6. A paragraph explaining why a passport or other travel document cannot be obtained from the country of allegiance;

7. A photograph of the alien with corrected seal impressed actually on the document and partially on the photograph, which should be signed by the alien;

8. A description of the affidavit, substantially the same as that which appears on a passport. This data should appear at the bottom of the affidavit opposite the photograph.

§ 61.378 Travel documents issued by governments not recognized by the United States. An alien may present a travel document issued by a government not recognized by the United States. However, see §61.397.

§ 61.379 Required validity of passports or travel documents of temporary visitors, transit aliens, and nonquota students. An alien desiring to enter the United States as a nonimmigrant under section 4 (e) of the Alien Registration Act of 1940, or as a nonquota immigrant under section 4 (e), of the act, in whose case the passport requirement has not been waived, is required to present to the consular officer a passport or other travel document valid for the alien's return abroad, or for his entry into some foreign country, for a period of at least 60 days beyond the period of his contemplated stay in the United States. In the case of a section 4 (e) student it will be sufficient if the consular officer has reason to believe that the passport may be required beyond that period, to ensure that the alien may remain in the United States not more than three years from the date of his entry into the United States, unless the alien has been registered and fingerprinted. The visa application and registration form for immigrants are consolidated in Forms 256a and 256b and
for nonimmigrants in Forms 257b and 257c. The Alien Registration Act provides no authority to exempt an alien from the registration and fingerprinting requirements. Therefore, cases in which the alien falls within a class specifically exempted by the law from such requirements, in which case the alien will be a nonimmigrant foreign-government official or a member of his family (see § 61.386), and the words "and alien registration" should be crossed out or lined through on Forms 257b and 257c.

§ 61.386 Exemptions from registration and fingerprinting. (a) The registration and fingerprinting requirements of the Alien Registration Act of 1940 apply to the cases of all aliens to whom immigration visas, diplomatic visas, or passport visas are issued, except in the following classes of cases:

(i) Foreign-government officials, which term (with the exceptions stated in (b) and (f) below) includes:

(1) Foreign-governments officials;

(ii) Foreign consular officers of career;

(iii) Employees of diplomatic missions and foreign consular offices;

(iv) Other officials of foreign governments who are in the United States in an official capacity, including commissioned officers of the military, naval, and air forces of foreign countries and official delegates to international conventions;

(v) The staffs, attendants, and employees of the persons in the four preceding categories;

(vi) Other officials of foreign governments who are in the United States on personal business or pleasure or in transit through the United States;

(vii) Students who hold an official position in the national, state, or local governments of the country to which they owe allegiance;

(viii) None of the foregoing categories shall be considered as including an honorary diplomatic or consular officer, a person who is not a national of the foreign country then employing him in an official capacity, a person who will engage in local business in the United States, or a person who will be employed in the United States in other than an official capacity;

(ix) Enlisted personnel, as such, of military, naval, and air forces of foreign countries are not included within the definition of foreign-government officials.

(2) Members of the family of a foreign-government official, which term includes:

(i) Relatives by blood or marriage who are regularly residing in, or are members of the household of, a foreign-government official.

(ii) Members of the family of a nonimmigrant foreign-government official, who are regular residents of the United States, the exemption is granted on the condition that, within 30 days after the arrival of any such foreign-government official, servant, or employee after his employment while he is in the United States, the Department notifies the diplomatic mission, on an official form supplied by the Department, of the full name of such official, servant, or employee, together with such other information as the Department deems appropriate; and provides that the Department accepts such notification as satisfactory and recognizes the status claimed.

§ 61.387 Failure to maintain exempt status requires registration and fingerprinting. Any person in the United States who, having entered the United States in the United States of a foreign-government official, or a member of his family, shall cease to maintain such status shall apply for registration and fingerprinting in accordance with the regulations of the Immigration and Naturalization Service.

§ 61.388 Seamen not to be registered and fingerprinted by consular officers. Seamen included in visaed crew lists need not be registered and fingerprinted before the crew act is issued. Seamen entering the United States in pursuit of their calling will be registered and fingerprinted by the immigration authorities for the purpose of the Alien Registration Act of 1940 after their arrival in the United States, under rules and regulations prescribed by the Commissioner of Immigration and Naturalization, with the approval of the Attorney General.

§ 61.389 Children included in parent's application. Children under 14 years of age, who are applying for admission into the United States under section 3 of the act, who are accompanied by a parent, or parents, and whose names and ages appear on the parent's application form (Forms 257a to 257d, inclusive), will be considered as having complied with the requirements of the Alien Registration Act of 1940.

§ 61.390 Children under 14. Children under 14 years of age at the time a visa is issued need not be fingerprinted even if they will pass their 14th birthday before actually entering the United States.

§ 61.391 Advice to be given aliens exempt from registration and fingerprinting requirements. Foreign-government officials, who are recognized as such at the time a visa is granted, and who are therefore exempted from registration and fingerprinting upon receiving visas, should be advised that within 30 days after their arrival in the United States they should have the chief of their diplomatic mission at Washington notify the Department of their official status in the United States in accordance with Form AR-4 prescribed for such purpose. The failure of the Department to receive such notification, or to accept such notification as satisfactory when received, may result in the official concerned being subjected after their arrival in the United States to the registration and fingerprinting requirements and other provisions of the act beyond that they have not been properly certified to, and recognized by, the Secretary of State as having the exempt status claimed.

§ 61.392 Non-officials presenting diplomatic passports. Persons who present diplomatic passports who are neither foreign-government officials nor members of the family of a foreign-government official, nor otherwise exempt from the registration and fingerprinting, must be registered and fingerprinted even if diplomatic visas are in their possession. Cases involving prominent persons who are former high officials of foreign governments, or ecclesiastical officers of high rank, whose registration and fingerprinting under the act cause serious embarrassment, should be referred to the Department for instructions before the diplomatic visa is issued in order that special arrangements may be made in such cases regarding the registration and fingerprinting of the applicants.

§ 61.393 Registration procedure under Alien Registration Act. (a) The application for a visa under the Immigration Act of 1924 and registration under the Alien Registration Act of 1940 have been combined into one form (numbered 257a to 257d, inclusive, for nonimmigrants; and Forms 257a and 257b for immigrants). For regulations covering execution of these forms, see §§ 61.112, 61.317, 61.318, and 61.319.

(b) If more than one person is included in the passport, the case of several members of a nonimmigrant family who are included in one passport, § 61.111, separate application forms (Forms 257a to 257d, inclusive) must be filled out for each person 14 years of age or over.

§ 61.394 Fingerprinting procedure. When an alien, 14 years of age or over, applies for an immigration visa or passport visa, a single copy of his fingerprints should be made on the standard fingerprint card prescribed for such purposes. In the case of an immigration visa, an additional set of fingerprints of the alien will be taken in the space provided therefor on the reverse side of Form 256b at the time the alien executes formal application for a visa. Aliens who make casual inquiries concerning visa requirements, aliens who do not proceed so far as to fill out preliminary questionnaires, and aliens who are so obviously ineligible to receive visas that they are not required to make even a preliminary or informal application and who would be unlikely to succeed in obtaining a visa at another office, need not be fingerprinted.

§ 61.395 Procedure in making fingerprint cards. (a) Extreme care should be exercised in making fingerprint records to be certain that the fingerprints made are in fact those of the actual visa applicant and that there is no substitution of fingerprints. Each fingerprint should be made on the standard fingerprint card, and the location of the diplomatic or
consular office issuing the visa will be shown on the first blank line, and on the back toward the right the right upper corner thereof will be shown the visa-application number, which number is printed on Forms 256a and 256b for immigrants, preceded by the letter "I". The fingerprint form (AR-4) when such a card is required. See § 61.386.

(b) Aliens will be requested by the immigration authorities to surrender their alien-registration receipts upon departing from the United States. Registration receipts therefore will have no value outside of the United States and a diplomatic or consular officer to whom an alien applies for a visa need not inquire or determine whether the applicant has previously been registered or fingerprinted in the United States, so far as the question of his registration and fingerprinting at the consular office may be concerned. Inquiries may, of course, be made of an alien who has previously resided in the United States regarding his compliance with the local laws, including the Alien Registration Act, the Selective Service Act, and the revenue or tax laws.

§ 61.397 Registration and fingerprinting fees and numbering. No fees have been prescribed for registration and fingerprinting. Such fees would not be folded, smeared, or mutilated in any manner. A number of such forms may be enclosed in one envelop marked "Fingerprints—For Federal Bureau of Investigation". Such forms should be transmitted as soon as practicable after the issuance of the visa in the manner indicated.

§ 61.398 Numbering nonimmigrant visas and other nonimmigrant documentation. One series of consular serial numbers at each office, beginning with no. 1 on July 1 of each year, will be used for passport visas, limited-entry certificates, and transit certificates (Forms 257a to 257c, inclusive) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc. Applications for immigration visas (Forms 256a and 256b) are serially numbered when printed, each number preceded by the letter "I", i.e., I-1, I-2, I-3, etc. Applications for immigration visas (Forms 256a and 256b) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc. Applications for immigration visas (Forms 257a to 257c, inclusive) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc. Applications for immigration visas (Forms 257a to 257c, inclusive) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc.

§ 61.399 Supplies of visa-application forms, registration, and fingerprinting forms. Supplies of the printed visa-application forms, registration forms (256a and 256b), and fingerprinting forms (257a to 257d) and the prescribed fingerprint form (AR-4) may be obtained by requisition from the Department of State for transmission to the Federal Bureau of Investigation, Department of Justice. Such cards may be forwarded with the regular despatch mail. Covering despatches are not necessary. A number of such forms may be enclosed in one envelop marked "Fingerprints—For Federal Bureau of Investigation". Such forms should be transmitted as soon as practicable after the issuance of the visa in the manner indicated.

§ 61.400 Numbering applications. Applications for limited-entry certificates, transit certificates, and consular applications (Forms 257a to 257c, inclusive) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc. Applications for immigration visas (Forms 256a and 256b) are serially numbered when printed, each number preceded by the letter "I", i.e., I-1, I-2, I-3, etc. Applications for immigration visas (Forms 256a and 256b) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc. Applications for immigration visas (Forms 257a to 257c, inclusive) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc. Applications for immigration visas (Forms 257a to 257c, inclusive) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc. Applications for immigration visas (Forms 257a to 257c, inclusive) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc.

§ 61.401 Numbering nonimmigrant visas and other nonimmigrant documentation. One series of consular serial numbers at each office, beginning with no. 1 on July 1 of each year, will be used for passport visas, limited-entry certificates, and transit certificates (Forms 257a to 257c, inclusive) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc. Applications for immigration visas (Forms 256a and 256b) are serially numbered when printed, each number preceded by the letter "I", i.e., I-1, I-2, I-3, etc. Applications for immigration visas (Forms 257a to 257c, inclusive) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc. Applications for immigration visas (Forms 257a to 257c, inclusive) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc. Applications for immigration visas (Forms 257a to 257c, inclusive) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc. Applications for immigration visas (Forms 257a to 257c, inclusive) are serially numbered when printed, each number preceded by the letter "V", i.e., V-1, V-2, V-3, etc.

§ 61.402 Numbering immigration visas. (a) Nonquota immigration visas and immigration visas issued to aliens "not inadmissible to any quota" shall be numbered consecutively at each consular
(10) Classification under which visa was issued.

§ 61.404 Files and records. (a) An adequate filing and record system for visa purposes should include, as a minimum, the following:

(1) A general correspondence file;

(2) A file of dossiers on active visa cases;

(3) A file of cases in which visas have been issued;

(4) A file of cases in which visas have been refused;

(5) A record of immigration registration, or a waiting list, especially of those applicants who are chargeable to oversubscribed quotas, in case the consular officer's action on their cases should be delayed a considerable volume of visa work, a general alphabetical card index to such files.

(c) The files and records above-mentioned should be maintained in the manner provided in the Foreign Service Regulations.

VISA CORRESPONDENCE

§ 61.405 Visa correspondence. Prompt and courteous replies should be made to inquiries concerning immigration subjects or visa cases. Such replies should show that the consular officer has given considerable attention to the question raised. This does not necessarily entail a lengthy answer but requires that the reply be of such character as will show the consular officer's understanding of the inquiry and the facts in the case as well as of the legal or other points involved.

§ 61.406 Correspondence regarding refusal of visas in the United States, having a legitimate interest in the case of an alien who desires to proceed to the United States are entitled to a clear and adequate explanation regarding the reasons why the alien has been unable to qualify for a visa. If the visa was refused for reasons which in the judgment of the consul officer should not be divulged to a person other than a close member of the applicant's immediate family, the consul communication should be transmitted through the Department under cover of a despatch containing a full statement of the facts. The despatch should be marked “For Visa Division”.

§ 61.407 Review of correspondence. (a) All letters regarding immigration subjects or visa cases addressed to persons in the United States should be sent in duplicate (and in triplicate when addressed to members of Congress) through the Department for review. All such letters should be placed in an envelope addressed to the Secretary of State and marked “For Visa Division”. Any number of such letters may be enclosed in one envelope.

(b) In urgent cases consular officers in Canada or Mexico may forward communication directly to the addresses in the United States, provided copies of such communications are sent to the Department with an appropriate notation. Form letters should not be used in congressional correspondence.

§ 61.408 Correspondence with the Department. All airgrams, telegrams, and despatches to the Department on immigration subjects or visa cases shall begin with the phrase “For Visa Division”. Visa despatches and reports should be transmitted to the Department under cover, which should also be marked “For Visa Division”. Several visa despatches and reports may be transmitted under the same cover. Airgrams should not be marked on the covering envelopes in this manner as they are reproduced and distributed to other offices before reaching the Visa Division. These regulations shall become effective on September 10, 1946.

June 13, 1946.

JAMES F. BYRNES, Secretary of State.

Recommended, in so far as the provisions of the Immigration Act of 1924 and the Alien Registration Act of 1940 are concerned, by:

Tom C. Clark, Attorney General.

May 30, 1946.

[FR Doc. 46-14171; Filed, Aug. 16, 1946; 4:36 p.m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[7 T.D. 5130]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO REDUCED RATE, ETC.

DOMESTIC PRODUCTS EXPORTED AND RETURNED

AUGUST 12, 1946.

Section 10.1 (a) (1), Customs Regulations of 1943 (19 C.F.R., Cum. Supp. 10.T1 (a) (1)), as amended by T. D. 51225, is hereby further amended by changing the comma after “$100” to a period and deleting the balance of the sentence.


[SEAL]

W. R. JOHNSON, Commissioner of Customs.

Approved:

E. H. Foley, Jr., Acting Secretary of the Treasury.

[FR Doc. 46-14237; Filed, Aug. 15, 1946; 3:46 p.m.]

TITLE 29—LABOR

Chapter VI—National Wage Stabilization Board

[General Order 6]

PART 803—GENERAL ORDERS

WAGES AND SALARIES FOR NEW EMPLOYEES, JOBS, DEPARTMENTS AND PLANTS

In the Federal Register of May 30, 1946 (P.R. Doc. 46-8944) there was an error in the National Wage Stabilization Board's amended General Order No. 6, § 1010. The word employed as appearing in the last sentence of paragraph (1) should read “employer”.

B. M. JOFFE, Executive Director.

[FR Doc. 46-8944; Filed, Aug. 16, 1946; 9:56 a.m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Civilian Production Administration


PART 1010—SUSPENSION ORDERS

[Suspension Order 8-956]

MORRIS SKILKEN

Morriskilken of 44 East Broad Street, Columbus, Ohio, on and about May 31, 1946 and thereafter continued construction of a new family residence at 2775 Fair Avenue, Bexley, Ohio without authorization from the National Housing Administration. The estimated cost of this construction amounted to $18,000, which amount exceeded the $400 limit permitted by Veterans Housing Program Order No. 1 and was in violation thereof.

This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.956 Suspension Order No. 8-956.

(a) Neither Morris Skilken, his successors or assigns, nor any other person, shall do any construction on the premises at 2775 Fair Avenue, Bexley, Ohio including putting up, altering, or completing the structure, unless hereafter specifically authorized in writing by the Civilian Production Administration and the National Housing Agency.

(b) Morris Skilken shall refer to this order in any application or appeal which he may file with the Civilian Production Administration or the National Housing Authority for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Morris Skilken, his successor or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 15th day of August 1946.
PART 903—DELEGATION OF AUTHORITY

[Directive 44]

DELEGATION OF AUTHORITY TO HOUSING EXPEDITER WITH RESPECT TO SURPLUS PROPERTY -

§ 903.157 Directive 44. Pursuant to the authority vested in me by Executive Order No. 9388 on October, 1945, and in order to delegate to the Housing Expediter authority to allocate surplus property required for the Veterans’ Emergency Housing Program and to establish priorities for the delivery thereof, it is hereby ordered that:

(a) Delegation of authority. The Housing Expediter is hereby authorized to perform the functions and exercise the power, authority and discretion conferred on the President by section 2 (a) of the act of June 28, 1940 (Public Law 67, 76th Congress, 54 Stat. 676) as amended by the acts of May 31, 1941 (Public Law 89, 77th Congress, 55 Stat. 236), of March 27, 1942 (Public Law 67, 76th Congress, 54 Stat. 176), of December 20, 1944 (Public Law 509, 78th Congress, 56 Stat. 237), of December 24, 1944 (Public Law 270, 79th Congress, 55 Stat. 658) and by the act of June 29, 1946 (Public Law 475, 79th Congress, — Stat. —), with respect to the allocation of, or establishment of priorities for the delivery of, surplus property held by the War Assets Administration, or other Disposal Agencies as designated under the Surplus Property Act of 1944, in such a manner as he may determine.

(b) Exercise of power. The Housing Expediter may exercise the power, authority, and discretion conferred upon him by this directive through such officials and such agencies or departments of the U. S. Government, and in such manner as he may determine.

Issued this 15th day of August 1946.

J. D. SMALL, Administrator.

[F. R. Doc. 46-14328; Filed, Aug. 15, 1946; 4:38 p. m.]

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

[Priorities Reg. 33, Direction 12]

USE OF HH RATINGS FOR HARDWALL PLASTER IN THE VETERANS’ EMERGENCY HOUSING PROGRAM

The following direction is issued pursuant to Priorities Regulation 33:

(a) Purpose of this direction. Priorities Regulation 33 provides for the assignment to builders of HH preference rating to secure materials and services. Schedule A to this regulation, which are required for use in the Veterans’ Emergency Housing Program. Among these is hardwall plaster. This direction explains the use of the HH rating and also what the restrictions are in connection with the shipment of hardwall plaster by producers and dealers.

(b) Definitions. For the purpose of this regulation:

1. “Hardwall plaster” means gypsum plaster (basic, ready-mixed, and gauged) made for application or a base or finish coat to troweled interior walls.

2. “Producer” means a person owning or operating facilities in which hardwall plaster is manufactured.

3. “Dealer” means a person who buys hardwall plaster for resale as such. This does not include a contracting contractor.

(c) Application of HH ratings. A builder authorized under Priorities Regulation 33 may use ("apply") an HH rating to get hardwall plaster. He may also authorize a contractor or subcontractor to use the rating for him, as explained in Priorities Regulation 33.

(d) Extensibility of HH ratings. A dealer or a producer who receives an HH rated order for hardwall plaster shall not extend the rating.

(e) Producers’ handing of rated orders. (1) A producer who sells hardwall plaster only to dealers need not accept HH rated orders for hardwall plaster but must accept and fill all other rated orders (AAA, MM or CC) in accordance with the provisions of Priorities Regulations.

(2) A producer who sells any hardwall plaster to persons who are not dealers must accept and fill HH and other rated orders in accordance with the provisions of Priorities Regulation 1. However, he need not accept HH rated orders for delivery during any month of more than 70% of the quantity of hardwall plaster delivered during that month to persons who are not dealers. He may not reject an HH rated order under this rule, but must promptly notify his customer when he expects to fill the order out of later production.

(f) Dealers’ handling of rated orders. A dealer must accept and fill rated orders (AAA, MM, CC or HH) for hardwall plaster in accordance with the provisions of Priorities Regulation 1. However, he need not accept HH rated orders for delivery during any month of more than 70% of the quantity of hardwall plaster delivered during that month on all orders. He may not reject an HH rated order under this rule, but must promptly notify his customer when he expects to fill the order out of later receipts. Deliveries by a dealer or a producer shall not be considered as deliveries for the purpose of this paragraph.

(g) Direct shipments. Direct shipments from a producer to a dealer’s customer for the dealer’s account shall be considered as shipments to, and deliveries by, the dealer.

(h) Calculations of quantities. Quantities of hardwall plaster shall be figured in tons.

Issued this 16th day of August 1946.

CIVILIAN PRODUCTION ADMINISTRATION

By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 46-14357; Filed, Aug. 16, 1946; 11:27 a. m.]

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

[Priorities Reg. 33, Schedule A, as Amended]

§ 944.54 Schedule A to Priorities Regulation 33. The priorities assistance assigned to builders under Priorities Regulation 33 may be used only to get the following materials (additions to and deletions from this schedule may be made from time to time):

Direction 1

Priorities Regulation 33

applying to the material

Hardwood flooring...

Direction 1

Millwork (including doors and built-in kitchen cabinets)...

Direction 1

Laminate...

Direction 1

Softwood plywood (limited by Direction 1A as to uses and quantities)...

Direction 1A

Plumbing fixtures (limited to the following, as listed and defined in Direction 2: bathtub, lavatories, faucets, traps, water closets)...

Direction 2

Radiation (cast iron tubular, cast iron converter, extended surface convector)...

Direction 3

Cast iron soil pipe and fittings...

Direction 4

Gypsum board...

Direction 5

Gypsum lath...

Direction 5

Structural clay tile...

Direction 6

Concrete blocks...

Direction 7

Prefabricated houses...

Direction 8

Prefabricated sections...

Direction 8

Prefabricated paneling...

Direction 8

Clay sewer pipe...

None

Warm-air furnaces...

Direction 9

Building board (except panel board)...

Direction 10

Hardwall plaster...

Direction 12

Nails...

None

Builders hardware...

None

Metals...

None

Metal doors and frames...

None

Metal windows, sash and frames...

None

Metal plaster base (metal lath)...

None

Boilers (low pressure—types designed for heating systems in dwellings)...

None

Furnaces (floor, wall)...

None

Registers and grilles (for heating systems)...

None

Wiring devices (electrical) of the following kinds only: (1) Sockets, switches, and receptacles—medium screw base types; (2) convenience receptacles (outlets); (3) outlets, switches, and receptacles—metallic or non-metallic sheathed cable...

None

For item marked with an asterisk (*) in the above list, HHH and HH ratings have no effect on orders placed with producers and such ratings may be disregarded by them. For items not so marked, the placing and effect of HHH and HH rated orders are controlled by the rules of Priorities Regulations 1, 3, and 33, as modified by any special rules in the applicable direction to PR 33, if there is such a direction.

Definitions of the above items may be given in the appropriate directions.

Issued this 16th day of August 1946.

CIVILIAN PRODUCTION ADMINISTRATION

By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 46-14358; Filed, Aug. 16, 1946; 11:27 a. m.]
Chapter XI—Office of Price Administration

PART 1336—RADIO: X-RAY AND COMMUNICATION APPARATUS

[MPR 596, Amdt. 4]

RADIO RECEIVERS AND PHONOGRAPHES

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. 596 is amended in the following respects:

1. Section 9 is amended to read as follows:

Sec. 9. Dealers' ceiling prices for radios other than "special brand" radios. The retail ceiling price of any radio which the manufacturer delivered to a purchaser for resale subsequent to June 7, 1946, prior to August 19, 1946, shall be the retail ceiling price computed in accordance with the provisions of this section as in effect on June 7, 1946. The retail ceiling price of any radio which the manufacturer delivers to a purchaser for resale on and after August 19, 1946, shall be determined in accordance with the following provisions of this section as in effect on and after August 19, 1946.

Every manufacturer is required to calculate the retail ceiling prices of all radios, except "special brand" radios, which he sells to distributors or dealers, in accordance with the provisions of this section.

(a) The retail ceiling price in "Zone I" for a radio for which the manufacturer has a ceiling price to distributors is the total of the following, adjusted upward to the nearest five cents:

1. His "ceiling price" to that class of distributor to which he sells radios in the largest dollar volume.

2. The applicable amount of the following:

(1) 74% of that price if it is less than $15.50.

(2) 78% of that price if it is more than $15.50 but less than $36.49.

(3) 105% of that price if it is more than $36.49.

(b) The retail ceiling price in Zone I for a radio which the manufacturer does not have a ceiling price to distributors is the total of the following, adjusted upward to the nearest five cents:

1. His ceiling price to that class of dealer to which he sells radios in the largest dollar volume.

2. The applicable amount of the following:

49% of that ceiling price if it is less than $15.50.

62% of that ceiling price if it is more than $15.04 but less than $36.24.

70% of that ceiling price if it is more than $36.24 but less than $162.01.

90% of that ceiling price if it is more than $162.00.

(c) The retail ceiling price for sales in "Zone II" is the retail ceiling price in Zone I increased by 5% and adjusted upward to the nearest five cents.

(d) The retail ceiling price for sales to the manufacturer and attach it to the radio, before it is displayed, offered for sale, sold or delivered at retail.
FEDERAL REGISTER, Saturday, August 17, 1946

PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 576, Amdt. 5]

DRAIN BATTERIES

A statement of 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. 576 is amended in the following respects:

1. Section 4 is amended to read as follows:

Sec. 4. Adjustment of maximum retail prices in certain cases. This section provides for the adjustment of retailers' maximum prices for sales of dry batteries for which the manufacturers' price has been adjusted by Order 5054 under Maximum Price Regulation No. 188 or by an individual adjustment order issued by the Office of Price Administration. For dry batteries which are sold on or after August 19, 1946, retailers may increase their retail covering price determined under section 3 of this regulation by the same percentage by which his supplier's maximum price to him was increased. The resulting maximum price shall be rounded to the nearest cent.

2. Section 6 is amended to read as follows:

Sec. 6. Adjusted maximum wholesale prices. This section provides for the adjustment of wholesalers' maximum prices for sales of dry batteries for which the manufacturer's price has been adjusted by Order 5054 of Maximum Price Regulation No. 188 by an individual adjustment order issued by the Office of Price Administration. Manufacturers and special brand wholesalers who had published resellers' price lists or suggested wholesalers' resale prices in effect on February 1, 1945, may compute adjusted maximum resale prices in accordance with this section on the basis of those list prices. In all other cases wholesalers are required to notify a purchaser for resale of the amount of the adjustment granted by this order. This notice may be given in any convenient form.

(a) For dry batteries which are sold on or after August 19, 1946, the wholesaler may increase his maximum price as determined under section 5 of this regulation by the same percentage by which his supplier's maximum price to him was increased.

This amendment shall become effective on the 19th day of August 1946.

Issued this 15th day of August, 1946.

PAUL A. PORTER, Administrator.

[FR Doc. 46-14299; Filed, Aug. 15, 1946; 4:20 p. m.]

PART 1415—PROTECTIVE COATINGS

[MPR 245, Amdt. 2]

PROTECTIVE COATINGS

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

Section 1415:115, Appendix A of Maximum Price Regulation 245 is amended as follows:

1. The heading and introductory paragraph are amended to read as follows:

§ 1415.115 Appendix A, Maximum prices for bleached shellac. Maximum prices for bleached shellac are established as follows:

2. Paragraph (b) is deleted.

3. Paragraphs (f), (g), (h), (i), (j), and (k) are respectively redesignated paragraphs (a), (b), (c), (d), (e), and (f).

4. Redesignated paragraph (a) is amended to read as follows:

(a) Producers' prices—(1) Formula for computing maximum prices. The maximum prices per pound for sales by producers of bleached shellac, f. o. b. producer's plant, for sales of 1500 pounds or more packed in barrels shall be the sum of (i) the average cost per pound of unbleached shellac for a current calendar month plus, (ii) the producer's dollar and cent markup per pound as determined under section 3 of this regulation. For dry batteries which are sold on or after August 19, 1946, retailers may increase their maximum price determined under section 3 of this regulation by the same percentage by which his supplier's maximum price to him was increased. The resulting maximum price shall be rounded to the nearest cent.

(b) Maximum prices by order. If any producer cannot determine his maximum price for any grade or type of bleached shellac under (a) (1) above, he shall apply for a maximum price for sale of such commodity before making a sale therefor. The Price Administrator will establish his maximum price by order in line with the level of maximum prices established by this regulation.

(c) Reporting of prices. The Price Administrator may at any time by order approve, disapprove, revoke, or revise maximum prices reported, proposed, or established under this regulation so as to bring them into line with the level of maximum prices otherwise established by this regulation.

5. In paragraphs (b) and (c) substitute "(a)" for "(f)".

6. In paragraph (e) insert the word "bleached" before the word "shellac." This amendment shall become effective August 15, 1946.

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

Issued this 15th day of August, 1946.

PAUL A. PORTER, Administrator.

[FR Doc. 46-14296; Filed, Aug. 15, 1946; 4:20 p. m.]

PART 1356—COOKERS AND HEATERS

[MPR 64, Amdt. 8]

DOMESTIC COOKING AND HEATING STOVES

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. 64 is amended in the following respects:

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

(e) Reporting of producer's markups. On or before August 15, 1946, each producer shall report to the Office of Price Administration by registered mail the dollar and cent markup and percentage markup per pound he had on his last sale for each class or type of bleached shellac to each class of purchaser during March 1942 or if he made no sale in March 1942, of any particular class or type of bleached shellac and the average markup per pound he had on his last sale to each of the above classes of purchaser during March 1942 or if he made no sale in March 1942, of any particular class or type of bleached shellac to each class of purchaser for sales made available for examination by the Office of Price Administration or any authorized representative thereof.

(f) Maximum prices by order. If any producer cannot determine his maximum price for any grade or type of bleached shellac under (a) (1) above, he shall apply for a maximum price for sale of such commodity before making a sale therefor. The Price Administrator will establish his maximum price by order in line with the level of maximum prices established by this regulation.

(g) Revision of prices. The Price Administrator may at any time by order approve, disapprove, revoke, or revise maximum prices reported, proposed, or established under this regulation so as to bring them into line with the level of maximum prices otherwise established by this regulation.

Published in the Federal Register on August 17, 1946.
shall use the mark-up factor determined under subparagraph (a) for sales of the identical model of stove produced by the same manufacturer. The "closest seller of the same class" of a reseller at wholesale is a reseller who (i) has established a ceiling price for sales of a particular model of electric range by an order under section 11a (a) for sales of the identical model of stove produced by the same manufacturer or the same class of purchaser, and (ii) is located in the same geographic area or service zone in which the manufacturer sells to him at a price which will yield the wholesale distributor a gross dollar margin of 92.90 percent of the ceiling price of his "closest seller of the same class". A wholesale distributor who has no ceiling prices established before August 19, 1946 for his sales of a particular model of electric range to a particular class of purchaser under this regulation, shall redetermine his ceiling prices for such sales in accordance with the first applicable rule of the following contained in this section:

Rule 1. A wholesale distributor's ceiling price for sales of a particular model of electric range to a particular class of purchaser under this regulation shall be the price which will yield the wholesale distributor a gross dollar margin of 92.90 percent of the ceiling price of his "closest seller of the same class". A wholesale distributor who has no ceiling prices established for sales of a particular model of electric range either before August 19, 1946 or by an order under section 11 of this regulation or by determination by him under section 11a (b) or after August 18, 1946 by an order under section 11 of this regulation, shall determine his ceiling prices for such sales in accordance with the first applicable rule of the following contained in this section:

<table>
<thead>
<tr>
<th>Gross dollar margin</th>
<th>11a (2)</th>
<th>11a (3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>92.90%</td>
<td>110.90</td>
<td>127.73</td>
</tr>
</tbody>
</table>

The distributor determines his ceiling price for sales to other classes of dealer, by applying his customary differentials for such sales.

Note: To assist the wholesale distributors in making this computation a manufacturer who sells electric ranges at prices which include an adjustment under section 8(b) or under an individual adjustment order is required to notify the wholesale distributor at the time of, or prior to the first invoice covering such sales, of the retail ceiling prices which he has determined or redetermined for those ranges under the provisions of sections 11b or 11e of this regulation.

shall calculate his ceiling prices for sales to other classes of dealer on the basis of the differentials which he had on sales of the comparable model to different classes of purchasers.

Example. A distributor who sold the Model X electric range produced and sold by manufacturer A during the period May 7, 1946 to June 6, 1946 to several separate dealers at a wholesale price of 169.00 and the Federal excise tax, and the ceiling price established by an order under Maximum Price Regulation No. 64 covering sales of the identical model of electric range for the identical class of purchaser, shall not use the mark-up factor determined under subparagraph (a) for sales of the identical model of stove produced by the same manufacturer or the same class of purchaser. The "closest seller of the same class" of a reseller at wholesale is a reseller who (i) has established a ceiling price for sales of a particular model of electric range by an order under section 11a (a) for sales of the identical model of stove produced by the same manufacturer or the same class of purchaser, and (ii) is located in the same geographic area or service zone in which the manufacturer sells to him at a price which will yield the wholesale distributor a gross dollar margin of 92.90 percent of the ceiling price of his "closest seller of the same class". A wholesale distributor who has no ceiling prices established before August 19, 1946 for his sales of a particular model of electric range to a particular class of purchaser, and (ii) is located in the same geographic area or service zone in which the manufacturer sells to him at a price which will yield the wholesale distributor a gross dollar margin of 92.90 percent of the ceiling price of his "closest seller of the same class". A wholesale distributor who has no ceiling prices established for sales of a particular model of electric range either before August 19, 1946 or by an order under section 11 of this regulation or by determination by him under section 11a (b) or after August 18, 1946 by an order under section 11 of this regulation, shall determine his ceiling prices for such sales in accordance with the first applicable rule of the following contained in this section:

Rule 1. A wholesale distributor's ceiling price for sales of a particular model of electric range to a particular class of purchaser under this regulation shall be the price which will yield the wholesale distributor a gross dollar margin of 92.90 percent of the ceiling price of his "closest seller of the same class". A wholesale distributor who has no ceiling prices established for sales of a particular model of electric range either before August 19, 1946 or by an order under section 11 of this regulation or by determination by him under section 11a (b) or after August 18, 1946 by an order under section 11 of this regulation, shall determine his ceiling prices for such sales in accordance with the first applicable rule of the following contained in this section:

Rule 1. A wholesale distributor's ceiling price for sales of a particular model of electric range to a particular class of purchaser under this regulation shall be the price which will yield the wholesale distributor a gross dollar margin of 92.90 percent of the ceiling price of his "closest seller of the same class". A wholesale distributor who has no ceiling prices established for sales of a particular model of electric range either before August 19, 1946 or by an order under section 11 of this regulation or by determination by him under section 11a (b) or after August 18, 1946 by an order under section 11 of this regulation, shall determine his ceiling prices for such sales in accordance with the first applicable rule of the following contained in this section:

Rule 1. A wholesale distributor's ceiling price for sales of a particular model of electric range to a particular class of purchaser under this regulation shall be the price which will yield the wholesale distributor a gross dollar margin of 92.90 percent of the ceiling price of his "closest seller of the same class". A wholesale distributor who has no ceiling prices established for sales of a particular model of electric range either before August 19, 1946 or by an order under section 11 of this regulation or by determination by him under section 11a (b) or after August 18, 1946 by an order under section 11 of this regulation, shall determine his ceiling prices for such sales in accordance with the first applicable rule of the following contained in this section:

Rule 1. A wholesale distributor's ceiling price for sales of a particular model of electric range to a particular class of purchaser under this regulation shall be the price which will yield the wholesale distributor a gross dollar margin of 92.90 percent of the ceiling price of his "closest seller of the same class". A wholesale distributor who has no ceiling prices established for sales of a particular model of electric range either before August 19, 1946 or by an order under section 11 of this regulation or by determination by him under section 11a (b) or after August 18, 1946 by an order under section 11 of this regulation, shall determine his ceiling prices for such sales in accordance with the first applicable rule of the following contained in this section:

Rule 1. A wholesale distributor's ceiling price for sales of a particular model of electric range to a particular class of purchaser under this regulation shall be the price which will yield the wholesale distributor a gross dollar margin of 92.90 percent of the ceiling price of his "closest seller of the same class". A wholesale distributor who has no ceiling prices established for sales of a particular model of electric range either before August 19, 1946 or by an order under section 11 of this regulation or by determination by him under section 11a (b) or after August 18, 1946 by an order under section 11 of this regulation, shall determine his ceiling prices for such sales in accordance with the first applicable rule of the following contained in this section:
4. Section 11a (c) is amended to read as follows:

(c) Notification. At the time of, or prior to the first invoice to each purchaser for resale of a stove sold on or after August 19, 1946 at a price determined or redetermined in accordance with this section 11a, each wholesale distributor shall notify the purchaser in writing that each purchaser for resale at retail must find his resale ceiling prices under section 11b of this regulation. This notice may be given in any convenient form.

5. Section 11b (a) is amended to read as follows:

(a) Stoves not subject to the Federal excise tax and preticketed by the manufacturer. A retailer shall determine his ceiling prices for his sales of any stove covered by this regulation which is not subject to the Federal excise tax when sold by the manufacturer and which is not required to be preticketed by the manufacturer under section 11d of this regulation, and which he purchases at prices which include an adjustment under section 8b or 11a of this regulation as follows:

(1) He shall increase by 7.8 percent those of his ceiling prices established at any time under § 1499.2 of the General Maximum Price Regulation or established before June 7, 1946 under the General Maximum Price Regulation or Maximum Price Regulation No. 210, the retail ceiling prices under this section are those established under Maximum Price Regulation No. 210.

(2) He shall increase by 4.5 percent those of his ceiling prices established after June 6, 1946 and before August 19, 1946 under the General Maximum Price Regulation or Maximum Price Regulation No. 210 or a central pricing order issued under § 1499.4a of the General Maximum Price Regulation or by an approval under § 1499.3 (e) of the General Maximum Price Regulation or by an approval under § 1499.3 (e) of the same regulation and the order or approval does not provide that the retail ceiling prices established therein may be adjusted under this section; the retailer's ceiling prices under this section are those established by the order or approval.

(3) If his ceiling prices are established after August 18, 1946 by an order under section 11 of this regulation or under § 1499.3 (e) of the General Maximum Price Regulation or by an approval under § 1494.3 (c) of the same regulation and the order or approval does not provide that the retail ceiling prices established therein may be adjusted under this section; the retailer's ceiling prices under this section are those established by the order or approval.

(4) If his ceiling prices are established under section 8b of this regulation, are those established under Maximum Price Regulation No. 210, the retail ceiling prices under this section are those properly calculated by the manufacturer and having retail ceiling prices fixed for any stove required to be preticketed by the manufacturer under either section 8b or 11a of this regulation, whichever is applicable to his supplier under either section 8b or 11a of this regulation, whenever is applicable to his supplier's ceiling prices; and (iii) multiplying by the markup factor so obtained his net unit cost (which may not exceed his ceiling price to him and adjusted under this regulation) for the article being priced.

4. Section 11a (c) is amended to read as follows:

(c) Notification. At the time of, or prior to the first invoice to each purchaser for resale of a stove sold on or after August 19, 1946 at a price determined or redetermined in accordance with this section 11a, each wholesale distributor shall notify the purchaser in writing that each purchaser for resale at retail must find his resale ceiling prices under section 11b of this regulation. This notice may be given in any convenient form.

5. Section 11b (a) is amended to read as follows:

(a) Stoves not subject to the Federal excise tax and preticketed by the manufacturer. A retailer shall determine his ceiling prices for his sales of any stove covered by this regulation which is not subject to the Federal excise tax when sold by the manufacturer and which is not required to be preticketed by the manufacturer under section 11d of this regulation, and which he purchases at prices which include an adjustment under section 8b or 11a of this regulation as follows:

(1) He shall increase by 7.8 percent those of his ceiling prices established at any time under § 1499.2 of the General Maximum Price Regulation or established before June 7, 1946 under the General Maximum Price Regulation or Maximum Price Regulation No. 210, the retail ceiling prices under this section are those established under Maximum Price Regulation No. 210.

(2) He shall increase by 4.5 percent those of his ceiling prices established after June 6, 1946 and before August 19, 1946 under the General Maximum Price Regulation or Maximum Price Regulation No. 210 or a central pricing order issued under § 1499.4a of the General Maximum Price Regulation or by an approval under § 1499.3 (e) of the General Maximum Price Regulation or by an approval under § 1499.3 (e) of the same regulation and the order or approval does not provide that the retail ceiling prices established therein may be adjusted under this section; the retailer's ceiling prices under this section are those established by the order or approval.

(3) If his ceiling prices are established after August 18, 1946 by an order under section 11 of this regulation or under § 1499.3 (e) of the General Maximum Price Regulation or by an approval under § 1499.3 (e) of the same regulation and the order or approval does not provide that the retail ceiling prices established therein may be adjusted under this section; the retailer's ceiling prices under this section are those established by the order or approval.

6. Section 11b (b) is amended to read as follows:

(b) Stoves not subject to preticketing by the manufacturer but subject to the Federal excise tax. Included among articles covered by this regulation not subject to preticketing by the manufacturer but subject to the Federal excise tax assessed on the sale by the manufacturer are all ranges including oil combination and bungalow ranges, ovens, cooking stoves, and gas hot plates and gas laundry stoves. A retailer shall determine his ceiling prices for stoves subject to the Federal excise tax but not subject to preticketing by the manufacturer, which he purchases at prices which include an adjustment under section 8b or 11a of this regulation as follows:

(1) He shall increase by 8 percent those of his ceiling prices established at any time under § 1499.2 of the General Maximum Price Regulation or Maximum Price Regulation No. 210, the retail ceiling prices under this section are those properly calculated by the manufacturer and having retail ceiling prices fixed for any stove required to be preticketed by the manufacturer under the provisions of this regulation or any order issued under it and sold by the manufacturer, at prices adjusted under section 8b of this regulation, are the prices properly calculated by the manufacturer under this regulation or orders under it, this paragraph covers but is not limited to the following types of stoves: electric ranges and gas ranges including gas ranges and gas ranges, and combination and gas ranges. Every manufacturer of such ranges who has had retail ceiling prices fixed for those ranges before August 19, 1946, it shall divide his ceiling price by the net unit replacement cost of the comparable article. The retailer shall divide his ceiling price by the net unit replacement cost so that it includes the total adjustments allowed his supplier under either section 8b or 11a of this regulation, whichever is applicable to his supplier's ceiling prices;
guired to recalculate those retail ceiling prices according to the following formula.

(1) He shall determine a markup factor so determined to his f. o. b. factory current ceiling price to the class of purchaser used by him in (1) above for the particular stove he is pricing. If there was no retail ceiling price in effect on March 31, 1946 for the stove he is pricing, he shall use the markup factor determined under subparagraph (2) above and the retail ceiling price of the stove on his line on March 31, 1946 for which there was a retail ceiling price in effect on that date and which is "most comparable" to the model he is pricing. The "most comparable" model is the one which is most like the stove being priced in design, construction, manufacturing process, operation, weight, and fuel type which is distributed through similar trade channels and which has an f. o. b. factory ceiling price to its customer in the greatest volume which is closest to that determined for the model being priced to the same class of purchaser.

(2) He shall apply the markup factor so determined to his f. o. b. factory current ceiling price to the class of purchaser used by him in (1) above for the particular stove he is pricing. If there was no retail ceiling price in effect on March 31, 1946 for the stove he is pricing, he shall use the markup factor determined under subparagraph (2) above and the retail ceiling price of the stove on his line on March 31, 1946 for which there was a retail ceiling price in effect on that date and which is "most comparable" to the model he is pricing. The "most comparable" model is the one which is most like the stove being priced in design, construction, manufacturing process, operation, weight, and fuel type which is distributed through similar trade channels and which has an f. o. b. factory ceiling price to its customer in the greatest volume which is closest to that determined for the model being priced to the same class of purchaser.

(3) He shall then add to the result of (2) above the Federal excise tax applicable to his current sale of the stove he is pricing to the class of purchaser who buys that stove from him in the largest volume and the amount he deducted in (1) above on account of freight, delivery and installation.

The result of this addition, rounded to the nearest multiple of 25 cents is the retail ceiling price of the stove in Zone 1. The manufacturer shall determine retail ceiling prices for sales of the same stove in zones other than Zone 1 by adding to the Zone 1 retail ceiling price determined as above, the dollar-and-cent amount of the previously established differential in effect before June 7, 1946, on the same model between retail ceiling prices in Zone 1 and in each of the other zones.

8. A new section 11b (d) is added to read as follows:

(d) Establishment of retail ceiling prices for new model stoves of a type for which dollar-and-cent retail ceiling prices have been established before August 19, 1946 either by order under section 11 of this regulation or by calculation by the manufacturer under section 11e—(1) Formula method. If no retail ceiling prices have been established before August 19, 1946 for sales of any stove of a type for which dollar-and-cent retail ceiling prices have been established under sections 11 or 11e of this regulation, the manufacturer may not sell that stove to the public unless it is limited to electric ranges, gas ranges, gas bungalow ranges and gas combination ranges, and the manufacturer has determined his f. o. b. factory ceiling prices for sales of similar stoves of a comparable type to mail order houses under section 3 or 7 and has adjusted them under section 8b, the retail ceiling prices are the prices determined by the manufacturer according to the following formula:

(i) He shall find the model of stove in his line for which he has a Zone 1 retail ceiling price based upon an order issued under section 11 before August 19, 1946 and which is "comparable" to the stove being priced. The "comparable" model is the one which is most like the stove being priced in design, construction, manufacturing process, operation, weight, and fuel type which is distributed through similar trade channels and which has an f. o. b. factory ceiling price to the class of purchaser who buys it from the manufacturer in the greatest volume which is closest to that determined for the model being priced to the same class of purchaser.

(ii) He shall find his markup factor by dividing the retail ceiling price in Zone 1 of the comparable model (exclusive of the Federal excise tax and any amount included therein on account of freight, delivery and installation) by its f. o. b. factory ceiling price to the class of purchaser who buys the model from him in the largest volume.

(iii) He shall apply the markup factor so determined to his current f. o. b. factory ceiling price exclusive of the Federal excise tax for his sales of the stove being priced to the same class of purchaser used in (ii) above. The result, increased by the Federal excise tax applicable to his f. o. b. factory ceiling price for his sales of the model being priced to the class of reseller to whom he sells at his lowest ceiling price, and the amount included in the retail ceiling price of the comparable model on account of freight, delivery and installation, and rounded to the nearest multiple of 25 cents is the retail ceiling price in Zone 1 of the stove being priced.

He shall determine the retail ceiling prices of the stove being priced in zones other than Zone 1 by adding to the Zone 1 retail ceiling price determined in accordance with this subparagraph, the dollar-and-cent amount of the differential in effect before June 7, 1946 on the comparable model between its retail ceiling prices in Zone 1 and in each of the other zones.

In the case of stoves sold to mail order houses selling stoves through their regular channels of distribution, required to be ticketed with their retail ceiling prices by the mail order house instead of by the manufacturer, the mail order house may itself compute its retail ceiling prices in accordance with the formula stated above, provided it has retail ceiling prices established under section 11 for its sales of a comparable stove produced by the same manufacturer but which produced the stove it is pricing.

(2) Retail ceiling prices established by order. A manufacturer or mail order house which determines under subparagraph (1) of this paragraph (d) the retail ceiling prices applicable to sales of a particular model of electric range, gas range, gas combination range, gas bungalow range, gas combination bungalow range or any other stove of a type for which dollar-and-cent retail ceiling prices have been established before August 19, 1946 under section 11 or 11e of this regulation, the first manufacturer to establish its ceiling prices after August 18, 1946, shall apply under this paragraph for the establishment of retail ceiling prices for that particular model. Orders will be issued under section 11 of this regulation establishing retail ceiling prices for such stoves in line with the level of ceiling prices established for similar stoves under the applicable regulations. An application under this subparagraph shall state the name of the applicant, the manufacturer producing the stove being priced, its model designation, and a statement of the reason why the applicant cannot determine retail ceiling prices for the stove under subparagraph (1) of this paragraph (d). Retail ceiling prices established under section 11b (d) unless an order issued under this regulation provides otherwise, after August 18, 1946 a manufacturer or mail order house, may not display, offer for sale, sell or deliver any stove the retail ceiling prices of which it has determined under this paragraph (d) unless there is securely attached to the stove in accordance with the requirements of section 3b of this regulation a label containing the model designation and retail ceiling price in each zone of every such stove. This report must be filed within 15 days after the particular model is first sold or offered for sale by the manufacturer ticketed with the retail ceiling prices determined or redetermined under this regulation. If the prices so reported are incorrect this Office may issue an order under this section establishing the correct retail ceiling prices.

This amendment shall become effective on the thirteenth day of August 1946.

9. Section 11d (b) is amended by changing the date in the first line thereof from July 7, 1946 to August 19, 1946.

10. Section 11e is deleted from the regulation.

11. Section 12e is amended to read as follows:

Sec. 12e. Reporting of retail ceiling prices. Every manufacturer who determines or redetermines the retail ceiling prices for any of his stoves in accordance with section 11b or 11e of this regulation and is required to preticket that stove with the retail ceiling prices so determined in accordance with sections 11b (d) or 11d of this regulation is required to send a report to the Office of Price Administration, W.D. C., containing the model designation and retail ceiling price in each zone of every such stove. This report must be filed within 15 days after the particular model is first sold or offered for sale by the manufacturer ticketed with the retail ceiling prices determined or redetermined under this regulation. If the prices so reported are incorrect this Office may issue an order under this section establishing the correct retail ceiling prices.

Paul A. Porter, Administrator.
PART 1305—ADMINISTRATION
[SO 129, Amdt. 42]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF MACHINES, PARTS, INDUSTRIAL MATERIALS AND SERVICES

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

Supplementary Order 129 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. Articles exempted from price control. Notwithstanding the provisions of any price regulation or order hereofore issued by the Office of Price Administration, or any price regulation or order hereafter issued by the Office of Price Administration, except an amendment of this order, all purchases, sales, deliveries, rentals and offers to do the same, unless otherwise stated below, of any of the machines, parts, industrial materials and services listed in the sections appearing under this article are exempt from price control. The exemption of a commodity does not, however, exempt installed sales or installation services in connection with such commodity, unless it is specifically so provided. The heading of each section of this article indicates the commodity, parts, industrial materials and services listed.

2. Section 3(b) is amended by adding the following to the list of commodities thereafter:

Steelbound skid platforms.

3. Section 6(b) is amended by adding the following to the list of commodities thereafter:

Passenger automobiles, 4 wheel, complete body, designed to sell and selling at retail f.o.b. factory for less than $400 exclusive of taxes.

4. Section 8(b) is amended by adding the following to the list of commodities thereafter:

Horse trailers.

5. Section 9 is amended to read as follows:

Sec. 9. Articles suspended from price control. Notwithstanding the provisions of any price regulation or order hereofore issued by the Office of Price Administration, except an amendment of this order, price control is suspended as to all purchases, sales, deliveries, rentals, and offers to do the same, unless otherwise stated below, of any of the machines, parts, industrial materials and services listed in the sections appearing under this article. These suspensions are for an indefinite period of time except when it is otherwise specifically provided by the Administrator. The suspension of price control as to a commodity does not suspend control as to installed sales or installation services in connection with such commodity, unless it is specifically so provided. The heading of each section of this article indicates the commodity price branch of the National Office having jurisdiction over the machines, parts, industrial materials and services listed.

6. Section 14 (a) (4) (i) is amended to read as follows:

(i) “Automotive vehicle” means a passenger automobile, truck, truck tractor, electric, diesel or gasoline motor driven bus, ambulance, hearse, flower car, airport limousine, mobile fire apparatus, motorcycle, or trailer designed for “on the highway” use.

7. Section 14 (d) is amended by adding the following to the list of vehicles thereafter:

Automobile transport trailers.

Boat trailers.

Dump trailers.

Horse trailers.

Logging trailers.

Low-bed machinery trailers.

Oil well drilling equipment trailers.

Fare trailers.

Public service company trailers.

Special trailers designed as traveling show rooms, traveling offices or for carnival or circus exhibition purposes.

Sugar cane trailers.

This amendment shall become effective August 10, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14943; Filed, Aug. 16, 1946; 11:49 a.m.]

PART 1305—ADMINISTRATION
[Rev. SO 150]

ADDITIONS TO MILL CEILING PRICES ON DIRECT-MILL SALES BY DIRECT-MILL DISTRIBUTORS AND DISTRIBUTION YARDS

Additions to mill ceiling prices on direct-mill sales by direct-mill distributors and by distribution yards.

(a) Mark-up on wholesale type direct-mill sale. Subject to the exceptions and limitations set forth in paragraphs (c) (d) of this section, direct-mill distributors and distribution yards may on a wholesale type direct-mill sale add 5 percent to the mill maximum price established in or approved by this regulation. The addition may be evened out to the nearest quarter dollar per M'BM, or in the case of lath, to the nearest 5 cents per 1,000 pieces, or in the case of shingles or shakes, to the nearest 5 cents per square, or the addition may be added as one lump sum to the total amount of the bill based on the mill maximum price.

(b) Mark-up on a transmission type direct-mill sale. Subject to the exceptions and limitations set forth in paragraph (f), the maximum price for lumber purchased and sold under this regulation on a transmission type direct-mill sale may be 3 percent higher than the mill maximum price. The mill maximum price, including the commission, may be evened out to the nearest quarter dollar per M'BM, or in the case of lath, to the nearest 5 cents per 1,000 pieces, or in the case of shingles or shakes, to the nearest 5 cents per square, or the addition may be added as one lump sum to the total amount of the bill based on the mill maximum price. The mill must pay to the commission man at least the amount added as one lump sum so that the mill’s realization shall not exceed the mill maximum prices.

(c) Pyramiding prohibited. The price additions permitted in this section may not be added more than once to the mill maximum price in the regulation regardless of the number of persons participating in the transaction.

Application for, and granting of registration as a direct-mill distributor.

All persons desiring to operate as direct-mill distributors must apply to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., and receive, a registration number before charging or receiving the addition provided in paragraphs (a) (b) of this section. Distribution yards need not apply.

The application shall contain either a statement showing all connections which the applicant has with any mill, concentration yard, or other lumber producer, which may have any bearing on the question of “control relationship” as described in paragraph (f) of this section, or a statement showing that he has no connection with any lumber producer, which has any bearing on the question of “control relationship” as described in paragraph (f) of this section. Any one previously registered as a direct-mill distributor under Supplementary Order 150 may continue to act under such regulation without resubmitting.

Definition of terms—(1) Direct-mill sales. A direct-mill sale is one which originates at a mill, or concentration yard, and in which the lumber goes direct to a consumer or distribution yard without becoming a part of the stock of any intervening purchaser.
(3) Direct-mill distributor. A direct-mill distributor is a wholesaler or commissioned retailer registered in or after July 1, 1943, by the Lumber Branch of the Office of Price Administration, Washington, D. C., and receives his registration number.

(4) Distribution yard. A distribution yard is a wholesale or retail lumber yard as defined in 2nd Revised Maximum Price Regulation 215.

(5) Wholesale type direct-mill sale. A wholesale type direct-mill sale is a direct-mill sale in which the buyer buys lumber from a mill, wholesaler or concentration yard, and sells the lumber to the buyer in the direct-mill sale, which was established in or after July 1, 1943.

(6) Commission-type sale. A commission-type sale is a direct-mill sale through a commission man. For the purposes of this section, a commission man is a distribution yard or a person who represents, and customarily sells lumber in carload quantities for, two or more mills or concentration yards which sell lumber to such other. Also, his compensation from the mills in the form of commission based on the amount of the lumber sold, and operates independently of both buyer and seller.

(7) Exceptions and limitations. The mark-ups permitted in this section may not be made in the following cases:

(1) On any sale of lumber under this regulation for which the invoices from the mill or concentration yard does not contain the statement "This mill has no control relationship with (name of distributor) as defined in Revised Supplementary Order 159".

(2) On any sale of less than carload quantities when shipped by rail, except that a sale for resale purposes in less than carload quantities when shipped in a pool carload may carry the mark-up.

(3) On any sale of less than 5M'EM when shipped by truck or water.

(4) On any sale which carries an addition for a direct-mill retail type sale.

(5) On any sale of lumber which originates at a mill or concentration yard, or by a mill or concentration yard in the profits, return or realization of a direct-mill distributor, and includes common ownership or control of a mill and direct-mill distributor by a third person. It also includes any arrangement whereby a distributor or producer shares in the profits of the other, whether such arrangement is oral or written, direct or indirect. Where a mill, concentration yard, or direct-mill distributor is a corporation, stock ownership of more than 10 percent of the total issued and outstanding stock by a direct-mill distributor in the mill or concentration yard, or vice versa, constitutes a "control relationship".

(6) Family relationship. A family relationship consists if any member of the family of the owner or part owner to the extent of more than 10 percent of a mill or concentration yard, has any interest in a direct-mill distributor, or vice versa, and such interest was acquired on or after July 1, 1943.

(7) Upon the requirements of a distributor's direct-mill wholesale type sale. The invoice on any distributor's direct-mill wholesale type sale must be plainly marked "wholesaler's direct-mill sale" and must show the name and registration number of the direct-mill distributor. The invoice must also bear the following endorsement: 'The lumber covered by this invoice did not originate at a mill or concentration yard with which we have a control relationship'.

(8) Invoicing requirements on direct-mill commission type sale. The Invoice on any direct-mill commission type sale must be plainly marked "commission man's direct-mill sale" and must show the name and registration number of the direct-mill distributor. The invoice must also bear the following endorsement: 'We do not have a control relationship with (name of the distributor)'.

(9) Maximum price when endorsement on invoice required. A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.
(2) (1) Maximum prices in cents per net ton for coals produced at strip-mines for shipment to all destinations by all methods of transportation (except truck or wagon) and for all uses, except railroad fuel and smelting coal.

<table>
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<tr>
<th>Classification</th>
<th>Maximum prices in cents per net ton</th>
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(ii) The maximum prices for coals produced at strip-mines for all railroad fuel uses shall be the maximum price for the grade and size shipped as set forth in (i) above, or as set forth in the table of Consolidated Railroad Fuel Price groups set forth in this subparagraph (ii) below, whichever is higher.

<table>
<thead>
<tr>
<th>Classification</th>
<th>Maximum prices by size group Nos.</th>
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<tr>
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3. Smelting coal. (1) The maximum price for smelting coal produced at underground mines in all size groups for shipment to all destinations by all methods of transportation shall be 526 cents per net ton.

(2) The maximum price for smelting coal produced at strip-mines in all size groups for shipment to all destinations by all methods of transportation shall be 439 cents per net ton.

4. Specific descriptions of size group numbers referred to in subparagraph (l) and (2) of this paragraph (b).

Size groups Nos.: Description
1 and 2. All single-screened lump coals and double-screened egg coals with a bottom size larger than 24".
3 and 4. All single-screened lump coals with a bottom size 24" and smaller, and all double-screened egg coals with a bottom size larger than 36".
5. All double-screened, nut, pea and stoker coals with a top size not exceeding 24".
6. Straight mine run, all mine run resultants larger than 24", and any mine run altered by the removal of any intermediate size.
7 and 8. Screens larger than 3/4 x 0 but not exceeding 24" x 0.
9 and 10. Screens larger than 3/4 x 0 but exceeding 24" x 0.
11. Screens, top size, not exceeding 3/4".

(c) A producer who was rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941, and was making a charge for the service may continue to make the same charge as provided in §1340.210 (a) (10). A producer, who was not performing the service in the period October 1-15, 1941, and was not making a charge for the service may charge an amount not in excess of 10 cents per net ton for such service where: First, the purchaser of the coal requires it; Second, the producer has adequate facilities for preparing the treatment of coal; Third, the treatment is performed in an adequate and thorough manner; Fourth, the charge for the service is separately stated on the producer's invoice or other memorandum of sale; and Fifth, the producer has filed a report with the Solid Fuels Branch, Office of the Price Administrator, Washington, D. C., designating the service he expects to perform and describing the facilities and materials he will use in performing the services. In the event there appears to be an inadequate basic for making the charge, the Office of Price Administration may at any time deny permission to make the charge as to future transaction by notice to the producer in writing.

(d) Applications for adjustment of maximum prices for strip-mined coals. The Price Administrator may by order grant an increase in the maximum prices for strip-mined coals, upon application being filed within 90 days of the date of publication of the Administrator's final order, or before March 15, 1941, whichever is later, upon showing that the producer is unable to prepare the coal to be transported and sold in an adequate and thorough manner.

(1) An order may be issued, increasing the strip-mines maximum price by 61 cents per net ton for all methods of transportation except truck or wagon and 36 cents per net ton for truck or wagon shipments, upon application being filed within the following counties.

(2) An order may be issued, increasing the strip-mines maximum price by 61 cents per net ton for all methods of transportation except truck or wagon and 36 cents per net ton for truck or wagon shipments, upon application being filed within the following counties.
fourth, that the mixture of deep-mined and strip-mined coals contains not less than approximately 25% of deep-mined coals which have been blended with the strip-mined coals in preparation.  

(3) Orders issued under this paragraph may be amended or revoked at any time. Failure to observe the above described preparation standards or maintain the proper mixture of deep and strip-mined coals shall constitute grounds for immediate revocation.

This amendment shall become effective August 21, 1946.

Issued this 16th day of August 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.

PAUL A. PORTER,  
Administrator.  

[F. R. Doc. 46-14465; Filed, Aug. 16, 1946; 12:00 m.]  

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

[MPR 450, AMDT. 11]  

WRITING PAPER AND CERTAIN OTHER FINE PAPERS  

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 450 is amended in the following respects:

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

(1) Base prices:  

| Grade | Maximum base price per cwt., jumbo rolls, zone 1 |
|-------|--------------------------------|--------------------------------|--------------------------------|
| 17 lbs. | 15 lbs. | 20 lbs. |
| Extra 100 percent rag bond | $38.15 | $33.15 | $30.15 |
| 100 percent rag bond | 27.15 | 27.15 | 27.15 |
| 85 percent rag bond | 19.65 | 18.35 | 18.35 |
| 75 percent rag bond | 15.70 | 15.70 | 15.70 |

Related grades include but are not limited to: 
- Air dried bond (watermarked) 
- No. 1 bond (M. F.) watermarked 
- No. 2 bond (M. F.) watermarked 
- Plain bond (M. F.) unwatermarked

2. Appendix A (b) (1) is amended to read as follows:  

(1) Base prices:  

| Grade | Maximum base price per cwt., jumbo rolls, Zone 1 |
|-------|--------------------------------|--------------------------------|--------------------------------|
| Sub. 1T | Sub. 1B | Sub. 2T |
| 100% rag blue print | $22.20 | $22.20 | $22.20 |

The maximum base price of any related grade may be increased by an amount equivalent to the increase granted by Amendment 11 to MPR 450 to the grade to which it is related and for which maximum base prices are spelled out above: Provided, That, in no event may the maximum base price of the related grade be increased to exceed $10.00 per cwt.

Related grades include but are not limited to: 
- Register bond, fan form and salesbook bond, writings, addressograph, special colored or special watermarkd bonds, special purpose bonds

11. Appendix B (a) (1) is amended to read as follows:  

(1) Base prices:  

| Grade | Maximum base price per cwt., jumbo rolls, Zone 1 |
|-------|--------------------------------|--------------------------------|--------------------------------|
| Sub. 1T | Sub. 1B | Sub. 2T |
| 100% rag blue print | $22.20 | $22.20 | $22.20 |

The maximum base price of any related grade may be increased by an amount equivalent to the increase granted by Amendment 11 to MPR 450 to the grade to which it is related and for which maximum base prices are spelled out above: Provided, That, in no event may the maximum base price of the related grade be increased to exceed $10.00 per cwt.

Related grades include but are not limited to: 
- Loose leaf machine posting ledgers and special chemical wood pulp ledgers

12. Appendix B (c) (1) is amended to read as follows:
13. Appendix B (c) (2) is amended to read as follows:

(2) Exception to general rule on freight absorption and zone differentials. The general rule as stated in section 15 (d) and (e) is modified as follows: On orders for less than 250 lbs., maximum prices are f. o. b. mill, with no freight allowances required. On orders for 250 lbs. or more, maximum prices are f. o. b. mill with lowest available carload rate of freight allowed to buyer's home city, except that the manufacturer is not required to make such allowances at any rate in excess of $0.35 per cwt. Zone differentials are not permitted.

14. Appendix B (d) (1) is amended to read as follows:

(1) Base prices:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Maximum base price per cwt., jumbo rolls, zone 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1, papeterie or wedding</td>
<td>$10.00</td>
</tr>
<tr>
<td>No. 2, papeterie or wedding</td>
<td>$10.00</td>
</tr>
<tr>
<td>No. 3, papeterie or wedding</td>
<td>$10.00</td>
</tr>
<tr>
<td>Plain papeterie</td>
<td>$10.00</td>
</tr>
</tbody>
</table>

The maximum base price of any related grade may be increased by an amount equivalent to the increase granted by Amendment 11 to MPR 450 to the grade to which it is related and for which maximum base prices are spelled out above: Provided, That in no event may the maximum base price of the related grade be increased to exceed $10.00 per cwt.

15. Appendix B (e) (1) is amended to read as follows:

(1) Base prices:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Maximum base price per cwt., jumbo rolls, zone 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1, index Bristol</td>
<td>$10.00</td>
</tr>
<tr>
<td>No. 2, index Bristol</td>
<td>$10.00</td>
</tr>
<tr>
<td>No. 3, index Bristol</td>
<td>$10.00</td>
</tr>
</tbody>
</table>

The maximum base price of any related grade may be increased by an amount equivalent to the increase granted by Amendment 11 to MPR 450 to the grade to which it is related and for which maximum base prices are spelled out above: Provided, That in no event may the maximum base price of the related grade be increased to exceed $10.00 per cwt.

16. In Appendix B (f) the first paragraph beginning "Chemical wood pulp cover papers and related grades" is deleted.

17. Appendix B (f) (1) is amended to read as follows:

(1) Base prices:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Maximum base price per cwt., jumbo rolls, zone 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1, cover, plain edge</td>
<td>$10.00</td>
</tr>
<tr>
<td>No. 2, cover, plain edge</td>
<td>$9.10</td>
</tr>
<tr>
<td>No. 3, cover, 25 percent groundwood, plain edge</td>
<td>$7.70</td>
</tr>
</tbody>
</table>

The maximum base price of any related grade may be increased by an amount equivalent to the increase granted by Amendment 11 to MPR 450 to the grade to which it is related and for which maximum base prices are spelled out above: Provided, That in no event may the maximum base price of the related grade be increased to exceed $10.00 per cwt.

This amendment shall become effective August 16, 1946.

Issued this 16th day of August, 1946.

PAUL A. PORTER,
Administrator.

[For R. Doc. 46-14377, Filed, Aug. 15, 1946; 11:58 a.m.]
Porch Rail
Hand Rail
Shelf Cleat
Picture Molding
Panel Strips
Stools
Lattice
Drip Cap and Water Table
Back Band
Cap Trim
Floor and Base Moulding
Astragal
Baluster Stock
Casing, Base and Apron

2. Section 25a is amended to read as follows:

Sec. 25a. Definition of house mouldings for jobbers' sales of mouldings. The term "house mouldings" as used in sections 26-45 inclusive means any standard moulding as defined in section 4 (a) and any special moulding tabulated below. Any other special moulding is considered an industrial moulding.

For patterns with list prices under 95 cents—Net List.

For patterns with list prices 95 cents and over—plus 71/2%.

For small sizes of industrial mouldings listed in Table I the above discount (or reduce the markup) 121/2 points.

(2) For Western pine house moulding patterns not listed in Table I, the list prices in the indicated column in Table II of section 6 less the discounts or plus the markups as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discount (or reduce the markups) 12 points.

4. That part of section 27 immediately preceding section 27 (a) (3) is amended to read as follows:

Sec. 27. Maximum prices in the Metropolitan New York Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Metropolitan New York Area are as follows:

1. That part of section 26 immediately preceding section 26 (a) (3) is amended to read as follows:

Sec. 26. Maximum prices in the New England area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the New England area are as follows:

3. That part of section 28 immediately preceding section 28 (a) (3) is amended to read as follows:

Sec. 28. Maximum prices in the Eastern Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Eastern Area are as follows:

1. That part of section 29 immediately preceding section 29 (a) (3) is amended to read as follows:

Sec. 29. Maximum prices in the North Central Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the North Central Area are as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discount (or reduce the markups) 121/2 points.

6. That part of section 29 immediately preceding section 29 (a) (3) is amended to read as follows:

For patterns with list prices under 95 cents—Net List.

For patterns with list prices 95 cents and over—plus 71/2%.

For small sizes of industrial mouldings listed in Table I lengthen the above discount (or reduce the markup) 121/2 points.

(2) For Western pine house moulding patterns not listed in Table I, the list prices in the indicated column in Table II of section 6 less the discounts or plus the markups as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discount (or reduce the markups) 121/2 points.

5. That part of section 29 immediately preceding section 29 (a) (3) is amended to read as follows:

Sec. 29. Maximum prices in the North Central Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the North Central Area are as follows:

1. That part of section 29 immediately preceding section 29 (a) (3) is amended to read as follows:

Sec. 29. Maximum prices in the North Central Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the North Central Area are as follows:

For patterns with list prices under 95 cents—Net List.

For patterns with list prices 95 cents and over—plus 71/2%.

For small sizes of industrial mouldings listed in Table I lengthen the above discount (or reduce the markup) 121/2 points.

(2) For Western pine house moulding patterns not listed in Table I, the list prices in the indicated column in Table II of section 6 less the discounts or plus the markups as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discount (or reduce the markups) 121/2 points.

5. That part of section 28 immediately preceding section 28 (a) (3) is amended to read as follows:

Sec. 28. Maximum prices in the Eastern Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Eastern Area are as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discount (or reduce the markups) 121/2 points.

6. That part of section 28 immediately preceding section 28 (a) (3) is amended to read as follows:

Sec. 28. Maximum prices in the Eastern Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Eastern Area are as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discount (or reduce the markups) 121/2 points.

5. That part of section 28 immediately preceding section 28 (a) (3) is amended to read as follows:

Sec. 28. Maximum prices in the Eastern Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Eastern Area are as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discount (or reduce the markups) 121/2 points.
For industrial mouldings in sizes not listed in Table I lengthen the above discounts (or reduce the markups) 12 1/2% points.

7. That part of section 30 immediately preceding section 30 (a) (3) is amended to read as follows:

Sec. 30. Maximum prices in the Mid-Northern Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Mid-Northern Area are as follows:

(1) For small sizes of Western pine house mouldings, the list prices in Table I of section 6 less the following discounts or plus the markups as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discounts (or reduce the markups) 12% points.

8. That part of section 31 immediately preceding Section 31 (a) (3) is amended to read as follows:

Sec. 31. Maximum prices in the Minnesota and Western Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Minnesota and Western Area are as follows:

For patterns with list prices 95 cents and over—discount 7%. For small sizes of industrial mouldings listed in Table I lengthen the above discount (or reduce the markup) 12 1/2% points.

(2) For Western pine house moulding patterns not listed in Table I, the list prices in the indicated column in Table II of section 6 less the discounts or plus the markups as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discounts (or reduce the markups) 12 1/2% points.

9. That part of section 32 immediately preceding section 32 (a) (3) is amended to read as follows:

Sec. 32. Maximum prices in the Southeastern Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Southeastern Area are as follows:

(1) For small sizes of Western pine house mouldings, the list prices in Table I of section 6 less the following discounts or plus the following markups:

For patterns with list prices 95 cents and over—discount 5%. For small sizes of industrial mouldings listed in Table I lengthen the above discount (or reduce the markup) 12 1/2% points.

(2) For Western pine house moulding patterns not listed in Table I, the list prices in the indicated column in Table II of section 6 less the discounts or plus the markups as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discounts (or reduce the markups) 12 1/2% points.

10. That part of section 33 immediately preceding section 33 (a) (3) is amended to read as follows:

Sec. 33. Maximum prices in the South Central Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the South Central Area are as follows:

For patterns with list prices 95 cents and over—Discount 6%. For small sizes of industrial mouldings listed in Table I lengthen the above discount (or reduce the markup) 12 points.

(2) For Western pine house moulding patterns not listed in Table I, the list prices in the indicated column in Table II of section 6 less the discounts or plus the markups as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discounts (or reduce the markups) 12% points.
For industrial mouldings in sizes not listed in Table I lengthen the above discounts (or reduce the markups) 11 points.

12. That part of section 35 immediately preceding section 35 (a) (3) is amended to read as follows:

Sec. 35. Maximum prices in the West Central Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the West Central Area are as follows:

(1) For small sizes of Western pine house mouldings, the list prices in Table I of section 6 less the following discounts or plus the following markups:

For patterns with list prices under 95 cents—discount 2%. For patterns with list prices 95 cents and over—discount 1%. For small sizes of industrial mouldings listed in Table I lengthen the above discount 12 points.

(2) For Western pine house moulding patterns not listed in Table I, the list prices in the indicated column in Table II of section 6 less the discounts or plus the markups are as follows:

For small sizes of Western pine house mouldings, the list prices in Table I of section 6 less the following discounts or plus the markups are as follows:

(1) For small sizes of Western pine house mouldings, the list prices in Table I of section 6 less the discounts or plus the markups are as follows:

(2) For Western pine house moulding patterns not listed in Table I, the list prices in the indicated column in Table II of section 6 less the discounts or plus the markups are as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discounts (or reduce the markups) 11 points.

14. That part of section 37 immediately preceding section 37 (a) (3) is amended to read as follows:

Sec. 37. Maximum prices in the Denver Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Denver Area are as follows:

(1) For small sizes of Western pine house mouldings, the list prices in Table I of section 6 less the following discounts:

(2) For Western pine house moulding patterns not listed in Table I, the list prices in the indicated column in Table II of section 6 less the discounts or plus the markups are as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discounts (or reduce the markups) 12 points.

16. That part of section 39 immediately preceding section 39 (a) (3) is amended to read as follows:

Sec. 39. Maximum prices in the Boise Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Boise Area are as follows:

(1) For small sizes of Western pine house mouldings, the list prices in Table I of section 6 less the following discounts:

(2) For Western pine house moulding patterns not listed in Table I, the list prices in the indicated column in Table II of section 6 less the discounts or plus the markups are as follows:

For industrial mouldings in sizes not listed in Table I lengthen the above discounts (or reduce the markups) 12 points.

15. That part of section 38 immediately preceding section 38 (a) (3) is amended to read as follows:

Sec. 38. Maximum prices in the Salt Lake City Area—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Salt Lake City Area are as follows:

(1) For small sizes of Western pine house mouldings, the list prices in Table
For industrial mouldings in sizes not listed in Table I lengthen the above discounts (or reduce the markups) 10 1/2 points.

17. That part of section 40 immediately preceding section 40 (a) (3) is amended to read as follows:

Section 40. Maximum prices in the Spokane Area.—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Spokane Area are as follows:

(1) For small sizes of Western pine house mouldings, the list prices in Table I of section 6 less the following discounts:

<table>
<thead>
<tr>
<th>Item</th>
<th>Column</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4&quot; and thinner</td>
<td>1. 2 Less 15% Less 4</td>
</tr>
<tr>
<td>3/4&quot; and 1/2&quot;</td>
<td>3 and 4 Less 15% Less 4</td>
</tr>
<tr>
<td>1/2&quot; and 3/8&quot;</td>
<td>4. Less 15% Plus 1%</td>
</tr>
<tr>
<td>5/8&quot; and 3/4&quot;</td>
<td>5. Plus 2%</td>
</tr>
<tr>
<td>7/8&quot; and over</td>
<td>6. 7, 8 Plus 3%</td>
</tr>
</tbody>
</table>

18. That part of section 41 immediately preceding section 41 (a) (3) is amended to read as follows:

Section 41. Maximum prices in the Puget Sound Area.—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Puget Sound Area are as follows:

(1) For small sizes of Western pine house mouldings, the list prices in Table I of section 6 less the following discounts:

<table>
<thead>
<tr>
<th>Item</th>
<th>Column</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4&quot; and thinner</td>
<td>1. 2 Less 15% Less 4</td>
</tr>
<tr>
<td>3/4&quot; and 1/2&quot;</td>
<td>3 and 4 Less 15% Less 4</td>
</tr>
<tr>
<td>1/2&quot; and 3/8&quot;</td>
<td>4. Less 15% Plus 1%</td>
</tr>
<tr>
<td>5/8&quot; and 3/4&quot;</td>
<td>5. Plus 2%</td>
</tr>
<tr>
<td>7/8&quot; and over</td>
<td>6. 7, 8 Plus 3%</td>
</tr>
</tbody>
</table>

For industrial mouldings in sizes not listed in Table I lengthen the above discounts (or reduce the markups) 11 1/2 points.

19. That part of section 42 immediately preceding section 42 (a) (3) is amended to read as follows:

Section 42. Maximum prices in the Portland Area.—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Portland Area are as follows:

(1) For small sizes of Western pine house mouldings, the list prices in Table I of section 6 less the following discounts:

<table>
<thead>
<tr>
<th>Item</th>
<th>Column</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4&quot; and thinner</td>
<td>1. 2 Less 15% Less 4</td>
</tr>
<tr>
<td>3/4&quot; and 1/2&quot;</td>
<td>3 and 4 Less 15% Less 4</td>
</tr>
<tr>
<td>1/2&quot; and 3/8&quot;</td>
<td>4. Less 15% Plus 1%</td>
</tr>
<tr>
<td>5/8&quot; and 3/4&quot;</td>
<td>5. Plus 2%</td>
</tr>
<tr>
<td>7/8&quot; and over</td>
<td>6. 7, 8 Plus 3%</td>
</tr>
</tbody>
</table>

20. That part of section 43 immediately preceding section 43 (a) (3) is amended to read as follows:

Section 43. Maximum prices in the Southern California Area.—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Southern California Area are as follows:

(1) For small sizes of Western pine house mouldings the list prices in Table I of section 6 less the following discounts:

For patterns with list prices under 95 cents—discount 15%.

For patterns with list prices 95 cents and over—discount 8%.

For small sizes of industrial mouldings listed in Table I lengthen the above discounts 11 1/2 points.

(2) For Western pine house moulding patterns not listed in Table I, the list prices in the indicated column in Table II of section 6 less the discounts or plus the markups as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Column</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4&quot; and thinner</td>
<td>1. 2 Less 15% Less 4</td>
</tr>
<tr>
<td>3/4&quot; and 1/2&quot;</td>
<td>3 and 4 Less 15% Less 4</td>
</tr>
<tr>
<td>1/2&quot; and 3/8&quot;</td>
<td>4. Less 15% Plus 1%</td>
</tr>
<tr>
<td>5/8&quot; and 3/4&quot;</td>
<td>5. Plus 2%</td>
</tr>
<tr>
<td>7/8&quot; and over</td>
<td>6. 7, 8 Plus 3%</td>
</tr>
</tbody>
</table>

For patterns with list prices under 95 cents—discount 15%.

For patterns with list prices 95 cents and over—discount 8%.

For small sizes of industrial mouldings listed in Table I lengthen the above discounts 11 1/2 points.

21. That part of section 44 immediately preceding section 44 (a) (3) is amended to read as follows:

Section 44. Maximum prices in the Northern California Area.—(a) Maximum prices. The maximum prices for a jobber sale of softwood mouldings delivered in the Northern California Area are as follows:

(1) For small sizes of Western pine house mouldings, the list prices in Table I of section 6 less the following discounts:

<table>
<thead>
<tr>
<th>Item</th>
<th>Column</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4&quot; and thinner</td>
<td>1. 2 Less 15% Less 4</td>
</tr>
<tr>
<td>3/4&quot; and 1/2&quot;</td>
<td>3 and 4 Less 15% Less 4</td>
</tr>
<tr>
<td>1/2&quot; and 3/8&quot;</td>
<td>4. Less 15% Plus 1%</td>
</tr>
<tr>
<td>5/8&quot; and 3/4&quot;</td>
<td>5. Plus 2%</td>
</tr>
<tr>
<td>7/8&quot; and over</td>
<td>6. 7, 8 Plus 3%</td>
</tr>
</tbody>
</table>

For patterns with list prices under 95 cents—discount 16%.

For patterns with list prices 95 cents and over—discount 9 1/2%.

For small sizes of industrial mouldings listed in Table I lengthen the above discounts 11 1/2 points.

(2) For Western pine house moulding patterns not listed in Table I, the list prices in the indicated column in Table II of section 6 less the discounts or plus the markups as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Column</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4&quot; and thinner</td>
<td>1. 2 Less 15% Less 4</td>
</tr>
<tr>
<td>3/4&quot; and 1/2&quot;</td>
<td>3 and 4 Less 15% Less 4</td>
</tr>
<tr>
<td>1/2&quot; and 3/8&quot;</td>
<td>4. Less 15% Plus 1%</td>
</tr>
<tr>
<td>5/8&quot; and 3/4&quot;</td>
<td>5. Plus 2%</td>
</tr>
<tr>
<td>7/8&quot; and over</td>
<td>6. 7, 8 Plus 3%</td>
</tr>
</tbody>
</table>

For patterns with list prices under 95 cents—discount 15%.

For patterns with list prices 95 cents and over—discount 8%.

For small sizes of industrial mouldings listed in Table I lengthen the above discounts 11 1/2 points.
For industrial mouldings in sizes not listed in Table I, lengthen the above discounts or markups 10 points.

This amendment shall become effective August 16, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-14373; Filed, Aug. 16, 1946; 11:56 a. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 2, Amdt. 15]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

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

Section 1 (c) is amended in the following manner:

(1) The heading of section 1 (c) shall be amended to read:

(c) Special selling prices for coffee, milk and beer.

2. Add a new subparagraph (3) to read as follows:

(3) You may increase your April 4 to 10 price of beer sold in 32 oz. bottle by two cents, beer sold in 7 to 12 oz. bottles or cans by one cent, and draught beer sold in 8 oz. or larger glasses by one cent.

This amendment shall become effective August 16, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-14372; Filed, Aug. 16, 1946; 11:49 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 528, Amdt. 8]

TIRES AND TUBES, RECAPING AND REPAIRING, AND CERTAIN REPAIR MATERIALS

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.

Footnote reference 6 is added immediately after the heading of Table A-1 in section 16, and footnote 6 is added immediately at the end of Table A-1, to read as follows:

'The maximum price of a black and white sidewall tire shall be 112.5 percent of the maximum price shown for such size tire in the table above.'

This amendment shall become effective August 21, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-14370, Filed, Aug. 16, 1946; 11:34 a. m.]

PART 1305—ADMINISTRATION

[Rev. SO 152 (1305.160)]

MAXIMUM PRICES FOR SALES OF CERTAIN SLOP CHEST SUPPLIES

Supplementary Order 152 is redesignated Revised Supplementary Order 152 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this Revised Supplementary Order 152, issued simultaneously herewith, has been filed with the Division of the Federal Register.

SECTION 1. What this revised supplementary order does. This revised supplementary order fixes ceiling prices for sales by slop chest dealers direct to vessel operators, who act as such under either domestic or foreign registry, of such slop chest supplies (other than those slop chest supplies exempt or suspended from price control) which, pursuant to arrangements made between the War Shipping Administration and the manufacturers of such supplies, may be pur-
chased by slop chest dealers upon approval of the War Shipping Administration.

Sec. 2. Maximum prices. The maximum prices for sales by slop chest dealers direct to vessel operators, who operate under either domestic or foreign registry, of commodities, supplies (other than those slop chest supplies exempt or suspended from price control) which, pursuant to arrangements between the War Shipping Administration and the manufacturers of such supplies, are purchased by slop chest dealers upon approval of the War Shipping Administration, shall be the total of the invoice cost and transportation charges, if any, plus a mark-up of 22%.

Sec. 3. Definitions. When used here in the following terms have the following meaning:

(a) "Slop chest dealer" means any individual, partnership, association, business trust, corporation or any other organized group of persons whether or not incorporated, regularly engaged in operating a bona fide business of supplying slop chest supplies directly to vessel operators and who have agreed with the War Shipping Administration:

(1) To sell to any vessel, whether operated under domestic or foreign registry, such slop chest supplies (other than those slop chest supplies exempt or suspended from price control) acquired, upon approval of the War Shipping Administration, at prices not in excess of those provided in section 2; and

(2) To furnish to the War Shipping Administration receipts for delivery tickets, invoices and certifications covering all sales to such vessel's operators.

(b) "Slop chest supplies" means all supplies acquired by a vessel operator who operates a vessel under either domestic or foreign registry, for resale aboard said vessel to merchant marine personnel, and which were procured by such vessel operator upon approval of the War Shipping Administration for resale to such vessel operators for immediate delivery on board a vessel.

(c) "Vessel operator" means any individual, partnership, association, business trust, corporation or any other organized group of persons whether or not incorporated (including the United States Government) operating, as the owner or owner's agent, a vessel in foreign or domestic commerce.

Sec. 4. Relation to other regulations or orders. This revised supplementary order, with respect to the commodities and conditions of sale which it covers, supersedes any other regulation or order previously issued by the Office of Price Administration.

Sec. 5. Revocation and amendment. This revised supplementary order may be revoked or amended at any time.

This revised supplementary order shall become effective August 21, 1946.

Issued this 16th day of August, 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14392; Filed, Aug. 16, 1946; 11:54 a. m.]

PART 1305—ADMINISTRATION

[IS 175 (1305.227)]

COUPON REDEMPTION AND OTHER DISCOUNT TRANSACTIONS

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

SECTION 1. Determination of coupon value of commodities offered as premiums—(a) How to determine the coupon exchange rate. Any person who is required by the operation of any regulation to offer to consumers commodities (hereinafter called "premiums") in exchange for coupons distributed in connection with the sale of other commodities and who in the month of March 1942 computed the exchange rate on the basis of premium-cost to him shall exchange premiums for coupon-rate at least equal to (but which need not be greater than) his highest exchange rate (that is, lowest number of coupons per premium-cost), exclusive of special offers, during the month of March, 1942. For the purposes of this order, he shall compute his premium cost on the same basis he used in the month of March 1942 except that where his supplier has stated an "unadjusted" price to him, he shall, unless otherwise directed by the Office of Price Administration, use that unadjusted price in place of his actual invoice cost and that where his supplier has separately stated to him an "OPA adjustment charge," he shall, unless otherwise directed by the Office of Price Administration, not include such charge in his cost.

(b) Reports. Before any person covered in paragraph (a) of this section, and acting under this order, increases the number of coupons required in exchange for any premium, he must file with the Distribution Price Branch, Consumer Goods Price Division, Washington 25, D. C., two copies of a statement containing the following information and have received from the Office of Price Administration a written acknowledgment thereof:

(1) His business name and address;

(2) Identification of the coupon-bearing commodity or commodities;

(3) A description of his coupon exchange plan, with especial reference to the coupon exchange rate in March 1942 and the formula upon which that rate was based.

Sec. 2. Definitions. (a) "Regulation" means a maximum price regulation, temporary maximum price regulation, or supplementary order issued by the Office of Price Administration, or any amendment or supplement thereto or order issued thereunder.

(b) "Coupon" means a coupon, certificate, stamp or other similar token.

(c) "Coupon-rate" means the exchange rate determining the number of coupons required for a premium during a limited period of time specified in advance when it is exchanged for a reduced number of coupons.

This supplementary order shall become effective August 21, 1946.

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

Issued this 16th day of August, 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14397; Filed, Aug. 16, 1946; 11:53 a. m.]

PART 1346—BUILDING MATERIALS

[MPR 224, Amdt. 18]

CEMENT

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 224 is amended in the following respects:

1. In § 1346.104 (a), a new paragraph immediately preceding § 1346.104 (a) (1) is added to read as follows:

The factors which must be used by manufacturers in determining their maximum prices for cement pursuant to this paragraph may be modified to reflect what their March 14 to 15, 1943 maximum prices would have been in the absence of foreign competition where delivery is destined for the following points within Southern Florida: West Palm Beach, Delray Beach, Lake Worth, West Palm Beach, Lantana, Hypoluxo, Boynton Beach, A-313, Delray Beach, Villa Rica, Boca Raton, Deerfield Beach, Pompano, Johns Island, Fort Lauderdale, Lake Worth, Miami, Dania, Hollywood, Hallandale, Ojus, North Miami Beach, North Miami, Uleta, Opa Locka, Miami, and the counties of West Palm Beach, Broward, Lake Worth, and Dade County.

2. Section 1346.112 (b) is amended to read as follows:

(b) Application for individual adjustment. Any manufacturer of cement covered by this regulation may file an application for adjustment of maximum prices for this commodity in accordance with the provisions of section 16 of Maximum Price Regulation 592.

This amendment shall become effective August 21, 1946.

Issued this 16th day of August, 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14404; Filed, Aug. 16, 1946; 11:52 a. m.]

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

[RMP 491, Amdt. 7]

BOOK PAPER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.
**Revised Maximum Price Regulation 451 is amended in the following respects:**

1. In Appendix A paragraph (a) is amended to read as follows:

   (a) **Maximum prices for listed brands.** The maximum base prices established herein for the brands listed below are the maximum base prices for paper in jumbo rolls (as defined in section 15 (a) (17) hereof) for shipment to points in Zone 1, and if e. o. b. mill, lowest available carload rate to make any freight allowance to a merchant on shipments of less than 5000 lbs., to points other than the merchants home city.

   **(1) Company.**

<table>
<thead>
<tr>
<th>Manufacturer's brand name</th>
<th>Manufacturer's base price per carton in jumbo rolls</th>
<th>Manufacturer's brand name</th>
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<tbody>
<tr>
<td>Champion Paper &amp; Fibre Co.</td>
<td>9.95</td>
<td>Hawthorne Paper Co.</td>
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<tr>
<td>Champion International Co.</td>
<td>9.95</td>
<td>Hopper Paper Co.</td>
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<tr>
<td>Champion Paper &amp; Fibre Co.</td>
<td>9.95</td>
<td>Howland Allied Paper Mills</td>
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<tr>
<td>Champion International Co.</td>
<td>9.95</td>
<td>The Joseph &amp; Moore Paper Co.</td>
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<tr>
<td>Appalachian Mills</td>
<td>11.30</td>
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<tr>
<td>Appalachian Paper Co.</td>
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<tr>
<td>American Writing Paper Corp.</td>
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<tr>
<td>Appleton Coated Paper Co.</td>
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<td>Appleton Mills</td>
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<td>American Engraving Paper</td>
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**Federal Register, Saturday, August 17, 1946**
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<tr>
<th>Manufacturer's name</th>
<th>Manufacturer's brand name</th>
<th>Commercial wood envelope (book type) base price per cwt. in jumbo rolls</th>
<th>Tablet, white base price per cwt.</th>
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<tr>
<td>Oxford Carlot E F</td>
<td>8.10</td>
<td>7.45</td>
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<tr>
<td>Oxford Swift River</td>
<td>7.90</td>
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<td>Weaver</td>
<td>8.35</td>
<td>7.45</td>
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<tr>
<td>Oxford Miami Carlot E F</td>
<td>7.85</td>
<td>7.45</td>
<td></td>
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<tr>
<td>Oxford Miami E F</td>
<td>7.85</td>
<td>7.45</td>
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<tr>
<td>Oxford Miami Owlet E F</td>
<td>7.50</td>
<td>7.45</td>
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<tr>
<td>Perinsular Paper Co.</td>
<td>8.35</td>
<td>7.45</td>
<td></td>
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<tr>
<td>Pittston &amp; Holmworth Company</td>
<td>8.35</td>
<td>7.45</td>
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(3) Within 45 days after the effective date of this revised regulation, every book paper manufacturer shall file with the Office of Price Administration at Washington, D. C., with the following information:

(a) List of all the manufacturer's brands currently being offered to the manufacturer's merchant outlets generally.

(b) Maximum base price currently obtaining for each brand, and a statement of the method by which such maximum base price has been determined.

With respect to any brand of book paper made for the first time after the effective date of the revised regulation and offered for sale generally by a manufacturer to its merchant outlets, the manufacturer shall submit to the Office of Price Administration, in addition to any information which may be required for the establishment of a maximum price for the same, the brand name thereof, so that said brand name may be added to the list of brands set forth in this Appendix A, simultaneously with the confirmation of the maximum price for said brand.

From and after the expiration of the 45 day period hereinafter mentioned, no manufacturer may offer generally to his merchant outlets any brand of book paper the brand name of which he has not filed with the Office of Price Administration at Washington, D. C., for the maximum price for the same.

Provided, That, in no event may the maximum base price of the unlisted grade be increased to exceed $10.00 per cwt. if the grade is an uncoated paper, and $11.50 per cwt. if it is a coated paper.

2. In Appendix A (b) a new subparagraph (4) is added as follows:

(4) The maximum base price of any unlisted grade may be increased by an amount equivalent to the increase granted by Amendment 7 to RMFR 451 to the listed grade that is closest in price to the unlisted grade:

- Provided, That, in no event may the maximum base price of the unlisted grade be increased to exceed $10.00 per cwt. if the grade is an uncoated paper, and $11.50 per cwt. if it is a coated paper.

3. In Appendix B new paragraphs (h) and (i) are added as follows:

(h) The maximum base price per cwt. for all grades priced under Appendix B shall be increased by the same amount as was added to the same or most similar grade in Appendix A by this Amendment 7 to RMFR 451:

- Provided, That, the two price limitations set forth in paragraph (g) of this Appendix B pertaining to contract sales of book paper to or for magazine publishers shall continue to apply:

(i) If a manufacturer has been granted an individual adjustment in his maximum base price by the Office of Price Administration, he may continue to charge the individually adjusted price or he may charge the new price as determined under the provisions of this paragraph (h), but he shall not add any increase permitted by this paragraph (h) to the individually adjusted price (and (i) that in no event may the maximum base price under Appendix B be increased to exceed $10.00 per cwt. if the grade is an uncoated paper and $11.50 per cwt. if it is a coated paper.

(1) Envelope and tablet paper. The prices for commercial wood envelope (book type) and tablet paper spelled out in Appendix A (a) (2) shall apply to sales under this Appendix B.

This amendment shall become effective August 16, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER,
Administrator.

[Page 14672, Filed, Aug. 16, 1946; 11:54 a.m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

(MFR 540, ADMT. 13 (1 §1960.0523))

Maximum prices for used passenger automobiles

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

Maximum Price Regulation 540 is amended in the following respects:

1. Section 2 (a) (3) is amended to read as follows:

(a) The amount to be added is in cents (that is, 5, 10, 15, 20, 25, 30, 35, or 40 cents), and if the amount so added is greater than 40 cents, it shall be rounded to the nearest dollar. The amount shall be evened to the nearest dollar.

2. An undesignated paragraph is added at the end of section 5 (b) (2) as follows:

The provisions in section 5 (a) (3) with respect to good operating condition and refund of 50% of the amount purchaser has to pay for repairs and replacements a dealer is required to make under his warranty but refuses to make are hereby made a part of this paragraph (b) (3).

3. Section 7a is amended to read as follows:

Sec. 7a. Maximum prices for used 1945, 1946 and subsequent model year passenger automobiles. To figure the maximum price of a 1945, 1946 or subsequent model year used car the seller must:

(a) Find the base price in Appendix L;

(b) Add to it the allowance in Appendix M for any piece of equipment listed there which is not installed on the car. (No other equipment allowances may be included in or added to the maximum price regardless of the equipment on the car); and

(c) If the car is sold as a "warranted" used car (as defined in section 7), and the sale is by a dealer to a person not generally engaged in the business of selling used cars, add $100, or if it is higher, add 15% of the total of the base price and the equipment allowance. If the amount to be added is in cents (that is, .01, .02, .03, .04, .05, .06, .07, .08, .09, or .10) the amount shall be evened to the nearest dollar.

The inclusion in the maximum prices of an additional amount when a used car is "warranted" used car is conditioned on the used car being in good operating condition as defined in section 7 (b). If a dealer sells at the "warranted" maximum price a used car not in good operating condition he makes an overcharge in excess of the permitted maximum price (the "non-warranted" maximum price).
The inclusion in the maximum price of an additional amount when a used car is warranted is also conditioned upon the making of repairs or replacements in accordance with the dealer's warranty. If, upon the dealer's refusal to make such repairs or replacements, the maximum price for the car shall be the maximum price for the car when warranted reduced by 50% of the amount the purchaser would have to pay for the repairing or replacement which the dealer should have made under his warranty, and the dealer shall refund the amount of that reduction to the buyer. Failure to refund that amount shall constitute an overcharge in excess of the maximum price. If, upon the dealer's refusal to refund that amount, the buyer should have made under his warranty, the purchase of the car when warranted is also conditioned upon the maximum price. If, upon the dealer's refusal to make repairs or replacements required by the warranty within a reasonable time from the date the car is delivered to the place of business of the dealer shall constitute a refusal to make such repairs or replacements regardless of the reasons why they are not made.

When a dealer charges the "warranted" maximum price for a used car not in good operating condition, or fails to make the repairs or replacements required by his warranty, he is liable to the sanctions imposed by the Emergency Price Control Act of 1942, as amended, including the payment of damages to the buyer pursuant to section 202 (b).

4. A new Appendix L is added to read as follows:

APPENDIX L—Table of 1946—"Base Prices" (Including 1947 Studebakers)

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<tr>
<th>FORD—continued</th>
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<tbody>
<tr>
<td>Model, body type, and passenger capacity</td>
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<td>A</td>
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<td>1946—6-Super Deluxe Eight—90 h.p.</td>
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<td>Town Sedan—6</td>
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<td>Tudor Sedan—6</td>
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<td>Four Door Sedan—6</td>
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<td>Station Wagon</td>
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<td>1946—5—Model S—Six</td>
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<td>1946—6—Series 66-68</td>
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<tbody>
<tr>
<td>Model, body type, and passenger capacity</td>
</tr>
<tr>
<td>A</td>
</tr>
<tr>
<td>1946—6—Series 66-68</td>
</tr>
<tr>
<td>Town Sedan—6</td>
</tr>
<tr>
<td>Sedan Cpe—6</td>
</tr>
<tr>
<td>Convertible—6</td>
</tr>
<tr>
<td>Station Wagon</td>
</tr>
<tr>
<td>Sportsman Conv—6</td>
</tr>
</tbody>
</table>
### Table of Allowances for "In-Build" Equipment, Heaters and Radios Which May Be Included in Maximum Prices of 1946 Used Automobiles (Including 1947 Studebakers)

<table>
<thead>
<tr>
<th>Year and make</th>
<th>Description</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1940, Buick</td>
<td>Underseat heater</td>
<td>342.45</td>
</tr>
<tr>
<td>1940, Cadillac</td>
<td>Underseat heater</td>
<td>59.79</td>
</tr>
<tr>
<td>1940, Chrysler</td>
<td>Hydromatic transmission</td>
<td>41.09</td>
</tr>
<tr>
<td></td>
<td>All weather air control system</td>
<td>59.45</td>
</tr>
<tr>
<td>1940, Chrysler</td>
<td>Underseat heater</td>
<td>40.49</td>
</tr>
<tr>
<td>1940, Chrysler</td>
<td>Refrigeration unit</td>
<td>38.30</td>
</tr>
<tr>
<td>1940, Chrysler</td>
<td>Fluid drive</td>
<td>35.15</td>
</tr>
<tr>
<td>1940, Chrysler</td>
<td>Hydromatic transmission</td>
<td>41.35</td>
</tr>
<tr>
<td></td>
<td>Windshield</td>
<td>31.90</td>
</tr>
<tr>
<td>1940, Dodge</td>
<td>All weather air control system</td>
<td>50.45</td>
</tr>
<tr>
<td>1940, Delco</td>
<td>Refrigeration unit</td>
<td>33.20</td>
</tr>
<tr>
<td>1940, Delco</td>
<td>Fluid drive</td>
<td>30.15</td>
</tr>
<tr>
<td></td>
<td>Fluid drive with tip toe transmission</td>
<td>72.05</td>
</tr>
<tr>
<td>1940, Dodge</td>
<td>All weather air control system</td>
<td>50.45</td>
</tr>
<tr>
<td>1940, Ford</td>
<td>Fluid drive</td>
<td>30.15</td>
</tr>
<tr>
<td>1940, Ford</td>
<td>10 horsepower engine</td>
<td>23.23</td>
</tr>
<tr>
<td></td>
<td>Overdrive</td>
<td>61.45</td>
</tr>
<tr>
<td>1940, Hudson</td>
<td>Overdrive</td>
<td>64.50</td>
</tr>
<tr>
<td>1940, Hudson</td>
<td>Automatic overdrive</td>
<td>25.80</td>
</tr>
<tr>
<td>1940, Lincoln</td>
<td>Automatic overdrive</td>
<td>50.55</td>
</tr>
<tr>
<td>1940, Nash</td>
<td>Weather eye</td>
<td>22.20</td>
</tr>
<tr>
<td>1940, Nash</td>
<td>Weather eye</td>
<td>22.20</td>
</tr>
<tr>
<td>1940, Packard</td>
<td>Overdrive</td>
<td>61.20</td>
</tr>
<tr>
<td>1940, Packard</td>
<td>Overdrive</td>
<td>61.20</td>
</tr>
<tr>
<td>1946, Plymouth</td>
<td>All weather air control system</td>
<td>51.45</td>
</tr>
<tr>
<td>1946, Pontiac</td>
<td>Underseat heater</td>
<td>41.80</td>
</tr>
<tr>
<td>1946, Studebaker</td>
<td>Overdrive and free wheeling</td>
<td>44.55</td>
</tr>
<tr>
<td>1946, Studebaker</td>
<td>Overdrive and free wheeling</td>
<td>44.55</td>
</tr>
<tr>
<td>1946 and 1947, all makes</td>
<td>Heater except those listed separately above</td>
<td>16.95</td>
</tr>
<tr>
<td>1946 and 1947, all makes</td>
<td>Radio</td>
<td>42.40</td>
</tr>
</tbody>
</table>

### 6. The description of items (64) and (65) of Appendix D, in the column having the headnote "year and make" is amended to read "1942 and prior model years." This amendment shall become effective this 21st day of August 1946.

### 7. Issued this 16th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14380; Filed, Aug. 15, 1946; 11:56 a.m.]

### PART 1365—HOUSEHOLD FURNITURE

[3d Rev. MP R 213, AMDT. 6]

NEW COIL AND FLAT BEDSPRINGS AND METAL RESPONSES

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

**Third Revised Maximum Price Regulation No. 213 is amended in the following respects:**

1. **Section 6 (a) (d) is amended to read as follows:**

   (a) the first paragraph is amended to read as follows:

   (4) "The jobber shall subtract five cents from the result of the third step for all articles which the manufacturer delivers prior to August 19, 1946. For articles which the manufacturer delivers on or after August 19, 1946, the jobber need not subtract the five cents. The resulting figure in each instance is the jobber's maximum price. However, if the resulting figure is an amount less than the manufacturer's maximum price for the particular sale, the jobber's maximum price shall be that maximum price of the manufacturer."

2. **Section 9 (b) (1) is amended as follows:**

   (a) "Step 5 is amended to read as follows:

   Step 5. For an article which the manufacturer delivers prior to August 19, 1946, the manufacturer shall calculate the retail ceiling price of the article or any article by multiplying his proposed f.o.b. factory, l.c.l. maximum price to jobbers by 184 per cent. For an article which the manufacturer delivers on or after August 19, 1946, his proposed f.o.b. factory, l.c.l. maximum price to retailers shall be multiplied by 191 per cent. The resulting amount in each instance shall be rounded to the nearest five cents."

3. **Section 10 is amended by adding a new paragraph (c) to read as follows:**

   (c) "For an article which the seller receives prior to August 19, 1946, "untagged", he is required to tag with the retail maximum price in effect on August 18, 1946, as determined under section 7 of this regulation."
5. Appendix B in section 16 is amended as follows:

(a) The heading of the third column is amended to read as follows: “Cash retail maximum price for articles which the manufacturer delivers prior to August 19, 1946”.

(b) A new fourth column heading shall be added to Appendix B to read as follows: “Cash retail maximum price for articles which the manufacturer delivers on or after August 19, 1946”.

(c) Appendix B is further amended by adding the following list of maximum retail prices in the new fourth column opposite the classes of articles listed below:

<table>
<thead>
<tr>
<th>Type of extra feature</th>
<th>Class A</th>
<th>Class B</th>
<th>Class C</th>
<th>Class D</th>
<th>Class E</th>
<th>Class F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angle top border</td>
<td>$1.00</td>
<td>$1.50</td>
<td>$2.00</td>
<td>$2.50</td>
<td>$3.00</td>
<td>$3.50</td>
</tr>
<tr>
<td>Convolute face coils</td>
<td>$1.50</td>
<td>$2.00</td>
<td>$2.50</td>
<td>$3.00</td>
<td>$3.50</td>
<td>$4.00</td>
</tr>
<tr>
<td>Partial platform top A</td>
<td>$2.50</td>
<td>$3.00</td>
<td>$3.50</td>
<td>$4.00</td>
<td>$4.50</td>
<td>$5.00</td>
</tr>
<tr>
<td>Partial platform top B</td>
<td>$3.00</td>
<td>$3.50</td>
<td>$4.00</td>
<td>$4.50</td>
<td>$5.00</td>
<td>$5.50</td>
</tr>
<tr>
<td>Copper or bronze finish</td>
<td>$5.00</td>
<td>$5.50</td>
<td>$6.00</td>
<td>$6.50</td>
<td>$7.00</td>
<td>$7.50</td>
</tr>
</tbody>
</table>

6. Appendix C in section 16 is amended as follows:

(a) A new fourth column is added to read as follows: “Cash retail maximum price for articles which the manufacturer delivers prior to August 19, 1946”.

(b) Appendix C is further amended by adding the following retail maximum prices in the new fourth column opposite the classes of articles listed below:

<table>
<thead>
<tr>
<th>Class G</th>
<th>Class H</th>
<th>Class I</th>
<th>Class J</th>
<th>Class K</th>
<th>Class L</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1.00</td>
<td>$1.50</td>
<td>$2.00</td>
<td>$2.50</td>
<td>$3.00</td>
<td>$3.50</td>
</tr>
</tbody>
</table>

This amendment shall become effective on the 19th day of August 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14295; Filed, Aug. 15, 1946; 4:25 p. m.]
(1) Retail ceiling prices of articles delivered before August 19, 1946. The ceiling price for sales to consumers of any article listed in section 25, Appendix A, of this regulation or of any private brand having a retail ceiling price established before August 19, 1946, shall be the ceiling price properly established for that article before August 19, 1946.

(2) Retail ceiling prices of articles delivered by the manufacturer after August 18, 1946. Notwithstanding the provisions of section 25 of this regulation, or of section 16 (b) or an order under section 16 (c) the ceiling price for sales to consumers of any article listed in section 25 of this regulation or of any private brand having a retail ceiling price established before August 19, 1946 under section 16 (b) or an order under section 16 (c) which was delivered to the manufacturer to be resold as resale after August 19, 1946 is the higher of either the price listed in section 25, Appendix A or the price so determined in accordance with section 5a or this paragraph (a). After August 18, 1946 every manufacturer of any article listed in section 25, Appendix A, of this regulation is required to determine the retail ceiling price previously determined under this regulation or under an order under Supplementary Order No. 118 of Supplementary Order No. 117, before the issuance of this revised regulation. An application under this rule shall state the name of the manufacturer, the model designation of an article, its retail price, and a statement of the reasons the applicant is unable to determine retail ceiling price under section 16 of this regulation.

Rule 2. If the manufacturer did not have a ceiling price on March 31, 1946, under this regulation for sales of any model of any article in his line on that date he shall redetermine the retail ceiling price for that model as follows:

(i) He shall determine a markup factor for that model by dividing the retail ceiling price in effect on March 31, 1946, for that model under this regulation by his f. o. b. factory price to the same class of purchaser, and (b) is the same general type of seller, and, (c) is located nearer to the seller than any other private brand seller. The result rounded to the nearest multiple of $0.05 shall be the ceiling price for sales by a private brand seller to consumers of such model.

(ii) He shall apply the markup factor so determined to his f. o. b. factory ceiling price to the same class of purchaser as he used in (i) above to determine the markup factor. The result rounded to the nearest multiple of 25 cents is the retail ceiling price for that model.

Rule 3. If a distributor cannot otherwise find his ceiling price for a particular sale, his ceiling price for that sale is the price established by the Office of Price Administration under section 25, Appendix A, of this regulation or under an order under this revised regulation.

An application under this rule shall be addressed to the Office of Price Administration, Washington 25, D. C., and shall state the name of the manufacturer of the article being priced, its model designation, the classes of purchasers to whom the applicant proposes to sell the article, the ceiling price he proposes for such sale, and a statement of the reasons he cannot use the other rules in this section.

4. Section 16 is amended to read as follows:

Sec. 16. Ceiling prices for sales to consumers of articles having retail ceiling prices established before August 19, 1946. The ceiling price for sales to consumers of all articles covered by this regulation having retail ceiling prices established before August 19, 1946 shall be determined under this paragraph.
three contained in paragraph (a) of this section. The retail ceiling price of any private brand model differing by other than minor changes from models listed in section 25, Appendix A, for which the manufacturer determines the retail ceiling prices under paragraph (a) of this section is the retail ceiling price established by an order issued under this paragraph. Any application for the establishment of a retail ceiling price of any model priced over a period of either (i) six weeks or (ii) more from the date of sale in the case of sales on credit only on installment-plan sales and credit, or (ii) eight weekly installments, or (iii) eight weekly installments, or (iv) credit only on installment-plan sales and credit, or (v) credit only on installment-plan sales and credit forAg. 15, 1946. An application for the establishment of a retail ceiling price of any model priced over a period of either (i) six weeks or (ii) more from the date of sale in the case of sales on credit only on installment-plan sales and credit, or (ii) eight weekly installments, or (iii) eight weekly installments, or (iv) credit only on installment-plan sales and credit, or (v) credit only on installment-plan sales and credit for...
those machines under the provisions of section 14a.

Example. A distributor who sold Model Q produced by manufacturer A during the period April 2, 1946 to April 29, 1946 at a ceiling price to the same class of purchaser, and (b) is located in the same zone and is nearer to the seller than any other seller who meets requirements (a) and (b) of this rule.

Rule 7. If the distributor cannot otherwise find his ceiling price for a particular sale, his ceiling price for that sale is the ceiling price established under Rule 6 for the same sale by the "closest seller of the same type, model and design" who has determined a ceiling price. A distributor's "closest seller of the same class" is a distributor who (a) has established a ceiling price for sales of the identical model of washing or ironing machine or drier to the same class of purchaser, and (b) is nearer to the seller than any other seller who meets requirements (a) and (b) of this rule.

Application under this rule shall state that the washing machine, ironing machine or drier being priced is the same as the model in the largest dollar volume up to which the application is made.

The result rounded to the nearest multiple of 25 cents is the retail ceiling price in Zone 1 for that model.

4. A new section 16b is added to read as follows:

Sec. 16b. Retail ceiling prices—(a) Retail ceiling prices of machines delivered by the manufacturer before August 18, 1946. Unless an order issued under section 14 of this regulation in effect on March 31, 1946 to a particular person or persons other than the manufacturer but manufactured by him for a particular person or persons other than another manufacturer whether or not such person's name or brand appears on the machine is applicable.

Rule 10. If the manufacturer establishes a ceiling price for his model washing machine, ironing machine or drier after August 18, 1946, he shall determine the retail ceiling price in Zone 1 for that model as follows:

(b) Retail ceiling prices of machines delivered by the manufacturer after August 18, 1946. The retail ceiling prices of a particular model of washing or ironing machine delivered by the manufacturer to a purchaser for resale after August 18, 1946 are the prices established by an order issued under section 14 after that date. The retail ceiling prices of a particular model of drier delivered by the manufacturer for resale after August 18, 1946 are the prices established by an order issued under section 14 after that date. The retail ceiling prices of any washing or ironing machine delivered to a purchaser for resale by the manufacturer after August 18, 1946 are the prices properly calculated under this section.

For purposes of this regulation "private brand" means any article covered by this regulation not offered for sale as the model of the manufacturer but manufactured by him for a particular person or persons other than another manufacturer whether or not such person's name or brand appears thereon. The result rounded to the nearest multiple of 25 cents is the retail ceiling price in Zone 1 for that model.
(c) of this section. Orders issued under this regulation may, however, provide that the retail ceiling prices of a “private brand” model are to be computed under this section by the “private brand” seller instead of the manufacturer.

5. Section 19 (c) is amended to read as follows:

(c) The retail ceiling prices which appear on the label attached to a machine which the manufacturer delivered to a purchaser for resale prior to August 19, 1946 shall be the retail ceiling prices computed in accordance with section 16a of this regulation as in effect on August 18, 1946. The retail ceiling prices which appear in the label attached to a machine which the manufacturer delivered to a purchaser for resale on or after August 19, 1946 shall be the retail ceiling prices properly computed in accordance with section 16b of this regulation as in effect on August 19, 1946.

6. Section 19a is amended to read as follows:

Sec. 19a. Notification. Every manufacturer who sells a washing machine, ironing machine, or drier, at ceiling prices adjusted in accordance with section 5a of this regulation, or who sells any such machine the retail ceiling prices of which he was required to compute or recompute in accordance with the provisions of section 16b of this regulation, shall at the time of, or prior to the first invoice to a purchaser for resale covering such machine, notify the purchaser of the retail ceiling prices in each zone computed or recomputed by him under section 16b of this regulation for each model of machine covered by the invoice.

7. Section 19b is amended to read as follows:

Sec. 19b. Reporting. Every manufacturer who is required to determine or re-determine retail ceiling prices under section 16b of this regulation must send a report to the Office of Price Administration, Washington, D.C., containing the model designation and retail ceiling price in each zone of every model which he sells or offers for sale on or after August 19, 1946. This report must be filed within 15 days after the particular model is sold or offered for sale by him for the first time, after August 19, 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 1944.

This amendment shall become effective on the 19th day of August 1946.

Issued this 19th day of August 1946.

PAUL A. PORTER, Administrator.

[A. R. Doc. 46–1438; Filed, Aug. 16, 1946; 11:53 a.m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADmixtures

[MPR 127, Amdt. 51]

FINISHED PIECE GOODS

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

Maximum Price Regulation No. 127 is amended in the following respects:

1. Section 1400.82 (a) (4) is revoked.

2. Section 1400.83 (a) (6) is revoked.

3. In § 1400.82 (b) paragraph (1) is amended to read as follows:

(1) General rule. Except as otherwise provided in this paragraph (b) the basic grey goods cost to be used in determining the maximum price for finished piece goods shall be, for grey goods purchased by the converter from an unaffiliated source, the actual price for the grey goods, less available cash discounts, on the day the contract for the sale of the finished goods is made or on the day the goods are first sent to a finishing plant, whichever is earlier.

4. In § 1400.82 (b) paragraph (2) is amended to read as follows:

(2) Adjustable pricing. Regardless of any increase in the basic grey goods cost, the ceiling price for the grey goods (or of any additional charge for the grey goods to which the converter may become or becomes liable) after the finished piece goods have been delivered, even if such increase (or charge) is retroactive, the basic grey goods cost shall be determined in accordance with the previous subparagraph unless authorization to the contrary has been granted by the Office of Price Administration.

(i) Independent converters. A converter selling finished goods made from grey goods purchased from an unaffiliated source under a contract in which his supplies would permissibly permit him to charge an individually adjusted price which might be granted him by the Office of Price Administration, may reserve the right to charge up to the time of delivery, and at such time may charge, a ceiling price calculated from a “basic grey goods cost” which includes the definite additional charge to which he has been permissibly granted by section 16a of this regulation as in effect on August 19, 1946, or which he was required to compute or recompute in accordance with the Federal Reports Act of 1941.

(ii) Integrated converters—(a) Cotton goods. A converter selling finished piece goods composed 75% or more by weight of cotton and made from grey goods purchased by him or acquired from an affiliated source, may reserve the right to charge up to the time of delivery, and at such time may charge, a ceiling price calculated from a “basic grey goods cost” computed from any individually adjusted maximum price which has been granted for the grey goods by that time. He may, in addition, reserve the right to charge an additional wage and/or other factor that may be established by the Office of Price Administration (but only with respect to undelivered goods and only to the extent that may be established by the Office of Price Administration).

(b) Rayon goods. If the converter is selling finished goods composed less than 75% by weight of cotton and made from grey goods purchased by him or acquired from an affiliated source he may reserve the right to charge up to the time of delivery, and at such time may charge, a ceiling price calculated from a “basic grey goods cost” equivalent to the ceiling price for the grey goods as of the time of delivery.

5. In § 1400.82 (b) subparagraph (2a) is added:

(2a) (1) Goods sold or put in process by producer before August 5, 1946. For goods which were delivered to the converter prior to August 5, 1946, a producer selling finished goods made from grey goods purchased by him or acquired from an affiliated source may use as his basic grey goods cost the ceiling price in effect on June 30, 1946 or the ceiling price which first becomes effective after August 5, 1946 with respect to the following:

(a) Fine goods covered by Maximum Price Regulation No. 11 (Fine cotton goods).

(b) Fine carded cotton goods covered by section 3 (c) (2) of Supplementary Order No. 131 (Revised maximum price for certain cotton textiles).

(ii) Determination of adjustable pricing contracts made by producers. A converter delivering finished goods made from grey goods produced by him or
acquired from an affiliated source against a contract entered into on or before June 30, 1946, except for those made thereafter and prior to December 15, 1946 inclusive, in which he permitted the right to charge a ceiling price calculated from a "basic grey goods cost" equivalent to the ceiling price for the grey goods as of the time of delivery, may exercise that right only in connection with deliveries made thereunder prior to December 15, 1946.

6. Section 1406.02 (b) (6) and (7) are hereby revoked.

7. Section 1406.02 (b) (11) is amended to read as follows:

(11) The 5% premium provided in section 2 (a) of Supplementary Order No. 131 shall be deducted from the basic grey goods of finished from grey goods which producers are required to set aside pursuant to and for the uses specified in the Civilian Production Administration's Supplementary Order No. M-317A in its present form or as hereafter amended.

8. Sections 1406.02 (v) and (w) are hereby revoked.

This amendment shall become effective August 15, 1946 except for § 1406.02 (v) which shall be effective as of July 25, 1946.

Issued this 15th day of August 1946.

Paul A. Porter, Administrator.

[F. R. Doc. 46-14304; Filed, Aug. 15, 1946; 4:25 p.m.]

Part 1401—Synthetic Textile Products

[MPR 602, Amdt. 4]

Women's Nylon Hosiery

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 602 is amended in the following respect:

Section 2 (c) (3) and section 2 (c) (4) are revoked.

This amendment shall become effective as of July 1, 1946.

Issued this 15th day of August 1946.

Paul A. Porter, Administrator.

[F. R. Doc. 46-14301; Filed, Aug. 15, 1946; 4:26 p.m.]

Part 1452—Speculative and Manipulative Practices

[Margin Requirement Reg. 1 Revocation*]

Trading of Cotton Futures Contracts

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

*10 F.R. 14231.
*11 F.R. 3602.

Margin Requirement Regulation No. 1 is hereby revoked, subject to the provisions of Supplementary Order No. 40.*

This order of revocation shall become effective as of July 1, 1946.

Issued this 15th day of August 1946.

Paul A. Porter, Administrator.

[F. R. Doc. 46-14299; Filed, Aug. 15, 1946; 4:22 p.m.]


[MPR 30; Incl. Amdts. 3-19]

Wastepaper

This compilation of Maximum Price Regulation 30 includes Amendment 19, effective August 21, 1946. The text added by Amendment 19 is underscored.

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of wastepaper by a maximum price regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation, which apply to the sale of wastepaper, are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Emergency Price Control Act of 1942 as amended.

So far as practicable the Price Administrator has consulted with representatives of the trade and industry. He has found that the issuance of this regulation conforms to the standards of the Act. Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

(Above sentence added by Supplementary Order No. 61, 8 F.R. 1946, effective 3-11-43)

A statement of considerations involved in the issuance of this regulation is issued simultaneously herewith and filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 8290 this Maximum Price Regulation 30 is hereby issued.

Sec. 1347.1 Prohibitions. 1347.2 Less than maximum prices. 1347.3 Application of the General Maximum Price Regulation. 1347.4 Export sales and sales for export. 1347.5 Imports. 1347.6 Petitions for amendment. 1347.7 Licensing. 1347.8 Evasion. 1347.9 Enforcement. 1347.10 Records and reports. 1347.11 Definitions. 1347.12 Applicability. 1347.13 Effective date. 1347.14 Appendix A—Maximum prices for wastepaper.


§ 1347.1 Prohibitions. Regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell or deliver any wastepaper at higher prices than the maximum prices set forth in Appendix A (§ 1347.14) of this Maximum Price Regulation No. 30.

(b) No person shall buy or receive any wastepaper at higher prices than the maximum prices set forth in Appendix A (§ 1347.14) of this Maximum Price Regulation No. 30.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1347.2 Less than maximum prices. Lower prices than those established by this Maximum Price Regulation No. 30 may be charged, demanded, paid or offered.

§ 1347.3 Applicability of the General Maximum Price Regulation. The provisions of this Maximum Price Regulation No. 30 supersede the provisions of the General Maximum Price Regulation * with respect to sales and deliveries of wastepaper for which maximum prices are established by this regulation.

§ 1347.4 Export sales and sales for export. The maximum price at which a person may export wastepaper shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation * issued by the Office of Price Administration. The maximum prices at which a person may make a domestic sale of wastepaper which is to be exported shall not exceed the maximum prices herein provided for domestic sales: Provided, however, that persons specializing in the packaging of wastepaper for export and selling the same to a purchaser who warrants in writing that the wastepaper so packed will be sold in export, may add to the maximum price an amount not in excess of the highest premium actually charged for the same or similar packing by such person during the period of January 1 through September 30, 1946. If a person made no such charge for such packaging in said period, the amount of his charge for such packaging shall not exceed the amount charged in said period by his nearest and most closely competitive seller in said period.

§ 1347.5 Imports. The maximum prices established herein shall apply to imports of wastepaper from a foreign country pursuant to licenses issued under section 543 of the Revenue Act of 1942: Provided, however, that in no event shall such licenses provide for the payment of a premium.
country, f. o. b. the port or city of entry in the United States.

§ 1347.6 Petitions for amendment. Persons seeking any modification of this Maximum Price Regulation No. 30 may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

[Notes: Procedural Regulation No. 6 (7 F.R. 6079, 6669; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6176) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excluding those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

§ 1347.7 Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license is suspended or revoked after a hearing, and a seller whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1347.7 amended by Supplementary Order No. 72, 8 F.R. 12344, effective 10-1-43]

§ 1347.8 Evasion. The price limitations set forth in this Maximum Price Regulation No. 30 shall not be evaded, whether by direct or indirect methods of the seller in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of wastepaper, alone or in conjunction with or relating to any other commodity or by way of commission, service, transportation, or other charge, discount, premium or other privilege or any other trade understanding or otherwise.

§ 1347.9 Enforcement. (a) Persons violating any provision of this Maximum Price Regulation No. 30 are subject to the criminal penalties, civil enforcement actions, and other proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942 as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 30 or any price schedule, regulation or order issued by the Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State, Field or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

[Notes: Revised Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States must be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

§ 1347.10 Records and reports. (a) Every person who has been required under Revised Price Schedule No. 30 to keep records for inspection by the Office of Price Administration shall preserve such records for so long as the Emergency Price Control Act of 1942 shall remain in effect.

(b) Every person who purchases or sells commercially packed wastepaper, either for his own account, or for the account of another, shall make, and shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 shall remain in effect, complete and accurate records of each purchase or sale of wastepaper by him, whether or not the same be commercially packed, showing the following:

(1) Date of purchase or sale.
(2) Name and address of the buyer or seller.
(3) Grade of wastepaper purchased or sold.
(4) Quantity of each grade purchased or sold.
(5) Whether the wastepaper purchased or sold was commercially packed or in other condition.
(6) Prices or other charges paid or received.
(7) Warranties, if any, given or received.

Such records shall set forth separately the f. o. b. point of shipment price, the origin and destination of the shipment, the means of transportation used, the amount of the transportation charge, and any other amounts paid or received in connection with such sale.

(c) Every consumer of wastepaper shall in addition to the above make and keep a complete and accurate record of each shipment of wastepaper delivered to him and of all weighing, inspecting, sorting, sampling, testing or grading operations performed by him or on his behalf with respect to each such shipment. Each record of each shipment required by this paragraph shall show:

(1) The date of its delivery to the consumer.
(2) The manner of its delivery, that is, by freight car, truck, or other means of transport;
(3) The freight car number, vehicle license number or identification, the consignee or other means of transportation in or by which delivery is made;
(4) The total weight of wastepaper and other material contained in the shipment, and the weight of each bale or package comprising the same;
(5) All facts relating to such shipment which have been ascertained at or after delivery thereof by performing upon such shipment or any portion thereof any weighing, inspecting, sorting, sampling or testing operations. Facts required to be recorded are:

(i) The grade name of each grade of wastepaper found in the shipment or sample;
(ii) The total weight of wastepaper from such shipment which was inspected, sorted, sampled, tested or graded;
(iii) The weight, ascertained by inspecting, sorting, sampling, testing or grading the wastepaper from such shipment upon which such operations or any of them were performed.

(c) Of each grade of wastepaper found in the shipment or sample; and

(d) Of outthrow; the term "outthrow" as shown in such record, and as used herein shall have the meaning given to it by this regulation.

(e) The name of the person or persons responsible for supervising the receiving, weighing, inspecting, sorting, sampling or testing of the wastepaper delivered.

[Deleted.]}

§ 1347.11 Definitions. (a) When used in this Maximum Price Regulation No. 30, the term:

(1) "Person" means an individual, corporation, partnership, association, any other organized group, the legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Wastepaper" includes papers and paper products which have been used or discarded, or which result as by-products from a manufacturing or conversion operation, or which are sold for reuse in a manufacturing or conversion operation involving repulping, shredding, or grinding.

(3) "Consumer" means a person who acquires wastepaper for use in the manufacturing process conducted by him.

(4) "Dealer means a person in the business of collecting and/or buying and selling waste materials, including wastepaper, for private profit.

(5) "Commercially packed" means packed in machine compressed bales or by an optional method of packing where such method is allowed in the definition of a grade.

(6) "Objectionable papers" include carbon, waxed, paraffined, oil treated, greased, glazed, parchment, asphalt, tar, tar, and, used wall paper, friction board, cloth book-covers, heavy covers, pressboard, used bill board stock, paper-wrapped excelsior, felt furniture pads, paper twine, uncut printer's rolls, and paper string.

(7) "Foreign materials" include every non-paper substance that cannot be manufactured into paper or paper products by the processes normally used for wastepaper, including, in some way limited to cellophane, rags, rubbers, strings, vulcanized fiber, metals, and rubbish of all kinds.

(8) "Out-throw" for a given grade of wastepaper consists of all substances not suitable for the manufacture of paper or paperboard such as "Objectionable papers" and "Foreign materials", and all paper-making materials present in the
publishing materials in the manufacture of the paper, such color and finish being comparable to that secured in paper manufactured from manila hemp or rope.

The grade of wastepaper applied to wastepaper means wastepaper of one color and of uniform quality.

(11) "Broken," commonly known as a wastepaper broker, means any person who solicits to consumers wastepaper not packed by such person, and purchased by such person in the condition in which it is to be delivered to the consumer.

(12) "Sales agent" means a person who represents an accumulator of wastepaper and arranges and makes a sale of wastepaper to a consumer for the account and in the name of the accumulator.

(13) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1347.12 Applicability. The provisions of this Maximum Price Regulation No. 30 shall be applicable to the continental United States and the District of Columbia, but not to the territories and possessions of the United States.

§ 1347.13 Effective date. This Maximum Price Regulation No. 30 (§§ 1347.1 to 1347.14 inclusive) shall become effective November 21, 1942. [Maximum Price Regulation No. 30 originally issued November 21, 1942.]
19% of coated paper stock or heavily filled papers. Must be free from groundwood.

If cut with soft white shavings' consist of one cut shavings and shreds, all white, from book and similar printed matter, the stated grade containing not in excess of 19% of coated paper stock or heavy filled paper, and may be free from groundwood.

All grades of wastepaper, unless otherwise specified, shall contain a minimum of 100% sulfate fiber and a maximum of 1% beater dyed paper. "Cover and insert stock" and "beater dyed paper" are paper waste, free from corrugated waste of any kind. "Brown groundwood" shall mean free from groundwood except to the extent that groundwood is used in the furnish of papers, otherwise admissible in the grade, which had no groundwood content before the war. SIMILARLY "100% sulfate fiber" or "free from non sulfate fiber" shall mean free from non sulfate fiber except to the extent that non sulfate fiber is used in the furnish of papers, otherwise admissible in the grade, which were 100% sulfate fiber before the war.

[Paragraph (d) amended by Am. 6, 8 F.R. 17843, effective 1-4-44]

(c) Maximum prices for unlisted grades of wastepaper. The maximum price for any grade of wastepaper not listed in paragraph (a) of this § 1347.14 shall be a price in line with the maximum price enumerated therein for the nearest related grade of wastepaper.

Any person proposing to sell to a consumer of wastepaper or any consumer proposing to buy a grade of wastepaper not listed in paragraph (a) of this § 1347.14 shall notify the Administrator of Price Administration, if such price is not in line with the maximum price applicable thereto.

(b) Grade requirements—(1) Differentials. All prices established by this Maximum Price Regulation No. 30 are the maximum prices for the respective grades of wastepaper. No differentials or service charges other than those specifically provided for in this Maximum Price Regulation No. 30 may be charged.

(2) Highest qualities. The highest qualities of each grade shall be clean, dry, and free from objectionable papers and foreign materials. Other qualities of wastepaper grade may be graded or contractual grades and physical characteristics as set forth in the definition of such grade, and is of merchantable quality in all respects.

The baled weight on any shipment of commercially packed wastepaper shall not include tare in excess of 2%.

(4) Fiber content. In the grade definitions listed in § 1347.14 (a) "free from groundwood" shall mean free from groundwood except to the extent that groundwood is used in the furnish of papers, otherwise admissible in the grade, which had no groundwood content before the war. Similarly "100% sulfate fiber" or "free from non sulfate fiber" shall mean free from non sulfate fiber except to the extent that non sulfate fiber is used in the furnish of papers, otherwise admissible in the grade, which were 100% sulfate fiber before the war.

[Subparagraphs (3) and (4) added by Am. 18, 11 F.R. 7945, effective 4-13-46. Former subparagraph (3) deleted by Am. 8, 9 F.R. 8056, effective 7-17-44]

(e) Transportation allowances. All prices established by this Maximum Price Regulation No. 30 shall be for wastepaper f.o.b. freight cars, trucks, or barges at the point of shipment. The point of shipment is the point at which the wastepaper is first loaded on a conveyance for transportation to the buyer, except that in the case of imported wastepaper the point of shipment shall be the port or city of entry in the United States.

(1) Delivery charges. Sales may be made on a delivered basis, but such sales must be made at prices not in excess of the maximum f. o. b. point of shipment price established by this Maximum Price Regulation No. 30, plus, where the costs of transportation are to be paid by the seller, the maximum allowable charges, all of which are subject to the maximum price allowances set forth in this sub-paragraph (e) as are applicable thereto.

(2) Loading charge. If there is no rail siding at the point of shipment, and the wastepaper is transported to and loaded on a freight car at the expense of the seller for transportation to the consumer, the seller may add to the maximum price an amount not in excess of $2.00 per short ton for such transportation and loading. Similarly, if there is no barge dock at the point of shipment, and the wastepaper is transported and loaded on a barge at the expense of the seller for transportation to the consumer, the seller may add to the maximum price an amount not in excess of $2.00 per short ton for such transportation and loading.
consumer and may charge the buyer the amount paid to the carrier for such transportation.

[Above paragraph added by Am. 19, effective 8-21-46]

For the purpose of this subparagraph (2) as applied to barge or barge dock at the plant of an accumulator shall not be considered to be at the point of shipment if such rail siding or barge dock is not normally available and usable for the shipment of wastepaper.

[Paragraph (e) amended by Am. 10, 10 F.R. 1787, effective 2-17-45; Am. 10, 11 F.R. 3745, effective 4-23-46; and Am. 12, 11 F.R. 7318, effective 6-29-46]

(f) Invoice requirements. Each sale of commercially packed wastepaper shall be invoiced except that an accumulator (as defined in § 1347.11), whose practice has been to send shipping notices instead of invoices and to settle accounts on the basis of periodic credits from his buyer, may continue that practice.

(1) Invoice shall contain. Each invoice shall separately state:

(i) The date of loading.

(ii) The name and address of the buyer and seller, and if consigned other than to the buyer, the name and address of the consignee.

(iii) The name of each grade and the total weight of each grade. The grade name shall be the applicable grade name listed in § 1347.14 (a) or it shall be the grade name of a specialty sold in accordance with the provisions of § 1347.14 (c).

(iv) The price charged per ton for each grade, the loading charge, if any, and the amount of broker's allowance, if any.

(v) Identification of origin of shipment, i.e.,

(a) The packer's invoice shall show the name of the city or town and the street address from which shipment starts.

(b) The broker's invoice shall show the name of the city or town from which shipment starts and while he need not show the street address of origin on the copy he retains to the consumer, he shall show it on the copy he retains in his files.

(vi) Identification of vehicle in which shipped, i.e.,

(a) The railroad car number and initials or the barge number or name shall be shown on the packer's invoice if he loads directly into a car or barge or if he makes shipment by truck owned or controlled by him for the purpose of reloading into a car or barge, except as noted under (d).

(b) The railroad car number and initials or the barge number or name shall be shown on the broker's invoice on every shipment to the consumer involving rail or barge movement, except as noted under (d).

(c) In all other cases the invoice shall state the license number or truck number of the truck into which the wastepaper is loaded.

(d) If, under the circumstances specified in (a) or (b), the seller is prohibited by railroad or governmental authority from entering upon the property for determination of vehicle identification, a statement to that effect, on the invoice, shall constitute full compliance with the requirements of this subdivision (vi).

(2) When the invoice must be mailed. The invoice shall be prepared by the seller and mailed to his buyer before the end of the business day following the day when the wastepaper was shipped, except that when the seller does not receive the description of the wastepaper from his supplier within that time, he shall prepare and mail an invoice to his buyer as soon as he receives that description.

(3) Records. In all cases, the buyer shall keep every invoice received by him and the seller shall keep a copy of each invoice prepared by him and both buyer and seller shall make their copies available for inspection by the Office of Price Administration at any time. The broker shall also identify in his records his sources of supply of all paper in each shipment made by him.

(1) Invoice shall contain. Each invoice shall separately state:

(i) The date of loading.

(ii) The name and address of the buyer and seller, and if consigned other than to the buyer, the name and address of the consignee.

(iii) The name of each grade and the total weight of each grade. The grade name shall be the applicable grade name listed in § 1347.14 (a) or it shall be the grade name of a specialty sold in accordance with the provisions of § 1347.14 (c).

(iv) The price charged per ton for each grade, the loading charge, if any, and the amount of broker's allowance, if any.

(v) Identification of origin of shipment, i.e.,

(a) The packer's invoice shall show the name of the city or town and the street address from which shipment starts.

(b) The broker's invoice shall show the name of the city or town from which shipment starts and while he need not show the street address of origin on the copy he retains to the consumer, he shall show it on the copy he retains in his files.

(vi) Identification of vehicle in which shipped, i.e.,

(a) The railroad car number and initials or the barge number or name shall be shown on the packer's invoice if he loads directly into a car or barge or if he makes shipment by truck owned or controlled by him for the purpose of reloading into a car or barge, except as noted under (d).

(b) The railroad car number and initials or the barge number or name shall be shown on the broker's shipping notice on every shipment to the consumer involving rail or barge movement, except as noted under (d).

(c) In all other cases the shipping notice shall state the license number or truck number of the truck into which the wastepaper is loaded.

(d) If, under the circumstances specified in (a) or (b), the seller is prohibited by railroad or governmental authority from entering upon the property for determination of vehicle identification, a statement to that effect, on the shipping notice, shall constitute full compliance with the requirements of this subdivision (vi).

(2) Responsibility of the packer. On each sale of wastepaper commercially packed by him, the packer shall prepare a shipping notice, in accordance with subparagraph (1) above, and shall forward it as follows:

(i) If initial loading is directly into a railroad car or barge, the packer shall mail the shipping notice to his buyer (broker or consumer, as the case may be) not later than twelve hours after loading.

(ii) If shipment starts by truck owned or controlled by the packer which makes delivery to a railroad car or barge for the purpose of reloading therein, the packer shall mail the shipping notice to his buyer not later than twelve hours after delivery to the car or barge, to the packer by truck owned or controlled by the packer, the packer shall have the shipping notice covering the entire shipment must be prepared and forwarded with the shipment by previous sellers in accordance with the following subparagraphs.

(Important! See definitions in § 1347.11)

(1) What the shipping notice shall contain. Each shipping notice shall separately state:

(i) The date of loading.

(ii) The name and address of the grade. The grade name shall be the applicable grade name listed in § 1347.14 (a) or it shall be the grade name of a specialty sold in accordance with the provisions of § 1347.14 (c).

(iii) The total weight of each grade and the number of bales of each grade.

(iv) If baled, the weight of each bale, except that individual bale weights need not be shown if:

(a) The shipping notice covers an entire carload or truckload of wastepaper from a single commercial packer and is consigned directly to the consumer, or

(b) The shipment is made by the commercial packer of the bales and he has no adequate weighting facilities available.

In this case, the commercial packer shall note the following in his shipping notice, "No adequate weighting facilities available" or

(c) The wastepaper was purchased commercially packed from a previous seller who was not required to show individual bale weights.

(v) The name of the city or town at which shipment originates.

(2) Responsibility of the broker. On each sale of commercially packed wastepaper by a broker, as defined in § 1347.11, the broker's responsibility shall be as follows:

(i) If the shipment moves direct from packer to consumer by rail or barge the broker shall prepare and mail a new shipping notice to the consumer not later than twelve hours after he receives the packer's shipping notice.

(ii) If shipment starts by truck owned or controlled by the packer and is reloaded into a railroad car or barge for shipment to the consumer, the broker shall prepare and mail a shipping notice to the consumer not later than twelve hours after he receives shipping notices from all suppliers involved in the broker's shipment.

(iii) If the shipment starts from the packer by truck owned or controlled by the broker and is reloaded into a rail-
road car or barge for shipment to the consumer, the broker shall have the driver of the truck secure a shipping notice from the packer and the broker shall prepare a new shipping notice and shall mail it to the consumer not later than twelve hours after he receives shipping notices from all such suppliers.

(iv) If shipment starts from the packer by truck owned or controlled by the broker and is delivered to the consumer other than by railroad car or barge, the broker shall have the driver of the truck secure a shipping notice from the packer and shall have the packer's shipping notice accompany the shipment through to the consumer and shall deliver it to the consumer.

(v) If shipment is made direct from packer to consumer by truck owned or controlled by the packer, the broker shall have no responsibility as to any shipping notice.

(vi) If shipment starts from the packer by truck owned or controlled by the consumer the broker shall have no responsibility as to any shipping notice.

(vii) On all other shipments involving rail or barge movement, the broker shall prepare a shipping notice and shall mail it to the consumer not later than twelve hours after completion of loading into the car or barge, of all wastepaper involved in the broker's shipment.

(viii) On all other truck shipments the broker shall have a shipping notice and shall have it accompany the shipment through to the consumer and shall deliver it to the consumer.

(4) Responsibility of the consumer. On any shipment the consumer is responsible for having the shipping notice in order and for mailing it to the shipper not later than twelve hours after completion of loading.

(5) Records. In all cases the buyer shall keep every shipping notice received by him and the seller shall keep a copy of every shipping notice he prepares. Both the buyer and seller shall make their copies available for inspection by the Office of Price Administration at any time.

(6) Brokerage. (1) In the event that a consumer of wastepaper shall purchase wastepaper through a broker as defined in § 1347.11 (a) (1), hereinafter such person, his owner, or the consumer may pay such broker not more than the maximum price herein plus a broker's allowance not to exceed the following percentages of the price per ton of the amount actually paid to the broker, exclusive of the broker's allowance:

<table>
<thead>
<tr>
<th>Price per ton for grade of wastepaper purchased or reprocessed</th>
<th>Broker's allowance in percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to $20.00</td>
<td>4</td>
</tr>
<tr>
<td>$20.01 to $30.00</td>
<td>5</td>
</tr>
<tr>
<td>$30.01 to $40.00</td>
<td>6</td>
</tr>
<tr>
<td>$40.01 to $50.00</td>
<td>7</td>
</tr>
<tr>
<td>$50.01 to $60.00</td>
<td>8</td>
</tr>
<tr>
<td>$60.01 and up</td>
<td>9</td>
</tr>
</tbody>
</table>

(2) The maximum prices established in § 1347.14 Appendix A, can in no case be exceeded more than one broker's allowance for each ton. In no event shall a person receive brokerage on the proceeds of brokerage on wastepaper purchased by another person with whom he has any connection, consisting of ownership, control, or close family relationship. In no event shall a person receive brokerage on the proceeds of brokerage on wastepaper purchased by another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to sell, and charge brokerage on the pack of the other. In addition to the price paid by the consumer, a broker may receive a broker's allowance only from a consumer, and only if the transaction in question fulfills all of the following requirements:

(a) The broker records the name or names of his vendor, or vendors in each transaction, the quantity and grade of wastepaper purchased, the price f. o. b. point of shipment paid by such broker, the name of his consuming purchaser, the method of shipment to such consuming purchaser, the price paid by such consuming purchaser, and the broker's allowance.

(i) The sale is made by the broker to the consumer.

(ii) The absent sale is made by the broker to the consumer has been completely prepared for delivery to the other person.

(iii) The broker guarantees the merchantability of the wastepaper.

(iv) The broker's allowance in such transaction is shown as a separate item on the invoice. This invoice must contain a statement to the effect that the broker has not had any part in the preparation of the wastepaper covered, prior to its delivery to the consumer, and that the charges are not in excess of those established in this Maximum Price Regulation No. 30.

(5) All pertinent provisions in this Maximum Price Regulation No. 30 are strictly complied with.

FEDERAL REGISTER, Saturday, August 17, 1946

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CHARTERED of the United States.]

(i) "Selling agents". (1) In the event that wastepaper is sold to a consumer through a selling agent, as defined in § 1347.11 (a) (1), the maximum price which the seller may charge the consumer may equal, but shall in no event exceed the maximum price paid by the consumer which, when added to the purchase price paid by him for such wastepaper, the price f. o. b. point of shipment paid by such broker, the name of his consuming purchaser, the method of shipment to such consuming purchaser, the price paid by such consuming purchaser, and the broker's allowance.

(ii) The sale is made by the broker to the consumer.

(iii) The seller operates a sales agent.

(iv) If a person realizes from the sale for his own use any sort whatsoever between the two, whereby each is to sell, and charge brokerage on the other, the sum of the amount paid for processing wastepaper resulting from such processing. In connection with any such processing, the owner of the wastepaper shall warrant in writing to the person processing the wastepaper that the total of the processing charge and the purchase price paid by the owner does not exceed the maximum price established by this regulation for the grade of wastepaper resulting from such processing.

[Paragraph (i), formerly (h) added by Am. 2, 8 F.R. 6129, effective 5-15-43]

(1) The maximum price paid for the processing, the price f. o. b. point of shipment paid by the consumer, the method of shipment to such consuming purchaser, the price paid by such consuming purchaser, and the broker's allowance.

(2) The maximum prices established in § 1347.14 Appendix A, can in no case be exceeded more than one broker's allowance for each ton. In no event shall a person receive brokerage on the proceeds of brokerage on wastepaper purchased by another person with whom he has any connection, consisting of ownership, control or close family relationship. In no event shall a person receive brokerage on the proceeds of brokerage on wastepaper purchased by another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to sell, and charge brokerage on the pack of the other. In addition to the price paid by the consumer, a broker may receive a broker's allowance only from a consumer, and only if the transaction in question fulfills all of the following requirements:

(a) The broker records the name or names of his vendor, or vendors in each transaction, the quantity and grade of wastepaper purchased, the price f. o. b. point of shipment paid by such broker, the name of his consuming purchaser, the method of shipment to such consuming purchaser, the price paid by such consuming purchaser, and the broker's allowance.

(i) The sale is made by the broker to the consumer.

(ii) The amount which the seller may receive and charge to the consumer shall in no event exceed the appropriate maximum price established by this Maximum Price Regulation for the grade or grades sold before the addition of brokerage fees.

(iii) If shipment starts from the packer for shipment to a consumer, the broker shall have no responsibility as to any shipping notice. In no event shall a person receive brokerage on the proceeds of brokerage on wastepaper purchased by another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to sell, and charge brokerage on the pack of the other. In addition to the price paid by the consumer, a broker may receive a broker's allowance only from a consumer, and only if the transaction in question fulfills all of the following requirements:

(a) The broker records the name or names of his vendor, or vendors in each transaction, the quantity and grade of wastepaper purchased, the price f. o. b. point of shipment paid by such broker, the name of his consuming purchaser, the method of shipment to such consuming purchaser, the price paid by such consuming purchaser, and the broker's allowance.

(i) The sale is made by the broker to the consumer.

(ii) The absent sale is made by the broker to the consumer has been completely prepared for delivery to the other person.

(iii) The broker guarantees the merchantability of the wastepaper.

(iv) The broker's allowance in such transaction is shown as a separate item on the invoice. This invoice must contain a statement to the effect that the broker has not had any part in the preparation of the wastepaper covered, prior to its delivery to the consumer, and that the charges are not in excess of those established in this Maximum Price Regulation No. 30.

(5) All pertinent provisions in this Maximum Price Regulation No. 30 are strictly complied with.

(2) The maximum prices established in § 1347.14 Appendix A, can in no case be exceeded more than one broker's allowance for each ton. In no event shall a person receive brokerage on the proceeds of brokerage on wastepaper purchased by another person with whom he has any connection, consisting of ownership, control or close family relationship. In no event shall a person receive brokerage on the proceeds of brokerage on wastepaper purchased by another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to sell, and charge brokerage on the other, the sum of the amount paid for processing wastepaper resulting from such processing. In connection with any such processing, the owner of the wastepaper shall warrant in writing to the person processing the wastepaper that the total of the processing charge and the purchase price paid by the owner does not exceed the maximum price established by this regulation for the grade of wastepaper resulting from such processing.

[Paragraph (i), formerly (h) added by Am. 2, 8 F.R. 6129, effective 5-15-43]

(1) The maximum price paid for the processing, the price f. o. b. point of shipment paid by the consumer, the method of shipment to such consuming purchaser, the price paid by such consuming purchaser, and the broker's allowance.

(2) The maximum prices established in § 1347.14 Appendix A, can in no case be exceeded more than one broker's allowance for each ton. In no event shall a person receive brokerage on the proceeds of brokerage on wastepaper purchased by another person with whom he has any connection, consisting of ownership, control or close family relationship. In no event shall a person receive brokerage on the proceeds of brokerage on wastepaper purchased by another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to sell, and charge brokerage on the other, the sum of the amount paid for processing wastepaper resulting from such processing. In connection with any such processing, the owner of the wastepaper shall warrant in writing to the person processing the wastepaper that the total of the processing charge and the purchase price paid by the owner does not exceed the maximum price established by this regulation for the grade of wastepaper resulting from such processing.

[Paragraph (i), formerly (h) added by Am. 2, 8 F.R. 6129, effective 5-15-43]

(1) The maximum price paid for the processing, the price f. o. b. point of shipment paid by the consumer, the method of shipment to such consuming purchaser, the price paid by such consuming purchaser, and the broker's allowance.

(2) The maximum prices established in § 1347.14 Appendix A, can in no case be exceeded more than one broker's allowance for each ton. In no event shall a person receive brokerage on the proceeds of brokerage on wastepaper purchased by another person with whom he has any connection, consisting of ownership, control or close family relationship. In no event shall a person receive brokerage on the proceeds of brokerage on wastepaper purchased by another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to sell, and charge brokerage on the other, the sum of the amount paid for processing wastepaper resulting from such processing. In connection with any such processing, the owner of the wastepaper shall warrant in writing to the person processing the wastepaper that the total of the processing charge and the purchase price paid by the owner does not exceed the maximum price established by this regulation for the grade of wastepaper resulting from such processing.
PART 1499—COMMODITIES AND SERVICES
[MPR 586, Amdt. 4 (1499.689)]

EXEMPTION OF COTTON COMPRESSING AND COTTON WAREHOUSING SERVICES

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.

In section 3 (b) a new subparagraph (3) is added to read as follows:

(3) Cotton compressing and cotton warehousing and services incidental thereto.

This amendment shall become effective as of July 25, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER, 
Administrator.

[F. R. Doc. 46-14581; Filed, Aug. 16, 1946; 11:58 a. m.]

PART 1499—COMMODITIES AND SERVICES
[MPR 586, Amdt. 7 to Supp. Storage Reg. 1 (1499.689)]

WAREHOUSING GOVERNMENT-OWNED COTTON IN BRISTOL COUNTY, MASS.

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

Section 19 is deleted in its entirety.

This amendment shall become effective as of July 25, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER, 
Administrator.

[F. R. Doc. 46-14582; Filed, Aug. 16, 1946; 11:57 a. m.]

PART 1499—COMMODITIES AND SERVICES
[MPR 586, Revocation of Supp. Storage Reg. 1 (1499.691)]

COTTON WAREHOUSING AND COTTON COMPRESSING

For reasons set forth in the statement of considerations accompanying Amendment 76 to MPR 422 and Amendment 72 to MPR 423, the date "July 25, 1946" is corrected to read "August 7, 1946", wherever it appears.

This order of revocation shall be effective as of July 25, 1946.

(Pub. Law 548, 79th Cong.)

Issued this 16th day of August 1946.

PAUL A. PORTER, 
Administrator.

[F. R. Doc. 46-14583; Filed, Aug. 16, 1946; 11:58 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 426, Amdt. 76; MPR 429, Amdt. 72, Correction]

CORRECTION TO AMENDMENT 33 TO MPR 421, AMENDMENT 76 TO MPR 422, AND AMENDMENT 72 TO MPR 423

In Amendment 33 to MPR 421, Amendment 76 to MPR 422 and Amendment 72 to MPR 423, the date "July 25, 1946" is corrected to read "August 7, 1946", wherever it appears.

This correction shall be effective as of August 7, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER, 
Administrator.

[F. R. Doc. 46-14376; Filed, Aug. 16, 1946; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES
[MPR 586, Revocation of Supp. Storage Reg. 3 (1499.692)]

COTTON WAREHOUSING

For reasons set forth in the statement of considerations accompanying Amendment 4 to MPR 586, issued simultaneously herewith and filed with the Division of the Federal Register, It is ordered, That:

Supplementary Storage Regulation No. 3 under Maximum Price Regulation 586 (§ 1499.692) be, and it hereby is, revoked.

This order of revocation shall be effective as of July 25, 1946.

(Pub. Law 548, 79th Cong.)

Issued this 16th day of August 1946.

PAUL A. PORTER, 
Administrator.

[F. R. Doc. 46-14388; Filed, Aug. 16, 1946; 11:49 a. m.]

PART 1499—COMMODITIES AND SERVICES
[SR 14J, Amdt. 26]

SMALL ELECTRIC APPLIANCES

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

Supplementary Regulation No. 14J is amended by deleting therefrom the following sections:

1. Section 2.2.
2. Section 2.3.
3. Section 2.5.
4. Section 3.5.
5. Section 3.4.
6. Section 4.1.
7. Section 4.2.

This amendment shall become effective on the 21st day of August 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER, 
Administrator.

[F. R. Doc. 46-14362; Filed, Aug. 16, 1946; 12:00 a. m.]

PART 1499—COMMODITIES AND SERVICES
[2d Rev. SR 14I, Amdt. 37]

PAPER AND PAPERBOARD COMMODITIES

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.

A new section 4.1 is added to Article IV of 2d Revised Supplementary Regulation 14 to read as follows:

SEC. 4.1 Pass-on by resellers, (a) Whenever the maximum price for any paper commodity at the wholesale or retail level is established under the General

*10 P.R. 1154, 2226, 2561, 2429, 2618, 3551, 4107, 4585, 4809, 5707, 5929, 6029, 6168, 6265, 11934, 13121, 14578, 11 F.R. 676, 1059, 2973, 2985, 3299, 3340, 3879, 3962, 4349, 4340, 5314, 5601, 6902, 6338, 6583, 6982, 7423.
Maximum Price Regulation and the manufacturer has received a price increase for the commodity subsequent to March 31, 1946, the wholesale or retail distributor of such commodity may add to his maximum price prevailing on March 31, 1946, the same percentage increase as granted to the manufacturer of the commodity. 

(a) On and after August 16, 1946, each wholesale distributor, in every first shipment or delivery to a customer of a commodity which has received an adjustment in accordance with paragraph (a) above, shall include a notice of his supplier’s percentage increase in the maximum price of the commodity since March 31, 1946, the specific action authorizing such increase and a statement that such percentage increase may be added to the customer’s maximum price of the commodity prevailing on March 31, 1946, as determined in accordance with the provisions of the General Maximum Price Regulation.

This amendment shall become effective August 16, 1946.

Issued this 15th day of August 1946.

Paul A. Porter, Administrator.

(F. R. Doc. 46-14301; Filed, Aug. 16, 1946; 12:00 p.m.)

PART 1305—ADMINISTRATION

[SO 110, Revocation]

APPAREL AND APPAREL ACCESSORIES

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

Supplementary Order 108, all special orders issued under section 17 thereof and all orders issued thereunder are hereby revoked, subject to the provisions of Supplementary Order No. 40.

This order shall become effective as of July 1, 1946.

Issued this 15th day of August 1946.

Paul A. Porter, Administrator.

(F. R. Doc. 46-14302; Filed, Aug. 15, 1946; 4:22 p.m.)

PART 1335—ADMINISTRATION

[Rev. SO 113, Revocation]

WOOL CIVILIAN APPAREL FABRICS—MANUFACTURERS’ MAXIMUM AVERAGE PRICE

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

Revised Supplementary Order No. 113 and all orders issued thereunder are hereby revoked, subject to the provisions of Supplementary Order No. 40.

This order shall become effective as of July 1, 1946.

Issued this 15th day of August 1946.

Paul A. Porter, Administrator.

(F. R. Doc. 46-14303; Filed, Aug. 15, 1946; 4:22 p.m.)

Chapter XXIII—War Assets Administration

[Reg. 14]

PART 8314—DISPOSAL TO NONPROFIT INSTITUTIONS AND DISCOUNTS FOR EDUCATIONAL OR PUBLIC-HEALTH INSTITUTIONS OR INSTRUMENTALITIES

Surplus Property Administration Regulation 14, November 6, 1945, as amended through April 5, 1946, entitled “Disposal to Nonprofit Institutions and Discounts for Educational or Public-Health Institutions and Instrumentalities” (10 F.R. 14028, 11 F.R. 2714, 4096), is hereby revoked and amended as herein set forth as War Assets Administration Regulation 14, Order 1, June 17, 1946 (11 F.R. 6870), Order 2, June 29, 1946 (11 F.R. 7426), Order 3, June 29, 1946 (11 F.R. 7426), Order 4, July 14, 1946 (11 F.R. 7775), and Order 5, July 19, 1946 (11 F.R. 7390), under this part, shall continue in full force and effect.

See:

8314.1 Definitions.
8314.2 Scope.
8314.3 General policy of disposal.
8314.4 Determination of eligibility.
8314.5 [Deleted Aug. 15, 1946.]
8314.6 Criteria.
8314.7 Submission of orders.
8314.9 Disposals.
8314.9 Prices.
8314.10 Certificate of need and use.
8314.11 Notices of offering.
8314.12 Regulations by disposal agencies to be filed with the War Assets Administrator.
8314.13 Records and reports.
8314.15 Issuance of surplus property.


§ 8314.1 Definitions—(a) Terms defined in this part (b) which are defined in the Surplus Property Act of 1944 shall in this part have the meaning given to them in the act.

(b) Other terms. (1) "Instrumentality" as used herein refers to any instrumentality of a State, territory, or possession of the United States, the District of Columbia, or any political subdivision thereof, as well as to such States and subdivisions themselves.

(2) "Nonprofit institution" means any nonprofit scientific, literary, educational, public-health, public-welfare, charitable or eleemosynary institution, organization, or association, or any nonprofit hospital or similar institution, organization, or association, which has been held exempt from taxation under section 101 (6) of the Internal Revenue Code, or any nonprofit volunteer fire company or cooperative hospital or similar institution which has been held exempt from taxation under section 101 (8) of the Internal Revenue Code.

(3) "Educational institution or instrumentality" means any educational or public welfare institution, organization or association, which is organized for the primary purpose of carrying on instruction or research in the public interest, and which is a nonprofit institution or an instrumentality.

(4) “Public-health institution or instrumentality” means any hospital, board, agency, institution, organization, or association, which is organized for the primary purpose of carrying on medical, public-health, or sanitary services for the public interest, or research to extend the knowledge in these fields, and which is a nonprofit institution or an instrumentality.

§ 8314.2 Scope. This part shall apply only to disposals of surplus personal property made by disposal agencies within the continental United States, its territories and possessions. It shall not apply to any disposals of real property, nor to personal property appurtenant to, or severed from, or assigned for disposal in connection with, real property, and disposed of under Parts 8303, 8310, or 8320; nor to aeronautical property subject to the provisions of Part 8304. This part grants to nonprofit institutions the opportunity to acquire surplus property and in the case of educational or public-welfare institutions the right to a discount. Instrumentalities are entitled to acquire surplus property by priority pursuant to the provisions of Part 8305. This part extends to educational and public-welfare institutions the additional right to acquire such surplus property in accordance with regulations prescribed by the Administrator.

10 F.R. 4336, 4402, 8268, 12060, 12061, 12165, 15125; 11 F.R. 604.
12 F.R. 4826.
12 F.R. 9265, 14815; 11 F.R. 174, 2041.
property at a discount. The benefits of this part apply only to those tax-supported institutions which are instrumentalities of the basis of need of nonprofit institutions referred to in § 8314.1.

§ 8314.3 General policy of disposal. (a) Section 13 (a) of the Surplus Property Act of 1944 provides generally, to the extent feasible, for transfer of surplus property to cities, towns, counties, states, or to the War Assets Administrator. For property at a discount. The benefits of this part shall not be filled out of property reserved for priority claimants under § 8322.6. Nothing herein shall impair the rights of States or their political subdivisions or instrumentalities to acquire property pursuant to Part 8302, nor impair the priority granted to them by section 13 (f) of the act.

(b) Acquisition at competitive sales. Any nonprofit institution shall be entitled to compete on the same terms and conditions as purchase of property at a fixed time, and property specifically designated for purposes other than educational use, and surplus medical supplies, equipment, and property suitable for use in the protection of public health, including research, may be disposed of at a value which takes into account any benefit which has accrued or may accrue to the United States from the use of such property.

§ 8314.4 Determination of eligibility. Federal Security Agency shall submit to the War Assets Administrator certified lists of public-health, educational, and other nonprofit institutions and instrumentalities, so that they may have the opportunity to fulfill in the public interest their legitimate needs, and that surplus property that is appropriate for school, classroom, or other educational use, and surplus medical supplies, equipment, and property suitable for use in the protection of public health, including research, may be disposed of at a value which takes into account any benefit which has accrued or may accrue to the United States from the use of such property.

§ 8314.5 Submission of orders. Federal Security Agency shall establish with the approval of the War Assets Administrator procedures under which orders for property by or for nonprofit institutions and instrumentalities which apply for surplus property under this part, Federal Security Agency shall submit such criteria and procedures for the approval of the War Assets Administrator.

§ 8314.7 Certificat of need and use. Each nonprofit institution or instrumentality applying for the benefits of this part shall certify through a responsible officer thereof that the property sought by the applicant under such certification is required for its own use to fill an existing need of the applicant and that it will not be resold to others within one (1) year of the date of purchase without the consent in writing of the disposal agency.

§ 8314.11 Notices of offering. Disposal agencies shall in cooperation with Federal Security Agency adopt procedures which will allow nonprofit institutions and instrumentalities to receive notices of what surplus property is available or offered for sale within the area in which the offering is made. Nonprofit institutions and instrumentalities shall have the right to receive on request mailing lists in all cases where such lists are used to offer property for disposal, including mailing lists otherwise reserved for special classes of buyers, unless the disposal agency shall find that the giving of such notices and lists to nonprofit institutions and instrumentalities shall for any particular type of property become impracticable, unduly expensive to the Government, or unreasonably burdensome upon the facilities of the disposal agency. When public advertising is used as the method of offering, no other notice need be given to nonprofit institutions and instrumentalities.

§ 8314.12 Regulations by disposal agencies to be filed with the War Assets Administrator. Each disposal agency, the Federal Security Agency, the United States Office of Education, and the United States Public Health Service shall file with the War Assets Administrator copies of all regulations, orders, and instructions of general applicability which they may issue in furtherance of the provisions, or any of them, of this part.

§ 8314.13 Records and reports. Each disposal agency shall prepare and maintain such records as will show full compliance with the provisions of this part and with the applicable provisions of the act. Reports shall be prepared and filed with the War Assets Administrator in such manner as may be specified by the Administrator in such manner as may be specified by the Administrator by order under the applicable provisions of this part.

This part shall become effective August 17, 1946.

ROBERT M. LITTLEJOHN, Administrator.

AUGUST 15, 1946.

[F. R. Doc. 46-14606; Filed, Aug. 16, 1946; 11:54 a. m.]

TITLES 38—PENSIONS, BONUSES AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART I—GENERAL PROVISIONS

INSPECTION AND INVESTIGATION

§ 1.17 Functions—(a) Inspection. Inspection activities operative from central office will be under the director, inspection and investigation service. Inspections in the branch office will be under the chief, inspection and investigation division. Inspection is to be distinguished from investigation, although on occasion inspection may lead to isolated investigation.

There will be assigned in central office and in each branch office an adequate number of inspector-investigators (specialists) who will, at such intervals as may be designated, conduct over-all inspections of branch, regional, hospital and other activities to ascertain whether the functions being performed properly, adequately and efficiently and in accordance with the laws, regulations and instructions issued pursuant thereto. Under special and unusual circumstances the director, collectively or individually, in addition to his own inspection, will perform interim duties assigned involving inspection of any service in central office, branch offices, regional offices, hospitals, or any other activity, including contract hospitals, public, quasi-public, or private institutions rendering or seeking to render services to the Veterans Administration, either gratuitously or for hire.

(b) Investigation. Investigation in central office will be under the director, inspection and investigation service. In the branch office it will be under the chief, inspection and investigation division. Investigation or fact-finding
should not be confused with inspection. Investigation will be resorted to only when the occasion demands and where it is necessary to develop the evidence on a given subject through the taking of testimony and procurement of documentary evidence in connection with alleged irregularities, maladministration, violation of Federal statutes, regulations, instructions and Veterans Administration policies. An investigation resulting in the accumulation of complete, detailed, comprehensive reports based on facts supported by documentary evidence or a preponderance of testimony covering all matters investigated will be used in the preparation of permanent records of the Veterans Administration and to contain detailed conclusions for consideration by the responsible services regarding remedial action to correct unfavorable conditions disclosed.

(c) Inspector-investigators, as the title implies, will operate in a dual capacity, first of all for conducting either inspection or investigation.

§ 1.18 Jurisdiction and responsibility for inspection-investigation.—(a) Central Office. The inspection and investigation service of central office will have jurisdiction and will be responsible for instructions, procedures, supervision, coordination and follow-up of all inspection and investigation activities within central office and field offices and for the making of inspections or investigations as set forth in and authorized by §§ 1.17 and 1.18.

(b) Branch offices. The inspection and investigation service of the branch office will have jurisdiction and will be responsible for instructions, procedures, supervision, coordination and follow-up of all inspection and investigation activities within branch offices and for the making of inspections or investigations as set forth in and authorized by §§ 1.17 and 1.18.

(c) Cooperation between offices. The director of each branch office, or the chief, inspection and investigation division of the branch office, may request through the deputy administrator the assistance of the inspection and investigation division of central office, or request that the central office, provided the matter under investigation pertains only to his office; when such requests are received they will be given priority over routine investigations.

§ 1.19 Who may authorize inspection-investigations.—(a) Inspections. (1) Central office. The Administrator or his designee may authorize inspections of central office, branch offices and any field stations as required in the interest of efficiency, which may be made applicable to all comparable operating activities. Inspections will not supersedes or be superimposed upon supervisory or inspection services but will be independent thereof and will comprise a separate and distinct function.

(2) Branch offices. The deputy administrator or his designate may authorize inspections of the branch office or any field station below that level in his respective area to keep the deputy administrator informed for the identical purposes as set forth in subparagraph (1) of this paragraph.

(b) Investigations.—(1) Central office. The Administrator or his designate may authorize investigations of any matters involving central office, branch offices, regional offices, hospitals, or any activity of the Veterans Administration involving the following:

(i) Matters involving internal administration and functioning of any such office or activity.

(ii) Matters involving conduct of an officer or employee of the Veterans Administration.

(iii) Cases of claimants involving administrative irregularities or the conduct of an officer or employee of the Veterans Administration incident thereto.

(iv) Cases of claimants in which the opinion of the official concerned the matter is of such magnitude sufficiently serious or complex, or could involve extra-regional travel and could not otherwise be satisfactorily investigated.

(v) Cases in which there is evidence of mass food poisoning.

(vi) Such other matters as in the judgment of the Administrator or his designate, require investigation.

(2) Branch offices. The deputy administrator or his designate upon his own authority and without reference to central office, may authorize investigations of matters set forth in subparagraph (1) to (vi) of this paragraph, limited, however, to matters affecting his own office and branch area including all field stations and activities of the Veterans Administration situated therein.

(3) Regional offices and hospitals. The authority of managers of regional offices, hospitals or other comparable officials in the branch office areas, to authorize or approve investigations, shall be limited to the authority provided in medical procedure (assaults, etc. and field examinations), to minor infractions of regulations, loss or theft of funds or personal property of employees or beneficiaries, etc. On more serious matters, and those set forth in subparagraph (1) to (vi) of this paragraph a preliminary report shall be forwarded to the branch office for consideration of the deputy administrator, with appropriate comment and recommendation.

§ 1.20 Procedure for requesting or authorizing investigations.—(a) Central office. The deputy administrator or his designate, upon the matter is reported or brought to his attention, will submit the matter in writing with evidence or a preponderance of evidence in support of the matter to the Administrator or his designate who will either approve or disapprove the request for investigation.

(b) Branch offices. When any matter comes to the attention of the deputy administrator indicating irregularity or deficiency on the part of any employee or any questionable matter within the jurisdiction and functioning of the branch office, the deputy administrator will consider the matter and either authorize or disapprove an investigation.

§ 1.21 Cooperation of all officials on inspection-investigation. Under ordinary circumstances stenographic services will be supplied by the central and branch offices, respectively, notwithstanding travel may be required when under warranted circumstances deputy administrators, managers of regional offices, hospitals and other responsible officials will at all times render every possible cooperation and assistance to inspector-investigators of the central and branch offices. This cooperation will include the temporary transfer of any claims, records, or other evidence in the office of the manager, which in the judgment of the manager, which in his judgment should be investigated, he will proceed as follows:

(1) Matters outlined in § 1.19 (b) (3) (assaults, etc. and field examinations), will be referred by the manager to the usual inspector-investigator to authorize or disapprove an investigation.

(2) More serious matters, and those set forth in § 1.19 (b) (1), (2), (4), and (5) the manager will report in writing, with all available facts, to the deputy administrator, with appropriate comment and recommendations. Reportable incidents and the matters set forth in § 1.19 (b) (6) of the United States will be referred, upon a statement of the matter and either authorize or disapprove the request for investigation.

§ 1.22 Authority for extra-territorial travel. (a) Deputy administrators may authorize travel for an inspector-investigator of his office to any point within the continental United States and to those stations beyond the continental limits of the United States when such stations are within the jurisdiction of the head office, provided the matter under investigation pertains only to his office; does not involve other Veterans Administration offices outside of his jurisdiction and the matter is one in which the services of an inspector-investigator of other branch offices cannot be utilized satisfactorily.

(b) Except in unusual circumstances, inspector-investigators of a branch office will not travel beyond the area over which the particular branch office has jurisdiction.
jurisdiction and usually when matters are to be inspected or investigated at a point beyond the prescribed territory of the branch office a deputy administrator may request the deputy administrator having jurisdiction over the area involved to assign inspector-investigators for the purpose specified, it being understood that the deputy administrator of the originating branch office maintains jurisdiction over the subject matter and that reports thus secured are to be forwarded through the receiving deputy administrator to the originating deputy administrator.

§ 1.23 All testimony confidential. All testimony given in an investigation is confidential and is for the use of regional managers and comparable officials. In order that investigations may not interpret or misinterpret the normal functions of a standard vessel, employees are instructed to refrain from discussing matters under investigation, during the investigation or after its completion. Particularly those employees called upon to testify will refrain from discussing their testimony, except with an inspector-investigator and as such inspector-investigator considers necessary.

§ 1.24 Furnishing copies of testimony. Witnesses will, at their request, be furnished copies of their testimony. Such copies normally will not be furnished the witness until the completion of the investigation.

§ 1.25 Witness required to read and sign transcript. In all instances when a verbatim testimony is taken, the witness will be afforded an opportunity to read and sign the transcript of his testimony, unless it is not feasible to do so, and in such cases a statement of the reason for the witness failing to sign will be appended to the transcript.

§ 1.26 Protection of witness. No employee of the Veterans' Administration called as witness in an investigation shall be subjected to any form of retaliation, reprisal, or disciplinary action for testifying in such an investigation, unless his testimony is self-incriminating. A statement of the fact that testimony was given will be placed in the individual personnel file of each employee required to testify in an investigation.

The C1-MT-BU1 lumber freighter is a steel cargo vessel with a raked stem and cruiser stern. The vessel will accommodate eight passengers in four state-rooms. Deep tanks are installed at the forward end of No. 1 hold. The machinery is located amidships.

There are two basic designs of the C1 type which are considered to be standard, the C1A and the C1B (except that propulsion is turbine only) and a price in accordance with the formulas indicated below.

The principal design characteristics of the standard vessel are listed below:

<table>
<thead>
<tr>
<th>Design</th>
<th>CIA</th>
<th>C1B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shelter deck</td>
<td>Full scantling</td>
<td>Full scantling</td>
</tr>
<tr>
<td>Length over-all</td>
<td>61' 0&quot;</td>
<td>61' 0&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
<td>11' 0&quot;</td>
<td>11' 0&quot;</td>
</tr>
<tr>
<td>Depth molded</td>
<td>37' 0&quot;</td>
<td>37' 0&quot;</td>
</tr>
<tr>
<td>Loaded draft molded</td>
<td>36' 0&quot;</td>
<td>36' 0&quot;</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Gross tons</td>
<td>9,200</td>
<td>9,200</td>
</tr>
<tr>
<td>Net tons</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td>Bale cubic capacity</td>
<td>459' 0&quot;</td>
<td>459' 0&quot;</td>
</tr>
<tr>
<td>Propulsion</td>
<td>Turbine</td>
<td>Turbine</td>
</tr>
<tr>
<td>Shaft h. p., normal</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>Shelter, M.1, normal</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>14</td>
<td>14</td>
</tr>
<tr>
<td>Passengers</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>State-rooms</td>
<td>4</td>
<td>4</td>
</tr>
</tbody>
</table>

The prices for the two standard designs are as follows:

<table>
<thead>
<tr>
<th>Prewar domestic cost</th>
<th>Domestic war cost</th>
<th>Unadjusted statutory sales price</th>
<th>Floor price</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,000,000</td>
<td></td>
<td>$1,250,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$2,000,000</td>
<td>$2,500,000</td>
<td>$2,625,000</td>
</tr>
</tbody>
</table>

(b) Type C1. The standard vessel is a steel cargo vessel with a raked stem and cruiser stern. The quarters will accommodate eight passengers in four state-rooms. Deep tanks are installed at the forward end of No. 1 hold. The machinery is located amidships.

There are two basic designs of the C1 type which are considered to be standard, the C1A and the C1B (except that propulsion is turbine only) and a price in accordance with the formulas indicated below.

The C1-MT-BU1 lumber freighter is a steel cargo vessel with a raked stem and cruiser stern. The vessel will accommodate eight passengers in four state-rooms. Deep tanks are installed at the forward end of No. 1 hold. The machinery is located amidships.

There are two basic designs of the C1 type which are considered to be standard, the C1A and the C1B (except that propulsion is turbine only) and a price in accordance with the formulas indicated below.

The prices for the two standard designs are as follows:

<table>
<thead>
<tr>
<th>Prewar domestic cost</th>
<th>Domestic war cost</th>
<th>Unadjusted statutory sales price</th>
<th>Floor price</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,000,000</td>
<td></td>
<td>$1,250,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$2,000,000</td>
<td>$2,500,000</td>
<td>$2,625,000</td>
</tr>
</tbody>
</table>

(c) Type C2. The standard C2 vessel is a steel cargo vessel with a raked stem and cruiser stern. The vessel will accommodate eight passengers in four state-rooms. There are four deep tanks in No. 4 hold. The machinery is located amidships.

There are two basic designs of the C2 type which are considered to be standard, the C2-S-AJ1 and the C2-S-B1. (Characteristics and prices for both were published in the Federal Register of April 23, 1946.)

In addition to the standard type C2's, there are the following subtypes which have not been previously published:

The C2-S-AJ2 and the C2-S-AJ5 are not available for disposal and are subject only to price adjustment for prior sales under section 9 of the act, and are also subject to adjustment for desirable features in accordance with section 3 (d) (3) of the act.

The C2-S-AJ3, a modification of the C2-S-AJ1, is a military conversion. When recovered to the cargo vessel type, the C2-S-AJ3 will have basic features similar to the standard C2-S-AJ1 design.

The C2 Cargo and the C2T vessels available for disposal are military conversions. When recovered to the cargo vessel type, they will have basic features similar to the standard C2-S-B1 design, except that the propulsion on the C2 Cargo is either steam or Diesel, and on the C2T is Diesel.

The C2-S-E1 vessels available for disposal are military conversions. When recovered to the cargo vessel type, they will have basic features similar to the standard C2-S-B1 design, except that the propulsion on the C2 Cargo is either steam or Diesel, and on the C2T is Diesel.

The prices for these vessels, when recovered, will have basic features similar to the standard C2-S-B1 design, except that the propulsion on the C2 Cargo is either steam or Diesel, and on the C2T is Diesel.
The principal design characteristics of the standard vessel and of the modified designs are listed below:

<table>
<thead>
<tr>
<th>Design</th>
<th>Standard EC2-S-C1</th>
<th>Modified Z-EC2-S-C5</th>
<th>Modified Z-ET1-S-C3</th>
<th>Modified EC2-S-AW1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length over-all</td>
<td>461' 6&quot;</td>
<td>461' 6&quot;</td>
<td>461' 6&quot;</td>
<td>461' 6&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
<td>59' 103/4&quot;</td>
<td>59' 103/4&quot;</td>
<td>59' 103/4&quot;</td>
<td>59' 103/4&quot;</td>
</tr>
<tr>
<td>Depth molded</td>
<td>39' 4&quot;</td>
<td>39' 4&quot;</td>
<td>39' 4&quot;</td>
<td>39' 4&quot;</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>16,000</td>
<td>16,000</td>
<td>16,000</td>
<td>16,000</td>
</tr>
<tr>
<td>Gross tons</td>
<td>7,200</td>
<td>7,200</td>
<td>7,200</td>
<td>7,200</td>
</tr>
<tr>
<td>Net tons</td>
<td>6,380</td>
<td>6,380</td>
<td>6,380</td>
<td>6,380</td>
</tr>
<tr>
<td>Barehull capacity</td>
<td>400,000</td>
<td>400,000</td>
<td>400,000</td>
<td>400,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>2,500</td>
<td>2,500</td>
<td>2,500</td>
<td>2,500</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
</tr>
</tbody>
</table>

The principal design characteristics of the standard vessel and of the modified designs are listed below:

<table>
<thead>
<tr>
<th>Design</th>
<th>Standard VC2-S-AP2 or VC2-S-AP3</th>
<th>Modified VC2-S-AP2 or VC2-S-AP3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length over-all</td>
<td>450' 3&quot;</td>
<td>450' 3&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
<td>60' 0&quot;</td>
<td>60' 0&quot;</td>
</tr>
<tr>
<td>Depth molded</td>
<td>42' 6&quot;</td>
<td>42' 6&quot;</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>10,500</td>
<td>10,500</td>
</tr>
<tr>
<td>Gross tons</td>
<td>7,000</td>
<td>7,000</td>
</tr>
<tr>
<td>Net tons</td>
<td>6,900</td>
<td>6,900</td>
</tr>
<tr>
<td>Barehull capacity</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>15</td>
<td>15</td>
</tr>
</tbody>
</table>

The principal design characteristics of the standard vessel are as follows:

<table>
<thead>
<tr>
<th>Design</th>
<th>Standard VC2-S-AP2 or VC2-S-AP3</th>
<th>Modified VC2-S-AP2 or VC2-S-AP3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length over-all</td>
<td>450' 3&quot;</td>
<td>450' 3&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
<td>60' 0&quot;</td>
<td>60' 0&quot;</td>
</tr>
<tr>
<td>Depth molded</td>
<td>42' 6&quot;</td>
<td>42' 6&quot;</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>10,500</td>
<td>10,500</td>
</tr>
<tr>
<td>Gross tons</td>
<td>7,000</td>
<td>7,000</td>
</tr>
<tr>
<td>Net tons</td>
<td>6,900</td>
<td>6,900</td>
</tr>
<tr>
<td>Barehull capacity</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>15</td>
<td>15</td>
</tr>
</tbody>
</table>

The principal design characteristics of the modified vessels are as follows:

<table>
<thead>
<tr>
<th>Design</th>
<th>Standard VC2-S-AP2 or VC2-S-AP3</th>
<th>Modified VC2-S-AP2 or VC2-S-AP3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length over-all</td>
<td>450' 3&quot;</td>
<td>450' 3&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
<td>60' 0&quot;</td>
<td>60' 0&quot;</td>
</tr>
<tr>
<td>Depth molded</td>
<td>42' 6&quot;</td>
<td>42' 6&quot;</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>10,500</td>
<td>10,500</td>
</tr>
<tr>
<td>Gross tons</td>
<td>7,000</td>
<td>7,000</td>
</tr>
<tr>
<td>Net tons</td>
<td>6,900</td>
<td>6,900</td>
</tr>
<tr>
<td>Barehull capacity</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>15</td>
<td>15</td>
</tr>
</tbody>
</table>

The principal design characteristics of the standard vessel are as follows:

<table>
<thead>
<tr>
<th>Design</th>
<th>Standard VC2-S-AP2 or VC2-S-AP3</th>
<th>Modified VC2-S-AP2 or VC2-S-AP3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length over-all</td>
<td>450' 3&quot;</td>
<td>450' 3&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
<td>60' 0&quot;</td>
<td>60' 0&quot;</td>
</tr>
<tr>
<td>Depth molded</td>
<td>42' 6&quot;</td>
<td>42' 6&quot;</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>10,500</td>
<td>10,500</td>
</tr>
<tr>
<td>Gross tons</td>
<td>7,000</td>
<td>7,000</td>
</tr>
<tr>
<td>Net tons</td>
<td>6,900</td>
<td>6,900</td>
</tr>
<tr>
<td>Barehull capacity</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>15</td>
<td>15</td>
</tr>
</tbody>
</table>

The principal design characteristics of the modified vessels are as follows:

<table>
<thead>
<tr>
<th>Design</th>
<th>Standard VC2-S-AP2 or VC2-S-AP3</th>
<th>Modified VC2-S-AP2 or VC2-S-AP3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length over-all</td>
<td>450' 3&quot;</td>
<td>450' 3&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
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<td>42' 6&quot;</td>
<td>42' 6&quot;</td>
</tr>
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<td>10,500</td>
</tr>
<tr>
<td>Gross tons</td>
<td>7,000</td>
<td>7,000</td>
</tr>
<tr>
<td>Net tons</td>
<td>6,900</td>
<td>6,900</td>
</tr>
<tr>
<td>Barehull capacity</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>15</td>
<td>15</td>
</tr>
</tbody>
</table>

The principal design characteristics of the standard vessel are as follows:

<table>
<thead>
<tr>
<th>Design</th>
<th>Standard VC2-S-AP2 or VC2-S-AP3</th>
<th>Modified VC2-S-AP2 or VC2-S-AP3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length over-all</td>
<td>450' 3&quot;</td>
<td>450' 3&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
<td>60' 0&quot;</td>
<td>60' 0&quot;</td>
</tr>
<tr>
<td>Depth molded</td>
<td>42' 6&quot;</td>
<td>42' 6&quot;</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>10,500</td>
<td>10,500</td>
</tr>
<tr>
<td>Gross tons</td>
<td>7,000</td>
<td>7,000</td>
</tr>
<tr>
<td>Net tons</td>
<td>6,900</td>
<td>6,900</td>
</tr>
<tr>
<td>Barehull capacity</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>15</td>
<td>15</td>
</tr>
</tbody>
</table>

The principal design characteristics of the modified vessels are as follows:

<table>
<thead>
<tr>
<th>Design</th>
<th>Standard VC2-S-AP2 or VC2-S-AP3</th>
<th>Modified VC2-S-AP2 or VC2-S-AP3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length over-all</td>
<td>450' 3&quot;</td>
<td>450' 3&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
<td>60' 0&quot;</td>
<td>60' 0&quot;</td>
</tr>
<tr>
<td>Depth molded</td>
<td>42' 6&quot;</td>
<td>42' 6&quot;</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>10,500</td>
<td>10,500</td>
</tr>
<tr>
<td>Gross tons</td>
<td>7,000</td>
<td>7,000</td>
</tr>
<tr>
<td>Net tons</td>
<td>6,900</td>
<td>6,900</td>
</tr>
<tr>
<td>Barehull capacity</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>15</td>
<td>15</td>
</tr>
</tbody>
</table>
The principal design characteristics of the standard vessels are listed below:

<table>
<thead>
<tr>
<th>Design</th>
<th>N3-S-A1</th>
<th>N3-S-A2</th>
<th>N3-S-A3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length over-all</td>
<td>256'8&quot;</td>
<td>239'4'&quot;</td>
<td>239'4'&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
<td>42'1&quot;</td>
<td>42'1&quot;</td>
<td>42'1&quot;</td>
</tr>
<tr>
<td>Depth molded</td>
<td>27'11'</td>
<td>27'11'</td>
<td>27'11'</td>
</tr>
<tr>
<td>FREE tons</td>
<td>732,000</td>
<td>732,000</td>
<td>732,000</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Gross tons</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Net tons</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>Barke cubic capacity</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>Coal burning</td>
<td>Coal burning</td>
<td>Diesel-electric (Bowes)</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>10</td>
<td>11</td>
<td>11</td>
</tr>
</tbody>
</table>

The principal design characteristics of the standard and modified vessels are listed below.

<table>
<thead>
<tr>
<th>Design</th>
<th>Standard Cl-M-AVI</th>
<th>Modified Cl-ME-AVI</th>
<th>Modified Cl-M-AV8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length over-all</td>
<td>235'8&quot;</td>
<td>235'8&quot;</td>
<td>235'8&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
<td>42'1&quot;</td>
<td>42'1&quot;</td>
<td>42'1&quot;</td>
</tr>
<tr>
<td>Depth molded</td>
<td>26'6&quot;</td>
<td>26'6&quot;</td>
<td>26'6&quot;</td>
</tr>
<tr>
<td>FREE tons</td>
<td>732,000</td>
<td>732,000</td>
<td>732,000</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>2,100</td>
<td>2,100</td>
<td>2,100</td>
</tr>
<tr>
<td>Gross tons</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Net tons</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>Barke cubic capacity</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>Diesel-electric (Bowes)</td>
<td>Diesel</td>
<td>Diesel-electric (Bowes)</td>
</tr>
<tr>
<td>Shaft h.p., normal</td>
<td>1,700</td>
<td>1,700</td>
<td>1,700</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>11</td>
<td>11</td>
<td>11</td>
</tr>
</tbody>
</table>

The prices of the standard designs are as follows:

<table>
<thead>
<tr>
<th>Design</th>
<th>Standard Cl-M-AVI</th>
<th>Modified Cl-ME-AVI</th>
<th>Modified Cl-M-AV8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prewar domestic cost</td>
<td>$360,000</td>
<td>$360,000</td>
<td>$360,000</td>
</tr>
<tr>
<td>Domestic war cost</td>
<td>$1,965,000</td>
<td>$1,965,000</td>
<td>$1,965,000</td>
</tr>
<tr>
<td>Unadjusted statutory sales price</td>
<td>$740,000</td>
<td>$740,000</td>
<td>$740,000</td>
</tr>
<tr>
<td>Floor price</td>
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<td>$688,000</td>
<td>$688,000</td>
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The principal design characteristics of the standard design are as follows:

<table>
<thead>
<tr>
<th>Design</th>
<th>Cl-M-AVI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length over-all</td>
<td>235'8&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
<td>42'1&quot;</td>
</tr>
<tr>
<td>Depth molded</td>
<td>26'6&quot;</td>
</tr>
<tr>
<td>FREE tons</td>
<td>732,000</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>2,100</td>
</tr>
<tr>
<td>Gross tons</td>
<td>5,000</td>
</tr>
<tr>
<td>Net tons</td>
<td>1,000</td>
</tr>
<tr>
<td>Barke cubic capacity</td>
<td>25,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>Diesel-electric (Bowes)</td>
</tr>
<tr>
<td>Shaft h.p., normal</td>
<td>1,700</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>11</td>
</tr>
<tr>
<td>Passengers</td>
<td>12</td>
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<tr>
<td>Staterooms</td>
<td>6</td>
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The prices of the standard design are as follows:

<table>
<thead>
<tr>
<th>Design</th>
<th>Cl-M-AVI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prewar domestic cost</td>
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<td>Domestic war cost</td>
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</tr>
<tr>
<td>Unadjusted statutory sales price</td>
<td>$944,000</td>
</tr>
<tr>
<td>Floor price</td>
<td>$882,000</td>
</tr>
</tbody>
</table>

The principal design characteristics of the standard design are as follows:

<table>
<thead>
<tr>
<th>Design</th>
<th>Cl-M-AVI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length over-all</td>
<td>235'8&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
<td>42'1&quot;</td>
</tr>
<tr>
<td>Depth molded</td>
<td>26'6&quot;</td>
</tr>
<tr>
<td>FREE tons</td>
<td>732,000</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>2,100</td>
</tr>
<tr>
<td>Gross tons</td>
<td>5,000</td>
</tr>
<tr>
<td>Net tons</td>
<td>1,000</td>
</tr>
<tr>
<td>Barke cubic capacity</td>
<td>25,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>Steam recip.</td>
</tr>
<tr>
<td>Shaft h.p., normal</td>
<td>1,700</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>7</td>
</tr>
</tbody>
</table>

The prices of the standard design are as follows:

<table>
<thead>
<tr>
<th>Design</th>
<th>Cl-M-AVI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prewar domestic cost</td>
<td>$1,350,000</td>
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<tr>
<td>Domestic war cost</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>Unadjusted statutory sales price</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Floor price</td>
<td>$725,000</td>
</tr>
</tbody>
</table>

The principal design characteristics of the standard design are as follows:

<table>
<thead>
<tr>
<th>Design</th>
<th>Cl-M-AVI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length over-all</td>
<td>235'8&quot;</td>
</tr>
<tr>
<td>Beam molded</td>
<td>42'1&quot;</td>
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<tr>
<td>Depth molded</td>
<td>26'6&quot;</td>
</tr>
<tr>
<td>FREE tons</td>
<td>732,000</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>2,100</td>
</tr>
<tr>
<td>Gross tons</td>
<td>5,000</td>
</tr>
<tr>
<td>Net tons</td>
<td>1,000</td>
</tr>
<tr>
<td>Barke cubic capacity</td>
<td>25,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>Steam recip.</td>
</tr>
<tr>
<td>Shaft h.p., normal</td>
<td>1,700</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>7</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>Design</th>
<th>Cl-M-AVI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prewar domestic cost</td>
<td>$1,450,000</td>
</tr>
<tr>
<td>Domestic war cost</td>
<td>$4,800,000</td>
</tr>
<tr>
<td>Unadjusted statutory sales price</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Floor price</td>
<td>$725,000</td>
</tr>
</tbody>
</table>

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<tr>
<th>Design</th>
<th>Cl-M-AVI</th>
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<tbody>
<tr>
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<tr>
<td>Beam molded</td>
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<tr>
<td>Depth molded</td>
<td>26'6&quot;</td>
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<tr>
<td>FREE tons</td>
<td>732,000</td>
</tr>
<tr>
<td>Deadweight tons</td>
<td>2,100</td>
</tr>
<tr>
<td>Gross tons</td>
<td>5,000</td>
</tr>
<tr>
<td>Net tons</td>
<td>1,000</td>
</tr>
<tr>
<td>Barke cubic capacity</td>
<td>25,000</td>
</tr>
<tr>
<td>Propulsion</td>
<td>Steam recip.</td>
</tr>
<tr>
<td>Shaft h.p., normal</td>
<td>1,700</td>
</tr>
<tr>
<td>Speed, knots</td>
<td>7</td>
</tr>
</tbody>
</table>

The prices of the standard design are as follows:

<table>
<thead>
<tr>
<th>Design</th>
<th>Cl-M-AVI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prewar domestic cost</td>
<td>$1,450,000</td>
</tr>
<tr>
<td>Domestic war cost</td>
<td>$4,800,000</td>
</tr>
<tr>
<td>Unadjusted statutory sales price</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Floor price</td>
<td>$725,000</td>
</tr>
</tbody>
</table>
vessels, which are a subtype of the R1-M-AV3, and are subject to price adjustment under section 2 (d) (3) of the act. Principal design characteristics of the R1-M-AV3 are as follows:

- Length over-all: 338' 1/2".
- Beam molded: 50' 0".
- Depth molded: 29' 0".
- Load draft molded: 21' 0".
- Deadweight tons: 4,370.
- Gross tons: 5,770.
- Net tons: 2,100.
- Reefer cubic capacity.
- Propulsion.
- Shaft h., p.: 1,700.
- Speed, knots: 10 1/2.
- Passengers: 0.
- Staterooms: 0.

The prices of the standard design are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Prewar Domestic Cost</th>
<th>Prewar War Cost</th>
<th>Unadjusted Statutory Sales Price</th>
<th>Floor Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>C2S (Standard)</td>
<td>$2,470,000</td>
<td>$2,213,791</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C2S (Reefed)</td>
<td>$3,400,000</td>
<td>4,437,049</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(q) Type C2S. (Not previously published) The C2S is a steel cargo vessel specially designed for South African trade with raked stem and cruiser stern. The quarters accommodate twelve passengers in eight staterooms. The machinery is located amidships.

The principal design characteristics of this vessel are listed below:

- Design: Shelter deck
- Length over-all: 479' 8".
- Beam molded: 65' 0".
- Depth molded: 49' 0".
- Load draft molded: 27' 0".
- Deadweight tons: 10,000.
- Net tons: 3,615.
- Bale cubic capacity: 364,000.
- Net refrigerated cargo capacity: 11,500.
- Propulsion: Turbine.
- Speed, knots: 16.

The prices of the standard C2S type are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Prewar Domestic Cost</th>
<th>Prewar War Cost</th>
<th>Unadjusted Statutory Sales Price</th>
<th>Floor Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>C2S (Standard)</td>
<td>$3,554,000</td>
<td>$3,177,625</td>
<td>$1,673,669</td>
<td></td>
</tr>
</tbody>
</table>

(p) Type C2SU. (Not previously published) The C2SU is a steel vessel with raked stem and cruiser stern. The quarters will accommodate eight passengers in four staterooms. The machinery is located amidships.

The principal design characteristics of these vessels are listed below:

- Design: Shelter deck
- Length over-all: 459' 2 1/4".
- Beam molded: 69' 0".
- Depth molded: 49' 0".
- Load draft molded: 26' 9".
- Deadweight tons: 9,400.
- Gross tons: 6,180.
- Net tons: 3,615.
- Bale cubic capacity: 538,000.
- Propulsion: Turbine.
- Shaft h., p.: 6,000.
- Speed, knots: 15 1/2.

The prices of the standard design are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Prewar Domestic Cost</th>
<th>Prewar War Cost</th>
<th>Unadjusted Statutory Sales Price</th>
<th>Floor Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>C2SU</td>
<td>$2,274,000</td>
<td>$2,965,373</td>
<td>$1,137,000</td>
<td>$1,087,181</td>
</tr>
</tbody>
</table>

(u) Type S4—SE2—BDI and BE1. (Not previously published) Both designs are steel, twin screw vessels with raked stem and cruiser stern.

The S4—SE2—BDI is a transport attack ship. The S4—SE2—BE1 is similar to the BD1, but is arranged as a cargo attack ship with troop accommodations. Principal design characteristics of both types are as follows:

- Design: Flush deck
- Length over-all: 426' 0".
- Beam molded: 58' 0".
- Depth molded: 47' 0".
- Load draft molded: 27' 0".
- Deadweight tons: 9,560.
- Gross tons: 6,736.
- Net tons: 3,996.
- Bale cubic capacity: 284,000.
- Propulsion: Turbine.
- Shaft h., p., normal: 6,000.
- Speed, knots: 17 1/2.
- Staterooms: 0.

The prices of the standard design are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Prewar Domestic Cost</th>
<th>Prewar War Cost</th>
<th>Unadjusted Statutory Sales Price</th>
<th>Floor Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>S4—SE2—BDI</td>
<td>$3,480,000</td>
<td>$4,452,501</td>
<td>$1,720,000</td>
<td>$1,686,698</td>
</tr>
</tbody>
</table>

- Design: Shelter deck
- Length over-all: 473' 1/4".
- Beam molded: 65' 0".
- Depth molded: 49' 0".
- Load draft molded: 27' 0".
- Deadweight tons: 11,000.
- Gross tons: 6,796.
- Net tons: 3,986.
- Bale cubic capacity: 511,000.
- Propulsion: Turbine.
- Shaft h., p.: 7,500.
- Speed, knots: 16 1/2.

The prices of the standard design are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Prewar Domestic Cost</th>
<th>Prewar War Cost</th>
<th>Unadjusted Statutory Sales Price</th>
<th>Floor Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>S4—SE2—BE1</td>
<td>$3,480,000</td>
<td>$4,452,501</td>
<td>$1,720,000</td>
<td>$1,686,698</td>
</tr>
</tbody>
</table>

The prices of the standard C3—S—A3 and C3E are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Prewar Domestic Cost</th>
<th>Prewar War Cost</th>
<th>Unadjusted Statutory Sales Price</th>
<th>Floor Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>C3—S—A3</td>
<td>$2,200,000</td>
<td>$3,150,000</td>
<td>$1,105,000</td>
<td>$1,060,587</td>
</tr>
</tbody>
</table>
### Type T3-M-AZ1

<table>
<thead>
<tr>
<th>Depth molded</th>
<th>Length over-all</th>
<th>Load draft molded</th>
<th>Deadweight tons</th>
<th>Gross tons</th>
<th>Beam molded</th>
</tr>
</thead>
<tbody>
<tr>
<td>37' 0&quot;</td>
<td>457'</td>
<td>30' 1&quot;</td>
<td>17,910</td>
<td>11,400</td>
<td>68' 6&quot;</td>
</tr>
</tbody>
</table>

- **Net tons**: 5,928
- **Speed, knots**: 13
- **Barrel capacity**: 112,000

The machinery is located aft. Principal design characteristics of this type of tanker are as follows:

- **Length between perpendiculars**: 547' 3 1/8"
- **Beam molded**: 70' 0"
- **Depth molded**: 40' 1"
- **Load draft molded**: 30' 1"
- **Deadweight tons**: 17,910
- **Gross tons**: 11,400
- **Net tons**: 5,928
- **Tank cargo capacity**: 152,595 bbls.

### Type T3-S-BZ1

- **Length between perpendiculars**: 547' 3 1/8"
- **Beam molded**: 70' 0"
- **Depth molded**: 40' 1"
- **Load draft molded**: 30' 1"
- **Deadweight tons**: 17,910
- **Gross tons**: 11,400
- **Net tons**: 5,928
- **Tank cargo capacity**: 152,595 bbls.

### Miscellaneous

- **Length between perpendiculars**: 547' 3 1/8"
- **Beam molded**: 70' 0"
- **Depth molded**: 40' 1"
- **Load draft molded**: 30' 1"
- **Deadweight tons**: 17,910
- **Gross tons**: 11,400
- **Net tons**: 5,928
- **Tank cargo capacity**: 152,595 bbls.

- **Frequent shipments of new fresh harvested onions**

## Part 259—Rules and Regulations, Forms, and Citizenship Requirements

### Title 49—Transportation and Railroads

#### Chapter II—Office of Defense Transportation

**General Permit ODT 18A**

#### Title 49

- **Part 500—Conservation of Rail Equipment**
- **Cross Reference**: For an exception to the provisions of § 500.72, see Part 520, infra.

---

1 Prices are based on bare boat ship after removal of normal deck houses and without passenger accommodations or additional cargo handling gear. The unadjusted statutory sales price is inapplicable since under the terms of the Ship Sails Act of 1936 and the Cargo Vessel Act of 1936, a type B Vessel may be sold at less than 35 percent of the domestic war cost.

2 The type T2 tanker is a steel, single screw tanker with a raked stem and cruiser stern. The machinery is located aft.

3 The prices for the two standard designs are as follows:

<table>
<thead>
<tr>
<th>Prewar domestic cost</th>
<th>Domestic cost</th>
<th>Unadjusted statutory sales price</th>
<th>Floor price</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,914,000</td>
<td>$3,398,681</td>
<td>$2,669,969</td>
<td>$1,499,466</td>
</tr>
</tbody>
</table>

4 The prices for the two standard designs are as follows:

<table>
<thead>
<tr>
<th>Prewar domestic cost</th>
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<th>Unadjusted statutory sales price</th>
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<tbody>
<tr>
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<td>$2,669,969</td>
<td>$1,499,466</td>
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<td>$2,669,969</td>
<td>$1,499,466</td>
<td>$1,499,466</td>
</tr>
</tbody>
</table>

---

9 In general, the prices are included for purposes of adjustment for prior sales to citizens, in accordance with section 9 of the Act. No vessels of these types are available for disposal.

10 Principal design characteristics are as follows:

- **Speed, knots**: 17% max.
- **Barrel capacity**: 112,000
- **Tank cargo capacity**: 152,595 bbls.
- **Shaft h. p., normal**: 15,400 max.
- **Speed, knots**: 16 1/2% max.

11 The prices for the two standard designs are as follows:

<table>
<thead>
<tr>
<th>Prewar domestic cost</th>
<th>Domestic cost</th>
<th>Unadjusted statutory sales price</th>
<th>Floor price</th>
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<tbody>
<tr>
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</tr>
</tbody>
</table>

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<thead>
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<tr>
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<td>$2,669,969</td>
<td>$1,499,466</td>
<td>$1,499,466</td>
</tr>
</tbody>
</table>

---

13 By order of the United States Maritime Commission.

**August 15, 1946.**

---

1 See also General Permit ODT 18A, Revised, 7 (11 F.R. 5369).
Issued at Washington, D.C., this 15th day of August, 1946.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

FEDERAL REGISTER, Saturday, August 17, 1946

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Land Management. [Misc. 2074225]

COLORADO

RESTORATION ORDER NO. 1204 UNDER FEDERAL POWER ACT

JULY 26, 1946.

By Executive order of July 2, 1910, creating Power Site Reserve No. 92, the following described lands were withdrawn for power purposes:

SEVENTH PRINCIPAL MERIDIAN.

T. 15 S., R. 73 W., Sec. 12, SW 1/4 SW 1/4;
Sec. 13, NE 1/4 NW 1/4, and SE 1/4 NW 1/4.

The area described aggregate 120 acres.

Pursuant to the determination of the Federal Power Commission (DA-204, Colorado) and in accordance with Departmental Order No. 1799 of March 19, 1943, F.R. 3743, the above described lands are hereby opened to application, petition, location, or selection under the United States mining laws only, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by the act of August 26, 1935 (49 Stat. 838, 846, 16 U.S.C. sec. 818).

This order shall not become effective to change the status of the lands until 10:00 a.m. on September 27, 1946, at which time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to disposition under the United States mining laws only, as above provided.

FRED W. JOHNSON,
Acting Director.

[For. R. Doc. 46-14346; Filed, Aug. 16, 1946; 9:25 a.m.]

Coal Mines Administration.

[Order CMAN 11-A]

WORKMEN'S COMPENSATION AND OCCUPATIONAL DISEASE LAWS

OPERATING MANAGERS (ILLINOIS, KENTUCKY, VIRGINIA)

Reference is made to section 3 of the agreement dated May 29, 1946, between the Secretary of the Interior, acting as Coal Mines Administrator, and the United Mine Workers of America, which reads as follows:

The Coal Mines Administrator undertakes to direct each operating manager to provide its employees with the protection and coverage of the benefits under Workmen's Compensation and Occupational Disease Laws, whether compulsory or elective, existing in the states in which the respective employees are employed. Refusal of any operating manager to carry out this direction shall be deemed a violation of his duty as operating manager. In the event of such refusal the Coal Mines Administrator will take appropriate action which may include disciplining or replacing the operating manager or shutting down the mine.

The office of the Coal Mines Administrator is informed that coverage under the Workmen's Compensation Laws of the state in which the mine or mines of your company are located is compulsory, but that the Occupational Disease Laws of such state are of the elective type. In view of this, the United Mine Workers of America, which reads as follows:

The office of the Coal Mines Administrator undertakes to direct each operating manager to provide its employees with the protection and coverage of the benefits under Workmen's Compensation and Occupational Disease Laws, whether compulsory or elective, existing in the states in which the respective employees are employed. Refusal of any operating manager to carry out this direction shall be deemed a violation of his duty as operating manager. In the event of such refusal the Coal Mines Administrator will take appropriate action which may include disciplining or replacing the operating manager or shutting down the mine.

The office of the Coal Mines Administrator is informed that coverage under the Workmen's Compensation Laws of the state in which the mine or mines of your company are located are of the elective type and that no state law provisions relating to coverage for occupational diseases are presently in effect. In accordance with section 3 of the Krug-Lewis Agreement quoted above, if your company has not already elected to do so, you are hereby directed as Operating Manager for the Government to provide the eligible employees of your company with the full protection and coverage of the benefits under the Occupational Disease Laws of the state in which the mine or mines of your company are located.

In order that the Coal Mines Administrator may be fully advised in the premises, you are further directed to furnish this office with the following information within ten days from the date of this letter:

1. Whether or not your company has heretofore elected to provide its eligible employees with the full benefits of the applicable Occupational Disease Laws of the state in which its mine or mines are located.

2. The extent of the coverage, if any, of the employees of your company at the present time under such Occupational Disease Laws.

Within thirty days from the date of this letter, if your company has not heretofore elected to provide its eligible employees with the full benefits of the applicable state Occupational Disease Laws, you are further directed to report as follows to this office:

1. Whether or not your company has provided its eligible employees with such benefits in accordance with this directive, and if so, the effective date of coverage.

2. If your company has not provided its eligible employees with such benefits, the reasons, if any, why such benefits have not been so provided in accordance herewith.

This order shall be deemed to be a specific direction or order within the meaning of the terms and provisions of the Revised Regulations For the Operation of Coal Mines Under Government Control (11 F.R. 7567).

N. H. COLLISON,
Captain, USNR,
Deputy Coal Mines Administrator.

AUGUST 15, 1946.

[For. R. Doc. 46-14347; Filed, Aug. 16, 1946; 1:30 p.m.]

[Order CMAN 11-B]

WORKMEN'S COMPENSATION AND OCCUPATIONAL DISEASE LAWS

OPERATING MANAGERS (ALABAMA, KANSAS, TENNESSEE, TEXAS)

Reference is made to section 3 of the agreement dated May 29, 1946, between the Secretary of the Interior, acting as Coal Mines Administrator, and the United Mine Workers of America, which reads as follows:

The Coal Mines Administrator undertakes to direct each operating manager to provide its employees with the protection and coverage of the benefits under Workmen's Compensation and Occupational Disease Laws, whether compulsory or elective, existing in the states in which the respective employees are employed. Refusal of any operating manager to carry out this direction shall be deemed a violation of his duty as operating manager. In the event of such refusal the Coal Mines Administrator will take appropriate action which may include disciplining or replacing the operating manager or shutting down the mine.

The office of the Coal Mines Administrator is informed that coverage under the Workmen's Compensation Laws of the state in which the mine or mines of your company are located are of the elective type and that no state law provisions relating to coverage for occupational diseases are presently in effect. In accordance with section 3 of the Krug-Lewis Agreement quoted above, if your company has not already elected to do so, you are hereby directed as Operating Manager for the Government to provide the eligible employees of your company with the full protection and coverage of the benefits under the Occupational Disease Laws of the state in which the mine or mines of your company are located.

In order that the Coal Mines Administrator may be fully advised in the premises, you are further directed to furnish this office with the following information within ten days from the date of this letter:

1. Whether or not your company has heretofore elected to provide its eligible employees with such benefits, in accordance with this directive, and if so, the effective date of coverage.

2. If your company has not provided its eligible employees with such benefits, the reasons, if any, why such benefits have not been so provided in accordance herewith.

This order shall be deemed to be a specific direction or order within the meaning of the terms and provisions of the Revised Regulations For the Operation of Coal Mines Under Government Control (11 F.R. 7567).

N. H. COLLISON,
Captain, USNR,
Deputy Coal Mines Administrator.

AUGUST 15, 1946.

[For. R. Doc. 46-14348; Filed, Aug. 16, 1946; 11:00 a.m.]
within ten days iron the date of this
tractor may be fully advised in the prem­
protection and coverage of the benefits
ployees of your company with the full
Government to provide the eligible em­
Laws of the state in which the mine or
Compensation and Occupational Disease
laws. applicable Workmen's Compensation
Occupational Disease Laws of the state
applicable Workmen's Compensation and
shutting down the mine.

The office of the Coal Mines Admin­
istrator is informed that the Workmen's.
Compensation and Occupational Disease
Laws of the state in which the mine or
masonry company are located care of
the elective type. In accordance with
section 3 of the Krus-Lewis Agreement
quoted above, if your company has not
already elected to do so, you are hereby
directed as Operating Manager for the
Government to provide the eligible em­
ployee of your company with the full
protection and coverage of the benefits
under the Workmen's Compensation and
Occupational Disease Laws of the state
in which the mine or mines of your company
are located.

In order that the Coal Mines Admin­
istrator may be fully advised in the prem­
ises, you are further directed to furnish
this office with the following information
within ten days from the date of this
letter:

1. Whether or not your company has
herefore elected to provide its eligible
employees with the full benefits of the
applicable Workmen's Compensation and
Occupational Disease Laws of the state
in which its mine or mines are located.

2. The extent of the coverage, if any,
of the employees of your company at the
time present under such Workmen's
Compensation and Occupational Disease
laws.

Within thirty days from the date of
this letter, if your company has not here­
fore elected to provide its eligible em­
ployees with the full benefits of the ap­
pliable state Workmen's Compensation
and Occupational Disease Laws, you are
further directed to report as follows to this
office:

1. Whether or not your company has
provided its eligible employees with such
benefits with the same with this directive,
and if so, the effective date of coverage.

2. If your company has not provided
its eligible employees with such benefits,
the reasons, if any, why such benefits
has not been so provided in accordance
herewith.

This order shall be deemed to be a
specific direction or order within the
meaning of the terms and provisions of
the Revised Regulations For the Opera­
tion of Coal Mines Under Government
Control (11 F.R. 7800).

N. H. COLLISION, 
Captain, USNR. 
Deputy Coal Mines Administrator.

August 15, 1946.

DEPARTMENT OF AGRICULTURE.

FARM OWNERSHIP LOAN LIMITATIONS

In accordance with the item entitled, "Farm Tenancy," contained in the De­
partment of Agriculture Appropriation
Act, 1947 (Public Law 422, 79th Congress,
approved June 22, 1946), no loans under
Title I of the Bankhead-Jones Farm Ten­
ant Act (50 Stat. 522, 7 U.S.C. 1000–
1006), excepting those to eligible veter­
ians, may be made for the acquisition or
enlargement of farms which have a value,
as acquired, enlarged, or improved,
in excess of the average value of ef­
cient family-size farm-management
units, as determined by the Secretary of
Agriculture, in the county, parish, or
locality where the farm is located. The
limitations designated herein shall be
applied in accordance with the above-
mentioned authorities to Farm Own­
ership loans in the counties of Oregon
named below. With respect to each count­
y, the limitations shall not exceed the
average value of efficient family-size
farm-management units located in such
county.

OREGON

County Limitations
Baker
Benton
Clackamas
Clatsop
Columbia
Coos
Curry
Douglas
Eugene
Clackamas
Grant
Hood River
Jackson
Jefferson
Josephine
Klamath
Lake

County Limitations
Lincoln
Linn
Marion
Morrow
Multnomah
Polk
Sherman
Tillamook
Union
Wallowa
Wasco
Washington
Wheeler
Yamhill

Issued this 15th day of August 1946.

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

ARKANSAS, LOUISIANA, MISSISSIPPI

FARM OWNERSHIP LOAN LIMITATIONS

In accordance with the item entitled,
"Farm Tenancy," contained in the De­
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approved June 22, 1946), no loans under
Title I of the Bankhead-Jones Farm Ten­
ant Act (50 Stat. 522, 7 U.S.C. 1000–
1006), excepting those to eligible veterans,
may be made for the acquisition or enlarge-
LOUISIANA—continued

<table>
<thead>
<tr>
<th>Parish</th>
<th>County Limitation</th>
<th>Parish</th>
<th>County Limitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams</td>
<td>$8,500</td>
<td>Lee</td>
<td>$10,000</td>
</tr>
<tr>
<td>Alcorn</td>
<td>$10,000</td>
<td>Lincoln</td>
<td>$8,000</td>
</tr>
<tr>
<td>Amite</td>
<td>$7,400</td>
<td>Madison</td>
<td>$10,000</td>
</tr>
<tr>
<td>Atlin</td>
<td>$7,500</td>
<td>Madison</td>
<td>$10,000</td>
</tr>
<tr>
<td>Benton</td>
<td>$8,250</td>
<td>Marion</td>
<td>$7,000</td>
</tr>
<tr>
<td>Bolivar</td>
<td>$12,000</td>
<td>Marshall</td>
<td>$8,000</td>
</tr>
<tr>
<td>Calhoun</td>
<td>$8,000</td>
<td>Monroe</td>
<td>$9,000</td>
</tr>
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Issued this 15th day of August 1946.  
CLINTON P. ANDERSON,
Secretary of Agriculture.

FEDERAL POWER COMMISSION,

[Docket No. G-762]

NATURAL GAS PIPELINE CO. OF AMERICA
NOTICE OF APPLICATION

August 15, 1946.

Notice is hereby given that on July 29, 1946, Natural Gas Pipeline Company of America (Applicant), a Delaware Corporation, having its principal place of business at Chicago, Illinois, filed with the Federal Power Commission an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act as amended, to authorize Applicant to construct and operate at two locations in McHenry County, Illinois, certain facilities subject to the jurisdiction of the Federal Power Commission.

The proposed facilities to be constructed and operated by the Applicant consist of:

1. A tap, a pipeline connection therewith, regulating and metering settings and appurtenances in the Northwest Quarter of the Township of Woodstock in the County of McHenry, Illinois, and in the Town of Fox River Grove, in the County of Lake, Illinois, hereinafter referred to as the "North Chicago lateral." The tap shall be approximately 32 inches in diameter, shall be constructed and operated at two locations in the Northwest Quarter of Township 32 in Section 32 in McHenry Township near the point where the North Chicago lateral (a 16-inch lateral extending from the 20-inch lateral line described above to a point near Voio, Illinois and authorized in Docket No. G-651, hereinafter referred to as the "North Chicago lateral") crosses the distribution system of Western United Gas and Electric Company.

2. A tap, a pipeline connection therewith, regulating and metering settings and appurtenances in the Northwest Quarter of the Township of Woodstock in the County of McHenry, Illinois, and in the Town of Fox River Grove, in the County of Lake, Illinois, hereinafter referred to as the "North Chicago lateral." The tap shall be approximately 32 inches in diameter, shall be constructed and operated at two locations in the Northwest Quarter of Township 32 in Section 32 in McHenry Township near the point where the North Chicago lateral (a 16-inch lateral extending from the 20-inch lateral line described above to a point near Voio, Illinois and authorized in Docket No. G-651, hereinafter referred to as the "North Chicago lateral") crosses the distribution system of Western United Gas and Electric Company.

Applicant states that it is presently serving Chicago District Pipeline Company, which company supplies all of the natural gas requirements of the cities of Chicago, Illinois, and Evanston, Illinois, by means of the facilities described herein. Applicant further states that the Chicago District Pipeline Company has submitted to it a statement that the Western United Gas and Electric Company desires to place a segment of its local service area on a system of natural gas service. The area to be converted to straight natural gas service includes the following municipalities:

- Algonquin
- Cary
- Crystal Lake
- Fox River Grove
- Genoa
- Gilberts
- Huntley
- Harvard
- Lakewood
- Marengo
- Maple Park
- Waithall
- Waukegan
- Waukegan Heights
- Waukegan
- Woodstock

Applicant also states that Chicago District Pipeline Company desires Applicant to install facilities for the delivery of natural gas to the two points described in paragraphs (1) and (2) above, directly into the distribution system of Western United Gas and Electric Company, and to sell natural gas at such points of delivery to Chicago District Pipeline Company for resale at such points to Western United Gas and Electric Company for distribution to the latter company's consumers in the portion of its local service area to be converted to straight natural gas service. Applicant states that it desires to effectuate better service to Chicago District Pipeline Company, Western United Gas and Electric Company, and the consumers served by the latter company, through the installation and operation of the facilities and sales of resale requested.

Applicant states that the over-all capital costs of the proposed facilities will be $32,445. The cost of constructing the
proposed facilities will be furnished from Applicant's own funds.

Applicant asserts that it proposes to charge the same rates for gas delivered by said facilities as it is now charging for other sales to Chicago District Pipeline Company in accordance with rate schedules on file with the Federal Power Commission.

Any interested State Commission is requested to notify the Federal Power Commission whether the application should be considered under the group provisions of Part 67 of the provisional rules of practice and regulations under the Natural Gas Act, as amended, and if so, to advise the Federal Power Commission as to the nature of its interests 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 15 days from date of publication of this notice in the Federal Register, a petition, or protest in accordance with the Commission's supplemental rules of practice and regulations under the Natural Gas Act.

[SEAL]
LEON M. FOGUAY,
Secretary.

[F. R. Doc. 46-14358; Filed, Aug. 16, 1946; 11:50 a.m.]

[Docket No. G-706]
ARKANSAS LOUISIANA GAS CO.

NOTICE OF APPLICATION

AUGUST 15, 1946.

Notice is hereby given that on August 15, 1946, a petition was filed with the Federal Power Commission by Arkansas Louisiana Gas Company (hereinafter referred to as "Applicant"), a Delaware corporation with its principal place of business in Shreveport, Louisiana, and authorized to do business in the States of Louisiana, Arkansas, and Texas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to construct and operate a certain natural gas pipe line in Caddo Parish, Louisiana, for the primary purpose of supplying natural gas to the brick manufacturing plant of R. S. Allday Clay Products, near Mooringsport, Louisiana, as hereinafter more particularly described.

Applicant seeks authorization to construct and operate the following facilities:

A 4½-inch natural gas pipe line approximately 9,000 feet in length to be designated line RM-14, extending in a westerly direction from Applicant's natural gas transmission pipe line known as line R, located approximately 1½ miles west of Mooringsport, Louisiana, to the R. S. Allday Clay Products Plant located in the northwest quarter of Township 19 North, Range 15 West, Caddo Parish, Louisiana, together with appurtenant metering and regulating facilities and including taps in such pipe line necessary for service to future residential and commercial consumers.

Applicant proposes to construct the pipe line facilities described hereinbefore for the primary purpose of supplying natural gas to the R. S. Allday Clay Plant for use under a continuous kiln which is being installed and under a second such kiln scheduled to be installed within approximately one year. It is requested that possibly a third such kiln will be installed in the future. Applicant further proposes to make such taps on the pipe line facilities described above that are necessary for rendering requested future service to residential and commercial consumers. It is stated that no other gas company is rendering service within the immediate area of the proposed construction.

Applicant estimates the over-all total cost of construction of the facilities described herein will be $4,800 which it proposes to finance with funds from its cash reserve.

Applicant proposes to commence the construction of such facilities as soon as practical after the granting of a certificate covering the matters herein and thereafter to complete their construction in not more than two weeks.

It is stated that the rates to be charged R. S. Allday Clay Products are governed by the contract submitted with the application and the rates to be charged future residential or commercial consumers will be the prevailing rates for these classes of service.

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 Arkansas Louisiana Gas Company in the Federal Power Commission, Washington 25, D.C., not later than fifteen days from the date of publication of this notice in the Federal Register, a petition, or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]
LEON M. FOGUAY,
Secretary.

[F. R. Doc. 46-14358; Filed, Aug. 16, 1946; 11:50 a.m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 429, Special Permit 15]

HOLDING UNDER LOAD OF EXPORT CARE AT SAN FRANCISCO BAY AREA, CALIF.

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph of Service Order No. 422 (11 F.R. 250), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 422 insofar as it applies to the holding under load of the export cars listed below, by the Alaskan Traction and Santa Fe Railway Company, at San Francisco Bay Area, California:

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<tr>
<th>Car No.</th>
<th>Type</th>
<th>Number</th>
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<td>572197</td>
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<tr>
<td>PRR</td>
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<td>60086</td>
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<tr>
<td>CNW</td>
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</table>

This permit shall become effective at 12:01 a.m., August 14, 1946, and it shall expire at 11:59 p.m., August 28, 1946.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D.C., this 14th day of August 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-14354; Filed, Aug. 16, 1946; 11:26 a.m.]

[S. O. 479, Special Permit 14]

REFRIGERATION OF POTATOES FROM
BORDENTOWN, N.J.

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph of Service Order No. 479 (11 F.R. 3367), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 479 insofar as it applies to the furnishing of standard refrigeration on car BREG 75560, potatoes, shipped August 14, 1946, from Bordentown, N.J., by F. H. Yahlins, Inc., consigned to Harry Mitchell, Miami, Florida, routed P. RR.-R. F. & P.-S. A. L.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D.C., this 14th day of August 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-14358; Filed, Aug. 16, 1946; 11:26 a.m.]
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) A copy of this order shall become effective August 16, 1946.

(b) Any person purchasing warehouse-housed specialized gypsum "white" plasters and lime products from the United States Gypsum Company, Chicago, Illinois, for resale in the same form may increase his present maximum prices established under the General Maximum Price Regulation by the percentage increase in cost to him resulting from the warehousing charge increases permitted the United States Gypsum Company pursuant to Amendment No. 1 to Statement of Maximum Price for Warehousing (Docket No. 6122-592.16-161), issued and made effective by the Transportation and Public Utilities Division of the Office of Price Administration on June 10, 1946. However, in any area where maximum prices are fixed by an area pricing order, such specific maximum prices shall apply in that area.

(c) All requests of the United States Gypsum Company’s application not granted herein are denied.

(d) All provisions of Maximum Price Regulation 592 not inconsistent with this order shall apply to sales covered by this order.

This order shall become effective August 16, 1946.

Paul A. Porter, Administrator.
FEDERAL REGISTER, Saturday, August 17, 1946

Docket No. 6123-591.16-132. Security Manufacturing Company, Kansas City, Missouri. For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 10 of Maximum Price Regulation No. 591, it is ordered:

(a) Adjustment of maximum prices for the Security Manufacturing Company, Kansas City, Missouri. (1) This order permits the Security Manufacturing Company of Kansas City, Missouri, to increase by 4.7 percent its properly established maximum net prices in effect on June 30, 1946, to each class of purchaser for its line of gas water heaters. (2) The maximum net prices set forth in (a) (1) above are subject to discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which the Security Manufacturing Company could have rendered or extended would have rendered or extended to each class of purchaser during March 1942 on comparable sales of gas water heaters. (b) Maximum prices for resellers. (1) All maximum prices paid for the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their purchase prices established maximum prices in effect on June 30, 1946, the percentage increase in cost resulting from the adjustment granted by Order No. 784. (c) Notification to all purchasers. The Security Manufacturing Company shall send the following notice to every purchaser of the commodities covered by this order or at or before the first invoice after the effective date of this order.

Order No. 784 under section 16 of Maximum Price Regulation No. 591 provides for a 4.7 percent increase in maximum net prices in effect on June 30, 1946, for sales by the Security Manufacturing Company for its line of gas water heaters. Retailers (but manufacturers who purchase these items for use in the manufacture of other products) may add to their purchase prices established maximum prices in effect on June 30, 1946, the percentage increase in cost resulting from the adjustment granted by Order No. 784.

(d) All requests of the application of the Security Manufacturing Company of Kansas City, Missouri, not herein granted are denied. (e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective August 18, 1946. Issued this 15th day of August 1946.

PAUL A. PORTER, Administrator.

HOWARD COAL MINING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120: It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, and the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment, railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by railroad they are at least as favorable as those established for rail shipment and for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. Where the charge established in the appropriate price classification assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment, railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by railroad they are at least as favorable as those established for rail shipment and for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. Where the charge established in the appropriate price classification assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment, railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. (a) 1. The maximum net prices for sales by any person to consumers of the following sizes of aluminum combinations: Koolshield Screens and Storm Windows manufactured by Ingersoll Steel and Disc Division, Borg-Warner Corporation, Kalamazo, Michigan, and as described in the application dated June 15, 1946, which is on file with the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be the list prices per window opening set forth in (g).

1. Previously established.

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Railroad locomotive fuel | 320 | 320 | 320 | 320 | 320 |
Truck shipment | 320 | 320 | 320 | 320 | 320 |

Price classification | E | E | E | E | E |
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Railroad locomotive fuel | 447 | 447 | 447 | 447 | 447 |
Truck shipment | 447 | 447 | 447 | 447 | 447 |

Price classification | E | E | E | E | E |
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Railroad locomotive fuel | 447 | 447 | 447 | 447 | 447 |
Truck shipment | 447 | 447 | 447 | 447 | 447 |

Price classification | E | E | E | E | E |
Rail shipment | 447 | 447 | 447 | 447 | 447 |
Railroad locomotive fuel | 447 | 447 | 447 | 447 | 447 |
Truck shipment | 447 | 447 | 447 | 447 | 447 |

Price classification | E | E | E | E | E |
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Railroad locomotive fuel | 447 | 447 | 447 | 447 | 447 |
Truck shipment | 447 | 447 | 447 | 447 | 447 |

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This order shall become effective August 16, 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER, Administrator.

[Contributed by F. R. Doc. 46-41265; Filed, Aug. 15, 1946; 11:57 a.m.]

BORG-WARNER 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) 1. The maximum net prices for sales by any person to consumers of the following sizes of aluminum combinations: Koolshield Screens and Storm Windows manufactured by Ingersoll Steel and Disc Division, Borg-Warner Corporation, Kalamazo, Michigan, and as described in the application dated June 15, 1946, which is on file with the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be the list prices per window opening set forth in (g). 2. The maximum price on an installed basis on sales to consumers shall be the list prices set forth in (g) below plus the actual cost of the installation in no event to exceed $2.00 per window opening on the charge established in the appropriate area order whichever is lower.

(b) The maximum net delivered prices on sales to display dealers or distributors or dealers commission agents by any person shall be the list prices set forth in (g) below reduced by 10 percent.
(c) The maximum net delivered prices on sales to non-installing drop shipment dealers by any person shall be the list prices set forth in (g) below reduced by 20 percent.

(d) The maximum net delivered prices on sales to non-installing stock dealers by any person shall be the list prices set forth in (g) below reduced by 25 percent.

(e) The maximum net delivered prices on sales to dealers by any person shall be the list price set forth in (g) below reduced by successive discounts of 10 and 10 percent.

(f) The maximum net prices f. o. b. point of shipment on sales to distributors by any person shall be the list price set forth in (g) below reduced by 33 1/3 percent.

TWO-LIGHT ALUMINUM COMBINATION STORM SASH AND K'OOLSHADE INSERTS

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<th>Window glass size</th>
<th>Frame and storm sash</th>
<th>2 K'OOLSHADE inserts</th>
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</tr>
<tr>
<td>30 x 15</td>
<td>$30.25</td>
<td>$30.25</td>
<td>$60.50</td>
</tr>
<tr>
<td>33 x 15</td>
<td>$35.85</td>
<td>$35.85</td>
<td>$71.70</td>
</tr>
<tr>
<td>36 x 18</td>
<td>$42.38</td>
<td>$42.38</td>
<td>$84.76</td>
</tr>
<tr>
<td>40 x 18</td>
<td>$50.89</td>
<td>$50.89</td>
<td>$101.78</td>
</tr>
<tr>
<td>45 x 18</td>
<td>$61.40</td>
<td>$61.40</td>
<td>$122.80</td>
</tr>
</tbody>
</table>

See footnotes at end of table.
(1) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the date 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.

(j) The Ingersoll Steel and Disc Division, Kalamazoo, Michigan, shall attach a tag to each item covered by this order containing substantially the following:

OPA Maximum Retail Price—$2.00

Plus actual installation charge not exceeding $2.00 per window or charge established in lower.

This order shall become effective August 16, 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER,
Administrator.

[FR Doc. 46-14276; Filed, Aug. 15, 1946; 11:57 a.m.]

[Rev. EO 119, Rev. Order No. 214]

AMERICAN FIXTURE AND 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. 118, it is ordered:

(a) Manufacturer’s ceiling prices. American Fixture and Manufacturing Company, 2300 Locust Boulevard, St. Louis, Mo., may compute its adjusted ceiling prices for its sales of the commercial furniture and fixtures which it manufactures, as follows:

(1) For an article which has a properly established ceiling price in effect before the effective date of this revised order, the adjusted ceiling price is the article’s properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by 20.0 per cent.

(2) For an article not in its line during October 1941, but which has a properly established ceiling price, the adjusted ceiling price is the article’s properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by 20.0 per cent.

(b) Resellers’ ceiling prices. Resellers of an article which the manufacturer has sold at an adjusted ceiling price determined under this revised order shall determine their maximum prices as follows:

A person who resells the articles covered by this revised order shall calculate his ceiling prices by adding to his invoice cost the appropriate percentage mark-up which he has on the “most comparable article” for which he has a properly established ceiling price. For this purpose the “most comparable article” is the one which meets all of the following tests:

(1) It belongs to the narrowest trade category which includes the article being priced.

(2) Both it and the article being priced were purchased from the same class of supplier.

(3) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage mark-up is applied.

(4) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 639–759 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 revised order.

(c) Terms of sale. Ceiling prices adjusted by this revised 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 revised order, showing prices adjusted in accordance with this revised order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this revised order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(e) The provisions of Supplementary Order No. 118 shall not apply to sales covered by this revised order.

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

(g) This revised order shall become effective as of the 5th day of June 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER,
Administrator.

[FR Doc. 46-14276; Filed, Aug. 15, 1946; 11:57 a.m.]
follows:

ISSUED THIS 15TH DAY OF AUGUST 1946.

PAUL A. PORTER,
Administrator.

[FR Doc. 46-14318; Filed, Aug. 15, 1946; 4:29 p. m.]

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 § 1499.159e of Maximum Price Regulation No. 188, it is ordered, That Order No. 16 under § 1499.159e of Maximum Price Regulation No. 188 is amended in the following respects:

1. Section 2 is amended by deleting paragraph (a) thereof.
2. Section 4 is amended by deleting paragraph (b) thereof.
3. Section 5 is amended to read as follows:

Section 5. Distributors' ceiling prices. Manufacturers, except in the case of bicycles sold only to another manufacturer or directly to mail order houses, chain stores, or dealers, are required to calculate distributors' ceiling prices in accordance with the following paragraph at the end thereof:

(a) A distributor's ceiling price for the sale of a bicycle to a dealer, which the manufacturer shipped or delivered prior to August 19, 1946, is the retail price of that bicycle in the zone which the distributor is located, less 25%.

(b) A distributor's ceiling price for the sale of the bicycle to a dealer which the manufacturer shipped or delivered on or after August 19, 1946, is the retail price of that bicycle in the zone which the distributor is located, less 28%.

This amendment shall become effective August 19, 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER,
Administrator.

[FR Doc. 46-14318; Filed, Aug. 15, 1946; 4:30 p. m.]

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 § 1499.159e of Maximum Price Regulation No. 188, it is ordered, That Order 17 under § 1499.159e of Maximum Price Regulation No. 188 be amended in the following respects:

1. Section 2 is amended by deleting paragraph (d) thereof.
2. Section 4 is amended by deleting paragraph (b) thereof.
3. Section 5 is amended to read as follows:

Section 5. Adjusted maximum prices for sales to wholesale; or to commercial and institutional users. (a) Wholesalers whose sales are covered by Maximum Price Regulation No. 590 shall determine their adjusted maximum prices for their sales of articles covered by this regulation in accordance with the provisions of Maximum Price Regulation No. 590.

(b) All other wholesalers, including persons who purchase boxsprings from the manufacturer and resell them to hospitals, hotels or any other commercial or institutional user, shall determine their adjusted maximum prices for sales of the articles covered by this regulation as follows:

A wholesaler shall calculate his maximum prices by adding to his invoice cost the same percentage markup which he had on the "most comparable article" for which he had a properly established maximum price on March 31, 1945. For this purpose the "most comparable article" is the one which meets all of the following tests:

(1) It belongs to the narrowest trade category which includes the article being priced.

(2) Both it and the article being priced were purchased from the same class of supplier.

(3) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(4) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a maximum 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 maximum 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 maximum price under § 1499.3 (e) of the General Maximum Price Regulation. Maximum prices established under this section will reflect the supplier's prices as adjusted in accordance with this order.

4. Sections 6, 7, and 8 are deleted.
5. A new section 6 is added to read as follows:

Section 6. Notification to purchasers for resale. At the time of, or prior to, the first invoice to each purchaser for resale showing a maximum price adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method by which he determined his
adjusted maximum price. This notice may be given in any convenient form.

6. Sections 9, 10, 11, 12, 13, 14 and 15 are redesignated 7, 8, 9, 10, 11, 12 and 13 respectively.

The new designated section 7 is amended to read as follows:

Sec. 7. "Branded Articles." This section sets forth the changes and additions to the other provisions of this order, applicable to transactions involving "branded articles." (a) Definition. An article covered by this order is a "branded article" if:

(1) It was advertised at a uniform retail price during or prior to March 1942; and
(2) It is identified by a brand or company name; and
(3) During or prior to March 1942, it was offered for sale at the advertised uniform retail price.

(b) Retail ceiling price. (1) The maximum price for sales of a branded article to an ultimate consumer is the retail ceiling price which the manufacturer has calculated, and has properly stated on the tag attached to the article.

(2) Each manufacturer shall calculate the retail ceiling price of his branded article in the following manner: For an article which the manufacturer delivers to a wholesaler or retailer, the seller shall furnish the purchaser with the proper invoice containing the following information:

(i) The name, number, or other identification of the article sold.
(ii) The quantity of each article sold.
(iii) The actual selling price of each article sold.
(iv) The nature and amount of any additional charges.
(v) The terms of sale.

The retail ceiling price of the article in the following form—OPA Retail Ceiling Price $—(with the blank properly filled in),

(2) If the branded article is sold by a retailer to another retailer (cross-stream sale), the price charged must be the purchase price, only with the proper invoice required by Section 9 (b) of Maximum Price Regulation No. 580.

(c) Tagging by manufacturers. (1) On or after June 10, 1946, no manufacturer shall deliver any branded article unless it has attached to it a durable tag or label which shall state in clearly readable print, the brand name of the article and the following statement with the retail ceiling price filled in, as determined in accordance with the provisions of section 7 (b) (2):

OPA Retail Ceiling Price $                                    (This tag may not be detached until after delivery to the consumer)

(2) All sellers who receive prior to August 19, 1946, an article "untagged" which the manufacturer is required to tag with the retail ceiling price, must tag it with the retail ceiling price in effect on August 19, 1946, before it is displayed, offered for sale, sold or delivered at retail. For an article which the seller receives "untagged" after August 18, 1946, the seller shall tag it with the maximum retail price then in effect.

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

This amendment shall become effective on the 19th day of August 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER, Administrator.

[FR Doc. 46-14317; Filed, Aug. 15, 1946; 4:32 p.m.]

[MPR 580, Amend 3 to Order 20]

CHICOPPEE MFG. CORP.

ESTABLISHMENT OF CEILING PRICES


For the reasons set forth in the opinion issued simultaneously herewith, Order 26 issued under section 13 of Maximum Price Regulation 580 on application of Chicopee Manufacturing Corporation, New Brunswick, New Jersey, is amended in the following respects:

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

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Chicopee Manufacturing Corporation, New Brunswick, New Jersey, and described in the manufacturer's application dated April 18, 1945:

<table>
<thead>
<tr>
<th>Brand name</th>
<th>Manufacturer's selling price to</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Wholesalers</td>
</tr>
<tr>
<td>Cheese</td>
<td>$1.97 doz.</td>
</tr>
<tr>
<td>Cheese</td>
<td>$8.60 per case of 12 boxes</td>
</tr>
<tr>
<td>Cheese</td>
<td>$6.60 doz. boxes</td>
</tr>
<tr>
<td>Cheese</td>
<td>$3.50 doz. holders</td>
</tr>
</tbody>
</table>

2. Paragraph (b) is amended to read as follows:

(b) The retail ceiling price of each article stated in paragraph (a) shall apply in place of the ceiling price which has been or would otherwise be established under this or any other regulation, and shall apply to any other article of the same type, having the same selling price to the retailer, the same brand name, and first sold by the manufacturer after the effective date of this order.

3. Paragraph (c) is further amended by adding thereto the following undesignated paragraph:

'...'
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) Manufacturers’ ceiling prices. Columbian Enameling and Stamping Company, Incorporated, 1536 Beech Street, Terre Haute, Indiana, may increase its ceiling prices to each class of purchaser as established by Maximum Price Regulation No. 188, for enamel household kitchen ware and commercial enamelled cooking utensils and pails by 10 percent.

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, made by the Administrator.

(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 commercial enamelled cooking utensil or pail whose manufacturer’s ceiling price was adjusted in accordance with the provisions of this order may increase that price by 10 percent.

(2) A purchaser for resale who had no established ceiling price prior to the effective date of this order for any commercial enamelled cooking utensil or pail whose manufacturer’s 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.

(3) As required by Order No. 5122 under § 1499.159b of Maximum Price Regulation No. 188, Columbian Enameling and Stamping Company, Incorporated, shall calculate resellers’ ceiling prices for enamel household kitchenware in accordance with the provisions of that 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 1946, 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 by which said ceiling prices were determined.

Manufacturers unadjusted selling price

<table>
<thead>
<tr>
<th>Branded article</th>
<th>Light weights</th>
<th>Welt</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Regular sole</td>
<td>Platform sole</td>
</tr>
<tr>
<td>Kid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Vitality shoes

|                | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 |

Queen Quality

|                | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 |

Dorothy Dodd

|                | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 |

Retail ceiling price

This notice may be given in any convenient form.

(e) All the provisions of Order No. 5122 under § 1499.159b of Maximum Price Regulation No. 188 not expressly inconsistent with the provisions of this order shall continue to apply to enamel household kitchenware covered by this order.

(f) All requests contained in the application for price adjustment filed by Columbian Enameling and Stamping Company, Incorporated, assigned OPA Docket No. 6069-500, are hereby denied.

(g) The provisions of Supplementary Order No. 158, shall have no application to any sale or delivery of any article subject to this order.

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

This order shall become effective on 15th day of August 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14325; Filed, Aug. 15, 1946; 4:31 p.m.]

[MPR 580, Amdt. 3 to Order 65]

INTERNATIONAL SHOE CO.


For the reasons set forth in the opinion issued simultaneously herewith, Order 65 issued under section 13 of Maximum Price Regulation 580 on application for International Shoe Company, 1509 Washington Avenue, St. Louis, Missouri, is amended in the following respects:

1. Paragraph (a) is amended to establish uniform retail ceiling prices for the following:

<table>
<thead>
<tr>
<th>Manu facturers unadjusted selling price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Light weights</td>
</tr>
<tr>
<td>Regular sole</td>
</tr>
<tr>
<td>Kid</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Branded article</th>
<th>Light weights</th>
<th>Welt</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

   | Light weights | Welt |
   | Regular sole  | Platform sole | Regular sole |

   | Kid           | Other        | Kid           | Other        | Kid           | Other        |

   | Vitality shoes | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 |

   | Queen Quality | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 |

   | Dorothy Dodd  | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 |

   | Retail ceiling price |

   | Kid           | Other        | Kid           | Other        | Kid           | Other        |

   | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 |

   | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 |

   | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 |

   | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 | 46.00 |
may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation 580. However, the pricing provisions of this order or of any subsequent amendment thereto shall apply as of the effective date of the order or applicable amendment.

This amendment shall become effective August 15, 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14233; Filed, Aug. 15, 1946; 4:32 p.m.]

[MPR 580, Amdt. 1 to Order 216]

JOYCE, INC.

ESTABLISHMENT OF MAXIMUM PRICES


For the reasons set forth in the opinion issued simultaneously herewith, Order 216 issued under section 13 of Maximum Price Regulation 580 on application of Joyce, Inc., 55 North Vernon Avenue, Pasadena 1, California, is amended in the following respects:

1. Paragraph (a) is amended to establish uniform retail ceiling prices for the following:

<table>
<thead>
<tr>
<th>WOMEN'S SHOES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type</td>
</tr>
<tr>
<td>Cooke-outdoor</td>
</tr>
<tr>
<td>Wedge-Tees</td>
</tr>
</tbody>
</table>

2. Paragraph (d) is amended by adding thereto the following undesignated paragraph:

Upon issuance of any amendment to this order which either adds an article to those already listed in paragraph (a) or changes the retail ceiling price of a listed article, Joyce, Inc., need not list or ticket the article unless it is ticketed in accordance with the requirements of this paragraph within 30 days after the issuance of the amendment. After 60 days from the issuance date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation. However, the pricing provisions of this order or of any subsequent amendment thereto shall apply as of the effective date of the order or applicable amendment.

This amendment shall become effective August 15, 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14233; Filed, Aug. 15, 1946; 4:32 p.m.]

[MPR 580, Amdt. 3 to Order 216]

JOYCE, INC.

ESTABLISHMENT OF MAXIMUM PRICES


For the reasons set forth in the opinion issued simultaneously herewith, Order 216 issued under section 13 of Maximum Price Regulation 580 on application of Joyce, Inc., 55 North Vernon Avenue, Pasadena 1, California, is amended in the following respects:

1. Paragraph (a) is amended to establish uniform retail ceiling prices for the following:

<table>
<thead>
<tr>
<th>WOMEN'S SLEEPER SLIPPERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type</td>
</tr>
<tr>
<td>Snuff-out slip-on</td>
</tr>
<tr>
<td>Slipper-silk</td>
</tr>
</tbody>
</table>

2. Paragraph (d) is amended by adding thereto the following undesignated paragraph:

Upon issuance of any amendment to this order which either adds an article to those already listed in paragraph (a) or changes the retail ceiling price of a listed article, Joyce, Inc., need not list or ticket the article unless it is ticketed in accordance with the requirements of this paragraph within 30 days after the issuance of the amendment. After 60 days from the issuance date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation. However, the pricing provisions of this order or of any subsequent amendment thereto shall apply as of the effective date of the order or applicable amendment.

This amendment shall become effective August 15, 1946.
2. A new paragraph (e) is added to section 7 to follow paragraph (d) and to read as follows:

(e) Terms, discounts and allowances of resellers. Each reseller of wooden radio cabinets shall allow the same terms, discounts and allowances on sales to each wholesaler as he had in effect during March 1942, or which, thereafter, were properly established under OPA regulations.

3. A new paragraph (f) is added to section 7 to follow paragraph (e) and to read as follows:

(f) Relationship of this order to the General Maximum Price Regulation. In establishing ceiling prices for resellers of wooden radio cabinets, this order shall supersede the provisions of the General Maximum Price Regulation only insofar as this order is inconsistent with the General Maximum Price Regulation. The provisions of the General Maximum Price Regulation which are not inconsistent with this order shall continue to apply with full force and effect to such sales.

This amendment shall become effective on the 19th day of August 1946.

Note: All reporting requirements of this order shall be carried out by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-14306; Filed, Aug. 15, 1946; 4:37 p. m.]

[MPR 188, Amdt. 1 to Order 14]

CLOCKS AND WATCHES

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 §1499.159c of Maximum Price Regulation No. 188, It is ordered:

That Order No. 14 under §1499.159c of Maximum Price Regulation No. 188 be amended in the following respects:

1. The second paragraph of section 2 (a) is amended to read as follows:

This order does not cover electric clock motors without time trains, timing devices or clock systems which are under RMPR 136, watches or clocks with fewer jewels, clocks and watches with imported movements which are under the MIPR or RMPR 499, respectively, or used clocks and watches which are covered by the GMFR and MPR 420.

2. Section 4 is amended to read as follows:

Sec. 4. Retail clock prices. This section provides for the determination of retail clock prices of clocks and watches covered by this order. Manufacturers, except in the case of articles which are sold only to another manufacturer, are required to calculate the retail clock prices of their products in accordance with the provisions of this section and to comply with the tagging provisions of section 7.

(a) The retail ceiling price of any clock or watch which the manufacturer delivered to a purchaser for resale prior to August 19, 1946, shall be the retail ceiling price computed in accordance with the provisions of this order as in effect on that date. The retail ceiling price for any clock or watch which the manufacturer delivers to a purchaser for resale on or after August 19, 1946, shall be the retail ceiling price for the same clock or watch with the following provisions of this section:

(1) The retail ceiling price is the "manufacturer's price" to a wholesaler plus the applicable one of the following discounts:

(i) 77% in the case of watches and spring-wound clocks for which the "manufacturer's price" is less than $2.90;

(ii) 91% in the case of watches and spring-wound clocks for which the "manufacturer's price" is $2.90 or more but less than $5.56; and electric clocks for which the "manufacturer's price" is less than $5.56;

(iii) 116% in the case of watches and clocks for which the "manufacturer's price" is $5.56 or more.

(2) The retail clock price for a watch or clock for which the manufacturer does not have a maximum price to a wholesaler but does have a maximum price to a retailer shall be the manufacturer's price to a retailer plus a markup which will yield a percentage margin as the discount which a wholesaler is required to give a retailer by section 5 (b) of this order, the total to be adjusted to the nearest 5c.

(3) The applicable Federal excise tax upon the retail price may be collected in addition to the ceiling prices determined in accordance with this section.

3. Section 5 is amended to read as follows:

Sec. 5. Wholesalers' ceiling prices. A wholesaler's ceiling price for a clock or watch which the manufacturer delivers to a purchaser for resale prior to August 19, 1946, shall be the wholesaler's ceiling price computed in accordance with the provisions of this section as in effect on May 13, 1946. A wholesaler's ceiling price for a clock or watch which the manufacturer delivers to a purchaser for resale on and after August 19, 1946, shall be the wholesale ceiling price calculated by the manufacturer in accordance with the following provisions of this section:

(a) A manufacturer whose published price list in effect on October 31, 1941 showed different prices for sales by wholesalers in small and large quantities shall determine the wholesale ceiling price for sales in small and large quantities by deducting from the retail ceiling price (exclusive of the Federal excise tax) the applicable one of the following discounts:

1. 29% in the case of watches and spring-wound clocks for which the manufacturer's price is less than $2.90;

2. 32% in the case of watches and spring-wound clocks for which the manufacturer's price is $2.90 or more but less than $5.56; and electric clocks for which the manufacturer's price is less than $5.56.

3. 37% in the case of watches and clocks for which the manufacturer's price is $5.56 or more.

The manufacturer shall calculate wholesalers' ceiling prices for sales in larger quantities by applying to the wholesale ceiling price for sales in smallest quantities the differentials contained in his October 1941 price list for sales in such larger quantities.

(b) A manufacturer who had no published price list in effect during October 1941 or whose price list did not show different prices for sales in small and large quantities shall determine the wholesale ceiling price for sales of all quantities by applying to the retail ceiling price (exclusive of the Federal excise tax) the applicable one of the following discounts:

1. 30.5% in the case of watches and spring-wound clocks for which the manufacturer's price is less than $2.90;

2. 34% in the case of watches and spring-wound clocks for which the manufacturer's price is $2.90 or more but less than $5.56; and electric clocks for which the manufacturer's price is less than $5.56.

3. 38.5% in the case of watches and clocks for which the manufacturer's price is $5.56 or more.

This amendment shall become effective on the 19th day of August 1946.

[MPR 116, Amdt. 3 to Order 14]

CHINA AND POTTERY

GENERAL 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 §1362.59b of Maximum Price Regulation No. 116, and section 6.4 of Order No. 14, as amended, under §1362.55 of Second Revised Supplementary Regulation No. 14, It is ordered, That Order No. 14 under Maximum Price Regulation No. 116, be amended in the following respects:

1. Section 4 is amended to read as follows:

Sec. 4. Resellers' maximum prices. The maximum price for a sale by a wholesaler to a purchaser for resale; and for a sale by a retailer to an ultimate consumer shall be the amount of his supplier's invoice plus the same percentage markup which he had on June 12, 1946 on the "most comparable article" for which he then had a properly established maximum price to a wholesaler of Second Revised Supplementary Regulation No. 14. It is ordered, That Order No. 14 under Maximum Price Regulation No. 116, be amended in the following respects:

The manufacturer shall calculate wholesalers' ceiling prices for sales in larger quantities by applying to the wholesale ceiling price for sales in smallest quantities the differentials contained in his October 1941 price list for sales in such larger quantities.

(b) A manufacturer who had no published price list in effect during October 1941 or whose price list did not show different prices for sales in small and large quantities shall determine the wholesale ceiling price for sales of all quantities by applying to the retail ceiling price (exclusive of the Federal excise tax) the applicable one of the following discounts:

1. 30.5% in the case of watches and spring-wound clocks for which the manufacturer's price is less than $2.90;

2. 34% in the case of watches and spring-wound clocks for which the manufacturer's price is $2.90 or more but less than $5.56; and electric clocks for which the manufacturer's price is less than $5.56.

3. 38.5% in the case of watches and clocks for which the manufacturer's price is $5.56 or more.

This amendment shall become effective on the 19th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-14314; Filed, Aug. 15, 1946; 4:29 p. m.]}
fraction of a cent, a retailer may determine his maximum price by rounding to the nearest cent. When such a fraction of a cent is an even half-cent, the nearest cent shall be considered to be the next highest cent.

(c) If the reseller cannot determine his maximum price under (a) above, he shall apply to the Office of Price Administration for the establishment of his maximum price under § 1499.3 (c) of the General Maximum Price Regulation. A maximum price established in this way will be in line with maximum prices established generally under this order.

2. Section 5 is revoked.
3. Section 9 is amended to read as follows:

Sec. 9. Notification to purchasers for resale. At the time of, or prior to, the first invoice to a purchaser for resale showing a price adjusted in accordance with this order, the seller shall notify the purchaser in writing that he must determine his maximum resale prices for articles covered by this order under section 4 of this order.

4. Section 12 is amended to read as follows:

Sec. 12. Delegation of authority. Any Regional Administrator or District Administrator authorized by the appropriate Regional Administrator, may issue orders under sections 4 and 6 of this order.

5. Section 14 is revoked.

This amendment shall become effective on the 19th day of August 1946.

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

Issued this 15th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14295; Filed, Aug. 15, 1946; 4:24 p. m.]

[MPR 188, Amdt. 1 to Order 23 Under Order 6]

ELECTRICAL APPLIANCES

UNIFORM RETAIL 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 section 13 of Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188, It is ordered, That Order No. 23 under section 13 of Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188 be amended in the following respects:

1. Paragraph (b) (2) is amended to read as follows:

(2) Increase the result by 9 percent.

This amendment shall become effective on the 19th day of August 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14306; Filed, Aug. 15, 1946; 4:30 p. m.]

[MPR 188, Amdt. 1 to Order 5054]

DRY CELL BATTERIES

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 § 1499.159b of Maximum Price Regulation No. 188, It is ordered, That Order No. 5054 under § 1499.159b of Maximum Price Regulation No. 188 be amended in the following respect:

1. Section 5 is amended to read as follows:

Sec. 5. Adjusted maximum prices for sales at wholesale by certain resellers. Resellers at wholesale of the dry batteries covered by this order, whose maximum prices are governed by the General Maximum Price Regulation rather than by Maximum Price Regulation No. 576 may increase those maximum prices (exclusive of any authorized adjustment) to each class of purchaser by the percentage amount of the increase granted to his supplier pursuant to this order.

This amendment shall be effective on the 19th day of August 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14320; Filed, Aug. 15, 1946; 4:31 p. m.]
(a) Revocation of Order 31. Order 31 under Supplementary Order 94 be and is hereby revoked.

This order of revocation shall become effective August 19, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14391; Filed, Aug. 16, 1946; 11:55 a.m.]

(3) Maximum price Regulation 136 is amended to read as follows:

<table>
<thead>
<tr>
<th>Type of sale</th>
<th>Standard plug fuses</th>
<th>Non-standard plug fuses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales to resellers of four or more standard packages, each containing 500 plug fuses...</td>
<td>$28.00</td>
<td>$22.00</td>
</tr>
<tr>
<td>Sales to resellers of one to three standard packages, each containing 500 plug fuses...</td>
<td>12.50</td>
<td>9.90</td>
</tr>
<tr>
<td>Sales to resellers of less than standard packages...</td>
<td>2.50</td>
<td>2.00</td>
</tr>
</tbody>
</table>

The table gives the type of sale and the maximum price per thousand for standard plug fuses and the maximum price per thousand for non-standard plug fuses. The table also includes a list of non-standard plug fuses for each type of sale. Maximum prices for sales to consumers are covered by section 4.2 of Supplementary Regulation 145, Modifications of Maximum Price Established by General Maximum Price Regulation for Certain Machinery and Parts.

3. Paragraph (c) of Order No. 586 under Revised Maximum Price Regulation 136 is amended to read as follows:

(c) The maximum prices for special size plug fuses shall be the prices for non-standard size plug fuses given in the above table plus $2.00 per thousand.

4. Paragraph (d) of Order No. 586 under Revised Maximum Price Regulation 136 is amended to read as follows:

(d) The maximum prices for imprinting, labeling, set-up charges, special packaging, and other special services shall be the dollars-and-cents amounts
Order No. 606 is amended in the following respects:

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

(a) As used in this order, the phrase, "electrical steel ducts," shall include only the following new steel ducts for carrying electric wires:

- Rigid steel conduit, including elbows and couplings, but not including fittings.
- Electric metallic (steel) tubing, couplings, and elbows (EMT).
- Flexible steel conduit.
- Steel raceways for carrying electric wires, including fittings.

The phrase shall not include busways.

This order shall become effective August 21, 1946.

Issued this 16th day of August 1946.

PAUL A, PORTER, Administrator.

[F. R. Doc. 46-14368; Filed, Aug. 16, 1946; 11:59 a. m.]

ADJUSTMENT OF MAXIMUM PRICES

PANS

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, It is ordered:

Order No. 605 under Revised Maximum Price Regulation 136 is amended as follows:

Section (2) of Order No. 605 is amended by adding the phrase, "together with accessories, repair and replacement parts which are integral and functional parts thereof."

This amendment shall become effective August 21, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14367; Filed, Aug. 16, 1946; 11:59 a. m.]

ADJUSTMENT OF MAXIMUM PRICES

PANS

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, It is ordered:

Order No. 604 under Revised Maximum Price Regulation 136 is amended as follows:

The definitive listing in paragraph (a) of "Pans, baking, bread, cake, cookie, cracker, roll, bun, pies, roast, specialty, display, delivery, but not including any pans made of aluminum or stainless steel construction," is changed to read "Pans, baking, bread, cake, cookie, cracker, roll, bun, pies, roast, specialty, display, and delivery."

This order shall become effective August 21, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14369; Filed, Aug. 16, 1946; 11:59 a. m.]

ADJUSTMENT OF MAXIMUM PRICES

ELECTRICAL STEEL DUCTS

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 31 of Revised Maximum Price Regulation 136, It is ordered:

This order shall become effective August 21, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14366; Filed, Aug. 16, 1946; 11:59 a. m.]

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 31 of Revised Maximum Price Regulation 136, It is ordered:

(a) For the purposes of this order, the term, "distribution transformers," shall be defined as in Order No. 597 under Revised Maximum Price Regulation 136.

(b) For the purposes of this order, the term, "base prices," shall be the prices established in accordance with the provisions of Order No. 597 under Revised Maximum Price Regulation 136, without the addition of any individual adjustment granted a manufacturer under the provisions of that regulation or Supplementary Order No. 142.

(c) Subject to the provisions of paragraph (e) herein, the maximum prices for sales of distribution transformers by manufacturers of those products shall be the base prices increased by 12%.

(d) Subject to the provisions of paragraph (e) herein, the maximum prices for sales of distribution transformers by resellers of those products shall be the maximum prices in effect just prior to the issuance of this order, increased by the same percentage by which their net invoiced costs have been increased as a result of the issuance of this order.

(e) All prices established under paragraphs (c) and (d) shall be subject to the same discounts, allowances, deductions and other conditions of sale, in effect to any purchasers or classes of purchasers just prior to the issuance of this order.

(f) Notwithstanding any of the other provisions of this order, the maximum prices in effect just prior to the issuance of this order may be charged and received.

(g) This order shall not apply to the maximum prices for sales of distribution transformers established after the effective date of this order under the "in-line" provisions of Revised Maximum Price Regulation 136.

(h) Order No. 659 under Revised Maximum Price Regulation 136 is hereby revoked.

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

This order shall become effective August 21, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-14370; Filed, Aug. 16, 1946; 11:59 a. m.]

ADJUSTMENT OF CEILING PRICES

HOUSEHOLD ALUMINUM COOKING UTENSILS

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159e of Maximum Price Regulation No. 188, It is ordered: That Revised Order No. 1 under § 1499.159e of Maximum Price Regulation No. 188 be amended in the following respects:

1. Section 2 is amended to read as follows:

2. Paragraph (b) of section 3 is amended to read as follows:

Section 2. What this order covers. This order applies to all sales of household aluminum cooking utensils.

As used in this order the term "household aluminum cooking utensils" means all articles of housewares made wholly or substantially of aluminum or aluminum alloys and used for the preparation, storage and service of foods and beverages, and clothes sprinklers, soap dishes and sink strainers, but not including vacuum bottles or specialties and not including kitchen gadgets or kitchen tools such as can openers, can sealers, bottle openers, spice grinders, spatulas, basting spoons, potato mashers and egg beaters.

2. Paragraph (b) of section 3 is amended to read as follows:

(b) Sales to ultimate consumers. A manufacturer's ceiling price for the sale of a household aluminum cooking utensil to an ultimate consumer prior to August 19, 1946, shall be his ceiling price as determined in accordance with the provisions of this section as in effect on June 17, 1946.

A manufacturer's ceiling price for the sale of a household aluminum cooking utensil to an ultimate consumer prior to August 19, 1946, is the highest price in effect just prior to the issuance of this order, increased by the same percentage by which their net invoiced costs have been increased as a result of the issuance of this order.

(1) His ceiling price for sales to an ultimate consumer in effect on January 1, 1941, plus 4% of each such price in the case of sheetware, or plus 6% of each such price in the case of caseware.

(2) His ceiling price for sales to an ultimate consumer in effect after August 19, 1946, shall be his ceiling price as determined in accordance with the provisions of this section as in effect on June 17, 1946.

A manufacturer's ceiling price for the sale of a household aluminum cooking utensil to an ultimate consumer prior to August 19, 1946, is the highest price in effect just prior to the issuance of this order, increased by the same percentage by which their net invoiced costs have been increased as a result of the issuance of this order.

(1) His ceiling price for sales to an ultimate consumer in effect on January 1, 1941, plus 4% of each such price in the case of sheetware, or plus 6% of each such price in the case of caseware.

(2) His ceiling price for sales to an ultimate consumer in effect after August 19, 1946, shall be his ceiling price as determined in accordance with the provisions of this section as in effect on June 17, 1946.
of sheetware, or plus 6% of each such price in the case of castware.

(3) His price to the particular class of purchaser as established by Order 3827 under Maximum Price Regulation No. 188.

3. The first undesignated paragraph in section 5 is amended to read as follows:

Sec. 5. Retailers' ceiling prices. Manufacturers are required to calculate the retail ceiling prices of all household aluminum cooking utensils according to the provisions of this section. The manufacturer must also comply with the tagging provisions of section 6 of this order. The retail ceiling price of any household aluminum cooking utensil which the manufacturer delivers to a purchaser for resale subsequent to June 17, 1946, but prior to August 19, 1946, shall be the retail ceiling price determined in accordance with the provisions of this section as in effect on June 17, 1946. The retail ceiling price of any household aluminum cooking utensil which the manufacturer delivers to a purchaser for resale on or after August 19, 1946, shall be the retail ceiling price determined in accordance with the following provisions of this section as in effect on and after August 19, 1946.

4. Paragraph (a) of section 5 is amended to read as follows:

(a) Retail ceiling prices for retailers other than "Class I" sellers. The retail ceiling price for a household aluminum cooking utensil sold by a retailer other than a Class I seller (as defined below) shall be determined by adding to the manufacturer's price an amount equal to 100% of such price in the case of both sheetware and castware. If any retail ceiling price exceeds $1.00 and is not a multiple of 50 cents, it may be adjusted to the nearest figure which is a multiple of 50. For the purposes of this section, the manufacturer's price is the highest of the following: (f) or b. factory prices for sales of the article to the class of wholesaler or chain store to whom he sells articles covered by this order in the largest dollar volume.

(1) The price in effect on January 1, 1941, plus in the case of sheetware 4% of such price, and plus in the case of castware 6% of such price.

(2) The price established in accordance with the first, second, third, or fourth pricing methods of Maximum Price Regulation No. 188 §§ 1499.155 through 1499.158 or by an order of the Office of Price Administration under § 1499.159c of that regulation, plus in the case of sheetware 4% of such price, and plus in the case of castware 6% of such price.

(3) The price established by Order No. 3827 under Maximum Price Regulation No. 188.

(4) The price established by an individual seller under Supplemental Order Nos. 118, 133 or 148 or Revised Supplemental Order No. 119 or any other supplementary order which may provide for the individual adjustment of a manufacturer's ceiling prices, less in the case of sheetware 10%, and less in the case of castware 3%, of the highest of the following:

(i) The price in effect on January 1, 1941, or

(ii) The price established in accordance with the first, second, third, or fourth pricing methods of Maximum Price Regulation No. 188 §§ 1499.155 through 1499.158 or by an order of the Office of Price Administration under § 1499.159c of that regulation, without the inclusion in such price of any individual adjustment that might have been obtained by the manufacturer.

(iii) The price established by Order No. 3827 under Maximum Price Regulation No. 188.

5. The last sentence in the first paragraph in section 5 is amended to read as follows:

However, the retail ceiling price for a sale by a mail order house of an article which it sold during 1941 shall be the last catalog price in effect prior to March 31, 1942 plus 4% in the case of sheetware and 6% in the case of castware.

6. Section 5 (d) (1) (ii) is amended to read as follows:

(i) The price requested for the article is no higher than the level of retail ceiling prices for that article prevailing during March 1942, plus in the case of sheetware 4%, and plus, in the case of castware, 6%.

7. Section 6 (b) is amended by the addition of the following paragraph at the end thereof:

Any seller who receives, prior to August 19, 1946, "untagged" a household aluminum cooking utensil which the manufacturer delivers to a purchaser for resale subsequent to May 20, 1946 shall be the retail ceiling price determined under section 5 of this order as in effect prior to August 19, 1946, before it is displayed, offered for sale, sold or delivered at retail.

This amendment shall become effective on the 19th day of August 1946.

Note: All reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1920.

Issued this 15th day of August, 1946.

PAUL A. PORTER, Administrator.

F. P. Doc. 46-1440S; Filed, Aug. 15, 1946; 4:27 p. m.

SMALL ELECTRICAL APPLIANCES

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 § 1499.159c of Maximum Price Regulation No. 188, it is ordered that Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188 be amended in the following respects:

1. At the end of section 3 a new section 3a is added to read as follows:

Sec. 3a. The provisions of section 4 and 5 as in effect on May 20, 1946 shall govern all resales of small electrical appliances which the manufacturer shipped or delivered to a purchaser for resale subsequent to May 20, 1946 and prior to August 19, 1946.

2. Section 4 (b) (1) (i) is amended to read as follows: "(i) 92% of that ceiling price."

3. Section 4 (b) (2) (i) (b) is amended to read as follows: "(b) 73% of that ceiling price.

4. Section 4 (b) (2) (ii) (b) is amended to read as follows: "(b) 64% of that ceiling price."

5. Section 4 (c) (1) (i) is amended to read as follows: "(i) 87% of that ceiling price."

6. Section 4 (c) (2) (i) (b) is amended to read as follows: "(b) 69% of that ceiling price."

7. Section 4 (c) (2) (ii) (b) is amended to read as follows: "(b) 60% of that ceiling price."

8. Section 5 (a) is amended by substituting the figure, "33%" for the figure "31%" and the figure "39%" for the figure "34%.

9. Section 6 (a) is amended to read as follows:

(a) On and after August 19, 1946, unless otherwise authorized, no manufacturer shall ship a small electrical appliance unless there is attached to it a retail price tag or label. That tag or label shall state the retail ceiling price (exclusive of Federal excise tax) for sales in each zone determined in accordance with section 4 of Order 6 as amended. The tag shall also state the manufacturer's name or the brand name; the model designation of the article; and the price at which the tag or label may not be removed after the article is delivered to the consumer.

When different retail ceiling prices have been fixed for sales in each zone in accordance with section 4 (b), a tag or label in the following form with the blanks properly filled in shall be used to indicate those different prices:

Manufacturer's name, or brand name,-----------

Model No. -----------

OPA Retail Ceiling Price (Including Federal excise tax) $ __________

Plus 5% in Zone II

Do Not Detach

When a brand name is stated on the retail ceiling price tag without a statement of the manufacturer's name, the manufacturer is required to report to the Office of Price Administration, Washington, D. C. before shipping any articles so tagged, his name and address; his ceiling prices for each article to distributors and chain stores and the method by which it was determined; the brand name that will be used; and the retail ceiling price.

However, a manufacturer is not required to comply with the foregoing tag-
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 § 1499.159e of Maximum Price Regulation No. 188, It is ordered:

Order 10 under § 1499.159e of Maximum Price Regulation No. 188 is amended in the following respects:

1. Sections 3 (a) (1), 3 (a) (2), 3 (a) (3), 3 (a) (4), 3 (a) (5), and 3 (a) (6) are amended by deleting the words “other than ultimate consumers” where they appear in those paragraphs.

2. Section 4 is amended by adding a new unnumbered paragraph after the first paragraph of the section, to read as follows:

For articles of photographic equipment which the manufacturer delivers prior to August 19, 1946, he shall calculate retail ceiling prices in accordance with the provisions of section 4 of Order 10 under Maximum Price Regulation No. 188, as in effect on July 26, 1946. For articles of photographic equipment which the manufacturer delivers after August 19, 1946, he shall calculate retail ceiling prices in accordance with the following provisions.

3. Section 4 (a) (1) (ii) is amended by deleting the words “dollar and cents” from the first line of that paragraph and substituting therefor the word “percentage”.

4. Section 4 (a) (1) (ii) is further amended by deleting the entire last sentence of the paragraph, beginning with the word “However” and ending with the word “tax”.

5. Section 4 (b) (1) (ii) is amended by deleting the numerical figure “51%” and substituting therefor the numerical figure “91%”.

6. Section 4 (b) (2) (ii) is amended by deleting the numerical figure “51%” and substituting therefor the numerical figure “56%”.

7. Section 5 is amended by amending the first unnumbered paragraph and paragraphs (a) and (b) to read as follows:

Sec. 5. Distributors' ceiling prices. Manufacturers, except in the case of articles which are sold only to another manufacturer, are required to calculate distributors’ ceiling prices in accordance with the paragraphs of this section.

For articles of photographic equipment which the distributor delivers prior to August 19, 1946, he shall calculate his ceiling price in accordance with the provisions of section 5 of Order 10 under Maximum Price Regulation No. 188 as in effect on July 26, 1946. For articles of photographic equipment which the distributor delivers after August 19, 1946, he shall calculate his ceiling price in accordance with the provisions following this section.

Paragraph (a) may be used only when the retail ceiling price was determined under Method A.

(a) A distributor's ceiling price for an article of photographic equipment is the manufacturer's ceiling price to the same class of dealer, or the following:

(b) The retail ceiling price for the article (including Federal excise tax) for sales by a dealer, other than a mail order house, less:

(i) 30.5% when no differentials are in effect for sales in different quantities, or 29.5% for sales in the smallest quantities and 35% for sales in the largest quantities, for which the distributor held a price in effect during March 1942, or for which maximum prices have been previously established under applicable GPA regulations.

(ii) For sales in quantities other than the smallest and largest shall reflect the distributor's established differentials for sales in those quantities.

8. Section 6 (a) is amended to read as follows:

Sec. 6. Retail price tags. (a) On and after July 26, 1946, unless otherwise authorized by the Office of Price Administration, a manufacturer may not ship to any purchaser a photographic accessory for which the retail ceiling price fixed by this order is $5.00 or more, or any camera, projector or enlarger cover for which the retail ceiling price tag or label is attached to it. That tag or label shall state: the manufacturer's name or the brand name; the model designation of the article; the retail ceiling price (inclusive of Federal excise tax), and that the tag or label may not be removed before the article is delivered to the consumer.

For an article which the manufacturer delivers prior to August 19, 1946, the retail price tag shall state the retail price determined under Section 4 of this order as in effect on July 26, 1946. For articles which the manufacturer delivers after August 19, 1946, the retail price tag shall state the retail price determined by this order as subsequently amended.

However, the manufacturer is not required to comply with the foregoing tagging provisions with respect to articles which are sold only to a manufacturer or to mail order houses (including mail order houses which also operate as any other type of retailer) or with respect to articles which are shipped for export.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159e of Maximum Price Regulation No. 188, It is ordered:

1. Section 2 (c) is revoked.

This amendment shall become effective as of July 1, 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER,
Administrator.
METAL COMMERCIAL FURNITURE

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 §1499.159e of Maximum Price Regulation No. 188, It is ordered:

Sec. 1. Purpose of this order. Metal commercial furniture as set forth below, has been found to be a reconversion product in accordance with the standards set forth in § 1499.159e of Maximum Price Regulation No. 188.

This order specifies a price increase factor to be used by manufacturers of this product; and it sets forth the specific pricing provisions which all sellers are to follow in calculating their maximum prices for resales of the product.

Sec. 2. Articles covered by this order. This order covers all articles of metal commercial furniture, fixtures, equipment and accessories covered by Maximum Price Regulation No. 188, except those whose maximum prices were established under Order No. 4332 or Revised Order No. 4332 under Maximum Price Regulation No. 188. "Metal commercial furniture" as used in this order means all furniture, fixtures, equipment and accessories set forth in Appendix C of Maximum Price Regulation No. 188, except those listed below, when primarily designed and generally used for non-household purposes, and when made with metal which accounts for, at least, 50% of the total cost of materials used, exclusive of joining hardware.

The order does not cover articles of scientific and professional equipment such as dentist's and physician's examination chairs and tables, and hospital operating room equipment, cooking utensils; and business and store machines.

Sec. 3. Manufacturers' maximum prices—(a) Determination of maximum prices. Manufactures shall continue to determine their maximum prices for articles covered by this order under the same regulation and pricing provisions applicable before this order was issued.

(b) Increase factor. Manufacturers may in the event of a subsequent increase in the maximum prices (exclusive of any permitted increases) properly established under Maximum Price Regulation No. 188 or the "comparability method" of Order No. 4332 or Revised Order No. 4332 under that regulation for sales to each class of purchaser.

Sec. 4. Maximum prices of purchasers for resale. Resellers of an article which the manufacturer has sold at an established maximum price determined under this order or by an order under 2d Revised Order A-3 under Maximum Price Regulation No. 188, Revised Supplementary Order No. 118 or Supplementary Order No. 133 shall determine their adjusted maximum prices as follows:

A reseller shall calculate his maximum prices by adding to his invoice cost the same percentage markups which he had on March 31, 1946, on the same article or on the "most comparable article" for which he then had an established maximum price. For this purpose the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the same 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 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 price increase 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 §1499.159e of the General Maximum Price Regulation. Ceiling prices established under this section will reflect the supplier's prices as adjusted in accordance with this order.

Sec. 5. Terms of sale. Except as provided below, every seller of an article covered by this order must maintain all of his terms, discounts, allowances and price differentials in effect during March 1942, or which have been properly established under Office of Price Administration regulations or orders.

Sellers who granted quantity discounts based on quantities ordered rather than delivered, may charge quantity discounts on the basis of quantities delivered when the quantities delivered are less than the quantities ordered, so long as such discounts are as great as the seller's supply permits and the volume and number of sales pursuant to such orders are not diminished to avoid the granting of quantity discounts.

Sec. 6. Notification. At the time of, or prior to, the first sale to a purchaser for resale, the manufacturer or any other seller shall notify the purchaser in writing of the method established in Section 4 determining his resale maximum prices. Such price may be given in any convenient form.

Sec. 7. Credit charges on dealers' sales. Charges for the extension of credit may be added to the retail ceiling prices established by this order or by any other order issued under this order unless such order provides otherwise. No such credit charge may exceed that permitted by this section.

(a) Dealers who in March 1942 collected a separately stated additional charge for the extension of credit on sales of metal commercial furniture may collect a charge for the extension of credit on sales under this order, not exceeding such charge in March 1942 on similar sales. If such additional charge is in excess of the credit only on installment plan sales, the charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the seller of the purchaser in March 1942 by the dealer's closest competitor who made such a separately stated charge.

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

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

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

Sec. 8. Compliance with this order—(a) No buying or selling at over ceiling prices. Prices established by this order are ceiling prices. Prices lower than ceiling prices may be charged and collected at any time. However, regardless of any contract or other obligation, no person shall sell, offer to sell, or deliver, and in the course of trade or business, no person shall purchase or accept delivery of any metal commercial furniture at a price higher than the ceiling price fixed by this order or before the manufacturer has properly determined his ceiling price under this order.

If, in violation of this provision, a sale, offer to sell, or delivery of any metal commercial furniture is made before its ceiling price has been properly established in accordance with this order, the ceiling price applicable to the sale, offer to sell or delivery shall be the correct ceiling price for the metal commercial furniture properly determined in accordance with this order.

(b) Certain practices forbidden. It shall be a violation of this order to charge a price above the applicable ceiling price in connection with any sale of metal commercial furniture, either alone or in connection with any other obligation even though the price increase appears only indirectly.

The following is illustrative of the things a seller is not permitted to do. A seller may not permit or require any other person, as a condition of the sale or transfer of metal commercial furniture to make payment over a period of time; to require him to purchase additional equipment through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts or services so as to increase the total compensation above the article's ceiling price; to require him to purchase any other com-
modify or service; or to require him to make payment in whole or in part by exchanging, transferring, or trading in any other metal commercial furniture, product or commodity. Where there is an exchange, transfer or traded-in in connection with a sale it is a violation for the seller to give the purchaser an allowance for the metal commercial furniture, product or commodity exchanged, transferred or traded-in, which is less than its reasonable value.

Sec. 9. Relationship of this order to Maximum Price Regulation No. 188 and the General Maximum Price Regulation. The provisions of this order supersede the provisions of Maximum Price Regulation No. 188 and the General Maximum Price Regulation only to the extent that they are inconsistent with the provisions of those regulations.

Sec. 10. Definitions. Unless otherwise required by the context of this order, all terms shall have the same meanings as provided by Maximum Price Regulation No. 188 and the General Maximum Price Regulation, whichever is applicable.

This order shall become effective on the 19th day of August 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER,
Administrator.

[FR Doc. 46-14312; Filed, Aug. 15, 1946; 4:29 p.m.]

[MPR 188, Corr. to Rev. Order 4418]

AUTOMOBILE SEAT COVERS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, the provisions of this order supersede the provisions of Maximum Price Regulation No. 188 and the General Maximum Price Regulation No. 188.

1. The table of cut-off points in section 3 (b) is corrected to read as follows:

The cut-off points referred to above are as follows:

<table>
<thead>
<tr>
<th>Article</th>
<th>Maximum price to jobbers</th>
<th>Maximum price to retailers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Universal seat covers:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cove solid back</td>
<td>2.65</td>
<td>3.65</td>
</tr>
<tr>
<td>Cove with split seat</td>
<td>3.45</td>
<td>4.50</td>
</tr>
<tr>
<td>Cove with split seat (front seat)</td>
<td>3.45</td>
<td>4.50</td>
</tr>
<tr>
<td>Cove with split seat (complete set)</td>
<td>6.90</td>
<td>8.50</td>
</tr>
<tr>
<td>Cove and split seat (complete set) (over arm rest)</td>
<td>7.55</td>
<td>9.40</td>
</tr>
<tr>
<td>Tailored seat covers:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cove solid back</td>
<td>5.00</td>
<td>7.00</td>
</tr>
<tr>
<td>Cove divided back</td>
<td>6.60</td>
<td>8.00</td>
</tr>
<tr>
<td>Cove and split seat (front seat)</td>
<td>6.60</td>
<td>8.00</td>
</tr>
<tr>
<td>Cove and split seat (complete set) (over arm rest)</td>
<td>10.55</td>
<td>13.20</td>
</tr>
<tr>
<td>Cove and split seat (complete set) (over arm rest)</td>
<td>11.25</td>
<td>14.30</td>
</tr>
</tbody>
</table>

2. The first sentence of section 4 (a) preceding the colon is corrected to read as follows:

(a) No manufacturers may sell an automobile seat cover at a maximum price higher than his unadjusted maximum price unless, fifteen days before first offering the article for sale, he files a signed report with the Office of Price Administration, Washington 25, D. C., setting forth the following:

This correction shall become effective August 16, 1946.

Issued this 16th day of August 1946.

PAUL A. PORTER,
Administrator.

[FR Doc. 46-14312; Filed, Aug. 15, 1946; 11:56 a.m.]

[MPR 188, Amdt. 1 to Rev. Order 1470]

NEW METAL COTS AND DOUBLE DECK BERS

MAXIMUM PRICES FOR SALES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188, It is ordered, That Revised Order 1470 under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respects:

1. Section 3 (ix) Step 5 is amended to read as follows:

Step 5. For an article which the manufacturer delivers prior to August 19, 1946, he shall calculate its retail ceiling price by multiplying his proposed f. o. b. factory and retail price, whichever is applicable, by 184 per cent. For an article which the manufacturer delivers on or after August 19, 1946, he shall calculate its retail ceiling price by multiplying his proposed f. o. b. factory and retail price, whichever is applicable, by 191 per cent. In each instance the resulting figure shall be rounded to the nearest five cents.

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

(4) Fourth. The jobber shall subtract five cents from the result of the third step for all articles which the manufacturer delivers prior to August 19, 1946. For articles which the manufacturer delivers on or after August 19, 1946, the jobber need not subtract the five cents. The resulting figure in each instance is the jobber's maximum price. However, if the resulting figure is an amount less than the manufacturer's maximum price for the particular sale, the jobber's maximum price shall be that maximum price of the manufacturer.

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

(2) Unlisted maximum prices. (a) The manufacturer's maximum price for an article which is not listed in Appendix A and which is determined under section 3 (b) of this revised order, or was established under paragraph (f) of Order 1470 and was effective on or after August 19, 1946, is calculated by multiplying the manufacturer's f. o. b. factory maximum price to retailers by 184 per cent. For an article which the manufacturer delivered on or after August 19, 1946, the retail ceiling price is calculated by multiplying the manufacturer's f. o. b. factory and retail price, whichever is applicable, by 191 per cent. If the manufacturer's maximum price is established by an order of the Office of Price Administration under section 3 (d) of this revised order, the retailer's maximum price is the retail maximum price established by such order.

Issued this 15th day of August 1946.

PAUL A. PORTER,
Administrator.

[FR Doc. 46-14318; Filed, Aug. 15, 1946; 4:30 p.m.]
WINDOW SHADES AND WINDOW SHADE ROLLERS

MAXIMUM PRICES FOR SALES

The determination of a maximum 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 on OPA Form 629-759, with regard to how he determines his maximum resale price. These records shall be kept available for inspection by the Office of Price Administration for as long as the Emergency Price Control Act of 1942, as amended remains in effect.

(b) If the wholesaler cannot determine his maximum price under (a) above, he shall apply to the Office of Price Administration for the establishment of his maximum price under § 1499.3 (c) of the General Maximum Price Regulation. A maximum price established in this way will be in line with maximum prices established generally under this order.

3. Section 5 (b) is amended to read as follows:

(2) Maximum prices. Each retailer of cloth shades shall determine his maximum prices as follows:

(i) For sales of stock shades, he shall multiply his invoice cost (less all discounts except cash discounts, and not including freight costs) by 156 percent.

(ii) For sales of custom shades he shall multiply his invoice cost (less all discounts except cash discounts, and not including freight costs) by 15 percent.

4. Section 5 (c) is amended to read as follows:

(c) Window shade rollers. Each retailer shall determine his maximum prices for sales of window shade rollers by multiplying his invoice cost (less all discounts except cash discounts, and not including freight costs) by 156 percent.

5. Section 6 is revoked.

6. Appendix A is amended to read as follows:

APPENDIX A—MAXIMUM PRICES FOR SALES BY RETAILERS OF PAPER AND FIBRE SHADES

To use the table below, the retailer determines the price range in Column 1 (if he buys from the manufacturer), or the price range in Column 2 (if he buys from a wholesaler), in which his actual invoice cost lies.

The actual invoice cost for this purpose is less all discounts except cash discounts, and not including any freight costs. The retail ceiling price stated on the same line as the price range is the retailer's maximum price.

<table>
<thead>
<tr>
<th>Percentage increase</th>
<th>Type of article:</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Cloth shades</td>
</tr>
<tr>
<td>20</td>
<td>Paper and fibre shades</td>
</tr>
<tr>
<td>15</td>
<td>Window shade rollers</td>
</tr>
</tbody>
</table>

Column 1 | Invoice price when purchased from manufacturer
---|---|
| Per doz. | Per hd. |
| $0.90—$1.019 | 7.30—8.35 |
| 1.02—1.399  | 8.40—11.49 |
| 1.06—1.499  | 11.40—14.89 |
| 1.18—1.699  | 14.60—18.79 |
| 1.25—1.899  | 18.80—24.79 |
| 1.35—2.099  | 23.80—32.79 |
| 1.40—2.399  | 27.70—39.79 |
| 1.45—3.499  | 32.70—50.79 |
| 1.50—4.499  | 37.70—61.79 |
| 1.55—5.499  | 41.70—64.49 |
| 1.60—6.499  | 46.70—74.49 |
| 1.65—7.499  | 51.70—82.49 |
| 1.70—8.499  | 55.70—89.49 |
| 1.75—9.499  | 59.70—99.49 |
| 1.80—10.499 | 63.70—109.49 |
| 1.85—11.499 | 67.70—121.49 |
| 1.90—12.499 | 71.70—133.49 |

Column 2 | Invoice price when purchased from wholesaler
---|---|
| Per doz. | Per hd. |
| $0.96—1.199 | 7.60—9.35 |
| 1.14—1.499  | 9.40—12.49 |
| 1.19—1.699  | 12.50—17.49 |
| 1.20—1.799  | 17.50—21.79 |
| 1.24—1.999  | 21.75—26.79 |
| 1.30—2.599  | 26.70—34.79 |
| 1.34—3.599  | 31.70—44.79 |
| 1.40—4.599  | 36.70—51.79 |
| 1.45—5.599  | 40.70—57.79 |
| 1.50—6.599  | 44.70—63.79 |
| 1.55—7.599  | 48.70—73.79 |
| 1.60—8.599  | 52.70—82.79 |
| 1.65—9.599  | 55.70—95.79 |
| 1.70—10.599 | 59.70—100.79 |
| 1.75—11.599 | 63.70—108.79 |
| 1.80—12.599 | 67.70—119.79 |
| 1.85—13.599 | 71.70—131.79 |
| 1.90—14.599 | 75.70—146.79 |

Column 3 | Retail ceiling price
---|---|
| Per doz. (Per unit) |
| $0.15|
| .19|
| .25|
| .29|
| .35|
| .45|
| .55|
| .65|
| .75|
| .85|
| 1.00|
| 1.05|
| 1.10|
| 1.15|

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, as amended.

This amendment shall become effective on the 15th day of August 1946.

Issued this 15th day of August 1946.

PAUL A. PORTER,
Administrator.

[FR Doc. 46-14319; Filed, Aug. 15, 1946; 4:31 p.m.]

(a) Advance ment of effective dates—

(1) General rule. The effective dates of all applications under section 7 of Maximum Price Regulation 586 which are postponed by the first proviso in section 18 (3) of the Price Control Extension Act of 1946 are hereby advanced to the dates which would have been applicable if the Price Control Extension Act of 1946 had been enacted on June 30, 1946.

(2) Effective dates in particular cases. If a later order under section 7 of Maximum Price Regulation 586 sets a different effective date for a specific adjustment, then that date is applicable in lieu of the general rule stated in paragraph (a) (1) above.

(b) Cotton warehousing. All applications for adjustment of rates for compressing, warehousing and incidental services on cotton are hereby dismissed.

This order shall be effective as of July 25, 1946.
The following orders under Revised General Order 51 were filed with the Division of the Federal Register August 14, 1946.

Region I

Augusta Order 1-M, Amendment 3, covering bottled beer and ale in certain cities and towns in Maine. Filed 9:59 a.m.

Baltimore Order 13-F, Amendment 1, covering fresh fruits and vegetables in the Baltimore, Maryland area. Filed 9:54 a.m.

Wilmington Order 6-F, Amendment 1, covering fresh fruits and vegetables in the State of Delaware. Filed 9:53 a.m.

Region II

Atlanta Order 16, Amendment 19, covering eggs in Zone 15. Filed 9:37 a.m.

Atlanta Order 17, Amendment 17, covering eggs in Zone 15. Filed 9:36 a.m.

Atlanta Order 18, Amendment 19, covering eggs in Zone 18. Filed 9:35 a.m.

Atlanta Order 19, Amendment 17, covering eggs in Zone 18. Filed 9:35 a.m.

Atlanta Order 20, Amendment 19, covering eggs in Zone 19. Filed 9:34 a.m.

Atlanta Order 21, Amendment 17, covering eggs in Zone 19. Filed 9:34 a.m.

Atlanta Order 14-C, Amendment 8, covering poultry in Chatham county, Georgia. Filed 9:34 a.m.

Atlanta Order 30-C, Amendment 12, covering poultry in Zone 22. Filed 9:33 a.m.

Atlanta Order 31-C, Amendment 12, covering poultry in Zone 22. Filed 9:33 a.m.

Atlanta Order 32-C, Amendment 12, covering poultry in Zone 23. Filed 9:32 a.m.

Atlanta Order 33-C, Amendment 12, covering poultry in Zone 23. Filed 9:32 a.m.

Atlanta Order 34-C, Amendment 12, covering poultry in Zone 23. Filed 9:32 a.m.

Birmingham Order 25, Amendments 7 and 8, covering dry groceries sold by Groups 1 and 2 stores. Filed 9:51 and 9:50 a.m.

Birmingham Order 26, Amendments 8 and 9, covering dry groceries sold by Groups 3 and 4 stores. Filed 9:50 a.m.

Birmingham Order 27, Amendments 6 and 7, covering dry groceries sold by Groups 1 and 2 stores. Filed 9:49 a.m.

Birmingham Orders 28, Amendments 7 and 8, covering dry groceries sold by Groups 3 and 4 stores. Filed 9:49 a.m.

Birmingham Orders 1-C and 2-C, Amendments 23 and 35, covering poultry in certain specified counties in the Birmingham area. Filed 9:52 and 9:52 a.m.

Birmingham Orders 3-C and 4-C, Amendments 9 and 7, covering poultry in certain specified counties in the Birmingham area. Filed 9:52 a.m.

Birmingham Orders 4-O and 2-O, Amendment 13, covering eggs in certain specified counties in the Birmingham area. Filed 9:48 and 9:47 a.m.

Birmingham Order 3-O, Amendment 13, covering eggs in certain specified counties in the Birmingham area. Filed 9:47 a.m.

Birmingham Order 4-O, Amendment 19, covering eggs in Jefferson county, Alabama. Filed 9:47 a.m.

Birmingham Order 6-O, Amendment 4, covering eggs in the Birmingham area. Filed 9:46 a.m.

Birmingham Order 7-O, Amendment 16, covering eggs in Montgomery county, Alabama. Filed 9:46 a.m.

Birmingham Order 8-W, Amendment 8, covering dry groceries in the Birmingham area. Filed 9:48 a.m.

Birmingham Order 7-W, Amendment 8, covering dry groceries in the Birmingham area. Filed 9:48 a.m.

Jacksonville Order 46, Amendment 7, covering dry groceries in certain counties in Florida. Filed 9:41 a.m.

Jacksonville Order 47, Amendment 7, covering dry groceries in certain counties in Florida. Filed 9:41 a.m.

Jacksonville Order 48, Amendment 6, covering dry groceries in certain counties in Florida. Filed 9:40 a.m.

Jacksonville Order 5-D, Amendment 3, covering butter and cheese in certain counties in Florida. Filed 9:39 a.m.

Jacksonville Order 4-D, Amendment 3, covering butter and cheese in certain counties in Florida. Filed 9:40 a.m.

Jacksonville Order 6-D, Amendment 2, covering butter and cheese in certain counties in Florida. Filed 9:39 a.m.

Jacksonville Order 17-W, Amendment 7, covering dry groceries in certain counties in Florida. Filed 9:40 a.m.

Jacksonville Order 18-W, Amendment 7, covering dry groceries in certain counties in Florida. Filed 9:39 a.m.

Nashville Order 13-F, Amendments 14 and 15, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 9:46 and 9:45 a.m.

Nashville Order 14-F, Amendments 35 and 36, covering fresh fruits and vegetables in certain counties in Tennessee and Bristol, Virginia. Filed 9:44 and 9:43 a.m.

Nashville Order 22, Amendments 3 and 4, covering dry groceries in certain areas in Tennessee. Filed 9:42 a.m. and 9:42 a.m.

Region V

New Orleans Order 6-F, Amendment 42, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 9:31 a.m.

San Antonio Order 8-F, Amendment 50, covering fresh fruits and vegetables in Bexar county, Texas. Filed 10:05 a.m.

San Antonio Order 3-F, Amendment 1, covering fresh fruits and vegetables in Corpus Christi, Texas. Filed 10:06 a.m.

San Antonio Order 9-F, Amendment 39, covering fresh fruits and vegetables in Culberson, El Paso, Hudspeth and Presidio counties, Texas. Filed 10:04 a.m.

San Antonio Order 11-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Texas. Filed 10:05 a.m.

San Antonio Order 12-F, Amendment 8, covering fresh fruits and vegetables in Travis county, Texas. Filed 10:03 a.m.

San Antonio Order 13-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Texas. Filed 10:02 a.m.

Wichita Order 12-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Kansas. Filed 10:02 a.m.

Wichita Order 13-F, Amendment 34, covering fresh fruits and vegetables in Sedgwick county, Kansas. Filed 10:01 a.m.

Wichita Order 14-F, Amendment 34, covering fresh fruits and vegetables in certain counties in Kansas. Filed 10:01 a.m.

Wichita Order 15-F, Amendment 34, covering fresh fruits and vegetables in Chase, Coffey, Greenwood, Lyon, Marion and Morris counties, Kansas. Filed 10:00 a.m.

Wichita Order 16-F, Amendment 34, covering dry groceries sold by Groups 1 & 2 stores. Filed 9:30 a.m.

Wichita Order 35, Amendment 8, covering dry groceries sold by Groups 1 & 2 stores. Filed 9:29 a.m.

Wichita Order 36, Amendment 5, covering dry groceries sold by Groups 3 & 4 stores. Filed 9:24 a.m.

Wichita Order 1-M, Amendment 1, covering bottled beer and ale in the City of Wichita. Filed 9:30 a.m.

Region VII

Albuquerque Order 46, Amendment 1, covering dry groceries in the Northwestern, Central and Extreme Southwestern New Mexico area. Filed 9:26 a.m.

Albuquerque Order 47, covering dry groceries sold in certain areas in New Mexico. Filed 9:27 a.m.

San Juan City Order 17-F, covering fresh fruits and vegetables in Santa Fe, Taos and Rio Arriba counties, New Mexico. Filed 9:25 a.m.
before the hearing in this matter was closed, the registrant filed its annual report for the year ended December 31, 1944. The contents and accuracy of this annual report, which was not filed by the due date, was not in issue in this proceeding.

The annual report for the year ending December 31, 1944 is now on file with the Commission together with the registration statement and amended annual reports filed by the registrant for prior years, and the registrant will be obligated to keep this information current as long as its securities remain registered. Under the circumstances, therefore, we do not find it necessary or appropriate for the protection of investors to suspend or withdraw the registration of these securities.

It is therefore ordered, That the instant proceeding to suspend or withdraw the registration of the Common Stock, $50 par value, of Missouri Monarch Consolidated Mines Company, Common Stock, $50 par value, should be suspended or withdrawn. File No. 1-1884.

This proceeding was instituted by the Commission pursuant to section 12 (d) of the Securities Exchange Act of 1934 to determine whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Common Stock, $50 par value, of Missouri Monarch Consolidated Mines Company (hereinafter called the registrant) on the Salt Lake Stock Exchange, a national securities exchange.

The registrant filed an application with the Commission on or about July 6, 1935, for registration of its Common Stock, $50 par value, on the Salt Lake Stock Exchange. The exchange certified to the Commission approval of these securities for listing and registration, and registration became effective pursuant to section 12 (d) of the Act on or about July 16, 1935.

The order of January 23, 1946, instituting this proceeding set forth as the issue to be determined in the hearing:

Whether the registrant has failed to comply with the provisions of section 13 of the Act in that it failed to file its Annual Report on Form 10-K for the year ended December 31, 1944, within the time prescribed to file such report, and has failed to file such annual report at any later date.

After appropriate notice to the registrant, the Salt Lake Stock Exchange and the public, a hearing was held before a trial examiner at Denver, Colorado on February 13, and May 6, 1946. An advisory report was filed by the trial examiner.

We find that the registrant did not file its annual report on Form 10-K for the year ended December 31, 1944 within the time specified by the Commission's rules, and that the registrant has therefore failed to comply with section 13 and the rules, regulations and forms promulgated thereunder. However, on April 4, 1946,
a. Those certain bonds described in Exhibit A, attached hereto and by reference made a part hereof, presently in the custody of Bankers Trust Company, 16 Wall Street, New York, New York, in a custodian account, Account Number 7904, together with any and all rights thereunder and thereto.

b. Three (3) coupons, dated December 1, 1941, each of $35 face value, detached from City of Yokohama, Japan, External Loan of 1926 Sinking Fund Bonds, bearing numbers 8006, 11396 and 17830, which coupons are presently in the custody of Bankers Trust Company, 16 Wall Street, New York, New York, in a custodian account, Account Number 7904, together with any and all rights thereunder and thereto.

c. Seventeen (17) coupons, dated October 15, 1934, each of $35 face value, and each stamped 50% paid, detached from German Government External Loan 7% Bonds, due October 15, 1945, bearing numbers 11632, 38479, 53695 to 53699 inclusive, 53783 to 53786 inclusive, 53788 to 53791, 38479 and 53695 to 53699 inclusive, which coupons are presently in the custody of Bankers Trust Company, 16 Wall Street, New York, New York, in a custodian account, Account Number 7904, together with any and all rights thereunder and thereto.

d. Seventeen (17) coupons, dated April 15, 1935, each of $35 face value, detached from German Government External Loan 7% Bonds, due October 15, 1948, bearing numbers 53783 to 53796 inclusive, 53788 to 53790 inclusive, 65148, 62497 and 65148, which coupons are presently in the custody of Bankers Trust Company, 16 Wall Street, New York, New York, in a custodian account, Account Number 7904, together with any and all rights thereunder and thereto.

e. Those certain shares of stock described in Exhibit B, attached hereto and by reference made a part hereof, registered in the name of Salteld & Co., beneficially owned by N. Kadoakazu Takaki and presently in the custody of Bankers Trust Company, 16 Wall Street, New York, New York, in a custodian account, Account Number 7904, together with any and all rights thereunder and thereto.

f. Those certain shares of stock described in Exhibit B, attached hereto and by reference made a part hereof, registered in the name of N. Kadoakazu Takaki and presently in the custody of Bankers Trust Company, 16 Wall Street, New York, New York, in a custodian account, Account Number 7904, together with any and all declared and unpaid dividends thereon, 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.

EXHIBIT B

<table>
<thead>
<tr>
<th>Name and address of corporation</th>
<th>Place of incorporation</th>
<th>Type of stock</th>
<th>Par value</th>
<th>Number of shares</th>
<th>Certificate No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Copperweld Steel Co., Glassport, Pa.</td>
<td>Pennsylvania</td>
<td>Common</td>
<td>$5</td>
<td>100</td>
<td>320</td>
</tr>
<tr>
<td>Mixted Copper Co., duPont Bidg., Wilmington, Del.</td>
<td>Delaware</td>
<td>Common</td>
<td>$5</td>
<td>20</td>
<td>200</td>
</tr>
<tr>
<td>North America Co., 66 Broadway, New York, New York</td>
<td>New Jersey</td>
<td>Common</td>
<td>$10</td>
<td>200</td>
<td>200</td>
</tr>
<tr>
<td>Washington Railway &amp; Electric Co., 850 E St., NW, Washington, D.C.</td>
<td>District of Columbia</td>
<td>Participating unit</td>
<td>$10</td>
<td>200</td>
<td>200</td>
</tr>
</tbody>
</table>

[For. R. Doc. 46-14228; Filed Aug. 15, 1946; 9:37 a.m.]
[Exhibit Order 7984]

GEORGE MAYER
In re: Estate of George Mayer, deceased.

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


EXHIBIT A

<table>
<thead>
<tr>
<th>Description of issue</th>
<th>Certificates</th>
<th>Face value</th>
<th>Rate of Interest</th>
<th>Due date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japanese Imperial 4% external sinking fund</td>
<td>5910</td>
<td>1,000</td>
<td>5</td>
<td>Mar. 15, 1945</td>
</tr>
<tr>
<td>U.S. Bonds</td>
<td>8001</td>
<td>1,000</td>
<td>5</td>
<td>Nov. 28, 1965</td>
</tr>
<tr>
<td>City of Yokohama, Japan, external sinking fund bonds</td>
<td>8169</td>
<td>1,000</td>
<td>5</td>
<td>Dec. 1, 1921</td>
</tr>
</tbody>
</table>

[Optional Jan. 15, 1955]
is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Heinrich Mayer, issue, names unknown, of Heinrich Mayer, Germany.
Karl Fohlenweider, issue, names unknown, of Karl Fohlenweider, Germany.
Adolph Fohlenweider, issue, names unknown, of Adolph Fohlenweider, Germany.
Emil Fohlenweider, issue, names unknown, of Emil Fohlenweider, Germany.
Otto Fohlenweider, issue, names unknown, of Otto Fohlenweider, Germany.
Louisa Fohlenweider, issue, names unknown, of Louisa Fohlenweider, Germany.

That such property is in the process of administration by The San Francisco Bank, as Executor of the Estate of George Mayer, acting under the judicial supervision of the Superior Court of the State of California in and for the City and County of San Francisco;

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 August 14, 1946.

James E. Markham,
Alien Property Custodian.

[F. R. Doc. 46-14240; Filed, Aug. 15, 1946; 9:40 a.m.]