FEDERAL REGISTER

VOLUME 11 NUMBER 214

Washington, Friday, November 1, 1946

The President

PROCLAMATION 2702

ENLARGING THE DESCHUTES NATIONAL FOREST—OREGON

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Correction

In the description of land in Proclamation 2702, appearing as Federal Register Document 46-16451 on page 10105 of the issue for Thursday, September 12, 1946, which begins "T. 23 S., R. 15 E.," the lands involved should be described as follows:

T. 23 S., R. 15 E., sec. 1, NW¼NE¼, W½; sec. 2, E½NE¼, SW¼NE¼, SE¼; sec. 10, W½NE¼, SE¼NE¼; sec. 11, N½NE¼, SE¼NE¼, SW¼SW¼; sec. 12, W½NW¼, NE¼SW¼; sec. 14, W½, W½SE¼; sec. 16, all; sec. 21, E½; sec. 22, all; sec. 23, W½, SE¼; sec. 24, SE¼NE¼, S½; sec. 25, N½, SW¼; sec. 26, N½; sec. 27, N½; sec. 36, all.

EXECUTIVE ORDER 9796

AMENDMENT OF EXECUTIVE ORDER NO. 9761 OF JULY 23, 1946, PROVIDING FOR THE PRESERVATION AND DISPLAY OF ENEMY FLAGS CAPTURED BY THE NAVY AND COAST GUARD

By virtue of and pursuant to the authority vested in me by section 1555 of the Revised Statutes of the United States (5 U. S. C. 418), Executive Order No. 9761, dated July 23, 1946, is hereby amended by changing the period at the end of the first paragraph to a colon and adding to the paragraph a second proviso reading as follows:

"Provided further, That any such flags, standards, or colors so taken by the Marine Corps, and not presently under the care of the Superintendent of the United States Naval Academy, unless otherwise specifically directed by the Secretary of the Navy, shall be deposited, for preservation and display, in the United States Marine Corps Museum at Quantico, Virginia, under the care of the Curator thereof."

HARRY S. TRUMAN

THE WHITE HOUSE,
October 31, 1946.

[F. R. Doc. 46-19844; Filed, Oct. 31, 1946; 10:16 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 558]

PART 301—DOMESTIC QUARANTINE NOTICES

PINK BOLLWORM QUARANTINE REGULATIONS MODIFIED

Section 301.52 of Title 7, CFR, 1944 Supp., quarantines the States of Arizona, Louisiana, New Mexico, and Texas to prevent the spread of pink bollworm, and prohibits the movement therefrom of certain plants and products, including cottonseed, except under conditions prescribed by regulations supplemental thereto. It further provides, however, that whenever, in any year, the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved which make it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth such finding in administrative instructions and specify the manner in which the restrictions shall be relaxed, whereupon the modification shall become effective.

The regulations (7 CFR, 1944 and 1945 Supps., 301.52-1 et seq. [Notice of Quarantine No. 52]) permit the interstate movement, from the area described therein as heavily infested with pink bollworms, of cottonseed only after it has been sterilized and only to contiguous regulated areas, for processing in authorized oil mills.

Experimental work has developed information which makes it possible to authorize two methods of treatment which may be applied within the heavily

(Continued on p. 12925)

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THE PRESIDENT

REGULATIONS AND NOTICES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

[1] Proc. 2702.
[2] E. O. 9796.

CODIFICATION GUIDE—Continued

infested area as a condition of certification of cottonseed, which has been given the initial required heat treatment as a part of the continuous process of ginning, for movement to points outside the heavily infested area. The use of either of these methods, if carried out to the satisfaction of the inspector in properly designed equipment and under exacting controls, will provide safeguards adequate to permit movement to points outside the regulated area.

The methods that may be applied and the conditions that must be met to secure certification and equipment that may be used are prescribed in these administrative instructions.

The purpose of this action is thus to relieve commerce in cottonseed from a burdensome restriction. That commerce is now in full swing. In order to be of maximum benefit to the public, this relief from restriction should be made effective as soon as possible. Accordingly compliance with the rule-making procedure of section 4 (a) of the Administrative Procedure Act (Act of Congress approved June 11, 1946, 60 Stat. 238) is impracticable and contrary to the public interest, and compliance with the publication requirements of section 4 (c) of that act is unnecessary.

§ 301.52–4d *Administrative instructions authorizing additional methods of treating cottonseed originating in heavily infested area for movement to points outside such area.* (a) Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.52, and having determined that facts exist as to the pest risk involved which make it safe to modify, by making less stringent, the restrictions contained in § 301.52–4 (c) (2), notice is hereby given that cottonseed located within heavily infested areas, as defined in § 301.52–2, which has been treated as a part of the continuous process of ginning and subsequently protected from contamination and in addition has been given, within the heavily infested area, either one of the following additional treatments in approved equipment under the supervision of an inspector and in a manner approved by him, may be certified for movement interstate under the following conditions:

(1) *Additional heat treatment.* A second heat treatment shall be given with steam as the heating medium in an apparatus separate and apart from the gin or gins which applied the initial heat treatment. The mass temperature of the seed must be raised to at least 155° F. during an exposure period of 2 minutes. The exposure period is the length of time required for the seed to travel from point of entrance into the heater to the point where the temperature reading of the seed is taken beyond the exit of the heater. The heating apparatus must be so constructed as to apply an adequate amount of live steam to the seed promptly upon entrance into the apparatus, and radiated heat for the full length of the heating unit. The apparatus shall be constructed so as to assure a constant and uniform flow of cottonseed through the machine when in operation and equipped with devices which will stir the seed so as to expose each seed to both the introduced steam and radiated heat during the entire exposure period.

(2) *Fumigation with methyl bromide.* The seed shall be treated in an approved fumigation chamber with methyl bromide at a dosage of 3 pounds per 1000 cubic feet for an exposure period of 24 hours. The seed shall be sacked and stacked on a floor rack which will allow circulation beneath the seed. The bulk temperature of the seed at the beginning of the fumigation shall be 60° F. or above. A circulating fan shall be operated for a period of 30 minutes after the introduction of the fumigant.

An approved fumigation chamber shall be one lined with sheet metal, with all openings fitted tightly against a double row of molded sponge rubber gasketing. Chambers with more than 100 cubic feet capacity shall have a combination circulating and venting system. Chambers of less than 100 cubic feet shall have a circulating fan. All chambers must pass a pressure test whereby the time lapse is more than 22 seconds for an internal pressure of 50 mm. on a kerosene-filled open arm manometer to recede to 5 mm. pressure.

The Bureau of Entomology and Plant Quarantine has made tests which have resulted in satisfactory germination of cottonseed fumigated with methyl bromide. It has not, however, had an opportunity to test seed under all conditions or from all areas. Those who elect to use this method of treatment are, therefore, hereby notified that no liability shall be attached to the Department of Agriculture or any of its employees for damage to seed that might result from application of the treatment of cottonseed with methyl bromide.

These instructions shall become effective October 28, 1946.

Administrative instructions, 7 CFR, 1945 Supp., 301.52–4c [B. E. P. Q. 540], effective July 5, 1945, are revoked.

(Sec. 8, 37 Stat. 318, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161; 7 CFR, 1945 Supp., 301.52)

Done at Washington, D. C., this 22d day of October 1946.

[SEAL] AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

[F. R. Doc. 46–19731; Filed, Oct. 31, 1946; 8:54 a. m.]

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

PART 972—MILK IN THE TRI-STATE MARKETING AREA

Sec.
- 972.0 Findings and determinations.
- 972.1 Definitions.
- 972.2 Market administrator.
- 972.3 Reports, records, and facilities.
- 972.4 Classification.
- 972.5 Minimum prices.
- 972.6 Application of provisions.
- 972.7 Determination of uniform prices.
- 972.8 Payment for milk.
- 972.9 Expense of administration.
- 972.10 Marketing services deductions.
- 972.11 Adjustment of accounts.
- 972.12 Effective time, suspension, or termination.
- 972.13 Agents.
- 972.14 Separability of provisions.

AUTHORITY: §§ 972.0 to 972.14, inclusive, issued under 48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246, 7 U. S. C. 601 et seq.

§ 972.0 *Findings and determinations.*—(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C., 601 et seq.), and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders, as amended (7 CFR, Cum. Supp., 900.1 et seq.; 10 F. R. 11791; 11 F. R. 7737), a public hearing was held June 24–28, 1946, upon certain proposed amendments to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the Tri-State marketing area. It is hereby found upon the basis of the evidence introduced at such hearing, in addition to the other findings made prior to or at the time of the original issuance of said order and of each amendment thereto (which findings are hereby ratified and affirmed, save only as such findings are in conflict with the findings hereinafter set forth), that:

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

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

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

(b) *Additional findings.* It is hereby found that the necessary expenses of the market administrator for the maintenance and functioning of such agency will amount to approximately $20,000 per year; and the pro rata share of such expense to be paid by each handler is hereby approved in a maximum amount of 4 cents per hundredweight on all producer milk and on other source milk classified as Class I milk and Class II milk received by such handler during each delivery period.

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

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

(2) The issuance of this order, amending the order as amended, is the only practical means pursuant to the declared policy of the act of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order, further amending the aforesaid order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (August 1946), were engaged in the production of milk for sale in the said marketing area.

ORDER RELATIVE TO HANDLING

It is hereby ordered, That such handling of milk in the Tri-State marketing area as is in the current of interstate commerce or as directly burdens, obstructs, or affects interstate commerce in milk or its products, shall from the effective date hereof be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended to read as follows:

§ 972.1 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1940 ed. 601 et seq.).

(b) "Secretary" means the Secretary of Agriculture of the United States or such other officer or employee of the United States authorized to exercise the powers or to perform the duties of the Secretary of Agriculture.

(c) "Department of Agriculture" means the United States Department of Agriculture or such other Federal agency authorized to perform the price reporting functions specified in § 972.5.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Tri-State marketing area," hereinafter called the "marketing area," means the territory lying within the corporate limits of the cities of Ashland, Ky.; Huntington and Parkersburg, W. Va.; Marietta, Ironton, and Gallipolis, Ohio; and all territory lying within Athens and Scioto Counties, Ohio, including but not limited to all municipal corporations in said counties.

(f) "Huntington district" means that portion of the marketing area lying within the corporate limits of the cities of Ashland, Ky.; Huntington, W. Va.; and Ironton and Gallipolis, Ohio.

(g) "Route" means delivery route (including a plant store) on which milk, skim milk, buttermilk, flavored milk, and flavored milk drink is distributed for consumption in fluid form to wholesale or retail stops other than to any milk plant(s).

(h) "Fluid milk plant" means a plant (1) out of which a route is operated wholly or partially within the marketing area, or (2) having its entire dairy farm supply of milk produced under health requirements equivalent to those applicable to dairy farm supplies of a plant(s) described under subparagraph (1) of this paragraph and moving 50 percent or more of its total receipts of skim milk and butterfat to the latter plant(s): *Provided,* That in neither subparagraphs (1) nor (2) of this paragraph shall "fluid milk plant" mean such portions of a building or facilities used for receiving or processing such milk, or milk product, as is required by the appropriate health authority to be kept physically separate from the receiving or processing of Class I milk for the community(s) served.

(i) "Nonfluid milk plant" means any milk processing or manufacturing plant not a fluid milk plant described in (h) of this section.

(j) "Producer" means a person who produces milk received (1) at a fluid milk plant, (2) at a nonfluid milk plant by diversion within April, May, June, or July from a fluid milk plant, or (3) by an association in its capacity as a handler; *Provided,* That such person producing milk holds a dairy farm inspection permit or equivalent certification if required by the appropriate health authority of the community for which his milk is produced.

(k) "Producer milk" means milk produced by one or more producers under the conditions set forth in (j) of this section.

(l) "Delivery period" means the calendar month or the total portion thereof during which this order is in effect.

(m) "Handler" means (1) a person who operates a fluid milk plant, or (2) an association of producers with respect to milk customarily received as producer milk at a fluid milk plant which is diverted by such association within April, May, June or July on its account from a fluid milk plant to a nonfluid milk plant.

(n) "Producer-handler" means any person who (1) produces milk but receives no milk from dairy farmers and

(2) operates a route extending into the marketing area.

(o) "Huntington district plant" means a fluid milk plant (1) located within the Huntington district, or (2) located outside the marketing area from which 50 percent or more of its disposition of milk in the marketing area is in the Huntington district.

(p) "Other source milk" means all skim milk (including reconstituted skim milk) and butterfat not received from a producer, or from a fluid milk plant, but (1) contained in milk, skim milk, or cream or (2) used to produce any milk product.

§ 972.2 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall have the following powers with respect to this part:

(1) To administer its terms and provisions;

(2) To make rules and regulations to effectuate its terms and provisions;

(3) To receive, investigate, and report to the Secretary complaints of violations; and

(4) To recommend amendments to the Secretary.

(c) *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including, but not limited to, the following:

(1) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(3) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(4) Pay, out of the funds provided by § 972.9:

(i) The cost of his bond and of the bonds of his employees,

(ii) His own compensation, and

(iii) All other expenses, except those incurred under § 972.10, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(5) Keep such books and records as will clearly reflect the transactions provided for herein, and, upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(6) Publicly announce, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who within 15 days after the day upon which he is required to perform such acts, has not made (i) reports pursuant to § 972.3, or (ii) payments pursuant to §§ 972.8, 972.9, 972.10 or 972.11;

(7) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(8) Upon request, supply on or before the 25th day after the end of each delivery period to each association of producers with respect to producers whose membership in such association has been verified by the market administrator, a record of the pounds of milk received by each handler from member producers and the class utilization of such milk. For the purpose of this report such member milk shall be prorated to each class in the proportions that the total receipts of milk from producers by such handler were classified in each class;

(9) Audit all reports and payments by each handler by inspection of such handler's records and of the records of any other handler or person upon whose utilization the classification of skim milk and butterfat for such handler depends; and

(10) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the prices determined for each delivery period as follows:

(i) On or before the 5th day after the end of such delivery period, the class prices and butterfat differentials computed pursuant to § 972.5; and

(ii) On or before the 10th day after the end of such delivery period, the uniform prices computed pursuant to § 972.7 (b) and (c) and the butterfat differential computed pursuant to § 972.8 (f).

§ 972.3 *Reports, records and facilities*—(a) *Delivery period reports of receipts and utilization.* On or before the 5th day after the end of each delivery period each handler, except a producer-handler, shall report the following to the market administrator with respect to all producer milk received, all other source milk received at a fluid milk plant and all skim milk and butterfat received in any form at a fluid milk plant from any other fluid milk plant, within such delivery period in the detail and on forms prescribed by the market administrator;

(1) The quantities of butterfat and quantities of skim milk contained in (or used in the production of) such receipts, and their sources,

(2) The utilization of such receipts, and

(3) Such other information with respect to such receipts and utilization as the market administrator may prescribe.

(b) *Other reports.* (1) The intention to receive other source milk shall be reported by the receiving handler on or before the first day other source milk is received and the intention to discontinue such receipts shall be reported on or before the last day such milk is received.

(2) Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may request.

(3) On or before the 20th day after the end of each delivery period each handler shall submit to the market administrator such handler's producer pay roll for the delivery period, which shall show (i) the total pounds of milk received from each producer and association of producers and the total pounds of butterfat contained in such milk, (ii) the amount of payment to each producer and association of producers, and (iii) the nature and amount of any deductions and charges involved in the payments referred to in (ii) of this subparagraph.

(c) *Records and facilities.* Each handler shall maintain, and make available to the market administrator during the usual hours of business, such accounts and records of his operations and such facilities as, in the opinion of the market administrator, are necessary to verify or to establish the correct data with respect to (1) the utilization, in whatever form, of all skim milk and butterfat received; (2) the weights, samples, and tests for butterfat and for other content of all skim milk and butterfat handled; (3) payments to producers and associations of producers; and (4) the pounds of skim milk and butterfat contained in or represented by all milk, skim milk, cream and each milk product on hand at the beginning and at the end of each delivery period.

§ 972.4 *Classification*—(a) *Skim milk and butterfat to be classified.* Skim milk and butterfat contained in milk, skim milk, and cream, or used to produce milk products, received from all sources within the delivery period by a handler at his fluid milk plant(s), and all producer milk received within the delivery period in the manner described in § 972.1 (m) (2), shall be classified by the market administrator pursuant to the following provisions of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in (c), (d) and (e) of this section, the skim milk and butterfat described in (a) of this section shall be classified by the market administrator on the basis of the following classes:

(1) Class I milk shall be all skim milk (including reconstituted skim milk) and butterfat:

(i) Disposed of in fluid form as milk, skim milk (except as provided in subparagraphs (3) (ii) and (3) (iii) of this paragraph), or flavored milk or flavored milk drink; and

(ii) Not specifically accounted for under subdivision (i) of this subparagraph or as Class II milk or Class III milk.

(2) Class II milk shall be all skim milk (including reconstituted skim milk) and butterfat disposed of in fluid form as cream or any mixture of cream and milk (or skim milk) containing not less than 6 percent of butterfat, or buttermilk (except as provided in subparagraph (3) (ii) of this paragraph).

(3) Class III milk shall be all skim milk and butterfat:

(i) Used to produce a milk product other than any of those specified in subparagraph (1) (i) or in (2) of this paragraph;

(ii) Dumped or disposed of for livestock feeding as skim milk or buttermilk;

(iii) Disposed of as bulk skim milk to any manufacturer of candy, soup, or bakery products who does not dispose of milk in fluid form;

(iv) In actual plant shrinkage of producer milk computed pursuant to paragraph (c) (4) of this section, but not in excess of 2 percent thereof; and

(v) In actual plant shrinkage of other source milk computed pursuant to paragraph (c) (4) of this section.

(c) *Shrinkage.* The market administrator shall determine the shrinkage of skim milk and butterfat, respectively, in producer milk and in other source milk in the following manner:

(1) Compute the total shrinkage of skim milk and butterfat, respectively, by (i) combining the shrinkage thereof for all fluid milk plants operated by the handler, and (ii) combining in a separate sum the shrinkage thereof for all nonfluid milk plants operated by him to which any skim milk or butterfat has been transferred from any of his fluid milk plants;

(2) Prorate the shrinkage of skim milk and butterfat, respectively, computed pursuant to subparagraph (1) (ii) of this paragraph in such nonfluid milk plants between (i) skim milk or butterfat, respectively, transferred from any of his fluid milk plants, and (ii) skim milk or butterfat, respectively, received from all other sources;

(3) Add to the shrinkage of skim milk and butterfat, respectively, computed pursuant to subparagraph (1) (i) of this paragraph the shrinkage of skim milk or butterfat, respectively, transferred from the handler's fluid milk plants to his nonfluid milk plants, computed pursuant to subparagraph (2) of this paragraph; and

(4) Prorate the total shrinkage of skim milk and butterfat, respectively, computed pursuant to subparagraph (3) of this paragraph between producer milk and other source milk at his fluid milk plants after deducting from the total receipts therein, the receipts from fluid milk plants other than his own.

(d) *Responsibility of handlers and reclassification of milk.* (1) All skim milk and butterfat shall be Class I milk, unless the handler who first receives such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified otherwise.

(2) Any skim milk or butterfat classified (except that transferred to a producer-handler) in one class shall be reclassified if used or reused by such handler or by another handler in another class.

(e) *Transfers.* Skim milk or butterfat transferred from a handler's fluid milk plant to any other plant shall be classified as Class I milk if so transferred as any item listed in paragraph (b) (1) (i) of this section and as Class II milk if so transferred as any item listed in paragraph (b) (2) of this section:

(1) To another fluid milk plant of a handler (except a producer-handler) unless utilization in another class is mutually indicated in writing to the market administrator by both handlers on or before the 5th day after the end of the delivery period within which such transfer was made: *Provided*, That skim milk or butterfat assigned to a particular class shall be limited to the amount thereof remaining in such class in the fluid milk plant of the transferee handler after the subtraction of other source milk pursuant to paragraph (g) (1) (ii) of this section, and any excess of such transferred skim milk or butterfat, respectively, shall be assigned in series beginning with the next lowest-priced available class;

(2) To a producer-handler; and

(3) To a nonfluid milk plant unless (i) other utilization is mutually indicated in writing to the market administrator by both the buyer and seller on or before the 5th day after the end of the delivery period within which such transfer was made, (ii) the buyer maintains books and records showing utilization of all skim milk and butterfat at his plant which are made available if requested by the market administrator for audit, and (iii) such buyer's plant had actually used not less than an equivalent amount of skim milk or butterfat in the use indicated in such statement: *Provided*, That if such buyer's plant had not actually used an equivalent amount of skim milk or butterfat in such indicated use, the remaining pounds shall be classified in the next lowest-priced available class of utilization as if the classes of utilization set forth in paragraph (b) of this section were applicable to such buyer's plant.

(f) *Computation of skim milk and butterfat in each class.* For each delivery period, the market administrator shall correct for mathematical and for other obvious errors the delivery period report submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I milk, Class II milk and Class III milk for such handler.

(g) *Allocation of skim milk and butterfat classified.* (1) The pounds of skim milk remaining in each class after making the following computations shall be the pounds in such class allocated to producer milk:

(i) Subtract plant shrinkage of skim milk pursuant to § 972.4 (b) (3) (iv) from the total pounds of skim milk in Class III milk;

(ii) Subtract from the pounds of skim milk remaining in each class after making the deduction pursuant to subdivision (i) of this subparagraph, in series beginning with the lowest-priced available class, the pounds of skim milk in other source milk;

(iii) Subtract from the remaining pounds of skim milk in each class the skim milk received from other fluid milk plants in such classes pursuant to paragraph (e) (1) of this section; and

(iv) Add to the remaining pounds of skim milk in Class III milk the pounds subtracted pursuant to subdivision (i) of this subparagraph; or if the remaining pounds of skim milk in all classes exceed the pounds of skim milk in producer milk, subtract such excess from the remaining pounds of skim milk in each class in series beginning with the lowest-priced available class.

(2) Allocate classified butterfat to producer milk according to the method prescribed in subparagraph (1) of this paragraph for skim milk.

(3) Determine the weighted average butterfat test of the remaining milk in each class computed pursuant to subparagraphs (1) and (2) of this paragraph.

§ 972.5 *Minimum prices*—(a) *Basic formula price to be used in determining class prices.* The basic formula price per hundredweight of milk to be used in determining the class prices provided by this section shall be the highest of the prices per hundredweight for milk of 3.5 percent butterfat content determined by the market administrator pursuant to subparagraphs (1), (2), or (3) of this paragraph, computed to the nearest tenth of a cent.

(1) The average of the basic (or field) prices per hundredweight reported to have been paid or to be paid for milk of 3.5 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture:

Present Operator and Location

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mount Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(2) The price per hundredweight computed as follows:

(i) Multiply by six the average wholesale price per pound of 92-score butter at Chicago as reported by the Department of Agriculture for the delivery period;

(ii) Add an amount equal to 2.4 times the average weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price per pound of "Cheddars" shall be used; and

(iii) Divide by seven, add 30 percent thereof, and then multiply by 3.5;

(3) The price per hundredweight computed by adding together the plus values pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) From the average wholesale price per pound of 92-score butter at Chicago, as reported by the Department of Agriculture for the delivery period, subtract three cents, add 20 percent thereof, and then multiply by 3.5; and

(ii) From the average of the carlot prices per pound of nonfat dry milk solids for human consumption, spray and

roller process, f. o. b. manufacturing plants, as published for the Chicago area for the delivery period by the Department of Agriculture, including in such average the quotations published for any fractional part of the previous delivery periods which were not published and available for the price determination of such nonfat dry milk solids for the previous delivery period, deduct 5.5 cents, multiply by 8.5, and then multiply by 0.965.

(b) *Class I milk prices.* Subject to the provisions of paragraphs (e), (f), (g) and (h) of this section, the minimum price per hundredweight on a 3.5 percent butterfat content basis to be paid by each handler for producer milk classified as Class I milk, shall be the basic formula price determined pursuant to paragraph (a) of this section, plus $0.95: *Provided,* That the Class I milk price for other than Huntington District plants shall be such price less 20 cents.

(c) *Class II milk prices.* Subject to the provisions of paragraphs (e), (f), (g) and (h) of this section, the minimum price per hundredweight on a 3.5 percent butterfat content basis to be paid by each handler for producer milk classified as Class II milk, shall be the basic formula price determined pursuant to paragraph (a) of this section plus 65 cents: *Provided,* That the Class II milk price for other than Huntington district plants shall be such price less 20 cents.

(d) *Class III milk prices.* Subject to the provisions of paragraphs (e), (f), (g), and (h) of this section, the minimum price per hundredweight on a 3.5 percent butterfat content basis to be paid by each handler for producer milk classified as Class III milk, shall be the basic formula price.

(e) *Butterfat differentials to handlers.* If the weighted average butterfat test of producer milk which is classified in any class, respectively, for any handler, is more or less than 3.5 percent, there shall be added to or subtracted from, as the case may be, the price for such class, for each one-tenth of one percent that such weighted average butterfat test is above or below 3.5 percent, a butterfat differential (computed to the nearest tenth of a cent) calculated by the market administrator for such class as follows:

(1) Class I milk—multiply by 1.2 the average wholesale price per pound of 92-score butter at Chicago as reported by the Department of Agriculture for the delivery period, divide the result by 10 and add 1.0 cent.

(2) Class II milk—multiply by 1.2 the average wholesale price per pound of 92-score butter at Chicago as reported by the Department of Agriculture for the delivery period, divide the result by 10 and add 0.5 cent.

(3) Class III milk—multiply by 1.2 the average wholesale price per pound of 92-score butter at Chicago as reported by the Department of Agriculture for the delivery period and divide the result by 10.

(f) *Emergency price provisions.* Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payment being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided,* That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Provided further,* That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the prices specified.

(g) *Prices for Class I, Class II, and Class III milk disposed of outside the marketing area.* The prices for Class I, Class II, and Class III milk disposed of outside the marketing area by a handler shall be those applicable, respectively, pursuant to paragraphs (b), (c) and (d) of this section, to Class I, Class II, and Class III milk disposed of by such handler in the marketing area.

(h) *Price of Class I or Class II milk transferred by one handler to another handler.* The price of Class I or Class II milk transferred by a handler to another handler shall be that applicable to Class I or Class II milk at the selling handler's fluid milk plant, pursuant to paragraphs (b) and (c) of this section: *Provided,* That any hauling charge with respect thereto chargeable to producers or to associations of producers shall not exceed that customarily applied to deliveries of such producers from their farms to the selling handler's fluid milk plant.

§ 972.6 *Application of provisions—*(a) *Producer-handlers.* Sections 972.4, 972.5, 972.7, 972.8, 972.9, and 972.10 shall not apply to a producer-handler.

(b) *Verification.* Any handler who desires to qualify as a producer-handler shall furnish to the market administrator for his verification, subject to review by the Secretary, evidence of his qualifications satisfactory to the market administrator, and he shall furnish similar evidence of subsequent changes in his operations that affect his qualifications. Verification by the market administrator shall be made within 5 days after the date of receipt of such evidence, and shall be effective retroactively to the date on which the applicant became so eligible, but not earlier than the first day of the delivery period during which verification of such eligibility is made.

(c) *Exempt milk.* Milk received at a plant of a handler the handling of which the Secretary determines to be subject to the pricing and payment provisions of any other Federal milk marketing agreement or order issued pursuant to the act for any fluid milk marketing area shall not be subject to the pricing and payment provisions hereof.

(d) *Milk caused to be delivered by an association of producers.* Milk referred to herein as received from producers by a handler shall include producer milk caused to be delivered to such handler by an association of producers which is not a handler and which is authorized to collect payment for such milk.

(e) *Diverted milk.* (1) Producer milk diverted by an operator of a fluid milk plant from such plant to a nonfluid milk plant shall be deemed to have been received by the fluid milk plant from which such milk was diverted.

(2) Producer milk diverted by an association of producers from a fluid milk plant to a nonfluid milk plant shall be deemed to have been received by such an association.

§ 972.7 *Determination of uniform prices—*(a) *Computation of value of milk.* The value of producer milk received during each delivery period by each handler shall be a sum of money computed by the market administrator by (1) multiplying the pounds of such milk in each class for the delivery period, by the applicable class prices, and (2) adding together the resulting amounts: *Provided,* That if a handler, after subtracting other source milk and receipts from other handlers, has disposed of skim milk or butterfat in excess of the skim milk or butterfat which, on the basis of his reports, has been credited to producers as having been received from them, there shall be added an amount computed by multiplying the pounds in each class determined pursuant to § 972.4 (g) (1) (iv) and (2) by the applicable class prices.

(b) *Computation of uniform price for plants other than Huntington district plants.* For each delivery period the market administrator shall compute the "uniform price" per hundredweight to be paid to producers and to associations of producers for milk of 3.5 percent butterfat content received at fluid milk plants other than Huntington district plants, as follows:

(1) Combine into one total the values computed pursuant to (a) of this section for all handlers who made the reports prescribed by § 972.3, except those in default of the payments prescribed in § 972.8 (d) for the preceding delivery period;

(2) Add an amount equal to one-half of the cash balance in the producer-settlement fund, less the amount due handlers pursuant to § 972.8 (e);

(3) Subtract, if the weighted average butterfat test of producer milk represented by the values included under (1) of this paragraph is greater than 3.5 percent, or add, if such butterfat test is less than 3.5 percent, an amount computed by: multiplying the amount by which its weighted average butterfat test varies from 3.5 percent by the butterfat differential computed pursuant to § 972.8 (f), and multiplying the resulting figure by the total hundredweight of such milk;

(4) Subtract an amount computed by multiplying by 20 cents the total hundredweight of Class I milk and Class II milk in producer milk at all Huntington district plants;

(5) Divide the resulting amount by the total hundredweight of producer milk; and

(6) Subtract not less than 4 cents nor more than 5 cents (adjusting to the nearest one-tenth cent) from the amount per hundredweight computed under subparagraph (5) of this paragraph.

(c) *Computation of uniform price for Huntington district plants.* For each delivery period, the market administrator shall compute the "uniform price" per hundredweight to be paid to producers and to associations of producers for producer milk of 3.5 percent butterfat content received at Huntington district plants, as follows:

(1) Add to the amount per hundredweight resulting under paragraph (b) (5) of this section, an amount per hundredweight computed by dividing the amount subtracted under paragraph (b) (4) of this section by the producer milk received at all Huntington district plants and represented in the values included under paragraph (b) (1) of this section; and

(2) Subtract not less than 4 cents nor more than 5 cents (adjusting to the nearest one-tenth cent) from the amount per hundredweight computed under subparagraph (1) of this paragraph.

(d) *Notification of handlers.* On or before the 10th day after the end of each delivery period, the market administrator shall notify each handler of (1) the amount and value of his milk in each class and the totals thereof; (2) the applicable uniform price; (3) the amount due such handler from the producer-settlement fund or the amount to be paid by such handler to the producer-settlement fund, as the case may be; and (4) the amount to be paid by each handler pursuant to § 972.8.

§ 972.8 *Payment for milk*—(a) *Time and method of final payment.* Each handler shall make payment, subject to the provisions of paragraphs (b), (f), and (g) of this section and of § 972.10, for all producer milk received during each delivery period, as follows:

(1) Except as set forth in subparagraph (2) of this paragraph, to each producer, on or before the 15th day after such delivery period, at not less than the applicable uniform price for milk of 3.5 percent butterfat: *Provided,* That if by such date such handler has not received full payment for such delivery period pursuant to paragraph (e) of this section, he may reduce such payments uniformly per hundredweight for all producers by an amount not in excess of the per hundredweight reduction in payment from the market administrator; however, the handler shall make such balance of payment to those producers to whom it is due on or before the date for making payments pursuant to this paragraph next following that on which such balance of payment is received from the market administrator.

(2) To an association of producers for milk of producers from whom such association has received written authorization to collect payment, on or before the 14th day after such delivery period, of a total amount equal to not less than the sum of the individual amounts otherwise payable to such producers under subparagraph (1) of this paragraph.

(b) *Partial payments.* (1) On or before the last day of each delivery period, each handler shall make payment, except as set forth in subparagraph (2) of this paragraph, to each producer at not less than the applicable uniform price of the preceding delivery period for the milk of such producer which was received by such handler during the first 15 days of the current delivery period.

(2) On or before the day immediately preceding the last day of each delivery period, each handler shall make payment to an association of producers for milk of producers from whom such association has received written authorization to collect payment at not less than the applicable uniform price of the preceding delivery period for all such milk which was received by such handler during the first 15 days of the current delivery period.

(c) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to paragraph (d) of this section and out of which he shall make all payments to handlers pursuant to paragraph (e) of this section: *Provided,* That the market administrator shall offset any such payment due any handler against payments due from such handler.

(d) *Payments to the producer-settlement fund.* On or before the 13th day after each delivery period, each handler shall pay to the market administrator the amount by which the total value computed for him pursuant to § 972.7 (a) for such delivery period is greater than the sum required to be paid by such handler pursuant to paragraph (a) of this section.

(e) *Payments out of the producer-settlement fund.* On or before the 14th day after each delivery period the market administrator shall pay to each handler the amount by which the sum required to be paid pursuant to paragraph (a) of this section is greater than the total value computed for him pursuant to § 972.7 (a) for such delivery period: *Provided,* That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available, and a handler who, on the 14th day after the delivery period, has not received full payment for such delivery period from the market administrator pursuant to this paragraph shall not be deemed to be in violation of paragraph (a) of this section if he reduces his payments thereunder by not more than the amount of the reduction in payment from the producer-settlement fund.

(f) *Butterfat differential.* If, during the delivery period, any handler has received from any producer or from an association of producers milk having a weighted average butterfat test other than 3.5 percent, such handler, in making the payments prescribed in paragraph (a) of this section, shall add to, or subtract from, the applicable uniform price per hundredweight, for each one-tenth of 1 percent of such butterfat test in milk above or below, as the case may be, 3.5 percent, an amount computed by the market administrator as follows: multiply by 1.2 the average wholesale price per pound of 92-score butter at Chicago, as reported by the Department of Agriculture for the delivery period, divide the result by 10, and round to the nearest tenth of a cent.

(g) *Location adjustment.* In making payments pursuant to paragraph (a) of this section a handler may deduct an allowance for transporting milk from a producer's farm to the handler's fluid milk plant where such milk is received at a rate authorized by such producer, plus, with respect to all producer milk received at a fluid milk plant described in § 972.1 (h) (2) from which milk is moved 30 miles or more by shortest highway distance as determined by the market administrator to a Huntington district plant described in § 972.1 (h) (1), an amount determined by multiplying the hundredweight of all milk so moved by 20 cents and dividing such result by the total hundredweight of producer milk received at such plant, but such amount to be deducted shall not exceed 20 cents per hundredweight.

§ 972.9 *Expense of administration.* As his prorata share of the expense incurred pursuant to § 972.2 (c) (4) each handler shall pay the market administrator, on or before the 13th day after the end of each delivery period, 4 cents per hundredweight, or such lesser amount as the Secretary may prescribe, to be announced by the market administrator on or before the 10th day after the end of such delivery period, with respect to all receipts within the delivery period of producer milk (including such handler's own production), and of other source milk at his fluid milk plant classified as Class I milk pursuant to § 972.4 (b) (1) (i) and Class II milk: *Provided,* That an association of producers shall pay each prorata share of expense of administration on producer milk with respect to which it is a handler.

§ 972.10 *Marketing services deductions*—(a) *Payments to market administrator.* Except as set forth in paragraph (b) of this section, each handler shall deduct an amount not exceeding 6 cents per hundredweight (the exact amount to be determined by the market administrator, subject to review by the Secretary) from the payments due pursuant to § 972.8 (a), with respect to all producer milk received by such handler (except milk of such handler's own production) during each delivery period and shall pay such deductions to the market administrator on or before the 13th day after such delivery period. Such monies shall be used by the market administrator to make, or check, weights, samples, and tests of producer milk received by handlers and to provide producers with market information, such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Payments to cooperative associations.* In the case of producers for whom a cooperative association which, as determined by the Secretary, (1) is engaged in the collective sale or marketing of their milk, (2) has its entire activities under the control of its members, (3) meets the standards set forth in the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," and (4) is actually performing the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made to such producers as have been authorized by such producers and, on or before the 14th day after each delivery period, pay over such deductions to the cooperative association rendering such services.

§ 972.11 *Adjustment of accounts*—(a) *Errors in payments.* Whenever audit by the market administrator of a handler's reports, books, records, or accounts discloses adjustments to be made, for any reason which result in monies due (1) the market administrator from such handler, (2) such handler from the market administrator, or (3) any producer or association of producers from such handler, the market administrator shall promptly notify such handler of any such amount due; and explain the basis for such adjustment; and payment thereof shall be made on or before the next date for making payment set forth in the provision under which such error occurred, following the 5th day after such notice.

(b) *Overdue accounts.* Any unpaid obligations of a handler or of the market administrator pursuant to §§ 972.8, 972.9, 972.10, or (a) of this section shall be increased one-half of one percent on the first day of the calendar month next following the due date of such obligation and on the first day of each month thereafter until such obligation is paid.

§ 972.12 *Effective time, suspension, or termination*—(a) *Effective time.* The provisions hereof, or any amendments hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated, pursuant to (b) of this section.

(b) *Suspension or termination.* The Secretary may suspend or terminate this order or any provision hereof, whenever he finds that this order or any provision hereof, obstructs, or does not tend to effectuate the declared policy of the act. This order shall terminate, in any event, whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* (1) If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(2) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until discharged by the Secretary, (ii) from time to time account for all receipts and disbursements, and, when so directed by the Secretary, deliver all funds or property on hand, together with the books and records of the market administrator, to such person as the Secretary may direct, and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant hereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 972.13 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

§ 972.14 *Separability of provisions.* If any provision of this part, or the application thereof to any person or circumstances, is held invalid, the remainder of the part and the application of such provision to other persons or circumstances, shall not be affected thereby.

Issued at Washington, D. C., this 25th day of October 1946, to be effective on and after the 1st day of November 1946.

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

Approved: October 28, 1946.

JOHN R. STEELMAN,
Director of War Mobilization and Reconversion,
Director of Economic Stabilization.

[F. R. Doc. 46-19725; Filed, Oct. 31, 1946; 8:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

PART 510—GENERAL REGULATIONS OF THE WASHINGTON NATIONAL AIRPORT

NOTE: For proposed issuance of §§ 510.1 to 510.9, inclusive, see Department of Commerce, Civil Aeronautics Administration in Notices section *infra.*

PART 511—AERONAUTICAL RULES FOR THE WASHINGTON NATIONAL AIRPORT

NOTE: For proposed issuance of §§ 511.1 to 511.9, inclusive, see Department of Commerce, Civil Aeronautics Administration in Notices section *infra.*

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

PART 803—PRIORITIES REGULATIONS UNDER VETERANS EMERGENCY HOUSING ACT OF 1946

[Housing Expediter Priorities Regulation 5, Interpretation 1]

PUBLIC OFFERING

Paragraph (j) of Housing Expediter Priorities Regulation 5 provides generally that the owner of dwelling accommodations constructed under the regulation must "publicly offer" them for sale or for rent exclusively to eligible veterans during prescribed periods. This requirement imposes upon the owner the obligation not only to offer the accommodations to veterans in good faith but also to take such affirmative steps as, under the circumstances, will give notice to all veterans or a reasonably large class of veterans in the community that the accommodations are available and will give them a reasonable opportunity to negotiate for them. These steps may take the form of newspaper advertisements, listing the property with real estate brokers, or consulting the local Mayor's Veterans' Housing Committee for the purpose of finding eligible veterans. The mere posting of a placard is not sufficient for this purpose. The owner's intention as manifested by his conduct is an important element in determining whether the public offer requirement has been met. The refusal of the owner to sell to a particular veteran for personal reasons does not by itself necessarily constitute a violation of the public offer requirement. If, however, an owner refuses to sell or rent to veterans whom he does not know to be unqualified or unable to purchase or rent and then sells or rents to a nonveteran, the owner has violated the regulation.

Issued this 31st day of October 1946.

DAVID L. KROOTH,
General Counsel.

[F. R. Doc. 46-19871; Filed, Oct. 31, 1946; 11:30 a. m.]

[Housing Expediter Premium Payments Reg. 10]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

SAND-LIME BRICK

Correction

In Federal Register Document 46–19709, appearing at page 12783 of the issue for Wednesday, October 30, 1946, the date in paragraph (f) (3) of § 805.10 should read: "December 1, 1946."

[Housing Expediter Premium Payments Reg. 1 as Amended Aug. 30, 1946, Amdt. 2]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

STRUCTURAL CLAY PRODUCTS

Section 805.1 Premium Payments Regulation is amended as follows:

1. Subparagraph (2) of paragraph (b) is amended by deleting subdivisions (i), (ii), (iii), (iv) and (v) in their entirety and substituting the following in their stead:

(i) For structural clay tile and drain tile a factor of 1.5 tons per thousand bricks shall be used in making the conversion.

(ii) For glazed and unglazed hollow facing tile, oversize brick and any other clay products not included in subdivision (i) above, the producer shall convert to standard size brick equivalents using the conversion factor, if any, previously utilized by him in preparing reports to other Federal Government agencies, or, if no such conversion factor has ever been so used, using the conversion factor, if any, he has customarily used in his business, or, if no such conversion factor has ever been so used, using such reasonable conversion factor (subject to redetermination by the Expediter) as is applicable in each case. The same conversion factor shall be used for a clay product both for the purpose of computing the quota of the plant in which it was produced and for the purpose of computing all claims for production of that clay product in that plant.

2. Paragraph (d) is amended by adding a new subparagraph numbered (5) following subparagraph (4) thereof. Said new subparagraph (5) shall read as follows:

(5) Each application for an adjustment of quota pursuant to subdivision (c) (1) (v) of this secion must be filed not later than December 31, 1946: *Provided, however,* That with respect to any plant which has not operated for the production of clay products between June 1, 1946 and November 30, 1946, inclusive, such application may be filed not later than 30 days following the end of the month in which production first occurs in such plant subsequent to November 30, 1946.

3. Paragraph (f) is amended in the following respects:

a. The last sentence of subparagraph (2) thereof is deleted and the following is inserted in its stead:

With respect to any plant, no claim shall accrue on account of production occurring prior to the first day of the month in which the application for quota for such plant is filed with the Expediter: *Provided, however,* That this provision shall not become effective until November 1, 1946.

b. An additional subparagraph numbered (3) is inserted following subparagraph (2) which additional subparagraph shall read as follows:

(3) Each claim for payment shall include all of the production of the month for which claim is made and no other. Any producer whose production in any month is insufficient to permit the payment of a premium shall nevertheless file a claim form on or before the end of the month following the month in which the deficit occurred as an information return to indicate the amount of such deficit.

c. Subparagraph (3), as it existed prior to this amendment, is renumbered (4) and amended to read as follows:

(4) Each claim for payment or information return shall be filed with the RFC at the Loan Agency for the District in which the main office of the plant is located, except that a producer operating more than one plant shall simultaneously file the claims or information returns for all of his plants at the Loan Agency for the District in which his main office is located.

d. Subparagraph (4), as it existed prior to this amendment, is renumbered (5).

4. Issued and effective this 31st day of October 1946.

WILSON W. WYATT,
Housing Expediter.

[F. R. Doc. 46–19853; Filed, Oct. 31, 1946; 11:04 a. m.]

TITLE 29—LABOR

Chapter IV—Child Labor and Youth Employment Branch, Department of Labor

PART 401—CERTIFICATES OF AGE

DEFINITIONS

By virtue of the authority vested in me by Reorganization Plan No. 2, effective July 16, 1946, pursuant to Reorganization Act of 1946, Pub. No. 263, 79th Cong., 1st Sess., and by the Fair Labor Standards Act of 1938, 29 U. S. C. 201 et seq., I hereby amend § 401.1 to read as follows:

§ 401.1 *Definitions.* As used in this part:

(a) "Act" means the child-labor provisions of the Fair Labor Standards Act of 1938 (52 Stat. 1060; 29 U. S. C. 201–219);

(b) "Child Labor and Youth Employment Branch" means the Child Labor and Youth Employment Branch of the Division of Labor Standards of the United States Department of Labor;

(c) "Assistant Director" means the Assistant Director of the Division of Labor Standards in charge of the Child Labor and Youth Employment Branch;

(d) "Oppressive" child-labor age means:

(1) Under the age of 16 years with respect to employment in any occupation;[1]

(2) 16 and under 18 years of age with respect to employment in any occupation found and by order declared by the Secretary of Labor to be particularly hazardous for the employment of minors of such ages or detrimental to their health or well-being.

(e) A certificate of age means a certificate as provided in paragraph (a) or (b) of § 401.2;

(f) "State agency" means any executive department, board, bureau, or commission of the State or any division or unit thereof.

Dated October 24, 1946.

LEWIS B. SCHWELLENBACH,
Secretary of Labor.

[F. R. Doc. 46–19710; Filed, Oct. 31, 1946; 8:50 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

CERTAIN EXPORT LICENSES

ORDER EXTENDING VALIDITY

It is hereby ordered, That all outstanding export licenses, except licenses to export coal, Department of Commerce Schedule B No. 500100 and 500200, which expire by their own terms or the terms of the orders of extension dated September 19, 1946 (11 F. R. 10754), September 30, 1946 (11 F. R. 11367) and October 10, 1946 (11 F. R. 12229), during the period November 12 through December 1, 1946, are extended through December 2, 1946, provided that shipments made under such licenses are exported by ocean carriers.

(Sec. 6, 54 Stat. 714; 55 Stat. 26; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; E. O. 9630, 10 F. R. 12245)

Dated: October 29, 1946.

JOHN C. BORTON,
Director, Commodities Branch.

[F. R. Doc. 46–19759; Filed, Oct. 31, 1946; 8:45 a. m.]

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[1] Employment of child by his parent or by a person standing in place of a parent in occupations other than manufacturing or mining is exempted (section 3 (l) from the 16-year minimum age standard.

The act, as amended by Reorganization Plan No. 2, effective July 16, 1946, pursuant to the Reorganization Act of 1946 (Pub. No. 263, 79th Cong., 1st Sess.), provides that the Secretary of Labor shall provide by regulation or by order that the employment of employees between the ages of 14 and 16 years in occupations other than manufacturing and mining shall not be deemed to constitute oppressive child labor, if and to the extent that the Secretary of Labor determines that such employment is confined to periods which will not interfere with their schooling and to conditions which will not interfere with their health and well-being.

[Amdt. 264]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is amended as follows:

The list of commodities set forth in paragraph (b) is amended by adding thereto the following commodity:

Dept. of Comm. Sched. B No.	Commodity	Unit	GLV Dollar value limits country group	
			K	E
321100	Jute yarn, cordage and twine.	Lb...	25	25

Shipments of the commodity added to the list of commodities which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; E. O. 9630, 10 F. R. 12245)

This amendment shall become effective November 8, 1946.

Dated: October 23, 1946.

FRANCIS MCINTYRE,
Deputy Director for Export Control, Commodities Branch.

[F. R. Doc. 46-19758; Filed, Oct. 31, 1946; 8:45 a. m.]

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507.

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

[Priorities Reg. 28, Revocation of Int. 1 to Direction 18]

Interpretation 1 to Direction 18 to Priorities Regulation 28 is revoked as it is superseded by the list of products in paragraph (e) of that Direction as amended simultaneously with this revocation.

Issued this 29th day of October 1946.

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

[F. R. Doc. 46-19756; Filed, Oct. 31, 1946; 8:56 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1005]

FEDERAL AMUSEMENT CO.

Federal Amusement Company is a corporation doing business as the Ha-Ha Club on North Federal Highway and Moffitt Street in Hallandale, Florida, at which place it operated a building primarily as a road-house, using same in part for recreation and rooming, but more than 50% for commercial purposes. On March 28, 1946, the structure was damaged by fire and thereafter Federal Amusement Company began and carried on without authorization from the Civilian Production Administration or the Federal Housing Administration, construction repairs, additions and alterations to the damaged building in excess of the cost of the minimum work necessary to prevent more damage thereto or its contents. A sum in excess of $10,000 had been expended through July 3, 1946, whereas a sum not exceeding $1,000 was necessary to prevent more damage to the building and its contents as permitted by Veterans' Housing Program Order 1, and said excessive construction 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:

§ 1010.1005 *Suspension Order No. S-1005.* (a) Neither the Federal Amusement Company, its successors or assigns nor any other person, shall do any construction on said building known as the Ha-Ha Club and located at the intersection of North Federal Highway and Moffitt Street in Hallandale, Florida, including putting up, altering, repairing or making additions to the structure, unless hereafter authorized in writing by the Civilian Production Administration or the Federal Housing Administration.

(b) Federal Amusement Corporation shall refer to this order in any application or appeal which it may file with the Civilian Production Administration or the Federal Housing Administration for priorities assistance or for further authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Federal Amusement Corporation, its successors 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 30th day of October 1946.

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

[F. R. Doc. 46-19840; Filed, Oct. 30, 1946; 4:24 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1006]

ANTON LAJAVIC

Anton Lajavic, of 4623 Grandmont, Detroit, Michigan, on or about April 10, 1946, began and thereafter carried on, without authorization of the Civilian Production Administration, construction of a building to be used as a garage and auto repair shop, at 6580 North Telegraph, Dearborn Township, Michigan. The beginning and carrying on of this construction, at an estimated cost in excess of $1,000, constituted a violation of Veterans' Housing Program Order 1. This violation has diverted scarce materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1006 *Suspension Order No. S-1006.* (a) Neither Anton Lajavic, his successors or assigns, nor any other person shall do any further construction on the structure located at 6580 North Telegraph, Dearborn Township, Michigan, including putting up, completing or altering the structure, unless hereafter authorized in writing by the Civilian Production Administration.

(b) Anton Lajavic shall refer to this order in any application or appeal which he may file with the Civilian Production Administration or the Federal Housing Administration for priorities assistance.

(c) Nothing contained in this order shall be deemed to relieve Anton Lajavic, his successors and 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 30th day of October 1946.

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

[F. R. Doc. 46-19839; Filed, Oct. 30, 1946; 4:24 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1007]

THOMAS O. MARR

Thomas O. Marr, of Addison, Michigan, on or about May 15, 1946, without authorization of the Civilian Production Administration, began and thereafter carried on construction of a structure for use as a tavern and grocery, at Devil's Lake Station, Lenawee County, Michigan. The beginning and carrying on of this construction, at an estimated cost in excess of $1,000, constituted a violation of Veterans' Housing Program Order 1. This violation has diverted scarce materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1007 *Suspension Order No. S-1007.* (a) Neither Thomas O. Marr, his successors or assigns, nor any other person shall do any further construction on the structure referred to above, including putting up, completing or altering the structure, unless hereafter authorized in writing by the Civilian Production Administration.

(b) Thomas O. Marr shall refer to this order in any application or appeal which

he may file with the Civilian Production Administration or the Federal Housing Administration for priorities assistance.

(c) Nothing contained in this order shall be deemed to relieve Thomas O. Marr, his successors and 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 30th day of October 1946.

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

[F. R. Doc. 46-19838; Filed, Oct. 30, 1946; 4:24 p. m.]

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

[Priorities Reg. 32 as Amended Oct. 31, 1946]

INVENTORIES

§ 944.53 *Priorities Regulation 32*—(a) *What this regulation does.* This regulation contains the inventory rules formerly in § 944.14 of Priorities Regulation 1 and in CMP Regulation 2. Its purpose is to prevent excessive inventories by restricting ordering, deliveries, receipts and processing of materials in short supply. All kinds of materials are covered including raw or semi-fabricated materials, commodities, equipment, accessories, parts, assemblies or products of any kind, whether or not acquired with priorities assistance. However, foods for humans or animals, tobacco and tobacco products, oils and fats, petroleum and petroleum products including natural and liquefied petroleum gas, and coal are not covered by this regulation, but are subject to applicable restrictions of other Government agencies. This regulation applies to all persons buying for use or for resale whether established firms or newcomers, except ultimate consumers buying for personal or household use.

The general rule on receipts is in paragraph (c) (1), and this is controlling unless a more specific limitation or exception is indicated in Table 1 or 2 or a direction to this regulation, or unless Table 3 (formerly Order M-161) exempts the material entirely. Other exceptions to the inventory limitations are stated in paragraphs (g) and (h) and in directions to this regulation.

General Restrictions

(b) *Restriction on delivery.* No person may deliver any material if he knows or has reason to believe that acceptance of the delivery would be in violation of this regulation.

NOTE: For rule on making or delivering material earlier than required by customers, see Interpretation 3.

(c) *Restrictions on receipts*—(1) *General rule.* A person whether buying for use or resale including a person buying for export may not accept delivery of any material if his inventory of that material is, or will be, more than a practicable minimum working inventory reasonably necessary to meet his own deliveries or to supply his services on the basis of his current or scheduled method and rate of operation.

NOTE: For rule on when material is considered to be in inventory, see Interpretation 4; for rule as to seasonal industries, see Interpretation 1.

(2) *Special rules in Tables 1 and 2.* If Table 1 at the end of this regulation shows a special inventory limit on a particular material or product (either specifically or by reference to another CPA order or regulation), that limitation governs and the restrictions of paragraph (c) (1) above may be disregarded unless the applicable order or regulation (or a note in Table 1) also states that a practicable minimum working inventory may not be exceeded. The same is true with respect to particular classes of persons shown on Table 2. Where a specific period of time is shown on Table 1 or 2, no person affected may accept delivery of any material specified if his inventory of it is, or will be, more than he needs during the immediate period specified on the basis of his current or scheduled method and rate of operation. Even if an order or regulation is not listed on Table 1 or 2, any specific inventory limits imposed by it must be complied with. If an order or regulation listed on Table 1 or 2 is revoked or a listing removed from the tables all provisions of this regulation, including paragraph (c) (1), are automatically applicable.

(3) *Early delivery of steel, iron products, copper and copper base alloys.* Early delivery, up to 15 days before the requested delivery month, may be accepted from a producer of steel, iron products, copper or copper base alloys (in the forms listed on Table 1), but the producer may not make the early delivery if it would interfere with any rated orders. Other special rules on these materials are explained in Table 1.

(d) *Restriction on ordering more than needed.* (1) A person may not place any order, whether rated or unrated, for delivery of any material on earlier dates or in larger amounts than he would be permitted to receive under this regulation, or any other applicable orders or regulations of CPA. Orders aggregating more than he is allowed to receive may not be placed with different suppliers even though he intends to cancel one or more of them before delivery. However, this restriction does not apply to materials listed on Table 3 of this regulation nor to purchases by ultimate consumers for personal or household use. The restriction does not forbid the placing of orders for delivery under the conditions explained in Interpretation 11 to Priorities Regulation 1, but such orders may not be scheduled for production as long as this restriction is effective.

(2) This restriction does not require immediate adjustment of orders placed before August 28, 1945. However, in view of its policy to prevent hoarding and speculative buying of materials in short supply, the CPA may direct adjustments or cancellations in individual cases where orders are in excess of reasonably anticipated needs especially where failure to do so might result in unbalanced distribution and curtail total production.

(3) If the inventory limits applying to any material are made more restrictive, whether by a change in Table 1 or otherwise, any person affected must immediately cancel, reduce or defer any order for the material to the extent that the scheduled delivery would result in an inventory greater than permitted by the new restriction and other applicable provisions of this regulation.

(e) *Adjusting outstanding orders when requirements change.* If because of a change in operations, slowing or stoppage of production, delayed delivery by a supplier, or any other change in requirements, a person who has ordered material for future delivery would, if he accepted delivery on the date specified, exceed the limits prescribed by this regulation, he must promptly adjust his outstanding orders, and, if necessary, postpone or cancel them. Paragraph (h) below describes what further deliveries may be accepted.

(f) *Restriction on processing.* No person may process, fabricate, alloy or otherwise alter the shape or form of any material if his inventory of the material in its processed, fabricated, alloyed or otherwise altered shape or form (including the form in which he sells it) is, or will be, more than a practicable minimum working inventory.. This limitation applies whether the manufacturer does his own processing or has it done for his account by others. He may not exceed it by causing or permitting avoidable delays in transportation, storage, or processing. Special limits on manufacturers' inventories of certain finished products are listed in Table 4 of this regulation. Manufacturers of such products are also subject to the restrictions shown in that table. However, this does not restrict a person from altering the form of surplus materials by scrapping or reprocessing them, unless a CPA order specifically says otherwise. The CPA may issue directions to Priorities Regulation 32 or other orders that are more restrictive on processing than the general limitations of this paragraph. In such case, these more restrictive directions or orders control instead of the general restrictions of the paragraph.

Exceptions

(g) *In general.* This paragraph, paragraph (h) below, and certain directions to this regulation state general exceptions to the restrictions on acceptance of

delivery described in paragraph (c) above, and to all other inventory restrictions on delivery and acceptance of delivery in CPA orders and regulations unless they contain specific provisions to the contrary. None of these or any other exceptions to CPA inventory restrictions on receipts permit a supplier to disregard any applicable CPA order or regulation which restricts production or delivery.

(1) *Exemption of Table 3 materials.* Materials listed on Table 3 at the end of this regulation may be delivered and accepted without regard to CPA inventory restrictions.

(2) *Materials bought under PR–13.* Priorities Regulation 13 provides a limited exemption from inventory restrictions in the case of items bought on special sales.

(3) *Imported materials.* A person may import any material without regard to CPA inventory restrictions, but if his inventory of it thereby becomes in excess of the amount permitted by this regulation, he may not receive further deliveries of it from domestic sources until his inventory is reduced to permitted levels. The inventory restrictions of this regulation do apply to any deliveries of the imported material he makes, and to the amount of it that any person accepting delivery from him may receive.

(4) *Advance stockpiling for civilian production.* A person may receive in anticipation of starting or resuming civilian production the minimum amount of material or equipment he would need during the first 30 days of such production, provided no priorities assistance is used to get the material or equipment. Records of such receipts and the basis on which they were computed must be preserved as required by § 944.15 of Priorities Regulation 1. This 30-day amount is a ceiling as far as advance stockpiling is concerned, and may not be considered as a "bonus" to be added to the amount of any material which a producer expects to have available for making his civilian product. Changes in this 30-day amount may be indicated for a particular material by a note in Table 1. This paragraph relates to production only and does not permit the advance stockpiling of building materials for construction purposes.

(5) *Minimum sale quantities.* Minimum sale quantities and production runs may be accepted to the extent permitted by Interpretation 2 to this Regulation. However, where Column 3 of Table 1 shows a specific amount of a particular material, that is considered to be the minimum sale quantity of it. Thus, if a person would be permitted under paragraph (c) to accept less than the amount shown, he may accept delivery of the full amount. In any event, after receiving a minimum sale quantity of any material, a person may not accept delivery of any additional quantities until his inventory of it is within applicable limits.

(6) *Small inventory exemption for particular materials.* If a note in Table 1 or 2 shows a specific amount of a particular material as a small inventory exemption a person may accept delivery of any quantities of it as long as his total inventory of it after acceptance is no more than the specified amount.

(h) *Receipts permitted after adjustment of orders.* Where a person has promptly adjusted his outstanding orders with his supplier as required by paragraph (e) and the supplier is not otherwise prohibited from producing or delivering any material involved, delivery of it may be made and accepted and the inventory restrictions of paragraph (c) exceeded to the following extent only:

(1) Delivery may be made and accepted if the supplier has shipped the material or loaded it for shipment before the receipt of the instruction to adjust; or

(2) Delivery may be made and accepted of any special item which the supplier actually has in stock or in production or special components or special materials which he has acquired for the purpose of filling that contract. A special item, as used above, means one that the supplier does not usually make, stock, or sell, and which cannot readily be disposed of to others; or

(3) Even if the material is not a special item, delivery may be made by and accepted from a producer if it has already been produced or is in production before receipt of the instruction to adjust, and it cannot be used to fill other orders on the producer's books. However, in the case of steel processed beyond the slab, billet or sheet bar stage before receipt of the instruction to adjust, producers are not required to examine other orders on their books. In this case, unless otherwise ordered by the CPA, deliveries may be made and accepted if the producer cannot readily dispose of the material to others without loss of production.

NOTE: For special rules on continuing receipts of special items after contract cut backs, see Direction 3 to this regulation; and as to transfers of idle materials after cancellations or cut backs, see Direction 1. For effect of reduction in consumption rate on permitted inventories, see Interpretation 5.

Miscellaneous Provisions

(i) *Previous inventory authorizations.* Any specific authorizations, exceptions, or grants of appeals issued under § 944.14 of Priorities Regulation 1 or CMP Regulation 2 remain in effect according to their terms unless individually modified or revoked.

(j) *Separate inventories.* (1) In figuring his inventory, a person must include all material in his possession and all material held for his account by another person, but not material held by him for the account of another person.

(2) In the case of a person who on August 28, 1945, has more than one operating unit and keeps separate inventory records for them, this regulation applies to each such operating unit or division independently. A person may not make any further separation or consolidation of such operating units without special written approval of the Civilian Production Administration, unless it is purely incidental to a separation or consolidation which is made primarily for other than inventory purposes.

(k) *Special sales of materials and products.* Special sales of materials and products acquired or made for use and not for sale or resale may be disposed of subject to the provisions of Priorities Regulation 13.

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

(m) *Revisions of tables.* Tables 1, 2, 3, and 4 attached to this regulation will be revised from time to time. As materials and products become in more ample supply, it is expected that they will be listed on Table 3. In special cases, particular materials or products may also be removed from Table 3 or added to Table 1 or Table 4. It is, therefore, important to be familiar with the latest revision of the tables.

(n) *Appeals, letters and questions.* Any appeal or other question regarding any provision of this regulation should be sent by letter in duplicate to the Inventory Control Division, Civilian Production Administration, Washington 25, D. C., Ref.: PR 32, unless Table 1 or 2 attached to this regulation indicates otherwise with respect to particular materials or classes of persons.

Issued this 31st day of October 1946.

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

TABLE 1—MATERIALS AND PRODUCTS SUBJECT TO SPECIFIC INVENTORY PROVISIONS

Explanation. Materials or products listed in Column 1 are subject to the specific inventory provisions shown, as explained in paragraph (c) (2) of the regulation, except to the extent that different rules may apply as to certain classes of persons under Table 2.

Column 2 shows either the CPA order or regulation which controls inventories of the material, or if no order is specified, there is shown a period of time representing the maximum inventory permitted as explained in paragraph (c) (2). An asterisk (*) indicates that the practicable minimum working inventory limit of paragraph (c) (1) also applies, that is, if it would be less than the specific limit indicated.

If Column 2 shows a specific period of time (e. g., 30 days, 60 days, etc.) for a particular material or product, this restriction applies only to "users" of that material or product, i. e., persons, including Government operated consuming establishments, who use the material or product for production, operating supplies, maintenance and repair, or for construction whether for own account or for the account of another. In addition, the restriction applies only within the 48 States and the District of Columbia. In the case of persons who are not "users", such as persons buying for resale, paragraph (c) (1) applies instead of Column 2.

A figure in Column 3 shows the minimum sale quantity, that is, the amount of the particular material which a person may receive under the conditions stated in para-

graph (g) (5) even if it is more than allowed under Column 2. If no figure is shown, the rule in Interpretation 2 must be followed.

Column 4 tells the Division or Office in the Civilian Production Administration to which should be sent any appeals or questions regarding the limitations described. However, if the applicable order says appeals are to be filed somewhere else, such as the nearest CPA field office, that provision controls.

Column 5 (Remarks) gives explanations, exemptions or other special rules applicable to the particular material or limitation.

TABLE 1

NOTE: Table amended Oct. 31, 1946.

Material (1)	Order or limitation (2)	Minimum sale quantity (3)	CPA division or office administering the control (4)	Remarks (5)
Aluminum. (See Table 3.)				
Antimony	M-112		Tin, lead and zinc.	
Asphalt and tarred roofing products.**	30 days*		Building materials.	**The limitations of column (2) apply to the total amount in the user's inventory rather than item by item.
Babbitt	M-43, Dir 2		Tin, lead and zinc.	
Bismuth and bismuth alloys containing 50% or more of bismuth.	30 days*		Tin, lead, and zinc.	
Bristles	120 days		Textiles	
Building board (board made from wood pulp, vegetable fibres, pressed paper stock, or multiple plies of fibre stock)**	30 days*		Building materials.	**The limitations of column (2) apply to the total amount in the user's inventory rather than item by item.
Burlap	M-47		Textiles	
Butyl Acetate	45 days*		Chemicals	
Butyl Alcohol (Normal)	45 days*		Chemicals	
Cadmium, meaning all grades of metallic cadmium, cadmium oxide, or cadmium salts produced directly from ores concentrates or other primary materials, or redistilled or remelted from cadmium scrap or any secondary cadmium-bearing material.	30 days*	100 lbs.	Tin, Lead and Zinc Branch.	
Casein	45 days		Chemicals	
Castings, malleable iron. (See Steel; including iron products.)				
Caustic Soda (see sodium hydroxide).				
Coke	PR 32, Dir 10		Steel	
Copper and copper base alloy scrap.	60 days*		Copper	
Copper and copper base alloys. NOTE (1) The provisions of this regulation apply separately to each "item" of copper or copper base alloys in any class listed below which is different from all other items in that class by reason of one or more of its specifications, such as width thickness, temper, alloy, finish, or method of manufacture. Differences in color of insulation do not differentiate items of wire mill products.	**			**The specific limitations in Column 2 on receipts of copper and copper base alloys do not apply to producers who acquire copper or copper base alloys for the purpose of conversion into another listed form of those materials, but they are subject to paragraph (c) (1). Certain other classes of persons to whom these Column 2 limitations do not apply are shown on Table 2.

TABLE 1

NOTE: Table amended Oct. 31, 1946.

Material (1)	Order or limitation (2)	Minimum sale quantity (3)	CPA division or office administering the control (4)	Remarks (5)
Copper and copper base alloys—Continued.				
(2) [Deleted Nov. 23, 1945]				
Copper:				
Refinery shapes, castings, etc.	45 days*		Copper	
Brass mill products, sheet, rod, tube.	45 days*		Copper	
Wire mill products, except magnet wire.	45 days*		Copper	
Magnet wire	45 days*		Copper	
Copper base alloys:				
Ingot castings, etc.	45 days*		Copper	
Brass mill products; sheet, rod, tube.	45 days*		Copper	
Wire mill product, except magnet wire.	45 days*		Copper	
Magnet wire	45 days*		Copper	
Cotton yarns, combed and carded, weaving and knitting, singles, ply and twisted natural or colored.	45 days*		Textiles	
Ethyl fluid	L-355		Chemicals	
Gloves, work	M-375		Textiles	
Glue, hide	45 days*		Chemicals	
Gypsum board	30 days*		Building materials.	
Gypsum lath	30 days*		Building materials.	
Iron, pig	30 days*		Steel	
Iron scrap	M-21		Steel	
Iron products (see steel including iron products.)				
Kapok	M-85		Textiles	
Lead: Metallic lead, lead alloys components or products (such as, but not limited to, sheet, pipe, ingot, castings and foil), in any form containing 50% or more by weight of the element lead. It includes battery lead oxide but does not include other lead chemicals **	30 days*		Tin, lead, and zinc.	**The specific limitations in column (2) on receipts of lead do not apply to smelters and refiners who acquire lead for the purpose of conversion into another listed form of this material but they are subject to paragraph (c) (1) of Priorities Regulation 32.
Lead chemicals. NOTE: The provisions of this regulation apply to each items of lead chemicals, and, in the case of chrome pigments, to each grade and type of pigment.	30 days*		Chemicals	
Lumber—Seasoned, green, rough, surfaced and/or worked to pattern (all kinds, sizes and grades)** NOTE: Deleted Nov. 23, 1945.	60 days*		Lumber	**The limitations of Column 2 apply to the total amount of lumber in usable condition in the user's inventory rather than item by item. The Column 2 restrictions do not apply to green lumber which must be seasoned by the user before it is usable for the purpose for which it was purchased but such receipts are subject to the restrictions of paragraph (c) (1) of the regulation. However, when such lumber is sufficiently seasoned for use it must be counted in determining whether or not the person is eligible to accept any further deliveries of lumber in usable condition under the limitations of this Table 1.

TABLE 1—Continued

NOTE: Table amended Oct. 31, 1946.

Material (1)	Order or limitation (2)	Minimum sale quantity (3)	CPA division or office administering the control (4)	Remarks (5)
Metal plastering base (metal lath).	30 days*		Building materials.	
Mica: * * *				
Muscovite:				
Block & Film	45 days*	1 case	Metals and minerals.	**Applies only to mica furnished from Government stocks, but does not apply to any mica that has been declared surplus and is sold by a disposal agency.
Splittings	90 days*	5 cases		
Phlogopite:				
Block	45 days*	1 case		
Splittings	90 days*	5 case		
Motors:				
Fractional horsepower motors, alternating current under 120 h. p. except universal.	45 days*	1,000	General industrial equipment.	
Fractional horsepower motors, alternating current 120 h. p. or larger but less than ½ h. p. except universal.	45 days*	600	do	
Fractional horsepower motors, alternating current, ½ h. p. or larger but less than 1 h. p., except universal.	45 days*	50	do	
Single phase alternating current motors 1 h. p. and over except universal.	45 days*	100	do	
Pipe: soil, cast iron	30 days*		Building materials.	
Potash	M-300. Sch. 120.		Chemicals	
Radiation, cast iron and convector.	45 days*		Building materials.	
Rubber: Natural rubber; natural rubber latex or butyl; reclaimed rubber; chlorinated natural rubber.	R-1		Rubber	
Rubber; GR-S	30 days*		Rubber	
Screen cloth, insect	30 days*		Building materials.	
Soda Ash (see Sodium Carbonate).				
Sodium Bicarbonate	30 days*		Chemicals	
Sodium Carbonate	30 days*		Chemicals	
Sodium Hydroxide	30 days*		Chemicals	
Sodium Phosphates	30 days*		Chemicals	
Sodium Sesquicarbonate	30 days*		Chemicals	
Sodium Silicate	30 days*		Chemicals	
Solder	M-43, Dir (**)		Tin, lead and zinc.	
Steel, including iron products: NOTE (1) The provisions of this regulation apply separately to each "item" of steel or iron products in any class listed below which is different from all other items in that class by reason of one or more of its specifications, such as width, thickness, temper, alloy, finish, or method of manufacture. (2) So long as Direction 8 to Priorities Regulation 32 remains in effect, its provisions control users' inventories of iron and steel rather than the limits stated in Column 2.				**The specific limitations in Column 2 on receipts of steel, including iron products, do not apply to producers who acquire steel, including iron products, for the purpose of conversion into another listed form of those materials, but they are subject to paragraph (c) (1). Certain other classes of persons to whom these Column 2 limitations do not apply are shown on Table 2.

TABLE 1—Continued

NOTE: Table amended Oct. 31, 1946.

Material (1)	Order or limitation (2)	Minimum sale quantity (3)	CPA division or office administering the control (4)	Remarks (5)
Iron products:				
Gray iron castings (rough as cast) (except soil pipe).	60 days*	(***)	Inventory control.	***Receipts of less than 2,000 pounds from any one pattern or mold, or of a minimum production run as explained in Interpretation 2 are permitted under the conditions explained in paragraph (g) (5).
Malleable iron castings (rough as cast).	45 days*	(***)	do	
Steel:				
Carbon steel (including wrought iron):****				
Bars—Cold finished	60 days*	10,000 lbs	do	****Column 2 does not apply to certain special kinds of steel used in file and rasp production or piston production as explained in table 2.
Bars—Hot rolled or forged.	60 days*	10,000 lbs	do	
Sheet and strip	60 days*	10,000 lbs	do	
Structural shapes and piling.**	60 days*		do	**Column does not apply to persons who order structural steel for use in construction (including buildings, bridges and other structures of a like type) and who order it delivered cut to the specifications required for a specific project and who normally keep such steel segregated for the specific project. Instead, no such person may accept delivery of such steel more than 60 days before it is scheduled to be fabricated or, if it is not to be further fabricated, before it is scheduled to be assembled.
Tin plate, terne plate and tin mill black plate.	60 days*	10,000 lbs	Inventory control.	
All other shapes and forms of carbon steel as described in Order M-21.	Par (c) (1)		do	
Alloy steel (including stainless):				
Sheet and strip—silicon electrical only.	60 days*	10,000 lbs	do	
All other shapes and forms of alloy steel as described in Order M-21.	Par (c) (1)		do	
Steel scrap	M-21		Steel	
Tapioca flour	M-333		Chemicals	
Textiles (finished material)	M-328B**		Textiles	**Persons buying textiles (finished material) who are not subject to M-328B are subject to paragraph (c) (1) of Priorities Regulation 32.
Tin:				
Pig tin	M-43		Tin, lead and zinc.	
Alloys, other than copper base alloys.	M-43, Dir 2		do	
Tires and tubes	R-1		Rubber	
Titanium pigments	30 days*		Chemicals	
Turpentine	5 months		do	
Vegetable waxes	90 days		do	

TABLE 1

Material (1)	Order or limitation (2)	Minimum sale quantity (3)	CPA division or office administering the control (4)	Remarks (5)
Wiring devices (electrical), of the following kinds only: (1) Sockets, lampholders, and lamp receptacles—medium screw base types-lighting fixtures and portable lamps not included. (A lampholder consists of a socket and a housing (generally one-piece) which attaches directly to a ceiling or wall outlet, without intervening suspending or protruding devices. It may be designed so that shades and other similar appurtenances may be attached, but, in that event the appurtenances are not part of the lampholder itself). (2) Convenience receptacles (outlets)—types suitable for residential use. (3) Toggle switches—types designed specifically for tools and appliances not included. (4) Wall and face plates. (5) Outlet, switch, and receptacle boxes—types suitable for residential use-covers, hangers, supports, and clamps included. (6) Box connectors for residential-type metallic or nonmetallic-sheathed cable.	45 days*		Building materials.	
Zinc: metallic zinc, all grades, including zinc base diecast alloy.**	30 days*		Tin, lead and zinc.	**The limitations in column 2 apply to the total amount of zinc, including zinc base diecast alloy, in the user's inventory rather than item by item.

*Or a practicable minimum working inventory whichever is less.

TABLE 2—CLASSES OF PERSONS SUBJECT TO SPECIFIC INVENTORY PROVISIONS

NOTE: Table amended Oct. 31, 1946.

Explanation. The classes of persons listed in Column 1 are subject to the specific inventory provisions shown, as explained in paragraph (c) (2) of the regulation.

Column 2 shows either the CPA order or regulation which controls the inventories of the particular class of persons, or if no order is specified there is shown a period of time representing the maximum inventory permitted as explained in paragraph (c) (2). An asterisk (*) indicates that the particular minimum working inventory limit of paragraph (c) (1) also applies, that is, if it would be less than the specific limit indicated.

Column 3 tells the Division or Office in the Civilian Production Administration to which should be sent any appeals or questions regarding the limitations described. However, if the applicable order says appeals are to be filed somewhere else, such as the nearest CPA field office, that provision controls.

Column 4 (Remarks) gives explanations, exemptions or other special rules applicable to the particular class of persons or limitation. Where this column specifies certain materials, the limitation or exemption for the particular class of person applies only to the materials specified.

TABLE 2—Continued

Classes of persons (1)	Order of limitation (2)	CPA division or office administering the control (3)	Remarks (4)
Bag makers (cotton textiles)	M-221	Container	
Brush manufacturers	120 days	Textiles	Bristles.
File and rasp manufacturers	120 days*	Inventory control	Applicable only to special high carbon steel in special forms and shapes needed to make files and rasps.
Jeweled watch manufacturers	None	Inventory control	No inventory restrictions apply to receipts of steel, iron products, copper and copper base alloys or making jeweled watches.
Merchants (consumers goods inventories).	L-219	Wholesale and Retail Branch.	
Pipe nipple manufacturers	(**)	Inventory control	**All provisions of this regulation (and, so long as it is in effect, Direction 8 to this regulation) apply except that with respect to steel pipe the limitation on receipts applies to the total tonnage of pipe in the users inventory rather than item by item.
Piston ring manufacturers	90 days*	Inventory control	Applicable only to special heat treated, tempered, polished, and colored high carbon steel (known as segment or expander steel) for use in the production of piston rings.
Rubber and rubber product manufacturers.	R-1	Rubber	
Scrap dealers:			
Copper and Copper Base Alloy Scrap.	PR-32, Dir. 11	Copper	
Iron and Steel Scrap	M-21	Steel	
Tin and Lead Scrap	PR-32, Dir. 5	Tin, Lead and Zinc	
Segregated structural steel for construction, persons using.	(**)	Inventory control	**See special rule under "Steel" in table 1.
Suppliers	L-63	Wholesale and Retail Branch.	
Telegraph operators	(**)	Inventory control	**All provisions of this regulation apply, except that with respect to steel iron products, copper and copper base alloys such operators are subject to the rule of paragraph (c) (1) instead of the specific limitation in Column 2 of Table 1.
Telephone operators	(**)	Inventory control	
Transportation systems, operators of (MRO supplies).	(***)	Inventory control	***All provisions of this regulation apply, except that with respect to the materials on Table 1 (other than lumber) such operators are subject to paragraph (c) (1) instead of the specific limitations in Column 2 of Table 1. This does not prevent an operator from maintaining minimum stocks of material for emergency use, nor from acquiring reasonable stocks of ties and lumber for seasoning.
Utility producers (electric, power, gas, water and central steam heating).	(**)	Inventory control	**All provisions of this regulation apply, except that with respect to steel iron products, copper and copper base alloys such producers are subject to the rule of paragraph (c) (1) instead of the specific limitation in Column 2 of Table 1.

*Or a practicable minimum working inventory, whichever is less.

TABLE 3—EXEMPTED MATERIALS AND PRODUCTS

Explanation. The following materials and products are exempt from the inventory restrictions on receipts of this regulation and of all other CPA orders or regulations unless they specifically state otherwise.

Aluminum, all forms except sheet.
Asbestos, unmanufactured, all grades and types
Asbestos friction materials
Asbestos Tape .010–.025 thickness
Asbestos textiles
Batteries, dry cell
Bentonite
China clay (English)
Cork, raw—corkwood, milling cork, grinding cork
Cotton: Baled, raw cotton
Domestic andalusite
Domestic dumortierite
Fibrous glass products
Furfural
Ilmenite
Istle fiber and products
Jute fiber and jute products except burlap
Kyanite (Indian)
Lamps, incandescent
Magnesium in all forms.
Mineral aggregates:
  Sand
  Gravel
  Crushed stone
  Slag
Packings, Gaskets and Oil Seals
Potter's flint
Pulpwood
Salt (sodium chloride) in bulk
Sediment separators
Sodium sulfate (salt cake)
Sodium sulfite
Stoneware clay
Sulphur
Vermiculite
Waste paper
Wood pulp
Wool: Raw wool

TABLE 4—SPECIAL RESTRICTIONS ON MANUFACTURERS' INVENTORIES OF FINISHED PRODUCTS

NOTE: Table amended Oct. 31, 1946.

(1) The purpose of this table is to assure prompt and continuous deliveries of the listed finished products for distribution to consumers, by preventing the accumulation by manufacturers of inventories which would be excessive, in view of the extremely urgent need for the products by purchasers.

(2) The restrictions of this table apply to manufacturers' inventories of finished products of the types listed below.

(3) "Finished product" includes all products of the kinds on Table 4 in the form in which the manufacturer sells them and which are in the manufacturer's possession or held for his account in a public warehouse or by any other person.

(4) Column 2 shows the maximum permitted manufacturer's inventory of finished products. Where a listing shows 30 days in Column 2 for example, this means that the manufacturer's inventory of the finished product may not be greater than his production of that product during the period of 30 calendar days (either the immediate preceding 30 day period or his average monthly production in the preceding three calendar months). In no case may his inventory exceed a practicable minimum working inventory, when this is less than 30 days production. In determining what is a practicable minimum working inventory of finished products, any inventory which is larger than that which a manufacturer has been maintaining in the immediate past (even where less than the number of days production shown in Table 4 for the particular finished product) is excessive, unless there are valid reasons why this is not so. In the case of products which can be distributed very quickly by a manufacturer, and inventory not greater than the quantity produced in the period of a week or ten days may be a practicable minimum working inventory.

(5) Where a manufacturer has not been making a product the limitation of this table does not apply during the 30 calendar days, after his initial production of that product has begun.

(6) If on July 18, 1946 a manufacturer of any products on Table 4 has in inventory more than the amount permitted by this Table 4, he must promptly, and in any event by August 15, 1946, either bring his inventory within the applicable limits by increasing his rate of sales or by reducing his rate of operations, or stop further production until his inventory is within applicable limits. In the event additional finished products are listed on Table 4, a manufacturer of such products must promptly and in any event within 30 days from the date of such listing, bring his inventory of them within applicable limits. Similarly, manufacturers of products on Table 4 must keep their inventories within the applicable limits by increasing rate of sales or by reducing rate of operations.

(7) If in any case a product on Table 4 is designated on that list as a seasonal one, and a particular manufacturer must produce and stock it up in advance of the season because he is unable to make sales until the seasonal demand occurs, he may have an inventory larger than that specified in the table, provided his inventory is no greater and is accumulated no further in advance than that which he would normally have in the ordinary course of his business to meet reasonably anticipated future seasonal requirements.

Product (1)	Limitation (2)	CPA division or office administering control (3)	Remarks (4)
Asbestos-cement siding shingles and flat sheets (products made from asbestos fibres and cement).	30 days*.....	Cork, Asbestos, and Fibrous Glass.	
Asphalt and tarred roofing products.....	30 days*.....	Building materials.....	
Bedding products (metal beds, innerspring mattresses, felt mattresses, box springs, coil, flat, and fabric springs, dual sleeping equipment.	30 days*.....	Consumers hard goods....	
Building board (board made from wood pulp, vegetable fibres, pressed paper stock, or multiple plies of fibre stock).**	30 days*.....	Building materials.....	**The limitations of Column (2) apply to the total amount in the manufacturer's inventory rather than item by item.
Furniture, wood and metal.....	30 days*.....	Consumers hard goods....	
Galvanized ware.....	30 days*.....	.....do.....	
Gypsum board.....	30 days*.....	Building materials.....	
Gypsum lath.....	30 days*.....	.....do.....	
Laundry equipment, domestic.....	30 days*.....	Consumers hard goods....	
Mechanical refrigerators, domestic.....	30 days*.....	.....do.....	
Metal windows.....	30 days*.....	Building materials.....	
Metal plastering base (metal lath).....	30 days*.....	.....do.....	
Miscellaneous electrical appliances.....	30 days*.....	Consumers hard goods....	
Photographic equipment.....	30 days*.....	.....do.....	
Pipe, soil, cast iron.....	30 days*.....	Building materials.....	
Screen cloth, insect.....	30 days*.....	.....do.....	
Ranges, electric.....	30 days*.....	Consumers hard goods....	
Sewing machines, domestic.....	30 days*.....	.....do.....	
Vacuum cleaners, domestic.....	30 days*.....	.....do.....	

*Or a practicable minimum working inventory, whichever is less.

INTERPRETATION 1

INVENTORIES IN SEASONAL INDUSTRIES

Paragraph (c) (1) of Priorities Regulation 32 prohibits any person from accepting a delivery which will give him "more than a practicable minimum working inventory reasonably necessary to meet his own deliveries on the basis of his current or scheduled method and rate of operation." This does not prevent a person engaged in a seasonal industry who normally stocks up inventory in advance of the season from accepting delivery of his requirements of the inventory in question, provided (a) that he is not guilty of hoarding, and (b) that the deliveries accepted are no greater and no further in advance than those which he would normally accept in the ordinary course of his business to meet reasonably anticipated requirements. (Issued Aug. 28, 1945.)

INTERPRETATION 2

MINIMUM SALE QUANTITIES AND PRODUCTION RUNS

(a) *Applicable provisions of the regulations.* Priorities Regulation 32 forbids the making or acceptance of a delivery which will give the customer more than the "practicable minimum working inventory reasonably necessary" for him to make his own deliveries. A similar provision in paragraph (c) (2) of Priorities Regulation No. 3 says that a customer who is applying a rating for which no specific quantities have been authorized may use it only to get the "minimum amount needed."

(b) *Factors to be considered in determining how much can be ordered and delivered.* In determining a customer's minimum inventory "reasonably necessary" under Priorities Regulation 32 or his "minimum amount needed" under Priorities Regulation No. 3, it is proper in some cases to consider not only the immediate needs of the customer's plant but also whether the amount which he orders will be a minimum production run for his supplier. The customer may order and receive (and the supplier may deliver) the customer's requirements for a longer period in advance than he actually needs at the time of delivery if, but only if, it is not practicable for him to get the item from any supplier in the smaller quantities which he presently needs. The supplier may reject his customer's order if it is less than the minimum which he regularly sells or less than his minimum production run of a product which is mass produced under the conditions explained in Interpretation 3 of Priorities Regulation 1.

(c) *Relief in exceptional cases.* If the conditions stated in paragraph (b) above cannot be satisfied but the customer wants to order or accept delivery of more than his actual needs at the time of delivery, he should apply to the Civilian Production Administration for permission, stating the facts and why it is not practicable to satisfy the condition of paragraph (b).

(d) *Special provisions for certain materials.* Where a specific minimum sale quantity is shown in Column 3 of Table 1 of Priorities Regulation 32 with respect to any material or product, that quantity controls instead of the rule in this interpretation.

(e) *Specific limits on ratings may not be exceeded.* This interpretation does not apply to the use of a rating where a specific quantity is stated in the instrument assigning the rating. If a person is assigned a rating for a specific amount of material, he may not use it to get more. If he finds that he can only get the material in larger quantities, he should apply for a modification of the rating.

(f) *No effect on contractual rights.* The times and amounts in which deliveries are to be made are to be determined by agreement between the supplier and the customer. Nothing in this interpretation relieves a supplier from fulfilling a contract to make deliveries at specified times in specified amounts. For example, if a customer has agreed to buy and a supplier has agreed to furnish 100 units a month for six months, this interpretation does not obligate the buyer to accept 600 units delivered during the first month, although it permits him to do so under the conditions described in paragraph (b). (Issued Oct. 1, 1945.)

INTERPRETATION 3

MAKING OR DELIVERING MATERIAL EARLIER THAN REQUIRED BY CUSTOMERS

(a) Paragraph (b) of Priorities Regulation 32 prohibits a person from knowingly

making a delivery which will give his customer more than the latter is permitted to receive under the regulation. Paragraph (f) of that regulation prohibits a person from processing or fabricating material if his inventory of the material in its processed or fabricated form will be more than a practicable minimum working inventory. These two restrictions should be borne in mind by any supplier who wants to make or deliver any material to his customer earlier or in greater quantities than required by the customer.

(b) For example: A supplier has accepted his customer's order of a product to be delivered at the rate of 100 a month for six months. The supplier would like to ship 200 a month for three months, or perhaps the entire 600 in the first month. Since the customer's requirements of 100 a month are presumably all he could accept within the inventory limitations of paragraph (c) of the regulation, the requirement that the supplier may not knowingly ship more than this would prevent him from delivering earlier than required by his customer, unless he received notice from his customer that the receipt of the larger amount would not cause him to have an excess inventory.

(c) Thus, before delivering a material or product substantially earlier or in greater quantities than is called for by his customer's order a supplier is requested to satisfy himself that the receipt by the customer of the changed quantities will be within the permissible inventory limitations applicable to the customer. The supplier may rely on any statement or notice to this effect from his customer, unless he knows or has reason to know that it is false.

(d) Similarly, assuming his customer would not be permitted to receive the larger quantities, the supplier should take this into account in his plans for processing the material or product so that he himself will not have an inventory greater than permitted by paragraph (f) of the regulation.

(e) This interpretation, of course, does not change the rule on delivery or acceptance of minimum sale quantities or production runs to the extent described in Interpretation 2 to this regulation, nor does it prevent earlier delivery of iron products, steel, copper and copper base alloys under the conditions described in paragraph (c) (3) of Priorities Regulation 32. Also, if any CPA order or regulation permits increased deliveries to the extent necessary to avoid shipping partly filled containers (such as paragraph (y) (4) of Order M-300), the rule in this interpretation does not prevent such deliveries. (Issued Oct. 1, 1945.)

INTERPRETATION 4

INVENTORY MATERIAL

(a) Paragraph (c) of Priorities Regulation 32 prohibits a person from accepting delivery of material if his inventory of it is, or will be, greater than the maximum prescribed. For the purpose of this regulation, material is considered to be inventory until it is actually put into process or is actually installed or assembled. Putting into process does not include minor initial operations, such as painting, and does not include any shearing, cutting, trimming or other operation unless such initial operations are part of a continuous fabricating or assembling operation. Nor does it include operations such as inspection, testing and ageing nor segregation or earmarking for a specific job or operation.

(b) For example, if a manufacturer who uses wire or rod cuts a sufficient quantity of it to length at one time to maintain his operations for a considerable period of time, the cut pieces remain as inventory until processed into another form or until assembled or installed.

(c) If a manufacturer purchases and stores steel castings in the form purchased, the steel castings are not put into process when the castings are painted and stored. Consequently, the inventory of castings includes those painted and stored.

(d) If a manufacturer shears steel sheet and stocks in sheared form, such stock is still part of his inventory, if the material does not continue in production. (Issued Aug. 28, 1945)

INTERPRETATION 5

EFFECT OF REDUCTION IN CONSUMPTION RATE ON PERMITTED INVENTORIES

(a) Paragraph (c) of Priorities Regulation 32 prohibits the acceptance of delivery of material if a person's inventory of it is, or will be, more than the amount permitted by the regulation. If material is acquired within these restrictions the regulation does not prohibit the mere possession of an inventory if a change in circumstances makes it greater than the amount permitted. For instance, if based upon current rate of production a manufacturer's permitted inventory of one item of steel is 100 tons and he has in inventory 60 tons, he may receive a further delivery of 40 tons. If after receiving the delivery of 40 tons his rate of consumption, because of contract cancellation or the like, is reduced drastically the mere fact that he has an inventory of 100 tons, although his permitted inventory may be only 10 tons, is not a violation of the regulation. He may not, of course, accept any further deliveries of that item of steel until his inventory has been reduced below 10 tons (except as provided in paragraph (h) of Priorities Regulation 32 and Direction 3 to that regulation relating to material already shipped, special items, etc.)

(b) Similarly, the regulation does not affect the liability of a customer for material in inventory when the customer cancels his contract. Such liability is controlled by the provisions of the contract between the customer and his supplier and by contract law. (Issued Aug. 28, 1945)

[F. R. Doc. 46-19872; Filed, Oct. 31, 1946; 11:30 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1012]

UNIVERSAL BATTERY CO.

Universal Battery Company, a corporation, 3410-3424 South LaSalle Street, Chicago, Illinois, is engaged in the manufacture of automotive SLI type replacement storage batteries. During the four quarters of 1945 and the first quarter of 1946, it used or caused to be used in the manufacture of such batteries 1,554,332 pounds of lead in excess of its quotas established by General Preference Order M-38. These violations have diverted critical materials to uses not authorized by the War Production Board and the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1012 *Suspension Order No. S-1012.* (a) During the fourth quarter of 1946 Universal Battery Company shall use 291,437 pounds of lead less, and during the first, second and third quarters of 1947 it shall use 388,583 pounds of lead less, and during the fourth quarter of 1947 it shall use 97,146 pounds of lead less than it would otherwise be entitled to use in each of these quarters under the provisions of General Preference Order M-38.

(b) Universal Battery Company, a corporation, shall refer to this order in any application or appeal that it may file with the Civilian Production Administration dealing with their use of lead during the period of this suspension order.

(c) Nothing contained in this order shall be deemed to relieve Universal Battery Company, a corporation, from any other order or regulation of the Civilian Production Administration except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Universal Battery Company, a corporation, its successors and assigns or persons acting on their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 30th day of October 1946.

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

[F. R. Doc. 46-19837; Filed, Oct. 30, 1946; 4:24 p. m.]

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

[Priorities Reg. 33, Interpretation 1]

PUBLIC OFFERING

The following interpretation is issued with respect to Priorities Regulation 3:

Paragraph (h) of Priorities Regulation 33 provides generally that the owner of dwelling accommodations constructed under the Regulation must "publicly offer" them for sale or for rent exclusively to eligible veterans during prescribed periods. This requirement imposes upon the owner the obligation not only to offer the accommodations to veterans in good faith but also to take such affirmative steps as, under the circumstances, will give notice to all veterans or a reasonably large class of veterans in the community that the accommodations are available and will give them a reasonable opportunity to negotiate for them. These steps may take the form of newspaper advertisements, listing the property with real estate brokers, or consulting the local Mayor's Veterans' Housing Committee for the purpose of finding eligible veterans. The mere posting of a placard is not sufficient for this purpose. The owner's intention as manifested by his conduct is an important element in determining whether the public offer requirement has been met. The refusal of the owner to sell to a particular veteran for personal reasons does not by itself necessarily constitute a violation of the public offer requirement. If, however, an owner refuses to sell or rent to veterans whom he does not know to be unqualified or unable to purchase or rent, and then sells or rents to a non-veteran, the owner has violated the regulation.

Issued this 31st day of October 1946.

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

[F. R. Doc. 46-19873; Filed, Oct. 31, 1946; 11:30 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-54, as Amended Oct. 31, 1946]

MOLASSES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of molasses

for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.91 *Conservation Order M-54*—(a) *Definitions.* For the purposes of this order:

(1) "Molasses" means any molasses, sirup, sugar solution, or any form of fermentative sugar (derived from sugar cane or sugar beets) and hydrol (corn sugar molasses). The term does not, however, include sugar as defined in Rationing Order No. 3 or sugar intended for and used for manufacture into sugar as so defined, or edible molasses (except blackstrap) as defined in Food Distribution Order No. 51, or blackstrap, or final molasses which is released for edible purposes by the Department of Agriculture on certificate. Blackstrap molasses is any final molasses produced after the extraction of all available sugar in the manufacture of sugar from sugar cane or from the refining of raw sugar and includes all final and discard beet molasses produced in the manufacture of sugar from sugar beets and all discard or straight house molasses that is not to be processed further for the extraction of rationable sugar. Invert molasses is any molasses made from sugar cane without extraction of sugar. For the purpose of this order one gallon of invert molasses is to be construed as one and a half gallons of blackstrap molasses and one gallon of hydrol is to be construed as one gallon of blackstrap molasses.

(2) "Producer" means any person engaged in the production of molasses and includes any person who has molasses produced for him pursuant to toll agreement.

(3) "Importer" means any person who transports molasses in any manner into the continental United States. Release from the bonded custody of the United States Bureau of Customs shall be deemed a transportation.

(4) "Primary distributor" means any person, other than an importer or a producer, who sells molasses which he has acquired (other than as broker) from an importer or a producer.

(5) "Secondary distributor" means any person, other than an importer, producer or primary distributor who sells molasses which he has acquired (other than as broker) from some person other than an importer or producer.

(6) A person may, at the same time, be an importer, a producer, a primary distributor and a secondary distributor. His classification, in a particular case, will be determined by the source of the molasses involved; i. e., with respect to molasses imported, he will be an importer, with respect to molasses acquired from a producer, he will be a primary distributor, etc.

(7) "Broker" means any person who buys and sells molasses on a fee basis as agent either for the buyer or the seller or both.

(8) "Class 1 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Insecticides (except as provision is made therefor in paragraphs (a) (14) and (d) (3) hereof).
(ii) Lactic acid.
(iii) Graphite paste.
(iv) Printing rollers.
(v) Dye stuffs.
(vi) Ink.
(vii) Ephedrine.
(viii) Sugar for human consumption (produced from beet molasses).
(ix) Denatured rum for flavoring.
(x) Biological and pharmaceutical products for human and veterinary uses. and any person who requires molasses for any one or more of the following purposes.
(xi) Dust extraction.
(xii) Leather tanning.

(9) "Class 2 purchaser" means any person who requires molasses in the manufacture (including custom grinding) of mixed feeds (including molasses treated beet pulp).

(10) "Class 3 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Yeast.
(ii) Citric acid.

(11) "Class 4 purchaser" means any person who requires molasses in the manufacture of vinegar and any person who requires molasses for foundry purposes.

(12) "Class 5 purchaser" means any person who requires molasses in the manufacture (including blending and/or packaging) of any one or more of the following products:

(i) Molasses (edible).
(ii) Sirup (edible).

(13) "Class 6 purchaser" means any person who requires molasses in the manufacture of other products for human consumption (not specified above).

(14) "Class 7 purchaser" means any person who requires molasses for sale directly (without the intervention of any other handler) to persons who require the same for ensilage direct feed or insect control.

(15) "Calendar quarter" means the several three month periods of the year commencing January 1, April 1, July 1, and October 1.

(16) "Calendar quarterly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during a corresponding calendar quarter in the twelve month period ended June 30, 1941. Purchasers shall determine a calendar quarterly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(17) "30 day supply" means a quantity of molasses not in excess of one-twelfth of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a 30 day supply with respect to each use specified in the applicable subparagraphs above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(18) "Fiscal year" means the twelve month period commencing October 1 and ending September 30.

(19) "Yearly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a yearly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(b) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the Civilian Production Administration, as amended from time to time.

(c) *Restrictions on deliveries.* Anything in Priorities Regulation 1 to the contrary notwithstanding:

(1) No Class 1, 2, 3, 4, 5, 6 or 7 purchaser shall, during any calendar quarter (fiscal year in the case of a Class 3 or 5 purchaser), accept deliveries of molasses in excess of the quantity set forth below less any quantity in excess of a 30 day supply on hand on the first day of the calendar quarter (fiscal year in the case of a Class 3 or 5 purchaser) in which delivery is to be made:

(i) Class 1 purchaser—during any calendar quarter, unlimited if molasses is required for the manufacture of sugar for human consumption (produced from beet molasses); 100% of a calendar quarterly supply if molasses is required by such Class 1 purchaser for the manufacture of any other product.

(ii) Class 2 purchaser—during any calendar quarter, 65% of a calendar quarterly supply.

(iii) *Class 3 purchaser.*

For yeast during a fiscal year:
Beet sugar molasses—Unlimited.
Cane sugar molasses—35% of a yearly supply of molasses.
For citric acid during a fiscal year—130% of a yearly supply.

(iv) Class 4 purchaser—during any calendar quarter, 130 per cent of a calendar quarterly supply, if molasses is required for the manufacture of vinegar; 110 per cent of a calendar quarterly supply, if molasses is required for foundry purposes.

(v) Class 5 purchaser—None except on certificate from the Department of Agriculture.

(vi) Class 6 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(vii) Class 7 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(2) Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliveree, if he be a Class 1, 2, 4, 6 or 7 purchaser, shall submit to the deliveror a certificate in substantially the following form, properly filled out and manually signed by a duly authorized official:

The delivery, in the calendar quarter ended _____, of _____ gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during the same calendar quarter

from all sources and inventory on hand on the first day of such calendar quarter, be in excess of _____ per cent of a calendar quarterly supply to which the undersigned, as a Class _____ purchaser, is entitled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.
Dated:

_____
(Name of purchaser)
By _____
(Duly authorized official)

Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliveree, if he be a Class 3 or 5 purchaser, shall submit to the deliveror a certificate in substantially the following form, properly filled out and manually signed by a duly authorized official:

The delivery of _____ gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during this fiscal year from all sources and inventory on hand on the first day of this fiscal year, be in excess of _____ percent of a yearly supply to which the undersigned, as a Class _____ purchaser, is entitled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.
Dated:

_____
(Name of purchaser)
By _____
(Duly authorized official)

(3) No person shall knowingly deliver molasses to any Class 1, 2, 3, 4, 5, 6 or 7 purchaser in violation of the terms of paragraphs (c) (1) and (2) hereof.

(4) Except as otherwise provided in paragraph (d) hereof no deliveries of molasses shall be made by any producer, primary distributor, secondary distributor or importer unless the same shall have been specifically authorized by the Civilian Production Administration; and no person shall accept delivery of molasses if such delivery would be made in violation of the foregoing clause.

(5) *Restrictions on beet molasses.* No Class 2 purchaser shall use beet molasses for the manufacture of mixed feeds.

(d) *Permissive deliveries.* Subject to the provisions of Priorities Regulations 1 and 32, as amended and paragraphs (f) and (g) hereof, the following deliveries of molasses shall not be subject to the provisions of paragraph (c) (4) hereof:

(1) Within the limitations of paragraphs (c) (1) and (2) hereof, deliveries to purchasers specified in paragraph (a) hereof.

(2) Deliveries to primary distributors and secondary distributors for purposes of resale. All quantities of molasses, delivery of which primary distributors and secondary distributors accept, shall be subject to allocation, re-distribution or re-delivery in accordance with specific directions which the Civilian Production Administration may from time to time hereafter issue.

(3) Deliveries by a Class 7 purchaser (of molasses to which he is entitled pursuant to paragraph (c) (1) (vii) hereof) to persons who require molasses for ensilage, direct feed or insect control.

(4) Deliveries of any one of the products specified in paragraph (a) (12) as authorized. (See paragraph (c) (1) (v)).

(5) Deliveries originating, completed and for use outside of the continental United States.

(6) Deliveries to an importer originating outside of the continental United States.

(7) Deliveries for the production of beverage spirits or industrial alcohol authorized under paragraph (f) hereof.

(e) *Restrictions on consumption.* Unless otherwise authorized by the Civilian Production Administration, no purchaser specified in paragraph (a) hereof shall, during any calendar quarter commencing with the month of January, 1942, use or consume more molasses:

(1) Than he would be permitted to receive during such calendar quarter, in the case of a Class 1, 2, 4, 6 or 7 purchaser (assuming that such purchaser had no molasses on hand on the first day of the calendar quarter).

(2) In the case of a Class 3 purchaser no more than:

For yeast:	
Beet sugar molasses	Unlimited.
Cane sugar molasses	35% of a calendar quarterly supply of molasses.
For citric acid	130% of a calendar quarterly supply.

(3) Than authorized in the case of a Class 5 purchaser. (See paragraph (c) (1) (v).

(f) *Restrictions on molasses for beverage spirits and industrial alcohol.* No person shall use or accept delivery of molasses for the manufacture of beverage spirits or industrial alcohol except to the extent authorized by the Civilian Production Administration.

(g) *Restrictions on export.* No molasses shall be exported by any person except upon express authorization of the Civilian Production Administration.

(h) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of the same or any other enterprise owned or controlled by the same person.

(i) *Prior authorizations.* Specific mail or telegraphic authorizations heretofore issued by the War Production Board by way of relief from the provisions of this order as it existed prior to March 27, 1942, shall not be prejudiced or in any manner affected hereby.

(j) *Reports.*

(1) [Deleted Oct. 31, 1946.]

(2) *Manufacturers of alcohol.* Manufacturers (using molasses) of alcohol must fill out and file a molasses report on Form CPA-892 and an alcohol report on Form CPA-2947.

The molasses report CPA-892 must be filed on or before the 10th day of month following the calendar month reported. In stating the amount of molasses used during the month, state separately the amounts used for the manufacture of butyl alcohol and ethyl alcohol. In addition to the information indicated on the form, specify under "Remarks" your estimated inventory of molasses at the end of the current calendar month. All figures should be stated in gallons on blackstrap on the basis of 52% sugar.

One certified copy of the alcohol report on Form CPA-2947 must be filed on or before the 15th day of the month following the calendar month reported. Fill in the form in the following manner: Specify in the blocks provided the name and address of the company reporting, the name of material (ethyl alcohol), and the unit of measure (gallons). In Section I state separately the quantity actually delivered during the month reported on sales for industrial purposes to persons other than RFC and the quantity actually used for industrial purposes in internal operations during the month, stating in column 1 opposite these quantities "Sold" and "Used". Change the heading of column 4 to read "Actual quantity last month". Leave columns 1a, 5 and 5a blank. In section II fill in columns 9, 10 and 13 as indicated. Specify in column 16 the quantity you expect to deliver during the following month on sales to persons other than Reconstruction Finance Corporation for industrial purposes or to use for such purposes in your internal operations, and change heading to read "Estimated Sales and Use Next Month". Leave columns 8, 11, 12, 14 and 15 blank.

(3) *Producers, importers and primary distributors of molasses.* Producers, importers and primary distributors of molasses (except Reconstruction Finance Corporation) must fill out and file Form CPA-890 at the times and in the manner prescribed in the form. Importers (except Reconstruction Finance Corporation) must notify the Civilian Production Administration, Chemicals Division, of the importation of molasses into the continental United States at least 15 days prior to movement of the molasses from the place of origin.

(4) *Place of filing reports and forms.* All reports and forms required to be filed under this paragraph must be filed with the Civilian Production Administration, Chemicals Division, Washington 25, D. C.

(5) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(k) *Notification of customers.* Producers, distributors and importers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but the failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

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

and may be deprived of priority assistance.

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

(n) *Application for quotas.* Any Class 1, 2, 3, 4, 5, 6 or 7 purchaser who has no quota under paragraph (c) for accepting delivery of molasses and who wishes to have a quota established for him, may apply for a quota by filing a letter with the Civilian Production Administration, Chemicals Division, Washington 25, D. C., Ref: M-54. The letter should state in addition to any other pertinent information the purpose for which he seeks the molasses, what facilities he has for using molasses for that purpose and how much molasses he will need for that purpose per quarter. A quota will be assigned to him on an equitable basis.

(o) *Exemptions.* None of the restrictions, prohibitions or requirements contained in this order shall apply to the delivery, acceptance of delivery or use of molasses outside of the continental United States.

Issued this 31st day of October 1946.

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

[F. R. Doc. 46-19875; Filed, Oct. 31, 1946; 11:30 a. m.]

PART 4700—VETERANS' EMERGENCY HOUSING PROGRAM

[Veterans' Housing Program Order 1, Interpretation 4]

SMALL JOB ALLOWANCES FOR INDUSTRIAL, UTILITY AND TRANSPORTATION STRUCTURES

The following interpretation is issued with respect to Veterans' Housing Program Order 1:

(a) Paragraph (b) (3) of Supplement 3 to VHP-1 provides for small job allowances for certain industrial, utility and transportation structures. The small job allowance for one of these structures (with certain exceptions specified in the paragraph) depends upon the floor area which the particuluar structure has or will have. If the floor area of the particular building being built or altered is or will be 10,000 square feet or more, the allowance for alterations or additions or new construction is $15,000. On the other hand, if the floor area of the structure involved is and will be less than 10,000 square feet, the allowance is $1,000. If the cost of the proposed job, figured in accordance with paragraph (g) of Supplement 3, exceeds the small job allowance, authorization under VHP-1 must be obtained before starting the job.

(b) The following examples will explain the effect of this provision:

(1) A person proposes to construct a building to be used primarily as a factory. The floor area will be 1,500 square feet. The allowance for the job is $1,000.

(2) A person owns a building which is used primarily as a factory and which has a floor area of 6,000 square feet. He proposes to make an alteration in the building. The allowance for this job is $1,000.

(3) A person owns a building which is used primarily for a factory and which has a floor area of 6,000 square feet. He proposes to build a wing on the building which will add 1,000 square feet, making a total of 7,000 square feet. The allowance for this job is $1,000.

(4) A person owns a building which is used primarily for a factory and which has a floor area of 8,000 square feet. He proposes to build a wing on the building which will add 2,000 square feet, making a total of 10,000 square feet. The allowance for this job is $15,000.

(5) A person owns a building which is used primarily for a factory and which has a floor area of 10,000 square feet or more. He proposes to make an alteration to the building. The allowance for this job is $15,000.

(6) A person proposes to build a building which will be used primarily for a factory and which will have a floor area of 10,000 square feet or more. The allowance for this job is $15,000.

(c) The floor area of the particular building which is to be built, in which the alteration is to be performed or to which the addition is to be built (including the floor area of any proposed addition) is the only floor area to be considered. The floor area of any other buildings may not be counted toward the 10,000 square feet, even though they are situated near to the building involved and are used for the same purpose.

(d) A building is considered a separate building from the one in which the construction is being done, if there are outside walls or party walls between the two buildings, even though the two are to be used for the same purpose, even though the two have common services, even though the two are connected by common roofs, continuous foundations, connecting passageways, covered passages, bridges, arcades, or the like and even though the two have doorways or other openings providing for communication between the two buildings.

(e) The small job allowances provided in paragraph (b) (3) do not apply to structures of the kinds listed in paragraph (b) (4), and do not apply under the circumstances covered by paragraph (c) of Supplement 3.

Issued this 31st day of October 1946.

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

[F. R. Doc. 46-19874; Filed, Oct. 31, 1946; 11:30 a. m.]

Chapter XI—Office of Price Administration

PART 1418—TERRITORIES AND POSSESSIONS

[3d Rev. MPR 183, Amdt. 6 (§ 1418.1)]

TRANSPORTATION OF STONE, SAND, GRAVEL, AND EARTH IN PUERTO RICO

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.

Third Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 2.10 (b) is amended to read as follows:

(b) *Maximum prices.* The maximum prices for cement shall be as follows:

	Per barrel (excl. tax)	Per barrel (inc. tax)
For sales by manufacturer, delivered at destination designated by purchaser	[1] $2.91	[1] $3.02
For sales by dealer or retailer	3.01	3.12

[1] Less $0.10 per barrel discount for cash within 15 days.

2. A new section 9.3 is added to read as follows:

SEC. 9.3 *Transportation services—* (a) *Transportation of stone, sand, gravel and earth.* The maximum prices for transporting any kind or type of stone, sand, gravel or earth shall be as follows:

(1) $3.50 per truckload when transported within a radius of fifteen miles from the quarry or pit. "Truckload" means 4 cubic meters.

(2) 6 cents per cubic meter per mile when transported beyond a radius of fifteen miles from the quarry or pit.

This amendment shall become effective November 5, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of the Considerations Involved in the Issuance of Amendment 6 to Third Revised Maximum Price Regulation 183

The accompanying amendment establishes specific maximum prices for carriers of stone, gravel, sand and earth. Up to this time these carriers have been subject to the General Maximum Price Regulation. Since the base period of that regulation there have been increases in various operating costs which, on the basis of data made available to this office, indicate that current maximum prices do not permit a reasonable level of industry earnings. The accompanying action is designed to serve a twofold purpose: To give carriers suitable relief and at the same time to provide more effective controls.

Accordingly, dollars-and-cents prices are established by this amendment which reflect the prices prevailing between October 1 and 15, 1940, a representative peacetime period, plus an amount necessary to compensate for general increases in costs of operation since October 1, 1940.

The accompanying action also makes a change in the schedule of prices recently established for sales of cement by Amendment 2. An inadvertent error was discovered in the analysis purporting to support differential prices for dealers' sales based on the quantity sold. This action corrects the error by removing the provision applicable to dealers' sales in amounts of 25 or more barrels.

[F. R. Doc. 46-19746; Filed, Oct. 31, 1946; 8:49 a. m.]

PART 1305—ADMINISTRATION

[SO 126,[1] Amdt. 75]

EXEMPTION AND SUSPENSION OF BURLAP AND OTHER JUTE GOODS FROM PRICE CONTROL

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

Supplementary Order No. 126 is amended in the following respects:

1. Section 8 (l) is added to read as follows:

(l) Burlap and other woven jute goods.

Products made in whole or substantial part of burlap or woven jute goods including but not limited to burlap bags, burlap tubing, and burlap sheets.

This amendment shall become effective October 31, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of the Considerations Involved in the Issuance of Amendment No. 75 to Supplementary Order No. 126

The accompanying amendment suspends price control on (a) burlap and other woven jute goods and (b) products made in whole or substantial part of burlap or woven jute goods including but not limited to burlap bags, burlap tubing and burlap sheets.

Burlap is a coarse woven fabric, woven from yarns spun from jute fiber. Virtually the entire world supply of jute fiber is produced in Bengal Province of India. The production of burlap is concentrated in India. Small quantities, principally of special constructions, are, however, produced in various continental countries and in Dundee, Scotland. In this country burlap is used primarily in the manufacture of bags for packaging agricultural commodities. At the present time it is estimated that 90 percent of the burlap imported into this country is used for this purpose.

Maximum prices on burlap were established by the Office of Price Administration on August 16, 1941, at virtually the present level. Calcutta prices were uncontrolled and fluctuated both above and below our ceilings. After our entry into the war it became apparent that an even flow of burlap to this country could only be secured by government purchase. This was instituted and continued until December 31, 1945. During the period of government purchase the government of India instituted formal ceilings in line with our ceilings. The internal Indian ceilings expired September 30, 1946, and were replaced by export ceilings. With no internal price control, prices quickly rose to levels above the export ceilings and export business came to a standstill. In view of this the Indian government terminated the export price ceilings.

As a result of the situation as outlined above the Administrator may follow either of two alternative courses to remove any price impediment to the importation of these products: (1) to adjust the maximum prices of these products to reflect the world price or (2) to suspend price control on them. Due to the fact that the world market on burlap and woven jute goods fluctuates widely the administrative burden involved in processing applications for adjustment to reflect the world price in the event maximum prices for these products are maintained is disproportionate in relation to the effectiveness of controls or the contribution to stabilization and alternative (1) was, therefore, not adopted.

In view of the foregoing the Price Administrator finds that suspension of price control on the above-mentioned products is required to prevent an actual reduction of the importation of these products into the United States in an amount substantial in relation to their total consumption in the United States; and is in accord with the provisions of section 2 (x) of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-19876; Filed, Oct. 31, 1946; 11:43 a. m.]

PART 1305—ADMINISTRATION

[SO 129, Amdt. 62]

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.

Section 15 (a) of Supplementary Order 129 is amended by adding the following to the list of commodities thereunder: "Imported pulpwood produced in the provinces of Quebec, New Brunswick, and Nova Scotia in the Dominion of Canada."

This amendment shall become effective October 31, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of Considerations Involved in the Issuance of Amendment 62 to Supplementary Order 129

Maximum Price Regulation 530 and Amendments 1, 2, 3, 4 and 5 thereto establish import maximum prices on pulpwood produced in the Canadian provinces of Quebec, New Brunswick, and Nova Scotia.

On July 8, 1946, the Canadian Price and Trade Board issued orders regulating maximum prices for pulpwood produced in the above provinces. These orders apply to such pulpwood whether sold or purchased for domestic consumption or for export. Prior to the effective date of these orders, pulpwood sold or purchased for export was not controlled by the Canadian Government.

The Administrator has examined the situation and finds that the level of prices which would necessarily be established in compliance with the applicable standards of the Emergency Price Control Act of 1942, as amended, if price control were continued, would be in excess of the level which would otherwise prevail.

It is the Administrator's opinion that this action will eliminate an administrative burden unjustified by any benefits to be derived from further control.

[F. R. Doc. 46-19880; Filed, Oct. 31, 1946; 11:44 a. m.]

PART 1305—ADMINISTRATION

[Rev. SO 154,[1] Amdt. 5]

ADJUSTED MAXIMUM PRICES FOR CERTAIN KNITTED 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.

Revised Supplementary Order No. 154 is amended in the following respects:

1. The following commodity group is added to Appendix A: "Cotton knitted non-apparel products (but including knit diapers)".

2. The following note is added to Appendix B:

NOTE: The yarn cost increase for the following items shall be that contained in the appropriate yarn table in Appendix B plus 4.53 cents per pound for carded cotton yarns and 5.30 cents per pound for combed cotton yarns:

1. Men's knitted union suits having a finished weight of 9 lbs. and over per dozen (weight calculated on size 42 long sleeves, ankle length).
2. Men's knitted shirts and drawers, knee length or longer, having a finished weight of 7 lbs. and over per dozen (weight calculated on size 42 shirt, long sleeve).
3. Boys' knitted union suits having a finished weight of 6 lbs. and over per dozen (weight calculated on size 34 long sleeve ankle length).
4. Boys' knitted shirts and drawers, knee length or longer, having a finished weight of 5 lbs. and over per dozen (weight calculated on size 34 shirt, long sleeves).
5. Knitted flat and circular fabrics made exclusively of cotton.
6. Knitted tubing made exclusively of cotton.
7. Knitted bags made exclusively of cotton.
8. Knitted wristlets made exclusively of cotton.
9. Cotton knitted nonapparel products (but including knit diapers).
10. Men's, women's and children's knitted coatings 14 ounces and heavier made exclusively of wool, or of wool and other fibers.

This amendment shall become effective October 31, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

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[1] 10 F. R., 10200, 11348, 11512, 12919, 13110, 13071, 13776, 14396, 14634, 14735, 14899, 5346; 11 F. R. 712, 881, 1774, 2375, 2375, 2375, 2989, 3541, 3596, 3793, 4583, 4861, 5223, 5353, 5497, 5781, 5864, 6136, 5917, 6826, 7418, 8108, 8104, 8108, 8161, 8771, 8227, 9523, 9634, 10212, 10212, 11133, 11645, 11936, 11931, 12231, 12293, 12293, 12359.

[1] 11 F. R. 5066, 7417, 8647, 9369, 11656.

Statement of the Considerations Involved in the Issuance of Amendment No. 5 to Revised Supplementary Order No. 154

The accompanying amendment provides for the recognition of additional yarn cost increases incurred by producers of certain cotton knitted fabrics, products or heavyweight underwear. Producers affected are those whose maximum prices were originally established by section 2 (a) (1) of the General Maximum Price Regulation. Prior to this amendment producers of these fabrics were granted individual price adjustments under the provisions of Revised Supplementary Order No. 154 but only to the extent of yarn costs increases experienced as of August 5, 1946.

The additional cost increase of 4.53 cents per pound for carded yarn and 5.30 cents per pound for combed yarn, recognized by this amendment, is the amount by which cotton yarn ceilings were increased for the month of September and October under the provisions of Supplementary Order No. 131 to compensate for increases due to the rise in raw cotton costs.

The largest cost element for knitted cotton fabrics, wristlets, tubing and non-apparel products is the cost of the yarns; the knitting operation is of relatively lesser consequence. Therefore, the Administrator is recognizing a further increase in the "yarn cost factor" for these items.

The situation is somewhat different with regard to knitted apparel products. The costs incurred in the manufacturing operation for such products is a greater factor in the total cost of production.

At the time Amendment 3 to Revised Supplementary Order 154 was issued the prices of knit underwear on the average more than satisfied the requirements of section 14 of the act. Profitably, however, was unevenly distributed between lightweight and heavyweight items, the former being considerably more profitable. As a result of the yarn increases since Amendment 3 was issued, the Office undertook a survey to determine the effect of the cost increases on the net return of the underwear industry. This survey is not completed but an interim analysis shows that the heavyweight underwear items are now generally at or below cost while the lightweight items still appear to be profitable.

The Administrator deems it advisable to pass through the increased costs on heavyweight underwear pending a final determination of the industry position on both heavy and light underwear.

The coverage of RSO 154 is now extended to all knitted non-apparel products including diapers. When these items are manufactured from purchased knit fabrics, however, the producers are covered by section 4.1 of Supplementary Regulation No. 14E.

[F. R. Doc. 46-19878; Filed, Oct. 31, 1946; 11:43 a. m.]

PART 1340—FUEL

[RMPR 122, Amdt. 49]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

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 No. 122 is hereby amended in the following respects:

1. Section 1340.254 (h) is added to read as follows:

(h) *Price increases to reflect increased acquisition costs resulting from the reduction in compensatory adjustment payments under Revised Compensatory Adjustment Regulation No. 1.* Notwithstanding anything to the contrary contained in this regulation, a dealer eligible for compensatory adjustment payments under Revised Compensatory Adjustment Regulation No. 1 may add to his maximum prices established under this regulation or by any area ceiling order issued under § 1340.260 or order of adjustment issued under § 1340.259 prior to November 1, 1946, an amount per net ton equivalent to the reduction in compensatory adjustment payments set out in § 1411.11 of Revised Compensatory Adjustment Regulation No. 1, provided that:

(1) The increase is limited to the shipments of coal to which the reductions in payments apply. (For example, if a dealer has 2000 tons of coal in inventory on November 1, the date on which the first of the payment decreases go into effect, he may not increase his price until after he has sold either the tonnage in inventory or an equivalent tonnage. Similarly, if a dealer has coal in inventory on January 1, the date on which the second of the payment decreases go into effect, he may not increase his price until after he has sold either the tonnage in inventory or an equivalent tonnage), and,

(2) The dealer if not subject to an area ceiling order reports his increased maximum prices to his District Office of the Office of Price Administration on OPA Form 653-40 in the manner set out in § 1340.262 (c) of this regulation.

NOTE: The reductions in compensatory payments set out in § 1411.11 of Revised Compensatory Adjustment Regulation No. 1 are stated in cents per gross ton. To convert the reduction per gross ton to a net ton basis divide the gross ton reduction by 1.12.

2. Section 1340.256 (c) is amended by adding thereto an undesignated paragraph to read as follows:

If a lake-dock dealer is unable to establish a maximum price under Rule 1-A for a particular coal, the maximum price for such coal shall be the price set by the regional office of the Office of Price Administration in line with the level of maximum prices set by this subsection (c). The dock shall apply to the regional office submitting a statement giving a full description of the coal, the mine price and transportation cost, and a proposed schedule of prices.

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

This amendment shall become effective November 1, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of Considerations Involved in the Issuance of Amendment No. 49 to Revised Maximum Price Regulation No. 122

Directive No. 139 of the Office of Economic Stabilization requires that the Office of Price Administration reduce compensatory adjustment payments relating to coal received by dealers after October 31, 1946, and before April 1, 1947, and also increase the maximum prices for bituminous coal and Pennsylvania anthracite to the extent found necessary to compensate generally for increased acquisition costs resulting from such reductions. These subsidy payments have been used to offset wartime increases in transportation costs in the movement of coal to New England and the New York Harbor area. The Office of Price Administration is further required to make provision for generally eliminating the possibility of any inventory gain on the part of coal dealers as a result of price increases to compensate for decreases in subsidy payments.

The accompanying amendment to Revised Maximum Price Regulation No. 122 is therefore issued to meet the foregoing requirements. It provides for an increase in maximum prices to the exact extent of the reduction in compensatory adjustment payments; and it limits the increases in maximum prices to shipments of coal to which the reductions in payments apply. Thus, the possibility of inventory gain is eliminated.

In the judgment of the Administrator this action will further the distribution of coal to the New England and New York Harbor area and is in accordance with the Directive of the Office of Economic Stabilization and the Emergency Price Control Act of 1942, as amended.

Docks on the United States bank of Lake Superior or on that part of the west bank of Lake Michigan north of and including Waukegan, Illinois, establish their maximum price under Rule 1-A of § 1340.254 and may add to those prices the specific amounts set out in § 1340.256 (c). It appears, however, that in some cases docks are now handling coals which were not offered for sale during 1941 and which consequently cannot be priced under Rule 1-A. Although the regulation has not indicated whether docks may use the other pricing rules in determining maximum prices for such coals some docks have used Rule 2. Amendment 34 revoked Rule 2 and provided that a dealer who established a maximum price under Rule 2 shall retain such maximum price but may establish a new maximum price under Rule 3 if his supplier's maximum price is subsequently increased. As a result those docks who

have used Rule 2 and wish to reflect in their prices increases in supplier's maximum prices are redetermining their maximum prices under Rule 3. This has resulted in the establishment of prices which are out of line with maximum prices of other docks and which threaten to dislocate the normal distribution of coal.

Accordingly, the amendment which this statement accompanies clarifies the pricing procedure by requiring docks unable to use Rule 1–A to apply to the Regional Office. The prices established by the Regional Offices will be in line with dock prices generally and will permit the continuance of normal marketing.

[F. R. Doc. 46–19877; Filed, Oct. 31, 1946; 11:43 a. m.]

PART 1380—HOUSE AND SERVICE INDUSTRY MACHINES

[MPR 598, Amdt. 28]

POSTWAR HOUSEHOLD MECHANICAL REFRIGERATORS

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

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

Section 24, Appendix A, is amended by adding the following model in proper alphabetical order to the list of refrigerator models therein:

Make	Brand	1946 model No.	First zone [1]
General Motors Corp.	Frigidaire....	CDM-9.	$325.00

[1] Zone 1 includes the 48 States and the District o Columbia.

This amendment shall become effective on the 31st day of October 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendment No. 28 Under Maximum Price Regulation No. 598

The accompanying amendment adds a retail ceiling price for a new model refrigerator produced by Frigidaire Division, General Motors Corporation.

The national retail ceiling price established for this model reflects a markup over the manufacturer's ceiling price for sale of the model to distributors equal to that included in the retail ceiling price of the manufacturer's most comparable model priced under Maximum Price Regulation No. 598 and includes an allowance for freight equal to the average cost prior to July 1, 1946 of shipping refrigerators throughout the United States. The retail ceiling price fixed for the new model is, therefore, in line with the level of retail ceiling prices established under the regulation. This price includes all the increases permitted under section 15 of Maximum Price Regulation No. 598.

[F. R. Doc. 46–19885; Filed, Oct. 31, 1946; 11:45 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, Miami Area,[1] Amdt. 22, § 1388.1401]

TRANSIENT HOTELS, RESIDENTIAL HOTELS, ROOMING HOUSES AND MOTOR COURTS IN MIAMI AREA

The Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area is amended in the following respects:

1. The title of this regulation shall be: The Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts in the Miami Defense-Rental Area.

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

(a) *Rooms in transient hotels, residential hotels, rooming houses and motor courts in the Miami Defense-Rental Area.* This regulation applies to all accommodations in transient hotels,[2] to all rooms in residential hotels, rooming houses and motor courts in the Miami Defense-Rental Area, consisting of the County of Dade and the City of Hollywood and the Town of Hallandale in the County of Broward in the State of Florida, except as provided in paragraph (b) of this section. The Miami Defense-Rental Area is referred to hereinafter in this regulation as the "Defense-Rental Area."

3. Section 1 (b) (4) is amended to read as follows:

(4) *Entire structures used as hotels, rooming houses or motor courts.* Entire structures or premises used as hotels, rooming houses or motor courts, as distinguished from the rooms within such hotels, rooming houses or motor courts.

4. In section 2 (a) the phrase "any room in a hotel or rooming house" is amended to read "any room in a hotel, rooming house or motor court."

5. In section 2 (c) (1) the phrase "of any room in a hotel or rooming house" is amended to read "of any room in a hotel, rooming house or motor court."

6. In section 3 the entire proviso following the semicolon is deleted and a period is substituted for the semicolon following the phrase "during such period."

7. In section 4 the second sentence is amended to read as follows: "Maximum rents for rooms in a hotel, rooming house or motor court (unless and until changed by the Administrator as provided in section 5) shall be:"

8. Section 4 (b) is amended to read as follows:

(b) *First rented or regularly offered after maximum rent period.* (1) For a room neither rented nor regularly offered for rent during the thirty days ending on September 1, 1943, but rented or regularly offered for rent prior to November 1, 1946, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent, or if the room was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered. The landlord shall register such rooms within ten days after the expiration of the thirty-day period, or by November 15, 1943, whichever is later, as provided in section 7. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(2) For a room first rented or offered for rent on or after November 1, 1946, the rent for each term or number of occupants for which it is first offered for rent; if such room is thereafter offered for rent for other terms or numbers of occupants, the rents for which it is first offered for such other terms and numbers of occupants. The landlord shall file a registration statement for such room, or amend the registration statement previously filed, within ten days after any maximum rent is established hereunder, as provided in section 7. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(3) If a landlord fails to register the maximum rent properly within the time specified in subparagraphs (1) and (2) above (except where the room was registered prior to November 1, 1946), the rent received for any rental period commencing on or after the date on which the premises were first rented, or November 1, 1946, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with § 1300.209 or § 1300.217 of Revised Procedural Regulation No. 3. If the Administrator finds that the landlord was not at fault in failing to register the maximum rent properly within the time specified, the order under section 5 (c) (1) may relieve the landlord of the duty to refund. The foregoing provisions and any refund thereunder do not affect any civil or criminal liabilities provided by the Act for failure to register as required by section 7.

9. In section 4 (c) the phrase "in the same hotel or rooming house" is amended to read "in the same hotel, rooming house or motor court."

10. The first sentence of section 5 (f) is amended to read as follows: "The landlord of any transient or residential hotel for which maximum rents on a daily basis are established, may petition the Administrator for permission to establish uniform maximum daily rents for substantially identical rooms for each number of occupants for which such rooms are offered for rent."

11. In the first sentence of section 6 (a) the phrase "within a hotel or rooming house" is amended to read "within a hotel, rooming house or motor court."

12. Section 6 (d) (2) is amended to read as follows:

(2) *Daily or weekly tenants.* A tenant occupying a room within a transient hotel on a daily or weekly basis or a tenant occupying on a daily basis a room in a residential hotel, rooming house or

[1] 10 F. R. 318, 2405, 5090, 9445, 11071, 15212; 11 F. R. 4015, 5951, 6136, 8164, 10510.

[2] All housing accommodations in a transient hotel are considered "rooms" for the purposes of this regulation. See definition of room in section 13 (a) (7).

motor court which has heretofore usually been rented on a daily basis: *Provided*, That the provisions of this section do apply to a tenant on a daily or weekly basis who has requested a weekly or monthly term of occupancy pursuant to section 2 (b) (3) or (7).

13. Section 7 (a) is amended to read as follows:

(a) *Registration statements*—(1) *Registration.* On or before November 15, 1943, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after October 15, 1943 under paragraphs (b) or (c) of section 4 which has not been reported on the first registration statement shall be reported within 10 days after such rent is established, either by amending a registration statement previously filed or by filing a new registration statement.

(2) *Supplemental registration.* Every landlord of any establishment subject to the provisions of this regulation shall file a supplemental registration statement in duplicate on OPA Form DH–U–S stating the services provided in connection with all rooms offered for rent and the number of rooms subject to monthly or weekly rates pursuant to the provisions of section 2. This supplemental registration statement shall be filed on or before December 31, 1946. In the case of maximum rents established under paragraphs (b) or (c) of section 4 in establishments for which no supplemental registration statement has been filed, Form DH–U–S shall be filed concurrently with the registration statement required by paragraph (a) (1) of this section. On the basis of the information furnished thereby, the Administrator shall classify each establishment as a transient hotel, residential hotel, rooming house or motor court, and the provisions of this regulation applicable to such classification shall thereupon become applicable to the particular establishment. If, after the filing of a supplemental registration statement, maximum rents are established for a new room or rooms in the same establishment under section 4 (b) or (c), the landlord shall file OPA Form DH–U–S within the time provided in subparagraph (a) (1) above for registering rents established under these sections, unless the services and facilities provided with such room or rooms are substantially the same as those previously reported on OPA Form DH–U–S for other rooms in the establishment.

If the establishment is presently known as a hotel in the community, contains more than 50 rooms and is used predominantly for transient occupancy, the provisions of this regulation relating to transient hotels shall be applicable to such establishment until such establishment is otherwise classified in accordance with the provisions of this paragraph (a); *Provided, however*, That if such establishment fails to file OPA Form DH–U–S prior to January 1, 1947 it shall thereupon be subject to the provisions of this regulation relating to rooming houses until otherwise classified. All other establishments hereunder shall be subject to the provisions of this regulation relating to rooming houses until Form DH–U–S is filed and the establishment is otherwise classified by the area rent director.

(3) *Notice of change in identity of landlord.* Where, since the filing of the registration statement but prior to May 5, 1945, there has been a change in the identity of the landlord, by transfer of title or otherwise, the present landlord, on or before May 31, 1945, shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity. Where such a change occurs on or after May 5, 1945, or the effective date of regulation, whichever is the later, the new landlord shall file such a notice within thirty days after the change.

(4) *Notice to landlord.* Any notice, order or other process or paper directed to the person named on the registration statement as landlord at the address given thereon, or where a notice of change in identity has been filed, to the person named as landlord and at the address given in the most recent such notice, shall, under the circumstances prescribed in Revised Procedural Regulation No. 3, constitute notice to the person who is then the landlord.

(5) *Registration where maximum rent formerly determined under Section 4 (d).* The provisions of this section 7 shall be applicable to any accommodations whose maximum rent is determined under section 4 (d), on its sale by the owning agency, and within thirty days after the sale of such accommodations the new landlord shall file registration statements as provided in paragraph (a) of this section: *Provided, however*, That if the housing accommodations are sold to the United States or a state of the United States or any of its political subdivisions, or any agency of the foregoing, the provision in the second paragraph of paragraph (b) of this section shall continue to be applicable.

14. The first paragraph of section 7 (b) is amended to read as follows:

(b) *Posting maximum rents.* On or before December 15, 1943, or within 10 days after a maximum rent is established under paragraph (b), (c), or (g) of section 4, whichever is the later, every landlord shall post and thereafter keep posted conspicuously in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord within 10 days after the effective date of the order shall alter the card or sign so that it states the changed rent or rents.

15. Section 13 (a) (7) is amended to read as follows:

(7) "Room" means a room or group of rooms, not constituting an apartment, rented or offered for rent as a unit in a transient hotel, residential hotel, rooming house or motor court. The term includes ground rented as trailer space. All housing accommodations in a transient hotel shall be considered as "rooms" for the purpose of this regulation.

16. The definition of "hotel" in section 13 (a) (13) is deleted and a new definition is added to read as follows:

(13) "Transient Hotel" means an establishment which (a) is customarily known as a hotel in the community, (b) contains more than 25 rooms, (c) provides services customarily supplied by transient hotels, and (d) had less than 50% of its accommodations occupied by permanent guests (on monthly or weekly basis) during the quota month or, if the establishment was not in operation during the quota month, during the month of June 1946.

17. Section 13 (a) (14) is amended to read as follows:

(14) "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel or motor court in which a furnished room or rooms not constituting an apartment are rented on a short term basis of daily, weekly or monthly occupancy to more than two paying tenants, not members of the landlord's immediate family. The term includes boarding houses, dormitories, trailers, residence clubs and all other establishments of a similar nature.

18. New subparagraphs (15), (16), (17) and (18) are added to section 13 (a) to read as follows:

(15) "Residential hotel" means an establishment which (a) is customarily known as a hotel in the community, (b) contains more than 25 rooms, (c) provides services customarily supplied by residential hotels, and (d) had 50% or more of its accommodations occupied by permanent guests (on monthly or weekly basis) during the quota month, or if the establishment was not in operation during the quota month, during the month of June 1946.

(16) "Motor Court" means an establishment renting rooms, cottages or cabins; supplying parking or storage facilities for motor vehicles in connection with such renting and other services and facilities customarily supplied by such establishments; and commonly known as a motor, auto or tourist court in the community.

(17) "Apartment" means a room or rooms providing facilities commonly regarded in the community as necessary for a self-contained dwelling unit, and of a class of accommodations customarily rented without variations in rent dependent on terms of occupancy and numbers of occupants.

(18) "Quota month" as used in the definitions of transient and residential hotels means the month of September, 1943.

Effective November 1, 1946.

Issued October 31, 1946.

PAUL A. PORTER,
Administrator.

Statement To Accompany Amendment 29 to the Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area and Amendment 22 to the Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area

By this amendment the Administrator has implemented the changes in the regulation required by the amendment to section 2 (b) of the Emergency Price Control Act as renewed in July of 1946. Under this last amendment the Administrator was directed to classify by regulation the various categories of rental housing subject to the Rent Regulation for Hotels and Rooming Houses. After consultation with the National Hotel Advisory Committee and other interested industry groups, the method of classification provided by this amendment to the regulation was adopted.

Briefly, this amendment provides for a supplemental registration of all establishments whose room rates are determined under the Rent Regulation for Hotels and Rooming Houses. On this supplemental registration the various establishments will report the services provided pursuant to section 3 and the quota of monthly or weekly rentings the establishment is required to continue to offer under section 2. Section 13 is amended to define "Transient Hotel," "Residential Hotel," "Rooming House" and "Motor Court." On the basis of these definitions and the information disclosed by the supplemental registration, each establishment will be classified, and will thereupon become subject to the provisions of the regulation applicable to the particular classification. The supplemental registration will begin November 1, 1946. Any establishment which has not filed a supplemental registration statement by December 31, 1946 will become subject to the provisions of the regulation relating to rooming houses until a supplemental registration statement is filed and it is otherwise classified.

The splitting up of establishments under the Hotel and Rooming House Regulation into four categories required changes in a number of sections. It should be borne in mind that under the regulation as it read prior to November 1, 1946, a "Hotel" was defined as an establishment of more than 50 rooms, predominantly used for transient occupancy and customarily recognized as a hotel in the community. All units in such establishments were subject to the Hotel and Rooming House Regulation. All other establishments under the Hotel and Rooming House Regulation were "rooming houses" for the purposes of the regulation. Most establishments formerly "Hotels" by definition will now be classified as "Transient Hotels." A number of establishments formerly "rooming houses" will also be classified as "Transient Hotels" since an establishment, otherwise meeting the requirements of the definition of "Transient Hotel" need contain only 26 rooms. Establishments not classified as "Transient Hotels" will now be divided into three classifications, namely, "Residential Hotels," "Rooming Houses," and "Motor Courts."

Under the regulation as amended the existing criteria for determining whether a particular dwelling unit is subject to the hotel regulation or the housing regulation are preserved, except that the definition of "room" has been amended and a definition of "apartment" added in section 13, giving greater consideration to local rental practices.

A substantive change is also made in section 4 (b). Under the regulations as they read prior to November 1, 1946 the maximum rents for rooms first coming on the market after the maximum rent date were determined by the highest rents received for various terms and numbers of occupants during the 30 days following the date the room was first offered for rent. If offered, but not actually rented, for any term or number of occupants, during the 30 day period, the maximum rents were the offered rates. Section 4 (b) is now split up into numbered paragraphs (1), (2) and (3).

Section 4 (b) (1) applies to rooms first rented or offered for rent after the maximum rent date but before November 1, 1946. The criteria for establishing maximum rents under section 4 (b) (1) are essentially the same as under former section 4 (b). Such rooms must now be registered within 10 days after the expiration of the 30 day period instead of 5 days.

Section 4 (b) (2) covers rooms first rented or offered for rent after November 1, 1946. Maximum rents for such rooms are determined by rates for which such rooms are first offered for particular terms or numbers of occupants. This section likewise provides that if a room is later offered for rent for terms or numbers of occupants other than those for which it was first offered, the maximum rents for such terms and numbers of occupants will be determined by the offered rates. All maximum rents under section 4 (b) (2) must be registered within 10 days after they are established, either by amending the registration statement previously filed or by filing a new registration statement.

Section 4 (b) (3) provides that if a room whose maximum rents are determined under section 4 (b) is not properly registered within the time prescribed, any order reducing the rent under section 5 (c) (1) may require a refund from the landlord to the tenant of amounts received in excess of the rent fixed by the order, from the date of first renting or November 1, 1946, whichever is later.

While later amendments may, where appropriate, provide differing treatment for the various categories of establishments, the revision of the regulation effected by this amendment, in the main, and with the exceptions noted, preserves the status quo of rooms and establishments under it, without substantive change.

The classification of the various establishments will, however, greatly facilitate consideration of problems peculiar to one or more separate categories and the solution by amendment to such problems.

The title of this regulation shall be: The Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts.

In the judgment of the Price Administrator, this amendment is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act. No provisions which might have the effect of requiring a change in established rental practices have been included in this amendment unless such provisions have been found necessary to achieve effective rent control and to prevent circumvention or evasion of the rent regulations and the act. To the extent that the provisions of this amendment compel or may operate to compel changes in established rental practices, such provisions are necessary to prevent circumvention or evasion of the rent regulations and the act.

[F. R. Doc. 46-19393; Filed, Oct. 31, 1946; 11:47 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, New York City Area,[1] Amdt. 29, § 1388, 1409)]

TRANSIENT HOTELS, RESIDENTIAL HOTELS, ROOMING HOUSES AND MOTOR COURTS IN NEW YORK CITY

The Rent Regulations for Hotels and Rooming Houses in the New York City Area is amended in the following respects:

1. The title of this regulation shall be: The Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts in the New York City Defense-Rental Area.

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

(a) *Rooms in transient hotels, residential hotels, rooming houses and motor courts in the New York City Defense-Rental Area.* This regulation applies to all accommodations in transient hotels,[2] to all rooms in residential hotels, rooming houses and motor courts, and to all accommodations brought under this regulation by consent of the Area Rent Director pursuant to section 1 (e), in the New York City Defense-Rental Area, consisting of the city of New York (including the Boroughs of Bronx, Brooklyn, Manhattan, Queens and Richmond) and the counties of Nassau and Suffolk in the State of New York, except as provided in paragraph (b) of this section. The New York City Defense Rental Area is referred to hereinafter in this regulation as the Defense Rental Area."

3. Section 1 (b) (4) is amended to read as follows:

(4) *Entire structures used as hotels, rooming houses or motor courts.* Entire structures or premises used as hotels, rooming houses or motor courts, as distinguished from the rooms within such hotels, rooming houses or motor courts.

4. The first two paragraphs of section 1 (e) are amended to read as follows:

(e) *Election by landlord to bring housing under this regulation.* Where a

[1] 11 F. R. 4025, 5951, 5823, 8164, 10529.

[2] All housing accommodations in a transient hotel are considered "rooms" for the purposes of this regulation. See definition of room in section 13 (a) (7).

building or establishment not classified as a transient hotel contains one or more furnished rooms or other furnished housing accommodations whose maximum rents are determined under the Rent Regulation for Housing in the New York City Defense-Rental Area, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this regulation. A landlord who so elects shall file the registration statements required by section 7 for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this regulation establishing maximum rents are better adapted to the rental practices of such building or establishment than the provisions of the Rent Regulation for Housing in the New York City Defense-Rental Area, he shall consent to the landlord's election by order and at the same time shall classify such establishment as a residential hotel, rooming house or motor court, as provided by section 7. Accommodations so brought under this regulation shall be considered "rooms" for the purposes of the regulation.

5. In section 2 (a) the phrase "of any room in a hotel or rooming house" is amended to read "of any room in a hotel, rooming house or motor court."

6. In section 2 (c) (1) the phrase "of any room in a hotel or rooming house" is amended to read "of any room in a hotel, rooming house or motor court."

7. In section 3 the entire proviso following the semicolon is deleted and a period is substituted for the semicolon following the phrase "during such period."

8. In section 4 the second sentence is amended to read as follows: Maximum rents for rooms in a hotel, rooming house or motor court (unless and until changed by the Administrator as provided in section 5) shall be:

9. Section 4 (b) is amended to read as follows:

(b) *First rented or regularly offered after maximum rent period.* (1) For a room neither rented nor regularly offered for rent during the 30 days ending on March 1, 1943, but rented or regularly offered for rent prior to November 1, 1946, the highest rent for each term or number of occupants for which the room was rented during the 30 days commencing when it was first offered for rent, or if the room was not rented for a particular term or number of occupants during that perod, the rent for each term or number of occupants for which it was regularly offered. The landlord shall register such rooms within ten days after the expiration of the 30 day period or by December 15, 1943, whichever is later, as provided in section 7. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(2) For a room first rented or offered for rent on or after November 1, 1946, the rent for each term or number of occupants for which it is first offered for rent; if such room is thereafter offered for rent for other terms or numbers of occupants, the rents for which it is first offered for such other terms and numbers of occupants. The landlord shall file a registration statement for such room or amend the registration statement previously filed, within ten days after any maximum rent is established hereunder as provided in section 7. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(3) If a landlord fails to register the maximum rent properly within the time specified in subparagraphs (1) and (2) above, (except where the room was registered prior to November 1, 1946), the rent received for any rental period commencing on or after the date on which the premises were first rented, or November 1, 1946 whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with § 1300.209 or 1300.217 of Revised Procedural Regulation No. 3. If the Administrator finds that the landlord was not at fault in failing to register the maximum rent properly within the time specified, the order under section 5 (c) (1) may relieve the landlord of the duty to refund. The foregoing provisions and any refund thereunder do not affect any civil or criminal liabilities provided by the act for failure to register as required by section 7.

10. In section 4 (c) the phrase "in the same hotel or rooming house" is amended to read "in the same hotel, rooming house or motor court."

11. The first sentence of section 5 (f) is amended to read as follows:

The landlord of any transient or residential hotel for which maximum rents on a daily basis are established, may petition the Administrator for permission to establish uniform maximum daily rents for substantially identical rooms for each number of occupants for which such rooms are offered for rent.

12. The first paragraph of section 5 (g) is amended to read as follows:

(g) *Required increases of maximum rents.* The Administrator shall grant an increase in the maximum rents otherwise allowable, to any transient or residential hotel which has incurred substantial approved wage increases since January 1, 1946 and whose adjusted operating position for the calendar year 1945 is less favorable than his operating position for the average of any two successive years 1939 to 1942, inclusive.

13. In the first sentence of section 6 (a) the phrase "within a hotel or rooming house" is amended to read "within a hotel, rooming house or motor court."

14. Section 6 (d) (2) is amended to read as follows:

(2) *Daily or weekly tenants.* A tenant occupying a room within a transient hotel on a daily or weekly basis or a tenant occupying on a daily basis a room in a residential hotel, rooming house or motor court which has heretofore usually been rented on a daily basis: *Provided*, That the provisions of this section do apply to a tenant on a daily or weekly basis who has requested a weekly or monthly term of occupancy pursuant to section 2 (b) (3) or (7).

15. Section 7 (a) is amended to read as follows:

(a) *Registration statements*—(1) *Registration.* On or before December 15, 1943, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after November 1, 1943 under paragraphs (b) or (c) of section 4 which has not been reported on the first registration statement shall be reported within 10 days after such rent is established, either by amending a registration statement previously filed or by filing a new registration statement.

(2) *Supplemental registration.* Every landlord of any establishment subject to the provisions of this regulation shall file a supplemental registration statement in duplicate on OPA Form DH–U–S stating the services provided in connection with all rooms offered for rent and the number of rooms subject to monthly or weekly rates pursuant to the provisions of section 2. This supplemental registration statement shall be filed on or before December 31, 1946. In the case of maximum rents established under paragraphs (b) or (c) of section 4 in establishments for which no supplemental registration statement has been filed, OPA Form DH–U–S shall be filed concurrently with the registration statement required by paragraph (a) (1) of this section. On the basis of the information furnished thereby, the Administrator shall classify each establishment as a transient hotel, residential hotel, rooming house or motor court, and the provisions of this regulation applicable to such classification shall thereupon become applicable to the particular establishment. If, after the filing of a supplemental registration statement, maximum rents are established for a new room or rooms in the same establishment under section 4 (b) or (c), the landlord shall file OPA Form DH–U–S within the time provided in subparagraph (a) (1) above for registering rents established under these sections, unless the services and facilities provided with such room or rooms are substantially the same as those previously reported on OPA Form DH–U–S for other rooms in the establishment.

If the establishment is presently known as a hotel in the community, contains more than 50 rooms and is used predominantly for transient occupancy, the provisions of this regulation relating to transient hotels shall be applicable to such establishment until such establishment is otherwise classified in accordance with the provisions of this paragraph (a); *Provided, however*, That if such establishment fails to file OPA Form DH–U–S prior to January 1, 1947, it shall thereupon be subject to the provisions of this regulation relating to rooming houses until otherwise classified. All

other establishments hereunder shall be subject to the provisions of this regulation relating to rooming houses until Form DH–U–S is filed and the establishment is otherwise classified by the Area Rent Director.

(3) *Notice of change in identity of landlord.* Where, since the filing of the registration statement but prior to May 5, 1945, there has been a change in the identity of the landlord, by transfer of title or otherwise, the present landlord, on or before May 31, 1945, shall file a notice of such change on a form provided for that purpose to be known as a notice of change in identity. Where such a change occurs on or after May 5, 1945, the new landlord shall file such a notice within thirty days after the change.

(4) *Notice to landlord.* Any notice, order or other process or paper directed to the person named on the registration statement as landlord at the address given thereon, or where a notice of change in identity has been filed, to the person named as landlord and at the address given in the most recent such notice, shall, under the circumstances prescribed in Revised Procedural Regulation No. 3, constitute notice to the person who is then the landlord.

(5) *Registration where maximum rent formerly determined under Section 4 (d).* The provisions of this section 7 shall be applicable to any accommodations whose maximum rent is determined under section 4 (d), on its sale by the owning agency, and within thirty days after the sale of such accommodations the new landlord shall file registration statements as provided in paragraph (a) of this section: *Provided, however,* That if the housing accommodations are sold to the United States or a State of the United States or any of its political subdivisions, or any agency of the foregoing, the provision in the second paragraph of paragraph (b) of this section shall continue to be applicable.

16. The first paragraph of section 7 (b) is amended to read as follows:

(b) *Posting maximum rents.* On or before December 15, 1943, or within ten days after a maximum rent is established under paragraph (b), (c) or (g) of section 4, whichever is the later, every landlord shall post and thereafter keep posted conspicuously in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord, within 10 days after the effective date of the order, shall alter the card or sign so that it states the changed rent or rents.

17. Section 13 (a) (7) is amended to read as follows:

(7) "Room" means a room or group of rooms, not constituting an apartment, rented or offered for rent as a unit in a transient hotel, residential hotel, rooming house or motor court. The term includes ground rented as trailer space. All housing accommodations in a transient hotel shall be considered as "rooms" for the purposes of this regulation.

18. The definition of "hotel" in section 13 (a) (13) is deleted and a new definition is added to read as follows:

(13) "Transient hotel" means an establishment which (a) is customarily known as a hotel in the community, (b) contains more than 25 rooms, (c) provides services customarily supplied by transient hotels, and (d) had less than 50% of its accommodations occupied by permanent guests (on monthly or weekly basis) during the quota month or, if the establishment was not in operation during the quota month, during the month of June 1946.

19. Section 13 (a) (14) is amended to read as follows:

(14) "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel or motor court in which a furnished room or rooms not constituting an apartment are rented on a short term basis of daily, weekly or monthly occupancy to more than two paying tenants, not members of the landlord's immediate family. The term includes boarding houses, dormitories, trailers, residence clubs and all other establishments of a similar nature.

20. New subparagraphs (15), (16), (17) and (18) are added to Section 13 (a) to read as follows:

(15) "Residential hotel" means an establishment which (a) is customarily known as a hotel in the community, (b) contains more than 25 rooms, (c) provides services customarily supplied by residential hotels, and (d) had 50% or more of its accommodations occupied by permanent guests (on monthly or weekly basis) during the quota month, or if the establishment was not in operation during the quota month, during the month of June 1946.

(16) "Motor court" means an establishment renting rooms, cottages or cabins; supplying parking or storage facilities for motor vehicles in connection with such renting and other services and facilities customarily supplied by such establishments; and commonly known as a motor, auto or tourist court in the community.

(17) "Apartment" means a room or rooms providing facilities commonly regarded in the community as necessary for a self-contained dwelling unit, and of a class of accommodations customarily rented without variations in rent dependent on terms of occupancy and numbers of occupants.

(18) "Quota month" as used in the definitions of transient and residential hotels means June 1943.

Effective November 1, 1946.

Issued October 31, 1946.

PAUL A. PORTER,
Administrator.

Statement to Accompany Amendment 29 to the Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area and Amendment 22 to the Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area

By this amendment the Administrator has implemented the changes in the regulation required by the amendment to section 2 (b) of the Emergency Price Control Act as renewed in July of 1946. Under this last amendment the Administrator was directed to classify by regulation the various categories of rental housing subject to the Rent Regulation for Hotels and Rooming Houses. After consultation with the National Hotel Advisory Committee and other interested industry groups, the method of classification provided by this amendment to the regulation was adopted.

Briefly, this amendment provides for a supplemental registration of all establishments whose room rates are determined under the Rent Regulation for Hotels and Rooming Houses. On this supplemental registration the various establishments will report the services provided pursuant to section 3 and the quota of monthly or weekly rentings the establishment is required to continue to offer under section 2. Section 13 is amended to define "Transient Hotel", "Residential Hotel", "Rooming House" and "Motor Court." On the basis of these definitions and the information disclosed by the supplemental registration, each establishment will be classified, and will thereupon become subject to the provisions of the regulation applicable to the particular classification. The supplemental registration will begin November 1, 1946. Any establishment which has not filed a supplemental registration statement by December 31, 1946, will become subject to the provisions of the regulation relating to rooming houses until a supplemental registration statement is filed and it is otherwise classified.

The splitting up of establishments under the Hotel and Rooming House Regulation into four categories required changes in a number of sections. It should be borne in mind that under the regulation as it read prior to November 1, 1946, a "Hotel" was defined as an establishment of more than 50 rooms, predominantly used for transient occupancy and customarily recognized as a hotel in the community. All units in such establishments were subject to the Hotel and Rooming House Regulation. All other establishments under the Hotel and Rooming House Regulation were "rooming houses" for the purposes of the regulation. Most establishments formerly "Hotels" by definition will now be classified as "Transient Hotels". A number of establishments formerly "rooming houses" will also be classified as "Transient Hotels" since an establishment, otherwise meeting the requirements of the definition of "Transient Hotel" need contain only 26 rooms. Establishments not classified as "Transient Hotels" will not be divided into three classifications, namely, "Residential Hotels", "Rooming Houses", and "Motor Courts".

Under the regulation as amended the existing criteria for determining whether a particular dwelling unit is subject to the hotel regulation or the housing regulation are preserved, except that the definition of "room" has been amended and a definition of "apartment" added in section 13, giving greater consideration to local rental practices.

A substantive change is also made in section 4 (b). Under the regulations as they read prior to November 1, 1946, the maximum rents for rooms first coming on the market after the maximum rent date were determined by the highest rents received for various terms and numbers of occupants during the 30 days following the date the room was first offered for rent. If offered, but not actually rented, for any term or number of occupants, during the 30-day period, the maximum rents were the offered rates. Section 4 (b) is now split up into numbered paragraphs (1), (2), and (3).

Section 4 (b) (1) applies to rooms first rented or offered for rent after the maximum rent date but before November 1, 1946. The criteria for establishing maximum rents under 4 (b) (1) are essentially the same as under former section 4 (b). Such rooms must now be registered within 10 days after the expiration of the 30-day period instead of 5 days.

Section 4 (b) (2) covers rooms first rented or offered for rent after November 1, 1946. Maximum rents for such rooms are determined by rates for which such rooms are first offered for particular terms or numbers of occupants. This section likewise provides that if a room is later offered for rent for terms or numbers of occupants other than those for which it was first offered, the maximum rents for such terms and numbers of occupants will be determined by the offered rates. All maximum rents under section 4 (b) (2) must be registered within 10 days after they are established, either by amending the registration statement previously filed or by filing a new registration statement.

Section 4 (b) (3) provides that if a room whose maximum rents are determined under section 4 (b) is not properly registered within the time prescribed, any order reducing the rent under section 5 (c) (1) may require a refund from the landlord to the tenant of amounts received in excess of the rent fixed by the order, from the date of first renting or November 1, 1946, whichever is later.

While later amendments may, where appropriate, provide differing treatment for the various categories of establishments, the revision of the regulation effected by this amendment, in the main, and with the exceptions noted, preserves the status quo of rooms and establishments under it, without substantive change.

The classification of the various establishments will, however, greatly facilitate consideration of problems peculiar to one or more separate categories and the solution by amendment to such problems.

The title of this regulation shall be: The Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts.

In the judgment of the Price Administrator, this amendment is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act. No provisions which might have the effect of requiring a change in established rental practices have been included in this amendment unless such provisions have been found necessary to achieve effective rent control and to prevent circumvention or evasion of the rent regulations and the act. To the extent that the provisions of this amendment compel or may operate to compel changes in established rental practices, such provisions are necessary to prevent circumvention or evasion of the rent regulations and the act.

[F. R. Doc. 46-19894; Filed, Oct. 31, 1946; 11:51 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETIC AND ADMIXTURES

[MPR 595, Amdt. 1]

WOVEN WOOLEN AND WORSTED AUTOMOBILE FLAT FABRICS

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

Maximum Price Regulation 595 is amended in the following respects:

1. Section 2 (a) (2) (i) is amended by striking out from the second sentence thereof the words "at the time the ceiling price determination for this fabric is filed pursuant to section 8" and substituting therefor "June 30, 1946".

2. Section 2 (b) is amended by striking out from the second sentence thereof the words "at the time of the ceiling price determination for the fabric" and substituting therefor "June 30, 1946."

This amendment shall become effective November 5, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of the Considerations Involved in the Issuance of Amendment 1 to Maximum Price Regulation 595

This amendment modified the pricing provisions for new fabrics as the result of the decontrol of domestic raw wool. Prior to this amendment maximum prices for new fabrics were determined in relation to the current maximum prices of the constituent raw material. Since maximum prices are no longer in effect for domestic raw wool it has become necessary to revise the pricing formulas to fit cases where domestic wool is involved. This amendment provides for the use of maximum prices as of June 30, 1946, instead of "current" maximum prices. Furthermore, the instability of British wools formerly under British Wool Control makes it necessary to settle a fixed method of determining raw material cost in order to stabilize fabric prices.

New fabrics fall into two categories, (1) those made by base-period manufacturers and (2) those made by manufacturers who did not produce automobile flat fabrics in the base period. In the former case it is provided by this amendment that for any price determination after June 30, 1946, raw material costs shall be computed on the basis of the maximum price in effect June 30, 1946. This applies to domestic raw wools and all other fibers alike but effects no substantial change since the price of a new fabric is affected not by the cost of the constituent raw material but rather by the difference in the respective costs of the raw material of the new fabric and of the base-period fabric to which it is compared.

In the case of new fabrics produced by new manufacturers, the computation of the cost of constituent raw material is based on the maximum prices in effect June 30, 1946. The maximum prices for such fabrics are affected by the cost of the constituent raw material rather than by comparative costs and it is therefore necessary to alter the present pricing formula with respect to both foreign and domestic fibers to maintain the pricing standard heretofore in effect.

This amendment does not significantly affect the previously established pricing formulas. It will yield virtually the same maximum prices which would have obtained under the previous formulas prior to the decontrol of domestic raw wool.

[F. R. Doc. 46-19881; Filed, Oct. 31, 1946; 11:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14G, Amdt. 18]

ZINC ANODES AND SPECIAL SHAPES, ZINC BASE ALLOYS, ZINC DUST, WIRE AND BATTERY CANS, BATTERY SIDES AND BOTTOMS

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 14G is amended by adding thereto a new section 17 to read as follows:

SEC. 17. (a) *Maximum Prices for zinc anodes and special shapes, primary and secondary zinc base alloys in pigs, ingots, slabs or bars, zinc dust, wire and battery cans, battery sides and bottoms.* Regardless of the provisions of the General Maximum Price Regulation or any order issued thereunder prior to October 31, 1946, any producer may sell and deliver zinc anodes, special shapes, primary and secondary zinc base alloys in pigs, ingots, slabs or bars, zinc dust, wire and battery cans, battery sides and bottoms, at prices not to exceed the maximum prices otherwise previously established by the General Maximum Price Regulation plus one cent per pound of zinc contained in the product sold.

(b) *Maximum prices for resellers of zinc anodes and special shapes, primary and secondary zinc base alloys in pigs, ingots, slabs or bars, zinc dust, wire and battery cans, battery sides and bottoms.* Regardless of the provisions of the General Maximum Price Regulation or any order issued thereunder prior to October 31, 1946, any reseller may sell and deliver zinc anodes and special shapes, primary

and secondary zinc base alloys in pigs, ingots, slabs or bars, zinc dust, wire and battery cans, battery sides and bottoms at a price not to exceed the net cost to the reseller plus an amount found by multiplying such net cost by the reseller's March 31, 1946 percentage markup.

(c) *Definitions* (1) "Net cost," as used in this section means the reseller's delivered invoice cost for the zinc anodes or other product listed in paragraphs (a) and (b) above or his supplier's maximum price, whichever is lower.

(2) "March 31, 1946, percentage markup," as used in this section 17 means the percentage margin obtained by the reseller on March 31, 1946. Such margin shall be calculated in the following manner:

(i) The reseller shall determine the maximum price applicable to the product as of March 31, 1946 for the same quantity to a purchaser of the same general class and under the same terms of delivery as the product being priced.

(ii) He shall subtract from such maximum price determined in (i) above the net cost as of March 31, 1946; and

(iii) Divide the difference obtained by the calculation described in (ii) above by the net cost as of March 31, 1946. The resulting figure translated into percentage is the reseller's March 31, 1946 percentage markup.

This amendment shall become effective October 31, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of the Considerations Involved in the Issuance of Amendment No. 18 to Supplementary Regulation 14G

Amendment No. 18 to Supplementary Regulation 14G provides that all producers of zinc anodes and special shapes, primary and secondary zinc base alloys, zinc dust, wire and battery cans and battery sides and bottoms may increase their their prices as previously established by the General Maximum Price Regulation by one cent per pound of zinc contained. These increases reflect the increase of one cent per pound in the price of primary and secondary slab zinc recently granted by Amendment 6 to Revised Price Schedule No. 81, and Amendment 3 to Maximum Price Regulation No. 3.

The zinc products covered by this amendment are important in the manufacture of many products vital to the reconversion program. Zinc anodes are used in electroplating numerous articles important to individual and industrial consumers. Zinc base alloys are used principally in die castings which are essential in the production of automobiles and other consumer durable goods. The major use of zinc dust is in the manufacture of sodium hydrosulphite which is widely used in the bleaching and dying of textiles and paper. Zinc wire is used in brake-linings, metal sprays and in shoe nails. Battery cans are containers for dry cell batteries. Zinc constitutes over 50 per cent of the cost of producing the items included in this amendment. Production costs of these items have already increased due to increases in wages and other costs. Because of these factors, it appears that the producers of these products could not absorb the increased cost of zinc without threatening the essential supply of commodities necessary to the effective transition to a peacetime economy.

This amendment permits resellers of zinc anodes and the other products listed therein their March 31, 1946, percentage markup over their net cost of acquisition. This action is in compliance with paragraph (t) of section 2 of the Emergency Price Control Act of 1942, as amended, which requires the Administrator to establish maximum prices which will allow wholesale and retail distributors the average current cost of acquisition of any commodity, plus such average percentage discount or markup as was in effect on March 31, 1946. Only a negligible quantity of most of the products included in this amendment are handled by resellers. For this reason it appears that the administrative burden of determining the average percentage markup would be disproportionate to any possible saving to consumers resulting from such a determination.

The Administrator has, therefore, allowed by the accompanying amendment, each reseller to recalculate his maximum price for any of the products included in this amendment by adding to his cost of acquisition his percentage markup as of March 31, 1946. Although this provision results in relief which is more individualized than that required by section 2 (t) of the act, it nevertheless complies with the standards set forth therein.

In the opinion of the Administrator the accompanying amendment is in accordance with Executive Order 9599, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-19891; Filed, Oct. 31, 1946; 11:47 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14H, Amdt. 18]

MODIFICATION OF MAXIMUM PRICES ESTABLISHED BY THE GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN TRANSPORTATION 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.

In the last paragraph of section 23, the phrase "on October 31, 1946" is amended to read "on November 30, 1946."

This amendment shall become effective November 1, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of the Considerations Involved in the Issuance of Amendment 18 to Supplementary Regulation No. 14H

This amendment extends for one month the expiration date of the provisions of section 23, which establishes maximum rates for the transportation of coal in colliers from Hampton Roads, Virginia, to ports along the North Atlantic Coast.

By letter order No. L-274 issued September 5, 1946, under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, certain carriers were required to submit detailed financial data covering operations during July, August and September 1946. Such financial data was to serve as the basis for establishing or continuing in effect maximum rates after October 31, 1946. It has been impossible to assemble and analyze the required financial data and for that reason the expiration date of the maximum rates established in section 23 of Supplementary Regulation No. 14H (Amendment 17, 11 F. R. 12394) is extended.

[F. R. Doc. 46-19892; Filed, Oct. 31, 1946; 11:47 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

PART 201—NATIONAL FORESTS

DESCHUTES NATIONAL FOREST, OREG.

CROSS REFERENCE: For a change in land description included in Proclamation 2702, which is an addition to the tabulation set forth in § 201.2, see the correction to Proclamation 2702, *supra*.

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 2267]

PART 4—DELEGATION OF AUTHORITY

SUBPART C—BUREAU OF LAND MANAGEMENT

The following subparagraph is added to § 4.275:

§4.275 *Functions with respect to various statutes.* (a) * * *

(40) Under section 32 of the Mineral Leasing Act of February 25, 1920, 41 Stat. 449, 30 U. S. C. sec. 187, prescribe requirements for the protection and use of reserved or segregated lands leased for the development of mineral deposits consistent with the use of the land for the purposes of the lease.

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

OCTOBER 28, 1946.

[F. R. Doc. 46-19761; Filed, Oct. 31, 1946; 8:45 a. m.]

Chapter I—Bureau of Land Management, Department of the Interior

PART 191—GENERAL REGULATIONS APPLICABLE TO MINERAL PERMITS, LEASES AND LICENSES

GENERAL PROVISIONS

Sec.

Sec.
191.3 Who may hold leases and permits.
191.4 Rights of aliens.
191.5 Reserved or segregated lands.
191.6 Special stipulations for lands in national forests and reclamation projects.
191.7 Multiple development, or other disposition, of land.
191.8 Interests held in common.
191.9 Survey of lands for leasing.
191.10 Simultaneous applications for lease.
191.11 Filing fees.
191.12 Disposition of fees.
191.13 Payments of rentals and royalties.
191.14 Bonds with individual sureties.

ROYALTY AND RENTAL RELIEF—SUSPENSION OF OPERATIONS AND PRODUCTION

191.25 Waiver, suspension, or reduction of rental or minimum royalty or reduction of royalty on coal, oil and gas leases.
191.26 Suspension of operations and production and suspension of rental payments.
191.27 Applicability of relief.

LEASING OF MINERALS DEVELOPED BY GOVERNMENTAL AGENCY TO AID IN PROSECUTING WORLD WAR II

191.40 Leases to Governmental agency or its assigns.

AUTHORITY: §§ 191.1 to 191.27, inclusive and § 191.40 issued under 41 Stat. 450, 44 Stat. 302, 44 Stat. 1058, 30 U. S. C., 189, 275, 285, act of August 8, 1946 (Public Law No. 696, 79th Congress).

The following text is substituted for Part 191:

GENERAL PROVISIONS

§ 191.1 *Purpose of the leasing acts.* The act of February 25, 1920 (41 Stat. 437; 30 U. S. C. sec. 181), as amended and supplemented, including the amendatory act of August 8, 1946 (Public Law 696, 79th Congress); the act of February 7, 1927 (44 Stat. 1057; 30 U. S. C. 281–287) and the act of April 17, 1926 (44 Stat. 301; 30 U. S. C. 271–276) as amended, hereinafter called "the act," provide for the leasing of oil and gas, coal, potassium, sodium, phosphate and oil shale and lands containing such deposits owned by the United States in the public domain and deposits of sulphur and the public lands containing such deposits in the States of Louisiana and New Mexico, except as stated in § 191.2.[1]

§ 191.2 *Lands and deposits to which mineral leasing act does not apply.* The mineral leasing act does not apply (a) to lands containing the mineral deposits named in § 191.1 where such lands are situated in (1) national parks and monuments; (2) Indian reservations; (3) incorporated cities, towns and villages, or (4) naval petroleum and oil shale reserves; nor (b) to lands acquired under the act of March 1, 1911 (36 Stat. 961; 16 U. S. C. 513–519) known as the Appalachian Forest Reserve Act, or other acquired lands.

§ 191.3 *Who may hold leases and permits.* Mineral prospecting permits and mineral leases may be issued only to (a) citizens of the United States; (b) associations of such citizens; (c) corporations organized under the laws of the United States or of any State or Territory thereof; or (d) in the case of coal, oil, oil shale, or gas, municipalities.

§ 191.4 *Rights of aliens.* Aliens may not acquire or hold any direct or indirect interest in permits or leases, except that they may own stock in corporations holding permits or leases, if the laws of their country do not deny similar or like privileges to citizens of the United States. A corporate applicant must make a full disclosure of the residence and citizenship of its stockholders. In case any of the stock of the corporation is held by aliens, a showing is required giving, to the extent reasonably ascertainable, the name, the country to which each owes allegiance and the amount of stock held by each. If any appreciable percentage of its stock is held by aliens of the excepted class, its application will be denied.

§ 191.5 *Reserved or segregated lands.* With respect to lands embraced in a reservation or segregated for any particular purpose the lessee shall conduct operations in conformity with such requirements as may be made by the Director, Bureau of Land Management, for the protection and use of the land for the purpose for which it was reserved or segregated, so far as may be consistent with the use of the land for the purpose of the lease, which latter shall be regarded as the dominant use unless otherwise provided or separately stipulated.

§ 191.6 *Special stipulations for lands in national forests and reclamation projects.* Applicants for permits, leases and licenses for lands in national forests will be required to consent to the inclusion therein of the stipulation on Form 4–216 relating to camp sites. Where the land has been withdrawn for reclamation purposes the applicant may be required to consent to the inclusion of a stipulation on Form 4–467 if the lands are potentially irrigable, or Form 4–467 (a) if the lands are within the flow limits of a reservoir site, or Form 4–467 (b) if the lands are within the drainage area of a constructed reservoir. Other conditions may be imposed, if deemed necessary, to protect the lands withdrawn for reclamation purposes.

§ 191.7 *Multiple development, or other disposition of land.* The granting of a permit or lease for the prospecting, development or production of deposits of any one mineral will not preclude the issuance of other permits or leases for the same land for deposits of other minerals with suitable stipulations for simultaneous operation, nor the allowance of applicable entries, locations, or selections of the leased lands with a reservation of the mineral deposits to the United States.

§ 191.8 *Interests held in common.* An association shall not be deemed to exist between the parties to a contract for development of leased lands, whether or not coupled with an interest in the lease, nor between co-lessees, but each party to any such contract or each co-lessee will be charged with his proportionate interest in the lease. No holding of acreage in common in excess of the maximum acreage specified in the law for any one lessee or permittee for the particular mineral deposit so held will be permitted.

§ 191.9 *Survey of lands for leasing.* Before a lease will issue for unsurveyed lands containing phosphates, oil shale, sodium or potassium the lands involved must be surveyed by the Government at the expense of the applicant for lease. To secure such a survey, the applicant must obtain from the appropriate regional cadastral engineer an estimate of the cost of the survey and deposit with him the estimated amount. After the survey has been accepted and the plat filed in the district land office the application will be adjusted to the resulting subdivisions and the cost of the survey will be ascertained by prorating the total cost of surveying the township to the area to be leased. The amount thus ascertained will be credited to the appropriation for surveying the public lands and the balance of the deposit, if any, returned to the depositor or his authorized representative.

§ 191.10 *Simultaneous applications for lease.* Where applications received by mail or filed over the counter at the same time are in conflict the right of priority of filing will be determined by public drawing in the manner provided in § 295.8 (d) of this chapter. Notice of the conflict and of the date and hour of the drawing shall be mailed to each applicant five days prior to such date and the manager will post notice showing the date and hour of the drawing in a conspicuous place in his office for a period of five days prior to such date.

§ 191.11 *Filing fees.* All applications for prospecting permits, leases, or licenses under the act must be accompanied by a minimum filing fee of $10 for each application embracing not more than 800 acres, and an additional fee of $2 for each 160 acres or fraction thereof over 800 acres, but where under the rule of approximation the application includes more than 2,560 acres, no additional fee is required for the acreage in excess of 2,560 acres.

§ 191.12 *Disposition of fees.* Filing fees paid under the act will be applied as earned by the manager of the district land office immediately upon a determination that the lands are subject to lease, permit or other right. If the lands are not subject to the application the fees will be returned, except those paid with applications for coal leases, permits or licenses which will be returned only after the applicant has furnished an affidavit stating that he has not mined any coal from the land embraced in the rejected application for which payment has not been made or that fact has been otherwise determined.

§ 191.13 *Payments of rentals and royalties.* Rentals and royalties under all leases and permits issued under the act shall be paid to the manager of the district land office for the land district

[1] Coal deposits in Alaska are not covered by these acts but may be disposed of under the act of October 20, 1914 (38 Stat. 742, 48 U. S. C. 434), as amended by the act of March 4, 1921 (41 Stat. 1363, 48 U. S. C. 444), relating solely to Alaska, and the regulations in §§ 70.2 to 70.29 of this chapter.

in which the leased lands are situated. In States where there are no district land offices such payments shall be filed with the Director, Bureau of Land Management. All remittances shall be made payable to the Treasurer of the United States and shall be accompanied by a letter of transmittal on Form 4–974 (oil and gas) or Form 4–976 (coal, potash, etc.). The transmittal letter shall be in triplicate and shall be completely filled out and signed by the payer.

§ 191.14 *Bonds with individual sureties.* Where surety bonds are tendered with individuals as sureties they must be executed by not less than two qualified individual sureties to cover compliance with all terms and conditions of the lease or permit or the applicable law or regulations. Each surety must execute a statement showing that he is worth in real property not exempt from execution, double the sum specified in the undertaking, over and above his just debts and liabilities and that he is either a resident of the same State and the United States Judicial District as the principal on the bond, or of the State and the Judicial District in which the lands involved are located. There also must be furnished a certificate by a judge or clerk of a court of record, a United States attorney, a United States Commissioner, or a United States postmaster, as to the identity, signature, and financial competency of the sureties. All bonds furnished with individual sureties will be examined every two years, or at any other time when found advisable, and the principal on the bond will be required to furnish new statements of justification by the sureties and a new certificate of financial competency, and if such sureties are unable to qualify additional security will be required. The statement of justification required to be furnished by the sureties, and the certificate of competency should be on Form 4–215.

ROYALTY AND RENTAL RELIEF—SUSPENSION OF OPERATIONS AND PRODUCTION

§ 191.25 *Waiver, suspension, or reduction of rental or minimum royalty or reduction of royalty on coal, oil and gas leases.* In order to encourage the greatest ultimate recovery of coal, oil, or gas and in the interest of conservation, the Secretary of the Interior whenever he determines it necessary to promote development or finds that the leases cannot be successfully operated under the terms provided therein may waive, suspend, or reduce the rental or minimum royalty or reduce the royalty on an entire leasehold, or on any deposit, tract, or portion thereof segregated for royalty purposes.

An application for any of the above benefits shall be filed in triplicate in the office of the oil and gas supervisor for oil and gas leases or the office of the mining supervisor for coal leases. It must contain the serial number of the leases, the land districts, the name of the record title holder and operator or sublessee and the description of the lands by legal subdivision.

Each application involving oil or gas shall show the number, location, and status of each well that has been drilled, a tabulated statement for each month covering a period of not less than six months prior to the date of filing the application of the aggregate amount of oil or gas subject to royalty computed in accordance with the oil and gas operating regulations, the number of wells counted as producing each month, and the average production per well per day.

Each application involving coal shall show the number and location of each mine, a map showing the extent of the underground mining operations, a tabulated statement of the coal mined and subject to royalty for each month covering a period of not less than 12 months next prior to the date of filing of the application, and the average production per day mined for each month.

Every application must contain a detailed statement of expenses and costs of operating the entire lease, the income from the sale of any leased products, and all facts tending to show whether the wells or mines can be successfully operated upon the royalty or rental fixed in the lease. Where the application is for a reduction in royalty full information shall be furnished as to whether royalties or payments out of production are paid to others than the United States, the amounts so paid and efforts made to reduce them. The applicant must also file agreements of the holders of the lease and of the royalty holders to a permanent reduction of all other royalties from the leasehold to an aggregate not in excess of one-half the Government royalties.

§ 191.26 *Suspension of operations and production and suspension of rental payments.* When the Secretary of the Interior in the interest of conservation directs or assents to the suspension of all operations and production on any lease issued under the act no payment of acreage rental or minimum royalty prescribed in the lease is required during such period of suspension. Any such suspension if granted shall be effective beginning with the first day of the lease month following the date of filing of written application for such suspension in triplicate in the office of the oil and gas supervisor for oil and gas leases and the mining supervisor for all other mineral leases, and ending with the first day of the lease month in which relief is terminated in writing by the Secretary of the Interior or the respective supervisor. Where rentals have been paid in advance proper credit will be allowed on the next rental or royalty payment due under the lease. Complete information must be furnished showing the necessity for suspension of operation and production in the interest of conservation.

As to oil and gas leases, no suspension of operations and production and consequent suspension of rentals will be granted on any lease in the absence of a well capable of production on the leasehold except where the Secretary directs a suspension of operations in the interest of conservation.

The term of a lease shall be extended by adding thereto any period of suspension of operations and production assented to or directed by the Secretary of the Interior.

The minimum annual production requirements of a lease issued under the act for coal, phosphate, potassium, sodium or oil shale shall be proportionately reduced for that portion of a lease year for which suspension of operations and production is directed or granted by the Secretary of the Interior in the interest of conservation.

§ 191.27 *Applicability of relief.* The relief authorized under §§ 191.25 and 191.26 may also be obtained for any oil and gas leases included within an approved unit or cooperative plan of development and operation.

LEASING OF MINERALS DEVELOPED BY GOVERNMENTAL AGENCY TO AID IN PROSECUTING WORLD WAR II

§ 191.40 *Leases to Governmental agency or its assigns.* Except as otherwise provided by law, any mineral deposits (other than for oil and gas) and public lands containing such deposits which are subject to disposition under the provisions of the act, the production from which has been used by any Federal agency in connection with the prosecution of World War II, may be leased to the agency controlling the facilities using such production, or to any purchaser or lessee of such facilities, by negotiation, or by requiring the agency, its purchaser or lessee to meet the highest competitive bid received under sealed bids for such lease.

FRED W. JOHNSON,
Acting Director.

Approved: October 28, 1946.

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

AFFIDAVIT OF JUSTIFICATION

Form 4–215

(To be furnished by individual sureties)

State of _____
County of _____, *ss:*

1. _____,
(Name of surety)

of _____, _____,
(City or town) (State)

do hereby swear that I am the same person who appears as individual surety on the bond furnished in connection with application

_____ _____,
(Land office) (Serial number)

filed by _____,
(Name of applicant)

that I am worth in real property not exempt from execution double the sum specified in the undertaking, over and above my just debts and liabilities; that the real property is situated in _____,
(City or town)

_____, and is valued at $_____;
(State)

that said real property is unencumbered by mortgage, lien or otherwise, except in the sum of $_____; that I am not a surety
(Amount)

on other bonds to the United States, except in the sum of $_____, filed in the cases
(Amount)

of _____,
(Land office)

_____, _____,
(Serial number) (Names of principals)

_____.

_____

Subscribed and sworn to before me this _____ day of _____, nineteen hundred and _____, at _____.

[SEAL] _____

CERTIFICATE OF COMPETENCY

(To be furnished by a judge or clerk of a court of record, a United States District Attorney, a United States Commissioner, or a United States Postmaster

STATE OF _____,
County of _____,
I, _____, _____
(Name) (Title)
do hereby certify that _____,
and _____ who appear as sureties
on the bond of _____
(Name of applicant)
are known to me personally, and that each is a resident of the State and the United States Judicial District in which (the land is located), or (the principal resides), and that each is worth, in real property not exempt from execution double the sum specified in the undertaking, over and above his just debts and liabilities, and that the signatures appearing on the bond and affidavits of justification are in fact the signatures of said parties.

(Date) _____, 19____.

_____
(Signature)

_____
(State)

_____
(City or town)

STIPULATION

The lands embraced in my application, filed under the mineral leasing act of February 25, 1920 (41 Stat. 437), as amended, being within a national forest, I hereby consent to the following stipulation:

"If permittee or lessee shall construct any camp on the land, such camp shall be located at a place approved by the forest supervisor, and such forest supervisor shall have authority to require that such camp be kept in a neat and sanitary condition. This requirement is subject to the permittee's or lessee's right of appeal to the Secretary of the Interior in case he disagrees with the forest supervisor."

_____
(Applicant)

Form 4–467

SEC. 10. The lessee agrees to maintain, if required by the lessor during the period of this lease, including any extension thereof, an additional bond, with qualified sureties in such sum as the lessor, if it considers that the bond required under sec. 2 (a) is insufficient, may at any time require: (a) to pay for damages sustained by any reclamation homestead entryman to his crops or improvements caused by drilling or other operations of the lessee, such damages to include the reimbursement of the entryman by the lessee, when he uses or occupies the land of any homestead entryman, for all construction and operation and maintenance charges becoming due during such use or occupation upon any portion of the land so used and occupied; (b) to pay any damage caused to any reclamation project or water supply thereof by the lessee's failure to comply fully with the requirements of sec. 11 of this lease; (c) to recompense any non-mineral applicant, entryman, purchaser under the act of May 16, 1930 (46 Stat. 367), or patentee for all damages to crops or to tangible improvements caused by drilling or other prospecting operations, where any of the lands covered by this lease are embraced in any non-mineral application, entry or patent under rights initiated prior to the date of this lease, with a reservation of the oil deposits, to the United States pursuant to the act of July 17, 1914 (38 Stat. 509).

SEC. 11. As to any lands covered by this lease within the area of any Government reclamation project or in proximity thereto, the lessee shall take such precautions as required by the Secretary to prevent any injury to the lands susceptible of irrigation under such project or to the water supply thereof: *Provided*, That drilling is prohibited upon any constructed works or right of way of the Bureau of Reclamation: *And provided further*, That there is reserved to the lessor, its successors and assigns, the superior right at all times to construct and operate and maintain reclamation works in which construction, operation, and maintenance the lessor, its successors and assigns, shall have the right to use any or all of the lands herein described without making compensation therefor, and shall not be responsible for any damage from the presence of water thereon or on account of ordinary, extraordinary, unexpected or unprecedented floods; and nothing shall be done under this lease to increase the cost of or interfere in any manner with the construction or operation and maintenance of such works.

Form 4–467 (a)

SEC. 3 (g). There is reserved to the lessor, its successors and assigns, the prior right to use any of the lands herein leased, to construct, operate, and maintain dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, and appurtenant irrigation structures, and also the right to remove construction materials therefrom, without any payment made by the lessor or its successors for such right, with the agreement on the part of the lessee that if the construction of any or all of such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands or the removal of construction materials therefrom, should be made more expensive by reason of the existence of improvements or workings of the lessee thereon, such additional expense is to be estimated by the Secretary of the Interior, whose estimate is to be final and binding upon the parties hereto, and that within thirty days after demand is made upon the lessee for payment of any such sums, the lessee will make payment thereof to the United States or its successors constructing such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands or removing construction materials therefrom. The lessee further agrees that the lessor, its officers, agents, and employees and its successors and assigns shall not be held liable for any damage to the improvements or workings of the lessee resulting from the construction, operation, and maintenance of any of the works hereinabove enumerated. Nothing contained in this paragraph shall be construed as in any manner limiting other reservations in favor of the lessor contained in this lease.

Form 467 (b)

SEC. 12. To insure against the contamination of the waters of the _____ Reservoir, _____ Project, State of _____, the lessee agrees that the following further conditions shall apply to all drilling and operations on lands covered by this lease, which lie within the flowage or drainage area of the _____ Reservoir, as such area is defined by the Bureau of Reclamation:

(a) The drilling sites for any and all wells shall be approved by the Superintendent, Bureau of Reclamation, _____ Project, _____ before drilling begins. Sites for the construction of pipe line rights of way or other authorized facilities shall also be approved by the Superintendent before construction begins.

(b) All drilling or operating methods or equipment shall, before their employment, be inspected and approved by the Superintendent of the _____ Project, _____, and by the Supervisor of the U. S. Geological Survey having jurisdiction over the Area.

Remittance Letter Submit three copies

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Manager, District Land Office,

_____

_____
(Mail address)

_____ _____
(City) (State)

_____
(Date)

SIR: Transmitted herewith is check, draft, or money order No. _____ payable to the Treasurer of the United States in the amount of $_____ in payment of rental, and royalties accruing from production on the following lease(s) for the month(s) of _____. If this remittance covers the payment of charges for compensatory royalty (loss of royalty through drainage) that part of such remittance is entered separately in the appropriate column and noted compensatory royalty.

Land office and serial No.	Oil	Gas	Gasoline	Butane and other liquid products	Rental	Total for each lease
	$____	$____	$____	$____	$____	$____
Grand total...						

Very truly yours,

Payor_____

By_____

Sign all three copies

Submit in triplicate

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Manager, District Land Office.

_____
(Street address)

_____ _____
(City) (State)

_____
(Date)

SIR: Enclosed herewith is check, draft, or money order payable to the Treasurer of the

United States, in the amount of $_____ on account of prospecting permit or lease identified hereon and for the items enumerated below:

Annual rental_____ $_____
Royalty on production_____ _____
Royalty under minimum production requirement (sec. 21)_____ _____

Total_____ $_____

Very truly yours,

_____
(Lessee or permittee)

_____ {lease. permit.
(Kind of mineral)

_____
(Land office serial number)

[F. R. Doc. 46-19763; Filed, Oct. 31, 1946; 8:45 a. m.]

PART 192—OIL AND GAS LEASES

GENERAL PROVISIONS

COOPERATIVE CONSERVATION PROVISIONS

ISSUANCE OF LEASES

RENTALS AND ROYALTIES

BONDS

CONTINUATION OR EXTENSION OF LEASES

ASSIGNMENTS OR TRANSFERS

TERMINATION OF LEASES

AUTHORITY: §§ 192.1 to 192.161, inclusive, issued under 41 Stat. 450, 30 U. S. C. 189, act of August 8, 1946 (Public Law 696, 79th Congress).

The following text is substituted for Part 192: [1]

GENERAL PROVISIONS

§ 192.1 *Applicability of amendatory act to existing leases.* Prior to the filing of the notice of election hereinafter referred to, the act of August 8, 1946 (Public Law 696, 79th Congress) applies to leases issued prior to the date of that act only where the amendatory act so provides. The owner of any lease issued prior to August 8, 1946, may elect pursuant to section 15 of the act to come entirely under the provisions of that act by filing on or before December 31, 1948, together with the consent of surety if there be a bond on the lease, a notice of election to have his lease governed by the amendatory act. A notice of election so filed shall constitute an amendment of all provisions of the lease to conform with the provisions of the amendatory act and the regulations issued thereunder. No right of election, however, will be recognized if not exercised within the time specified.

§ 192.2 *Helium.* The ownership of and the right to extract helium from all gas produced from lands leased or otherwise disposed of under the act have been reserved to the United States. Appropriate provision is made in leases with respect to the recovery of helium.

§ 192.3 *Acreage limitations on leases.* No person, association, or corporation, except as in the act provided, may hold more than 15,360 acres in any one state, whether directly through the ownership of leases or interests in leases, or indirectly as a member of an association, or associations, or as a stockholder of a corporation, or corporations, holding leases or interests therein or both. All leases committed to any unit or cooperative plan approved or prescribed by the Secretary of the Interior and all operating, drilling, or development agreements approved under section 17 (b) of the act, other than communitization agreements, and all leases issued under sections 18 and 19 of the act shall not be included in computing accountable acreage under section 27 of the act.

In computing acreage holdings or control, the accountable acreage of a party owning an undivided interest in a lease shall be such party's proportionate part of the total lease acreage. Likewise, the accountable acreage of a party owning an interest in a corporation or association shall be his proportionate part of the corporation's or association's accountable acreage. Parties owning a royalty or other interest determined by or payable out of a percentage of production from a lease will be charged with a similar percentage of the total lease acreage.

No lease will be issued and no assignment will be approved until it has been shown pursuant to the requirements of § 192.42 (b) and (c) that the lessee or assignee is entitled to hold the acreage. Any party found to hold or control accountable acreage computed in accordance with the principles above set forth in excess of the prescribed limitations shall be given thirty days within which to file proof of the reduction of his holdings or control so as to conform with the prescribed limitation.

§ 192.4 *Acreage limitations on options.* (a) Acreage held under a nonrenewable option, valid only for two years or such longer period as may be authorized by the Secretary, for the purpose of geological or geophysical exploration, shall not be chargeable under § 192.3, but no optionee, except as permitted by the act of August 8, 1946, may hold options at any one time for more than 100,000 acres in any one State.

(b) No such option shall be taken for more than two years without the prior approval of the Secretary of the Interior. Where it is sought to obtain such options for a period of more than two years, an application should be filed with the Director, Bureau of Land Management, accompanied by a complete showing as to the special or unusual circumstances which are believed to justify approval of the application by the Secretary.

(c) Within the meaning hereof, the term of any such option taken upon a lease not then issued shall be considered to begin as of the date of the lease.

(d) It shall be permissible for any such option to provide that where all or

[1] Leases heretofore issued until an election is filed as provided for in the regulations in this part shall continue to be governed by the pertinent provisions of the regulations in this part heretofore in force as well as by the regulations in this part to the extent that they are applicable.

any part of the land covered thereby is included in a cooperative or unit plan (as defined in § 192.20) duly executed by the parties and submitted to the Secretary for final approval prior to the expiration of the two-year option period, then, as to that part of the land covered by said option which is included in said cooperative or unit plan, such option shall not expire until a date 30 days after the date of final approval or disapproval by the Secretary of that cooperative or unit plan.

(e) No acreage shall be chargeable under options taken prior to June 1, 1946, on which geological or geophysical exploration has been actually made if exercised prior to August 9, 1948, except as against the 100,000 acre limitation referred to in paragraph (a) of this section, but no such option not so exercised will be recognized by the Department, thereafter, for any purpose.

(f) Each optionee must file with the Director, Bureau of Land Management, within 90 days after December 31 and June 30 of each year, commencing with the year ending December 31, 1946, a statement under oath showing as of the prior December 31 and June 30, respectively, (1) name of optionor and serial number of lease or application for lease subject to the option, (2) date and expiration date of each option, (3) number of acres covered by each option, and (4) aggregate number of options held in each state and total acreage thereof.

(g) If the statement shows or it is otherwise ascertained that the optionee holds options in excess of the prescribed limitation, he will be given 30 days within which to file proof of reduction of his option holdings to the limitations prescribed by the act.

§ 192.5 *Lands within one mile of naval petroleum or helium reserves.* No application for an oil and gas lease under the act will be granted for land within one mile of the exterior boundaries of a naval petroleum or a helium reserve, unless the land is being drained of its oil or gas deposits or helium content by wells on privately owned land or unless it is determined by the Secretary, after consultation with the head of the agency exercising jurisdiction over the reserve, that operations under such a lease will not adversely affect the reserve through drainage from known productive horizons.

§ 192.6 *Boundaries of known geologic structures and productive limits of producing oil or gas fields and deposits.* The Director of the Geological Survey will determine the boundaries of the known geologic structures of producing oil or gas fields and, where necessary to effectuate the purposes of the act, the productive limits of producing oil or gas deposits as such limits existed on August 8, 1946. Maps or diagrams showing the boundaries of known geologic structures of producing oil or gas fields and of the productive limits of producing oil or gas deposits will be placed on file in the appropriate district land office, and office of the oil and gas supervisor. Any lessee or his operator may apply to have a determination made as to whether or not the land upon which he intends to drill a well is inside or outside the productive limits of a producing oil or gas deposit. The application should be accompanied by all available geologic data which in his opinion have a bearing on the matter.

§ 192.7 *Agreements to compensate for drainage.* Upon a determination by the Director of the Geological Survey that lands owned by the United States are being drained of oil or gas by wells drilled on adjacent lands, the Director, Bureau of Land Management, may execute agreements with the owners of adjacent lands whereby the United States, or the United States and its lessees, shall be compensated for such drainage, such agreements to be made with the consent of any lessee affected thereby. The precise nature of any agreement will depend on the conditions and circumstances involved in the particular case.

§ 192.8 *Protection of leased lands from drainage.* Where land in any lease is being drained of its oil or gas content by well either on a Federal lease issued at a lower rate of royalty or on land not the property of the United States, the lessee must drill and produce all wells necessary to protect the leased lands from drainage. In lieu of drilling such wells, the lessee may, with the consent of the Director of the Geological Survey, pay compensatory royalty in the amount determined in accordance with 30 CFR sec. 221.21.

A period equal to that for which compensatory royalty is paid in lieu of drilling on any Federal lease under this or the preceding section shall be added to its primary term where there is no producing well on the lease. For such purpose the primary term of a noncompetitive lease means the initial five year term and the single extension of five years authorized by section 17 of the act.

COOPERATIVE CONSERVATION PROVISIONS

§ 192.20 *Cooperative or unit plans.*[2] The act authorizes lessees and their representatives to unite with each other, or jointly or separately with others, in collectively adopting and operating under a cooperative or unit plan of development or operation of any oil or gas pool, field, or like area, or any part thereof (whether or not any part of such pool, field, or like area is then subject to any cooperative or unit plan of development or operation). The agreement must be for the purpose of more properly conserving the natural resources of any such oil or gas pool, field, or area covered thereby and must be determined and certified by the Secretary of the Interior to be necessary or advisable in the public interest. The Secretary, with the consent of the lessees, is authorized to establish, alter, change or revoke drilling, producing, rental, minimum royalty, and royalty requirements of the leases and to make such regulations with reference to such leases as he may deem necessary or proper to secure the protection of the public interest. All leases committed to any unit or cooperative plan approved or prescribed by the Secretary of the Interior shall be excepted in determining acreage charges.

§ 192.21 *Application for approval of plan.* The procedure in obtaining approval of a cooperative or unit plant of development including suggested text of an agreement acceptable to the Department is contained in 30 CFR Part 226, "Unit or Cooperative Agreement". All applications to unitize and all documents incident thereto shall be filed in the office of the oil and gas supervisor, Geological Survey, for the region in which the unit area is situated.

§ 192.22 *Communitization or drilling agreements.* The Secretary is authorized when separate tracts under lease cannot be independently developed and operated in conformity with an established well-spacing or well-development program, to approve communitization or drilling agreements for lease or any portion thereof with other lands, whether or not owned by the United States, when in the public interest. Operations or production pursuant to such an agreement shall be deemed to be operations or production as to each lease committed thereto.

Preliminary requests to communitize separate tracts shall be filed in triplicate with the oil and gas supervisor and executed agreements shall be submitted in sufficient number to permit retention of five copies by the Department after approval.

The agreement shall describe the separate tracts comprising the drilling or spacing unit, shall show the apportionment of the production or royalties to the several parties and the name of the operator, and shall contain adequate provisions for the protection of the interests of all parties, including the United States. The agreement must be signed by or in behalf of all necessary parties and will be effective only after approval by the Secretary of the Interior as provided therein.

§ 192.23 *Approval of operating, drilling or development contracts without regard to acreage limitations.* The authority of the Secretary to approve operating, drilling, or development contracts without regard to acreage limitations ordinarily will be exercised only to permit operators or pipe-line companies to enter into contracts with a number of lessees sufficient to justify operations on a large scale for the discovery, development, production, or transportation of oil or gas and to finance the same.

A contract submitted for approval under this provision should be filed with the Director, Bureau of Land Management, together with enough copies to permit retention of 5 copies by the Department after approval. It should be accompanied by a statement showing all the interests held by the contractor in the area or field and the proposed or agreed plan of operation or development of the field. All the contracts held by the same contractor in the area or field should be submitted for approval at the same time, and full disclosure of the project made. Complete details must be furnished in order that the Secretary may have facts upon which to make a definite determination in accordance

[2] For the extension of leases committed to a unit plan, see § 192.122.

with the provisions of the act, and prescribe the conditions on which approval of the contracts is made.

§ 192.24 *Combinations for joint operation of refinery, or for transportation of oil.* Upon obtaining the approval of the Secretary, lessees may combine their interests in leases for the purpose of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipe line or lines of railroads to be operated and used by them jointly in the transportation of oil from their several wells or from the wells of other lessees, or to increase the acreage which may be acquired or held under the provisions of section 17 of the act relating to competitive leases. An application under this section, together with enough copies to permit retention of 5 copies by the Department after approval, should be filed with the Director, Bureau of Land Management. The application must show a reasonable need for the combination and that it will not result in any concentration of control over the production or sale of oil and gas which would be inconsistent with the anti-monopoly provisions of the law.[3]

§ 192.25 *Subsurface storage of oil or gas.* In order to avoid waste or to promote conservation of natural resources, the Secretary of the Interior, upon application by the interested parties, may authorize the subsurface storage of oil or gas, whether or not produced from federally owned lands, in lands leased or subject to lease under the act. Such authorization will provide for the payment of such storage fee or rental on the stored oil or gas as may be determined adequate in each case, or, in lieu thereof, for a royalty other than that prescribed in the lease when such stored oil or gas is produced in conjunction with oil or gas not previously produced. Any lease used for the storage of oil or gas shall be extended for the period of such storage and so long thereafter as oil or gas not previously produced is produced in paying quantities.

Applications for subsurface storage shall be filed in triplicate with the oil and gas supervisor and shall disclose the ownership of the lands involved, the parties in interest, the storage fee, rental, or royalty offered to be paid for such storage and all essential information showing the necessity for such project. Enough copies of the final agreement signed by the parties in interest shall be submitted for the approval of the Secretary to permit retention of 5 copies by the Department after approval.

ISSUANCE OF LEASES

§ 192.40 *Classes and term.* All lands subject to disposition under the act which are known or believed to contain oil or gas may be leased by the Secretary of the Interior. When within the known geologic structure of a producing oil or gas field, such land may be leased only by competitive bidding and in units of not exceeding 640 acres to the highest responsible qualified bidder at a royalty of not less than 12½ percent. Leases for not to exceed 2,560 acres, in reasonably compact form, may be issued for all other land subject to the act to the first qualified applicant at a royalty of 12½ percent. Hereafter, all leases, except those issued as renewals of 20 year leases, will be issued for a primary term of five years and so long thereafter as oil or gas is produced in paying quantities.

§ 192.41 *Leases for lands wholly or partly within unit areas.* Before issuance of an oil and gas lease for lands within an approved unit agreement, the lease applicant or successful bidder will be required to file evidence that he has entered into an agreement with the unit operator for the development and operation of the lands in his lease under and pursuant to the terms and provisions of the approved unit agreement, or a statement giving satisfactory reasons for the failure to enter into such agreement. If such statement is acceptable he will be permitted to operate independently but will be required to conform to the terms and provisions of the agreement with respect to such operations.

In case an application for lease embracing lands partly within and partly without the exterior boundaries of a unitized area is found allowable, separate leases will be issued, one embracing the lands within the unit area, and one the lands outside of such area.

A. Noncompetitive Leases

§ 192.42 *Applications for noncompetitive leases.* Applications for noncompetitive leases may be filed in the proper district land office or, for lands or deposits in States in which there is no district land office, in the Bureau of Land Management, addressed to the Director of the Bureau of Land Management. All applications must be accompanied by the filing fee prescribed in § 191.11 of this chapter, and at least one-half of the first year's rental. Any application not accompanied by the minimum fee and rental payment will be rejected. No specific form of application is required and no blanks will be furnished. An application executed by an attorney in fact must be accompanied by the power of attorney and the applicant's own statement[4] as to his citizenship and acreage holdings. Proof of the authority of the officer who makes application on behalf of a corporation must be furnished.

The application must contain in substance the following:

(a) The applicant's name and address.

(b) A statement as to citizenship: In case of an individual, whether native-born or naturalized and, if naturalized, date of naturalization, court in which naturalized, and number of certificate, if known; if a woman, whether she is married or single; if married, the date of her marriage and the citizenship of her husband; if a corporation, by certified copy of the articles of incorporation and a showing as to residence and citizenship of the stockholders; if 20 percent or more of the stock of any class is owned or controlled by any one stockholder, a separate showing of his citizenship and holdings. In case any of the stock of the corporation is held by aliens, a showing is required giving, to the extent reasonably ascertainable, the name, the country to which each owes allegiance and the amount of stock held by each.

(c) A statement of the interests, direct and indirect, held by the applicant in oil and gas leases, and applications therefor on public lands in the same State, identifying by serial number the records wherein such interests may be found.

(d) Description of the lands for which a lease is desired, describing the lands by legal subdivisions or, if unsurveyed, by metes and bounds description connected with a corner of the public surveys by courses and distances.

(e) A statement that the applicant is ready upon demand to pay the remainder of the rental and to furnish such bond or bonds as may be required under the lease or regulations.

Where any required information or statements are already on file with the Department, the showing required by the regulations of this part may to that extent be made by appropriate reference to the information or statements already on file.

§ 192.43 *Simultaneous applications for lands in canceled leases and permits.* Where oil and gas leases are canceled involving lands not within a known geologic structure of a producing oil or gas field, the cancellation will be noted on the tract book as effective at 9 o'clock a. m. on the tenth business day after such notation, and notice of the opening, including the land description, will be posted in a conspicuous place in the district land office during the 10 day period.

Conflicting applications filed by mail or otherwise after the notice is posted and prior to the hour of opening will be considered as filed simultaneously; and their priority will be determined by a public drawing following the procedure prescribed in § 295.8 (d) of this chapter, except as hereinafter otherwise provided.

Each applicant will be notified of the date and hour of the drawing and required within 15 days to pay a drawing fee of $10 and to furnish a statement that the application is filed solely on his own behalf and not for any other person, association, or corporation, either in whole or in part. If any applicant fails to comply with the requirements, his application will not be entered in the drawing but will be rejected without further notice. If only one applicant complies with the requirements of this paragraph, no drawing will be held and the fee will be returned.

§ 192.44 *Form of lease.* Noncompetitive leases will be executed on Form 4–213 and the rentals and royalties pay-

[3] Rights-of-way for oil and gas pipe lines may be granted as provided for in §§ 244.56 to 244.61 of this chapter.

[4] Title 18 U. S. C. sec. 80 makes it a crime for any person knowingly or willfully to submit or cause to be submitted to any agency of the United States any false or fraudulent statement as to any matter within its jurisdiction.

able thereunder will be set forth in Schedule A affixed thereto and made a part thereof.

B. Competitive Leases

§ 192.50 *Designation and offer of lands for lease by competitive bidding.* The lands and deposits subject to disposition under the act which are within the known geologic structure of a producing oil or gas field will be divided into leasing blocks or tracts in units of not exceeding 640 acres each, which shall be as nearly compact in form as possible, and offered for lease at a royalty and rental to be specified in the notice of sale, to the qualified person who offers the highest bonus by competitive bidding either at public auction, or by sealed bids as provided in the notice of sale.

§ 192.51 *Notice of lease offer.* Notice of the offer of lands for lease will be by publication once a week for five consecutive weeks, or for such other period as may be deemed advisable, in a newspaper of general circulation in the county in which the lands or deposits are situated, or in such other publications as the Director, Bureau of Land Management may authorize. The notice will be published at the expense of the Government. A copy of the notice will be posted in the district land office during the period of publication. Such notice will set the day and hour of sale and will state whether the lease is offered by sealed bids or at public auction. If by public auction, the offer will be made at the land office of the district in which the lands are situated, or at such other place as may be fixed in the notice. If by sealed bids, full information will be given as to how and when bids are to be submitted. All bidders are warned against violation of the provisions of section 59 of the United States Criminal Code, approved March 4, 1909 (35 Stat. 1099; 18 U. S. C. 113), prohibiting unlawful combination or intimidation of bidders.

§ 192.52 *Qualifications of successful* bidder. The successful bidder at a sale by public auction must deposit with the manager of the district land office or other officer conducting the sale on the day of sale, and each bidder, if the sale is by sealed bids, must submit with his bid the following: Certified check on a solvent bank, money order, or cash, for one-fifth of the amount bid by him; proof of citizenship as required in § 192.42 (b) and a statement of interests held in leases and applications therefor as required in § 192.42 (c).

§ 192.53 *Award of lease.* Following receipt of the report of the auction from the manager, or the opening of the sealed bids, the Director, subject to his right to reject any or all bids, will award the lease to the successful bidder. Notice of his action will be forthwith transmitted to the interested parties through the local office. If the lease be awarded, three copies of the lease will be sent to the successful bidder and he will be required within 30 days from receipt thereof to execute them, pay the balance of his bonus bid, the first year's rental, and file a bond as required in § 192.100. If any bid be rejected, the deposit will be returned. If a bidder, after being awarded a lease, fails to execute it or otherwise comply with the applicable regulations, his deposit will be forfeited and disposed of as other receipts under this act.

If two or more units are awarded to any bidder, such units, where the acreage does not exceed 640 acres, may be included in a single lease if circumstances warrant.

§ 192.54 *Form of lease.* Competitive leases will be issued on Form 4–213 and the rentals and royalties payable thereunder will be set forth in Schedule "B" affixed thereto and made a part thereof.

C. Exchange and Renewal Leases

§ 192.60 *Application to exchange lease for a new lease.* Any lease which issued for a term of 20 years, or any renewal thereof, or which issued in exchange for a 20-year lease prior to August 8, 1946, may be exchanged for a new lease. Such new lease will be issued for a primary term of 5 years and so long thereafter as oil or gas is produced in paying quantities and will contain the rental and royalty rates prescribed in §§ 192.80, 192.81 and 192.82. An application to exchange a lease for a new lease should be filed in triplicate by the lessee with the manager of the appropriate district land office and must show full compliance by the applicant with the terms of the lease and applicable regulations.

§ 192.61 *Application for renewal.* Twenty year leases or renewals thereof may be renewed for successive terms of 10 years at the rental and royalty rates specified for such renewal leases in §§ 192.80, 192.81 and 192.82. An application to renew should be filed in triplicate with the manager of the district land office in which the leased land is located or if in a State in which there is no district land office, in the Bureau of Land Management at least 90 days, but not more than six months, prior to the expiration of its term. Such application should be made by the record title holder or holders of the lease and may be joined in or consented to by the operator of record. The application should show whether all moneys due the United States have been paid and whether operations under the lease have been conducted in accordance with the regulations of the Department.

The applicant or his operator shall furnish in triplicate with the application for renewal, copies of all agreements not theretofore filed providing for overriding royalties or other payments out of production from the lease which will be in existence as of the date of its expiration. When such payments, including overriding royalties, are in excess of 5 per cent of gross production a detailed statement of the income from and costs of operation of the lease for the twelve month period immediately preceding the month in which the application for renewal is filed must also be furnished.

§ 192.62 *Action on application.* If the outstanding obligations in excess of five per cent of gross production payable from production do not constitute a burden on the lease prejudicial to the interests of the United States, they will not be considered a bar to its renewal but any leave that may be issued will be upon the condition, to be incorporated in the lease, that if and when the costs of operations, including the payment of overriding royalties or payments out of production, shall be determined by the Director, Bureau of Land Management, to constitute such a burden such royalties and payments shall be reduced to not more than 5 per cent of the value of the production. If no objection to the renewal of the lease appears, copies of a renewal lease, in triplicate, dated the first day of the month in which the original lease terminated, will be forwarded to the lessee for execution. If upon receipt of the executed lease forms and a satisfactory lease bond, the lease is executed, one copy thereof will be delivered to the lessee.

If a determination is made that overriding royalties and payments out of production in excess of 5 per cent of gross production constitute a burden on lease operations to the extent that proper and timely development will be retarded, or continued operation of the lease impaired, or premature abandonment of the wells caused, the lease application will be suspended and the parties in interest will be offered an opportunity to reduce the excessive overriding royalties or other payments out of production to not more than 5 per cent of the value of the production. If the holders of outstanding overriding royalty or other interests payable out of production, the operator, and the lessee are unable to enter into a mutually fair and equitable agreement, any of the parties may apply for a hearing at which all interested parties may be heard and written statements presented. Thereupon a final decision will be rendered by the Department outlining the conditions acceptable to it as a basis for a fair and reasonable adjustment of the excessive overriding royalties and other payments out of production, and an opportunity will be afforded within a fixed period of time to submit proof that such adjustment has been effected. Upon failure to submit such proof within the time so fixed, the application for renewal will be denied.

§ 192.63 *Form of lease.* Renewal and exchange leases will be issued on Form 4–213. The rentals and royalties payable thereunder will be set out on Schedule C or D as may be appropriate, which schedule is attached thereto and made a part thereof.

D. Leases on Patented or Entered Land

§ 192.70 *Preference right of patentee or entryman to a lease.* An entryman or patentee who made entry prior to February 25, 1920, or an assignee of such entryman or a vendee of such patentee if the assignment or conveyance was made prior to January 1, 1918, for lands not withdrawn or classified or known to be valuable for oil and gas at date of entry shall be entitled, if the entry or patent is impressed with a reservation of the oil or gas, to a preference right to a lease for the land. A settler whose settlement was made prior to February 25, 1920, on

land in the same status but which has since been withdrawn, classified or is known to contain oil or gas, also has such a preference right.

Any applicant for a lease to lands owned, entered or settled upon as stated above must notify the person entitled to a preference right of the filing of the application and of the latter's preference right for 30 days after notice to apply for a lease. If the party entitled to a preference right files a proper application within the 30 day period he will be awarded a lease, but if he fails to do so, his rights will be considered to have terminated.

§ 192.71 *Lands in entries or claims not impressed with a reservation of oil and gas.* Where an application is filed to lease lands in an entry or settlement claim not impressed with an oil or gas reservation, the application will be rejected unless it is found that the land is prospectively valuable for oil or gas. An applicant for a lease for land already embraced in a nonmineral entry without a reservation of the mineral, and likewise a nonmineral entryman or settler who is contending that the land is nonmineral in character should submit with their respective applications or showings as complete and accurate geologic data as may be procurable, preferably the reports and opinions of qualified experts.

Should the land be found to be prospectively valuable for oil or gas, the entryman or settler will be required to consent to a reservation of the oil or gas to the United States or to contest the mineral finding. If he does neither the entry will be canceled or his settlement rights denied. If he consents, or contests the finding and is unsuccessful, a lease will be granted to the applicant, unless the entryman or settler has a preference right, but if the entryman or settler prevails in a contest, the application will be rejected.

§ 192.72 *Showing required of oil and gas applicants for unsurveyed lands.* Every applicant for oil and gas lease for unsurveyed lands, must state in his application that there are no settlers upon the land, or if there be settlers, give the name and post office address of each and a description of the lands claimed, by metes and bounds and approximate legal subdivisions.

RENTALS AND ROYALTIES

§ 192.80 *Rentals.* Rentals shall be payable in advance at the following rates:

(a) On noncompetitive leases issued under section 17 of the act, wholly outside of the known geologic structure of a producing oil or gas field:

(1) For the first lease year, 50 cents per acre.

(2) For the second and third lease years, no rental.

(3) For the fourth and fifth years, 25 cents per acre.

(4) For the sixth and each succeeding year, 50 cents per acre.

(b) On leases wholly or partly within the geologic structure of a producing oil or gas field:

(1) If issued noncompetitively under section 17 of the act, and not committed to a unit plan, beginning with the first lease year after the expiration of thirty days notice to the lessee that all or part of the land is included in such a structure and for each year thereafter, prior to a discovery of oil or gas on the leased lands, rental of $1 per acre.

(2) If issued noncompetitively under section 17 of the act and committed to an approved cooperative or unit plan which includes a well capable of producing oil or gas and contains a general provision for allocation of production, for lands not within the participating area, an annual rental of 50 cents per acre for the first and each succeeding lease year following discovery.

(3) If issued competitively, an annual rental, prior to a discovery on the leased lands, of $1 per acre unless a different rate of rental is prescribed in the lease.

(c) On leases issued in any other way an annual rental of $1 per acre.

§ 192.81 *Minimum royalty.* On leases issued on or after August 8, 1946, and on those issued prior thereto if the lessee files an election under section 15 of the act of August 8, 1946, a minimum royalty of $1 per acre in lieu of rental, shall be payable at the expiration of each lease year after a discovery has been made on the leased lands, commencing with the lease year, beginning on or after the date of such discovery, except that on unitized leases the minimum royalty shall be payable only on the participating acreage. If the actual royalty paid during any year aggregates less than $1 per acre the lessee must pay the difference at the expiration of the lease year.

§ 192.82 *Royalty on production.* (a) On and after August 8, 1946, the following royalty rates shall be paid on the production removed or sold from leases:

(1) 12½ per cent on noncompetitive leases thereafter issued under section 17 of the act.

(2) Such rates as are prescribed in the notice of sale in the case of all leases thereafter issued by competitive bidding.

(3) 12½ per cent on all leases theretofore issued, except competitive leases, and on exchange and renewal leases thereafter issued, as to production from

(i) Land determined by the Director, Geological Survey, not to be within the productive limits of any oil or gas deposit on August 8, 1946.

(ii) An oil or gas deposit which was discovered after May 27, 1941, by a well or wells drilled within the boundaries of the lease and which is determined by the Director, Geological Survey, to be a new deposit.

(iii) Or allocated to a lease pursuant to an approved unit or cooperative agreement from an oil or gas deposit which was discovered on unitized land after May 27, 1941, and determined by the Director, Geological Survey, to be a new deposit, but only if at the time of discovery the lease or, in the case of an exchange lease, the lease for which it was exchanged was committed to the agreement or was included in a duly executed and filed application for approval of the agreement.

(4) From lands within exchange and renewal leases not subject to subparagraph (3) of this paragraph the rate of royalty shall be identical to that prescribed in the prior lease, except that for a lease issued in exchange for or as a renewal of a lease carrying a flat royalty rate of 5 per cent to the United States the royalty shall be as follows:

(i) When the average production of oil for the calendar month in barrels per well per day is:

Not over 110 the royalty shall be 12½%.
Over 110 but not over 130 the royalty shall be 18% of all production.
Over 130 but not over 150 the royalty shall be 19% of all production.
Over 150 but not over 200 the royalty shall be 20% of all production.
Over 200 but not over 250 the royalty shall be 21% of all production.
Over 250 but not over 300 the royalty shall be 22% of all production.
Over 300 but not over 350 the royalty shall be 23% of all production.
Over 350 but not over 400 the royalty shall be 24% of all production.
Over 400 the royalty shall be 25% of all production.

(ii) On gas, including inflammable gas, helium, carbon dioxide, and all other natural gases and mixtures thereof, and on natural or casinghead gasoline and other liquid products obtained from gas; when the average production of gas per well per day for the calendar month does not exceed 5,000,000 cubic feet, 12½ percent; and when the production of gas exceeds 5,000,000 cubic feet, 16⅔ percent of the amount or value of the gas and liquid products produced.

(5) In the case of competitive leases, and other leases theretofore issued, insofar as subparagraphs (3) and (4) of this paragraph are inapplicable, the rates specified in the lease.

(b) The average production per well per day for oil and for gas shall be determined pursuant to 30 CFR, Part 221, "Oil and Gas Operating Regulations."

(c) In determining the amount or value of gas and liquid products produced, the amount or value shall be net after an allowance for the cost of manufacture. The allowance for cost of manufacture may exceed two-thirds of the amount or value of any product only on approval by the Secretary of the Interior.

(d) The Secretary of the Interior may establish reasonable values for purposes of computing royalty on any or all oil, gas, natural gasoline, and other liquid products obtained from gas, due consideration being given to the highest price paid for a part or for a majority of production of like quality in the same field, to the price received by the lessee, to posted prices and to other relevant matters. In appropriate cases this will be done after notice to the parties and opportunity to be heard.

§ 192.83 *Limitation of overriding royalties.* No overriding royalty interests, whether in the form of payments out of production or otherwise, aggregating in excess of 5 per cent shall be created except in a lease where the royalty payable to the United States is less than 12½ per cent. In such a lease the total royalty including that payable to the Government shall not exceed 17½ per cent. Contracts for payments out of production will not be construed to create an overriding royalty obligation where they

provide that the obligation to make such payments shall be effective only during those periods when the average daily production from the lease is in excess of 15 barrels of oil per well per day.

BONDS

§ 192.100 *Amount of bonds required of lessee.* The succesful bidder for a competitive lease prior to the issuance of the lease must furnish a corporate surety bond in the sum of at least double the amount of the $1 per acre annual rental but in no case less than $1,000 nor more than $5,000, conditioned on compliance with all the terms of the lease, and such a bond must also be filed when all or any part of the land in a lease issued noncompetitively is included within the limits of a known geologic structure of a producing oil or gas field.

Until a general lease bond is filed a noncompetitive lessee will be required to furnish and maintain a bond in the penal sum of not less than $1,000 in those cases in which a bond is required by law for the protection of the owners of surface rights. In all other cases where a bond is not otherwise required, a $1,000 bond must be filed for compliance with the lease obligations not less than 90 days before the due date of the next unpaid annual rental, but this requirement may be successively dispensed with by payment of each successive annual rental not less than 90 days prior to its due date.

All leases shall provide that where a $5,000 bond is not already being maintained a general lease bond in the penal sum of $5,000 conditioned upon compliance with all lease terms covering the entire leasehold, shall be furnished by the lessee prior to the beginning of drilling operations. An operator or, if there is more than one operator covering different portions of the lease, each operator may furnish a $5,000 general lease bond in his own name as principal on the bond in lieu of the lessee. Where there are one or more operator's bonds affecting a single lease, each such bond must be conditioned upon compliance with all lease terms for the entire leasehold. Where a bond is furnished by an operator, suit may be brought thereon without joining the lessee if he is not a party to the bond.

Bonds shall be either corporate surety bonds or personal bonds except that bonds with individual sureties as provided in § 191.14 of this chapter may be furnished for the protection of the entryman or owner of surface rights. Personal bonds must be accompanied by a deposit of negotiable Federal securities in a sum equal at their par value to the amount of the bond and by a proper conveyance to the Secretary of full authority to sell such securities in case of default in the performance of the conditions of the lease bond.

§ 192.101 *Form of bonds.* Bonds furnished by lessees will be on form 4–208g; those furnished by operators on form 4–238.

CONTINUATION OR EXTENSION OF LEASE [8]

§ 192.120 *Single extension as to lands not in a production field.* The record title holder of any noncompetitive lease, as to which a notice of election has been filed pursuant to section 15 of the act of August 8, 1946, or which was issued after the passage of that act, maintained in compliance with the law and the regulations of this part, by filing his application therefor within the period of 90 days prior to the expiration date of the lease, may obtain a single extension of the primary term of the lease for additional five years, unless then otherwise provided by law, as to all of the leased lands or any legal subdivision thereof which, on the expiration date of the lease, are not within the known geologic structure of any producing oil or gas field or have not been withdrawn from leasing. A withdrawal, however, will prevent an extension only (a) if notice thereof was mailed to the lessee by registered mail at least 90 days prior to the expiration date of the lease and (b) if actual drilling operations on the leased lands were not commenced prior to the effective date of such withdrawal, or, if so commenced, have not been diligently prosecuted until and including such expiration date.

§ 192.121 *Continuation of lease as to lands within producing fields and on termination of production.* (a) Any noncompetitive lease or portion thereof which is not subject to a single extension of five years solely because the lands are within the known geologic structure of a producing oil or gas field at the date of expiration of the primary term of the lease shall continue in effect for a period of two years from the expiration date of the primary term of the lease where drilling operations are being diligently prosecuted on such date and, upon discovery, for so long thereafter as oil or gas is produced in paying quantities.

(b) Any lease issued under the act upon which production is had during its primary term or any extensions thereof, shall not terminate when the production ceases if diligent drilling operations are in progress on the leased land during the period of nonproduction.

§ 192.122 *Extension for term of cooperative or unit plan.* Any lease issued for a term of 20 years, or any renewal thereof, committed to a cooperative or unit plan approved by the Secretary of the Interior, or any portion of such lease so committed, shall continue in force so long as committed to the plan, beyond the expiration date of its primary term. This provision does not apply to that portion of any such lease which is not included in the cooperative or unit plan unless the lease was so committed prior to August 8, 1946.

Any other lease issued under any section of the act committed to any such plan that contains a general provision for the allocation of oil or gas shall continue in effect as to the land committed so long as the lease remains subject to the plan, provided oil or gas is discovered under the plan prior to the expiration date of the primary term of such lease.

§ 192.123 *Extension of lease eliminated from cooperative or unit plan or communitization or drilling agreement and of lease in effect at termination of such plan or agreement.* Any lease or portion thereof eliminated from any approved or prescribed cooperative or unit plan or from any communitization or drilling agreement authorized by the act, and any lease in effect at the termination of such plan or agreement, unless relinquished, shall continue in effect for the original term of the lease, or for two years after its elimination from the plan or agreement or the termination thereof, whichever is the longer, and so long thereafter as oil or gas is produced in paying quantities.

§ 192.130 *Preference right to a new lease.* Upon the expiration of its five year term the record title holder of a noncompetitive lease issued prior to August 8, 1946 and maintained in good standing, who has not filed a notice of election pursuant to section 15 of the act of August 8, 1946, may apply for a new lease for the same land pursuant to the provisions of section 1 of the act of July 29, 1942 (56 Stat. 726, 30 U. S. C. sec. 226b), provided the leased land is not then within the known geologic structure of a producing oil or gas field. Any lease issued under this section will be for a period of five years and so long thereafter as oil or gas is produced as provided in section 17 of the act and will be subject to the rules and regulations then in force.

To obtain such a new lease, the lessee must, within the period beginning 90 days prior to the date of expiration of the lease and ending on the date of expiration, submit an application in accordance with § 192.42, accompanied by a proper filing fee and the first year's rental of 50 cents per acre or fraction thereof.

ASSIGNMENTS OR TRANSFERS

§ 192.140 *Assignments or transfers of leases or interests therein.* Leases may be assigned or subleased as to all or part of the leased acreage and as to either a divided or undivided interest therein to any person or persons qualified to hold a lease. Subject to final approval by the Director, Bureau of Land Management, assignments or subleases shall take effect as of the first day of the lease month following the date of filing in the proper land office of all the papers required by §§ 191.141 and 192.142. No assignment will be approved if the assignee is not qualified to take and hold a lease or if his bond is insufficient. An assignment of a separate zone or deposit or of a part of a legal subdivision will not be approved unless the necessity therefor is established by clear and convincing evidence.

[8] For extension of lease (a) because of suspension of operations and production, see § 191.26 of this chapter; (b) by payment of compensatory royalty, see § 192.8; (c) committed to communitization or drilling agreement, see § 192.22; (d) used for subsurface storage, see § 192.25; (e) segregated by assignment, see § 192.144.

§ 192.141 *Requirements for filing assignments or transfers.* All instruments of transfer of a lease or of an interest therein, including assignments of record title, working, or royalty interests, operating agreements and subleases, must be filed for approval within 90 days from the date of final execution and must contain all of the terms and conditions agreed upon by the parties thereto, together with evidence of the qualifications of the assignee or transferee, consisting of the same showing required of a lease applicant by § 192.42 (b) and (c). If a bond is necessary, it must be furnished. Where an assignment does not create separate leases, the assignee, if the assignment so provides, may become a joint principal on the bond with the assignor. If any overriding royalty or payments out of production are created which are not shown in the instrument, a statement must be submitted describing them. Assignments of record title interests must be filed in triplicate. A single executed copy of all other instruments of transfer is sufficient.

The assignor or sublessor and his surety will continue to be responsible for the performance of any obligation under the lease until the assignment or sublease is approved. If the assignment or transfer is not approved, their obligations to the United States shall continue as though no such assignment or transfer had been filed for approval. After approval the assignee or sublessee and his surety will be responsible for the performance of all lease obligations notwithstanding any terms in the assignment or sublease to the contrary.

The lease account must be in good standing as to the area covered by the assignment when the assignment and bond are filed, or must be placed in good standing before approval will be given.

§ 192.142 *Separate assignments required for transfer of record title to leases.* A separate instrument of assignment must be filed for each oil and gas lease when transfers involve record titles. When transfers to the same person, association, or corporation, involving more than one oil and gas lease are filed at the same time for approval, one request for approval and one showing as to the qualifications of the assignee will be sufficient.

§ 192.143 *Effect of assignment of particular tract.* When an assignment is made of all or part of the record title to a portion of the acreage in a lease, the assigned acreage becomes segregated into a separate and distinct lease. The assignee becomes a lessee of the Government as to the segregated tract and is bound by the terms of the lease as though he had obtained the lease through an application filed in his own name and the assignment after its approval will be the basis of a new record.

§ 192.144 *Extension of leases segregated by assignment.* (a) Any lease segregated by assignment, including the retained portion, shall continue in effect for the primary term of the original lease, or for two years after the date of discovery of oil or gas in paying quantities upon any other segregated portion of the original lease, whichever is the longer period.

(b) Undeveloped parts of leases assigned out of leases which are in their extended term because of production shall continue in effect for two years and so long thereafter as oil or gas is produced in paying quantities.

§ 192.145 *Royalty interests in oil and gas leases and assignments thereof.* Royalty interests in oil and gas leases constitute holdings or control of lands and deposits within the meaning of the first sentence of section 27 of the act. Assignments of such interest must be filed for record purposes in the appropriate district land offices accompanied by a showing by the assignees as to their citizenship and holdings in other oil and gas leases in the state. All assignments of royalty interests must be filed for the record, but only those of more than 1 percent will be approved and then only after discovery.

TERMINATION OF LEASES

§ 192.160 *Relinquishments of leases or portions thereof.* A lease or any legal subdivision thereof may be surrendered by the record title holder by filing a written relinquishment, in triplicate, in the proper land office. A relinquishment shall take effect on the date it is filed subject to the continued obligation of the lessee and his surety to make payment of all accrued rentals and royalties and to place all wells on the land to be relinquished in condition for suspension or abandonment in accordance with the regulations and the terms of the lease. A statement must be furnished that all moneys due and payable to workmen employed on the leased premises have been paid.

§ 192.161 *Cancellation of lease.* Any lease not known to contain valuable deposits of oil or gas may be canceled by the Secretary of the Interior, after giving notice in accordance with section 31 of the act, whenever the lessee fails to comply with any of the provisions of the act, of the regulations issued thereunder, or of the lease, if such default continues for the period prescribed in that section after service of notice thereof. Leases known to contain valuable deposits of oil or gas may be canceled only by judicial proceedings in the manner provided in sections 27 and 31 of the act.

FRED W. JOHNSON,
Acting Director.

Approved: October 28, 1946.

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

Office_____
Form 4–213 Serial_____

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Lease of Oil and Gas Lands Under the Act of February 25, 1920, as Amended.

This indenture of lease, entered into, in triplicate, as of the _____ day of _____ by and between the United States of America, through the Bureau of Land Management, party of the first part, and _____ party of the second part, hereinafter called the lessee, under, pursuant, and subject to the terms and provisions of the Act of February 25, 1920 (41 Stat. 437), as amended, hereinafter referred to as the Act, and to all reasonable regulations of the Secretary of the Interior now or hereafter in force when not inconsistent with any express and specific provisions herein, which are made a part hereof, Witnesseth:

SECTION 1. *Rights of lessee.* That the lessor, in consideration of rents and royalties to be paid, and the conditions and covenants to be observed as herein set forth, does hereby grant and lease to the lessee the exclusive right and privilege to drill for, mine, extract, remove, and dispose of all the oil and gas deposits except helium gas in or under the following-described tracts of land situated in the _____ field: 1 row of _____ containing _____ acres, more or less, together with the right to construct and maintain thereupon all works, buildings, plants, waterways, roads, telegraph or telephone lines, pipe lines, reservoirs, tanks, pumping stations, or other structures necessary to the full enjoyment thereof, for a period of five years, and so long thereafter as oil or gas is produced in paying quantities; subject to any unit agreement heretofore or hereafter approved by the Secretary of the Interior, the provisions of said agreement to govern the lands subject thereto where inconsistencies with the terms of this lease occur.

SEC. 2. In consideration of the foregoing, the lessee hereby agrees:

(a) *Bonds.* (1) To maintain any bond furnished by the lessee as a condition for the issuance of this lease. (2) If the lease is issued noncompetitively, to furnish a bond in a sum double the amount of the $1 per acre annual rental, but not less than $1000 nor more than $5000, upon the inclusion of any part of the leased land within the geologic structure of a producing oil or gas field. (3) To furnish prior to beginning of drilling operations and maintain at all times thereafter as required by the lessor a bond in the penal sum of $5000 with approved corporate surety, or with deposit of United States bonds as surety therefor, conditioned upon compliance with the terms of this lease, unless a bond in that amount is already being maintained or unless such a bond furnished by an operator of the lease is accepted.

Until a general lease bond is filed a noncompetitive lessee will be required to furnish and maintain a bond in the penal sum of not less than $1000 in those cases in which a bond is required by law for the protection of the owners of surface rights. In all other cases where a bond is not otherwise required, a $1000 bond must be be filed for compliance with the lease obligations not less than 90 days before the due date of the next unpaid annual rental, but this requirement may be successively dispensed with by payment of each successive annual rental not less than 90 days prior to its due date.

(b) *Cooperative or unit plan.* Within 30 days of demand, or if the land is within an approved unit plan, in the event such a plan is terminated prior to the expiration of this lease, within 30 days of demand made thereafter, to subscribe to and to operate under such reasonable cooperative or unit plan for the development and operation of the area, field, or pool, or part thereof, embracing the lands included herein as the Secretary of the Interior may determine to be practicable and necessary or advisable, which plan shall adequately protect the rights of all parties in interest, including the United States.

(c) *Wells.* (1) To drill and produce all wells necessary to protect the leased land from drainage by wells on land not the property of the lessor or lands of the United States leased at a lower royalty rate, or in lieu of any part of such drilling and production, with the consent of the Director of the Geological Survey, to compensate the lessor in full each month for the estimated loss of royalty through drainage in the amount determined under instructions of said Secre-

tary; (2) at the election of the lessee, to drill and produce other wells in conformity with any system of well spacing or production allotments affecting the field or area in which the leased lands are situated, which is authorized and sanctioned by applicable law or by the Secretary of the Interior; and (3) promptly after due notice in writing to drill and produce such other wells as the Secretary of the Interior may require to insure diligence in the development and operation of the property.

(d) *Rentals and royalties.* (1) To pay the rentals and royalties set out in the rental and royalty schedule attached hereto and made a part hereof.

(2) It is expressly agreed that the Secretary of the Interior may establish reasonable minimum values for purposes of computing royalty on any or all oil, gas, natural gasoline, and other products obtained from gas; due consideration being given to the highest price paid for a part or for a majority of production of like quality in the same field, to the price received by the lessee, to posted prices and to other relevant matters and, whenever appropriate, after notice and opportunity to be heard.

(3) When paid in value, such royalties on production shall be due and payable monthly on the last day of the calendar month next following the calendar month in which produced. When paid in amount of production, such royalty products shall be delivered in merchantable condition on the premises where produced without cost to lessor, unless otherwise agreed to by the parties hereto, at such times and in such tanks provided by the lessee as reasonably may be required by the lessor, but in no case shall the lessee be required to hold such royalty oil or other products in storage beyond the last day of the calendar month next following the calendar month in which produced. The lessee shall not be responsible or held liable for the loss or destruction of royalty oil or other products in storage from causes over which he has no control.

(4) Royalties shall be subject to reduction on the entire leasehold or on any portion thereof segregated for royalty purposes if the Secretary of the Interior finds that the lease cannot be successfully operated upon the royalties fixed herein, or that such action will encourage the greatest ultimate recovery of oil or gas or promote conservation.

(e) *Contracts for disposal of products.* Not to sell or otherwise dispose of oil, gas, natural gasoline, and other products of the lease except in accordance with a contract or other arrangement first approved by the Director of the Geological Survey or his representative, such approval to be subject to review by the Secretary of the Interior but to be effective unless and until revoked by the Secretary or the approving officer, and to file with such officer all contracts or full information as to other arrangements for such sales.

(f) *Statements, plats and reports.* At such times and in such form as the lessor may prescribe, to furnish detailed statements showing the amounts and quality of all products removed and sold from the lease, the proceeds therefrom, and the amount used for production purposes or unavoidably lost; a plat showing development work and improvements on the leased lands and a report with respect to stockholders, investment, depreciation and costs.

(g) *Well records.* To keep a daily drilling record, a log, and complete information on all well surveys and tests in form acceptable to or prescribed by the lessor of all wells drilled on the leased lands, and an acceptable record of all subsurface investigations affecting said lands, and to furnish them, or copies thereof, to the lessor when required.

(h) *Inspection.* To keep open at all reasonable times for the inspection of any duly authorized officer of the Department, the leased premises and all wells, improvements, machinery, and fixtures thereon and all books, accounts, maps, and records relative to operations and surveys or investigations on the leased lands or under the lease.

(i) *Payments.* Unless otherwise directed by the Secretary of the Interior, to make rental, royalty, or other payments to the lessor, to the order of the Treasurer of the United States, such payments to be tendered to the manager of the district land office in the district in which the lands are located or to the Director of the Bureau of Land Management if there is no district land office in the State in which the lands are located.

(j) *Diligence, prevention of waste, health and safety of workmen.* To exercise reasonable diligence in drilling and producing the wells herein provided for unless consent to suspend operations temporarily is granted by the lessor; to carry on all operations in accordance with approved methods and practice as provided in the operating regulations, having due regard for the prevention of waste of oil or gas or damage to deposits or formations containing oil, gas, or water or to coal measures or other mineral deposits, for conservation of gas energy, for the preservation and conservation of the property for future productive operations, and for the health and safety of workmen and employees; to plug properly and effectively all wells before abandoning the same; to carry out at expense of the lessee all reasonable orders of the lessor relative to the matters in this paragraph, and that on failure of the lessee so to do the lessor shall have the right to enter on the property and to accomplish the purpose of such orders at the lessee's cost: *Provided*, That the lessee shall not be held responsible for delays or casualties occasioned by causes beyond lessee's control.

(k) *Taxes and wages, freedom of purchase.* To pay when due, all taxes lawfully assessed and levied under the laws of the State or the United States upon improvements, oil, and gas produced from the lands hereunder, or other rights, property, or assets of the lessee; to accord all workmen and employees complete freedom of purchase, and to pay all wages due workmen and employees at least twice each month in the lawful money of the United States.

(l) *Nondiscrimination.* Not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin, and to require an identical provision to be included in all subcontracts.

(m) *Assignment of oil and gas lease or interest therein.* To file within 90 days from the date of final execution any instrument of transfer made of this lease, or any interest therein, including assignments of record title, working or royalty interests, operating agreements and subleases for approval, such instrument to take effect upon its final approval by the Director, Bureau of Land Management, as of the first day of the lease month following the date of filing in the proper land office.

(n) *Pipe lines to purchase or convey at reasonable rates and without discrimination.* If owner, or operator, or owner of a controlling interest in any pipe line or of any company operating the same which may be operated accessible to the oil or gas derived from lands under this lease, to accept and convey and, if a purchaser of such products, to purchase at reasonable rates and without discrimination the oil or gas of the Government or of any citizen or company not the owner of any pipe line, operating a lease or purchasing or selling oil, gas, natural gasoline, or other products under the provisions of the act.

(o) *Reserved deposits.* To comply with all statutory requirements and regulations thereunder, if the lands embraced herein have been or shall hereafter be disposed of under the laws reserving to the United States the deposits of oil and gas therein, subject to such conditions as are or may hereafter be provided by the laws reserving such oil or gas.

(p) *Reserved or segregated lands.* If any of the land included in this lease is embraced in a reservation or segregated for any particular purpose, to conduct operations thereunder in conformity with such requirements as may be made by the Director, Bureau of Land Management, for the protection and use of the land for the purpose for which it was reserved or segregated, so far as may be consistent with the use of the land for the purpose of this lease, which latter shall be regarded as the dominant use unless otherwise provided herein or separately stipulated.

(q) *Overriding royalties.* Not to create overriding royalties in excess of five per cent.

(r) *Deliver premises in cases of forfeiture.* To deliver up the premises leased, with all permanent improvements thereon, in good order and condition in case of forfeiture of this lease; but this shall not be construed to prevent the removal, alteration, or renewal of equipment and improvements in the ordinary course of operations.

SEC. 3. The lessor expressly reserves:

(a) *Rights reserved, easements and rights-of-way.* The right to permit for joint or several use easements or rights-of-way, including easements in tunnels, upon, through or in the lands leased, occupied, or used as may be necessary or appropriate to the working of the same or of other lands containing the deposits described in the Act, and the treatment and shipment of products thereof by or under authority of the Government, its lessees or permittees, and for other public purposes.

(b) *Disposition of surface.* The right to lease, sell, or otherwise dispose of the surface of any of the lands embraced within this lease which are owned by the United States under existing law or laws hereafter enacted, insofar as said surface is not necessary for the use of the lessee in the extraction and removal of the oil and gas therein.

(c) *Monopoly and fair prices.* Full power and authority to promulgate and enforce all orders necessary to insure the sale of the production of the leased lands to the United States and to the public at reasonable prices, to protect the interests of the United States, to prevent monopoly, and to safeguard the public welfare.

(d) *Helium.* Pursuant to section 1 of the Act, and section 1 of the Act of March 3, 1927 (44 Stat. 1387), as amended, the ownership and right to ex act helium from all gas produced under this lease, subject to such rules and regulations as shall be prescribed by the Secretary of the Interior. In case the lessor elects to take the helium the lessee shall deliver all gas containing same, or portion thereof desired, to the lessor at any point on the leased premises in the manner required by the lessor, for the extraction of the helium in such plant or reduction works for that purpose as the lessor may provide, whereupon the residue shall be returned to the lessee with no substantial delay in the delivery of gas produced from the well to the purchaser thereof. The lessee shall not suffer a diminution of value of the gas from which the helium has been extracted, or loss otherwise, for which he is not reasonably compensated, save for the value of the helium extracted. The lessor further reserves the right to erect, maintain, and operate any and all reduction works and other equipment necessary for the extraction of helium on the premises leased.

(e) *Taking of royalties.* All rights pursuant to section 36 of the act, to take royalties in amount or in value of production.

(f) *Casing.* All rights pursuant to section 40 of the Act to purchase casing and lease or operate valuable water wells.

(g) *Fissionable materials.* Pursuant to the provisions of the act of August 1, 1946 (Public Law 585, 79th Cong.) all uranium, thorium or other material which has been or may hereafter be determined to be particularly essential to the production of fissionable 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, making just compensation for any damage or injury occasioned thereby.

SEC. 4. *Drilling and producing restrictions.* It is covenanted and agreed that the rate of prospecting and developing and the quantity and rate of production from the lands covered by this lease shall be subject to control in the public interest by the Secretary of the Interior, and in the exercise of his judgment the Secretary may take into consideration, among other things, Federal laws, State laws, and regulations issued thereunder, or lawful agreements among operators regulating either drilling or production, or both. After unitization, the Secretary of the Interior, or any person, committee, or State or Federal officer or agency so authorized in the unit plan, may alter or modify from time to time, the rate of prospecting and development and the quantity and rate of production from the lands covered by this lease.

SEC. 5. *Surrender and termination of lease.* The lessee may surrender this lease or any legal subdivision thereof by filing in the proper land office a written relinquishment, in triplicate, which shall be effective as of the date of filing subject to the continued obligation of the lessee and his surety to make payment of all accrued rentals and royalties and to place all wells on the land to be relinquished in condition for suspension or abandonment in accordance with the regulations and the terms of the lease, to be accompanied by a statement that all wages and moneys due and payable to the workmen employed on the land relinquished have been paid.

SEC. 6. *Purchase of materials, etc., on termination of lease.* Upon the expiration of this lease, or the earlier termination thereof pursuant to the last preceding section, the lessor or another lessee may, if the lessor shall so elect within three months from the termination of the lease, purchase all materials, tools, machinery, appliances, structures, and equipment placed in or upon the land by the lessee, and in use thereon as a necessary or useful part of an operating or producing plant, on the payment to the lessee of such sum as may be fixed as a reasonable price therefor by a board of three appraisers, one of whom shall be chosen by the lessor, one by the lessee, and the other by the two so chosen; pending such election all equipment shall remain in normal position. If the lessor, or another lessee, shall not within three months elect to purchase all or any part of such materials, tools, machinery, appliances, structures, and equipment, the lessee shall have the right at any time, within a period of 90 days thereafter to remove from the premises all the materials, tools, machinery, appliances, structures, and equipment which the lessor shall not have elected to purchase, save and except casing in wells and other equipment or apparatus necessary for the preservation of the well or wells. Any materials, tools, machinery, appliances, structure, and equipment, including casing in or out of wells on the leased lands, shall become the property of the lessor on expiration of the period of 90 days above referred to or such extension thereof as may be granted on account of adverse climatic conditions throughout said period.

SEC. 7. *Proceedings in case of default.* If the lessee shall not comply with any of the provisions of the Act, or the regulations thereunder, or make default in the performance or observance of any of the terms, covenants, and stipulations hereof and such defaults shall continue for a period of 30 days after service of written notice thereof by the lessor, the lease may be canceled by the Secretary of the Interior in accordance with section 31 of the Act, as amended, and all materials, tools, machinery, appliances, structures, equipment and wells shall thereupon become the property of the lessor, except that if said lease covers lands known to contain valuable deposits of oil or gas, the lease may be canceled only by judicial proceedings in the manner provided in section 31 of the Act; but this provision shall not be construed to prevent the exercise by the lessor of any legal or equitable remedy which the lessor might otherwise have. A waiver of any particular cause of forfeiture shall not prevent the cancelation and forfeiture of this lease for any other cause of forfeiture, or for the same cause occurring at any other time.

SEC. 8. *Heirs and successors in interest.* It is further covenanted and agreed that each obligation hereunder shall extend to and be binding upon, and every benefit hereof shall inure to, the heirs, executors, administrators, successors, or assigns of the respective parties hereto.

SEC. 9. *Unlawful interest.* It is also further agreed that no Member of, or Delegate to, Congress, or Resident Commissioner, after his election or appointment, or either before or after he has qualified, and during his continuance in office, and that no officer, agent, or employee of the Department of the Interior, shall be admitted to any share or part in this lease or derive any benefit that may arise therefrom; and the provisions of section 3741 of the Revised Statutes of the United States, and sections 114, 115, and 116 of the Codification of the Penal Laws of the United States approved March 4, 1909 (35 Stat. 1109), relating to contracts enter into and form a part of this lease so far as the same may be applicable.

In witness whereof:

THE UNITED STATES OF AMERICA,

By ----------
Director of the Bureau of Land Management

Lessee.

Witness to signature of lessee—

SCHEDULE A—RENTALS AND ROYALTIES

Rentals. To pay the lessor in advance an annual rental at the following rates:

(a) If the lands are wholly outside the known geologic structure of a producing oil or gas field:

(1) For the first lease year, a rental of 50 cents per acre.

(2) For the second and third lease years, no rental.

(3) For the fourth and fifth years, 25 cents per acre.

(4) For the sixth and each succeeding year, 50 cents per acre.

(b) If the lands are wholly or partly within the geologic structure of a producing oil or gas field:

(1) Beginning with the first lease year after thirty days' notice that all or part of the land is included in such a structure and for each year thereafter, prior to a discovery of oil or gas on the lands herein, $1.00 per acre.

(2) On the lands committed to an approved cooperative or unit plan which includes a well capable of producing oil or gas and contains a general provision for allocation of production, for the lands not within the participating area an annual rental of 50 cents per acre for the first and each succeeding lease year following discovery.

Minimum royalty. To pay the lessor in lieu of rental at the expiration of each lease year after discovery a minimum royalty of $1.00 per acre or the difference between the actual royalty, if less than $1.00 per acre, paid during the year and the prescribed minimum royalty of $1.00 per acre, provided that on unitized leases the minimum royalty shall be payable only on the participating acreage.

Royalty on production. To pay the lessor 12½ per cent royalty on the production removed or sold from the leased lands.

SCHEDULE B—RENTALS AND ROYALTIES

Rentals. To pay the lessor in advance an annual rental for each lease year prior to a discovery of oil or gas on the leased lands, the ----------

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(Rate of rental prescribed in the notice of sale)

Minimum royalty. To pay the lessor in lieu of rental at the expiration of each lease year after discovery a minimum royalty of $1.00 per acre or the difference between the actual royalty, if less than $1.00 per acre, paid during the year and the prescribed minimum royalty of $1.00 per acre: *Provided,* That on unitized leases the minimum royalty shall be payable only on the participating acreage.

Royalty on production. (Rates prescribed in the notice of sale.)

SCHEDULE C—RENTALS AND ROYALTIES

(Renewal or exchange of a five percent lease)

Rentals. To pay the lessor in advance an annual rental of $1.00 per acre prior to a discovery of oil or gas on the leased lands.

Minimum royalty. To pay the lessor in lieu of rental at the expiration of each lease year after discovery a minimum royalty of $1.00 per acre or the difference between the actual royalty, if less than $1.00 per acre, paid during the year and the prescribed minimum royalty of $1.00 per acre: *Provided,* That on unitized leases the minimum royalty shall be payable only on the participating acreage.

Royalty on production. To pay the lessor the following royalty on production removed or sold from the leased lands:

(1) A royalty of 12½ percent on the production removed or sold from

(a) Land determined by the Director, Geological Survey, not to be within the productive limits of any oil or gas deposit on August 8, 1946;

(b) An oil or gas deposit which was discovered after May 27, 1941, by a well or wells drilled on the leased land and which is determined by the Director, Geological Survey, to be a new deposit; or

(c) Allocated to the lease pursuant to an approved unit or cooperative agreement from an oil or gas deposit which was discovered on unitized land after May 27, 1941, and determined by the Director, Geological Survey, to be a new deposit, but only if at the time of discovery the lease was committed to the agreement or was included in a duly executed and filed application for approval of the agreement.

(2) On production of oil removed or sold from lands not subject to subsection (1) hereof, where a flat royalty rate of 5 per cent was fixed in the original lease:

When the average production for the calendar month in barrels per well per day is:

Not over 110, the royalty shall be 12.5 per cent.

Over 110 but not over 130, the royalty shall be 18 per cent.

Over 130 but not over 150, the royalty shall be 19 per cent.

Over 150 but not over 200, the royalty shall be 20 per cent.

Over 200 but not over 250, the royalty shall be 21 per cent.

Over 250 but not over 300, the royalty shall be 22 per cent.

Over 300 but not over 350, the royalty shall be 23 per cent.

Over 350 but not over 400, the royalty shall be 24 per cent.

Over 400, the royalty shall b 25 per cent.

(3) On gas, including inflammable gas, helium, carbon dioxide, and all other natural gases and mixtures thereof, and on natural or casinghead gasoline and other liquid products obtained from gas; when the average production of gas per well per day for the calendar month does not exceed 5,000,000 cubic feet, 12½ per cent; and when the production of gas exceeds 5,000,000 cubic feet, 16⅔ per cent of the amount or value of the gas and liquid products produced.

SCHEDULE D—RENTALS AND ROYALTIES

(Exchange or renewal of a lease bearing a royalty rate other than 5 per cent)

Rentals. To pay the lessor in advance an annual rental of $1 per acre prior to a discovery of oil or gas on the leased lands.

Minimum royalty. To pay the lessor in lieu of rental at the expiration of each lease year after discovery a minimum royalty of $1.00 per acre or the difference between the actual royalty, if less than $1.00 per acre, paid during the year and the prescribed minimum royalty of $1.00 per acre, except where the royalties aggregate more than such prescribed minimum royalty: *Provided,* That on unitized leases the minimum royalty shall be payable only on the participating acreage.

Royalty on production. To pay the lessor the following royalty on production removed or sold from the leased land:

(1) A royalty of 12½ per cent on the production of oil removed or sold from

(a) Land determined by the Director, Geological Survey, not to be within the productive limits of any oil or gas deposit on August 8, 1946.

(b) An oil or gas deposit which was discovered after May 27, 1941, by a well or wells drilled on the leased land and which is determined by the Director, Geological Survey, to be a new deposit; or

(c) Allocated to the lease pursuant to an approved unit or cooperative agreement from an oil or gas deposit which was discovered on unitized land after May 27, 1941, and determined by the Director, Geological Survey to be a new deposit, but only if at the time of discovery the lease was committed to the agreement or was included in a duly executed and filed application for approval of the agreement.

(2) On production removed or sold from lands not subject to subsection (1) hereof—

(The appropriate royalty rates prescribed in the prior lease.)

Form 4–238

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

District Land Office_____
Serial No._____

BOND OF OIL AND GAS LEASE OPERATOR

(Act of Feb. 25, 1920 (41 Stat. 437), as amended)

Know all men by these presents, That we, _____, of the county of_____, in the State of_____, as principal, and _____ of the county of_____, in the State of_____, as surety, are held and firmly bound unto the United States of America, in the sum of Five thousand dollars ($5,000.00), lawful money of the United States for the use and benefit (1) of the United States, (2) of any owner of a portion of the land covered by the hereinafter described lease who holds his land subject to a reservation of the oil and gas deposits to the United States, and (3) of any lessee or permitted under a lease or permit issued, or to be issued, by the United States covering the use of the surface or the prospecting for, or development of, other mineral deposits in any portion of such land, to be paid to the United States. For such payment, well and truly to be made, we bind ourselves, and each of us, and each of our heirs, executors, administrators, successors and assigns, jointly and severally, by these presents.

The condition of the foregoing obligation is such that

Whereas, by lease dated_____, bearing serial number_____, entered into by and between the United States of America, as lessor, and_____, as lessee, said lessee was granted the exclusive right to drill for, mine, extract, remove and dispose of all the oil and gas deposits in or under the following described tracts of land:

under and pursuant to the provisions of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437), as amended; and

Whereas said lessee has, by virtue of the lease above referred to, entered into certain covenants and agreements set forth in such lease, under which operations are to be conducted; and

Whereas, by an agreement dated_____ 194__, and filed with the District Land Office on_____194__, the principal herein has been designated as "operator" with respect to all or part of the above described lands; and

Whereas, the said principal in consideration of being permitted in lieu of the lessee to furnish this bond agrees and by these presents does hereby bind himself to fulfill on behalf of the lessee all of the obligations of the said lease in the same manner and to the same extent as though he were the lessee.

Now, therefore, if said principal shall in all respects faithfully comply with all of the provisions of the above-described lease, then this obligation shall be void, otherwise to remain in full force and effect.

It is understood and agreed that this bond is being furnished in contemplation of drilling operations to be performed by the said principal on the above-described lands. It is also understood and agreed that the neglect or forbearance of said lessor in enforcing, as against the above-named lessee, the payment of rentals or royalties or the performance of any other covenant, condition or agreement of the above-described lease, shall not, in any way, release the principal and surety, or either of them, from any liability under this bond; and, it is further understood and agreed that, in the event of any default under the above-described lease, the lessor may commence and prosecute any claim, suit, action or other proceeding against the principal and surety, or either of them, without the necessity of joining the above-named lessee.

Signed with our hands and sealed with our seals this day of _____ 19—.

[SEAL] _____
(Individual principal)
_____
(Business address)
_____
(Corporate principal)
_____
(Business address)

In presence of
_____
_____
(Address)
_____

[SEAL] By _____
_____
_____
(Corporate surety)

Attest:
_____
(Business address)

[SEAL] By _____
_____

Attest:
_____

UNITED STATES DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

District Land Office _____
Serial No. _____

BOND OF OIL AND GAS LESSEE

(Act of Feb. 25, 1920 (41 Stat. 437), as amended)

Know all men by these presents, that we, _____ of the county of _____, in the State of _____ as principal, and _____, of the county of _____, in the State of _____, as surety, are held and firmly bound unto the United States of America in the sum of _____ dollars ($_____), lawful money of the United States, for the use and benefit of the United States and of any entryman or patentee of any portion of the land covered by the hereinafter-described lease heretofore entered or patented with a reservation of the oil and gas deposits to the United States, and any lessee under lease heretofore issued by the United States of other mineral deposits in any portion of such land, to be paid to the United States, for which payment, well and truly to be made, we, by these presents, bind ourselves, and each of us, and each of our heirs, executors, administrators, successors, and assigns, jointly and severally, upon the following conditions, viz:

The condition of the foregoing obligation is such that, whereas the said principal, by instrument dated _____, has been granted an exclusive right to drill for, mine, extract, remove, and dispose of all the oil and gas deposits in or under the following-described lands:

_____
_____
_____

under and pursuant to the provisions of the act approved February 25, 1920 (41 Stat. 437), as amended; and

Whereas the said principal has by such instrument entered into certain covenants and agreements set forth therein, under which operations are to be conducted:

Now, therefore, if said principal shall faithfully comply with all the provisions of the above-described lease, then the above obligation is to be void, otherwise to remain in full force and effect.

Signed with our hands and sealed with our seals this _____ day of _____, 19____.

Signed, sealed, and delivered in presence of—

Name and address of witness:
_____
_____
[L. S.]_____
(Principal
_____
_____
[L. S.]_____
(Surety)

[F. R. Doc. 46-19762; Filed, Oct. 31, 1946; 8:47 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—RULES GOVERNING RADIO BROADCAST SERVICES

ORDER OF EXEMPTION FROM EXISTING RULES

In the matter of amendment of § 3.661 (a) of the rules and regulations of the Federal Communications Commission.

At a meeting of the Federal Communications Commission at its offices in Washington, D. C., on October 17, 1946,

The Commission having before it the request of the Television Broadcasters

Association, Inc. for an extension to December 31, 1946 of the action of the Commission of June 28, 1946 waiving the requirements of § 3.661 (a) of the rules and regulations of the Federal Communications Commission until October 31, 1946; and

Whereas, it appears that because of construction and operating difficulties the deferment of the effect of § 3.661 (a), which requires television licensees to broadcast a minimum of 2 hours of broadcast service in any given broadcast day and not less than 28 hours broadcast service per week, should be continued until December 31, 1946.

It is hereby ordered, That § 3.661 (a) be amended by adding a footnote to the end of § 3.661 (a) as follows:

[2] The requirements of § 3.661 (a) are waived until December 31, 1946.

This order is an exemption from existing Commission rules and it is necessary that it become effective immediately upon the expiration on October 31, 1946, of a similar exemption. Hence the public notice and procedure required by section 4 of the Administrative Procedure Act are hereby found to be unnecessary and this order is hereby made effective October 31, 1946.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-19724; Filed, Oct. 31, 1946; 8:51 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 14—ELECTRIC RAILWAYS; UNIFORM SYSTEM OF ACCOUNTS

PROTECTIVE SERVICE REVENUE; PERISHABLE FREIGHT

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 16th day of October A. D. 1946.

The matter of the order of July 13, 1937, effective July 1, 1937, prescribing operating revenue account 108½ (§ 14.108½), "Protective service revenue—perishable freight," and subsequent orders which successively postponed the effective date to January 1, 1947, being under consideration, it is ordered, that:

1. *Effective date.* The effective date shall be changed to January 1, 1948, but in all other respects the said order of July 13, 1937, shall remain in full force and effect.

2. *Notice.* A copy of this order further postponing the effective date shall be served upon every carrier by railroad independently operated as an electric line subject to the Interstate Commerce Act and upon every trustee, receiver, executor, administrator, or assignee of any such carrier, and that notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-19728; Filed, Oct. 31, 1946; 8:56 a. m.]

Chapter II—Office of Defense Transportation

PART 500—CONSERVATION OF RAIL EQUIPMENT

SHIPMENTS OF NEW FRESH HARVESTED CARROTS AND RIPE OR SOFT BANANAS

CROSS REFERENCE: For exceptions to the provisions of § 500.72 see Part 520, *infra*.

[Gen. Permit ODT 18A, Rev.-8A]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

SHIPMENTS OF NEW FRESH HARVESTED CARROTS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, and Executive Order 9729, it is hereby ordered, that:

§ 520.503 *Shipments of new fresh harvested carrots.* (a) Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised, as amended (11 F. R. 8229, 8829, 10616), any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of new fresh harvested carrots:

(1) When the point of origin of any such freight is in the States of Arizona, California, Idaho, Montana, New Mexico, Oregon, or Utah, and each car is loaded with not less than 346 L. A. crates if the car is equipped with collapsible ice bunkers and such bunkers are not collapsed, or each car is loaded with not less than 415 L. A. crates if the car is equipped with collapsible ice bunkers and such bunkers are collapsed, or each car is loaded with not less than 346 L. A. crates if the car is equipped with stationary ice bunkers; or

(2) When the origin point of any such freight is in the States of Arizona, California, Idaho, Montana, New Mexico, Oregon, or Utah, and such freight is packed in lettuce crates, and each car is loaded with not less than 320 such crates.

This General Permit ODT 18A, Revised-8A, shall become effective at 12:01 A. M. on November 1, 1946.

(54 Stat. 676, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, Public Law 475, 79th Congress, 60 Stat. 345; 50 U. S. C. App. 633, 50 U. S. C. App. 645, 50 U. S. C. App. 1152; E. O. 8989, as amended, 6 F. R. 6725, 8 F. R. 14183; and E. O. 9729, 11 F. R. 5641)

Issued at Washington, D. C., this 28th day of October 1946.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 46-19702; Filed, Oct. 31, 1946; 8:50 a. m.]

[Gen. Permit ODT 18A, Rev.-10A]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

SHIPMENTS OF RIPE OR SOFT BANANAS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, and Executive Order 9729, it is hereby ordered, that:

§ 520.505 *Shipments of ripe or soft bananas.* Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised, as amended (11 F. R. 8229, 8829, 10616), any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of ripe or soft bananas:

(a) When the point of origin of the rail transportation of any such freight is any port of import in the United States which is situated on the Atlantic Ocean, Chesapeake Bay, Gulf of Mexico (including New Orleans, Louisiana), or the Pacific Ocean (including Seattle, Washington) and because of delay in arrival at any such point of the cargo vessel transporting such bananas, or because of other circumstances beyond the control of the individual shipper, the bananas are too ripe or too soft to permit loading in cars to the minimum prescribed in Special Direction ODT 18A-2A, as amended (9 F. R. 118, 4247, 13008, 10 F. R. 2523, 3470, 14906, 11 F. R. 1358), and such freight is loaded to an extent not exceeding the refrigerating, heating, or ventilating capacity of the car.

This General Permit ODT 18A, Revised-10A, shall become effective at 12:01 a. m. on November 1, 1946.

(54 Stat. 676, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, Public Law 475, 79th Congress, 60 Stat. 345; 50 U. S. C. App. 633, 50 U. S. C. App. 645, 50 U. S. C. App. 1152; E. O. 8989, as amended, 6 F. R. 6725, 8 F. R. 14183; and E. O. 9729, 11 F. R. 5641)

Issued at Washington, D. C., this 28th day of October 1946.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 46-19704; Filed, Oct. 31, 1946; 8:50 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

NEW JERSEY

FARM OWNERSHIP LOAN LIMITATIONS

In accordance with the item entitled, "Farm Tenancy," contained in the Department of Agriculture Appropriation Act, 1947 (Public Law 422, 79th Congress, approved June 22, 1946), no loans under Title I of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 7 U. S. C. 1000–1006), excepting those to eligible veterans, 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 efficient 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 Ownership loans in the counties of New Jersey named below. With respect to each county, the limitation does not exceed the average value of efficient family-size farm-management units located in such county.

NEW JERSEY

County	*Limitation*
Atlantic	$12,000
Bergen	12,000
Burlington	12,000
Camden	12,000
Cape May	12,000
Cumberland	12,000
Gloucester	12,000
Hunterdon	12,000
Mercer	12,000
Middlesex	12,000
Monmouth	12,000
Morris	12,000
Ocean	12,000
Salem	12,000
Somerset	12,000
Sussex	12,000
Warren	12,000

Issued this 28th day of October 1946.

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

[F. R. Doc. 46-19732; Filed, Oct. 31, 1946; 8:57 a. m.]

DEPARTMENT OF COMMERCE.

Civil Aeronautics Administration.

WASHINGTON NATIONAL AIRPORT

NOTICE OF HEARING ON PROPOSED AMENDMENT TO RULES AND REGULATIONS

Notice of an informal public hearing to be held at Washington, D. C., on November 18, 1946, for the purpose of amending present rules and regulations governing the operation of the Washington National Airport pursuant to section 2 of the Washington National Airport Act (Public Law 674—76th Congress).

Notice is hereby given that beginning at 2:30 p. m. on November 18, 1946, in the Office of the Washington National Airport Administrator, Washington National Airport, and continuing through November 19, 1946, unless sooner concluded, an informal hearing will be held on the following proposed amendments to the rules and regulations governing the Washington National Airport promulgated pursuant to the Washington National Airport Act, and issued as Parts 510 and 511 of the rules and regulations of the Administrator of Civil Aeronautics.

All interested parties and organizations are invited to be present or represented at said hearing, and will be afforded an opportunity to be heard within the limitations of the time available. For the accuracy of the record, all important facts and opinions should be submitted in writing as much in advance of the hearing as possible. All those desiring to be heard are requested to register their intentions in advance, stating the amount of time desired. It is requested that all organizations desiring to present oral statements limit their presentation to one spokesman.

All papers are to be mailed to or filed with Hervey F. Law, Airport Administrator, Washington National Airport, Washington, D. C.

The proposed amendment reads as follows:

PART 510—GENERAL REGULATIONS OF WASHINGTON NATIONAL AIRPORT

Sec.

AUTHORITY: §§ 510.1 to 510.9, inclusive, issued under 54 Stat. 686.

§ 510.1 *Definitions.* (a) "Airport" means the Washington National Airport.

(b) "Administrator" means the Administrator of Civil Aeronautics.

(c) "Airport Administrator" means the Airport Administrator appointed by the Administrator of Civil Aeronautics to govern, superintend, control, and protect the Washington National Airport.

(d) "Person" means any individual, firm, copartnership, corporation, company, association, joint-stock association, or body political; and includes any trustee, receiver, assignee, or other similar representative thereof.

(e) "Board" means Civil Aeronautics Board.

§ 510.2 *General rules and regulations.*

§ 510.20 *Airport Administrator.* All persons on any part of the property comprising the airport shall be governed by the regulations in this part and by orders and instructions of the Airport Administrator relative to the use or occupation of any part of the property comprising the airport.

§ 510.21 *Restricted areas.* No person shall enter any restricted areas posted as being closed to the public except upon written permission of the Airport Administrator.

§ 510.210 *Particular areas.* No person shall enter upon the levy road, landing field, runways, taxi-strips, ground floor of the Terminal Building, nor enter the control tower, mirador room, third floor offices of the Terminal Building, any hangar, or the apron of the airport except:

(a) Persons assigned to duty therein;

(b) Authorized representatives of the Administrator, or the Board;

(c) Persons authorized by the Airport Administrator;

(d) Passengers under appropriate supervision, entering the apron for the purpose of embarkation and debarkation.

§ 510.22 *Observation terrace and balcony.* No person shall throw paper, cigars, cigarettes, bottles, or any other materials from the observation terrace, observation balcony, or any other balcony in the Terminal Building.

§ 510.23 *Conduct of business or commercial activity.* No person shall engage in any business or commercial activity of any nature whatsoever on the airport except with the approval of the Administrator or Airport Administrator, and under such terms and conditions as may be prescribed.

§ 510.230 *Soliciting.* No person shall solicit funds for any purpose on the airport without the permission of the Airport Administrator.

§ 510.231 *Taxicabs.* No person shall operate any taxicab carrying passengers for hire from the airport unless such operation is with the approval of the Ad-

ministrator and under such terms and conditions as he may prescribe.

§ 510.232 *Advertisements.* No person shall post, distribute, or display signs, advertisements, circulars, printed or written matter at the airport except with the approval of the Administrator and in such manner as he may prescribe.

§ 510.24 *Commercial photography.* No person shall take still, motion, or sound pictures for commercial purposes on the airport without permission of the Administrator except that the following persons may take pictures for commercial purposes with permission of the Airport Administrator only:

(a) Professional photographers and motion picture cameramen taking scenes of events in the airport as representatives of news concerns and bona fide news publications.

(b) Professional photographers and motion picture cameramen taking scenes of events in the airport, for nonprofit exhibits, for the purpose of stimulating general interest in air commerce or travel.

(c) Professional photographers and motion picture cameramen taking scenes of events in the airport for nonprofit educational purposes.

(d) Professional photographers taking scenes in the airport for general artistic purposes.

§ 510.25 *Use of roads and walks.* (a) No person shall travel on the airport other than on the roads, walks or places provided for the particular class of traffic.

(b) No person shall occupy the roads or walks in such manner as to hinder or obstruct their proper use.

(c) No person shall operate any type of vehicle for the disposal of garbage, ashes or other waste material on the airport without the approval of the Airport Administrator.

§ 510.26 *Dogs.* No person shall enter the Terminal Building or landing area of the airport with a dog or other animal except that seeing-eye dogs may be permitted in the Terminal Building for appropriate purposes, and where dogs are to be transported by air and are restrained by leash or properly confined. Dogs and other animals may be permitted in other areas of the airport if restrained by leash or confined in such manner as to be under control.

§ 510.27 *Lost articles.* Any person finding lost articles shall deposit them at the office of the Airport Administrator. Articles unclaimed within 60 days may be turned over to the finders thereof.

§ 510.3 *Motor vehicle regulations.*

§ 510.30 *General.* No person shall operate any motor vehicle on the airport otherwise than in accordance with the general rules prescribed by the Airport Administrator for the control of such vehicles, except when given special instructions by authorized employees of the airport, or in cases of emergency involving danger to life or property.

§ 510.31 *Motorized equipment.* No person shall operate any motorized equipment on the apron of the Terminal Building or anywhere on the aircraft landing area or levy road or in the inner-baggage tractor concourse of the Terminal Building except:

(a) Persons assigned to duty thereon and who have been issued an operator's certificate by the Airport Administrator;

(b) Persons specifically authorized by the Airport Administrator.

§ 510.32 *Operator's certificate.* No person shall operate motorized equipment of any kind on the roadways of the airport unless possessed of a valid operator's license issued by some legal political jurisdiction or by the Airport Administrator. No person shall operate motorized equipment of the CAA other than aircraft on the airport unless possessed of a valid CAA operator's certificate.

§ 510.33 *Speed.* (a) No person shall operate a motor vehicle of any kind on the roadways of the airport in excess of the speed limits prescribed by the Airport Administrator and indicated by posted traffic signs. Motor vehicles shall be so operated as to be under safe control at all times, weather and traffic conditions considered. No person shall operate a motor vehicle of any kind on the apron of the airport in excess of 25 miles per hour. No person shall operate a motor vehicle of any kind in the inner baggage concourse at a speed greater than 6 miles per hour.

§ 510.34 *Operation rules.* (a) Any person operating a vehicle traveling slowly on any road in the airport, when overtaken by a faster moving vehicle, and upon suitable signal from such overtaking vehicle, shall move to the right to allow safe passage.

(b) Pedestrians within pedestrian lane markings shall have the right-of-way over vehicular traffic.

(c) No person shall operate a vehicle following another vehicle on the airport closer than 15 feet to the preceding vehicle.

(d) No person shall sound a motor vehicle horn except as a warning signal.

(e) No person shall cause or permit a motor vehicle under his control to obstruct traffic by making right or left turns from the wrong traffic lane or by weaving in and out of traffic or in any other improper manner.

(f) No person operating a motor vehicle on the airport shall fail to give proper hand signals. The following signals shall be given by extending the hand and arm from the left side in the following manner:

(1) *Left turn.* The hand and arm shall be extended horizontally.

(2) *Right turn.* The hand and arm shall be extended upward.

(3) *Stop or decrease speed.* The hand and arm shall be extended downward: *Provided, however,* That in lieu of such hand signals, signals may be given by a signal lamp or a signal device which conveys an intelligible warning to another driver approaching from the front or rear.

(g) No person shall operate a motor vehicle on the airport contrary to the directions of posted traffic signs.

(h) No person under the influence of liquor or narcotic drugs shall operate a motor vehicle or aircraft of any kind on the airport.

(i) No person shall operate any motor vehicle on the airport overloaded or carrying more passengers than that for which the vehicles were designed. Riding on the running board, standing up in the body of moving vehicles, riding on the outside of the body of a vehicle, or with arms or legs protruding from the body of motor vehicles are prohibited.

§ 510.35 *Accident reports.* All persons involved in any accidents on the airport and all witnesses thereto shall make a full report thereof to the Airport Administrator or to the nearest airport guard or police officer as soon after the accident as possible, together with their names and addresses.

§ 510.36 *Parking.* No person shall park a motor vehicle on the airport other than in areas specifically established for parking and in the manner prescribed by the Airport Administrator. No person shall abandon or park as dead storage any motor vehicle on the airport. No person shall park any motor vehicle in excess of the time limit prescribed by the Airport Administrator, nor in restricted or reserved areas unless authorized to do so.

§ 510.37 *Motor vehicle lights.* All motor vehicles, except motorcycles, shall be equipped with two headlights and one or more red tail lights, the headlights to be of sufficient brilliance to assure safety in driving at night, and all lights shall be kept lighted after sunset when the vehicle is on any roadway of the airport, and at all times when passing through unlighted tunnels. Headlights shall be dimmed when meeting other vehicles or pedestrians.

§ 510.38 *Repair of motor vehicles.* No person shall clean or make any repairs to motor vehicles on the roadways or in the parking areas of the airport except those minor repairs necessary to remove such motor vehicle from the airport unless authorized by the Airport Administrator, nor shall any person move, interfere, or tamper with any motor vehicle, or put in motion the engine, or take, or use any motor vehicle part, instrument, or tool thereof, without the permission of the owner or satisfactory evidence of the right to do so duly presented to the Airport Administrator.

§ 510.39 *Buses.* No carrier by motor bus for hire shall load or unload passengers at the airport at any place other than that designated by the Airport Administrator.

§510.4 *General rules of conduct.*

§ 510.40 *Disorderly conduct.* No person shall commit any disorderly, obscene or indecent act or commit any act of nuisance on the airport.

§ 510.41 *Gambling.* No person shall engage in or conduct gambling in any form or operate gambling devices anywhere on the airport.

§ 510.42 *Sanitation.* (a) No person shall dispose of garbage, papers, or

refuse or other material on the airport except in the receptacles provided for that purpose.

(b) No person shall use a comfort station other than in a clean and sanitary manner.

§ 510.43 *Preservation of property.* No person shall: (a) Destroy, injure, deface or disturb in any way any building, sign, equipment, marker, or other structure, tree, flower, lawn or other public property on the airport; (b) Trespass on lawns and seeded areas on the airport; (c) Abandon any personal property on the airport.

§ 510.44 *Airport and equipment.* No person shall interfere with, tamper or injure any part of the airport or any of the equipment thereof.

§ 510.45 *Weapons, explosives and inflammable material.* (a) No persons except peace officers, duly authorized post office, airport, and air carrier employees or members of the armed forces of the United States on official duty shall carry any weapons, explosives, or inflammable materials on the airport without the written permission of the Airport Administrator.

(b) All persons other than the excepted classes shall surrender all such objects in their possession to the first officer or guard on the airport.

(c) The Government and the Airport Administrator assume no responsibility for the loss or damage to any such objects so surrendered to the airport guard or officer.

§ 510.5 *Fire hazards.*

§ 510.50 *Cleaning of aircraft.* No person shall use inflammable volatile liquids in the cleaning of aircraft, aircraft engines, propellers, and appliances unless such cleaning operations are conducted in open air, or in a room specifically set aside for that purpose, which room must be properly fireproofed and equipped with adequate and readily accessible fire extinguishing apparatus.

§ 510.51 *Open flame operations.* No person shall conduct any open flame operation in any hangar, or on the airport grounds, or part thereof unless specifically authorized by the Airport Administrator.

§ 510.52 *Storage.* No person shall store or stock material or equipment on the airport in such manner as to constitute a fire hazard.

§ 510.520 *Storage of inflammable material.* No person shall keep or store any inflammable liquids, gases, signal flares or other similar material in the hangars or in any building on the airport: *Provided,* That such materials may be kept in an aircraft in the proper receptacles installed in the aircraft for such purpose, or in rooms or areas specifically approved for such storage by the Airport Administrator.

§ 510.521 *Lubricating oils.* No person shall keep or store lubricating oils in or about the hangars: *Provided,* That such material may be kept in aircraft in the proper receptacles installed in the aircraft for such purpose or in containers provided with suitable draw-off devices.

§ 510.522 *Waste.* Lessees of hangars shall provide suitable metal receptacles with self-closing covers for the storage of oily wastes, rags, and other rubbish. All such waste shall be removed by the lessees daily.

§ 510.53 *Smoking.* No person shall smoke in any hangar or shop or in any building, room, or place on the airport where it is specifically prohibited by the Airport Administrator.

§ 510.54 *Cleaning fluid.* No person shall use volatile inflammable substances for cleaning floors in the hangars or in other buildings of the airport.

§ 510.55 *Floor care.* All lessees on the airport shall keep the floors of the hangars and hangar and terminal apron pits and areas adjacent thereto, leased by them respectively, free and clear of oil, grease and other inflammable material.

§ 510.56 *Doping.* "Doping" processes shall be conducted only in properly designed, fireproofed and ventilated rooms or buildings in which:

(a) All illumination, wiring, heating, ventilation equipment, switches, outlets, and fixtures shall be spark proof and vapor proof and;

(b) All windows and doors shall open easily.

(c) No person shall enter or work in a "dope" room while "doping" processes are being conducted unless such person wears spark proof shoes.

§ 510.57 *Fueling operations.* The following rules govern the draining and fueling of aircraft:

(a) No aircraft shall be fueled or drained while the engine is running, or being warmed by applications of exterior heat, or while such aircraft is in a hangar or enclosed space.

(b) No smoking shall be permitted within 100 feet of an aircraft being fueled or drained.

(c) No person shall operate any radio transmitter or receiver, or switch electrical appliances off or on in an aircraft during fueling or draining.

(d) During refueling the aircraft and the fueling dispensing apparatus shall both be grounded to a point or points of zero electrical potential.

(e) Persons engaged in the fueling and draining of aircraft shall exercise care to prevent overflow of fuel.

(f) No passenger shall be permitted in any aircraft during fueling unless a cabin attendant is present at or near the cabin door.

(g) Only personnel engaged in the fueling, maintenance, and operation of an aircraft shall be permitted within 100 feet of such aircraft during any such operation.

(h) No person shall use any material during fueling or draining of aircraft which is likely to cause a static spark.

(i) Adequate fire extinguishers shall be within ready reach of all fueling and draining operations.

(j) No person shall start the engine of any aircraft when there is any gasoline on the ground under such aircraft.

(k) Fueling hoses and draining equipment shall be maintained in a safe, sound, and non-leaking condition.

(l) All hoses, funnels, and appurtenances used in fueling and draining operations shall be equipped with a grounding device to prevent ignition of volatile liquids.

(m) The fueling and draining of aircraft shall be conducted at least 50 feet from any hangar or other building.

§ 510.58 *Radio operation.* No person shall operate any radio equipment in any aircraft when such aircraft is in a hangar.

§ 510.6 (*Unassigned*).

§ 510.7 *Motor vehicle operation in hangar.* No person shall operate a tractor in any hangar unless the tractor exhaust is protected by screens or baffles to prevent the escape of sparks or the propagation of flame. Motor scooters, trucks, and other motor vehicles shall not be operated in any hangar proper at any time.

§ 510.8 *Obligations of tenants.*

§ 510.80 *Signs and bulletin boards.* The lessees of hangars shall maintain a bulletin board in a conspicuous place for the purpose of posting any and all notices issued by the Administrator and his representatives.

§ 510.81 *Workmen's compensation.* The lessees of hangars shall post on the bulletin board workmen's compensation notices, lists of competent physicians, and names of liability insurance carriers.

§ 510.82 *First aid equipment.* All tenants or lessees of hangars or shop facilities on the airport shall provide in such hangars or shops conveniently accessible first-aid kits approved by the Airport Administrator.

§ 510.83 *Storage of equipment.* No tenant or lessee of any hangar or shop facility on the airport shall store or stack material or equipment in such a manner as to constitute a hazard to personnel or property.

§ 510.84 *Fire apparatus.* All tenants or lessees of hangars or shop facilities shall supply and maintain such adequate and readily accessible fire extinguishers and fire equipment and provide for such periodic fire drills as the Airport Administrator may prescribe.

§ 510.9 *Penalties.* Any person who violates any rule or regulation prescribed herein, or any order or instruction issued by the Airport Administrator authorized herein, may be removed or ejected from the airport by the Airport Administrator and his representatives and may be deprived of the further use of the airport and its facilities for such time as may be necessary to insure the safety of the airport and the public.

PART 511—AERONAUTICAL RULES FOR THE WASHINGTON NATIONAL AIRPORT

Sec.

Sec.
511.4 Aircraft equipment rules.
511.5 Landing area.
511.6 Taxying rules.
511.7 Landing and take-off rules.
511.8 Visual signal procedures.
511.9 Penalties.

AUTHORITY: §§ 511.1 to 511.9, inclusive, issued under 54 Stat. 686.

§ 511.1 *General aeronautical rules.* All aeronautical activities at the Washington National Airport, and all flying of aircraft departing from or arriving at the Washington National Airport in the airspace which constitutes the control zone of the Washington National Airport, shall be conducted in conformity with the current pertinent provisions of the Civil Air Regulations and orders issued by the Airport Administrator or air-traffic control-tower operator, not in conflict with the said regulations.

§ 511.10 *Definitions.* The term "person" means any individual, firm, copartnership, corporation, company, association, joint-stock association, or body politic; and includes any trustee, receiver, assignee, or other similar representative thereof.

§ 511.2 *Radio contact.* (a) Radio contacts between pilots of aircraft and air-traffic control-tower operators shall be conducted in accordance with the procedures and by means of the phraseologies prescribed by the Administrator of Civil Aeronautics whenever practicable.

(b) Pilots of outbound aircraft equipped with functioning two-way radio shall not taxi or take off without a control tower clearance.

(c) Pilots of aircraft not equipped with functioning two-way radio shall not land, taxi, or take off without a clearance by radio or light signal: *Provided, however,* That this shall not prohibit sufficient movement of an outbound aircraft not equipped with a functioning transmitter to attract the attention of the control-tower operator.

§ 511.20 *Report of arrival.* Unless impracticable because of weather conditions or unless airway traffic control instructions preclude such action, pilots of inbound aircraft equipped with functioning two-way radio shall report at or near a contact reporting point and as they enter the airport zone.

§ 511.3 *Aircraft operation rules*—(a) *Operations.* Aircraft operations shall be confined to hard surfaced areas. Taxi strips shall not be used for take-offs or landings;

(b) *Parking of aircraft.* No person shall park aircraft in any area on the airport other than that prescribed by the Airport Administrator or his authorized representative;

(c) *Payment.* Payment for use of airport facilities, storage, repairs, supplies, or other service rendered by the airport shall be made before flight clearance will be granted unless satisfactory credit arrangements have been made with the Airport Administrator;

(d) *Disabled aircraft.* Aircraft owners, their pilot, or agent, shall be responsible for the prompt disposal of disabled aircraft and parts thereof unless required or directed to delay such action pending an investigation of an accident;

(e) *Accident reports.* Witnesses of and participants in accidents on or within the environs of the airport shall make a full report thereof to the Airport Administrator as soon after an accident as possible, together with their names and addresses;

(f) *Refusal for clearance.* The Airport Administrator may delay or restrict any flight or other operations at the airport and may refuse take-off clearance to any aircraft for any reason he believes justifiable.

§ 511.4 *Aircraft equipment rules*—(a) *Equipment.* No aircraft shall be operated on the Washington National Airport unless it is equipped with two-way radio, tail or nose wheel, and wheel brakes;

(b) *Interfering and tampering with aircraft.* No person shall interfere or tamper with any aircraft or put in motion the engine of such aircraft, or use any aircraft, aircraft parts, instruments or tools without permission of the owner, or satisfactory evidence of the right to do so presented to the Airport Administrator;

(c) *Repairing of aircraft.* No aircraft, aircraft engines, propellers, and apparatus shall be repaired in any area of the airport other than that specifically designated by the Airport Administrator.

§ 511.5 *Landing area.* The Anacostia Naval Air Station, Bolling Field, and the Washington National Airport shall be regarded as one landing area in observing the circling requirement of the Civil Air Regulations.

§ 511.6 *Taxying rules.* (a) No person shall taxi an aircraft to or from the hangar line or to or from an approved parking space until he has ascertained that there will be no danger of collision with any person or object in the immediate area by visual inspection of the area and, when available, through information furnished by airport attendants.

(b) No aircraft shall be taxied except at a safe and reasonable speed.

(c) Pilots shall not taxi onto or across runway in use until specifically cleared to do so by radio or visual signal.

(d) No aircraft not equipped with adequate brakes shall be taxied near buildings or parked aircraft unless an attendant is at a wing of the aircraft to assist the pilot.

(e) Aircraft shall be taxied in accordance with the taxying pattern prescribed when any particular runway is in use.

(f) No person shall start or run any engine in aircraft, unless a competent person is in the aircraft attending the engine controls. Blocks shall always be placed in front of the wheels before starting the engine or engines, unless the aircraft is provided with adequate parking brakes.

§ 511.7 *Landing and take-off rules.* (a) Landings and take-offs shall be made on the runway according to the direction given by the control tower.

(b) No landing or take-off shall be made except at a safe distance from buildings and aircraft.

(c) Aircraft landing or taking off shall conform to the air traffic pattern published jointly by the Anacostia Naval Air Station, Bolling Field and the Washington National Airport.

§ 511.8 *Visual signal procedures.* (a) Visual signal procedures prescribed by the Administrator of Civil Aeronautics shall be observed.

(b) To an aircraft approaching for a landing:

(1) An illuminated red cross at the end of a runway shall mean: "Runway not clear for landing."

(2) An illuminated green arrow shall mean: "Runway to be used in direction of arrow."

(c) To an aircraft on the ground:

(1) A red light at the take-off end of the runway in use shall mean: "Do not taxi onto runway."

(2) A red light at far end of runway in use shall mean: "Hold, do not take off."

(3) A green light at take-off end of a runway in use shall mean: "Cleared to take off."

(4) A green flush light at junction of taxi lane and runway shall mean: "cleared to taxi."

(5) A red flush light at any junction shall mean: "Do not taxi beyond this point."

§ 511.9 *Penalties.* In addition to penalties otherwise provided, any person operating or handling any aircraft in violation of the regulations in this part or refusing to comply therewith, may promptly be removed or ejected from the airport by or under the authority of the Airport Administrator and upon the order of the Airport Administrator, may be deprived of the further use of the airport and its facilities for such length of time as may be required to insure the safeguarding of the same and the public and its interest therein.

T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 46-19760; Filed, Oct. 31, 1946; 8:49 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 810 et al.]

AIR FREIGHT CASE

NOTICE OF HEARING

In the matter of applications for certificates of public convenience and necessity under section 401, and for approval of certain relationships under section 408 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given that the above matter is assigned to be heard on November 18, 1946, 10 a. m., central time, at the Hotel Texas, Fort Worth, Texas, and on November 25, 1946, 10 a. m., eastern standard time, at the Chalfonte Hotel, Atlantic City, New Jersey, before Exam-

iners William F. Cusick and R. Vernon Radcliffe.

Dated at Washington, D. C., October 28, 1946.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-19757; Filed, Oct. 31, 1946; 8:56 a. m.]

CIVILIAN PRODUCTION ADMINISTRATION.

[Haulage Request TR-3]

TRANSPORTATION IN HIGH PRESSURE TANK CARS AND STORAGE OF SPECIFIED MATERIALS

It is requisite to the prosecution of the War that the maximum amount of certain essential materials be delivered to essential industries with a minimum dislocation of the general economy, with a minimum of delay, and with a minimum of strain upon transportation facilities already severely taxed. This can best be accomplished through voluntary arrangements which permit materials to be consumed as near as may be to their source. Now, therefore, it is hereby requested that:

SECTION 1. *Purchases, sales, exchanges and common use of facilities.* All persons engaged in producing, supplying or distributing the materials listed on Schedule X hereto annexed (herein referred to as "Schedule X materials") make such purchases, sales, exchanges or loans of Schedule X materials and arrange for such common use of transportation in high pressure tank cars and storage facilities as may be requisite or necessary in order to attain the most efficient utilization of such facilities. All such purchases, sales, exchanges or loans, and all such arrangements for common use of transportation in high pressure tank cars and storage facilities shall remain subject to review and adjustment by the Civilian Production Administration to the end (a) that no producer, supplier or distributor of any Schedule X material shall be deprived of an opportunity to share equitably in the available supply of such material and the use of transportation and storage facilities, (b) that no consumer shall be inequitably treated in the distribution of Schedule X materials, by reason of such arrangements, and (c) that such arrangements shall not go beyond the purpose and objective of this request.

SEC. 2. *Reports.* All persons who effect purchases, sales, exchanges or loans of Schedule X materials or arrangements for common use of transportation in high pressure tank cars and storage facilities pursuant to section 1 hereof, shall inform the Civilian Production Administration by letter giving the following information:

1. Names and addresses of parties, including names and addresses of persons to whom inquiries concerning the report should be directed.
2. Effective date and duration of arrangement.
3. Kind and quantity of material involved.
4. Location of points of origin and destination of Schedule X materials to be shipped or location of storage facilities to be jointly used.
5. A statement that to the best of the informant's knowledge and belief, no supplier, distributor or producer of the material involved in the arrangement is or will be deprived by the arrangement of an opportunity to share equitably in the available supply and use of transportation and storage facilities.
6. A statement that to the best of the informant's knowledge and belief, no consumer of the material involved in the arrangement is or will be treated inequitably in the distribution of such material by reason of the arrangement.

A separate letter for each Schedule X material involved shall be filed. Further information may be specifically requested in particular cases.

SEC. 3. *Certification of this request.* Having consulted with the Attorney General, the Administrator of the Civilian Production Administration has issued Certificate 216, under section 12, Public Law 603, 77th Congress (56 Stat. 357) with respect to this Haulage Request TR-3.

SEC. 4. *Communications.* All communications concerning this request and all information filed hereunder shall, unless otherwise directed, be addressed to: Civilian Production Administration, Washington 25, D. C., Reference TR-3 (Specify Schedule X material).

SEC. 5. *Time limit on making arrangements and on this request.* No arrangements pursuant to this request shall be entered into after March 31, 1947, and this request shall not extend to any purchase, sale, exchange, loan, arrangement or act occurring after June 30, 1947 or after the withdrawal of this request if an effective date of withdrawal prior to June 30, 1947 is established.

Issued this 24th day of October 1946.

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

SCHEDULE X

1. Anhydrous Ammonia
2. Liquefied Petroleum Gas
3. Chlorine

[F. R. Doc. 46-19706; Filed, Oct. 31, 1946; 8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

JAMES F. HOPKINS, INC. (WJBK AND WJBK-FM)[1]

PUBLIC NOTICE FOR PROPOSED TRANSFER OF CONTROL

The Commission hereby gives notice that on October 10, 1946 there was filed with it an application (B2-TC-513) for its consent under section 310 (b) of the Communications Act (47 U. S. C. A. 310) to the proposed transfer of control of James F. Hopkins, Inc., licensee of Station WJBK and WJBK-FM, Detroit, Michigan, from Richard A. Connell, Jr., James F. Hopkins and Henrietta Connell to The Fort Industry Co. 506 New Center Building, Detroit, Michigan. The arrangements for transfer of control of the above stations are based upon the agreement of the above parties of September 14, 1946 under which the outstanding common and preferred stock of the licensee would be sold by the holders thereof to purchaser for $698,285.08 ($10.00 each for the 944⅔ shares of preferred stock; $10.00 each for the 94⅔ shares of common $10.00 par value stock; and $809.-2844 for each of the 850 shares of the common no par stock.) Said prices to be adjusted as follows: The price to be increased or decreased dependent on the difference between current assets and current liabilities between May 31, 1946 and the accounting date fixed by the contract. The buyer is also to pay expenses and construction costs of the FM station granted the licensee. The transfer is not to include, however, the AM station at Ann Arbor, Michigan. Sellers are to deposit in escrow $10,000 with the Detroit Trust Co. to indemnify purchasers against any claims or deficiencies. The buyer is to deposit $25,000 as earnest money. Sellers are not to engage in the radio business within the primary radio area of Detroit (as understood in the broadcasting industry) excepting Ann Arbor, for a period of three years from the granting of the application. Further details as to the arrangements between the parties and concerning the application may be determined from an inspection of the papers which are on file at the offices of the Commission in Washington, D. C.

On July 25, 1946 the Commission adopted § 1.388 (known as § 1.321 effective September 11, 1946) which sets out the procedure to be followed in such cases, including the requirement for public notice concerning the filing of the application. Pursuant thereto the Commission was advised by applicants at the time of the filing of the application (October 10, 1946) that starting October 17, 1946 notice of the filing of the application would be inserted in the DETROIT NEWS, a paper of general circulation at Detroit, Michigan, in conformity with the above rule.

In accordance with the procedure set out in said rule, no action will be had upon the application for a period of 60 days from October 17, 1946, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above-described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 USCA 310 (b))

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-19723; Filed, Oct. 31, 1946; 8:51 a. m.]

[1] Section 1.321, Part I, Rules of Practice and Procedure.

KSTP, INC.[1]

PUBLIC NOTICE FOR PROPOSED TRANSFER OF CONTROL

The Commission hereby gives notice that on October 15, 1946, there was filed with it an application (B4–TC–514) for its consent under section 310 (b) of the Communications Act (47 U. S. C. A. 310) to the proposed transfer of control of KSTP, Inc., licensee of Radio Station KSTP, St. Paul, Minnesota, from Helen B. Shields, Frank J. Anderson, and First Trust Company of Saint Paul, Trustees under the will of Lytton J. Shields, Deceased; Florence E. Brown and C. R. Bachman, Trustees under the will of Frank M. Brown, Deceased; and Florence E. Brown, Guardian of James L. Brown, a Minor, to Stanley E. Hubbard, 363 St. Peters Street, St. Paul 2, Minnesota. The arrangements for transfer of control of KSTP, Inc. are based upon an agreement of September 21, 1946, between the legal representatives of the estate of Lytton J. Shields; representatives of the estate of Frank M. Brown; the guardian of James L. Brown, a minor (sellers); Stanley E. Hubbard, buyer, and Northwestern National Bank of Minneapolis, escrow agent, pursuant to which said representatives and guardian propose to sell all of their shares of common voting stock of KSTP, Inc. aggregating 1500 shares or 75% of such stock outstanding, for $550 a share, or for a total consideration of $825,000. Under the contract none of the stock is to be sold unless all of the stock obligated is sold simultaneously. Buyer has dedeposited with the escrow agent $825,000 and sellers have deposited certificates for the stock to be delivered to the proper parties upon Commission approval, when directors of licensee will resign. If the Commission fails to approve the transfer within 180 days from date of the contract the money and the certificates are to be returned. On September 21, 1946, a further agreement was entered into by Stanley Hubbard and his wife and the Aviation Corp. under which the latter agreed to loan to said Hubbard $850,000 to enable said Hubbard to complete the purchase of above 1500 shares of stock. The loan is to be evidenced by a promissory note to be secured by the 1500 shares. Included in the agreement is the option of Hubbard to give Crosley Broadcasting Corp. (a subsidiary of the Aviation Corp.) the right to purchase said 1500 shares at $1,200,000. The option of Crosley Broadcasting Corp., if exercised, is specifically subject to consent of the Commission. Further details as to arrangements between the parties and concerning the application may be determined from examination of the papers which are on file in the offices of the Commission in Washington, D. C.

On July 25, 1946, the Commission adopted § 1388 (known as § 1.321 effective September 11, 1946) which sets out the procedure to be followed in such cases, including the requirement for public notice concerning the filing of the application. Pursuant thereto the Commission was advised by applicants at the time of the filing of the application (October 15, 1946) that starting on October 18, 1946, notice concerning the application would be given in conformity with the above rule.

In accordance with the procedure set out in said rule, no action will be taken upon the application for a period of 60 days from October 18, 1946, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above-described contract.

(Section 310 (b), 48 Stat. 1086; 47 USCA 310 (b))

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46–19722; Filed, Oct. 31, 1946; 8:51 a. m.]

[Docket Nos. 6983, 6916, 6917, 7387, 6628]

WJOL ET AL.

NOTICE OF ORAL ARGUMENT

Beginning at ten o'clock a. m. on November 6, 1946, the Commission will hear oral argument in Room 6121 of the Offices of the Commission on the following matters, in the order indicated:

1. *WJOL—Renewal:* WCLS, Incorporated (WJOL), Joliet, Illinois, Docket No. 6983.

2. *Cleveland AM applications on 1300 kc:* Scripps-Howard Radio, Inc., Cleveland, Ohio, Docket No. 6916, and Cleveland Broadcasting, Inc., Cleveland, Ohio, Docket No. 6917.

3. *Grand Rapids—Muskegon applications on 1230 kc:* John E. Fetzer and Rhea Y. Fetzer d/b as Fetzer Broadcasting Company, Grand Rapids, Michigan, Docket No. 7387, and Ashbacker Radio Corporation (WKBZ), Muskegon, Michigan, Docket No. 6628.

Dated at Washington, D. C., October 18, 1946.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46–19719; Filed, Oct. 31, 1946; 8:52 a. m.]

[Docket Nos. 7097, 7699, 7877]

HOMER RODEHEAVER ET AL.

ORDER AMENDING ISSUES

In re applications of Homer Rodeheaver, Fort Wayne, Indiana, Docket No. 7097, File No. B4–P–4305; Arthur S. Feldman, Fort Wayne, Indiana, Docket No. 7699, File No. B4–P–4993; Radio Ft. Wayne, Inc., Fort Wayne, Indiana, Docket No. 7877, File No. B4–P–5282; for construction permits.

The Commission having under consideration a petition filed October 4, 1946, by Arthur S. Feldman, Fort Wayne, Indiana requesting leave to amend its application for construction permit (File No. B4–P–4993, Docket No. 7699) so as to substitute the Community Broadcasting Corporation as the applicant in place of Arthur S. Feldman; and to change Paragraphs 1, 2, 4, 5, 8, 9, 12, 13, 15, 41 and 42 so as to delete all references to Arthur S. Feldman and substitute Community Broadcasting Corporation; as more particularly appears from the amendment filed simultaneously with the petition; and for modification of the issues upon the instant application dated August 1, 1946 so as to substitute "Community Broadcasting Corporation" for "Arthur S. Feldman"; and oral opposition of counsel for the above-entitled applicant Homer Rodeheaver;

It is ordered, This 11th day of October 1946, that the petition be, and it is hereby, granted; and the amendment filed simultaneously with the petition covering the matters hereinabove described be, and it is hereby, accepted; and the issues in the proceeding upon the application of Arthur S. Feldman, Fort Wayne, Indiana (File No. B4–P–4993, Docket No. 7699) dated August 1, 1946, be, and they are hereby, amended so as to substitute "Community Broadcasting Corporation" for "Arthur S. Feldman".

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46–19720; Filed, Oct. 31, 1946; 8:52 a. m.]

[Docket Nos. 7551, 7647, 7869]

KEY BROADCASTING CORP. ET AL.

ORDER TRANSFERRING PLACE OF HEARING

In re applications of Key Broadcasting Corporation, Baltimore, Maryland, Docket No. 7551, File No. B1–P–4713; James M. Tisdale, Chester, Pennsylvania, Docket No. 7647, File No. B1–P–4781; Paul W. Delehanty, Chester, Pennsylvania, Docket No. 7869, File No. B2–P–5234; for construction permits.

The Commission having under consideration a petition filed October 14, 1946 by Key Broadcasting Corporation, Baltimore, Maryland requesting that the non-engineering testimony only in the consolidated hearing upon its application for construction permit (File No. B1–P–4713, Docket No. 7551) and the applications of James M. Tisdale, Chester, Pennsylvania (File No. B1–P–4781, Docket No. 7647), Paul W. Delehanty, Chester, Pennsylvania (File No. B2–P–5234, Docket No. 7869) which is presently scheduled for Washington, D. C. commencing October 25, 1946 be held in Baltimore, Maryland on the date presently scheduled;

It is ordered, This 18th day of October 1946, that the petition be, and it is hereby, granted; and the hearing in the above-entitled matter upon the non-engineering testimony of Key Broadcasting Corporation, Baltimore, Maryland, only, be, and it is hereby, transferred to Baltimore, Maryland, to be heard on the date heretofore scheduled.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46–19721; Filed, Oct. 31, 1946; 8:52 a. m.]

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[1] Section 1.321, Part I, Rules of Practice and Procedure.

[Docket Nos. 7633, 7634]

SANTA MONICA BROADCASTING CO. ET AL.

ORDER SETTING FORTH DATE OF HEARING

In re applications of Santa Monica Broadcasting Company, Santa Monica, California, Docket No. 7633, File No. B5–P–4792; and Robert Burdette, San Fernando, California, Docket No. 7634, File No. B5–P–4799; for construction permits.

The Commission having under consideration a petition filed October 8, 1946 by Santa Monica Broadcasting Company, Santa Monica, California requesting that the hearing upon above-entitled applications now scheduled for November 6, 1946 at Washington, D. C. be held in Los Angeles, California on the scheduled date;

It is ordered, This 18th day of October 1946, that the petition be, and it is hereby, granted; and the said hearing upon the above-entitled applications be, and it is hereby, scheduled for 10:00 o'clock A. M. Wednesday November 6, 1946, at Los Angeles, California.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–19717; Filed, Oct. 31, 1946; 8:52 a. m.]

[Docket No. 7678]

MODESTO BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of H. M. Williamson and Roy D. Johnson, a partnership, d/b as Modesto Broadcasting Company, Modesto, California, Docket No. 7678, File No. B5–P–4851; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of October 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for new standard broadcast station to operate on 1030 kc, 250 w, daytime only, at Modesto, California;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, in a consolidated proceeding with the application of Charles Vernon Berlin, Fred D. McPherson, Jr., and Mahlon D. McPherson, a partnership, d/b as Radio Station CRUZ (File No. B5–P–5105, Docket No. 7767), requesting a construction permit for a new standard broadcast station to operate on 1,080 kc, 1 kw, daytime only, at Santa Cruz, California, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of Charles Vernon Berlin, Fred D. McPherson and Mahlon D. McPherson, a partnership, d/b as Radio Station CRUZ (File No. B5–P–5105, Docket No. 7767), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–19713; Filed, Oct. 31, 1946; 8:53 a. m.]

[Docket 7767]

RADIO STATION CRUZ

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Charles Vernon Berlin, Fred D. McPherson, Jr., and Mahlon D. McPherson, a partnership, d/b as Radio Station CRUZ, Santa Cruz, California, Docket No. 7767, File No. B5–P–5105; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of October 1946.

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1080 kc, 1 kw daytime only, at Santa Cruz, California;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, in a consolidated proceeding with the application of H. M. Williamson and Roy D. Johnson, a partnership, d/b as Modesto Broadcasting Company (File No. B5–P–4851; Docket No. 7678), requesting a construction permit for a new standard broadcast station to operate on 1080 kc, 250 w, daytime only, at Modesto, California, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of H. M. Williamson and Roy D. Johnson, a partnership, d/b as Modesto Broadcasting Company (File No. B5–P–4851; Docket No. 7678), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–19714; Filed, Oct. 31, 1946; 8:53 a. m.]

[Docket Nos. 7906, 7811, 7676, 6220]

UAW-CIO BROADCASTING CORP. ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATING HEARING ON STATED ISSUES

In re applications of UAW-CIO Broadcasting Corporation, Detroit, Michigan, Docket No. 7906, File No. B2–P–5358; Grosse Pointe Broadcasting Corporation, Grosse Point, Michigan, Docket No. 7811, File No. B2–P–5015; Wolverine State Broadcasting Service, Incorporated, Detroit, Michigan, Docket No. 7676, File No. B2–P–4971; Herman Radner, Dearborn, Michigan, Docket No. 6220, File No. B2–P–3180; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of October 1946;

The Commission having under consideration the above-entitled application (File No. B2–P–5353) of UAW-CIO Broadcasting Corporation, requesting construction permit for new standard broadcast station to operate on 680 kc, 250 w, daytime only, at Detroit, Michigan, and also having under consideration said applicant's petition (filed with application on October 14, 1946) requesting that its application be designated for consolidated hearing with the applications of Grosse Point Broadcasting Corporation, Grosse Point, Michigan (File No. B2–P–5015, Docket No. 7811); Wolverine State Broadcasting Service, Incorporated, Detroit, Michigan (File No. B2–P–4971, Docket No. 7676); and Herman Radner, Dearborn, Michigan (File No. B2–P–3180, Docket No. 6220); and

It appearing, that the Commission, on March 20, 1946, designated for hearing the application of Herman Radner (File No. B2–P–3180, Docket No. 6220) requesting a construction permit for a new standard broadcast station to operate on 680 kc, 250 w power, daytime only, at Dearborn, Michigan, and that on July 18, 1946 the Commission designated for hearing in a consolidated proceeding with the said application of Herman Radner the application of Wolverine State Broadcasting Service, Incorporated (File No. B2–P–4971, Docket No. 7676), requesting a construction permit for a new standard broadcast station to operate on 680 kc, 250 w, daytime only, at Detroit, Michigan, and that on August 29, 1946 the Commission designated for hearing in a consolidated proceeding with the said applications of Herman Radner and Wolverine State Broadcasting Service, Incorporated, the application of Grosse Point Broadcasting Corporation, requesting a construction permit for standard broadcast station to operate on 660 kc, 250 w, daytime only, at Grosse Point, Michigan; and

It further appearing, that the petitioner was unavoidably delayed in filing its application, and that the public interest, convenience, or necessity would be served by consideration of its application on a comparative basis with the applications in the said consolidated hearing; and

It further appearing, that said consolidated hearing is scheduled for October 25, 1946 at Detroit, Michigan;

It is ordered, That the above petition of UAW–CIO Broadcasting Corporation, be, and it is hereby, granted; and

It is further ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of UAW–CIO Broadcasting Corporation be, and it is hereby, designated for hearing in the above-consolidated proceeding, to be held on October 25, 1946, at Washington, D. C., upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending applications of the three other applications in this consolidated proceeding or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the order of the Commission dated March 20, 1946, designating the said application of Herman Radner for hearing, and the order of the Commission dated July 18, 1946, designating the said application of Wolverine State Broadcasting Service, Incorporated, for hearing in a consolidated proceeding with the said application of Herman Radner, and the order of the Commission dated August 29, 1946, designating the said application of Grosse Pointe Broadcasting Corporation for hearing in a consolidated proceeding with the said applications of Herman Radner and Wolverine State Broadcasting Service, Incorporated, be, and they are hereby, amended to include the said application of UAW–CIO Broadcasting Corporation.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–19711; Filed, Oct. 31, 1946; 8:54 a. m.]

[Docket No. 7911]

WATERLOO BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Waterloo Broadcasting Company, Waterloo, Iowa, Docket No. 7911, File No. B4–P–5012; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 10th day of October 1946.

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 730 kc, with 500 w power, daytime only, at Waterloo, Iowa;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with station WGN, Chicago, Illinois, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

It is further ordered, That WGN, Incorporated, licensee of Station WGN, Chicago, Illinois, be, and it is hereby, made a party to this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–19718; Filed, Oct. 31, 1946; 8:52 a. m.]

[Docket No. 7913]

JOE V. WILLIAMS, JR.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Joe V. Williams, Jr., Chattanooga, Tennessee, Docket No. 7913, File No. B3–P–4816; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of October 1946.

The Commission having under consideration a petition for reconsideration filed August 13, 1946, by Rome Broadcasting Corporation, licensee of Station

WRGA, Rome, Georgia, directed against the action of the Commission on August 1, 1946, granting without hearing the above-entitled application of Joe V. Williams, Jr. for a construction permit to erect a new standard broadcast station to operate on the frequency 1490 kc, with 250 watts power unlimited time, at Chattanooga, Tennessee;

It is ordered, That, pursuant to section 405 of the Communications Act of 1934, as amended, the petition for reconsideration be, and it is hereby, granted; that the grant of the said application of Joe V. Williams, Jr., be, and it is hereby, set aside; and that the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations;

2. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served;

3. To determine whether the operation of the proposed station would involve objectionable interference with Station WRGA, Rome, Georgia, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations;

4. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations;

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

It is further ordered, That Rome Broadcasting Corporation, licensee of Station WRGA, Rome, Georgia, be, and it is hereby, made a party of this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-19712; Filed, Oct. 31, 1946; 8:53 a. m.]

[Docket No. 7915]

CHIPPEWA VALLEY RADIO AND TELEVISION CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Chippewa Valley Radio and Television Corporation, Eau Claire, Wisconsin, Docket No. 7915, File No. B4-P-5313; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of October 1946.

The Commission having under consideration the above-entitled application requesting a construction permit for new standard broadcast station to operate on 580 kc, 1 kw, 5 kw-LS, unlimited time, directional antenna, at Eau Claire, Wisconsin;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of La Crosse Broadcasting Company or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-19716; Filed, Oct. 31, 1946; 8:52 a. m.]

[Docket No. 7914]

LA SALLE COUNTY BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of F. F. McNaughton and Louis F. Leurig, a partnership, d/b as the La Salle County Broadcasting Company, La Salle, Illinois, Docket No. 7914, File No. B4-P-5284; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of October 1946.

The Commission having under consideration the above-entitled application requesting construction permit for a new standard broadcast station to operate on 1490 kc. with 250 w power, unlimited time, at La Salle, Illinois;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending applications of Elgin Broadcasting Company, New Elgin, Illinois (B4-P-3833, Docket No. 6962); Vincent Cofey, New Elgin, Illinois (B4-P-4381, Docket No. 7154); Community Broadcasting Company, Oak Park, Illinois (B4-P-4382, Docket No. 7155); Valley Broadcasting Company, Oak Park, Illinois (File No. B4-P-4075, Docket No. 6963); and Beloit Broadcasting Company, Beloit, Wisconsin (File No. B4-P-4161, Docket No. 6964), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-19715; Filed, Oct. 31, 1946; 8:53 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 634]

UNLOADING OF ALUMINUM AT SAN FRANCISCO, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D. C., on the 28th day of October A. D. 1946.

It appearing, that car CN 486876, containing sheet aluminum at San Francisco, Calif., on the Southern Pacific Company, has been on hand for an unreasonable length of time, and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action: It is ordered, that:

(a) *Aluminum at San Francisco, Calif., be unloaded.* The Southern Pacific Company, its agents or employees, shall unload immediately car CN 486876, containing sheet aluminum, now on hand at San Francisco, Calif., consigned to order Materials Distributors, Inc., Notify Anderson Bros., 21 Laskie Street, San Francisco, Calif.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., October 30, 1946, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10)–(17), 15 (2))

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

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 46-19727; Filed, Oct. 31, 1946; 8:57 a. m.]

DEPARTMENT OF JUSTICE.

Office of Alien Property.

[Vesting Order 7296]

MELANIE SCHAUBE

In re: Obligations owing to and bond coupons owned by Melanie Schaube. F-28-5093, F-28-5093-A-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Melanie Schaube, whose last known address is % Eichborn & Company, Breslau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain matured obligations owing to Melanie Schaube by Silesian-American Corporation, 25 Broadway, New York, New York, evidenced by forty (40) Silesian-American Corporation 15 year 7% Sinking Fund Gold Bonds, due August 1, 1941, each of $1,000 face value, bearing the numbers 2102 to 2112, inclusive, 3948 to 3954 inclusive, 4480, 9077 to 9085 inclusive, 9864, 9865, 9874, 11232, 10928 to 10931 inclusive, 11231 and 12645 to 12647 inclusive, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. Forty (40) coupons, each dated August 1, 1941, each of $35 face value and each bearing the number 30, detached from the bonds described in subparagraph 2a above, being presently in the custody of New York Hanseatic Corporation, 120 Broadway, New York, New York, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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 July 30, 1946.

[SEAL] JAMES E. MARKHAM, *Alien Property Custodian.*

[F. R. Doc. 46-19748; Filed, Oct. 31, 1946; 8:48 a. m.]

[Vesting Order 7788]

TSURUMATSU OBITA

In re: Bank account, securities and claims owned by Tsurumatsu Obita. F 39-1219, F 39-1219 A-1, F 39-1219 B-1, F 39-1219 C-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Tsurumatsu Obita whose last known address is Yamaguchi, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. 625 shares of $5 par value common capital stock of Sunrise Soda Water Works Company, Limited, 967 Robello Lane, Honolulu, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by Certificates Numbers 597, 606, 634, 637, 655 and 694, and registered in the name of Tsurumatsu Obita, together with all declared and unpaid dividends thereon,

b. That certain debt or other obligation owing to Tsurumatsu Obita, by Sunrise Soda Water Works Company, Limited, 967 Robello Lane, Honolulu, T. H., in the amount of $466.41, as of August 2, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

c. All those debts or other obligations owing to Tsurumatsu Obita, by Sunrise Soda Water Works Company, Limited, 967 Robello Lane, Honolulu, T. H., including particularly but not limited to a portion of the sum of money on deposit with Bishop National Bank of Hawaii, Honolulu, T. H., in Time Certificate of Deposit Number 3615, entitled Sunrise Soda Water Works Company, Limited, Non-Resident Alien Dividend Account, and any and all rights to demand, enforce and collect the same,

d. All those debts or other obligations owing to Tsurumatsu Obita, by Sunrise Soda Water Works Company, Limited, 967 Robello Lane, Honolulu, T. H., including particularly but not limited to a portion of the sum of money on deposit with Bishop National Bank of Hawaii, Honolulu, T. H., in Time Certificate of Deposit Number 3469, entitled Sunrise Soda Water Works Company, Limited, Non-Residents Dividend Account, and any and all rights to demand, enforce and collect the same,

e. All those debts or other obligations owing to Tsurumatsu Obita, by Sunrise Soda Water Works Company, Limited, 967 Robello Lane, Honolulu, T. H., including particularly but not limited to a portion of the sum of money on deposit with Bishop National Bank of Hawaii, Honolulu, T. H., in Time Certificate of Deposit Number 3571, entitled Sunrise Soda Water Works Company, Limited,

Non-Resident Stockholders Dividend Account, and any and all rights to demand, enforce and collect the same, and

f. That certain debt or other obligation of Bishop National Bank of Hawaii, Honolulu, T. H., arising out of a commercial account, entitled S. Ouchi, trustee for T. Obita, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Tsurumatsu Obita, 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.

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 September 30, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-19747; Filed, Oct. 31, 1946; 8:48 a. m.]

[Vesting Order 7878]

YASUTARO HIRAMOTO AND MIYANOSUKE KATSUTA

In re: Stock owned by Yasutaro Hiramoto and Miyanosuke Katsuta.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Yasutaro Hiramoto and Miyanosuke Katsuta, whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows: 6 shares of $10 par value common capital stock of Japanese Mercantile Company, Ltd., Kahului, Maui, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by the certificates listed below, registered in the names of and owned by the persons listed below in the amounts appearing opposite each name as follows:

Registered owner	Certificate No.	Number of shares
Yasutaro Hiramoto	146	5
Miyanosuke Katsuta	149	1

together with 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 nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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 October 14, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-19745; Filed, Oct. 31, 1946; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-2662]

CITY OF MONTEVIDEO, URUGUAY

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of October A. D. 1946.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 6% External Sinking Fund Gold Bonds, Series A, due 1959, of City of Montevideo, Uruguay;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on November 7, 1946.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-19730; Filed, Oct. 31, 1946; 8:57 a. m.]

[File No. 1-2937]

SOUTH COAST CORP.

ORDER PERMITTING WITHDRAWAL OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23th day of October A. D. 1946.

The South Coast Corporation having filed an application, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) adopted thereunder, to withdraw its Common Stock, $1.00 Par Value, from listing and registration on the New York Curb Exchange on the ground that application was to be made for listing and registration on The Chicago Stock Exchange; a hearing thereon having been scheduled for November 27, 1946; and

The applicant having requested under date of October 22, 1946, that it be permitted to withdraw the application to withdraw said security from listing and registration on the New York Curb Exchange for the reason that applicant has decided to retain listing and registration of this security on the New York Curb Exchange and also to have this security listed and registered on The Chicago Stock Exchange if application for this new listing and registration becomes effective;

It is ordered, That the request of the applicant be, and it hereby is, granted, and the hearing scheduled for November 27, 1946 be, and it hereby is, cancelled.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-19729; Filed, Oct. 31, 1946; 8:57 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[SO 133, Order 81]

LEWISBURG CHAIR AND FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Supplementary Order No. 133, it is ordered:

(a) *Manufacturer's maximum prices.* Lewisburg Chair and Furniture Company, N. 10th Street, Lewisburg, Pennsylvania, may increase its maximum prices properly established under Maximum Price Regulation No. 188, (exclusive of any adjustment charges) for wood household furniture which it manufactures, by 25.5 per cent of each such maximum price.

(b) *Resellers' ceiling prices.* Resellers of articles which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows:

(1) A retailer who must determine his ceiling price under Maximum Price Regulation No. 580 and a wholesaler who must determine his ceiling price under Maximum Price Regulation No. 590, shall compute their ceiling prices in the manner provided by those regulations. However, if the supplier's invoice states both an "unadjusted maximum price" and a selling price, the reseller shall compute his ceiling prices under those regulations as they have been modified by Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188.

(2) A reseller who determines his maximum resale price under the General Maximum Price Regulation, and whose supplier's invoice states both an "unadjusted maximum price" and a selling price, shall compute his ceiling price under that regulation as modified by Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188.

If his supplier's invoice does not state an "unadjusted maximum price", the reseller shall calculate his ceiling prices by adding to his invoice cost the same percentage markup which he had on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of article 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 No. 820–752 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 § 1490.3 (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) The provisions of Supplementary Order No. 153 shall not apply to the determination of ceiling prices for resales of articles covered by this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March, 1942, or, thereafter, properly established under Office of Price Administration regulations.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(e) The manufacturer shall file the report described in section 5 of Supplementary Order No. 133 with the Office of Price Administration, Washington 25, D. C., and shall comply with the invoicing and reporting provisions of Order No. 4800 under Maximum Price Regulation No. 188.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This order shall become effective on the 1st day of November, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order No. 81 Under Supplementary Order No. 133

Lewisburg Chair and Furniture Company, N. 10th Street, Lewisburg, Pennsylvania, requested an adjustment under Supplementary Order No. 133 of its maximum prices for sales of wood household furniture which it manufactures.

Supplementary Order No. 133 authorizes the granting of an increase in the maximum price of a manufacturer when his products are covered by Maximum Price Regulation No. 188, if the manufacturer shows that unless an adjustment is authorized he will be compelled to conduct his entire business operations at a loss. In addition, it must appear that the loss is not due to any of the factors listed in section 3 (b) of Supplementary Order No. 133.

The information submitted demonstrates that the articles in question are covered by Maximum Price Regulation No. 188; that the manufacturer's current overall operations are being conducted at a loss; and that such loss is not occasioned by any of the factors listed in section 3 (b) of Supplementary Order No. 133. Therefore, the accompanying order permits a uniform percentage increase in the manufacturer's maximum prices with respect to the items specified in the application. This increase will enable the manufacturer to operate without loss.

In compliance with the requirements of section 5 of Supplementary Order No. 133, the manufacturer is advised of his duty to file a profit and loss statement covering the first three months of his operations under this order with the Office of Price Administration, Washington 25, D. C., within four months after the effective date of this order. Since the provisions of Order No. 4800 under Maximum Price Regulation No. 188 are also applicable, the manufacturer is further informed of his duty to file the report required by section 9 of that order together with the necessity of furnishing an invoice to purchasers for resale setting forth an unadjusted maximum price as required by Order No. 4800.

Purchasers for resale of the articles which the manufacturer sells at adjusted prices are permitted to pass on to their customers the amount of the increase permitted by the accompanying order which is in excess of that authorized for the manufacturer's industry generally by Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188. This follows from the requirements contained in Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188 under which the manufacturer must furnish his purchasers for resale with an invoice of a particular type and under which purchasers for resale are given fixed rates as to how they determine their resale ceiling prices. This is in accordance with the policy of the Office of Price Administration in cases where industry-wide actions have been taken with respect to a particular commodity, and a manufacturer of that commodity has also qualified for an invidual adjustment in excess of that granted the industry generally.

[F. R. Doc. 46–19670; Filed, Oct. 31, 1946; 8:56 a. m.]

[MPR 64, Order 338]

NASH-KELVINATOR CORP.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) This order establishes ceiling prices for sales of certain electric range models manufactured by the Nash-Kelvinator Corporation, 14250 Plymouth Road, Detroit 32, Michigan, as follows:

(1) For sales by wholesale distributors to retail dealers the ceiling prices, including the Federal excise tax, are those set forth below:

Model	Quantity	Distributor to dealer
ER-463C	1 to 4	$113.50
ER-463C	5 or more	108.60
LER-463C	1 to 4	113.50
LER-463C	5 or more	108.60
ER-463	1 to 4	95.91
ER-463	5 or more	91.74
LER-463	1 to 4	95.91
LER-463	5 or more	91.74

These prices are f. o. b. purchaser's city, and are subject to the seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(2) For sales by retail dealers to ultimate consumers the ceiling prices including the Federal excise tax but not including any state or local taxes imposed at the point of sale are those set forth below:

Model	Dealer to consumer
ER-463C	$164.50
LER-463C	164.50
ER-463	139.00
LER-463	139.00

These prices include delivery, a one year warranty, and installation when the installation requires only that the range be connected to the electric facilities provided by the purchaser and such connection does not require any additional materials. If a range cord set (customarily referred to in the industry as a "pigtail") is required and is furnished by the retail dealer, he may add $3.50 to the OPA retail ceiling price. In all other respects these ceiling prices are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(b) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale after the effective date of this order, the Nash-Kelvinator Corporation shall notify the purchaser of the ceiling prices and conditions established by this order for his resales. This notice may be given in any convenient form.

(c) The Nash-Kelvinator Corporation shall, before shipping any range covered by this order, attach to the outside panel of the oven door of the range a label which contains all the following information:

(1) The model number of the range.

(2) Its OPA retail ceiling price.

(3) A statement that the ceiling price shown includes the Federal excise tax, delivery, a one year warranty, and installation when the installation requires only that the range be connected to electric facilities provided by the purchaser and such connection does not require any additional materials.

(4) A statement that if the installation requires the use of a range cord set (customarily referred to in the industry as a "pigtail") and such a set is furnished by the retail dealer, he may add $3.50 to the OPA retail ceiling price of the range.

(d) All the provisions of Maximum Price Regulation No. 64 continue to apply to sales of articles covered by this order, except to the extent that they are modified by this order. The resale ceiling prices established by this order include all the increases allowed by sections 11a and 11b of Maximum Price Regulation No. 64 and may not, therefore, be increased under those sections.

(e) Unless the context requires otherwise, the definitions set forth in the various sections of Maximum Price Regulation No. 64 shall apply to the terms used herein.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This order shall become effective on the 1st day of November 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order No. 338 Under Maximum Price Regulation No. 64

The Nash-Kelvinator Corporation, Detroit 32, Michigan, hereinafter referred to as the applicant, has established under Maximum Price Regulation No. 64 its ceiling prices for certain new models of electric ranges which it is now manufacturing. There are no models in the applicant's line comparable to these models and for which retail ceiling prices had been established on March 31, 1946. Hence, the applicant is unable to compute the ceiling prices of the new models in accordance with section 11b (c) of Maximum Price Regulation No. 64. In order that the applicant may comply with the preticketing requirements of Maximum Price Regulation No. 64, it is, therefore, necessary to issue an order establishing wholesale and retail prices for the new models under section 11 of Maximum Price Regulation No. 64 which provides that orders may be issued establishing resale ceiling prices whenever a manufacturer's ceiling prices have been determined under the regulation.

The ceiling prices established by the accompanying order were determined by applying to the manufacturer's current ceiling price under Maximum Price Regulation No. 64 for each model the average percentage markup which each class of reseller would have received on March 31, 1946, in connection with sales of the same stove adjusted to reflect customary industry differentials between standard and deluxe models. The ceiling prices established are, therefore, in accordance with the requirements of section 2 (t) of the Emergency Price Control Act of 1942, as amended, and in line with the level of ceiling prices fixed under Maximum Price Regulation No. 64.

The accompanying order requires compliance with the notification, preticketing, terms-of-sale, and other general provisions of Maximum Price Regulation No. 64.

[F. R. Doc. 46-19749; Filed, Oct. 31, 1946; 8:49 a. m.]

[RMPR 86, Order 84]

BORG-WARNER CORP.

MODIFICATION OF ZONES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 21 of Revised Maximum Price Regulation No. 86, *It is ordered:*

(a) The provisions of Revised Maximum Price Regulation No. 86 or any order issued thereunder to the contrary notwithstanding, for the purpose of determining ceiling prices of domestic laundry machines manufactured by the Borg-Warner Corporation, Norge Division, of Detroit 26, Michigan, Zones 1, 2, 3 and 4 consist of the following respective areas:

Zone 1

All of the State of Illinois.

All of the State of Indiana, except the counties of Dearborn, Franklin, Ohio, and Ripley.

All of the State of Kentucky, except the counties of Boone, Campbell, Gallatin, Grant, Kenton, Pendleton, Harrison, Bracken, Fleming, Lewis, Mason, Robertson, Carter, Elliot, Boyd, Greenup, Johnson, Lawrence, Floyd, Martin, Magoffin, Pike, Simpson, Allen, Monroe, Cumberland, Clinton, Trigg, Calloway, Fulton, Graves, Hickman, McCracken, Marshall, Ballard, and Carlisle.

Iowa Counties of Clayton, Delaware, Dubuque, Jones, Jackson, Howard, Buchanan, Fayette, Allamakee, and Winneshick.

Eastern Missouri, including counties of Clark, Scotland, Schuyler, Adair, Macon, Randolph, Boone, Moniteau, Miller, Phelps, Dent, Reynolds, Carter, Ripley, Butler, Stoddard, New Madrid, and Mississippi.

Zone 2

Entire States of Michigan, Wisconsin, Arkansas, Tennessee, Alabama, Ohio, Pennsylvania, West Virginia, New Jersey, Delaware, District of Columbia, Maryland, and Virginia.

Vermont counties of Bennington, Addison, Chittenden, Franklin, Grand Isle, Lamoille, and Rutland.

State of New York, excluding counties of Orange, Sullivan, Bronx, Kings, New York, Queens, Richmond, Nassau, Suffolk, Putnam, Westchester, and Rockland.

Indiana counties of Dearborn, Franklin, Ohio, and Ripley.

All Kentucky counties excluded from Zone 1 above.

All North Carolina counties east of and including Granville, Durham, Wake, Johnston, Sampson, Pender, and New Hanover.

All North Carolina counties west of and including Ashe, Watauga, Avery, Mitchell, Yancey, Madison, Haywood, and Jackson.

Florida counties west of and including Jackson, Calhoun, and Gulf.

Mississippi counties north of and including Issaquena, Yazoo, Holmes, Attala, Winston, and Noxubee.

Louisiana parishes of Morehouse, West Carroll, and East Carroll.

Texas county of Bowie.

Oklahoma counties of Adair, Sequoyah, and LeFlore.

All Missouri counties not listed under Zone 1, including Dunklin, and Pemiscot.

All Kansas counties east of and including Republic, Cloud, Ottawa, Saline, Dickinson, Morris, Chase, Greenwood, Wilson, and Montgomery.

State of Nebraska excluding counties of Sioux, Dawes, Box Butte, Scotts Bluff, Morrill, Garden, Banner, Kimball, Cheyenne, and Deuel.

South Dakota counties of Trippe, Gregory, Charles Mix, Douglas, Hutchinson, Turner, Lincoln, Bon Homme, Yankton, Clay, and Union.

State of Minnesota excluding counties of Becker, Clay, Mahnomen, Norman, Kittson, Marshall, Pennington, Polk, Red Lake, Roseau, Lake of the Woods, Wadena, Grant, Otter Tail, Traverse, Wilkin, Stevens.

Zone 3

Entire States of Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, South Carolina, Georgia, and North Dakota.

Vermont counties east of and including Orleans, Caledonia, Orange, Washington, Windsor, and Windham.

All North Carolina counties other than those in Zone 2 above.

State of Florida, excluding counties in Zone 2 above.

Mississippi counties south of those in Zone 2 above.

State of Louisiana, excluding counties of Morehouse, West Carroll, and East Carroll.

State of Texas, excluding counties of Bowie, Ward, Winkler, Pecos, Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Presidio, Reeves, Terrell, Dona Ana, Luna, Otero, and Sierra.

State of Oklahoma, excluding counties of Adair, Sequoyah, and Le Flore.

All Kansas counties west of those in Zone 2 above.

State of Colorado, excluding counties of Mesa, Delta, Montrose, Ouray, and San Miguel.

Nebraska counties of Sioux, Dawes, Box Butte, Scotts Bluff, Morrill, Garden, Banner, Kimball, Cheyenne, and Deuel.

Wyoming counties of Fremont, Natrona, Converse, Niobrara, Carbon, Albany, Platte, Goshen, and Laramie.

State of South Dakota, excluding counties of Tripp, Gregory, Charles Mix, Douglas, Hutchinson, Turner, Lincoln, Bon Homme, Yankton, Clay, and Union.

Minnesota counties of Becker, Clay, Mahnomen, Norman, Kittson, Marshall, Pennington, Polk, Red Lake, Roseau, Lake of the Woods, Hubbard, Wadena, Grant, Otter Tail, Traverse, Wilkin, Douglas, Stevens, and Todd.

Zone 4

Entire States of Washington, Oregon, California, Idaho, Montana, Nevada, Utah, Arizona, and New Mexico.

Wyoming counties of Yellowstone National Park, Crook, Weston, Campbell, Sheridan, Johnson, Big Horn, Washakie Park, Hot Springs, Teton, Sublette, Lincoln, Unita, and Sweetwater.

Colorado counties of Mesa, Delta, Montrose, Ouray, and San Miguel.

Texas counties of Bowie, Ward, Winkler, Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, Dona Ana, Luna, Otero, and Sierra.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of November 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order No. 84 Under Section 21 of Revised Maximum Price Regulation No. 86

The accompanying order modifies the areas comprising the respective zones for the purpose of determining ceiling prices for domestic laundry machines manufactured by the Borg-Warner Corporation, Norge Division, Detroit 26, Michigan.

The zones as originally established were predicated on the assumption that Borg-Warner Corporation would manufacture domestic laundry machines in its plant at Muskegon Heights, Michigan; however, the manufacturer has discontinued production of domestic laundry machines in this plant, and in the future will produce them at its plant in Herrin, Illinois. Since zones were originally established to reflect freight rates, the change in location of the manufacturing plant requires a revision of the zones as authorized by section 21 of Revised Maximum Price Regulation No. 86.

The accompanying order establishes new zones on a basis that will result in no increase in the general level of ceiling prices which consumers throughout the United States will have to pay for domestic laundry machines manufactured by the Borg-Warner Corporation, and accordingly conforms to the requirements of section 21 of Revised Maximum Price Regulation No. 86.

[F. R. Doc. 46-19750; Filed, Oct. 31, 1946; 8:48 a. m.]

[MPR 120, Corr. to Order 1770]

CARRIER AND SON ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 1770 under Maximum Price Regulation No. 120 is hereby corrected in the following respects:

1. In the column of maximum prices for Fraser Coal Company, the words "Rail & Truck Price Classifications" are inserted below the words "Size Group Nos." and above the words "Rail Shipment"; and the letter "E" is placed opposite thereof and immediately below each of the size group numbers 1 to 5 inclusive.

2. In the last column of maximum prices, for H & N Coal Co., the rail and truck price classification "A" appearing for Size Group No. 5 is corrected to read "C"; and the letter "B" is placed immediately before the word "Seam".

This correction shall be effective as of October 25, 1946.

Issued this 30th day of October 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-19744; Filed, Oct. 31, 1946; 8:49 a. m.]

[RMPR 506, Amdt. 2 to Order 10]

BOSS MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment 2 to Order No. 10 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Boss Manufacturing Company. Docket No. N6657-506-22-7.

For the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Order No. 10 under section 4 (b) of RMPR 506 is amended in the following respects:

1. Paragraph (a) is amended by adding thereto the following:

For sales and deliveries on and after October 31, 1946, the manufacturer's prices for style numbers A043-1 and 389 shall be the base price computed from the above manufacturer's prices as directed in RMPR 506, section 4 (b) plus the material cost adjustment, computed as directed in RMPR 506, Appendix E, from the following adjustment factors:

Style No.	*Flannel adjustment factor*
A043-1	2.92
389	5.08

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

(1) The instructions for manufacturers in Appendix A and Appendix E, and the rules relating to the pricing of the "seconds," contained in section 4 (c) of RMPR 506.

3. The notice contained in paragraph (d) is amended to read as follows:

This notice is sent to you as required by Order No. 10 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work gloves enumerated in the table below, manufactured by The Boss Manufacturing Company.

OPA has rules that the manufacturer may sell this number at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers will determine their ceiling prices for "regular sales" at wholesale in accordance with section 3 (a) (2) of RMPR 506, and retailers, in accordance with section 2.

Column A

Manufacturer's prices

Style No.	*Group I ceiling*	*Group II ceiling*
A043-1	(Here list your ceiling prices in effect on the date of delivery of the gloves to the customer)	
389		

Issued and effective this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendment 2 to Order No. 10 Under Section 4 (b) of Revised Maximum Price Regulation 506

The order hereby amended provided maximum prices for certain staple work gloves manufactured by The Boss Manufacturing Company. That company has applied under section 4 (b), as amended, for adjustment factors for the computation of its material cost adjustment under Appendix E of Revised Maximum Price Regulation 506 for two style numbers of the gloves priced under that order. The adjustment factors provided are "in-line" with the level of adjustment factors provided under RMPR 506, as amended.

[F. R. Doc. 46-19672; Filed, Oct. 31, 1946; 8:55 a. m.]

[RMPR 506, Amdt. 2 to Order 43]

TENNESSEE GLOVE CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment 2 to Order No. 43 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Tennessee Glove Company. Docket No. N6657-506-23-7.

For the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Order No. 43 under section 4 (b) of RMPR 506 is amended in the following respects:

1. Paragraph (a) is amended by adding thereto the following:

For sales and deliveries on and after October 31, 1946, the manufacturer's prices for style numbers 2445L Big Shot and 2440L Big Shot shall be the base price computed from the above manufacturer's prices as directed in RMPR 506, section 4 (b) plus the material cost adjustment, computed as directed in RMPR 506, Appendix E, from the following adjustment factors:

Style No.	*Adjustment factors (flannel)*
2445L Big Shot–NBO	2.34
2440L Big Shot	3.27

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

(1) The instructions for manufacturers in Appendix A and Appendix E, and the rules relating to the pricing of the "seconds," contained in section 4 (c) of RMPR 506.

3. The notice contained in paragraph (d) is amended to read as follows:

This notice is sent to you as required by Order No. 43 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work gloves enumerated in the table below, manufactured by Tennessee Glove Company, Tullahoma, Tennessee.

OPA has ruled that the manufacturer may sell this number at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers will determine their ceiling prices for "regular sales" at wholesale in accordance with section 3 (a) (2) of RMPR 506, and retailers, in accordance with section 2.

	Column A	
	Manufacturer's prices	
Style No.	*Group I ceiling*	*Group II ceiling*
2445L Big Shot–NBO 2440L Big Shot	(Here list your ceiling prices in effect on the date of delivery of the gloves to the customer)	

Issued and effective this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendment 2 to Order No. 43 Under Section 4 (b) of Revised Maximum Price Regulation 506

The order hereby amended provided maximum prices for certain staple work gloves manufactured by Tennessee Glove Company, Tullohoma, Tennessee. That company has applied under section 4 (b), as amended, for adjustment factors for the computation of its material cost adjustment under Appendix E of Revised Maximum Price Regulation 506 for two style numbers of the gloves priced under that order. The adjustment factors provided are "in-line" with the level of adjustment factors provided under RMPR 506, as amended.

[F. R. Doc. 46–19694; Filed, Oct. 31, 1946; 8:54 a. m.]

[RMPR 506, Amdt. 2 to Order 44]

MARSO AND RODENBORN MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment 2 to Order No. 44 under Section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Marso & Rodenborn Mfg. Co. Docket No. N6657–506–47–7.

For the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Order No. 44 under section 4 (b) of RMPR 506 is amended in the following respects:

1. Paragraph (a) is amended by adding thereto the following:

For sales and deliveries on and after October 31, 1946, the manufacturer's prices for style numbers 299–2M and 289–2B shall be the base price computed from the above manufacturer's prices as directed in RMPR 506, section 4 (b) plus the material cost adjustment, computed as directed in RMPR 506, Appendix E, from the following adjustment factors:

	Adjustment factors	
Style No.	*Flannel*	*Tubing*
299–2M	5.75	0.38
289–2B	4.20	.38

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

(1) The instructions for manufacturers in Appendix A and Appendix E, and the rules relating to the pricing of the "seconds," contained in section 4 (c) of RMPR 506.

3. The notice contained in paragraph (d) is amended to read as follows:

This notice is sent to you as required by Order No. 44 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work gloves enumerated in the table below, manufactured by Marso and Rodenborn Manufacturing Company.

OPA has ruled that the manufacturer may sell this number at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers will determine their ceiling prices for "regular sales" at wholesale in accordance with section 3 (a) (2) of RMPR 506, and retailers, in accordance with section 2.

	Column A	
	Manufacturer's prices	
Style No.	*Group I ceiling*	*Group II ceiling*
299–2M 289–2B	(Here list your ceiling prices in effect on the date of delivery of the gloves to the customer)	

Issued and effective this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendment 2 to Order No. 44 Under Section 4 (b) of Revised Maximum Price Regulation 506

The order hereby amended provided maximum prices for certain staple work gloves manufactured by Marso and Rodenborn Manufacturing Company, Fort Dodge, Iowa. That company has applied under section 4 (b), as amended, for adjustment factors for the computation of its material cost adjustment under Appendix E of Revised Maximum Price Regulation 506 for two style numbers of the gloves priced under that order. The adjustment factors provided are "in-line" with the level of adjustment factors provided under RMPR 506, as amended.

[F. R. Doc. 46–19693; Filed, Oct. 31, 1946; 8:55 a. m.]

[MPR 591, Order 882]

CHARLES DEMUTH AND SONS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following winter air-conditioners manufactured by Charles Demuth and Sons and as described in the application dated October 1, 1946, shall be:

Model	*Rating BTU at register*	*On sales to contractors or distributors*
A	100,000	$259.00
B	160,000	304.00
C	220,000	364.50
D	300,000	486.00
F	500,000	631.80
G	1,000,000	1,500.00
H	2,000,000	2,400.00

(b) The maximum prices established by this order are subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

(c) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(d) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 1, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order No. 882 Under Section 9 of Maximum Price Regulation No. 591

The accompanying Order No. 882 under section 9 of Maximum Price Regulation No. 591 establishes maximum prices

on sales to contractors or distributors for winter air-conditioners.

These particular commodities were only recently introduced into the market by the manufacturer. Consequently, maximum prices must be approved pursuant to the provisions of section 9 of Maximum Price Regulation No. 591.

An analysis of the information submitted indicated that the prices established are in line with the prices of competitive manufacturers for comparable commodities and, therefore, are in line with the level of prices established under Maximum Price Regulation No. 591.

The accompanying order establishes prices on sales to contractors or distributors. Maximum prices established for resellers reflect the usual margins of such resellers on sales of comparable products.

In order to avoid confusion on the part of resellers who do not have access to this order, the order provides that the manufacturer shall notify each of its purchasers of its maximum prices as well as purchasers' maximum resale prices.

[F. R. Doc. 46-19671; Filed, Oct. 31, 1946; 8:55 a. m.]

[SO 94, Revocation of Order 90]

CERTAIN SKIING EQUIPMENT

SPECIAL MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *Revocation of Order 90.* Order No. 90 under Supplementary Order 94 be and is hereby revoked.

This order of revocation shall become effective October 31, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Revocation of Order 90 Under Supplementary Order 94

Order No. 90 under Supplementary Order 94 established maximum prices for sales of certain skiing equipment which had been declared surplus by the Government. Inasmuch as Supplementary Order 126, as amended, exempts from price control all sales of skiing equipment, Order 90 becomes inoperative and is, accordingly, revoked.

[F. R. Doc. 46-19890; Filed, Oct. 31, 1946; 11:46 a. m.]

[MPR 580, Amdt. 4 to Order 90]

HOLEPROOF HOSIERY CO.

ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Amendment 4 to Order No. 90. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-826.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 90 issued under section 13 of Maximum Price Regulation 580 on application of Holeproof Hosiery Company, 404 West Fowler Street, Milwaukee, Wisconsin, 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 Holeproof Hosiery Company, 404 West Fowler Street, Milwaukee, Wisconsin, and having the brand name "Holeproof":

MEN'S HOSIERY

Manufacturer's selling price (per dozen pair)	*Ceiling price at retail (per pair)*
$3.36 to $3.56	$0.50
4.62 to 4.92	[1].70
5.25 to 5.35	.75
5.67 to 5.77	.80
7.00 to 7.71	1.00
8.25	1.15
8.75 to 9.00	1.25
10.50 to 11.47	1.50
12.50 to 13.39	1.75

[1] Two pairs for $1.35.

2. Paragraph (b) is amended to read as follows:

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type which is otherwise priceable under Maximum Price Regulation 580 by sellers subject to that regulation, having the same selling price to the retailer, the same brand or company name, and first sold by Holeproof Hosiery Company after the effective date of this order.

3. Paragraph (c) is amended by deleting the last sentence thereof, and substituting therefor the following:

However, the ceiling prices at retail established by any amendment to this order shall apply as of the effective date of such amendment, except that with respect to any article covered by this order prior to the effective date of the amendment and shipped to a retailer prior to that date, the ceiling price at retail of that retailer shall be the one established by the order at the time the article was shipped to him.

This amendment shall become effective November 1, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendment 4 to Order No. 90 Under Maximum Price Regulation No. 580

The accompanying amendment to Order No. 90 issued to Holeproof Hosiery Company, 404 West Fowler Street, Milwaukee, Wisconsin, under section 13 of Maximum Price Regulation 580, establishes uniform retail ceiling prices for Holeproof hosiery upon the basis of a weighted average margin of 41.4% on selling price. For the kind of hosiery involved, these retail ceilings reflect the proportionate amount of absorption required generally for other types of hosiery of the same constructions. The hosiery priced under this amendment belongs to a group of hosiery (i. e. hosiery priceable under section 13 orders) for which the Administrator has found it possible to determine separately a reduced margin reflecting the same proportion of absorption required for other hosiery priced under General Retail Order 3. The distinction which the Administrator has made in this case as between branded hosiery priced under section 13 orders and these other types of hosiery is the distinction which has normally existed. Under Amendment 10 to General Retail Order 3, issued August 23, 1946, a margin of 37.6% on selling price was fixed for the pricing of hosiery generally, the difference between that margin and the normal margin of 40% reflecting the permitted amount of absorption as explained in the statement of considerations accompanying that amendment. The 41.4% margin fixed for the pricing of the hosiery covered in the accompanying amendment reflects a corresponding ratio of reduction from the 43.5% found to have been the average margin at retail for branded hosiery covered by section 13 orders.

Prior to the accompanying amendment, paragraph (c) made it clear that the effective date of retail ceilings established by any amendment to the order is not affected by the extension of time to preticket. However, in conformance with Amendment 17 to Maximum Price Regulation 580, it is now further provided that the retail ceiling of a particular retailer for any article previously covered by the order and shipped to him prior to the amendment shall be the ceiling established at the time of such shipment.

[F. R. Doc. 46-19886; Filed, Oct. 31, 1946; 11:45 a. m.]

[MPR 580, Amdt. 1 to Rev. Order 128]

PHOENIX HOSIERY CO.

ESTABLISHING CEILING PRICES AT RETAIL FOR CERTAIN ARTICLES

Maximum Price Regulation 580, Amendment 1 to Revised Order No. 128. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-845.

For the reasons set forth in the opinion issued simultaneously herewith, Revised Order No. 128 issued under section 13 of Maximum Price Regulation 580 on application of Phoenix Hosiery Company, 320 East Buffalo Street, Milwaukee, Wisconsin, is amended in the following respects:

1. Paragraph (a) is amended by revising the section governing neckties to read as follows:

NECKTIES

Manufacturer's net ceiling price (per dozen)	*Retail ceiling price (each)*
$10.50	$1.50
15.50	2.25

2. Paragraph (d) is amended by adding thereto the following sentence:

However, the ceiling prices at retail established by any amendment to this order shall apply as of the effective date of such amendment except that with

respect to any article covered by this order prior to the effective date of the amendment and shipped to a retailer prior to that date, the ceiling price at retail of that retailer shall be the one established by the order at the time the article was shipped to him.

This amendment shall become effective October 31, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendment 1 to Revised Order No. 128 Under Maximum Price Regulation 580

The accompanying amendment to Revised Order No. 128 issued to Phoenix Hosiery Company, 320 East Buffalo Street, Milwaukee, Wisconsin, under section 13 of Maximum Price Regulation 580, establishes uniform retail ceiling prices for certain neckties having the brand name "Phoenix", and clarifies the retail ceiling price for neckties to indicate the listed price is per unit.

The amendment also makes an addition to paragraph (d) in conformance with Amendment 17 to Maximum Price Regulation 580.

[F. R. Doc. 46-19879; Filed, Oct. 31, 1946; 11:44 a. m.]

[MPR 580, Rev. Order 323]

FREEMAN SHOE CORP.

ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Revised Order 323. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-835.

Order No. 323 is redesignated Revised Order 323 and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following men's shoes, having the brand names "Freeman's Kings Guard," "Freeman Bootmaker Guild," "Freeman Royal Rogue," "Freeman Master Fitter," or "Freeman Fashion Build," manufactured by Freeman Shoe Corporation, Beloit, Wisconsin. The manufacturer's prices listed below are, for unaffiliated retail dealers, subject to a discount of 2%, 20 days, net 45 days.

(1) For men's shoes other than those made of kidskin.

MEN'S SHOES

Brand name	Manufacturer's unadjusted selling price	Ceiling prices at retail	
		Denver and east	West of Denver
Freeman Kings Guard	$8.00	$13.95	$14.50
Freeman Bootmaker Guild.	$7.20 to $7.72	12.50	13.00
Freeman Royal Rogue	$6.50	11.50	12.00
Freeman Master Fitter	$5.59 to $6.25	9.55	10.00
Freeman Fashion Built	$4.29 to $4.62	7.60	8.00

(2) For men's kidskin shoes.

For a sale at retail of men's kidskin shoes delivered on or after the effective date of this revised order, the ceiling price shall be the sum of the net invoice cost to the retailer of that article (not including discounts, freight, and other allowances) plus an amount equal to 73.3% thereof adjusted to the nearest five cents, except for west of Denver. For west of Denver, the retail ceiling price shall be the Denver and east ceiling price plus fifty cents. When the Company is permitted to and does change its ceiling price for an article the retail price of which has once been established pursuant to this order, the retail price of that article must be revised in accordance with this order. However, at the time of or before the first delivery of an article at such a changed retail price, the Company must send a notification showing the new unadjusted selling price and the new required retail price, both to its customer and also to the Distribution Price Branch of the Office of Price Administration, Washington, D. C.

The retail ceiling prices listed in paragraph (a) (1) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this revised order.

(c) The retail ceiling prices covered by this order shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after November 1, 1946, Freeman Shoe Corporation must mark each article covered by this revised order with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price $_____

On and after December 1, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to December 1, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

Upon issuance of this revised order and any amendment thereto, which either adds an article to those already listed in paragraph (a) or changes the retail ceiling prices of a listed article, Freeman Shoe Corporation, as to such article, must comply with the preticketing requirements of this paragraph within 30 days after such issuance. 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 previously applicable regulation.

(e) At the time of or before the first delivery to any purchaser for resale of each article covered by this revised order the seller shall send the purchaser a copy of this revised order and, thereafter, any subsequent amendment thereto.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 1, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Revised Order No. 323 Under Maximum Price Regulation No. 580

The accompanying revised order No. 323 substantially embodies the original order and all subsequent amendments thereto, issued to Freeman Shoe Corporation, Beloit, Wisconsin, under section 13 of Maximum Price Regulation 580 and with respect to men's kidskin shoes revises paragraph (a) to provide a pricing formula whereby a fixed markup is applied to the net invoice cost to retailers. This will enable the manufacturer to continue his customary practice of maintaining uniform retail selling prices on his branded merchandise. The revision is made in the interest of a more effective administration of the order. Cost lines not listed in paragraph (a) of this revised order are no longer covered by the order even though they are included in the original application for the order.

[F. R. Doc. 46-19887; Filed, Oct. 31, 1946; 11:46 a. m.]

[MPR 594, Amdt. 8 to Order 9]

CHRYSLER 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 8 of Maximum Price Regulation 594, *it is ordered:*

Order No. 9 under Maximum Price Regulation 594 is amended in the following respects:

1. The following item of extra or optional equipment and its net wholesale price is added to the schedule in subparagraph (2) of paragraph (a).

Description:	*Net wholesale price*
Fresh air intake assembly	$10.11

2. The following item of extra or optional equipment and its net wholesale price is added to the schedule in subparagraph (2) of paragraph (d).

Description:	*Net wholesale price*
Fresh air intake assembly	$10.58

3. The following item of extra or optional equipment and its factory retail price is added to the schedule in subparagraph (2) of paragraph (e).

Description:	*Factory retail price*
Fresh air intake assembly	$13.55

This amendment shall become effective November 1, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendment 8 to Order No. 9 Under Maximum Price Regulation 594

The Chrysler Corporation has applied for a maximum price for a "Fresh Air Intake Assembly" to be sold as an item of extra or optional equipment with its new Plymouth automobile. This item is identical with the fresh air intake assembly now being sold as extra or optional equipment with the De Soto automobile, for which prices have already been established by Order No. 8 (De Soto order) under Maximum Price Regulation 594. The accompanying order authorizes maximum prices for this item at the same levels as have already been set for it in the De Soto order (Order No. 8). The opinions accompanying Order No. 8 and amendment thereto, insofar as they are relevant to this action, are made a part hereof.

[F. R. Doc. 46-19888; Filed, Oct. 31, 1946; 11:46 a. m.]

[MPR 594, Amdt. 9 to Order 9]

CHRYSLER 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 8 of Maximum Price Regulation 594, *It is ordered:*

Order No. 9 under Maximum Price Regulation 594 is amended in the following respects:

1. The following item of extra or optional equipment and its net wholesale price is added to the schedule in subparagraph (2) of paragraph (a).

Description:	*Net wholesale price*
Wheel covers, plastic (4)	$7.16

2. The following items of extra or optional equipment and its net wholesale price is added to the schedule in subparagraph (2) of paragraph (d).

Description:	*Net wholesale price*
Wheel covers, plastic (4)	$7.49

3. The following item of extra or optional equipment and its factory retail price is added to the schedule in subparagraph (2) of paragraph (e).

Description:	*Factory retail price*
Wheel covers, plastic (4)	$10.25

This amendment shall become effective November 1, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendment 9 to Order No. 9 Under Maximum Price Regulation 594

The Chrysler Corporation has applied for a maximum price for an item of extra or optional equipment, plastic wheel covers, to be sold with its new Plymouth automobile. This item is identical with the plastic wheel covers sold as extra or optional equipment with the Dodge automobile, for which prices have already been established by Order No. 7 (Dodge Order) under Maximum Price Regulation 594. The accompanying amendment authorizes maximum prices for this item at the same levels as have already been set for it in the Dodge Order (Order No. 7). The opinions accompanying Order No. 7 and the amendments thereto, insofar as they are relevant to this action, are made a part hereof.

[F. R. Doc. 46-19884; Filed, Oct. 31, 1946; 11:45 a. m.]

[MPR 594, Amdt. 7 to Order 23]

PACKARD MOTOR CAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 8 of Maximum Price Regulation 594; *It is ordered:*

Order No. 23 under Maximum Price Regulation 594 is amended by adding the following item of extra or optional equipment, its maximum price and installation allowance to the schedule in subparagraph (3) (i) of paragraph (a).

Description	Installation allowance deduction including excise tax	Excise tax on equipment installed	Wholesale price installed to—		List price installed
			Zone	Dealer	
Heater and defroster rear compartment for 7 passenger sedans and limousines (group DUHD)	$25.15	$3.98	$56.87	$62.87	$76.82

This amendment shall become effective November 1, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendment 7 to Order No. 23 under Maximum Price Regulation 594

The accompanying Amendment to Order No. 23 under Maximum Price Regulation 594 establishes maximum prices at all levels of sale, for a heater and defroster to be sold as an item of extra or optional equipment by the Packard Motor Car Company for installation in its 7 passenger sedans and limousine of the DUHD group. The maximum price for the item was computed in the same manner, and on the same basis that the other items of extra or optional equipment manufactured and sold by the Packard Motor Car Company were priced under Order No. 23. The options accompanying Order No. 23 and the amendments thereto, insofar as they are applicable to the action are made a part hereof.

[F. R. Doc. 46-19882; Filed, Oct. 31, 1946; 11:45 a. m.]

[MPR 594, Amdt. 3 to Order 25]

STUDEBAKER 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 sections 8 and 9b of Maximum Price Regulation 594, *It is ordered:*

Order No. 25 under Maximum Price Regulation 594 is amended by adding the following items of extra or optional equipment and their respective maximum list prices to the schedule in subparagraph (2) (i) of paragraph (a):

Description:	*List price*
Leather trim:	
For 5-passenger coupe and 2 or 4 door sedans	$46.75
For 3-passenger coupe	34.35

This amendment shall become effective November 1, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying the following Amendments to Orders issued under Maximum Price Regulation 594: Amendment 3 to Order No. 25 and Amendment 3 to Order No. 26.

The Studebaker Corporation has applied for maximum prices for leather trim to be substituted the standard cloth trim, as an item of extra or optional equipment on all models of both its 6G Champion and 14A Commander automobiles. The maximum prices for this item, leather trim, authorized by the accompanying amendments, have been computed in accordance with the same method and on the same basis that was used in computing the maximum prices for the other items of extra or optional equipment manufactured by the Company for sale with its Champion and Commander automobiles. The opinions accompanying Orders No. 25 (Champion Order) and Order No. 26 (Commander Order) and the amendments to such orders, insofar as they are applicable hereto, are made a part hereof.

[F. R. Doc. 46-19889; Filed, Oct. 31, 1946; 11:46 a. m.]

[MPR 594, Amdt. 3 to Order 26]

STUDEBAKER 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 sections 8 and 9b of Maximum Price Regulation 594, *it is ordered:*

Order No. 26 under Maximum Price Regulation 594 is amended by adding the following items of extra or optional equipment and their respective maximum list prices to the schedule in subparagraph (2) (i) of paragraph (a):

Description:	*List price*
Leather trim:	
For 5-passenger coupe and 2 or 4 door sedans	$55.00
For 3-passenger coupe	34.35

This amendment shall become effective November 1, 1946.

Issued this 31st day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying the Following Amendments to Orders Issued Under Maximum Price Regulation 594: Amendment 3 to Order No. 25 and Amendment 3 to Order No. 26

The Studebaker Corporation has applied for maximum prices for leather trim to be substituted the standard cloth trim, as an item of extra or optional equipment on all models of both its 6G Champion and 14A Commander automobiles. The maximum prices for this item, leather trim, authorized by the accompanying amendments, have been computed in accordance with the same method and on the same basis that was used in computing the maximum prices for the other items of extra or optional equipment manufactured by the Company for sale with its Champion and Commander automobiles. The opinion accompanying Orders No. 25 (Champion Order) and Order No. 26 (Commander Order) and the amendments to such orders, insofar as they are applicable hereto, are made a part hereof.

[F. R. Doc. 46-19883; Filed, Oct. 31, 1946; 11:45 a. m.]

Regional and District Office Orders.

[Region IV Rev. Order G-30 Under RMPR 122, Amdt. 4]

SOLID FUELS IN CHARLESTON, S. C., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) and subparagraph (f) (2) of Revised Order No. G-30 under Revised Maximum Price Regulation No. 122, issued by this office June 7, 1945, are amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Lump, chunk or block	12.18	$6.34	$3.42
Egg	11.68	6.09	3.30
Stoker	10.68	5.59	3.05
Nut and slack	9.68	5.09	2.80
Run-of-mine (domestic) to industrial users	10.18	5.34	2.92
Run-of-mine (domestic) for household use	11.38	5.94	3.22

(2) *Low volatile bituminous coal from District No. 7.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg	$12.65	$6.58	$3.54
Run-of-mine (domestic) to industrial users	10.85	5.68	3.09

(3) *Pennsylvania anthracite.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg, stove and nut	$20.78	$10.64	$5.57

(f) *Maximum authorized service charges and required deductions.* * * *

(2) *Sacked coal.* For egg coal sold in sacks at the yard, the dealer may charge at the rate of not more than 64¢ per 80 pounds and 32¢ per 37½ pounds. For egg coal sold in sacks, delivered, the dealer may add not more than $1.00 per ton to his maximum price if the purchaser furnishes the sacks, and not more than $3.50 per ton if the dealer furnishes the sacks.

Effective date. This amendment shall become effective as of August 22, 1946.

Issued: October 9, 1946.

ALEXANDER HARRIS,
Regional Administrator.

Opinion Accompanying Amendment No. 4 to Revised Order No. G-30 Under Revised Maximum Price Regulation No. 122

Amendment No. 4 to Revised Order No. G-30 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment No. 42 to Revised Maximum Price Regulation No. 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-19576; Filed, Oct. 29, 1946; 8:57 a. m.]

[Region IV Order G-45 Under RMPR 122, Amdt. 1]

SOLID FUELS IN SPARTANBURG, S. C., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administration, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) and subparagraph (f) (2) of Order No. G-45 under Revised Maximum Price Regulation No. 122, issued by this office June 1, 1945, are amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg from Virglow mine of Benedict Coal Corp., mine index 481; top size larger than 5", but not exceeding 6"; bottom size 2" and smaller; top size 3" but not exceeding 5"; bottom size larger than 2" but not exceeding 3"	$10.72	$5.61	$2.93
Egg (other)	9.97	5.24	2.74
Chunk, block or lump, larger than 5", size group 1 in price classifications A and B, and larger than 2" but not exceeding 5", size groups 2 and 3 in price classification A	10.27	5.39	2.82
Chunk, block or lump (other)	10.17	5.34	2.79
Stoker from back creek No. 2 mine of Pruden Coal & Coke Co., mine index 728; top size 1¼" and smaller; bottom size smaller than 1¼"	10.22	5.36	2.81
Stoker (other)	9.97	5.24	2.74
Run-of-mine (for domestic use)	9.97	5.24	2.74

(f) *Maximum authorized service charges and required deductions.* * * *

(2) *Sacked coal.* Dealers may charge not more than 33¢ for 40 pound bag, including the bag or sack on a delivered basis, and not more than 55¢ for 80 pound bag, including the bag or sack, on a delivered basis. For sacked coal sold at the dealer's yard, dealer may charge not more than 80¢ for 100 pounds, not including sack or bag.

Effective date. This amendment shall become effective as of August 22, 1946.

Issued: October 9, 1946.

ALEXANDER HARRIS,
Regional Administrator.

Opinion Accompanying Amendment No. 1 to Order No. G-45 Under Revised Maximum Price Regulation No. 122

Amendment No. 1 to Order No. G-45 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment No. 42 to Revised Maximum Price Regulation 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-19574; Filed, Oct. 29, 1946; 8:56 a. m.]

[Region IV Order G–52 Under RMPR 122, Amdt. 3]

SOLID FUELS IN ASHEVILLE, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) and subparagraph (f) (4) of Order No. G–52 under Revised Maximum Price Regulation No. 122, issued by this office June 2, 1945, are hereby amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
(i) Lump, chunk and block—bottom size larger than 5", size group 1, in price classification A	$10.12	$5.31	$3.03
(a) From mine index 228, Fox Ridge Mining Co., Inc	10.37	5.44	3.09
(ii) Lump and block, bottom size larger than 3"; egg, top size larger than 6", bottom size 4" to larger than 3"; and all double screened coals, top size 5" and larger, bottom size larger than 4", size groups 1 and 2, in price classifications E through S, inclusive:			
(a) From subdistrict No. 6 (southern Appalachian)	10.02	5.26	3.01
(b) From all subdistricts except subdistrict No. 6 (southern Appalachian)	9.82	5.16	2.96
(iii) Egg, top size 6" to larger than 5", bottom size 3" to larger than 2"; and top size larger than 6", bottom size 2" and smaller, size group 5, in price classifications B through E, inclusive	9.92	5.21	2.98
(a) From mine index 404, Rex No. 2 mine of the Francis Rex Coal Co	10.37	5.44	3.09
(iv) Egg, top size 6" to larger than 5", bottom size 2" and smaller; and top size 3" and larger but not exceeding 5", bottom size 3" to larger than 2", size Group No. 6:			
(a) In price classifications B through K, inclusive, from subdistrict No. 6	9.92	5.21	2.98
(b) In price classification H, from all subdistricts except subdistrict No. 6	9.92	4.91	2.83
(c) From mine index 368, Pioneer Coal Co	10.17	5.34	3.04
(d) From mine index 228, Fox Ridge Mining Co., Inc	10.27	5.39	3.07
(v) Stoker, top size not exceeding 1¼", bottom size less than 1¼", size group No. 10:			
(a) In price classification A (untreated)	9.62	5.06	2.91
(b) In price classification B through E, inclusive, (untreated)	9.27	4.89	2.82
(c) From mine index 137, Cornett-Lewis Coal Co	9.37	4.94	2.84
(vi) Steam coal and modified stoker screenings, size group No. 18, in price classifications C through J, inclusive (untreated)	8.57	4.54	2.64
(vii) Nut and slack and screenings, 2" x 0" to larger than ⅜" x 0", size groups 20 and 21, in price classifications A through K, inclusive (untreated)	7.97	4.24	2.49

(f) *Maximum authorized service charges and required deductions.*

* * *

(4) *Sacked coal.* The dealer may charge not more than 75¢ per 100 lb. sack delivered, and 55¢ per 100 lb. sack, at the yard, for top price Lump and Egg coals, sacks not included. Lower priced Lump and Egg coals must be sold at prices at least 5¢ lower per 100 pounds.

Effective date. This amendment shall become effective as of August 22, 1946.

Issued: October 9, 1946.

ALEXANDER HARRIS,
Regional Administrator.

Opinion Accompanying Amendment No. 3 to Order No. G–52 Under Revised Maximum Price Regulation No. 122

Amendment No. 3 to Order No. G–52 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment No. 42 to Revised Maximum Price Regulation 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46–19572; Filed, Oct. 30, 1946; 8:46 a. m.]

[Region VI Order G–16 Under RMPR 122, Appendix 48]

SOLID FUELS IN WISCONSIN RAPIDS, WIS., AREA

(a) *Applicability.* This Appendix No. 48 applies to sales of solid fuels to consumers by retail dealers from yards and where the fuel is delivered to the purchaser within the towns of Wisconsin Rapids, Port Edwards, and Biron, Wisconsin, and in the areas within a distance of two miles or less beyond the limits of each town.

(b) *Price schedule.* (1) Immediately below and as part of this paragraph (b) is a schedule which sets forth adjusted maximum prices before discounts for delivered sales of specified sizes, kinds, and quantities. All prices are stated on a net ton basis.

(i) On domestic delivered sales of less than one ton the price shall be proportional to the price per ton plus an additional charge of 25¢, but in no event shall the total price be in excess of that for a sale of one ton.

(ii) On domestic delivered sales of more than one ton, for each fraction of a ton sold the price shall be proportional to the price per ton.

PRICE SCHEDULE	*Domestic delivered (per ton)*
I. High volatile bituminous coal from District No. 3 (northern West Virginia):	
1. Domestic stoker:	
(a) Fairmont seam	$12.01
II. Low volatile bituminous coal from District No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Egg: Size Group 2 (all double-screened egg coal top size larger than 3"), Price Classification A:	
(a) Forked	15.58
(b) Shovelled or car run	14.83
2. Stove, dock coal only	14.94
III. High volatile bituminous coal from District No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):	
1. Lump:	
(a) Premium Kentucky seams	14.52
(b) Elkhorn seam	14.27
(c) Dorothy and Hazard and Splint seams	14.02
2. Egg:	
(a) Premium Kentucky seams	14.27
(b) Elkhorn seam	14.02
(c) Dorothy and Hazard seams	13.87
(d) Splint seams	13.62
3. Stove:	
(a) Premium Kentucky seams	13.36
(b) Elkhorn seam	13.27
4. Stoker, domestic:	
(a) Premium Kentucky and Elkhorn seams	12.83
(b) Splint seams	12.62
5. Screenings:	
(a) Premium Kentucky and Elkhorn seams	12.07
IV. High volatile Bituminous coal from District No. 9 (western Kentucky):	
1. Stoker: Size Groups 8–12, inclusive (all raw doublescreened nut, stoker and pea coals top size not exceeding 2" and bottom size larger than 10 mesh or 3/32"), No. 6 seam	10.55
V. Pennsylvania anthracite (ash content not in excess of OPA quality standards):	
1. Egg, stove, nut	20.39
VI. Briquettes:	
1. Low volatile, Reiss	15.50
VII. Byproducts coke (Milwaukee Solvay):	
1. Egg, stove and nut	17.50

To the above prices there may be added the Federal transportation tax of 4½ cents per ton, when applicable.

(c) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for chemical or oil treatment of coal, he may add such treatment charge to the applicable maximum price established by this Appendix provided that the treated coal is kept separate from and is not mixed with untreated coal. When a treatment charge is made pursuant to this section, the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(d) *Discounts.* The maximum prices set forth in paragraph (b) above shall be subject to the following discounts:

(i) For coal picked up at the yard by a domestic consumer, 50¢ per ton.

(ii) For cash paid on delivery or within 10 days thereafter, 50¢ per ton.

(iii) For deliveries of 25 tons or more to one destination at one time in load lots, 50¢ per ton.

(iv) For Pennsylvania Anthracite identified by the dealer's supplier as anthracite with an ash content in excess of OPA quality standards, whether egg, stove or nut, $1.00 per ton.

(e) *Additional charge.* An additional charge of 50¢ per ton may be added to the prices in paragraph (b) for carrying up or down stairs when rendered in connection with a sale of solid fuels covered by this appendix. This charge may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charge must be stated separately on the dealer's invoice.

(f) *Notification.* Every dealer subject to this order selling Pennsylvania anthracite which has been identified by his supplier prior to its resale as anthracite with an ash content in excess of OPA quality standards must place the following legend on the invoice, sales slip or receipt: "Price reduced because of high ash content." Such anthracite must be kept separate in storage and delivery from all other anthracite.

(g) *Definitions.* (1) "Domestic sales" means all sales other than sales made to commercial and industrial users such as hotels, industrial plants, office buildings, large department stores and institutional users such as hospitals, public institutions, and public buildings.

(2) The term "delivered" means dumping or chuting the fuel from the seller's trucks directly into the buyers bin or storage space; but if this is physically impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(3) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 122, or in the Emergency Price Control Act of 1942, as amended; if not therein defined they shall be given their ordinary and popular trade meaning.

This Appendix No. 48 to Order No. G–16 shall become effective October 25, 1946.

Issued this 15th day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Appendix No. 48 to Order No. G–16 Under Revised Maximum Price Regulation No. 122

Section 1340.260 of Revised Maximum Price Regulation No. 122 authorizes the Regional Administrator of the Office of Price Administration to establish by deliveries of solid fuels made, or the services rendered in connection herewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record-keeping, or other requirements may be made of the dealer or dealers involved.

In order to ascertain the prices heretofore established under Revised Maximum Price Regulation No. 122 in the Wisconsin Rapids, Wisconsin, area, a survey has been made of all dealers in solid fuels in that area. The prices established in the accompanying order are such as to return to those dealers the December 1941 margins over delivered costs generally prevailing in the above area and they reflect all increases in suppliers' prices to date, and also include those authorized by Amendments 42 and 48 of Revised Maximum Price Regulation No. 122. This results in the preservation of margins in effect in the industry on March 31, 1946.

As a result of this order uniform ceiling prices for the kinds and sizes of coal most commonly sold in Wisconsin Rapids, Wisconsin area will be substituted for the variety of individual maximum prices heretofore in effect. This appendix also reflects an adjustment in maximum prices for the Wisconsin Rapids, Wisconsin, area which was indicated as necessary through means of a survey conducted in the area by the Adjustment Section of the Office of Price Administration.

This appendix is issued as a supplement to Order No. G–16 which is the master order covering all of the area subject to the jurisdiction of Region VI of the Office of Price Administration. The specific provisions covering the Wisconsin Rapids, Wisconsin, area are contained in this appendix. However, all provisions not contained in this appendix which are incorporated in Order No. G–16 are applicable to the Wisconsin Rapids, Wisconsin, area. Accordingly, all persons governed by this appendix are likewise governed by all provisions of Order No. G–16.

[F. R. Doc. 46–19700; Filed, Oct. 30, 1946; 8:46 a. m.]

[Region III Order G–11 Under Gen. Order 68]

STOCK MILLWORK IN DAYTON, OHIO, AREA

For the reasons set forth in an opinion, which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1–B under General Order No. 68, this order is issued:

SECTION 1. *What this order does.* This adopting order establishes maximum prices for the stock millwork items listed in the accompanying tables when sold at retail at or from any point within the Dayton, Ohio, Area.

SEC. 2. *Area covered.* For the purposes of this order, the "Dayton, Ohio, Area" consists of the Counties of Butler, Montgomery, Preble and Warren in the State of Ohio.

SEC. 3. *Applicability of Basic Order No. 1–B.* All the provisions of Basic Order No. 1–B, consistent with this Adopting Order No. G–11 are hereby adopted by, and incorporated by reference into, this order as though fully re-written herein. If Basic Order No. 1–B is amended in any respect, all of the provisions of that order, as amended, shall likewise, without other action be a part of this order.

All persons subject to this adopting order are also subject to, and should read and be familiar with, the provisions of Basic Order No. 1–B.

SEC. 4. *Maximum prices*—(a) *Price lists.* Subject to the provisions of subsection (b) of this section 4, the maximum prices for the stock millwork items for which maximum prices are established by this order shall be those set forth in the accompanying tables which are annexed to and made a part of this order. Prices lower than the maximum prices established hereby, may, of course, be charged or paid.

(b) *Additions.* The maximum prices of the stock millwork items listed in the accompanying tables, shall be determined by adding to the prices listed in said tables, whichever of the percentage increases listed below are applicable, depending upon the general category of the item to be priced.

General category of item to be priced:	*Percentage increase to be added to price in table*
Open sash	24.5%
Doors with plywood panels	25.0%
Doors with raised panels	22.0%
Glazed sash	17.5%
Frames	25.5%
Combination doors	22.0%
Window screens	20.5%
Douglas fir house doors	24.5%
Douglas fir, other than house doors	11.0%
Other items	22.0%

(c) The prices established herein are the maximum retail prices which may be charged for the stock millwork items listed, whether purchased from manufacturers, jobbers, or self-produced. A seller may quote on a contract basis, *Provided*, That he maintains records showing complete calculations for each item in his contract price, *and provided*, That the contract price is based on prices permitted by this order and applicable regulations. Contract sales may not exceed the sum total of the maximum stock millwork prices for each and all items in the contract. Prices lower than the maximum prices may, of course, be charged or paid.

(d) *Delivery.* (i) The maximum prices established hereby include free delivery of the items purchased.

(ii) In cases where the stock millwork is taken from the stock of a retailer's warehouse and loaded on cars for shipment to an ultimate consumer in a different area, the maximum prices are f. o. b. cars.

(iii) No deduction need be made from the maximum prices established hereby where the purchaser elects to make his own delivery.

(e) *Discounts.* For all sales made to bona fide contractors, a discount of not less than 2% of the net invoice shall be granted for payment on or before the tenth of the calendar month following the date of delivery. This discount shall not apply on sales quoted and sold on a contract basis.

SEC. 5. *Relationship to Order No. G–11.* Subject to the provisions of Supplementary Order No. 40, this Revised Order No. G–11 replaces and supersedes Order G–11 which is hereby revoked.

SEC. 6. *Effective date.* This Revised Order No. G–11 shall become effective October 22, 1946.

Issued: October 8, 1946.

J. F. KESSEL,
Regional Administrator.

The prices listed in this order include all increases granted to resellers by the OPA through August 8, 1946. (See section 6 (b) of Basic Order No. 1-B.)

TABLE 1—INTERIOR WESTERN PONDEROSA PINE DOORS

Ovolo Sticking

Stock sizes	Thickness	4-panel No. 1	5x panel No. 1	5 regular panel No. 1	5x panel No. 2	2 regular W. P. P. S&R fir panels	2 vertical W. P. P. S&R fir panels	6 panel Colonial No. 1 W. P.
	Inches							
2′ 0″ x 6′ 0″	1¾	$5.42						
2′ 0″ x 6′ 6″	1⅜	6.02	$6.02					
2′ 6″ x 6′ 6″	1⅜	7.22						
1′ 6″ x 6′ 8″	1⅜		6.72			$6.77	$6.90	$7.55
1′ 6″ x 7′ 0″	1⅜					7.32		
1′ 8″ x 6′ 8″	1⅜					6.77	6.90	7.70
1′ 10″ x 6′ 8″	1⅜							7.74
2′ 0″ x 6′ 0″	1⅜	6.06	6.06	$6.06	$5.82	5.81	5.94	6.81
2′ 6″ x 6′ 6″	1⅜	6.54	6.35			6.09	6.41	7.10
2′ 0″ x 6′ 8″	1⅜	6.65	6.47	6.65		6.20	6.51	7.19
2′ 0″ x 6′ 10″	1⅜	7.55	7.11			7.23		
2′ 0″ x 7′ 0″	1⅜	7.64	7.20	7.64		7.32	7.49	8.45
2′ 2″ x 6′ 8″	1⅜		7.01			7.13	7.28	8.24
2′ 2″ x 7′ 0″	1⅜		8.03			7.70	7.86	8.81
2′ 4″ x 6′ 0″	1⅜					7.08		
2′ 4″ x 6′ 4″	1⅜	7.55						
2′ 4″ x 6′ 6″	1⅜	6.99	6.99			6.71	6.84	7.11
2′ 4″ x 6′ 8″	1⅜	7.16	7.16	7.16		6.84	7.01	7.88
2′ 4″ x 6′ 10″	1⅜	8.30	8.30			7.97	8.12	
2′ 4″ x 7′ 0″	1⅜	8.42	8.42	8.42		8.06	8.24	9.18
2′ 6″ x 6′ 0″	1⅜	7.64	7.64			7.32	7.05	8.45
2′ 6″ x 6′ 6″	1⅜	7.58	7.35	7.58	7.26	7.05	7.19	8.06
2′ 6″ x 6′ 8″	1⅜	7.68	7.46	7.68		7.82	7.29	8.16
2′ 6″ x 6′ 10″	1⅜	8.67	8.18			8.33	8.49	
2′ 6″ x 7′ 0″	1⅜	8.79	8.28	8.79		7.95	8.61	9.56
2′ 8″ x 6′ 6″	1⅜	8.34	7.86					9.14
2′ 8″ x 6′ 8″	1⅜	8.03	7.80	8.03	7.70	7.47	7.64	8.51
2′ 8″ x 6′ 10″	1⅜	9.05	8.54			8.67	8.36	
2′ 8″ x 7′ 0″	1⅜	9.17	8.63	9.17		8.28	8.46	9.93
2′ 10″ x 6′ 6″	1⅜	8.72						
2′ 10″ x 6′ 8″	1⅜	8.84	8.33	8.84		7.98	8.66	9.60
2′ 10″ x 6′ 10″	1⅜	9.42	9.42	9.42		9.05	9.26	10.20
2′ 10″ x 7′ 0″	1⅜	9.54	9.54	9.54		9.17	9.23	10.31
3′ 0″ x 6′ 6″	1⅜	9.05						
3′ 0″ x 6′ 8″	1⅜	9.23	8.70			8.85		9.98
3′ 0″ x 7′ 0″	1⅜	9.98	9.41	9.98		9.56	9.78	10.73
2′ 6″ x 6′ 8″	1¾		10.55					
2′ 8″ x 6′ 8″	1¾					11.36		12.68
2′ 10″ x 6′ 8″	1¾							13.05
3′ 0″ x 6′ 8″	1¾							13.56
2′ 6″ x 7′ 0″	1¾		12.15			11.69		
2′ 8″ x 6′ 8″	1¾		11.12					
2′ 8″ x 7′ 0″	1¾		11.93					
2′ 10″ x 6′ 10″	1¾		13.01					
2′ 10″ x 7′ 0″	1¾		13.18					
3′ 0″ x 6′ 8″	1¾		11.99					
3′ 0″ x 7′ 0″	1¾	13.73	12.93			13.22		14.48

TABLE 2—FIR GLASS DOORS

No. 2 Quality

Stock sizes	Thickness	3X—1 light		3X—3 light		3X panels—4 light		3X panels—6 light	
		Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed
	Inches								
2′ 6″ x 6′ 6″	1⅜	$6.41	$7.25	$6.77	$7.68	$6.90	$7.80	$7.14	$8.19
2′ 6″ x 6′ 8″	1⅜	6.50	7.40	6.86	7.83	6.99	7.95	7.23	8.34
2′ 8″ x 6′ 8″	1⅜	6.68	7.68	7.04	8.12	7.17	8.25	7.46	8.64
2′ 10″ x 6′ 10″	1⅜	7.44	9.26	7.80	9.42	7.92	9.54	8.16	9.96
3′ 0″ x 7′ 0″	1⅜	7.88	9.90	8.24	10.05	8.36	10.17	8.61	10.59

TABLE 3—CELLAR SASH

2 Light Cellar Sash—Western Ponderosa Pine

Glass size	Thickness	Open	Glazed single strength
	Inches		
12″ x 14″	1⅜	$0.95	$1.34
12″ x 16″	1⅜	.98	1.44
12″ x 18″	1⅜	1.01	1.61
14″ x 12″	1⅜	1.08	1.62
14″ x 14″	1⅜	1.08	1.62
14″ x 15″	1⅜	1.13	1.76
14″ x 16″	1⅜	1.13	1.76
14″ x 18″	1⅜	1.16	1.83
14″ x 20″	1⅜	1.19	1.89
15″ x 12″	1⅜	1.08	1.59
15″ x 14″	1⅜	1.13	1.83
15″ x 16″	1⅜	1.16	1.83
15″ x 18″	1⅜	1.19	1.89
15″ x 20″	1⅜	1.20	2.10

TABLE 3—CELLAR SASH—Continued

3 Light Cellar Sash—Western Ponderosa Pine

Glass size	Thickness	Open	Glazed single strength
	Inches		
8″ x 10″	1⅜	$0.90	$1.17
10″ x 12″	1⅜	1.02	1.38
10″ x 14″	1⅜	1.07	1.58
10″ x 16″	1⅜	1.08	1.79
10″ x 18″	1⅜	1.20	1.98
10″ x 20″	1⅜	1.25	2.10

TABLE 4—HOT BED SASH

Sash opening	Open	Glazed	Number rows glass
3′ 0″ x 6′ 0″ 1⅜	$3.14	$6.29	3
4′ 0″ x 6′ 0″ 1¾	5.57	9.45	4

TABLE 5—KNOCKED DOWN SASH PARTS

Toxic Treated, Western Ponderosa Pine, 1⅜″, 2 Check Windows

Ohio knocked down wood parts—"prefit"

Glass	Stile or top rail	Check rail	Bottom rail
12″	$0.17	$0.14	$0.20
14″	.18	.14	.23
16″	.18	.15	.24
18″	.20	.17	.26
20″	.21	.18	.27
22″	.23	.18	.29
24″	.23	.20	.30
26″	.24	.20	.33
28″	.26	.21	.33
30″	.27	.23	.36
32″	.30	.24	.39
34″	.32	.26	.41
36″	.33	.27	.44
38″	.33	.27	.44
40″	.36	.29	.50
42″	.39	.30	.50
44″	.42	.33	.54
48″	.48	.39	.65

For ogee lugs (Cincinnati opening only) add for complete set (4 stiles), $0.45.

TABLE 6—CUPBOARD DOORS

1⅜″—1 Panel Western Ponderosa Pine

Stock size	Price	Stock size	Price
1′ 4″ x 2′ 0″	$1.37	2′ 0″ x 3′ 0″	$2.76
1′ 6″ x 2′ 0″	1.46	1′ 4″ x 4′ 0″	2.42
1′ 8″ x 2′ 0″	1.50	1′ 6″ x 4′ 0″	2.55
2′ 0″ x 2′ 0″	1.73	1′ 8″ x 4′ 0″	2.76
1′ 4″ x 2′ 6″	1.68	2′ 0″ x 4′ 0″	3.08
1′ 6″ x 2′ 6″	1.77	1′ 4″ x 4′ 6″	2.76
1′ 8″ x 2′ 6″	1.91	1′ 6″ x 4′ 6″	2.91
2′ 0″ x 2′ 6″	2.13	1′ 8″ x 4′ 6″	3.18
1′ 4″ x 3′ 0″	1.86	2′ 0″ x 4′ 6″	3.50
1′ 6″ x 3′ 0″	1.95	1′ 4″ x 5′ 0″	3.08
1′ 8″ x 3′ 0″	2.13	1′ 6″ x 5′ 0″	3.27
2′ 0″ x 3′ 0″	2.37	1′ 8″ x 5′ 0″	3.54
1′ 4″ x 3′ 6″	2.18	2′ 0″ x 5′ 0″	3.95
1′ 6″ x 3′ 6″	2.28	2′ 0″ x 6′ 0″	4.41
1′ 8″ x 3′ 6″	2.51	2′ 6″ x 6′ 0″	5.19

TABLE 7—FIR PANEL DOORS

Stock sizes	Thickness	F 82 2 regular panel No. 1	F 82 2 regular panel No. 2	F 20 1 panel No. 1	F 3 3 panel No. 2
	Inches				
2′ 0″ x 6′ 0″	1⅜				$4.59
2′ 6″ x 6′ 6″	1⅜				5.28
2′ 8″ x 6′ 8″	1⅜				5.49
1′ 6″ x 6′ 8″	1⅜	$5.63	$5.48	$5.81	
2′ 0″ x 6′ 0″	1⅜	5.25	5.12		5.12
2′ 0″ x 6′ 6″	1⅜	5.49	5.34		
2′ 0″ x 6′ 8″	1⅜	5.63	5.48	5.81	5.48
2′ 0″ x 7′ 0″	1⅜	6.68	6.50		
2′ 4″ x 6′ 0″	1⅜	5.85	5.69		
2′ 4″ x 6′ 8″	1⅜	5.94	5.78	6.12	5.78
2′ 4″ x 7′ 0″	1⅜	7.04	6.84		
2′ 6″ x 6′ 0″	1⅜	6.29	6.12		6.12
2′ 6″ x 6′ 6″	1⅜	6.02	5.85		5.85
2′ 6″ x 6′ 8″	1⅜	6.09	5.94	6.27	5.94
2′ 6″ x 7′ 0″	1⅜	6.81	6.63		
2′ 8″ x 6′ 8″	1⅜	6.27	6.09	6.45	6.09
2′ 8″ x 7′ 0″	1⅜	6.98	6.80		
2′ 10″ x 6′ 10″	1⅜	7.65	7.44		7.44
2′ 10″ x 7′ 0″	1⅜	7.73	7.52		
3′ 0″ x 7′ 0″	1⅜	8.09	7.88		7.41

TABLE 8—WESTERN PONDEROSA PINE GLASS DOORS

Stock sizes	Thickness	N. D. 500		N. D. 502		N. D. 514		N. D. 530		N. D. 531		N. D. 532		N. D. 559		N. D. 561		N. D. 562		N. D. 567	
		Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed
	Inches																				
2′ 6″ x 6′ 6″	1⅜																			$7.40	$9.39
2′ 6″ x 6′ 8″	1⅜																			7.44	9.43
2′ 8″ x 6′ 8″	1⅜	$8.45	$10.44	$9.33	$12.00	$7.44	$9.38	$8.07	$8.93	$8.91	$9.59	$9.42	$11.22	$7.28	$10.19	$8.72	$10.37	$9.08	$11.07	7.65	9.90
3′ 0″ x 6′ 8″	1⅜													7.59	11.30	9.03	11.91				
2′ 10″ x 6′ 10″	1⅜	9.14	12.41	10.89	13.80	8.07	11.34	8.76	10.16	9.60	11.54	10.11	12.45	7.86	11.12	9.30	12.18	9.68	12.63	8.24	11.15
2′ 8″ x 7′ 0″	1⅜	9.03	12.29	10.77	13.83	7.97	10.88	8.61	10.02	9.45	10.62	9.93	12.09							8.19	11.10
2′ 10″ x 7′ 0″	1⅜	9.23	12.86	10.95	14.18	8.12	11.39	8.81	11.06	9.68	11.60	10.14	12.60							8.34	11.58
3′ 0″ x 7′ 0″	1⅜	9.45	13.16	11.19	14.51	8.34	12.05	9.03	10.64	9.87	12.02	10.35	12.84	8.12	12.14	9.56	12.78	9.93	13.05	8.49	11.76
2′ 6″ x 6′ 8″	1¾					10.19	12.42	10.94	12.51	12.02	13.44	12.60	14.31	10.07	12.98	11.97	13.31	12.48	15.09		
2′ 8″ x 6′ 8″	1¾	11.87	14.76	14.27	17.07	10.43	12.18	11.22	11.82	12.30	13.04	12.87	14.70	10.29	13.20	12.20	13.67	12.72	14.51	10.71	12.96
2′ 10″ x 6′ 8″	1¾					10.64	13.55	11.51	12.60	12.59	13.70	13.89	16.24							10.94	13.41
3′ 0″ x 6′ 8″	1¾	12.44	15.69	14.85	17.84	10.94	13.41	11.79	13.02	12.87	13.98	13.45	15.66	10.76	14.46	12.66	14.69	13.17	15.09	11.15	14.06
2′ 10″ x 6′ 10″	1¾	12.87	16.14	15.32	18.23	11.33	14.60	12.20	14.19	13.29	15.23	13.89	16.24	11.15	14.42	13.05	15.95	13.59	16.55	11.57	14.48
2′ 6″ x 7′ 0″	1¾					10.94	13.85														
2′ 8″ x 7′ 0″	1¾	12.77	16.04	15.18	18.23	11.22	14.13	12.02	14.03	13.13	14.93	13.69	15.84								
2′ 10″ x 7′ 0″	1¾	13.05	16.32	15.47	18.51	11.45	14.70	12.38	14.61	13.46	15.39	14.04	16.50							11.69	14.94
3′ 0″ x 7′ 0″	1¾	13.34	17.04	15.75	19.07	11.73	14.58	12.66	14.06	13.74	15.00	14.31	16.80	11.51	15.53	13.41	15.71	13.92	16.11	11.97	15.23

Stock sizes	Thickness	N. D. 568		N. D. 569		N. D. 591		N. D. 592		N. D. 594		N. D. 635		N. D. 638		N. D. 641		N. D. 642	
		Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed
	Inches																		
2′ 6″ x 6′ 6″	1⅜	$8.24	$9.98	$8.76	$10.74														
2′ 6 x 6′ 8″	1⅜			8.81	11.10														
2′ 8″ x 6′ 8″	1⅜	8.49	10.61	9.03	11.01	$8.34	$9.15	$9.08	$10.11	$9.53	$10.73	$7.92	$11.94	$8.34	$12.06	$9.08	$11.88	$9.60	$12.69
3′ 0″ x 6′ 8″	1⅜									10.89	12.24	8.24	12.99	9.41	13.20	9.36	12.57	9.87	13.25
2′ 10″ x 6′ 10″	1⅜	9.00	11.28	9.60	12.09	10.02	11.06	10.82	11.96	11.31	12.62	8.54	13.31	9.69	14.09	9.65	12.75	10.16	13.50
2′ 8″ x 7′ 0″	1⅜	9.03	11.18	9.56	12.00							8.49	13.26	9.65	13.98	9.60	12.66	10.11	13.38
2′ 10″ x 7′ 0″	1⅜			9.72	12.41							8.66	13.43	9.78	14.45	9.74	12.90	10.25	13.58
3′ 0″ x 7′ 0″	1⅜	9.33	11.91	9.87	12.56	10.52	11.58	11.31	12.46	11.78	13.13	8.81	13.82	9.92	14.03	9.87	13.22	10.40	13.97
2′ 6″ x 6′ 8″	1¾																		
2′ 8″ x 6′ 8″	1¾	11.79	13.89	12.48	14.46	11.69	12.62	12.57	13.61	13.10	14.31	10.68	14.49	11.82	15.98	12.92	14.90	13.59	15.80
2′ 10″ x 6′ 8″	1¾			12.72	15.21														
3′ 0″ x 6′ 8″	1¾			12.95	15.44	12.32	13.32	13.20	14.31	13.73	15.03	10.86	15.27	13.38	16.95	13.38	15.72	14.06	16.50
2′ 10″ x 6′ 10″	1¾			13.34	15.83	14.03	15.06	15.00	16.14	15.57	16.89	12.30	17.07	13.79	18.18	13.79	16.89	14.45	17.78
2′ 6″ x 7′ 0″	1¾																		
2′ 8″ x 7′ 0″	1¾											12.26	17.03	13.74	18.08	13.73	16.80	14.40	17.67
2′ 10″ x 7′ 0″	1¾			13.46	16.14	14.31	15.35	15.29	16.46	15.87	17.18	12.48	17.25	13.94	18.60	13.94	17.12	14.61	17.94
3′ 0″ x 7′ 0″	1¾			13.74	16.43	13.41	14.42	14.31	15.44	14.85	16.14	11.64	16.28	14.15	18.02	14.16	16.58	14.82	17.42

TABLE 9—SIDELIGHTS

Western Ponderosa Pine No. 1

Stock sizes	Thickness	S. L. 676		S. L. 675—6 lts.		S. L. 675		S. L. 675—8 lts.	
		Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed
	Inches								
1′ 2″ x 6′ 8″	1⅜	$4.56	$6.20	$6.15	$8.45	$4.52	$6.51	$6.42	$8.87
1′ 2″ x 7′ 0″	1⅜	4.89	6.51	6.48	8.78	4.83	6.83	6.75	9.20
1′ 2″ x 6′ 8″	1¾	6.11	7.74	8.09	10.46	6.05	8.04	7.82	10.26
1′ 2″ x 7′ 0″	1¾	6.51	8.13	8.52	10.80	6.44	8.45	8.19	10.64

TABLE 10—1¾″ COLONIAL ENTRANCE DOORS

No. 1 Western Ponderosa Pine

	3′ 0″ x 6′ 8″		3′ 0″ x 7′ 0″	
6 pan. ¾″ heavy panel	$14.73		$15.71	
8 pan. ¾″ heavy panel	14.90		15.89	
	Open	Glazed	Open	Glazed
Design N. D. 610	$29.27	$32.45	$29.97	$33.18
Design N. D. 607	26.07	28.01	27.90	30.02
Design N. D. 608	33.54	35.15	34.23	37.49
Design N. D. 612 Dutch	29.21	32.58	29.90	33.60
Design N. D. 512	14.67	18.84	15.53	19.89
Design N. D. 612	24.66	28.02	25.37	29.07
Design N. D. 600	20.93	22.61	22.44	24.12

TABLE 11—FRENCH DOORS

Stiles and Top Rail 4¾″, Western Ponderosa Pine

Stock sizes	Thickness	N. D. 625		N. D. 626		N. D. 627	
		Open	Glazed	Open	Glazed	Open	Glazed
	Inches						
2′ 0″ x 6′ 8″	1⅜	$6.90	$8.79	$7.14	$9.83		
2′ 6″ x 6′ 8″	1⅜	7.08	9.45	6.92	10.22	$7.19	$10.49
2′ 8″ x 6′ 8″	1⅜			6.96	10.40	7.23	10.56
2′ 0″ x 7′ 0″	1⅜	7.26	9.76				
2′ 6″ x 7′ 0″	1⅜	7.49	10.76	7.28	10.70	8.24	11.91
3′ 0″ x 7′ 0″	1⅜					8.48	12.41
2′ 6″ x 6′ 8″	1¾					10.13	13.43
3′ 0″ x 7′ 0″	1¾					11.99	15.92

T. Astragal for Folding Doors—Western Ponderosa Pine $0.90

TABLE 12—GARAGE DOORS

Stock sizes	Thickness	Glass size	Fir—design N. D. 720–722		Western ponderosa pine—design N. D. 720	
			Open	Glazed	Open	Glazed
	Inches					
8′ 0″ x 7′ 0″	1¾	12 x 13	$21.30	$23.96	$25.55	$27.99
8′ 0″ x 7′ 6″	1¾	12 x 16	21.30	23.96	26.03	28.49
8′ 0″ x 8′ 0″	1¾	12 x 16	21.30	23.96	26.52	28.97

TABLE 13—2 LIGHT WINDOWS—1⅜" CHECK RAIL

Clear Western Ponderosa Pine Toxic Treated and Prefit

[For lugs, add per window $0.45]

Glass size	Ohio opening		
	Open	Glazed single strength B	Glazed double strength B
16" x 16"	$1.50	$2.18	$2.37
16" x 18"	1.68	2.42	2.67
16" x 20"	1.62	2.48	2.81
16" x 24"	1.71	2.72	3.11
16" x 26"	1.92	3.20	3.77
16" x 28"	1.83	3.11	3.71
18" x 18"	1.76	2.67	2.99
18" x 20"	1.67	2.63	2.97
18" x 24"	1.77	3.02	3.56
18" x 26"	1.98	3.39	4.04
18" x 28"	2.03	3.54	4.25
20" x 14"	1.58	2.10	2.49
20" x 16"	1.62	2.33	2.81
20" x 18"	1.80	2.49	3.15
20" x 20"	1.71	2.73	3.41
20" x 24"	1.83	3.02	3.81
20" x 26"	1.86	3.14	4.01
20" x 28"	2.10	3.29	4.43
20" x 30"	2.15	3.42	4.68
20" x 32"	2.28	4.23	5.10
22" x 24"	1.88	3.14	4.01
22" x 26"	1.92	3.29	4.27
22" x 28"	1.97	3.42	4.41
22" x 30"	2.19	4.14	5.04
24" x 12"	1.76	2.55	2.82
24" x 14"	1.67	2.45	2.91
24" x 16"	1.71	2.60	3.26
24" x 18"	1.77	2.84	3.56
24" x 20"	1.83	3.02	3.81
24" x 22"	1.85	3.14	4.01
24" x 24"	1.92	3.38	4.37
24" x 26"	1.97	3.42	4.41
24" x 28"	2.01	3.69	4.76
24" x 30"	2.06	3.87	5.06
24" x 32"	2.22	4.65	5.58
24" x 34"	2.48	4.92	5.96
24" x 36"	2.52	5.24	6.44
26" x 14"	1.71	2.67	3.02
26" x 16"	1.77	3.02	3.56
26" x 18"	1.82	3.21	3.81
26" x 20"	1.86	3.33	4.01
26" x 24"	1.97	3.42	4.41
26" x 26"	2.01	3.69	4.76
26" x 28"	2.06	3.98	5.13
26" x 30"	2.28	4.77	5.84
26" x 32"	2.48	4.92	5.96
26" x 34"	2.54	5.58	6.81
26" x 36"	2.58	5.63	6.87
28" x 14"	1.92	3.12	3.63
28" x 16"	1.98	3.29	3.92
28" x 18"	2.03	3.54	4.25
28" x 20"	2.10	3.69	4.43
28" x 24"	2.01	3.69	4.76
28" x 26"	2.06	4.22	5.13
28" x 28"	2.10	4.50	5.51
28" x 30"	2.36	4.82	5.87
28" x 32"	2.54	5.58	6.81
28" x 34"	2.58	5.63	6.87
28" x 36"	2.66	6.06	7.50
30" x 14"	1.95	3.26	3.78
30" x 16"	2.03	3.45	4.08
30" x 18"	2.10	3.69	4.43
30" x 20"	2.15	3.86	4.68
30" x 24"	2.06	3.87	5.06
30" x 26"	2.10	4.50	5.51
30" x 28"	2.18	4.55	5.54
30" x 30"	2.42	5.49	6.75
30" x 32"	2.58	5.63	6.87
30" x 34"	2.66	6.06	7.50
30" x 36"	2.70	6.11	7.55
32" x 24"	2.42	4.85	5.91
32" x 28"	2.54	5.58	6.81
32" x 30"	2.58	5.63	6.87
32" x 32"	2.66		7.50
32" x 36"	2.75		8.39
36" x 24"	2.54	5.25	6.44
36" x 28"	2.66	6.06	7.50
36" x 30"	2.70	6.11	7.55
40" x 24"	2.78	5.75	6.98
40" x 28"	2.90	6.81	8.46
40" x 30"	2.96	6.89	8.55

Divided Light and Sash Extras

Add to 2-light window price as follows:	
Rectangular lights up to and including lights 16" high, per light	$0.09
Rectangular lights over 16" high and up to and including lights 30" high, per light	.12
Rectangular lights over 30" high, per light	.18
(For rectangular lights formed by horizontal bars only, read width for height.)	
For half windows open or glazed, use half-price of window and add	.12
For rabbeting special sash in pairs, add per pair	.48
For rabbeting bottom rails of sash or windows, add per sash	.23
Plowing for unique balance, add per window	.25
For ogee lugs on 2 and 4 check 1⅜-inch window only, add to window price	.45

TABLE 14—PLANK WINDOW FRAMES

WESTERN PONDEROSA PINE

Glass size, 2-lights	5¼" frame wall, 1⅛" outside casing		9" brick wall, head and sill	
	Heads and sills	Sides	Heads and sills	Sides
20"	$1.89		$2.04	
24"	2.10	$1.65	2.27	$1.79
28"	2.36	1.89	2.55	2.04
30"	2.54	2.06	2.75	2.22
32"	2.72	2.06	2.93	2.22
36"	2.93	2.36	3.17	2.55
40"	3.30	2.72	3.60	2.93
44"	3.65	2.94	3.90	3.18
48"		3.15		3.39

Extras

For smaller or intermediate sizes use next largest size.
Add for nailing up sash frames, 90 cents.
For Frames made for sash to pivot add, 68 cents.

TABLE 15—INSIDE DOOR FRAMES

WESTERN PONDEROSA PINE

Design	Knocked down		Nailed up	
	2' 8" x 6' 8"	3' 0" x 7' 0"	2' 8" x 6' 8"	3' 0" x 7' 0"
Western ponderosa pine				
1⅜" x 5⅜" jamb	$4.05	$4.28	$4.65	$4.88
Jamb ¾" x 5¼", stop ½" x 1⅝"	2.78	2.93	3.38	3.53
Jamb ¾" x 5¼", no stops	2.25	2.39	2.85	2.99

YELLOW PINE INSIDE DOOR FRAMES

Yellow pine				
Jamb 1⅜" x 5⅜" rab., 2 sides	$2.88	$3.18	$3.48	$3.78
Jamb 1⅜" x 3½" rab., 1 side	2.28	2.52	2.88	3.12

Cased Openings

6' 0" x 7' 0" and smaller	¾" x 5½" jambs and heads.	$2.76
6' 0" x 7' 0" and smaller	1⅛" x 5½" jambs and heads.	3.33

TABLE 16—LIGHT WINDOWS

4-Light Windows—1¾" Check Rail—Clear Western Ponderosa Pine

[For lugs, add per window —]

Glass size	Thickness	Ohio opening	
		Open	Glazed single strength B
	Inches		
10" x 20"	1⅜	$2.15	$3.24
10" x 24"	1⅜	2.28	3.56
12" x 20"	1⅜	2.06	3.12
12" x 24"	1⅜	2.19	3.59
12" x 26"	1⅜	2.25	3.96
12" x 28"	1⅜	2.30	4.17
12" x 30"	1⅜	2.60	4.74
12" x 32"	1⅜	2.79	5.00
12" x 34"	1⅜	2.87	5.15
12" x 36"	1⅜	2.94	5.26
14" x 24"	1⅜	2.48	4.40
14" x 26"	1⅜	2.55	4.52
14" x 28"	1⅜	2.63	5.00
14" x 30"	1⅜	2.70	5.16
14" x 32"	1⅜	2.91	5.48
14" x 34"	1⅜	2.96	5.67
14" x 36"	1⅜	3.06	5.96
15" x 24"	1⅜	2.55	4.52
15" x 26"	1⅜	2.60	4.95
15" x 28"	1⅜	2.67	5.61
15" x 30"	1⅜	2.75	5.36
15" x 32"	1⅜	2.96	5.67
15" x 34"	1⅜	3.11	5.91
15" x 36"	1⅜	3.11	6.39

TABLE 16—LIGHT WINDOWS—Continued

12-Light Windows—1⅜" Check Rail—Western Ponderosa Pine

[Prefit-plowed and bored-toxic treated]

Glass size	Thickness	Open	Glazed single strength B
	Inches		
8" x 8"	1⅜	$2.55	$3.77
8" x 10"	1⅜	2.52	4.02
8" x 12"	1⅜	2.87	4.59
9" x 12"	1⅜	2.70	4.41
9" x 14"	1⅜	2.81	4.76
10" x 10"	1⅜	2.91	4.55
10" x 12"	1⅜	2.79	4.82
10" x 14"	1⅜	3.15	5.36
10" x 15"	1⅜	3.26	5.54
10" x 16"	1⅜	3.45	5.93
10" x 18"	1⅜	3.57	6.56
10" x 20"	1⅜	3.95	7.82
12" x 14"	1⅜	3.39	5.99
12" x 16"	1⅜	3.69	6.48
12" x 18"	1⅜	3.50	7.38
12" x 20"	1⅜	3.95	7.82

TABLE 17—2 LIGHT STORM SASH

Western Ponderosa Pine

[Toxic treated—Glazed—4½" wider and 8" longer than glass]

Glass size	Thickness	Glazed
	Inches	
16" x 16"	1⅛	$2.18
18" x 20"	1⅛	2.52
18" x 24"	1⅛	3.02
20" x 16"	1⅛	2.33
20" x 18"	1⅛	2.49
20" x 20"	1⅛	2.73
20" x 24"	1⅛	3.02
20" x 26"	1⅛	3.14
24" x 14"	1⅛	2.45
24" x 16"	1⅛	2.60
24" x 18"	1⅛	2.84
24" x 20"	1⅛	3.02
24" x 22"	1⅛	3.14
24" x 24"	1⅛	3.38
24" x 26"	1⅛	3.42
24" x 28"	1⅛	3.69
24" x 30"	1⅛	3.87
24" x 22"	1⅛	4.56
26" x 18"	1⅛	3.21
26" x 20"	1⅛	3.33
26" x 24"	1⅛	3.42
26" x 26"	1⅛	3.69
26" x 28"	1⅛	3.98
26" x 30"	1⅛	4.77
26" x 32"	1⅛	4.92
27" x 24"	1⅛	4.17
28" x 18"	1⅛	3.54
28" x 20"	1⅛	3.69
28" x 24"	1⅛	3.69
28" x 25"	1⅛	4.23
28" x 28"	1⅛	4.50
28" x 30"	1⅛	4.82
28" x 32"	1⅛	5.58
30" x 16"	1⅛	3.45
30" x 18"	1⅛	3.69
30" x 20"	1⅛	3.86
30" x 24"	1⅛	3.87
30" x 26"	1⅛	4.50
30" x 28"	1⅛	4.55
30" x 30"	1⅛	5.49
30" x 32"	1⅛	5.64
32" x 24"	1⅛	4.83
36" x 24"	1⅛	5.25
40" x 24"	1⅛	7.19

TABLE 18—1 LIGHT SINGLE SASH—1⅜" THICK

Toxic Treated—Western Ponderosa Pine

Glass size	Open	Glazed single strength	Glazed double strength
16" x 18"	$1.01	$1.35	$1.53
16" x 20"	1.04	1.49	1.68
16" x 24"	1.07	1.55	1.80
16" x 28"	1.11	1.85	2.21
16" x 30"	1.13	1.89	2.31
18" x 20"	1.07	1.55	1.76
18" x 24"	1.08	1.74	2.06
18" x 28"	1.13	1.89	2.31
18" x 30"	1.19	1.97	2.42
20" x 16"	1.04	1.49	1.68
20" x 18"	1.07	1.55	1.76
20" x 20"	.99	1.64	1.89
20" x 24"	1.02	1.74	2.09
20" x 28"	1.08	1.85	2.28
24" x 16"	.98	1.44	1.79

TABLE 18—1 LIGHT SINGLE SASH—1⅜" THICK—Continued

Toxic Treated—Western Ponderosa Pine—Con.

Glass size	Open	Glazed single strength	Glazed double strength
24" x 18"	$0.99	$1.64	$1.94
24" x 20"	1.02	1.74	2.09
24" x 24"	1.04	1.89	2.37
24" x 26"	1.08	1.94	2.37
24" x 28"	1.11	2.04	2.58
24" x 30"	1.13	2.18	2.72
24" x 32"	1.32	2.54	3.17
26" x 16"	1.07	1.74	2.06
26" x 18"	1.08	1.80	2.16
26" x 20"	1.13	1.89	2.31
26" x 24"	1.19	2.06	2.51
26" x 26"	1.20	2.16	2.72
26" x 28"	1.23	2.37	2.93
26" x 30"	1.25	2.51	3.12
28" x 16"	1.11	1.76	2.15
28" x 18"	1.13	1.89	2.31
28" x 20"	1.16	1.97	2.42
28" x 24"	1.20	2.16	2.72
28" x 26"	1.23	2.36	2.93
28" x 28"	1.25	2.51	3.12
28" x 30"	1.28	2.55	3.17
28" x 32"	1.37	2.97	3.69
30" x 18"	1.16	1.97	2.42
30" x 20"	1.19	2.06	2.51
30" x 24"	1.25	2.31	2.88
30" x 28"	1.31	2.55	3.17
30" x 30"	1.32	2.93	3.65
30" x 32"	1.43	2.99	3.74
30" x 36"	1.47	3.24	4.07
36" x 18"	1.32	2.31	2.78
36" x 20"	1.35	2.46	3.03
36" x 24"	1.40	2.78	3.45
36" x 28"	1.44	3.24	4.07
36" x 30"	1.50	3.29	4.11
36" x 32"	1.52	3.59	4.52
36" x 36"	1.59	----------	4.88
40" x 20"	1.50	2.67	3.29
40" x 24"	1.55	3.12	3.81
40" x 28"	1.62	----------	4.61
40" x 30"	1.64	----------	4.61
40" x 32"	1.67	----------	4.92
40" x 36"	1.74	----------	5.63
40" x 40"	1.79	----------	5.66
44" x 20"	1.56	----------	3.86
44" x 24"	1.64	----------	4.20
44" x 28"	1.68	----------	4.97
44" x 30"	1.71	----------	5.63
44" x 32"	1.74	----------	5.63
48" x 24"	1.67	----------	4.92
48" x 28"	1.76	----------	5.63
48" x 30"	1.79	----------	5.66

TABLE 19—BARN SASH

Western Ponderosa Pine

Glass size	Thickness	4-light barn sash	
		Open	Glazed
	Inches		
8" x 10"	1⅛	$0.89	$1.26
9" x 12"	1⅛	.95	1.43
10" x 12"	1⅛	.99	1.50
10" x 14"	1⅛	1.04	1.61
10" x 16"	1⅛	----------	----------
8" x 10"	1⅜	.98	1.35
9" x 12"	1⅜	1.07	1.53
10" x 12"	1⅜	1.16	1.61
10" x 14"	1⅜	1.17	1.74
10" x 16"	1⅜	----------	----------

Glass size	Thickness	6-light barn sash	
		Open	Glazed
	Inches		
8" x 10"	1⅛	$1.04	$1.64
9" x 12"	1⅛	1.16	1.89
10" x 12"	1⅛	1.20	1.98
10" x 14"	1⅛	1.25	2.16
10" x 16"	1⅛	1.37	2.64
8" x 10"	1⅜	1.17	1.76
9" x 12"	1⅜	1.31	2.01
10" x 12"	1⅜	1.35	2.10
10" x 14"	1⅜	1.41	2.31
10" x 16"	1⅜	1.58	2.82

TABLE 19—BARN SASH—Continued

Western Ponderosa Pine—Continued

Glass size	Thickness	9-light barn sash	
		Open	Glazed
	Inches		
8" x 10"	1⅛	$1.44	$2.37
9" x 12"	1⅛	----------	----------
10" x 12"	1⅛	1.68	2.94
10" x 14"	1⅛	----------	----------
10" x 16"	1⅛	----------	----------
8" x 10"	1⅜	1.59	2.55
9" x 12"	1⅜	----------	----------
10" x 12"	1⅜	1.91	3.17
10" x 14"	1⅜	----------	----------
10" x 16"	1⅜	----------	----------

TABLE 20—EXTERIOR DOOR FRAMES

Western Ponderosa Pine

For Frame Construction (5¼ Inch Wall)—1⅛ Outside Casing

	With oak sill	No sill
2' 8" x 6' 8"	$8.85	$5.99
3' 0" x 6' 8"	9.44	6.15
3' 0" x 7' 0"	9.69	6.38

Add for nailing up $0.90.

Garage door frame

Jamb—1¾ x 5¼ inch Western ponderosa pine (no outside casing or sill) not over 8' 0"— knocked down $6.75

Door frame extras

Transom door frames (transom not over 1' 6" high), add $3.38

Side light door frame, figure 3 times price of single.

Circle top door frame, add to pride of square head frame 9.53

For 9-inch masonry construction

[No sill]

	Knocked down	Nailed up
2' 8" x 6' 8"	$6.50	$7.40
3' 0" x 6' 8"	6.60	7.50
3' 0" x 7' 0"	6.83	7.73

For 10-inch furred brick wall

2' 8" x 6' 8"	$8.55	$9.45
3' 0" x 6' 8"	9.14	10.04
3' 0" x 7' 0"	9.45	10.35

For 13-inch masonry construction

2' 8" x 6' 8"	$10.71	$11.61
3' 0" x 6' 8"	10.88	11.78
3' 0" x 7' 0"	11.25	12.15

Treating door frames with "wood-life" preserver. $0.54

TABLE 21—EXTERIOR WINDOW FRAMES

Western Ponderosa Pine

[Important joints treated with wood preserver]

Glass size, 2-light	5¼" frame wall 1⅛ outside casing	
	Heads and sills	Sides
12"	----------	$2.30
14"	$1.34	2.51
16"	1.44	2.66
18"	1.70	2.82
20"	1.79	3.08
22"	1.89	3.24
24"	1.98	3.38
26"	2.07	3.53
27"	2.15	----------
28"	2.15	3.66
30"	2.31	3.95
32"	2.49	4.11
36"	2.67	4.52
40"	2.97	----------

TABLE 21—EXTERIOR WINDOW FRAMES—Con.

Western Ponderosa Pine—Continued

[Important joints treated with wood preserver]

Glass size, 2-light	9" brick wall all head and sill	
	Heads and sills	Sides
12"	----------	----------
14"	$1.20	$3.06
16"	1.28	3.26
18"	1.35	3.53
20"	1.44	3.81
22"	1.67	4.05
24"	1.74	4.28
26"	1.83	4.47
27"	----------	----------
28"	1.91	4.86
30"	1.98	4.92
32"	2.07	5.39
36"	2.31	5.90
40"	2.49	----------

Glass size, 2-light	"Unique Balance" frame	
	Heads and sills	Sides
12"	$1.28	$1.64
14"	1.35	1.79
16"	1.44	1.97
18"	1.55	2.13
20"	1.76	2.30
22"	1.85	2.45
24"	1.95	2.57
26"	2.00	----------
27"	2.03	2.72
28"	2.10	2.91
30"	2.21	3.18
32"	2.48	3.54
36"	2.66	----------
40"	----------	----------

Window Frame Extras

For nailing-up (N. U.) add to above	$6.90
Mullion frames, add to price of 2 single frames	.45
Triple frames, add to price of 3 single frames	1.20
For brick house frames with moulded hanging style instead of plain, add	.60
For cutting down heads and sills, add	.90
For cutting down sides, add	.90
Long sill horns for corner construction, add to price of regular head and sill	.90
For frame house frame, add for hanging stile instead of casing	1.14

TABLE 22—PORCH WORK, FIR

Colonial columns

Sizes	Round cap and base	Paneled cap and base
6 inch x 8 feet	$5.40	----------
8 inch x 6 feet	6.15	$6.00
8 feet	6.75	7.47
10 inch x 8 feet	9.12	9.42
9 feet	10.38	10.41
12 inch x 8 feet	----------	11.19
9 feet	----------	12.30

Turned columns

Sizes	Turned center
4 x 4 inches, 8 feet	$2.37
5 x 5 inches, 8 feet	3.69
6 x 6 inches, 8 feet	5.31
6 x 6 inches, 10 feet	6.66

Add for splitting Columns, $0.75.

Fir, Porch Newels

Size	Square paneled—Cap and base	Size	Square—Turned cap
8 inch x 4 feet	$4.08	5" x 5" x 4 feet	$1.85
10 inch x 4 feet	5.16	6" x 6" x 4 feet	2.66

Opinion Accompanying Revised Order No. G–11 Under General Order No. 68

On March 21, 1946, Order No. G–11 under General Order No. 68 became effective. This order established maximum prices or pricing methods for all stock millwork items sold at retail in the Dayton, Ohio Area. This order has been amended once and is now revised.

The accompanying revised order differs from the previous order in the following respects:

1. Percentage increases have been provided for certain general categories of stock millwork items listed in the tables. These increases are made for the purpose of allowing retail distributors their average current costs of acquistion plus such average percentage markups as were in effect on March 31, 1946. Any additional price increases granted to resellers subject to the accompanying order shall be taken subject to section 6 of Basic Order No. 1–B.

2. The price lists for Fir Glass Doors, Fir Panel Doors and Garage Doors have been amended to read as they did prior to Amendment No. 1 to Order G–11. The percentage increases provided in the accompanying Revised Order include the increases granted for these items by said Amendment No. 1.

In the opinion of the Regional Administrator, the provisions of the accompanying revised order are fair and equitable, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and General Order No. 68, as amended.

[F. R. Doc. 46–19596; Filed, Oct. 29, 1946; 8:51 a. m.]

[Wilmington Adopting Order 16 Under Basic Order 1 Under Gen. Order 68, Amdt. 3]

BUILDING AND CONSTRUCTION MATERIALS IN WILMINGTON, DEL., AREA

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region 2 by the Emergency Price Control Act of 1942 as amended, by General Order 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Wilmington District Office, *It is hereby ordered:*

1. Adopting Order No. 16 under Basic Order No. 1 as amended, under General Order No. 68, as amended, is hereby further amended by striking out Revised Schedule A annexed to and made a part of said order by Amendment No. 2, and inserting in place thereof Second Revised Schedule A annexed and made a part of this amendment and of said adopting order.

2. Except as hereby amended, Adopting Order No. 16 under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same and all provisions thereof remain in full force and effect.

3. This amendment shall become effective immediately.

Issued this 21st day of October 1946.

CHARLES W. HARDESTY,
District Director.

Item	Maximum prices to purchasers for resale on an installed basis (this includes contractors)	Maximum prices to ultimate users (this includes consumers)
1. Plaster, hardwall	$15.25 ton—carload	$1.02 100 lb. bag.
	$17.40 ton—less than carload	$17.90 ton—yard.
2. Plaster, gaging	$16.90 ton—yard	$28.40 ton.
	$27.40 ton	$27.90 ton—yard.
	$26.90 ton—yard	$1.62 100-pound bag—yard.
3. Plaster, moulding	$27.40 ton	$28.40 ton.
	$26.90 ton—yard	$27.90 ton—yard.
4. Keene's cement	$40 ton	$42 ton.
	$39.50 ton—yard	$41.50 ton—yard.
		$2.30 100-pound bag—yard.
5. Finishing lime	$19.95 ton—carload	$0.785 50-pound bag.
	$22.40 ton—less than carload	$23.50 ton.
	$21.85 ton—yard	$22.95 ton—yard.
6. Gypsum lath, ⅜"	$24.25 thousand—over 10,000 square feet	$24.25 ton—over 10,000 square feet.
	$24.75 ton—2,000–10,000 square feet	$24.75 ton—2,000–10,000 square feet.
	$26.25 ton—under 2,000 square feet	$26.25 ton—under 2,000 square feet.
7. Metal lath, 2.5 lb. painted diamond mesh.	$0.235 square yard—200 square yards and over.	$0.255 square yard—200 square yards and over
	$0.255 square yard—under 200 square yards.	$0.28 square yard—under 200 square yards.
8. Metal lath, 2.5 lb. galvanized	$0.30 square yard	$0.345 square yard
9. Metal lath, 3.4 lb. painted diamond mesh.	$0.31 square yard—under 200 square yards.	$0.35 square yard—under 200 square yards.
10. Metal lath, corner bead, extension type.	$0.032 foot—1,000 feet and over	$0.042 (under 300).
	$0.037 foot—300–999 feet	
11. Masonry mortar (paper sacks)	$2.66 barrel	$2.81 barrel.
12. Waterproof cement (gray)	$3.86 barrel	$4.31 barrel.
	$3.76 barrel—yard	$1.215 per 100-pound bag.
		$4.21 barrel—yard.
13. Metal lath, 2.75 lb., flat rib painted.	$0.275 square yard (200 square yards and over).	$0.33 square yard.
	$0.30 square yard (under 200 square yards).	
14. Mason's hydrated lime	$15.70 ton	$16.80 ton.
	$15.10 ton—yard	$0.615 50-pound bag.
		$16.25 ton—yard.
15. Portland cement, standard (paper bag).	$2.73 barrel carload	$3.36 barrel.
	$3.16 barrel, less than carload	$0.865 100 pound bag.
	$3.11 barrel—yard	$3.31 barrel—yard.
16. Clay drain tile—3"	$0.095 linear foot	$0.105 linear foot.
17. Clay drain tile—4"	$0.12 linear foot	$0.13 linear foot.
18. Clay drain tile—6"	$0.195 linear foot	$0.205 linear foot.
19. Gypsum wallboard ⅜"	$42.50 1,000 square feet (over 1,000 square feet)	$47.50 1,000 square feet. (under 1,000 square feet).
20. Asphalt roofing, 90 lb. mineral surface.	$2.87 roll (10 to 50 rolls)	$2.98 roll (1 to 9 rolls).
21. Asphalt or tar felt, 15 lb	$2.67 roll (10 to 50 rolls)	$2.78 roll (1 to 9 rolls).
22. Asphalt or tar felt 30 lb	$2.67 roll (10 to 50 rolls)	$2.78 roll (1 to 9 rolls).
23. Asphalt shingles, 210 lb. (3 in 1) thick butt.	$6.65 square (10–50 squares)	$6.97 square (1–9 squares).
24. Asphalt shingles 165 lb. 2-tab hexagonal.	$5.19 square (10–50 squares)	$5.45 square (1–9 squares).
25. Vitrified clay sewer pipe No. 1SS 4".	$0.195 linear foot	$0.205 linear foot.
26. Vitrified clay sewer pipe (No. 1SS 6".	$0.295 linear foot	$0.32 linear foot.
27. Flue lining, 9 x 9	$0.40 linear foot	$0.425 linear foot.
28. Flue lining, 9 x 13	$0.61 linear foot	$0.65 linear foot.
29. Flue lining, 13 x 13	$0.77 linear foot	$0.81 linear foot.
30. Asbestos cement siding 12" x 24" or 27" standard colors.	$8.03 square (over 10 squares)	$8.45 square (1–9 squares).
31. Fiber insulated board ½", standard lath and bead.	$53.75 1,000 square feet (5,000 and over)	53.75 1,000 square feet and over.
	$56.45 1,000 square feet (2,000–5,000)	$56.45 1,000 square feet (2,000–5,000).
	$59.10 1,000 square feet (under 2,000)	$59.10 1,000 square feet (under 2,000).
32. Fiber insulated board 25/32", asphalt sheathing.	$78 1,000 square feet (over 4,000)	$78 1,000 square feet (over 4,000).
	$84.50 1,000 square feet (2,000–4,000)	$84.50 1,000 square feet (2,000–4,000).
	$91 1,000 square feet (under 2,000)	$91 1,000 square feet (under 2,000).
33. Standard density synthetic fiber board, 3/16" (4 x 8).	$0.045 square feet	$0.05 square feet.
34. Hard density synthetic fiber board, 1/8" tempered, standard size.	$0.0875 square feet	$0.0925 square feet.
35. Thermal insulation—batts (paper backed) 4" thick.	$0.0625 square feet	$0.0675 square feet.

Opinion Accompanying Amendment No. 3 to Adopting Order No. 16 Under Basic Order No. 1 as Amended, Under General Order No. 68 as Amended

On January 16, 1946, Adopting Order No. 16 Under Basic Order No. 1 as amended, under General Order No. 68 as amended, was issued by this office, effective January 24, 1946. This order stated maximum prices for certain hard mason materials in the area covered by said order, more fully described in said order. This order was amended by Amendment No. 1 issued and effective June 17, 1946, and further amended by Amendment No. 2 issued and effective August 22, 1946. Amendment No. 2, among other things, substituted Revised Schedule A for the original schedule so as to give effect to manufacturers' increases which had been granted up to June 30, 1946, in accordance with section 2 (t) of the Emergency Price Control Act of 1942, as amended.

It now appears that additional manufacturers' increases have been granted on some of the items covered by Revised Schedule A since June 30, 1946, and the accompanying amendment accordingly substitutes Second Revised Schedule A for Revised Schedule A. This Second Revised Schedule A gives effect to manufacturers' increases in accordance with the provisions of section 2 (t) of the Emergency Price Control Act of 1942 as amended. This amendment does not supersede Supplementary Order No. 179 relating to increased freight on certain commodities.

[F. R. Doc. 46–19699; Filed, Oct. 30, 1946; 8:47 a. m.]

[Region III Rev. Order G-13 Under Gen. Order 68]

STOCK MILLWORK IN PORTSMOUTH, OHIO, AREA

For the reasons set forth in an opinion, which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1-B under General Order No. 63, this order is issued:

SECTION 1. *What this order does.* This adopting order establishes maximum prices for the stock millwork items listed in the accompanying tables when sold at retail at or from any point within the Portsmouth, Ohio, Area.

SEC. 2. *Area covered.* For the purposes of this order the "Portsmouth, Ohio, Area" consists of the Counties of Lawrence, Pike, and Scioto, in the State of Ohio.

SEC. 3. *Applicability of Basic Order No. 1-B.* All the provisions of Basic Order No. 1-B, consistent with this Adopting Order No. G-13 are hereby adopted by, and incorporated by reference into, this order as though fully rewritten herein. If Basic Order No. 1-B is amended in any respect, all of the provisions of that order, as amended, shall likewise, without other action be a part of this order.

All persons subject to this adopting order are also subject to, and should read and be familiar with, the provisions of Basic Order No. 1-B.

SEC. 4. *Maximum prices*—(a) *Price lists.* Subject to the provisions of subsection (b) of this section 4, the maximum prices for the stock millwork items for which maximum prices are established by this order shall be those set forth in the accompanying tables which are annexed to and made a part of this order. Prices lower than the maximum prices established hereby may, of course, be charged or paid.

(b) *Additions.* The maximum prices of the stock millwork items listed in the accompanying tables, shall be determined by adding to the prices listed in said tables, whichever of the percentage increases listed below are applicable, depending upon the general category of the item to be priced.

General category of item to be priced:	*Percentage increase to be added to price in table*
Open sash	24.5%
Doors with plywood panels	25.0%
Doors with raised panels	22.0%
Glazed sash	17.5%
Frames	25.5%
Combination doors	22.0%
Window screens	20.5%
Douglas fir house doors	24.5%
Douglas fir, other than house doors	11.0%
Other items	22.0%

(c) The prices established herein are the maximum retail prices which may be charged for the stock millwork items listed, whether purchased from manufacturers, jobbers, or self-produced. A seller may quote on a contract basis: *Provided,* That he maintains records showing complete calculations for each item in his contract price: *And provided,* That the contract price is based on prices permitted by this order and applicable regulations. Contract sales may not exceed the sum total of the maximum stock millwork prices for each and all items in the contract. Prices lower than the maximum prices may, of course, be charged and paid.

(d) *Delivery.* (i) The maximum prices established hereby include free delivery of the items purchased.

(ii) In cases where the stock millwork is taken from the stock of a retailer's warehouse and loaded on cars for shipment to an ultimate consumer in a different area, the maximum prices established and hereby are f. o. b. cars.

(iii) No deduction need be made from the maximum prices established hereby where the purchaser elects to make his own delivery.

(e) *Discounts.* On all sales made to bona fide contractors, a discount of not less than 2% of the maximum prices established hereby, shall be granted for payment of the invoice on or before the tenth day of the calendar month following the month of delivery. This discount shall not apply on sales quoted and sold on a contract basis.

SEC. 5. *Relationship to Order No. G-13.* Subject to the provisions of Supplementary Order No. 40 this Revised Order No. G-13 replaces and supersedes Order No. G-13 which is hereby revoked.

SEC. 6. *Effective date.* This Revised Order No. G-13 shall become effective October 22, 1946.

Issued: October 8, 1946.

J. F. KESSEL,
Regional Administrator.

The prices listed in this order include all increases granted to resellers by the OPA through August 8, 1946. (See section 6 (b) of Basic Order No. 1-B.)

TABLE 1—INTERIOR WESTERN PONDEROSA PINE DOORS

Ovolo Sticking

Stock sizes	Thickness	4 panel No. 1	5x panel No. 1	5 regular panel No. 1	5x panel No. 2	2 regular W. P. P. S & R fir panels	2 vertical W. P. P. S & R fir panels	6 panel Colonial No. 1 W. P.
	Inches							
2' 0" x 6' 0"	1¾	$5.42						
2' 0" x 6' 0"	1⅜	6.02	$6.02					
2' 6" x 6' 6"	1⅜	7.22						
1' 6" x 6' 8"	1⅜		6.72			$6.77	$6.90	$7.55
1' 6" x 7' 0"	1⅜					7.32		
1' 8" x 6' 8"	1⅜					6.77	6.90	7.70
1' 10" x 6' 8"	1⅜							7.74
2' 0" x 6' 0"	1⅜	6.06	6.06	$5.06	$5.82	5.81	5.94	6.81
2' 0" x 6' 6"	1⅜	6.54	6.36			6.09	6.41	7.10
2' 0" x 6' 8"	1⅜	6.65	6.47	6.65		6.20	6.51	7.19
2' 0" x 6' 10"	1⅜	7.55	7.11			7.23		
2' 0" x 7' 0"	1⅜	7.64	7.20	7.64		7.32	7.49	8.45
2' 2" x 6' 8"	1⅜		7.01			7.13	7.28	8.24
2' 2" x 7' 0"	1⅜		8.03			7.70	7.86	8.81
2' 4" x 6' 0"	1⅜					7.08		
2' 4" x 6' 4"	1⅜	7.55						
2' 4" x 6' 6"	1⅜	6.99	6.99			6.71	6.84	7.11
2' 4" x 6' 8"	1⅜	7.16	7.16	7.16		6.84	7.01	7.88
2' 4" x 6' 10"	1⅜	8.30	8.30			7.97	8.12	
2' 4" x 7' 0"	1⅜	8.42	8.42	8.42		8.06	8.24	9.18
2' 6" x 6' 0"	1⅜	7.64	7.64			7.32	7.05	8.45
2' 6" x 6' 6"	1⅜	7.58	7.35	7.58	7.26	7.05	7.19	8.06
2' 6" x 6' 8"	1⅜	7.68	7.46	7.68		7.82	7.29	8.16
2' 6" x 6' 10"	1⅜	8.67	8.18			8.33	8.49	
2' 6" x 7' 0"	1⅜	8.79	8.28	8.79		7.95	8.61	9.56
2' 8" x 6' 6"	1⅜	8.34	7.36					9.14
2' 8" x 6' 8"	1⅜	8.03	7.80	8.03	7.70	7.47	7.64	8.51
2' 8" x 6' 10"	1⅜	9.05	8.54			8.67	8.36	
2' 8" x 7' 0"	1⅜	9.17	8.63	9.17		8.28	8.46	9.93
2' 10" x 6' 6"	1⅜	8.72						
2' 10" x 6' 8"	1⅜	8.84	8.33	8.84		7.98	8.66	9.60
2' 10" x 6' 10"	1⅜	9.42	9.42	9.42		9.05	9.26	10.20
2' 10" x 7' 0"	1⅜	9.54	9.54	9.54		9.17	9.33	10.31
3' 0" x6' 6"	1⅜	9.05						
3' 0" x 6' 8"	1⅜	9.23	8.70			8.85		9.98
3' 0" x 7' 0"	1⅜	9.98	9.41	9.98		9.56	9.78	10.73
2' 6" x 6' 8"	1¾		10.55					
2' 8" x 6' 8"	1¾					11.36		12.68
2' 10" x 6' 8"	1¾							13.05
3' 0" x 6' 8"	1¾							13.56
2' 6" x 7' 0"	1¾		12.15			11.69		
2' 8" x 6' 8"	1¾		11.12					
2' 8" x 7' 0"	1¾		11.93					
2' 10" x 6' 10"	1¾		13.01					
2' 10" x 7' 0"	1¾		13.18					
3' 0" x 6' 8"	1¾		11.99					
3' 0" x 7' 0"	1¾	13.73	12.93			13.22		14.48

TABLE 2—FIR GLASS DOORS

No. 2 quality

Stock sizes	Thickness	3X—1 light		3X—3 light		3X panels 4 lights		3X panels 6 lights	
		Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed
	Inches								
2' 6" x 6' 6"	1⅜	$6.41	$7.25	$6.77	$7.68	$6.90	$7.80	$7.14	$8.19
2' 6" x 6' 8"	1⅜	6.50	7.40	6.86	7.83	6.99	7.95	7.23	8.34
2' 8" x 6' 8"	1⅜	6.68	7.68	7.04	8.12	7.17	8.25	7.46	8.64
2' 10" x 6' 10"	1⅜	7.44	9.26	7.80	9.42	7.92	9.54	8.16	9.96
3' 0" x 7' 0"	1⅜	7.88	9.90	8.24	10.05	8.36	10.17	8.61	10.59

TABLE 3—CELLAR SASH

2 Light Cellar Sash—Western Ponderosa Pine

Glass size	Thickness	Open	Glazed single strength
	Inches		
12″ x 14″	1⅜	$0.95	$1.34
12″ x 16″	1⅜	.93	1.44
12″ x 18″	1⅜	1.01	1.61
14″ x 12″	1⅜	1.08	1.62
14″ x 14″	1⅜	1.03	1.62
14″ x 15″	1⅜	1.13	1.76
14″ x 16″	1⅜	1.13	1.76
14″ x 18″	1⅜	1.16	1.83
14″ x 20″	1⅜	1.19	1.89
15″ x 12″	1⅜	1.08	1.59
15″ x 14″	1⅜	1.13	1.83
15″ x 16″	1⅜	1.16	1.83
15″ x 18″	1⅜	1.19	1.89
15″ x 20″	1⅜	1.20	2.10

3 Light Cellar Sash—Western Ponderosa Pine

Glass size	Thickness	Open	Glazed single strength
	Inches		
8″ x 10″	1⅜	$0.90	$1.17
10″ x 12″	1⅜	1.02	1.38
10″ x 14″	1⅜	1.07	1.58
10″ x 16″	1⅜	1.08	1.79
10″ x 18″	1⅜	1.20	1.98
10″ x 20″	1⅜	1.25	2.10

TABLE 4—HOT BED SASH

Sash opening	Open	Glazed	Number rows glas
3′ 0″ x 6′ 0″ 1⅜	$3.14	$6.29	3
4′ 0″ x 6′ 0″ 1⅜	5.57	9.45	4

TABLE 5—KNOCKED DOWN SASH PARTS

Toxic Treated, Western Ponderosa Pine

1⅜″ 2 Check Windows—Ohio Knocked Down Wood Parts—"Prefit"

Glass	Stile or top rail	Check rail	Bottom rail
12″	$0.17	$0.14	$0.20
14″	.18	.14	.23
16″	.18	.15	.24
18″	.20	.17	.26
20″	.21	.18	.27
22″	.23	.18	.29
24″	.23	.20	.30
26″	.24	.20	.33
28″	.26	.21	.33
30″	.27	.23	.36
32″	.30	.24	.39
24″	.32	.26	.41
36″	.33	.27	.44
38″	.33	.27	.44
40″	.36	.29	.50
42″	.39	.30	.50
44″	.42	.33	.54
48″	.48	.39	.65

For Ogee lugs (Cincinnati opening only) add for complete set (4 stiles)—$0.45

TABLE 6—CUPBOARD DOORS

1⅛″—1 Panel Western Ponderosa Pine

Stock size	Price	Stock size	Price
1′ 4″ x 2′ 0″	$1.37	2′ 0″ x 3′ 6″	$2.76
1′ 6″ x 2′ 0″	1.46	1′ 4″ x 4′ 0″	2.42
1′ 8″ x 2′ 0″	1.59	1′ 6″ x 4′ 0″	2.55
2′ 0″ x 2′ 6″	1.73	1′ 8″ x 4′ 0″	2.76
1′ 4″ x 2′ 6″	1.68	2′ 0″ x 4′ 0″	3.08
1′ 6″ x 2′ 6″	1.77	1′ 4″ x 4′ 6″	2.76
1′ 8″ x 2′ 6″	1.91	1′ 6″ x 4′ 6″	2.91
2′ 0″ x 2′ 6″	2.13	1′ 8″ x 4′ 6″	3.18
1′ 4″ x 3′ 0″	1.86	2′ 0″ x 4′ 6″	3.50
1′ 6″ x 3′ 0″	1.95	1′ 4″ x 5′ 0″	3.08
1′ 8″ x 3′ 0″	2.13	1′ 6″ x 5′ 0″	3.27
2′ 0″ x 3′ 0″	2.37	1′ 8″ x 5′ 0″	3.54
8′ 4″ x 3′ 6″	2.18	2′ 0″ x 5′ 0″	3.95
1′ 6″ x 3′ 6″	2.23	2′ 0″ x 6′ 0″	4.41
1′ 8″ x 3′ 6″	2.51	2′ 6″ x 6′ 0″	5.19

TABLE 7—FIR PANEL DOORS

Stock sizes	Thickness (inches)	F 82—2 regular panel, No. 1	F 82—2 regular panel, No. 2	F 20—1 panel, No. 1	F 3—3 panel, No. 2
2′ 0″ x 6′ 0″	1⅛	-------	-------	-------	$4.59
2′ 6″ x 6′ 6″	1⅛	-------	-------	-------	5.28
2′ 8″ x 6′ 8″	1⅛	-------	-------	-------	5.49
1′ 6″ x 6′ 8″	1⅜	$5.63	$5.48	$5.81	-------
2′ 0″ x 6′ 0″	1⅜	5.25	5.12	-------	5.12
2′ 0″ x 6′ 6″	1⅜	5.49	5.34	-------	-------
2′ 0″ x 6′ 8″	1⅜	5.63	5.48	5.81	5.48
2′ 0″ x 7′ 0″	1⅜	6.68	6.50	-------	-------
2′ 4″ x 6′ 6″	1⅜	5.85	5.69	-------	-------
2′ 4″ x 6′ 8″	1⅜	5.94	5.78	6.12	5.78
2′ 4″ x 7′ 0″	1⅜	7.04	6.84	-------	-------
2′ 6″ x 6′ 0″	1⅜	6.29	6.12	-------	6.12
2′ 6″ x 6′ 6″	1⅜	6.02	5.85	-------	5.85
2′ 6″ x 6′ 8″	1⅜	6.09	5.94	6.27	5.94
2′ 6″ x 7′ 0″	1⅜	6.81	6.63	-------	-------
2′ 8″ x 6′ 8″	1⅜	6.27	6.09	6.45	6.09
2′ 8″ x 7′ 0″	1⅜	6.98	6.80	-------	-------
2′ 10″ x 6′ 10″	1⅜	7.65	7.44	-------	7.44
2′ 10″ x 7′ 0″	1⅜	7.73	7.52	-------	-------
3′ 0″ x 7′ 0″	1⅜	8.09	7.88	-------	7.41

TABLE 8—WESTERN PONDEROSA PINE GLASS DOORS

Stock size	Thickness (inches)	N. D. 500		N. D. 502		N. D. 514		N. D. 530		N. D. 531		N. D. 532		N. D. 559		N. D. 561		N. D. 562		N. D. 567	
		Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed
2′ 6″ x 6′ 6″	1⅜	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	$7.40	$9.39
2′ 6″ x 6′ 8″	1⅜	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	7.44	9.48
2′ 8″ x 6′ 8″	1⅜	$8.45	$10.44	$9.33	$12.00	$7.44	$9.38	$8.07	$8.93	$8.91	$9.59	$9.42	$11.22	$7.28	$10.19	$8.72	$10.37	$9.08	$11.07	7.65	9.90
3′ 0″ x 6′ 8″	1⅜	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	7.59	11.30	9.03	11.91	-------	-------	-------	-------
2′ 10″ x 6′ 10″	1⅜	9.14	12.41	10.89	13.80	8.07	11.34	8.76	10.16	9.60	11.54	10.11	12.45	7.86	11.12	9.30	12.18	9.68	12.63	8.24	11.15
2′ 8″ x 7′ 0″	1⅜	9.03	12.29	10.77	13.83	7.97	10.88	8.61	10.02	9.45	10.62	9.93	12.09	-------	-------	-------	-------	-------	-------	8.19	11.10
2′ 10″ x 7′ 0″	1⅜	9.23	12.86	10.95	14.18	8.12	11.39	8.81	11.06	9.68	11.60	10.14	12.60	-------	-------	-------	-------	-------	-------	8.34	11.58
3′ 0″ x 7′ 0″	1⅜	9.45	13.16	11.19	14.51	8.34	12.05	9.03	10.64	9.87	12.02	10.35	12.84	8.12	12.14	9.56	12.78	9.93	13.05	8.49	11.76
2′ 6″ x 6′ 8″	1¾	-------	-------	-------	-------	10.19	12.42	10.94	12.51	12.02	13.44	12.60	14.31	10.07	12.98	11.97	13.31	12.48	15.09	-------	-------
2′ 8″ x 6′ 8″	1¾	11.87	14.76	14.27	17.07	10.43	12.18	11.22	11.82	12.30	13.04	12.87	14.70	10.29	13.20	12.20	13.67	12.72	14.51	10.71	12.96
2′ 10″ x 6′ 8″	1¾	-------	-------	-------	-------	10.64	13.55	11.51	12.60	12.59	13.70	13.89	16.24	-------	-------	-------	-------	-------	-------	10.94	13.41
3′ 0″ x 6′ 8″	1¾	12.44	15.69	14.85	17.84	10.94	13.41	11.79	13.02	12.87	13.98	13.45	15.66	10.76	14.46	12.66	14.69	13.17	15.09	11.15	14.06
2′ 10″ x 6′ 10″	1¾	12.87	16.14	15.32	18.23	11.33	14.60	12.20	14.19	13.29	15.23	13.89	16.24	11.15	14.42	13.05	15.95	13.59	16.55	11.57	14.48
2′ 6″ x 7′ 0″	1¾	-------	-------	-------	-------	10.94	13.85	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------
2′ 8″ x 7′ 0″	1¾	12.77	16.04	15.18	18.23	11.22	14.13	12.02	14.03	13.13	14.93	13.69	15.84	-------	-------	-------	-------	-------	-------	-------	-------
2′ 10″ x 7′ 0″	1¾	13.05	16.32	15.47	18.51	11.45	14.70	12.38	14.61	13.46	15.39	14.04	16.50	-------	-------	-------	-------	-------	-------	11.69	14.94
3′ 0″ x 7′ 0″	1¾	13.34	17.04	15.75	19.07	11.73	14.58	12.66	14.06	13.74	15.00	14.31	16.80	11.51	15.53	13.41	15.71	13.92	16.11	11.97	15.23

Stock size	Thickness (inches)	N. D. 568		N. D. 569		N. D. 591		N. D. 592		N. D. 594		N. D. 635		N. D. 638		N. D. 641		N. D. 642	
		Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed
2′ 6″ x 6′ 6″	1⅜	$8.24	$9.98	$8.76	$10.74	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------
2′ 6″ x 6′ 8″	1⅜	-------	-------	8.81	11.10	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------
2′ 8″ x 6′ 8″	1⅜	8.49	10.61	9.03	11.01	$8.34	$9.15	$9.08	$10.11	$9.53	$10.73	$7.92	$11.94	$8.34	$12.06	$9.08	$11.88	$9.60	$12.69
3′ 0″ x 6′ 8″	1⅜	-------	-------	-------	-------	-------	-------	-------	-------	10.89	12.24	8.24	12.99	9.41	13.20	9.36	12.57	9.87	13.25
2′ 10″ x 6′ 10″	1⅜	9.00	11.28	9.60	12.09	10.02	11.06	10.82	11.96	11.31	12.62	8.54	13.31	9.69	14.09	9.65	12.75	10.16	13.50
2′ 8″ x 7′ 0″	1⅜	9.03	11.18	9.56	12.00	-------	-------	-------	-------	-------	-------	8.49	13.26	9.65	13.98	9.60	12.66	10.11	13.38
2′ 10″ x 7′ 0″	1⅜	-------	-------	9.72	12.41	-------	-------	-------	-------	-------	-------	8.66	13.43	9.78	14.45	9.74	12.90	10.25	13.58
3′ 0″ x 7′ 0″	1⅜	9.33	11.91	9.87	12.56	10.52	11.58	11.31	12.48	11.78	13.13	8.81	13.82	9.92	14.03	9.87	13.22	10.40	13.97
2′ 6″ x 6′ 8″	1¾	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------
2′ 8″ x 6′ 8″	1¾	11.79	13.89	12.48	14.46	11.69	12.62	12.57	13.61	13.10	14.31	10.68	14.49	11.82	15.98	12.92	14.90	13.59	15.80
2′ 10″ x 6′ 8″	1¾	-------	-------	12.72	15.21	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------
3′ 0″ x 6′ 8″	1¾	-------	-------	12.95	15.44	12.32	13.32	13.20	14.31	13.73	15.03	10.86	15.27	13.38	16.95	13.38	15.72	14.06	16.50
2′ 10″ x 6′ 10″	1¾	-------	-------	13.34	15.83	14.03	15.06	15.00	16.14	15.57	16.89	12.30	17.07	13.79	18.18	13.79	16.89	14.45	17.78
2′ 6″ x 7′ 0″	1¾	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------
2′ 8″ x 7′ 0″	1¾	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	12.26	17.03	13.74	18.08	13.73	16.80	14.40	17.67
2′ 10″ x 7′ 0″	1¾	-------	-------	13.46	16.14	14.31	15.35	15.29	16.46	15.87	17.18	12.48	17.25	13.94	18.60	13.94	17.12	14.61	17.94
3′ 0″ x 7′ 0″	1¾	-------	-------	13.74	16.43	13.41	14.42	14.31	15.44	14.85	16.14	11.64	16.28	14.15	18.02	14.16	16.58	14.82	17.42

TABLE 9—SIDELIGHTS

Western Ponderosa Pine No. 1

Stock sizes	Thickness	S. L. 676		S. L. 675—6 lts.		S. L. 675		S. L. 675—8 lts.	
		Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed
	Inches								
1' 2" x 6' 8"	1⅜	$4.56	$6.20	$6.15	$8.45	$4.52	$6.51	$6.42	$8.87
1' 6" x 7' 0"	1⅜	4.89	6.51	6.48	8.78	4.83	6.83	6.75	9.20
1' 2" x 6' 8"	1¾	6.11	7.74	8.09	10.46	6.05	8.04	7.82	10.26
1' 2" x 7' 0"	1¾	6.51	8.13	8.52	10.80	6.44	8.45	8.19	10.64

TABLE 10—1¾" COLONIAL ENTRANCE DOORS

No. 1 Western Ponderosa Pine

	3'0" x 6'8"		3'0" x 7'0"	
6 pan. ¾" heavy panel	$15.73		$15.71	
8 pan. ¾" heavy panel	14.90		15.89	
	Open	Glazed	Open	Glazed
Design N. D. 610	$29.27	$32.45	$29.97	$33.18
Design N. D. 607	26.67	28.01	27.90	30.02
Design N. D. 608	33.54	35.15	24.23	37.49
Design N. D. 612 Dutch	29.21	32.58	29.90	33.60
Design N. D. 512	14.67	18.84	15.53	19.89
Design N. D. 612	24.66	28.02	25.37	29.07
Design N. D. 600	20.93	22.61	22.44	24.12

TABLE 11—FRENCH DOORS

Stiles and Top Rail 4¾"—Western Ponderosa Pine

Stock sizes	Thickness	N. D. 625		N. D. 626		N. D. 627	
		Open	Glazed	Open	Glazed	Open	Glazed
	Inches						
2' 0" x 6' 8"	1⅜	$6.90	$8.79	$7.14	$9.83		
2' 6" x 6' 8"	1⅜	7.08	9.45	6.92	10.22	$7.19	$10.49
2' 8" x 6' 8"	1⅜			6.96	10.40	7.23	10.56
2' 0" x 7' 0"	1⅜	7.26	9.78				
2' 6" x 7' 0"	1⅜	7.49	10.76	7.28	10.70	8.24	11.91
3' 0" x 7' 0"	1⅜					8.48	12.41
2' 6" x 6' 8"	1¾					10.13	13.43
3' 0" x 7' 0"	1¾					11.99	15.92

T. Astragal for Folding Doors—Western Ponderosa Pine, $0.90.

TABLE 12—GARAGE DOORS

Stock sizes	Thickness	Glass size	Fir—design N. D. 720-722		Western ponderosa pine—design N. D. 720	
			Open	Glazed	Open	Glazed
	Inches					
8' 0" x 7' 0"	1¾	12 x 13	$21.30	$23.96	$25.55	$27.99
8' 0" x 7' 6"	1¾	12 x 16	21.30	23.96	26.03	28.49
8' 0" x 8' 0"	1¾	12 x 16	21.30	23.96	26.52	28.97

TABLE 13—2 LIGHT WINDOWS—1⅜" CHECK RAIL

Clear Western Ponderosa Pine—Toxic Treated and Prefit

[For lugs, add per window $0.45]

Glass size	Ohio opening		
	Open	Glazed single strength B	Glazed double strength B
16" x 16"	$1.50	$2.18	$2.37
16" x 18"	1.68	2.42	2.67
16" x 20"	1.62	2.48	2.81
16" x 24"	1.71	2.72	3.11
16" x 26"	1.92	3.20	3.77
16" x 28"	1.83	3.11	3.71
18" x 18"	1.76	2.67	2.99
18" x 20"	1.67	2.63	2.97
18" x 24"	1.77	3.02	3.56
18" x 26"	1.98	3.39	4.04
18" x 28"	2.03	3.54	4.25
20" x 14"	1.58	2.10	2.49
20" x 16"	1.62	2.33	2.81
20" x 18"	1.80	2.49	3.15
20" x 20"	1.71	2.73	3.41
20" x 24"	1.83	3.02	3.81
20" x 26"	1.86	3.14	4.01
20" x 28"	2.10	3.29	4.43

TABLE 13—2 LIGHT WINDOWS—1⅜" CHECK RAIL—Continued

Clear Western Ponderosa Pine—Toxic Treated and Prefit—Continued

[For lugs, add per window $0.45]

Glass size	Ohio opening		
	Open	Glazed single strength B	Glazed double strength B
20" x 30"	$2.15	$3.42	$4.68
20" x 32"	2.28	4.23	5.10
22" x 24"	1.88	3.14	4.01
22" x 26"	1.92	3.29	4.27
22" x 28"	1.97	3.42	4.41
22" x 30"	2.19	4.14	5.04
24" x 12"	1.76	2.55	2.82
24" x 14"	1.67	2.45	2.91
24" x 16"	1.71	2.60	3.26
24" x 18"	1.77	2.84	3.56
24" x 20"	1.83	3.02	3.81
24" x 22"	1.85	3.14	4.01
24" x 24"	1.92	3.38	4.37
24" x 26"	1.97	3.42	4.41
24" x 28"	2.01	3.69	4.76
24" x 30"	2.06	3.87	5.06
24" x 32"	2.22	4.65	5.58

TABLE 13—2 LIGHT WINDOWS—1⅜" CHECK RAIL—Continued

Clear Western Ponderosa Pine—Toxic Treated and Prefit—Continued

[For lugs, add per window $0.45]

Glass size	Ohio opening		
	Open	Glazed single strength B	Glazed double strength B
24" x 34"	$2.48	$4.92	$5.96
24" x 36"	2.52	5.24	6.44
26" x 14"	1.71	2.67	3.02
26" x 16"	1.77	3.02	3.56
26" x 18"	1.82	3.21	3.81
26" x 20"	1.86	3.33	4.01
26" x 24"	1.97	3.42	4.41
26" x 26"	2.01	3.69	4.76
26" x 28"	2.06	3.98	5.13
26" x 30"	2.28	4.77	5.84
26" x 32"	2.48	4.92	5.96
26" x 34"	2.54	5.58	6.81
26" x 36"	2.58	5.63	6.87
28" x 14"	1.92	3.12	3.63
28" x 16"	1.98	3.29	3.92
28" x 18"	2.03	3.54	4.25
28" x 20"	2.10	3.69	4.43
28" x 24"	2.01	3.69	4.76
28" x 26"	2.06	4.22	5.13
28" x 28"	2.10	4.50	5.51
28" x 30"	2.36	4.82	5.87
28" x 32"	2.54	5.58	6.81
28" x 34"	2.58	5.63	6.87
28" x 36"	2.66	6.06	7.50
30" x 14"	1.95	3.26	3.78
30" x 16"	2.03	3.45	4.08
30" x 18"	2.10	3.69	4.43
30" x 20"	2.15	3.86	4.68
30" x 24"	2.06	3.87	5.06
30" x 26"	2.10	4.50	5.51
30" x 28"	2.18	4.55	5.54
30" x 30"	2.42	5.49	6.75
30" x 32"	2.58	5.63	6.87
30" x 34"	2.66	6.06	7.50
30" x 36"	2.70	6.11	7.55
32" x 24"	2.42	4.85	5.91
32" x 28"	2.54	5.58	6.81
32" x 30"	2.58	5.63	6.87
32" x 32"	2.66		7.50
32" x 36"	2.75		8.39
36" x 24"	2.54	5.25	6.44
36" x 28"	2.66	6.06	7.50
36" x 30"	2.70	6.11	7.55
40" x 24"	2.78	5.75	6.98
40" x 28"	2.90	6.81	8.46
40" x 30"	2.96	6.89	8.55

Divided Light and Sash Extras

Add to 2 light window price as follows:	
Rectangular lights up to and including lights 16" high, per light	$0.09
Rectangular lights over 16" high and up to and including lights 30" high, per light	.12
Rectangular lights over 30" high, per light	.18
(For rectangular lights formed by horizontal bars only, read width for height.)	
For half windows open or glazed, use half price of window and add	.12
For rabbeting special sash in pairs, add per pair	.48
For rabbeting bottom rails of sash or windows, add per sash	.23
Plowing for unique balance, add per window	.25
For ogee lugs on 2 and 4 check 1⅜-inch window only, add to window price	.45

TABLE 14—PLANK WINDOW FRAMES

Western Ponderosa Pine

Glass size 2-lights	5¼" frame wall 1⅛" outside casing		9" brick wall head and sill	
	Heads and sills	Sides	Heads and sills	Sides
20"	$1.89		$2.04	
24"	2.10	$1.65	2.27	$1.79
28"	2.36	1.89	2.55	2.04
30"	2.54	2.06	2.75	2.22
32"	2.72	2.06	2.93	2.22
36"	2.93	2.36	3.17	2.55
40"	3.30	2.72	3.60	2.93
44"	3.65	2.94	3.90	3.18
48"		3.15		3.39

Extras

For smaller or intermediate sizes use next largest size: Add for nailing up sash frames, $0.90; for frames made for sash to pivot add $0.68.

TABLE 15—INSIDE DOOR FRAMES

Western Ponderosa Pine

Design	Knocked down		Nailed up	
	2′ 8″ x 6′ 8″	3′ 0″ x 7′ 0″	2′ 8″ x 6′ 8″	3′ 0″ x 7′ 0″
1⅜″ x 5⅜″ jamb	$4.05	$4.28	$4.65	$4.88
Jamb ¾″ x 5¼″ stop ½″ x 1⅝″	2.78	2.93	3.38	3.53
Jamb ¾″ x 5¼″, no stops	2.25	2.39	2.85	2.99

Yellow Pine Inside Door Frames

Design	Knocked down		Nailed up	
	2′ 8″ x 6′ 8″	3′ 0″ x 7′ 0″	2′ 8″ x 6′ 8″	3′ 0″ x 7′ 0″
Jamb 1¾″ x 5⅜″ rab. 2 sides	$2.88	$3.18	$3.48	$3.78
Jamb 1⅜″ x 3½″ rab. 1 side	2.28	2.52	2.88	3.12

Cased openings

6′ 0″ x 7′ 0″ and smaller	¾″ x 5½″ jambs and heads.	$2.76
6′ 0″ x 7′ 0″ and smaller	1⅜″ x 5½″ jambs and heads.	3.33

TABLE 16—LIGHT WINDOWS

4-Light Windows—1⅜″ Check Rail—Clear Western Ponderosa Pine

[For lugs, add per window]

Glass size	Thickness	Ohio opening	
		Open	Glazed single strength B
	Inches		
10″ x 20″	1⅜	$2.15	$3.24
10″ x 24″	1⅜	2.28	3.56
12″ x 20″	1⅜	2.06	3.12
12″ x 24″	1⅜	2.19	3.59
12″ x 26″	1⅜	2.25	3.96
12″ x 28″	1⅜	2.30	4.17
12″ x 30″	1⅜	2.60	4.74
12″ x 32″	1⅜	2.79	5.00
12″ x 34″	1⅜	2.87	5.15
12″ x 36″	1⅜	2.94	5.36
14″ x 24″	1⅜	2.48	4.40
14″ x 26″	1⅜	2.55	4.52
14″ x 28″	1⅜	2.63	5.00
14″ x 30″	1⅜	2.70	5.16
14″ x 32″	1⅜	2.91	5.48
14″ x 34″	1⅜	2.96	5.67
14″ x 36″	1⅜	3.06	5.96
15″ x 24″	1⅜	2.55	4.52
15″ x 26″	1⅜	2.60	4.95
15″ x 28″	1⅜	2.67	5.61
15″ x 30″	1⅜	2.75	5.36
15″ x 32″	1⅜	2.96	5.67
15″ x 34″	1⅜	3.11	5.91
15″ x 36″	1⅜	3.11	6.39

12-Light Windows—1⅜″ Check Rail—Western Ponderosa Pine

[Prefit-plowed and board-toxic treated]

Glass size	Thickness	Open	Glazed single strength B
	Inches		
8″ x 8″	1⅜	$2.55	$3.77
8″ x 10″	1⅜	2.52	4.02
8″ x 12″	1⅜	2.87	4.59
9″ x 12″	1⅜	2.70	4.41
9″ x 14″	1⅜	2.81	4.76
10″ x 10″	1⅜	2.91	4.55
10″ x 12″	1⅜	2.79	4.82
10″ x 14″	1⅜	3.15	5.36
10″ x 15″	1⅜	3.26	5.54
10″ x 16″	1⅜	3.45	5.93
10″ x 18″	1⅜	3.57	6.56
10″ x 20″	1⅜	3.95	7.82
12″ x 14″	1⅜	3.39	5.99
12″ x 16″	1⅜	3.69	6.48
12″ x 18″	1⅜	3.50	7.38
12″ x 20″	1⅜	3.95	7.82

TABLE 17—2-LIGHT STORM SASH

Toxic Treated-Glazed—4½″ Wider and 8″ Longer Than Glass

Western Ponderosa Pine

Glass size	Thickness	Glazed
	Inches	
16″ x 16″	1⅜	$2.18
18″ x 20″	1⅜	2.52
18″ x 24″	1⅜	3.02
20″ x 16″	1⅜	2.33
20″ x 18″	1⅜	2.49
20″ x 20″	1⅜	2.73
20″ x 24″	1⅜	3.02
20″ x 26″	1⅜	3.14
24″ x 14″	1⅜	2.45
24″ x 16″	1⅜	2.60
24″ x 18″	1⅜	2.84
24″ x 20″	1⅜	3.02
24″ x 22″	1⅜	3.14
24″ x 24″	1⅜	3.38
24″ x 26″	1⅜	3.42
24″ x 28″	1⅜	3.69
24″ x 30″	1⅜	3.87
24″ x 32″	1⅜	4.56
26″ x 18″	1⅜	3.21
26″ x 20″	1⅜	3.33
26″ x 24″	1⅜	3.42
26″ x 26″	1⅜	3.69
26″ x 28″	1⅜	3.98
26″ x 30″	1⅜	4.77
26″ x 32″	1⅜	4.92
27″ x 24″	1⅜	4.17
28″ x 18″	1⅜	3.54
28″ x 20″	1⅜	3.69
28″ x 24″	1⅜	3.69
28″ x 26″	1⅜	4.23
28″ x 28″	1⅜	4.50
28″ x 30″	1⅜	4.82
28″ x 32″	1⅜	5.58
30″ x 16″	1⅜	3.45
30″ x 18″	1⅜	3.69
30″ x 20″	1⅜	3.86
30″ x 24″	1⅜	3.87
30″ x 26″	1⅜	4.50
30″ x 28″	1⅜	4.55
30″ x 30″	1⅜	5.49
30″ x 32″	1⅜	5.64
32″ x 24″	1⅜	4.83
36″ x 24″	1⅜	5.25
40″ x 24″	1⅜	7.19

TABLE 18—1 LIGHT SINGLE SASH—1⅜″ THICK

Toxic Treated Western Ponderosa Pine

Glass size	Open	Glazed single strength	Glazed double strength
16″ x 18″	$1.01	$1.35	$1.53
16″ x 20″	1.04	1.49	1.68
16″ x 24″	1.07	1.55	1.80
16″ x 28″	1.11	1.85	2.21
16″ x 30″	1.13	1.89	2.31
18″ x 20″	1.07	1.55	1.76
18″ x 24″	1.08	1.74	2.06
18″ x 28″	1.13	1.89	2.31
18″ x 30″	1.19	1.97	2.42
20″ x 16″	1.04	1.49	1.68
20″ x 18″	1.07	1.55	1.76
20″ x 20″	.99	1.64	1.89
20″ x 24″	1.02	1.74	2.09
20″ x 28″	1.08	1.85	2.28
24″ x 16″	.98	1.44	1.79
24″ x 18″	.99	1.64	1.94
24″ x 20″	1.02	1.74	2.09
24″ x 24″	1.04	1.89	2.37
24″ x 26″	1.08	1.94	2.37
24″ x 28″	1.11	2.04	2.58
24″ x 30″	1.13	2.18	2.72
24″ x 32″	1.32	2.54	3.17
26″ x 16″	1.07	1.74	2.06
26″ x 18″	1.08	1.80	2.16
26″ x 20″	1.13	1.89	2.31
26″ x 24″	1.19	2.06	2.51
26″ x 26″	1.20	2.16	2.72
26″ x 28″	1.23	2.37	2.93
26″ x 30″	1.25	2.51	3.12
28″ x 16″	1.11	1.76	2.15
28″ x 18″	1.13	1.89	2.31
28″ x 20″	1.16	1.97	2.42
28″ x 24″	1.20	2.16	2.72
28″ x 26″	1.23	2.36	2.93
28″ x 28″	1.25	2.51	3.12
28″ x 30″	1.28	2.55	3.17
28″ x 32″	1.37	2.97	3.69
30″ x 18″	1.16	1.97	2.42
30″ x 20″	1.19	2.06	2.51
30″ x 24″	1.25	2.31	2.88
30″ x 28″	1.31	2.55	3.17
30″ x 30″	1.32	2.93	3.65
30″ x 32″	1.43	2.99	3.74
30″ x 36″	1.47	3.24	4.07
36″ x 18″	1.32	2.31	2.78
36″ x 20″	1.35	2.46	3.03
36″ x 24″	1.40	2.78	3.45

TABLE 18—1 LIGHT SINGLE SASH—1⅜″ THICK—Continued

Toxic Treated Western Ponderosa Pine—Con.

Glass size	Open	Glazed single strength	Glazed double strength
36″ x 28″	$1.44	$3.24	$4.07
36″ x 30″	1.50	3.29	4.11
36″ x 32″	1.52	3.59	4.52
36″ x 36″	1.59	----------	4.88
40″ x 20″	1.50	2.67	3.29
40″ x 24″	1.55	3.12	3.81
40″ x 28″	1.62	----------	4.61
40″ x 30″	1.64	----------	4.61
40″ x 32″	1.67	----------	4.92
40″ x 36″	1.74	----------	5.63
40″ x 40″	1.79	----------	5.66
44″ x 20″	1.56	----------	3.86
44″ x 24″	1.64	----------	4.20
44″ x 28″	1.68	----------	4.97
44″ x 30″	1.71	----------	5.63
44″ x 32″	1.74	----------	5.63
48″ x 24″	1.67	----------	4.92
48″ x 28″	1.76	----------	5.63
48″ x 30″	1.79	----------	5.66

TABLE 19—BARN SASH

Western ponderosa pine

Glass size	Thickness	4-light barn sash	
		Open	Glazed
	Inches		
8″ x 10″	1⅜	$0.89	$1.26
9″ x 12″	1⅜	.95	1.43
10″ x 12″	1⅜	.99	1.50
10″ x 14″	1⅜	1.04	1.61
10″ x 16″	1⅜	----------	----------
8″ x 10″	1⅝	.98	1.35
9″ x 12″	1⅝	1.07	1.53
10″ x 12″	1⅝	1.16	1.61
10″ x 14″	1⅝	1.17	1.74
10″ x 15″	1⅝	----------	----------
		6-light barn sash	
8″ x 10″	1⅜	$1.04	$1.64
9″ x 12″	1⅜	1.16	1.89
10″ x 12″	1⅜	1.20	1.98
10″ x 14″	1⅜	1.25	2.16
10″ x 16″	1⅜	1.37	2.64
8″ x 10″	1⅝	1.17	1.76
9″ x 12″	1⅝	1.31	2.01
10″ x 12″	1⅝	1.35	2.10
10″ x 14″	1⅝	1.41	2.31
10″ x 16″	1⅝	1.58	2.82
		9-light barn sash	
8″ x 10″	1⅜	$1.44	$2.37
9″ x 12″	1⅜	----------	----------
10″ x 12″	1⅜	1.68	2.94
10″ x 14″	1⅜	----------	----------
10″ x 16″	1⅜	----------	----------
8″ x 10″	1⅝	1.59	2.55
9″ x 12″	1⅝	----------	----------
10″ x 12″	1⅝	1.91	3.17
10″ x 14″	1⅝	----------	----------
10″ x 16″	1⅝	----------	----------

TABLE 20—EXTERIOR DOOR FRAMES

Western Ponderosa Pine

[For frame construction (5¼ inch wall)—1⅜ outside casing]

	With oak sill	No sill
2′ 8″ x 6′ 8″	$8.85	$5.99
3′ 0″ x 6′ 8″	9.44	6.15
3′ 0″ x 7′ 0″	9.69	6.38

Add for nailing up $0.90.

Garage Door Frame

Jamb—1¾ x 5¼ inch western ponderosa pine (no outside casing or sill) not over 8′ 0″ x 8′ 0″—knocked down $6.75

Door Frame Extras

Transom door frames (transom not over 1′ 6″ high, add 3.38

Side light door frame, figure 3 times price of single.

Circle top door frame, add to price of square head frame 9.53

TABLE 20—EXTERIOR DOOR FRAMES—Con.

Western Ponderosa Pine—Continued

For 8-inch Masonry Construction (No Sill)

	Knocked down	Nailed up
2' 8" x 6' 8"	$6.50	$7.40
3' 0" x 6' 8"	6.60	7.50
3' 0" x 7' 0"	6.83	7.73

For 10-inch Furred Brick Wall

2' 8" x 6' 8"	$8.55	$9.45
3' 0" x 6' 8"	9.14	10.04
3' 0" x 7' 0"	9.45	10.35

For 13-inch Masonry Construction

2' 8" x 6' 8"	$10.71	$11.61
3' 0" x 6' 8"	10.88	11.78
3' 0" x 7' 0"	11.25	12.15

Treating door frames with "wood-life" preserver. $0.54

TABLE 21—EXTERIOR WINDOW FRAMES

Western Ponderosa Pine

Important Joints Treated with Wood Preserver

Glass size 2-lights	5¼" frame wall 1⅛ outside casing	
	Heads and sills	Sides
12"	----------	$2.30
14"	$1.34	2.51
16"	1.44	2.66
18"	1.70	2.82
20"	1.79	3.08
22"	1.89	3.24
24"	1.98	3.39
26"	2.07	3.53
27"	2.15	----------
28"	2.15	3.66
30"	2.31	3.95
32"	2.49	4.11
36"	2.67	4.52
40"	2.97	----------

Glass size 2-lights	9" brick wall all head and sill	
	Heads and sills	Sides
12"	----------	----------
14"	$1.20	$3.06
16"	1.28	3.25
18"	1.35	3.53
20"	1.44	3.81
22"	1.67	4.05
24"	1.74	4.28
26"	1.83	4.47
27"	----------	----------
28"	1.91	4.86
30"	1.98	4.92
32"	2.07	5.39
36"	2.31	5.90
40"	2.49	----------

Glass size 2-lights	"Unique balance" frame	
	Heads and sills	Sides
12"	----------	----------
14"	$1.28	$1.64
16"	1.35	1.79
18"	1.44	1.97
20"	1.55	2.13
22"	1.76	2.30
24"	1.86	2.45
26"	1.95	2.57
27"	2.00	----------
28"	2.03	2.72
30"	2.10	2.91
32"	2.21	3.18
36"	2.48	3.54
40"	2.66	----------

TABLE 21—EXTERIOR WINDOW FRAMES—Con.

Western Ponderosa Pine—Continued

Window Frame Extras

For nailing-up (N. U.) add to above	$0.90
Mullion frames, add to price of 2 single frames	.45
Triple frames, add to price of 3 single frames	1.20
For brick house frames with moulded hanging style instead of plain, add	.60
For cutting down heads and sills, add	.90
For cutting down sides, add	.90
Long sill horns for corner construction, add to price of regular head and sill	.90
For frame house frame, add for hanging stile instead of casing	1.14

TABLE 22—PORCH WORK—FIR

Sizes	Colonial columns	
	Round cap and base	Paneled cap and base
6 inch x 8 feet	$5.40	----------
8 inch x 6 feet	6.15	$6.00
8 feet	6.75	7.47
10 inch x 8 feet	9.12	9.42
9 feet	10.38	10.41
12 inch x 8 feet	----------	11.19
9 feet	----------	12.30

Sizes	Turned columns—turned center
4 x 4 inch, 8 feet	$2.37
5 x 5 inch, 8 feet	3.69
6 x 6 inch, 8 feet	5.31
6 x 6 inch, 10 feet	6.66

Add for splitting columns—$0.75.

FIR—PORCH NEWELS

Size	Square paneled—cap and base	Size	Square—turned cap
8 inch x 4 feet	$4.08	5" x 5" x 4 feet	$1.85
10 inch x 4 feet	5.16	6" x 6" x 4 feet	2.66

Opinion Accompanying Revised Order No. G–13 Under General Order No. 68

On March 29, 1946, Order No. G–13 under General Order No. 68 became effective. This order established maximum prices or pricing methods for all stock millwork items sold at retail in the Portsmouth, Ohio, Area. This order has been amended once and is now revised.

The accompanying revised order differs from the previous order in the following respects:

1. Percentage increases have been provided for certain general categories of stock millwork items listed in the tables. These increases are made for the purpose of allowing retail distributors their average current costs of acquisition plus such average percentage markups as were in effect on March 31, 1946. Any additional price increases granted to resellers subject to the accompanying order shall be taken subject to section 6 of Basic Order No. 1–B.

2. The price lists for fir glass doors, fir panel doors and garage doors have been amended to read as they did prior to Amendment No. 1 to Order No. G–13. The percentage increases provided in the accompanying revised order include the increases granted for these items by said Amendment No. 1.

In the opinion of the Regional Administrator, the provisions of the accompanying revised order are fair and equitable and will effectuate the purpose of the Emergency Price Control Act of 1942, as amended, and General Order No. 68, as amended.

[F. R. Doc. 46–19595; Filed, Oct. 29, 1946; 8:52 a. m.]

[Region III Order G–41 Under Gen. Order 68]

HARD BUILDING MATERIALS IN AKRON, OHIO, AREA

For the reasons set forth in an opinion, which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68, and of Regional Basic Order No. 1–B under General Order No. 68, this order is issued:

SECTION 1. *What this order does.* This adopting order establishes adjusted dollars and cents maximum prices for the hard building materials listed in Table 1, hereof, when sold at retail at or from any point within the Akron, Ohio, Area.

SEC. 2. *Area covered.* For the purposes of this order, the "Akron, Ohio Area" consists of the County of Summit in the State of Ohio.

SEC. 3. *Applicability of Basic Order No. 1–B.* All the provisions of Basic Order No. 1–B, consistent with this Order No. 41 are hereby adopted by, and incorporated by reference into, this order as though fully rewritten herein. If Basic Order No. 1–B is amended in any respect, all of the provisions of that order, as amended, shall likewise, without other action, be a part of this order.

All persons subject to this adopting order are also subject to, and should read and be familiar with, the provisions of Basic Order No. 1–B.

SEC. 4. *Maximum prices*—(a) *Price list.* The adjusted maximum prices for hard building materials covered by this order shall be those set forth in Table 1, which is annexed to, and made a part of, this order. Prices lower than the listed maximum prices may, of course, be charged or paid.

(b) *Delivery.* (i) The maximum prices for hard building materials f. o. b. the seller's yard or the seller's railroad car, shall be those prices set forth in the columns with the headings "F. O. B. Yard" or "F. O. B. Car" in Table 1 hereof.

(ii) The maximum prices for hard building materials, delivered to the purchaser, shall be those prices set forth in the columns with the headings "Delivered from Yard" or "Delivered from Car" in Table I, hereof.

(c) *Carload lots.* The maximum prices of certain hard building materials in carload lots, f. o. b. the car or delivered from the car, are listed in the columns with the heading "Carload Lots" in Table 1, hereof.

(d) *Class of purchaser.* Certain maximum prices are established herein ac-

cording to the class of purchaser, i. e. "Contractors and Consumers" and "Government Agencies."

(e) *Discounts.* No seller shall discontinue or reduce any allowances or discounts which he offered in March 1942.

SEC. 5. *Effective date.* This Order No. G-41 shall become effective October 22, 1946.

Issued: October 8, 1946.

J. F. KESSEL,
Regional Administrator.

The maximum prices established by this order include all increases granted to resellers by the OPA through August 8, 1946. (See section 6 (b) of Basic Order No. 1-B.)

TABLE I

Commodity	Unit	Maximum prices			
		F. o. b. yard	Delivered from yard	Carload lots: F. o. b. car	Carload lots: Delivered from car
Cement:					
Portland cement, standard (paper sack)	94 lb	$0.815	$0.965		
Portland cement, standard (cloth sack) [1]	94 lb	1.065	1.215		
Portland cement, standard (paper sack)	Bbl	2.99	3.11	$2.63	$2.80
Portland cement, standard (cloth sack) [1]	Bbl	3.84	3.96	3.48	3.65
Brick mortar cement	70 lb	.70	.765		
	Bbl	2.64	2.76	2.20	2.37
Gray waterproof cement	94 lb	1.13	1.25		
	Bbl	3.68	3.81		
Quicksetting cement	94 lb	1.17	1.29		
	Bbl	3.86	3.98		
Luminite cement	Bbl	9.75	10.00		
White cement, plain	94 lb	2.30	2.36		
	Bbl	8.90	9.02		
White cement, waterproof	94 lb	2.50	2.75		
	Bbl	9.65	9.77		
Keene's cement	100 lb	2.33	2.46		
	Ton	43.69	45.35		
White tile grout cement	Lb	.06	.06		
Cement topping	Sack	1.015	1.265		
Mason's mix (readymixed)	do	1.015	1.265		
Mason's mix and topping	Bbl	3.26	3.46		
Cement colors (red, oxide, yellow)	Lb	.20	.20		
Cement colors (slate green)	Lb	.50	.50		
Cinders	5 tons		8.50		
Corner bead:					
Scalloped edge	1,000 lin. ft	34.80	36.95		
Expanded type	1,000 lin. ft	45.00	47.15		
Wing type	1,000 lin. ft	31.75	33.90		
Cornerite, 4 inch	1,000 lin. ft	26.65	28.80		
Cornerite, 3 inch	1,000 lin. ft	24.90	27.05		
Cornerite, 2 inch	1,000 lin. ft	23.65	25.80		
Clips	1,000	5.63	5.95		
Metal lath (500 yds. or more):					
4.5 lb., sheet metal	Sq. yd	.44	.446		
3.4 lb., expanded	Sq. yd	.32	.326		
3 lb., expanded	Sq. yd	.30	.306		
2.5 lb., expanded	Sq. yd	.286	.292		
2.2 lb., expanded	Sq. yd	.266	.272		
3.4 lb., ¾ inch rib	Sq. yd	.34	.346		
3.4 lb., ⅛ inch flat rib	Sq. yd	.34	.346		
2.5 lb., galvanized	Sq. yd	.32	.326		
3.4 lb., galvanized	Sq. yd	.34	.346		
Metal lath (less than 500 yds.):					
4.5 lb., sheet metal	Sq. yd	.465	.477		
3.4 lb., expanded	Sq. yd	.348	.36		
3 lb., expanded	Sq. yd	.328	.34		
2.5 lb., expanded	Sq. yd	.313	.325		
2.2 lb., expanded	Sq. yd	.292	.304		
3.4 lb., ¾ inch rib	Sq. yd	.369	.381		
3.4 lb., ⅛ inch flat rib	Sq. yd	.369	.381		
2.5 lb., galvanized	Sq. yd	.348	.36		
3.4 lb., glavanized	Sq. yd	.369	.381		
Metal lath accessories:					
Pencil rod, ¼ inch	1,000 lin. ft	15.00	15.00		
Tie wire, 18 gauge	100 lb	9.35	10.00		
Tie wire, 16 gauge	100 lb	8.45	9.10		
Curved point base screed	1,000 lin. ft	32.00	34.00		
Plain base screed	1,000 lin. ft	28.25	30.40		
Picture mold	1,000 lin. ft	42.00	44.00		

TABLE I—Continued

Commodity	Unit	Maximum prices			
		F. o. b. yard	Delivered from yard	Carload lots: F. o. b. car	Carload lots: Delivered from car
Channel iron:					
¾ inch	1,000 lin. ft	$28.70	$30.30		
1 inch	1,000 lin. ft	30.20	31.80		
1½ inch	1,000 lin. ft	32.70	34.80		
Mortar color:					
Red	½ ton	22.05	22.05		
	100 lb	2.47	2.47		
	50 lb	1.36	1.36		
	1 lb	.032	.032		
Buff	½ ton	32.70	32.70		
	100 lb	3.65	3.65		
	50 lb	1.90	1.90		
	1 lb	.043	.043		
Chocolate	½ ton	32.70	32.70		
	100 lb	3.65	3.65		
	50 lb	1.90	1.90		
	1 lb	.043	.043		
Black	½ ton	54.05	54.05		
	100 lb	5.95	5.95		
	50 lb	3.25	3.25		
	1 lb	.075	.075		
Plaster:					
Neat plaster	Ton	18.40	19.05	$15.45	$17.50
Wood fibre plaster	do	19.90	20.55	15.45	17.50
Neat and wood fibre plaster	100 lb	1.08	1.35		
	50 lb	.66	.82		
Sanded neat plaster	Ton	13.90	14.55		
	100 lb	.88	1.15		
White gauging plaster	100 lb	1.73	1.80		
White molding plaster	100 lb	1.70	1.75		
White satinspar moulding plaster	Ton	28.00	30.00		
Dark gauging slow set (local) plaster	do	18.00	18.50		
Dark gauging fast set (local) plaster	do	18.00	18.50		
Sand and gravel:					
Washed sand	do	1.40	1.90	1.37	
Washed gravel	do	1.60	2.02	1.47	
Screened mason and plaster sand	do	1.37	1.85		
Bank run gravel	do		1.25		
Fill gravel	do		1.50		
Sand (less than 3 ton load)	do		2.20		
Gravel (less than 3 ton load)	do		2.40		
Sand (exclusive of sack)	Sack	.15	.25		
Silica sand:					
Buff silica sand	Ton	5.50	5.50		
	Sack	.70	.70		
Wall ties:					
Quantities of 1,000 to 5,000	1,000	4.50	4.75		
Quantities of 6,000 and over	1,000	4.25	4.50		
Lime:					
Hydrated finish lime	Ton	19.00	19.60	15.65	
	50 lb	.67	.78		
Mason's hydrated lime	Ton	19.00	19.60	15.65	
	50 lb	.67	.78		
Mortaseal mason's lime	Ton	21.25	21.85	17.95	
Gypsum partition block:					
3 in. x 12 in. x 30 in. hollow block	Sq. ft		.1125		.085
4 in. x 12 in. x 30 in. hollow block	Sq. ft		.1325		.105
6 in. x 12 in. x 30 in. hollow block	Sq. ft		.24		.1975
Clay drain tile:					
3 inch	Lin. ft	.068	.0734		
4 inch	Lin. ft	.0689	.0743		
6 inch	Lin. ft	.1264	.1479		
8 inch	Lin. ft	.2111	.2333		
Gypsum products:					
Gypsum lath, ⅜ inch	1,000 sq. ft		25.00		
Gypsum wallboard, ⅜ inch	1,600 sq. ft		44.00		
Roofing:					
Asphalt or tarred felt, 15 lb	432 sq. ft. roll		2.72		
Asphalt or tarred felt, 30 lb	216 sq. ft. roll		2.72		
Asphalt shingles, 210 lb. (3 in 1) thick-butt	Square		6.22		
Asphalt roll roofing, 35 lb	108 sq. ft. roll		1.33		

[1] Price of cement in cloth bags includes a refundable deposit of 25¢ per bag. Sellers are required to give refund of 25¢ on each bag returned for which a 25¢ deposit has been made.

TABLE I—Continued

Commodity	Unit	Maximum prices			
		F. o. b. yard	Delivered from yard	Carload lots	
				F. o. b. car	Delivered from car
Roofing—Continued.					
Asphalt roll roofing, 45 lb	108 sq. ft. roll		$1.70		
Asphalt roll roofing, 55 lb	108 sq. ft. roll		2.10		
Asphalt roll roofing, 65 lb	108 sq. ft. roll		2.39		
Asphalt roll roofing, 90 lb., mineral surface	108 sq. ft. roll		2.87		
Black waterproof roofing paper, 17½ lb	250 sq. ft. roll		1.40		
Roll roofing, slaters felt, 35 lb	500 sq. ft. roll		1.41		
Roll roofing, red rosin, 20 lb	108 sq. ft. roll		1.10		
Roll roofing, Stalwart, 55 lb	108 sq. ft. roll		2.41		
Roll roofing, Rex Flintkote, 65 lb	108 sq. ft. roll		2.44		
Asphalt plastic roof cement	1 lb. can		.15		
	2 lb. can		.25		
	5 lb. can		.50		
	10 lb. can		.90		
Thermal insulation:					
Blankets (paper backed) medium	1,000 sq. ft		50.00		
Blankets (paper backed) thick	1,000 sq. ft		65.00		
Batts (paper backed), 2 inches thick	1,000 sq. ft		48.00		
Batts (paper backed), full thick	1,000 sq. ft		60.00		
Loose in bags (nodulated)	35 lb. bag		1.30		
Fiber board:					
Insulation board, ½ in., standard lath and board.	1,000 sq. ft		53.75		
Insulation board, 25/32 in., asphalt sheathing	1,000 sq. ft		84.50		
Standard density synthetic fiberboard, ¾ in.	1,000 sq. ft		45.00		
Hard density synthetic fiberboard, ⅛ in. tempered.	1,000 sq. ft		95.00		
Face brick (lots of 500 or more):					
Red:					
Smooth, straight shades	1,000	$40.50	42.50	$38.50	$40.50
Smooth, mingled shades	1,000	39.50	41.50	37.50	39.50
Rough, straight shades	1,000	34.50	36.50	32.50	34.50
Rough, mingled shades	1,000	33.50	35.50	31.50	33.50
Smooth, red commons	1,000	30.00	32.00	28.00	30.00
Buff:					
Smooth, straight shades	1,000	39.00	40.90	37.00	38.90
Smooth, mingled shades	1,000	38.00	39.90	36.00	37.90
Rough, straight shades	1,000	38.00	39.90	36.00	37.90
Gray:					
Smooth, straight shades	1,000	40.90	42.90	38.90	40.90
Smooth, mingled shades	1,000	39.90	41.90	37.90	39.90
No. 2 Grade:					
Red, rough, mingled shades	1,000	32.50	34.50	30.50	32.50
Red, smooth, mingled shades	1,000	38.50	40.50	36.50	38.50
Iron spot	1,000	40.00	42.00	38.00	40.00
Buff, smooth, mingled shades	1,000	37.00	38.90	35.00	36.90
Gray, smooth, mingled shades	1,000	38.90	40.90	36.90	38.90
Face brick (lots of less than 500):					
Red face brick	Each	.045	.045		
Buff face brick	Each	.045	.045		
Gray face brick	Each	.05	.05		
No. 2 grade face brick	Each	.04	.04		
Selected face brick for mantle	Each	.05	.05		
Common brick (full loads):					
Mogadore, Ohio common brick	1,000			25.25	
Wadsworth, Ohio common brick	1,000			25.25	
Select and racked common brick	1,000			27.25	
Out of county common brick	1,000			28.75	
Oversize sewer brick	1,000			28.45	
No. 3 pavers, 3-inch	1,000			31.00	
No. 3 pavers, 3½-inch	1,000			35.00	
Common brick (less than full loads):					
Mogadore, Ohio common brick	1,000	27.25	29.25		
Wadsworth, Ohio common brick	1,000	25.00	27.00		
Select and racked common brick	1,000	29.25	31.25		
Out of county common brick	1,000	26.75	30.75		
Oversize sewer brick	1,000	30.45			
Clay hollow building tile:					
8 in. x 8 in. x 16 in., 2 cell, rock face glazed, 35 lb.	1,000		261.00		220.25
8 in. x 12 in. x 12 in., load bearing, regular, 36 lb.	1,000		273.50		231.75
8 in. x 12 in. x 12 in., load bearing, smooth 1 or 2 sides, 35 lb.	1,000		284.80		246.00

TABLE I—Continued

Commodity	Unit	Maximum prices			
		F. o. b. yard	Delivered from yard	Carload lots	
				F. o. b. car	Delivered from car
Clay hollow building tile—Continued.					
8 in. x 12 in. x 12 in., load bearing, regular, 34 lb.	1,000		$259.50		$220.25
8 in. x 12 in. x 12 in., load bearing, smooth 1 or 2 sides, 34 lb.	1,000		270.25		237.00
8 in. x 12 in. x 12 in., building tile, 6 cell, regular, 32 lb.	1,000		243.50		206.50
8 in. x 12 in. x 12 in., building tile, 6 cell, smooth 1 or 2 sides, 32 lb.	1,000		253.50		217.90
6 in. x 12 in. x 12 in., partition tile, 4 cell, regular, 22 lb.	1,000		167.50		142.00
6 in. x 12 in. x 12 in., partition tile, 4 cell, smooth 1 or 2 sides, 22 lb.	1,000		174.50		149.85
6 in. x 12 in. x 12 in., partition tile, 6 cell, regular, 25 lb.	1,000		190.25		161.30
6 in. x 12 in. x 12 in., partition tile, 6 cell, smooth 1 or 2 sides, 25 lb.	1,000		198.00		170.20
4 in. x 12 in. x 12 in., partition tile, 3 cell, regular, 16 lb.	1,000		121.80		103.25
4 in. x 12 in. x 12 in., partition tile, 3 cell, smooth 1 or 2 sides, 16 lb.	1,000		126.90		109.00
3 in. x 12 in. x 12 in., partition tile, 3 cell, regular, 15 lb.	1,000		118.00		98.00
3 in. x 12 in. x 12 in., partition tile, 3 cell, smooth 1 or 2 sides, 15 lb.	1,000		123.00		103.00
5 in. x 8 in. x 12 in., back-up tile, 3 cell, regular, 16 lb.	1,000		119.25		100.50
5 in. x 8 in. x 12 in., back-up tile, 3 cell, smooth 1 or 2 sides, 16 lb.	1,000		124.25		106.00
4 in. x 5 in. x 12 in., back-up tile, 4 cell, regular, 9 lb.	1,000		67.00		56.50
4 in. x 5 in. x 12 in., back-up tile, 4 cell, smooth 1 or 2 sides, 9 lb.	1,000		71.00		61.00

Commodity	Unit	List price	Maximum prices (determined by reducing the list price by the applicable percentage)				
			To contractors and consumers		To governmental agencies		To any purchaser in carload lots f. o. b. railroad cars
			F. o. b. yard[4]	Delivered from yard	F. o. b. yard	Delivered from yard	
Vitrified clay sewer pipe							
#1 Grade, 2 foot lengths:			*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
4 inch—SS	Lin. ft	$0.30	47	44.5	53	50.5	53
6 inch—SS	Lin. ft	.45	47	44.5	53	50.5	53
8 inch—SS	Lin. ft	.70	47	44.5	53	50.5	
10 inch—SS	Lin. ft	1.05	47	44.5	53	50.5	
12 inch—SS	Lin. ft	1.35	47	44.5	53	50.5	
2½ or 3 foot lengths:							
4 inch—SS	Lin. ft	.30	40	37.5	46	43.5	47
6 inch—SS	Lin. ft	.45	40	37.5	46	43.5	47
8 inch—SS	Lin. ft	.70	43	40.5	49	43.5	49
10 inch—SS	Lin. ft	1.05	43	40.5	49	43.5	49
12 inch—SS	Lin. ft	1.35	43	40.5	49	43.5	49
15 inch—DS	Lin. ft	1.80	35	32.5	39	36.5	42
18 inch—DS	Lin. ft	2.50			36	33.5	39
20 inch—DS	Lin. ft	3.00			36	33.5	39
21 inch—DS	Lin. ft	3.50			36	33.5	39
22 inch—DS	Lin. ft	4.00			36	33.5	39
24 inch—DS	Lin. ft	4.50			36	33.5	39
#2 Grade, 2 or 3 foot lengths:							
4 inch—SS	Lin. ft	.30	50	47.5	56	53.5	
6 inch—SS	Lin. ft	.45	50	47.5	56	53.5	
8 inch—SS	Lin. ft	.70	50	47.5	56	53.5	
10 inch—SS	Lin. ft	1.05	50	47.5	56	53.5	

TABLE I—Continued

Commodity	Unit	List price	Maximum prices (determined by reducing the list price by the applicable percentage)				
			To contractors and consumers		To governmental agencies		To any purchaser in carload lots f. o. b. railroad cars
			F. o. b. yard	Delivered from yard	F. o. b. yard	Delivered from yard	
Vitrified clay sewer pipe—Con.							
#2 Grade, 2 or 3 foot lengths—Con.			*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
12 inch—SS	Lin. ft	$1.35	50	47.5	56	53.5	
15 inch—DS	Lin. ft	1.80	47	44.5	51	48.5	
18 inch—DS	Lin. ft	2.50	43	40.5	47	44.5	
20 inch—DS	Lin. ft	3.00	43	40.5	47	44.5	
21 inch—DS	Lin. ft	3.50	43	40.5	47	44.5	
22 inch—DS	Lin. ft	4.00	43	40.5	47	44.5	
24 inch—DS	Lin. ft	4.50	43	40.5	47	44.5	
Fittings:							
3 and 4 in. Y's, T's, curved L's	Each	1.20	47	44.5			
3 and 4 in. long Y's, T's, curved L's.	Each	1.80	47	44.5			
3 and 4 in traps	Each	2.40	47	44.5			
6 in. Y's, T's, curved L's	Each	1.80	47	44.5			
6 in. long Y's, T's, curved L's	Each	2.70	47	44.5			
6 in. traps	Each	3.60	47	44.5			

Commodity	Unit	Maximum prices		
		List price	F. o. b. yard	Delivered from yard
Wall coping			*List, less—percent*	*List, less—percent*
Camel back:				
9 inch coping	Lin. ft	$0.40	44	41.5
13 inch coping	Lin. ft	.60	44	41.5
18 inch coping	Lin. ft	1.20	44	41.5
9 inch corners and ends	Each	1.20	44	41.5
13 inch corners and ends	do	1.80	44	41.5
18 inch corners and ends	do	3.60	44	41.5
Laplock:				
9 inch coping	Lin. ft	.40	38	35.5
13 inch coping	Lin. ft	.60	38	35.5
18 inch coping	Lin. ft	1.20	38	35.5
9 inch corners and ends	Each	1.20	38	35.5
13 inch corners and ends	do	1.80	38	35.5
18 inch corners and ends	do	3.60	38	35.5
Flue lining				
Square or rectangular:				
4½ in. x 8½ in	Lin. ft	.45	47	44.5
4½ in. x 13 in	Lin. ft	.60	47	44.5
8½ in. x 8½ in	Lin. ft	.60	47	44.5
8½ in. x 13 in	Lin. ft	.90	47	44.5
13 in. x 13 in	Lin. ft	1.15	47	44.5
13 in. x 18 in	Lin. ft	1.75	47	44.5
18 in. x 18 in	Lin. ft	2.25	47	44.5
20 in. x 20 in	Lin. ft	3.25	28	25.5
20 in. x 24 in	Lin. ft	3.75	28	25.5
24 in. x 24 in	Lin. ft	4.25	28	25.5
Round:				
6 inch	Lin. ft	.45	47	44.5
7 inch	Lin. ft	.70	47	44.5
8 inch	Lin. ft	.70	47	44.5
10 inch	Lin. ft	1.05	47	44.5
12 inch	Lin. ft	1.35	47	44.5
15 inch	Lin. ft	1.80	47	44.5
18 inch	Lin. ft	2.50	47	44.5
20 inch	Lin. ft	3.00	47	44.5
21 inch	Lin. ft	3.50	47	44.5
22 inch	Lin. ft	4.00	47	44.5
24 inch	Lin. ft	4.50	47	44.5

Opinion Accompanying Order No. G–41 Under General Order No. 68

The accompanying order establishes adjusted area-wide prices for retail sales of listed hard building materials in the Akron, Ohio Area. The order is issued under the provisions of General Order No. 68 and adopts all the applicable provisions contained in Basic Order No. 1–B, under General Order No. 68. The opinion accompanying said Basic Order No. 1–B is hereby incorporated by reference into this opinion.

The defined area covered by the accompanying order includes the County of Summit in the State of Ohio.

General Order No. 68 authorizes the Regional Administrator to adjust the prices, which have been found by surveys to be the general level of prices in an area, if such prices are determined to be unfair and inequitable.

The dealers in hard building materials located in the area covered by the accompanying order have requested such an adjustment on the ground that increases in overhead costs since 1941 have made it impossible to earn a reasonable profit at the present price level.

The amount of adjustment has been determine individually for each item listed in the accompanying order. In each case it was assumed that overhead costs in each item bear the same relation to gross profit on that item as over-all overhead bears to over-all gross profit. The current overhead including increases since 1941, were added to the current acquisition cost of each item and the resulting gross profit was compared with the gross profit on that item in 1941 to determine the extent of the adjustment required.

The maximum prices established by the accompanying order supersede pricing provisions currently in effect for retail sales of the listed hard building materials in this area.

This action has been discussed with members of the trade in the area at informal meetings with representative dealers. All suggestions and recommendations of the trade have been considered and have been incorporated into the accompanying order to the extent that these suggestions were consistent with the provisions of General Order No. 68 and the Emergency Price Control Act of 1942.

In the opinion of the Regional Administrator, the provisions of the accompanying order are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of General Order No. 68, as amended.

[F. R. Doc. 46–19466; Filed, Oct. 28, 1946; 8:50 a. m.]

[Region III Order G–81 Under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN CINCINNATI, OHIO, AREA

For the reasons set forth in an accompanying opinion, which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1–B under General Order No. 68, *It is hereby ordered:*

(a) That the item

Portland (cloth bag) -- 94-lb. bag -- .795 -- .765

listed under the heading "Cement," in Table I of Order No. G–81, be amended to read as follows:

Portland (cloth bag) -- 94-lb. bag -- .945 -- .915

(Price of cement in cloth bags includes a refundable deposit of 25¢ per bag. Sellers are required to give refund of 25¢ on each bag returned on which a 25¢ deposit has been made.)

(b) That this Amendment No. 1 to Order No. G–81 shall become effective October 23, 1946.

Issued: October 9, 1946.

J. F. KESSEL,
Regional Administrator.

Opinion Accompanying Amendment No. 1 to Order No. G–81 Under General Order No. 68

The National Office of the Office of Price Administration recently advised that the manufacturers of Portland cement have increased the deposit required on cloth bags from the customary ten cents to twenty-five cents per bag.

The maximum prices for Portland cement in cloth bags now in effect in this area include the ten cents deposit. The accompanying amendment increases the present maximum prices for this item by fifteen cents to bring the total deposit up to twenty-five cents.

The accompanying amendment also provides that sellers shall refund the de-

posit upon the return of a bag upon which a deposit has been made.

In the opinion of the Regional Administrator, the provisions of the accompanying amendment are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and General Order No. 68, as amended.

[F. R. Doc. 46-19468; Filed, Oct. 28, 1946; 8:50 a. m.]

[Rhode Island Order G-5 Under Gen. Order 68, Amdt. 4]

HARD BUILDING MATERIALS IN CERTAIN AREAS OF RHODE ISLAND

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, as amended, Second Revised Order of Delegation issued by the Regional Administrator for Region I, the above Order No. G-5, as amended, is further amended in the following respects:

(1) The title of this order is hereby amended to read as follows: "Maximum Prices for Retail Sales of Listed Hard Building Materials in Certain Areas of Rhode Island."

(2) Section 1 is amended to read as follows:

SECTION 1. *What this order covers.* This order covers the following "retail sales" of the hard building materials listed in an appendix to this order:

As to items listed in Appendix A, all retail sales by any seller located in the State of Rhode Island with the exception of the Town of New Shoreham, and with the exception of deliveries to job sites located in the Town of New Shoreham regardless of the seller's location;

As to items listed in Appendix B, all retail sales by any seller located in the State of Rhode Island with the exception of the Town of New Shoreham and Washington County.

For the purposes of this order a "retail sale" means a sale to an ultimate user, or a sale to a purchaser for resale on an installed basis except that sales in quantities less than the smallest unit listed for any particular item shall not be covered by this order but shall remain under the applicable maximum price regulation or order.

(3) Section 2 is amended to read as follows:

SEC. 2. *Maximum prices, discounts and allowances, etc.* (a) The maximum prices for retail sales of hard building materials covered by this order shall be the maximum prices set forth in the applicable appendix.

(b) Maximum prices established by this order in Appendix A shall be reduced by 2% whenever cash payment is made to the seller within 10 days of the date of invoice. As to items listed in Appendix A or B, the seller shall continue to grant such other discounts, allowances, differentials and terms as were in effect for such seller during March, 1942.

(c) Maximum prices established by this order may be modified for sales by "mail order" firms in the manner provided for in subparagraph (f) of General Order 68, as amended.

(d) Each seller covered by this order may increase the price of any item listed in the applicable appendix to this order by the amount permitted all resellers of such item (including those subject to area orders issued under General Order 68) by any amendment or order of the Office of Price Administration which increases the maximum price of his supplier of that item. However, this may be done only if the effective date of the action increasing his supplier's maximum price is later than the date of the price list including such item in the applicable appendix. Thus, if the supplier's maximum price for a product is increased, and at some later date the price for the product listed in an appendix to this order is increased, the amendment to this order effecting the price list increase will supersede the increase originally granted to resellers by the amendment or order increasing the supplier's maximum price.

(4) The following paragraph is added to section 3:

The maximum prices set forth in Appendix B are F. O. B. seller's location.

(5) Section 4 is amended to read as follows:

SEC. 4. *Posting of maximum prices.* Every seller making sales covered by this order shall post in his customary place of business, in a manner plainly visible to all purchasers, a copy of the list of maximum prices contained in the applicable appendix. The term "customary place of business" means the location where the materials are generally stored and available for delivery. An additional copy of each appendix is attached to this order or applicable amendment and the required posting shall be accomplished by removing the second copy and posting it in a conspicuous place where it is plainly visible to all purchasers.

(6) Paragraph (b) of section 5 is amended to read as follows:

(b) Where prices include delivery, use the same delivery practices, delivery rates, and methods of computing such rates as were in effect for such competitor during that period.

(7) Item (4) of paragraph (a) of section 6 is amended to read as follows:

4. Description of each item sold with sufficient detail to identify the item in the applicable appendix and the quantity sold.

(8) Appendix B *Price list,* annexed hereto, is hereby made a part of this order.

This amendment shall become effective October 16, 1946.

Issued this 16th day of October 1946.

EUGENE A. MCELROY,
Acting District Director.

APPENDIX B—PRICE LIST

MAXIMUM PRICES FOR CERTAIN HARD BUILDING MATERIALS IN RHODE ISLAND (EXCEPT TOWN OF NEW SHOREHAM AND WASHINGTON COUNTY) (COVERING ALL SALES TO ULTIMATE CONSUMERS OR TO PURCHASERS FOR RESALE ON AN INSTALLED BASIS)

1. *Area covered.* All sellers located in Rhode Island, except Town of New Shoreham (Block Island) and Washington County. (See section 1.)

2. *Terms.* Listed Prices are F. O. B. seller's location.

3. *Discounts.* Such discounts to different classes of purchasers, etc., as seller had in effect in March, 1942. (See section 2.)

4. *New sellers.* In addition to the requirements in paragraphs 2 and 3 above, a new seller must grant the further discounts, allowances, differentials and terms as were in effect during March, 1942, for his most closely competitive seller of the same class. (See section 5.)

5. *Supplementary Order No. 172.* This Revised Appendix A supersedes Supplementary Order No. 172 and the authorization therein granted to increase the maximum prices established by this order is no longer in effect. (See section 7.)

6. *Permitted additions to listed prices.* If the maximum price of the supplier of any seller covered by this order is increased by action of the Office of Price Administration taking effect after the date stated on the price table listing the item or items subject to the price increase, each seller may increase the listed maximum price for each such item by the amount permitted resellers by the amendment or order increasing the supplier's maximum price. (See section 2 (d).)

7. Appendix B (Dated October 16, 1946) Maximum Prices (F. O. B. seller's location).

Item No. and description of commodity	Unit	Maximum prices for all sales covered by this order
1. Cinder block, 4" x 8" x 16"	Block	$0.12
2. Cinder block, 8" x 8" x 16"	do	.20
3. Cinder block, 8" x 12" x 16"	do	.30

Opinion Accompanying Amendment 4 to Region I Order No. G-5 Under General Order No. 68

This amendment adds Appendix B covering retail sales of three sizes of Cinder Block. This block is in great demand in connection with certain housing projects for veterans. Block used by Rhode Island builders is obtained both from out-of-state and within-state producers. In order to facilitate the distribution of this item, to make uniform the prices of this commodity, and to eliminate certain inequities in the prices of various distributors previously existing, this amendment is issued. The price structure previously prevailing in Washington County appears to be historically different than that in the remainder of the State and for this reason, sellers located in that area as well as those located on Block Island, are excluded from this order. Certain changes are also made in the body of the order, in order to include appropriate references covering the new appendix, and also as required by pricing differences as compared with Appendix A.

The ceiling prices fixed by this order are in accord with the provisions of General Order 68, as amended. The prices fixed in this order are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders No. 9230, 9328, 9599 and 9697.

[F. R. Doc. 46-19469; Filed, Oct. 28, 1946; 8:51 a. m.]

[New Hampshire Order G–3 Under Gen. Order 68, Amdt. 4]

HARD BUILDING MATERIALS IN STATE OF NEW HAMPSHIRE

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68, as amended, and Amendment No. 11 to Second Revised Order of Delegation, issued and effective June 25, 1946, Region I Order No. G–3 under General Order No. 68 (as amended) is further amended by adding the following new paragraph (d) to section 3, *Maximum prices:*

(d) Each seller covered by this order may increase the price of any item listed in the table or tables of the applicable appendix by the amount permitted all resellers of such item by virtue of any amendment or order of the Office of Price Administration, which increases the maximum prices of his supplier of that item. However, this can be done only if the effective date of the action increasing the supplier's maximum price is later than the date of the price table listing such item in the applicable appendix. Thus if the supplier's maximum price for a product is increased and at some later date the price for the product listed in the price table is increased, the amendment to this order affecting the price table increase will supersede the increase originally granted by the amendment or order which increased the supplier's maximum price.

This amendment shall become effective August 21, 1946.

Issued this 21st day of August.

JOHN D. JAMESON,
District Director.

Opinion Accompanying Amendment 4 to Order G–3 Under General Order No. 68

The accompanying Amendment No. 4 to Region I Order No. G–3, issued by the District Director for New Hampshire under Amendment 11 to Second Revised Order of Delegation issued and effective June 25, 1946, allows each seller covered by Order G–3 to increase the price of any item listed in the table or tables of the applicable appendix by the amount permitted all resellers of such item by virtue of any amendment or order of the Office of Price Administration, which increases the maximum prices of his supplier of that item. This action will allow a temporary break-through in such cases of Order G–3 until such time as Order G–3 is amended to reflect the permitted increase in question, at which time resellers will again be subject to Order G–3 prices as amended. When such amendment action is taken, the permitted increase factors which were in effect during the time of the temporary break-through of Order G–3 will no longer be applicable.

The action taken by this Amendment 4 to Order G–3 will allow resellers of hard building materials to pass on permitted increases granted manufacturers by the Office of Price Administration until such time as the New Hampshire District Office is in a position to amend Order G–3. The effect of Amendment 4 to Order G–3 is such that resellers of hard building materials will not be squeezed pending amendment of Order G–3 to reflect certain permitted increases.

The move taken by this Amendment 4 to Region I Order No. G–3 is generally fair and equitable and will carry out the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, General Order 68, and Executive Orders 9250, 9328, 9599, 9651, and 9697.

[F. R. Doc. 46–19571; Filed, Oct. 29, 1946; 8:55 a. m.]

[Chicago Order G–1 Under Gen. Order 68, Amdt. 7]

BUILDING MATERIALS IN CHICAGO, ILL., DISTRICT

An opinion accompanying this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Order No. G–1 issued under the authority of General Order No. 68 is amended in the following respects:

1. Appendix A is amended to add the following maximum prices:

	Per cubic yard
Torpedo sand No. I	$2.45
Torpedo sand No. II	2.50
Bank sand	2.45
Lake sand	2.10
Stone (screened through No. 8 mesh)	2.40
Stone (½" and less—chips)	2.40
Stone (all other sizes)	2.40
Roofing gravel	2.95
Gravel other than roofing	2.45

An additional charge of 10¢ per cubic yard may be made on batch deliveries.

A flat charge of $1.50 is permissible on less than truckload shipments of aggregates unless the shipment is to complete a job.

2. As to the above prices only, this amendment supersedes Supplementary Order No. 179.

3. Section 2 of Order No. G–1 under General Order No. 68 is amended to read as follows:

SEC. 2. *Definitions*—(a) *Retail sale.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any contractor; provided that for the purpose of this order, a "retail sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) *Contractor.* Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicators.* Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

(d) *Batch delivery.* For the purpose of this order a batch delivery consists of putting into individual compartments in a truck enough sand and gravel to produce one cubic yard of concrete and dumping each separate batch into the contractor's mixer.

4. Appendices A and B are amended to delete Item 19, "Fire Clay" which item has been suspended from price control.

This Amendment No. 7 to Order No. G–1 under General Order No. 68 shall become effective this twenty-fourth day of October 1946.

Issued this 23d day of October 1946.

JAMES F. RILEY,
District Director.

Opinion Accompanying Amendment No. 7 to District Order No. G–1 Under General Order No. 68

This amendment adds the aggregates to the hard building materials, flat prices, in the Chicago, Illinois, Area. This action was taken on request of the trade because of the diversity of selling prices on these items caused by increases of various amounts granted to the leading producers in the area by the Regional and National Offices of the Office of Price Administration. This has led to the position where some yards purchased material from as many as five different suppliers, each with a different price.

This amendment establishes a flat charge for less-than-truckload shipments unless the shipment is to complete a job. This charge was added on the basis of an analysis which showed that practically all the yards served made a special charge for less-than-truckload sales although the form of the charge varied.

Section 2 of the original order has been amended to exclude from the definition of a "retail sale" any sale to the United States Government, or any of its political subdivisions.

Fire clay was suspended from price control by Amendment 49 to Supplementary Order No. 129.

[F. R. Doc. 46–19698; Filed, Oct. 30, 1946; 8:47 a. m.]

[Region IV Order G–2 Under Supp. Service Reg. 50 Under RMPR 165]

CERTAIN AUTOMOTIVE SERVICES IN GEORGIA

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by § 1499.643 (c) (8) of Supplementary Service Regulation 50, it is hereby ordered:

SECTION 1. *What this order covers.* This orders covers all retail sellers of the trade selling the services of washing and/or lubricating passenger automobiles, charging storage batteries and rental of storage batteries, such services being performed principally by service stations or filling stations and automobile dealers, but is not limited to those establishments.

SEC. 2. *Area covered.* This order covers sales at retail by any seller of the services of washing and/or greasing passenger automobiles, charging storage batteries

and rental of storage batteries in the State of Georgia.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order will supersede any maximum prices or pricing methods previously fixed by any other regulation or order. It specifically supersedes Revised Maximum Price Regulation 165 as to services covered herein and prices required to be filed by that regulation with local Price Control Boards or Area Control Boards.

SEC. 4. *Maximum prices.* The maximum prices for the automotive maintenance services covered by this order shall be as follows:

Washing one passenger automobile	$1.00
Lubrication of one passenger automobile	1.00
Charging one storage battery	1.00
Daily rental of service storage battery	.25

The above prices include all materials historically used by the trade in performing each respective service.

The above prices and services shall not include lubricants placed in motor, transmission or rear end of an automobile.

SEC. 5. *Posting of maximum prices.* Every seller of these services shall post a list of these prices on a placard or poster, clearly legible, in a conspicuous place in his place of business.

This order will become effective the 14th day of October 1946.

Issued October 11, 1946.

ALEXANDER HARRIS,
Regional Administrator.

Opinion Accompanying Order No. G–2 Under § 1499.648 (c) (8) of Supplementary Service Regulation No. 50 to Revised Maximum Price Regulation No. 165

On October 11, 1946, the Atlanta Reginal Office, Region IV of the Office of Price Administration, issued Order No. G–2 under § 1499.648 (c) (8) of Supplementary Service Regulation No. 50 to Revised Maximum Price Regulation 165. This order establishes retail ceiling prices for certain automotive services, specifically, washing and/or lubricating automobiles, charging storage batteries and daily rental rate for service storage batteries. The area covered is the entire state of Georgia.

For sometime organized groups of the trade rendering these services have sought a general area order which would raise the prices of the lower level sellers to relieve the general hardship due to increased labor cost. However, until the issuance of Amendment 6 to Supplementary Service Regulation No. 50 on June 17, 1946, there was no authority on which the Regional Office could base such an order.

To gather adequate information on which to base an order conferences were held in the Atlanta District Office with representatives of the Georgia Association of Petroleum Retailers and the Atlanta Tire Dealers Association, the two largest organized groups of sellers affected in the state. These groups have a combined membership of approximately five hundred. A survey was made of these groups and information was received from sellers representing all sections of the state. The statistical information was analyzed and the prices set out in the order reflect the general level of prices established by the regulation.

The prices in the order are generally fair and equitable and effectuate the purposes of the Emergency Price Control Act as amended.

[F. R. Doc. 46–19597; Filed, Oct. 29, 1946; 8:51 a. m.]

[Raleigh Order G–2 Under MPR 592]

STRUCTURAL CONCRETE PRODUCTS IN NORTH CAROLINA AREA

For the reasons set forth in the accompanying opinion and under the authority vested in the District Director of the Raleigh, North Carolina, District Office of the Office of Price Administration by section 23 of Maximum Price Regulation 592 and Revised Regional Delegation Order 102, it is hereby ordered.

SECTION 1. *What this order does.* This order establishes maximum prices of manufacturers and resellers for certain structural concrete products for which prices are fixed in Table I hereto attached, sold or delivered in the North Carolina Area.

SEC. 2. *Definitions.* (a) "North Carolina Area" means the area located in all counties in the State of North Carolina (except the Townships of Kennekeet and Hatteras in Dare County, and the Township of Ocracoke in Hyde County).

(b) "Structural concrete products" mean concrete blocks, concrete bricks and shapes produced from cement, sand, cinder, slag, super rock, gravel, crushed stone or other aggregates and materials and made for use as building materials.

(c) "Light aggregate" means cinders, super rock, waylight and other similar materials.

(d) "Heavy aggregate" means rock, gravel, crushed stone, marl and other similar materials.

SEC. 3. *Maximum prices.* On and after the effective date of this order, no seller subject to this order may sell or deliver, or offer or agree to sell or deliver, certain structural concrete products at a price higher than the maximum prices applicable to such sale as set forth in Table I. Lower prices may be charged.

SEC. 4. *Terms and discounts.* Each seller subject to this order must maintain the allowances, terms and discounts on sales which he was legally required to give prior to the issuance of this order.

SEC. 5. *Delivery additions.* No seller subject to this order may charge any addition for making delivery higher than the charges for delivery set forth in Table I.

SEC. 6. *Posting.* Every seller making sales covered by this order shall post a copy of Table I, as amended or revised from time to time, in each of his places of business in a manner plainly visible to, and readable by, all purchasers when making a purchase.

SEC. 7. *Sales slips and records.* Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Regardless of previous custom, upon request of a purchaser, the seller shall give him a receipt showing the date, names and addresses of seller and purchaser, a complete description, including grade; such as, Grade A, Grade B or Grade C, whether sold f. o. b. Plant or Yard, or delivered, the number sold, the unit price for each size covered in the sale, the price received, allowances, terms or discounts given and delivery additions charged for each item sold. If he customarily prepared sales slips in more than one copy, he must keep for at least one year after delivery a duplicate copy of each sales slip delivered by him pursuant to this section.

For any sale, each seller, regardless of previous custom, must keep records for inspection or copying by any authorized representative of the Office of Price Administration during normal business hours, which records must show at least the following:

(1) Name and address of purchaser.
(2) Date of transaction.
(3) Whether delivered or sold f. o. b. Plant or Yard and place of delivery if delivered.
(4) For all sales delivered by truck other than one operated by or for the seller, the truck owner's name and address, the license number and state of issuance.
(5) Complete descriptions, including grade; such as, Grade A, Grade B or Grade C.
(6) The number sold, the unit price for each size covered in the sale.
(7) If any applicable Federal, State or Local Tax is charged, the amount of such tax.
(8) Total amount charged or received.

SEC. 8. *Enforcement provisions.* On and after the effective date of this order, any person covered by this order who sells or delivers or offers to sell or deliver, at a price higher than the maximum price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement action, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No person subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. It shall be an evasion for any seller to make a tie-in requirement or agreement or require a customer to purchase any other commodity, or to break up any order which would normally be a single order into a series of smaller orders so as to obtain a higher price.

SEC. 9. *Relation to other regulation or order.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or Maximum Price Regulation 592 or regulations or orders thereunder, depending upon the seller involved, shall apply to sales covered by this order.

SEC. 10. *Applications for adjustment.* Any manufacturer or reseller may make application to the undersigned for the issuance of an order fixing prices for him higher than those provided in Table I.

SEC. 11. *Amendments.* This order may be amended, revised, corrected or revoked at any time by the Office of Price Administration.

This order shall become effective October 23, 1946.

Issued this 17th day of October 1946.

THEODORE S. JOHNSON,
District Director.

TABLE I

A. MAXIMUM PRICES F. O. B. PRODUCER'S PLANT

(1) Load bearing concrete blocks:

Size	Grade A [1]	Grade B [2]	Grade C [3]
8" x 8" x 16" each	$0.20	$0.18	$0.10
8" x 8" x 16" (single corner) each	.21	.19	.105
8" x 8" x 16" (double corner) each	.22	.20	.11
8" x 8" x 16" (jambs or sash) each	.22	.20	.11
8" x 8" x 8" each	.12	.11	.06
8" x 8" x 8" (corner) each	.12	.11	.06
8" x 8" x 8" (jambs or sash) each	.12	.11	.06
6" x 8" x 16" each	.17	.15	.085
12" x 8" x 16" each	.28	.25	.14

(2) Non-load bearing concrete blocks:

Size	Grade A [4]	Grade C [5]
4" x 8" x 16" each	$0.12	$0.06

(3) Concrete brick:

	Grade A [6]	Grade B [6]	Grade C [7]
Standard size per 1,000	$20.00	$18.00	$10.00

[1] Grade A load-bearing blocks shall meet the requirements of at least one of the following specifications:

Federal Specifications SS-C-621 for load-bearing hollow masonry units, American Society for Testing Materials, standard specifications of the Underwriter's Laboratories. In addition, concrete blocks made of heavy aggregates shall have a compressive strength of not less than the grade A requirements of American Society for Testing Materials standard specifications C90-44.

[2] Grade B blocks are blocks made of heavy aggregates which cannot be classed as grade A blocks but which meet the grade B requirements of the American Society for Testing Materials standard specifications for hollow load-bearing masonry units C90-44.

[3] Grade C blocks are any blocks which cannot be classed as grade A or grade B.

[4] Grade A non-load-bearing blocks shall meet the requirements of Federal Specifications SS-C-621 for non-load-bearing hollow masonry units or American Society for Testing Materials standard specifications for hollow non-load-bearing masonry units C-129-39.

[5] Grade A concrete brick shall meet the grade A requirements of American Society for Testing Materials standard specifications for concrete brick C55-37.

[6] Grade B concrete brick shall meet the grade B requirements of American Society for Testing Materials standard specifications for concrete brick C55-37.

[7] Grade C concrete brick are any concrete brick which cannot be classed as grade A or grade B.

B. MAXIMUM PRICES F. O. B. RESELLER'S YARD

Maximum prices f. o. b. reseller's yard are calculated by adding the amount of the delivery addition provided under Paragraph C below for the actual distance from the producer's plant to the reseller's yard to the applicable price under Paragraph A above.

C. DELIVERY ADDITIONS

Average weight	First 10 miles	Addition for second 10 miles	Addition for third 10 miles	Each additional 10 miles
15 lbs. to 25 lbs	$0.013	$0.004	$0.004	$0.002
Over 25 lbs. to 35 lbs	.020	.006	.006	.003
Over 35 lbs. to 45 lbs	.027	.008	.008	.004
Over 45 lbs	.033	.010	.010	.005
Concrete brick, (per 1,000)	3.35	1.00	1.00	.50

D. SIZES OF CONCRETE BLOCKS IN PARAGRAPH A OF THIS TABLE

Maximum prices of concrete blocks not listed in Paragraph A above shall be determined by each seller as follows:

1. Maximum price of any block smaller than 8" x 8" x 16" equals the result of the following operations:
   (a) Divide the over-all cubic content of the smaller block by the over-all cubic content of the 8" x 8" x 16" block.
   (b) Multiply by $0.20.
   (c) Add $0.02.
2. Maximum price of any block larger than 8" x 8" x 16" equals the result of the following operations:
   (a) Divide the over-all cubic content of the larger block by the over-all cubic content of the 8" x 8" x 16" block.
   (b) Multiply by $0.20.
   (c) Subtract $0.02.
3. Maximum prices calculated under this paragraph must be filed with this office prior to any sale.

Opinion Accompanying Order G-2 Under Maximum Price Regulation 592

The accompanying order establishes area-wide prices for sales of certain structural concrete products in the North Carolina Area. The order is issued under the provisions of section 23 of Maximum Price Regulation 592 which authorizes the Regional Administrator and any District Director who may be authorized, to issue and put into effect maximum prices for such. Revised Regional Delegation Order 102 authorizes the District Director of the Raleigh District Office to issue the order.

The order fixes specific dollars-and-cents prices for sales covered. The area covered by the order includes the 100 counties of North Carolina. The order fixes maximum prices for all sellers including producers and resellers. The maximum prices established by the order supersede the pricing provisions of various regulations formerly controlling such sales.

Section 23 of Maximum Price Regulation 592 provides that the following standards shall be observed in issuing orders under the sections: (1) Maximum prices shall be set forth in dollars-and-cents amounts, except where impractical or inappropriate; (2) Maximum prices thus set forth shall not exceed the general level of prices fixed by the regulation.

In determining the appropriate prices for inclusion in the order surveys were made of producers and resellers, obtaining maximum prices, volume of sales, grades and kinds of products sold, sizes and specifications, terms and discounts, and delivery charges. On the basis of such information uniform dollars-and-cents prices have been determined which are in line with the general level of prices heretofore fixed. Prices so determined represent model prices (the single price of the greatest number of sellers upon a weighted average), except where it was clearly impractical to consider the information. Where certain information was not used, it was because the same was based upon incorrect figures or was furnished by sellers who did not have records to substantiate the same. While uniform prices do not increase the general level, maximum prices of some individual sellers are increased and some reduced. The order provides that each seller must maintain his customary allowances, differentials, discounts and other trade practices which he legally had in effect under the regulations or orders superseded by this order.

The issuance of the order and the terms thereof have been discussed fully with members of the trade at informal meetings attended by representative sellers. All suggestions and recommendations of the trade have been considered and included in this order to the extent possible under the provisions of Maximum Price Regulation 592 and the Emergency Price Control Act, as amended.

The prices established by this order have been determined to be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, Executive Order 9250 and Executive Order 9328.

[F. R. Doc. 46-19578; Filed, Oct. 29, 1946; 8:58 a. m.]

[Region IV 2d Rev. Order G-15 Under RMPR 122, Amdt. 3]

SOLID FUELS IN WINSTON-SALEM, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) and subparagraphs (f) (3) and (f) (4) of Second Revised Order No. G-15 under Revised Maximum Price Regulation No. 122, issued by this office June 7, 1945, are amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *High volatile coal from District No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Chunk, block, lump and egg (size groups 1 and 2):			
In price classifications L, M and N (except from mine index 203)	$10.67	$5.58	$2.87
From mine index Nos. 203, 435 and 3764	11.12	5.81	2.97
Lump and egg (size group 3):			
In price classification A	10.92	5.71	2.92
In price classifications P through S, inclusive	10.32	5.41	2.77
From mine index 364	10.97	5.74	2.93
Lump and egg (size group 4), from mine index Nos. 187 and 725	10.32	5.41	2.77
Egg (size group 5):			
In price classifications B through E, inclusive	10.67	5.58	2.87
In price classifications G, H, J, and K	10.47	5.49	2.80
Egg (size group 6):			
In price classification A	10.92	5.71	2.92
In price classifications G through N, inclusive	10.02	5.26	2.69
From mine index No. 22	10.57	5.54	2.83
From mine index No. 437	10.27	5.39	2.75
Egg (size group No. 7) in price classification A	10.52	5.51	2.82
Stoker (size group 10):			
In price classifications A through E, inclusive	9.92	5.21	2.67
From mine index No. 419	9.97	5.24	2.68
Mine run (size group No. 16) in price classifications C through E, inclusive	9.72	5.11	2.62

(2) *Low volatile coals from District No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg (size group No. 2) in price classifications B and C	$10.82	$5.66	$2.89
Stove (size group No. 3) in price classification D	10.82	5.66	2.89
Nut (size group 4) in price classifications B through D, inclusive	9.97	5.24	2.68
Pea (size group 5) from mine index 391	9.57	5.04	2.58

(3) *Low volatile coal from District No. 7.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg (size group 2) in price classification A	$11.49	$6.00	$3.06
Stove (size group No. 3) in price classification A	11.14	5.82	2.97
Nut (size group 4) in price classification A	10.19	5.35	2.74
Pea stoker (size group 5) in price classification A	9.94	5.22	2.67
Domestic run-of-mine (size group No. 6) in price classifications A and B	9.94	5.22	2.67
Straight run-of-mine (size group No. 7) in price classifications A and B	10.49	5.50	2.81

(f) *Maximum authorized service charges and required deductions.* * * *

(3) *Sacked coal.* For splint coal in sacks, the dealer may charge not more than 57¢ per 100 pounds.

(4) *Yard sales.* When a buyer picks up coal at the dealer's yard, the domestic price must be reduced at least $1.00 per ton. On sales to other dealers at the yard, the dealer must reduce the domestic price at least $1.29 per ton.

Effective date. This amendment shall become effective as of August 22, 1946.

Issued: October 14, 1946.

ALEXANDER HARRIS,
Regional Administrator.

Opinion Accompanying Amendment No. 3 to Second Revised Order No. G–15 Under Revised Maximum Price Regulation No. 122

Amendment No. 3 to Second Revised Order No. G–15 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment 42 to Revised Maximum Price Regulation 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 43 to Revised Maximum Price Regulation No. 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46–19599; Filed, Oct. 29, 1946; 8:49 a. m.]

[Region IV 2d Rev. Order G–20 Under RMPR 122, Amdt. 2]

SOLID FUELS IN NEW BERN, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) and subparagraph (f) (4) of Revised Order No. G–20 under Revised Maximum Price Regulation No. 122, issued by this office June 5, 1945, are amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg (size group 2), top size larger than 3", bottom size no limit, in price classifications A through F, inclusive	$13.49	$7.00	$3.62
Screened or domestic run-of-mine (size group 6), in price classifications A and B	11.39	5.95	3.10
Pea stoker (size group 5) top size not exceeding ¾", bottom size smaller than ¾", in price classification A; and straight run-of-mine (size group 7), larger than 1¼" x 0" in price classifications A and B	10.79	5.65	2.95

(2) *Low volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump, single screened (size group 1), bottom size larger than for screened run-of-mine; and egg, top size larger than 3", bottom size no limit, both in price classifications A, B, and C	$12.47	$6.49	$3.37

(3) *High volatile bituminous coal from District No. 8.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Egg (size group 5), top size 6" to larger than 5", bottom size 3" to larger than 2"; and top size larger than 6", bottom size 2" and smaller in price classifications F through K, inclusive	$12.17	$6.34	$3.29
Egg (size group 6), top size 6" to larger than 5", bottom size 2" and smaller; and top size 3" but not exceeding 5", bottom size 3" to larger than 2", in price classifications E through L, inclusive	11.07	5.79	3.02
Stoker (size group 10), double screened top size 1¼", and smaller, bottom size smaller than 1¼", in price classifications B through G, inclusive	10.62	5.71	2.98

(4) *Briquettes.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
"Glen Rogers" briquettes	$15.05	$7.78	$4.01

(f) *Maximum authorized service charges and required deductions.* * * *

(4) *Sacked coal.* On deliveries of sacked or bagged coal, a dealer may charge not more than 70¢ per 100 lbs., not including sack.

Effective date. This amendment shall become effective as of August 22, 1946.

Issued: October 14, 1946.

ALEXANDER HARRIS,
Regional Administrator.

Opinion Accompanying Amendment No. 2 to Revised Order No. G–20 Under Revised Maximum Price Regulation No. 122

Amendment No. 2 to Revised Order No. G–20 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment 42 to Revised Maximum Price Regulation 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 43 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46–19598; Filed, Oct. 29, 1946; 8:49 a. m.]

[Region IV Rev. Order G–25 Under RMPR 122, Amdt. 3]

SOLID FUELS IN VIRGINIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) and subparagraphs (f) (3) and (f) (5) of Revised Order No. G–25 under Revised Maximum Price Regulation No. 122, issued by this office June 7, 1945, are amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on "Direct Delivery or Domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.
Egg (size group 2), top size larger than 3", bottom size no limit—in price classifications A–D, inclusive	$11.74	$6.12
Stove (size group 3), top size larger than 1¼" but not exceeding 3", bottom size smaller than 3", in price classifications A–E, inclusive	11.24	5.87
Nut (size group 4) top size larger than ¾" but not exceeding 1¼", bottom size smaller than 1¼", in price classifications A–E, inclusive	10.39	5.45
Pea stoker (size group 5), top size not exceeding ¾", bottom size smaller than ¾", in price classifications A–D, inclusive	9.64	5.07
Domestic or screened run-of-mine (size group 6) in price classifications A and B	10.29	5.39
Straight run-of-mine (size group 7), in price classifications A and B	9.79	5.15
Briquettes (made from low volatile bituminous coal from District No. 7)	12.70	6.60
Stoker (size group 5) from mine index 377	9.89	5.20

(2) *High volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.
Egg (size group 6), top size 6" to larger than 5", bottom size 2" and smaller, in price classifications E–L, inclusive	$9.72	$5.11
Stove (size group 8), top size 3" to larger than 2", bottom size 2" and smaller, in price classifications E–H, inclusive	9.62	5.06
Yard slack (from coal from Districts Nos. 7 and 8)	7.55	4.03

(f) *Maximum authorized service charges and required deductions.* * * *

(3) *Sacked coal.* For high volatile egg and stove coals from District No. 8, in paper sacks at the yard, dealer may charge not more than 26¢ for 35 lbs. and 38¢ for 50 lbs., paper sacks included. For high volatile egg and stove coals from District No. 8 in 100 lb. lots at the yard, dealer may charge not more than 55¢, and for low volatile egg and lump in 100 lb. lots at the yard, dealer may charge not more than 66¢, when the customer furnishes the receptacle.

* * * * *

(5) *Yard discounts.* For sales at the yard to consumers, the dealer must reduce the domestic price at least 50¢ per ton, and for sales at the yard to other dealers, the dealer must reduce the domestic price at least $1.09 per ton.

Effective date. This amendment shall become effective as of August 22, 1946.

Issued: October 9, 1946.

ALEXANDER HARRIS,
Regional Administrator.

Opinion Accompanying Amendment No. 3 to Revised Order No. G–25 Under Revised Maximum Price Regulation No. 122

Amendment No. 3 to Revised Order No. G–25 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation, and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation No. 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment No. 42 to Revised Maximum Price Regulation No. 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46–19581; Filed, Oct. 29, 1946; 8:59 a. m.]

[Region IV Order G–42 Under RMPR 122, Amdt. 5]

SOLID FUELS IN COLUMBUS, GA., AND PHOENIX CITY, ALA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) and subparagraph (f) (2) of Order No. G–42 under Revised Maximum Price Regulation No. 122, issued by this office May 8, 1946, are amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *High volatile bituminous coals from District No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump and block from mine index 317, Black Diamond Coal Co	$12.12	$6.31	$3.28
Lump or block	11.87	6.19	3.22
Egg from mine index 404, Frances Rex Coal Co	11.32	5.91	3.08
Egg	10.82	5.66	2.96
Blue Gem egg	11.17	5.84	3.04
Stoker	10.67	5.59	2.92
Slack	7.97	4.24	2.24
Blue Gem, Red Clover, and Hi-Clover lump, and Regal lump from mine index No. 119	12.27	6.39	3.32

(2) *High volatile bituminous coal from District No. 13.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump	$12.24	$6.37	$3.31
Piper lump and Empire lump from mine index No. 22 (De Bardeleben Coal Corp.)	13.54	7.02	3.64
Montevallo lump from mine index 6, Little Gem Coal Co., size groups 1 through 5, inclusive	13.89	7.20	3.72
Montevallo nut from mine index 6, Little Gem Coal Co., size groups 6, 8, and 10	12.99	6.75	3.50
Washed nut, from mine index 18, Brilliant Coal Co., size group 10	11.14	5.82	3.04
Stoker	10.49	5.50	2.87

(f) *Maximum authorized service charges and required deductions.* * * *

(2) *Sacked coal.* For coal sold in sacks, the dealer may charge not more than 60¢ per 70 pounds at the yard, and not more than 70¢ per 70 pounds when delivered.

Effective date. This amendment shall become effective as of August 22, 1946.

Issued: October 9, 1946.

ALEXANDER HARRIS,
Regional Administrator.

Opinion Accompanying Amendment No. 5 to Order No. G–42 Under Revised Maximum Price Regulation No. 122

Amendment No. 5 to Order No. G–42 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment 42 to Revised Maximum Price Regulation 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46–19579; Filed, Oct. 29, 1946; 8:58 a. m.]

[Region IV Order G–44 Under RMPR 122, Amdt. 3]

SOLID FUELS IN STAUNTON, VA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (d) and subparagraph (e) (3) of Order No. G–44 under Revised Maximum Price Regulation No. 122, issued by this office May 26, 1945, are amended to read as follows:

(d) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Double screened egg and lump	$10.29	$5.40	$2.82
Double screened stove	9.89	5.20	2.72
Run-of-mine	9.34	4.92	2.59
Pea	9.29	4.90	2.57
Nut	9.39	4.95	2.60

(2) *High volatile bituminous coal from District No. 8.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Double screened stove	$9.42	$4.96	$2.61

(3) *Bituminous coals from Districts Nos. 7 and 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Yard slack	$7.08	$4.09	$2.17

(e) *Maximum authorized service charges and required deductions.* * * *

(3) *Sacked coal.* For coal sold in sacks at the yard, the dealer may charge not more than 54¢ for 75 pounds of District No. 7 Egg, Lump or Stove coal, and not more than 44¢ for 75 pounds of District No. 8 Stove coal. For deliveries of 75 pounds of such coal in sacks, dealer may add not more than 10¢ per sack of 75 pounds to above prices.

Effective date. This amendment shall become effective as of August 22, 1946.

Issued: October 9, 1946.

ALEXANDER HARRIS,
Regional Administrator.

Opinion Accompanying Amendment No. 3 to Order No. G–44 Under Revised Maximum Price Regulation No. 122

Amendment No. 3 to Order No. G–44 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment 42 to Revised Maximum Price Regulation No. 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46–19580; Filed, Oct. 29, 1946; 8:59 a. m.]

[Region VI Order G–16 under RMPR 122, Amdt. 128]

SOLID FUELS IN MONMOUTH, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 43 to Order No. G–16, paragraph (b), sub-paragraphs I to VI are amended to read as follows:

PRICE SCHEDULE	*Domestic delivered (per ton)*
I. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):	
1. Lump size group Nos. 1, 2 and 3, all single screened lump coal, bottom size larger than 2".	
(a) Price classification A, except mine index Nos. 49 and 50	$11.72
(b) Price classifications E through K, except mine index Nos. 124, 125, 460	11.02
(c) Price classifications L through O, except mine index No. 126	10.62
II. High volatile bituminous coal from district No. 9 (western Kentucky):	
1. Lump and egg—size group Nos. 1–6 inclusive (all single screened lump coals and all double screened egg coals, top size larger than 2"):	
(a) No. 6 seam	8.11
(b) No. 14 and stray seams	7.91
(c) Nos. 9, 11 and all other seams (machine mines)	7.71
(d) Nos. 9, 11 and all other seams (hand loading mines)	8.01
2. Stoker—size group Nos. 8–12 inclusive (all raw double screened nut, stoker, and pea coals, top size not exceeding 2" and bottom size larger than 10 mesh or 3/32"): (A) No. 6 seam	8.21
III. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict deep machine mines, price group Nos. 1, 2, and 8:	
1. Lump and egg size group Nos. 1–5 inclusive—all lump and egg coals bottom size larger than 1½" washed or raw	8.26
2. Mine run size group No. 7 (straight mine run from which no fines have been removed)	7.56
3. Raw chestnut and pea coal—size group No. 9–12 inclusive (all raw nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2")	7.61
4. Special stoker size group Nos. 21, 22, and 28 (all washed or air cleaned nut and pea coal bottom size larger than 1 millimeter and top size not exceeding 2", also all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding ⅜"). Common trade names G–14, Air Flow, Super X, Par Fuel, and De Luxe S. P. Stoker	7.96
5. Dedusted screenings size group Nos. 26 and 27 (all dry dedusted screenings top size not exceeding 2"). Common trade names Universal and Commercial Stoker	7.41
B. Southern subdistrict strip mines. Price group No. 7: 1. Special stoker size group Nos. 21, 22, and 28 (for description see III A (4) above)	7.51
C. Central subdistrict deep machine mines. Price group No. 12:	
1. Lump and egg size group Nos. 1, 2, and 3 (all lump and egg bottom size larger than 2", washed or raw)	7.16
2. Washed screenings size group Nos. 23 and 24 (all washed or air cleaned screenings top size not exceeding 2")	6.76

PRICE SCHEDULE—Continued	*Domestic delivered (per ton)*
III. High volatile bituminous coal from district No. 10—Continued	
D. Fulton Peoria subdistrict strip mines:	
1. Lump and egg size group Nos. 1, 2, and 3 (all lump and egg coals bottom size larger than 2" washed or raw):	
(a) Price group Nos. 27 and 28	$6.19
(b) Price group Nos. 24, 25, and 26	5.99
2. Washed chestnut and pea size group Nos. 17–20 (all washed or air cleaned nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2"): (A) Price group Nos. 27 and 28	6.09
3. Washed screenings size group Nos. 23 and 24 (all washed or air cleaned screenings top size not exceeding 2"): (A) Price group Nos. 27 and 28	5.74
IV. High volatile bituminous coal from district No. 11 (Indiana):	
1. Lump and egg size group Nos. 1–5 inclusive (all lump and egg coals bottom size larger than 1½" washed or raw). Price group No. 6	8.74
2. Lump and eggs size group Nos. 1, 2, and 3 (all lump and egg coals bottom size larger than 2" washed or raw):	
(a) Price group No. 15	8.54
(b) Price group No. 16	8.44
(c) Price group Nos. 7 and 18	7.79
(d) Price group No. 10 mine index 115 only	7.84
3. Raw nut and pea coal—size group Nos. 9–12 inclusive (all raw nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2"). Price group No. 6	8.09
V. Pennsylvania anthracite (ash content not in excess of OPA quality standards): 1. Egg, stove, and nut	20.93
VI. Chicago byproduct coke: 1. Egg, stove, and nut	17.15

2. In Appendix No. 43 to Order No. G–16, paragraph (d) is amended to read as follows:

(d) *Discounts.* The maximum prices set forth in section (b) above shall be subject to the following discounts from the net retail prices:

(i) For coal picked up at the yard by a domestic consumer, 50 cents per ton. For coal picked up at the yard by a reseller, $1.09 per ton.

(ii) Maximum prices for Pennsylvania anthracite received by a dealer which has been identified by his supplier prior to its resale as anthracite with an ash content in excess of OPA quality standards shall be the maximum price established by this order less the following amounts: Egg, stove, and nut—$1.00 per ton.

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this Office.

This Amendment No. 128 to Order No. G–16 under Revised Maximum Price

Regulation No. 122 shall become effective October 1, 1946.

Issued this 23d day of September 1946.

DEAN O. BOWMAN,
Acting Regional Administrator.

Opinion Accompanying Amendment No. 128 to Order No. G–16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment reflect the price increases permitted by Amendment No. 48 to Revised Maximum Price Regulation No. 122 issued to comply with the requirement in section 2 (t) of the Price Control Extension Act of 1946 allowing "the average current cost of acquisition of any commodity, plus such average percentage discount or mark-up as was in effect on March 31, 1946."

[F. R. Doc. 46–19250; Filed, Oct. 24, 1946; 8:53 a. m.]

[Region IV Order G–48 Under RMPR 122, Amdt. 2]

SOLID FUELS IN KINSTON, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) and subparagraphs (f) (3) and (4) of Order No. G–48 under Revised Maximum Price Regulation No. 122, issued by this office May 31, 1945, are amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Bituminous coal from District No. 7.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg—size group No. 2	$13.49	$6.75	$3.62
Stove—size group No. 3, and stoker (nut or pea)—size groups Nos. 4 and 5	10.90	5.45	2.98
Briquettes	13.55	6.78	3.64

(2) *Bituminous coal from District No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Block or lump 3" and larger, size groups 1 and 2—in price classifications A to H, inclusive	$12.83	$6.42	$3.46
Chunk—size group 2, including 3½" x 8"—from mine index 481, the Virglo mine of Benedict Coal Co.	13.11	6.56	3.53
Egg—size group 6—top size larger than 5" but not exceeding 6", bottom size 2" and smaller and top size 3" but not exceeding 5", bottom size larger than 2" but not exceeding 3"—in price classifications E to K, inclusive	11.63	5.82	3.16
Stoker—treated—double screened—top size 1¼" and smaller, bottom size smaller than 1¼"—size group 10—in price classifications A to E, inclusive	10.77	5.39	2.94
Yard, nut, and slack	9.22	4.61	2.56

(f) *Maximum authorized service charges and required deductions.* * * *

(3) *Sacked coal.* Dealer may charge not more than 65¢ for 80 lb. sack or bag, at the yard, plus 10¢ per bag if he furnishes the bag.

(4) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the Domestic price at least 50¢ per ton. On sales to peddlers and other dealers, at the yard, the dealer must reduce the Domestic price at least $1.09 per ton.

Effective date. This amendment shall become effective as of August 22, 1946.

Issued: October 9, 1946.

ALEXANDER HARRIS,
Regional Administrator.

Opinion Accompanying Amendment No. 2 to Order No. G–48 Under Revised Maximum Price Regulation No. 122

Amendment No. 2 to Order No. G–48 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment 42 to Revised Maximum Price Regulation No. 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46–19577; Filed, Oct. 29, 1946; 8:57 a. m.]

[Region IV 2d Rev. Order G–18 Under RMPR 122, Amdt. 1]

SOLID FUELS IN COBB AND CHEROKEE COUNTIES, GA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) and subparagraph (f) (3) of Second Revised Order No. G–18 under Revised Maximum Price Regulation No. 122, issued by this office June 4, 1945, are amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Block, 6" or 8" (size group 1), in price classification M	$10.37	$5.44	$2.84
Block, 5", and chunk, 5" x 8" (size group 2):			
In price classification A	10.67	5.59	2.92
In price classifications C–N, inclusive	9.97	5.24	2.74
Egg, 3" x 5" (size group 6), and 2" x 5" (size group 7), in price classification A	10.07	5.29	2.77
Egg, 3" x 5" (size group 6), in price classifications E–K, inclusive, and 2" x 5" (size group 7), in price classification J	9.27	4.89	2.57
Egg, 3" x 5" (size group 4), in price classification M, and stoker, top size not exceeding 1¼", bottom size less than 1¼" (size group 10), all price classifications untreated	9.87	5.19	2.72
Yard slack	7.47	3.99	2.12
Run-of-mine (for domestic use)	9.72	5.11	2.68

(f) *Maximum authorized service charges and required deductions.* * * *

(3) *Sacked coal.* A dealer may not charge more than 55¢ per 100 lb. sack of egg coal at the yard, or delivered, sack not included.

Effective date. This amendment shall become effective as of August 22, 1946.

Issued: October 9, 1946.

ALEXANDER HARRIS,
Regional Administrator.

Opinion Accompanying Amendment No. 1 to Second Revised Order No. G–18 Under Revised Maximum Price Regulation No. 122

Amendment No. 1 to Second Revised Order No. G–18 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment No. 42 to Revised Maximum Price Regulation No. 122, effective March 30, 1946; and in-

creases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said Amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-19573; Filed, Oct. 29, 1946; 8:56 a. m.]

[Region VIII Order G-12 Under Gen. Order 68, Corr. to Amdt. 2]

BUILDING MATERIALS, SAN FRANCISCO DISTRICT

In paragraph 8 of amendment No. 2 to Order No. G-12 under General Order No. 68, the effective date was inadvertently omitted; it is hereby inserted, as a caption immediately preceding the table of prices in said paragraph 8, to read as follows: "Effective: October 23, 1946."

Issued this 21st day of October 1946.

BEN C. DUNIWAY,
Regional Administrator.

[F. R. Doc. 46-19601; Filed, Oct. 29, 1946; 8:45 a. m.]

[Region IV Order G-53 Under RMPR 122, Amdt. 2]

SOLID FUELS IN GOLDSBORO, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) and subparagraphs (f) (3) and (f) (4) of Order No. G-53 under Revised Maximum Price Regulation No. 122, issued by this office June 2, 1945, are amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg, top size larger than 3", bottom size no limit, in price classification A	$12.60	$6.43	$3.40
Stove, or dedusted screenings, top size larger than 1¼" but not exceeding 3", bottom size smaller than ¾", in price classification A	11.54	5.90	3.14
Stoker, pea or dedusted screenings, top size not exceeding ¾", bottom size smaller than ¾" in price classification A	10.44	5.35	2.86
Screened or domestic run-of-mine in price classification A	10.09	5.17	2.77
Briquettes	12.94	6.60	3.49

(2) *High volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
BLOCK, LUMP, AND EGG			
Top price, lump, bottom size larger than 2" but not exceeding 3"; egg top size larger than 3" but not exceeding 6", bottom size larger than 3" but not exceeding 4", in price classification A	$12.63	$6.44	$3.41
Middle price, block or lump, bottom size larger than 3", but not exceeding 5"; egg, top size larger than 6", bottom size larger than 3", but not exceeding 4"; all double screened coals, top size 5" and larger, bottom size larger than 4", in price classifications E through O, inclusive; egg from Mine Index 439, Star Slope Mine of the Dixport Coal Co.	11.87	6.06	3.22
Low price: Egg, top size larger than 5", but not exceeding 6", bottom size larger than 2" but not exceeding 3"; top size larger than 6", bottom size 2", and smaller in price classifications G through K, inclusive; and egg, top size larger than 5", but not exceeding 6", bottom size 2" and smaller; top size 3" and larger, but not exceeding 5", in price classifications G through L, inclusive—from Mine Index 370, Point Lick No. 4 mine of the Hatfield-Campbell Creek Coal Co.	11.47	5.86	3.12
Stoker, top size not exceeding 1¼", bottom size less than 1¼", in price classifications B through E, inclusive, and from mine index 439, the Star Slope Mine of the Dixport Coal Company	10.82	5.54	2.96

(3) *Yard slack from District Nos. 7 and 8.*

Size	Per ton ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Yard slack	$9.27	$4.76	$2.57

(f) *Maximum authorized service charges and required deductions.* * * *

(3) *Sacked coal.* The dealer may charge not more than 66¢ per 100 lb. sack at the yard, plus 15¢ per sack, if the dealer furnishes the sack.

(4) *Quantity discounts.* On sales in carload lots, the dealer must reduce the domestic price at least $1.69 per ton.

Effective date. This amendment shall become effective as of August 22, 1946.

Issued: October 9, 1946.

ALEXANDER HARRIS,
Regional Administrator.

Opinion Accompanying Amendment No. 2 to Order No. G-53 Under Revised Maximum Price Regulation No. 122

Amendment No. 2 to Order No. G-53 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment 42 to Revised Maximum Price Regulation No. 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-19582; Filed, Oct. 29, 1946; 8:59 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on October 28, 1946.

Region II

Baltimore Orders 63 and 64, Amendment 1, covering dry groceries in the Baltimore, Maryland area. Filed 8:55 a. m.

Region III

Cleveland Order 37, Amendment 15, covering dry groceries in Cuyahoga county, Ohio. Filed 8:49 a. m.

Cleveland Orders 38 and 39, Amendments 16 and 8, covering dry groceries in certain areas in Ohio. Filed 9:18 and 9:49 a. m.

Cleveland Order 40, Amendment 8, covering dry groceries in all counties in Ohio. Filed 8:50 a. m.

Louisville Order 26, Amendment 17, covering dry groceries in the counties of Jefferson county, Kentucky and Clark and Floyd counties, Indiana. Filed 8:58 a. m.

Louisville Order 27, Amendment 18, covering dry groceries in the counties of Jefferson county, Kentucky and Clark and Floyd counties, Indiana. Filed 8:58 a. m.

Louisville Order 28, Amendment 16, covering dry groceries in certain counties in Kentucky. Filed 8:58 a. m.

Louisville Order 30, Amendment 17, covering dry groceries in certain counties in Kentucky. Filed 8:57 a. m.

Louisville Order 32, Amendment 15, covering dry groceries in certain counties in Kentucky. Filed 8:57 a. m.

Louisville Order 36, Amendment 10, covering dry groceries in certain counties in Kentucky. Filed 8:57 a. m.

Louisville Orders 37 and 38, Amendment 5, covering dry groceries in certain counties in Kentucky. Filed 8:57 and 8:56 a. m.

Region IV

Atlanta Order 40, Amendment 14, covering dry groceries in certain counties in Georgia. Filed 9:18 a. m.

Birmingham Orders 7–W and 8–W, Amendment 9, covering dry groceries in the Birmingham area. Filed 8:48 and 8:47 a. m.

Jacksonville Order 47, Amendment 13, covering dry groceries in certain counties in Florida. Filed 9:18 a. m.

Miami Order 9, Amendments 13 and 14, covering dry groceries in Dade, Broward, Hillsborough and Pinellas counties, Florida. Filed 8:48 and 8:54 a. m.

Miami Order 10, Amendment 14, covering dry groceries in certain areas in Florida. Filed 8:54 a. m.

Region V

New Orleans Order 31, Amendments 12 and 15, covering dry groceries in certain counties in Louisiana. Filed 9:04 and 8:55 a. m.

New Orleans Order 32, Amendment 13, covering dry groceries in certain areas in Louisiana. Filed 9:03 a. m.

New Orleans Order 33, Amendments 26 and 27, covering dry groceries. Filed 8:56 a. m.

Region VI

Des Moines Orders 22 and 23, Amendments 11 and 9, covering dry groceries in certain counties in Iowa. Filed 9:03 and 9:02 a. m.

Des Moines Orders 24 and 25, Amendments 9 and 10, covering dry groceries in certain counties in Iowa. Filed 9:02 and 9:03 a. m.

Milwaukee Order 7, Amendment 12A, covering dry groceries in Milwaukee county, and the cities of Racine and Kenosha, Wisconsin. Filed 9:01 a. m.

Milwaukee Order 14, Amendment 10A, covering dry groceries in certain areas in Wisconsin. Filed 9:01 a. m.

Milwaukee Orders 19 and 23, Amendment 5A, covering dry groceries in certain areas in Wisconsin. Filed 9:01 and 9:00 a. m.

Milwaukee Order 33, Amendment 9A, covering dry groceries in certain counties in Wisconsin. Filed 9:00 a. m.

Springfield Order 13, Amendment 7, covering dry groceries in certain counties in Illinois. Filed 9:00 a. m.

Springfield Order 21, Amendment 8, covering dry groceries in certain counties in Illinois. Filed 8:59 a. m.

Region VII

Boise Order 8–F, Amendment 5, covering fresh fruits and vegetables in the Boise City area and Twin Falls, Idaho. Filed 10:52 a. m.

Boise Order 9–F, Amendment 2, covering fresh fruits and vegetables in certain areas in Idaho. Filed 8:59 a. m.

Boise Order 10–F, Amendment 2, covering fresh fruits and vegetables in certain areas in Idaho. Filed 8:59 a. m.

Boise Orders 1, 2, 3, and 4, covering dry groceries in the Boise City area. Filed 10:55 a. m.

Boise Orders 55 and 56, Amendments 1, 2, 3, 4, and 5, covering dry groceries in the Boise City area. Filed 10:55 and 10:54 a. m.

Boise Order 56, Amendments 1, 2, and 3, covering dry groceries in Boise Valley Loop, Mountain Home, Idaho, and Ontario, Oregon, areas. Filed 10:54 a. m.

Boise Order 57, Amendments 1, 2, and 3, covering dry groceries in certain areas in Idaho. Filed 10:54 and 10:53 a. m.

Boise Order 58, Amendments 1, 2, 3, and 4, covering dry groceries in certain areas in Idaho. Filed 10:53 a. m.

Boise Orders 59 and 60, Amendments 1, 2, and 3, covering dry groceries in certain areas in Idaho and Ontario in Malheur county, Oregon. Filed 10:53 and 10:52 a. m.

Region VIII

Arizona Order 28, Amendment 5, covering dry groceries in the Yuma county, Arizona area. Filed 10:58 a. m.

Arizona Order 29, Amendment 5, covering dry groceries in the South Central Arizona area. Filed 10:57 a. m.

Arizona Order 30, Amendment 5, covering dry groceries in the Coconino-Yavapia and Southeastern Arizona areas. Filed 10:57 a. m.

Arizona Order 31, Amendment 5, covering dry groceries in the Mohave county and Southern Navajo-Apache areas. Filed 10:57 a. m.

Arizona Order 32, Amendment 5, covering dry groceries in the Kingman and Central Navajo-Apache areas. Filed 10:57 a. m.

Arizona Order 33 Amendment 6, covering dry groceries in the Eastern Arizona area. Filed 10:56 a. m.

Arizona Order 34, Amendment 6, covering dry groceries in the Southern Arizona area. Filed 10:56 a. m.

Arizona Order 35, Amendment 6, covering dry groceries in the Northwestern Arizona area. Filed 10:56 a. m.

Nevada Orders 40, 41, 42, 43, 44, and 45, covering dry groceries. Filed 10:51, 10:05, and 9:05 a. m.

Nevada Order 46, Amendment 6, covering dry groceries. Filed 11:04 a. m.

Portland Order 31, Amendments 12 and 13, covering dry groceries in the Klamath Falls area. Filed 11:00 and 10:59 a. m.

Portland Order 33, Amendments 12 and 14, covering dry groceries in the Southwestern Washington and Northwestern Oregon area. Filed 10:59 a. m.

Portland Order 34, Amendment 13, covering dry groceries in the Portland Municipal area. Filed 10:58 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46–19696; Filed, Oct. 30, 1946; 8:49 a. m.]

[Region IV Rev. Order G–14 Under RMPR 122, Amdt. 3]

SOLID FUELS IN DURHAM, N. C., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) and subparagraph (f) (2) of Revised Order No. G–14 under Revised Maximum Price Regulation No. 122, issued by this office April 20, 1945, are amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Stove	$11.99	$6.00	$3.39
Nut	10.89	5.45	3.39
Stoker	10.49	5.25	3.39

(2) *High volatile bituminous coal from District No. 8.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg (A to D classification), and 3" x 5" egg, from Star Slope mine index No. 439	$11.82	$5.91	$3.30
Virginia egg	11.17	5.59	3.30
West Virginia egg	10.92	5.46	3.30
Stove	10.62	5.31	3.30
Stoker	10.32	5.16	3.30
Nut and slack	8.67	4.34	----

(f) *Maximum authorized service charges and required deductions.* * * *.

(2) *Sacked coal.* For splint coal in sacks the dealer may charge not more than 62¢ for 100 pounds and 35¢ for 50 pounds at the yard, plus 15¢ per sack if the dealer furnishes the sack. No deliveries of sack coal will be required if in quantities of less than 200 pounds. If the dealer delivers sack coal, he may charge not more than 74¢ per 100 pounds delivered, plus 15¢ per sack if the dealer leaves the dealer's sack with the purchaser.

Effective date. This amendment shall become effective as of August 22, 1946.

Issued: October 9, 1946.

ALEXANDER HARRIS,
Regional Administrator.

Opinion Accompanying Amendment No. 3 to Revised Order No. G–14 Under Revised Maximum Price Regulation No. 122

Amendment No. 3 to Revised Order No. G–14 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment 42 to Revised Maximum Price Regulation 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46–19575; Filed, Oct. 29, 1946; 8:57 a. m.]