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TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Export and Diversion Programs

PART 518—FRUITS AND BERRIES, DRIED AND PROCESSED

DRIED APPLE EXPORT PROGRAM SMX 95A (FISCAL YEAR 1952)

Sec.

AUTHORITY: §§ 518.301 to 518.320 issued under sec. 32, 49 Stat. 774, as amended; 7 U. S. C. 612c.

§ 518.301 *General statement.* In order to encourage the exportation from the United States of dried apples, the Secretary of Agriculture, pursuant to the authority conferred by section 32 of Public Law 320, 74th Congress, as amended, hereby announces a Dried Apple Export Program, pursuant to which he will make payments upon the terms and conditions set forth in § 518.302 to § 518.320, inclusive, to United States exporters who comply therewith.

§ 518.302 *Firm sales contracts.* The exporter must, on or after the effective date hereof and prior to 12 o'clock midnight, e. s. t., August 15, 1951, have entered into a firm sales contract covering the sale of dried apples, as defined in § 518.319 (i) for exportation to an approved country of destination as listed in § 518.305.

§ 518.303 *Period for exportation.* Exportation from continental United States in fulfillment of the firm sales contract shall be accomplished on or after the date of the sale and prior to 12 o'clock midnight, e. s. t., September 15, 1951.

§ 518.304 *Application for participation.* The exporter must file with and have approved by the Director an application to participate in this program. Such application shall be made in quadruplicate in the form of a copy attached hereto with respect to a then existing firm sales contract or a proposed firm sales contract thereafter to be entered into. An exporter may file one or more applications, but each application shall relate to only one sales contract. In lieu of submitting an application in quadruplicate in the form of the copy attached hereto, an exporter may apply to the Director by telegram containing all of the information required to be furnished by the exporter on the attached form. If telegraphic application is approved, the approval will be given by mail in the form of the copy of application attached hereto unless the exporter requests telegraphic approval by collect telegram. If the application covers an existing firm sales contract, it must be received by the Director within 10 calendar days following the date of sale. If the application covers a proposed firm sales contract, written notification by the exporter that a firm sales contract has been effected must be received by the Director within 10 calendar days after the date of sale. All applications will be considered for approval in the order in which they are received by the Director, or on such other basis as is determined by the Director to be equitable, and as long as funds are available. The Director will give prompt notice to the exporter of the approval or non-approval of his application. The notification furnished by the exporter that a sales contract has been effected shall include a statement of the contracted quantity of dried apples, the gross sales price (see § 518.307), the net sales price charged to the foreign buyer (see § 518.308), the port of exportation, destination, and name and address of the foreign buyer. If within 20 calendar days after approval of an application with respect to a proposed firm sales contract the Director does not receive notice from the

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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.

CODIFICATION GUIDE—Con.

exporter that a firm sales contract has been entered into, the Director may cancel the approval of the application. The Director reserves the right to withdraw approval of any application based on a proposed firm sales contract, but such withdrawal will be made only prior to receipt of notice that the firm sales contract has been effected. An exporter may make his sales contracts under this program subject to the condition that his application for participation is approved by the Director or that the Secretary will make an export payment in connection with such sale.

§ 518.305 *Approved countries.* Approved countries of destination for dried apples sold for export and exported under this program shall be limited to:

Austria.
Belgium.
Denmark.
France.
Germany, Federal Republic of.
Greece.
Iceland.
Ireland.
Israel.
Italy.
Luxembourg.
Netherlands.
Norway.
Portugal.
Spain.
Sweden.
Switzerland.
Trieste (Free Territory).
Turkey.
United Kingdom.
Yugoslavia.

§ 518.306 *Re-entry, diversion, re-exportation, or loss.* If any quantity of dried apples exported under this program re-enters the continental United States, or is diverted or re-exported to U. S. territories or possessions or is diverted or re-exported to Canada or Mexico, payment will be withheld or, if payment has already been made by the United States Government, the exporter shall refund the amount received on such quantity of dried apples: *Provided,* That if the dried apples with respect to which payment may be withheld or refund required under this section are damaged after exportation, the payment withheld or refund required shall be an amount determined by the Director, which, however, shall not exceed the amount realized or which might reasonably be realized by the exporter over the net price at which he sold to the foreign buyer. In case of complete loss or destruction of the dried apples or any part thereof after exportation, without fault or negligence of the exporter, no refund of the payment shall be required for the quantity so lost or destroyed. The exporter shall notify the Director immediately upon becoming cognizant of any such re-entry, diversion or re-exportation of, or damage to the dried apples with respect to which refund may be required under this section and shall furnish information as to any claim he may have in connection with such event.

§ 518.307 *Rate of payment.* The rate of payment applicable to dried apples exported in conformity with the terms and conditions contained in §§ 518.301 to 518.320 shall be the lower of the following: (a) 10 cents per pound, or (b) 50 percent of the gross sales price (computed before deduction of such payment) as determined by the Director, basis free-alongside-ship, United States ports of exportation: *Provided, however,* That if shipment from packing plant or warehouse to the nearest United States port from which dried apples are customarily exported would result in a lower rate payable under this program, the dried apples shall be deemed to have been exported from such nearest port.

§ 518.308 *Net price to foreign buyer.* The net price per unit of weight charged the foreign buyer shall be established by deducting the rate of export payment under this offer from the gross sales price of such unit of weight. The total of the amounts invoiced the foreign buyer and the Secretary shall not exceed the gross sales price as described in § 518.307.

§ 518.309 *Minimum grade and inspection.* Dried apples exported under this program shall meet the requirements of U. S. Grade C or better, as defined in "United States Standards for Grades of Dried Apples," effective November 1, 1943, and shall have been inspected not more than 15 calendar days prior to shipment from the packing plant or warehouse to the United States port of exportation. Each exporter shall furnish, at no expense to the Secretary, a certificate of inspection for each lot of dried apples exported pursuant to this program. The inspection shall be performed by an inspector of the Processed Products Standardization and Inspection Division, United States Department of Agriculture.

§ 518.310 *Shipping containers.* All dried apples to be exported under this program shall be suitably packed for export in containers acceptable for export shipment in accordance with standard commercial practice for export and in a manner which will reasonably assure their arrival in good condition in the country of destination.

§ 518.311 *Filing claims for payment.* The exporter shall file claim for payment hereunder in accordance with § 518.312 not later than 12 o'clock midnight, e. s. t., October 15, 1951 unless such date is extended by the Director. Each claim for payment shall be filed with E. M. Graham, Representative of the Secretary, Fruit and Vegetable Branch, United States Department of Agriculture, Washington 25, D. C. Each claim for payment shall be filed in an original and three copies on voucher form FDA–564.

§ 518.312 *Proof of claim.* (a) Each claim for payment shall be supported by (1) two signed or certified true copies of the sales contract, (2) two copies of the applicable on-board ocean carrier bill

of lading signed by an agent of the ocean carrier (except that where loss, destruction or damage occurs subsequent to loading on board ocean carrier but prior to issuance of on-board bill of lading, two copies of a loading tally sheet or similar document may be submitted in lieu of such bill of lading), (3) the original or a signed copy and one copy of the inspection certificate required in § 518.309, (4) a certification in duplicate that the dried applies have been exported to an approved country of destination, and (5) such other documents as may be required by the Director as evidence of sale and exportation of the dried apples on which payment is claimed.

(b) Each sales contract shall show the date of sale, the gross sales price as described in § 518.307, the net price per unit of weight charged to the foreign buyer, the quantity (net weight) of dried apples sold, and the country of destination. An exporter who sells to a foreign buyer on a price basis other than free-alongside-ship, United States port, shall certify on the copies of the sales contract accompanying his claim, or on a statement attached thereto, the gross price in cents per pound, f. a. s. United States port, which is the equivalent of the price invoiced to the buyer, and shall show in such certification the charges on the basis of which such f. a. s. price is computed from the price invoiced to the buyer.

(c) Each on-board ocean carrier bill of lading shall show the number of boxes, markings, and gross weight, the date and place of loading on vessel, the name of the vessel, the destination of the dried apples, and the name and address of both the person exporting the dried apples and the person to whom they are shipped. If the shipper or consignor named in such bill of lading is other than the exporter (seller) named in the sales contract, the exporter shall furnish with his claim a waiver by such shipper or consignor of any right to claim payment under this program for exportation of the quantity of dried apples covered by such bill of lading. If the bill of lading shows the name of a person different from that appearing as the buyer on the contract under which the bill of lading is made, the exporter shall accompany his claim on the exportation covered by such bill of lading with a certification in duplicate that the shipment under that bill of lading is to the buyer named in the contract and is made pursuant to that contract.

§ 518.313 *Records and accounts.* Each exporter shall maintain accurate records and preserve them until at least August 15, 1953, showing the quantities, sales prices, and deliveries of dried apples exported in connection with this offer. Such records, accounts, and other documents relating to any transaction in connection herewith shall be available during regular business hours for inspection and audit by authorized employees of the United States Department of Agriculture.

§ 518.314 *Set-off.* The Director may set off, against any amount owed to any exporter hereunder, any amount owed by such exporter to Commodity Credit Corporation, the United States Department of Agriculture, or any other agency of the United States.

§ 518.315 *Assignment.* No exporter shall, without the written consent of the Director, assign any claim of the exporter against the Secretary hereunder or make a lienholder a joint payee with respect to any such claim. With such consent, an exporter may assign, in accordance with the provisions of the Assignment of Claims Act of 1940, as amended, any claim for payment hereunder, or make a lienholder a joint payee with respect to any such claim. In case of such assignment, the Director may set off any claim against the exporter arising out of the exportation on which the assigned claim is based, and may set off any other claim of the United States against the exporter based on facts existing at the time of receipt of the notice of assignment.

§ 518.316 *Amendment.* This program may be amended by the Director at any time by public announcement of such amendment. Notice of any amendment will be transmitted promptly to every exporter participating in the program on record with the Director. No amendment shall be made adversely applicable to any firm sales contract entered into prior to the effective date of such amendment.

§ 518.317 *Termination.* This program may be terminated by the Director at any time by public notice of such termination. Notice of termination will be transmitted promptly to every exporter participating in the program on record with the Director. Termination shall not be applicable to any dried apples covered by an approved application based on either a firm sales contract or a proposed firm sales contract.

§ 518.318 *Persons not eligible for payment.* (a) Payments under this offer will not be made to any department, agency, or establishment of the United States Government administering any law providing for the furnishing of assistance or relief to foreign countries.

(b) No member of or delegate to Congress, or resident Commissioner shall be admitted to any share or part of any contract resulting from this program or to any benefit that may arise therefrom, but this provision shall not be construed to extend to such a contract if made with a corporation for its general benefit.

§ 518.319 *Definitions.* As used in this offer, the following terms have the following meanings:

(a) "Secretary" means the Secretary of Agriculture of the United States.

(b) "Director" means the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, or any authorized representative of the Secretary within such Branch to whom the Director has subdelegated authority to perform the functions vested in the Director in §§ 518.301 to 518.320.

(c) "Exporter" means any individual, corporation, partnership, association, or other business entity, located within the continental United States and selling dried apples for export.

(d) Dried apples shall be deemed to have been "exported" when, pursuant to a sale made under this program, dried apples are loaded on board an ocean carrier for shipment to an approved country of destination listed in § 518.305.

(e) "Ocean carrier" means the vessel on which final shipment from the United States is intended to be made pursuant to a sale made under this program.

(f) "Sale" or "sales contract" includes a contract to sell. The contract shall consist of a written instrument signed by the buyer and seller or a written offer and acceptance evidenced by an exchange of telegrams, cablegrams, or letters.

(g) "Date of sale" means the date on which both buyer and seller have signed a firm sales contract or the date of written acceptance of either a written offer or counter offer to buy or sell by which a firm sales contract is effected.

(h) "Firm sales contract" means a contract for the sale of dried apples under which the seller is clearly obligated to sell and the buyer is clearly obligated to buy a definite quantity of dried apples. This definition may include a sales contract entered into by an exporter with a foreign buyer under this program subject to the condition that his application for participation is approved by the Director or that the Secretary will make an export payment in connection with such sale.

(i) "Dried apples" means dried apple rings, quartered dried apples, or sliced dried apples, as such terms are defined in "United States Standards for Grades of Dried Apples," effective November 1, 1943, processed in the United States from fresh apples produced in the United States.

(j) "Public announcement" means the issuance of a press release or the publication of a notice in the FEDERAL REGISTER.

§ 518.320 *Information and forms.* Information pertaining to the operation of this program and forms prescribed for use thereunder can be obtained from the following:

E. M. Graham, Representative of the Secretary, Fruit and Vegetable Branch, PMA, U. S. Department of Agriculture, Washington 25, D. C. Tel. No. REpublic 4142, Ext. 5053.

W. J. Broadhead, Fruit and Vegetable Branch, PMA, U. S. Department of Agriculture, 515 Southwest Tenth Avenue, Portland 5, Oreg. Tel. No. ATwater 7131, Ext. 32 and 33.

W. Allmendinger, Fruit and Vegetable Branch, PMA, U. S. Department of Agriculture, P. O. Box 3638, 333 Fell Street, San Francisco 2, Calif. Tel. No. UNderhill 1-2428.

Effective date. This program shall be effective at 12:01 a. m., e. s. t., June 20, 1951.

Dated this 19th day of June 1951.

[SEAL] S. R. SMITH,
Authorized Representative of the Secretary of Agriculture.

APPLICATION FOR PARTICIPATION

In Dried Apple Export Program SMX 95a (Fiscal Year 1952)

(To be executed in an original and three copies and mailed to E. M. Graham whose address is shown in § 518.320 Telegraphic applications also should be sent to E. M. Graham)

The undersigned exporter hereby applies for participation in the above-named program in accordance with the terms and conditions of such program. Exporter states that this application is based on a firm sales contract or a proposed firm sales contract, as checked below, and that if it is based on a proposed firm sales contract, he will notify the Director of the details of the firm sales contract as provided in § 518.304.

This application is based on (check one):

A firm sales contract ☐ entered into on ----------, or a proposed firm sales contract ☐, and involves the following: (date)

Pounds of dried apples	Gross f. a. s. sales price per pound	Net f. a. s. sales price per pound	Port of exportation	Export destination	Name and address of buyer

Date:---------- Exporter's application No.----------
Name of exporter----------
Address----------
By----------
Title----------
Approved this.....day of---------- 19.....
U. S. D. A. contract number----------

Representative of the Secretary of Agriculture.

Agriculture—Washington.

[F. R. Doc. 51-7173; Filed, June 21, 1951; 8:58 a. m.]

Subchapter C—Loans, Purchases, and Other Operations

[1950 C. C. C. Grain Price Support Bulletin 1, Supp. 2, Corn]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1950-CROP CORN RESEAL LOAN PROGRAM

This bulletin states the requirements with respect to a program (hereinafter referred to as the Corn Reseal Loan Program) to extend loans on 1950-crop corn in farm-storage and to make farm-storage loans available on 1950-crop corn covered by purchase agreements. The program has been formulated by the Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA) as part of the 1950-Crop Corn Price Support Program (15 F. R. 6878, 7167 and 16 F. R. 64, 3425). The program will be carried out by PMA under the general supervision and direction of the President, CCC.

Sec.

AUTHORITY: §§ 601.121 to 601.133 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714 b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1421, 1441.

§ 601.121 *Applicable sections of 1950 C. C. C. Grain Price Support Bulletin 1 and Supplement 1, Corn.* The following sections of the 1950 C. C. C. Grain Price Support Bulletin 1 and Supplement 1, Corn, published in 15 F. R. 3147 and 15 F. R. 6878 shall be applicable to the 1950 Corn Reseal Loan Program: § 601.1 *Administration;* § 601.5 *Approved lending agencies;* § 601.8 *Liens;* § 601.10 *Set-offs;* § 601.11 *Interest rate;* § 601.13 *Safeguarding the commodity;* § 601.14 *Insurance of farm-storage loans;* § 601.15 *Loss or damage to the commodity;* § 601.16 *Personal liability of the producer for the commodity;* § 601.17 *Release of the commodity under loan;* § 601.19 *Removal of the commodity under loan;* § 601.20 *Purchase of notes;* § 601.115 *Determination of quantity;* § 601.116 *Determination of quality;* § 601.118 *Support rates;* § 601.119 *Settlement.* Other sections of the 1950 Corn Price Support Program shall be applicable to the extent indicated in §§ 601.121 to 601.133.

§ 601.122 *Availability*—(a) *Area.* The reseal program will be available in all areas where farm-storage loans were available under the 1950 Corn Price Support Program. Under this program, 1950-crop farm-storage loans will be extended and farm-storage loans will be made on 1950-crop corn covered by purchase agreements. Neither warehouse-storage loans nor purchase agreements will be available to producers during the extended availability period.

(b) *Time.* The producer who desires to participate in the reseal loan program must file an application for a farm-storage reseal loan with the county committee. In the case of a farm-storage loan, the producer will be required to reseal his loan before the final date for delivery specified in the delivery instructions issued to him by the county committee. The producer who has signed a purchase agreement on farm-stored corn must, not later than July 31, 1952, notify the county committee if he intends to deliver the corn to CCC or convert his purchase agreement into a farm-storage loan. The producer who has notified the county committee of his intentions to deliver his farm-stored corn under a purchase agreement may obtain a farm-storage loan thereon by making application to the county committee at any time prior to the final date for delivery specified in the delivery instructions issued by the county committee.

(c) *Source.* A producer desiring to participate in the reseal loan program should make application to the county committee which approved his loan or purchase agreement. Disbursements of loans completed on corn covered by purchase agreements shall be made to producers by PMA State offices by means of sight drafts drawn on CCC or by approved lending agencies under agreements with CCC.

§ 601.123 *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation, or other legal entity who produced the corn in 1950 as landowner, landlord, tenant, or sharecropper and who either completed a farm-storage loan or signed a purchase agreement on farm-storage corn of the 1950 crop.

§ 601.124 *Eligible corn.* To be eligible, the corn must have been produced in 1950, must be in farm storage, must never have been commingled with corn produced by others, and must be under loan or covered by a purchase agreement.

(a) *Extended farm-storage loans.* If a producer makes application to extend his farm-storage loan, the commodity loan inspector shall, with the producer, reinspect the corn and the farm-storage structure in which the corn is stored. If recommended by either the commodity loan inspector or the producer, a sample of the corn shall be taken and submitted for grade analysis.

(b) *Farm-storage corn covered by purchase agreement.* If a producer makes application for a farm-storage loan on corn covered by a purchase agreement, the commodity loan inspector shall inspect the corn and storage structure, obtain a sample if the corn and structure appear eligible, and proceed in the regular manner for the inspection of a commodity to be placed under loan. Corn covered by a purchase agreement and being placed under loan must, except for moisture content, be No. 3 or better, or No. 4 solely on the factor of test weight but otherwise grading No. 3 or better, as defined in the Official Grain Standards of the United States for Corn. The moisture content of ear corn being placed under loan shall not exceed 15.5 percent. The moisture content of shelled corn being placed under loan shall not exceed 13.5 percent.

§ 601.125 *Approved storage.* Corn covered by any loans extended and any new loans completed must be stored in structures which meet the requirements for farm-storage loans as provided in § 601.6 of the 1950 CCC Grain Price Support Bulletin 1. Consent for storage for

any loans extended or new loans completed must be obtained by the producer for the period ending September 30, 1952, if the structure is owned or controlled by someone other than the producer, or if the lease expires prior to September 30, 1952.

§ 601.126 *Approved forms.* (a) The approved forms, which together with the provisions of this subpart govern the rights and responsibilities of the producer, shall be a producer's note, Commodity Loan Form A, secured by a chattel mortgage on Commodity Loan Form AA, an application form, and such other forms as may be prescribed by CCC. Notes and chattel mortgages must have State and documentary revenue stamps affixed thereto where required by law.

(b) Where required by State law, a new producer's note and chattel mortgage shall be completed when a farm-storage loan is extended.

§ 601.127 *Quantity eligible for reseal-ing.* (a) The quantity of corn eligible for reseal on an extended farm-storage loan, will be the quantity shown on the original note and chattel mortgage, less any quantity delivered or redeemed.

(b) A producer may obtain a loan on not in excess of the quantity of corn specified in the purchase agreement, minus any quantity of the corn under such purchase agreement (1) which has been previously converted to a loan or (2) on which he exercises his option to sell to CCC.

§ 601.128 *Additional service charges.* (a) When a farm-storage loan is extended, the producer will not be required to pay any additional service charge.

(b) At the time a farm-storage loan is made to the producer on corn covered by a purchase agreement, the producer shall pay an additional service charge of ½ cent per bushel on the number of bushels placed under loan, or $1.50, whichever is greater. No refund of service charges will be made.

§ 601.129 *Transfer of producer's equity.* The right of the producer to transfer either his right to redeem the corn under loan or his remaining interest may be restricted by CCC.

§ 601.130 *Storage and track-loading payments*—(a) *Storage payment.* A producer who participates in the reseal loan program and in accordance with instructions of the county committee, delivers the corn to CCC on or after July 31, 1952, or prior to July 31, 1952, pursuant to the demand by the President, CCC, for repayment of the loan, provided such demand for repayment is not due to any fraudulent representations on the part of the producer or the fact that the corn was damaged, abandoned, or otherwise impaired due to negligence on the part of the producer, will receive a storage payment, computed at the rate of 10 cents per bushel on the quantity delivered under the reseal loan program. If the corn is delivered to CCC prior to July 31, 1952, upon request of the producer and with the approval of CCC, or in the case of loss assumed by CCC under the loan program, the amount of the storage payment will be prorated, depending upon the length of time the corn was in store, provided delivery was not made as a result of a demand for a repayment due to any fraudulent representation on the part of the producer or the fact that the corn was damaged, abandoned, or otherwise impaired due to negligence on the part of the producer. The prorated storage payment will be computed at the rate of 1/20 of a cent per bushel a day beginning on October 1, 1951 and ending on the date delivery is accomplished or ending on the final date for delivery as specified in the delivery instructions issued to the producer by the county committee, whichever is earlier, but not to exceed 10 cents per bushel, on the quantity delivered under the reseal program. In the case of losses assumed by CCC, the period for computing the storage payment shall end on the date of the loss.

(b) *Track-loading payment.* A track-loading payment of 2 cents per bushel will be made to the producer on corn delivered to CCC, in accordance with instructions of the county committee, on track at a country point.

§ 601.131 *Maturity and satisfaction.* (a) Loans will mature on demand but not later than July 31, 1952. The producer must pay off his loan, plus interest, on or before maturity or deliver the mortgaged corn in accordance with the instructions of the county committee. Credit will be given at the applicable settlement value according to grade and/or quality for the total quantity delivered, provided it was stored in the structure(s) in which the corn under loan was stored. The provisions in § 601.119 (a) of 1950 C. C. C. Grain Price Support Bulletin 1, Supplement 1, Corn, will be applicable in determining the settlement value of corn delivered to CCC under a reseal loan.

(b) If the settlement value of the corn delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer by a sight draft drawn on CCC by the PMA State office.

(c) If the settlement value of the corn delivered is less than the amount due on the loan, the amount of the deficiency plus interest thereon shall be paid by the producer to CCC or may be set off against any payment which would otherwise be paid to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from CCC or any other agency of the United States.

(d) In the event the farm is sold or there is a change of tenancy, the corn may be delivered before the maturity date of the loan upon prior approval by the county committee.

§ 601.132 *Support rates.* (a) The support rate for an extended farm-storage loan shall remain the same as for the original loan. The support rate for corn covered by a purchase agreement placed under a farm-storage loan shall be the same as the support rate established for the corn in § 601.118 of 1950 CCC Grain Price Support Program Bulletin 1, Supplement 1, Corn and any amendments thereto.

(b) Any discounts or premiums established for variation in quality as shown in the 1950 Corn Price Support Program Bulletin shall apply.

§ 601.133 *PMA commodity offices.* The PMA commodity offices and the areas served by them are shown below:

Atlanta 5, Ga., 50 Seventh Street NE: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia.

Chicago 5, Ill., 623 South Wabash Avenue: Illinois, Indiana, Iowa, Michigan, Ohio.

Dallas 2, Tex., 1114 Commerce Street: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Kansas City 6, Mo., Fidelity Building, 911 Walnut Street: Colorado, Kansas, Missouri, Nebraska, Wyoming.

Minneapolis 3, Minn., Gamble-Skogmo Building, 15 North Eighth Street: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

New York 13, N. Y., 139 Centre Street: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia.

Portland 5, Oreg., 515 Southwest Tenth Avenue: Idaho, Oregon, Washington.

San Francisco 2, Calif., 335 Fell Street: Arizona, California, Nevada, Utah.

Issued this 19th day of June 1951.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

G. F. GEISSLER,
President,
Commodity Credit Corporation.

[F. R. Doc. 51-7172: Filed, June 21, 1951; 8:58 a. m.]

[1951 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 1, Oats]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1951-CROP OATS LOAN AND PURCHASE AGREEMENT PROGRAM

The regulations issued by the Commodity Credit Corporation and the Production and Marketing Administration published in 16 F. R. 4287 and containing the requirements for the 1951-Crop Oats Price Support Program are hereby amended as follows:

Under § 601.958 *Support rates,* the following corrections in support rates per bushel for oats grading No. 3, or better, are made:

County	From—	To—
CALIFORNIA		
Tehama	$0.85	$0.84
KANSAS		
Hodgeman	$0.75	$0.74
MONTANA		
Custer	$0.65	$0.63
Fallon	.65	.63
TEXAS		
Newton	$0.83	$0.84

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1051; 15 U. S. C. Sup., 714; 7 U. S. C. Sup., 1447, 1421)

Issued this 19th day of June 1951.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

G. F. GEISSLER,
President,
Commodity Credit Corporation.

[F. R. Doc. 51-7175; Filed, June 21, 1951; 8:59 a. m.)

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS INSPECTION, CERTIFICATION, AND STANDARDS

SUBPART B—UNITED STATES STANDARDS FOR FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS

UNITED STATES STANDARDS FOR APPLES

On May 12, 1951, a notice of proposed rule making was published in the FEDERAL REGISTER (F. R. Doc. 51-5509; 16 F. R. 4468) regarding a proposed revision of the United States Standards for Apples to supersede United States Standards for Apples (S. R. A.-P. M. A. 154) issued October 1937 and reissued October 1947. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following United States Standards for Apples are hereby promulgated under the authority contained in the Department of Agriculture Appropriation Act, 1951 (Pub. Law 759, 81st Cong., approved September 6, 1950).

§ 51.104 *Standards for apples*—(a) *Grades*—(1) *U. S. Extra Fancy.* U. S. Extra Fancy consists of apples of one variety which are mature, but not overripe, carefully hand-picked, clean, well formed; free from decay, internal browning, internal breakdown, scald, scab, bitter pit, Jonathan spot, freezing injury, broken skins and bruises (except those that are slight and incident to proper handling and packing), and visible water core. The apples shall also be free from injury caused by russeting, sunburn or spray burn, limb rubs, hail, drought spots, scars, stem or calyx cracks, other diseases, insects, or mechanical or other means. Each apple of this grade shall have the amount of color specified hereinafter for the variety. (See Color Requirements, subparagraph (9) of this paragraph, Tolerances, paragraph (c) of this section, and Condition after Storage or Transit, paragraph (f) of this section.)

(2) *U. S. Fancy.* U. S. Fancy consists of apples of one variety which are mature but not overripe, carefully handpicked, clean, fairly well formed; free from decay, internal browning, internal breakdown, bitter pit, Jonathan spot, scald, freezing injury, broken skins and bruises (except those incident to proper handling and packing), and visible water core. The apples shall also be free from damage caused by russeting, sunburn or spray burn, limb rubs, hail, drought spots, scars, stem or calyx cracks, other diseases, insects, or mechanical or other means. Each apple of this grade shall have the amount of color specified hereinafter for the variety. (See Color Requirements, subparagraph (9) of this paragraph, Tolerances, paragraph (c) of this section, and Condition after Storage or Transit, paragraph (f) of this section.)

(3) *U. S. No. 1.* The requirements for this grade are the same as U. S. Fancy except for color and russeting. In this grade less color is required for all varieties except yellow and green varieties, for which the requirements for both grades are the same. Apples of this grade shall be free from excessive damage caused by russeting which means that they shall meet the russeting requirements for U. S. Fancy as defined under the definitions of "damage by russeting": *Provided,* That, the aggregate area of an apple which may be covered by smooth net-like russeting shall not exceed 25 percent: *And further provided,* That, the aggregate area of an apple which may be covered by smooth solid russeting shall not exceed 10 percent. (See Color Requirements, subparagraph (9) of this paragraph, Tolerances, paragraph (c) of this section, and Condition after Storage or Transit, paragraph (f) of this section.)

(4) *U. S. No. 1 Cookers.* U. S. No. 1 Cookers consists of apples of one variety which meet the requirements of U. S. No. 1 grade except as to color. This grade is provided for apples which are mature but which may not have sufficient color to meet the specifications of U. S. No. 1. (See Tolerances, paragraph (c) of this section, and Condition after Storage of Transit, paragraph (f) of this section.)

(5) *U. S. No. 1 Early.* U. S. No. 1 Early consists of apples of one variety which meet the requirements of U. S. No. 1 grade except as to color, maturity and size. Apples of this grade have no color requirements, need not be mature, and shall be not less than 2 inches in diameter. This grade is provided for varieties such as Duchess, Gravenstein, Red June, Twenty Ounce, Wealthy, Williams, Yellow Transparent, and Lodi, or other varieties which are normally marketed during the summer months. (See Tolerances, paragraph (c) of this section, and Condition after Storage or Transit, paragraph (f) of this section.)

(6) *U. S. Utility.* U. S. Utility consists of apples of one variety which are mature but not overripe, carefully handpicked, not seriously deformed; free from decay, internal browning, internal breakdown, scald, and freezing injury. The apples shall also be free from serious damage caused by dirt or other foreign matter, broken skins, bruises, russeting, sunburn, spray burn, limb rubs, hail, drought spots, scars, stem or calyx cracks, visible water core, other diseases, insects, or mechanical or other means. (See Tolerances, paragraph (c) of this section, and Condition after Storage or Transit, paragraph (f) of this section.)

(7) *Combination grades.* Combinations of the above grades can be used as follows:

Combination U. S. Extra Fancy and U. S. Fancy.
Combination U. S. Fancy and U. S. No. 1.
Combination U. S. No. 1 and U. S. Utility.

(i) Combinations other than these are not permitted in connection with the United States apple grades. When Combination U. S. Extra Fancy and U. S. Fancy is packed, at least 25 percent of the apples in any lot shall meet the requirements of the higher grade in the combination. When Combination U. S. Fancy and U. S. No. 1 or Combination U. S. No. 1 and U. S. Utility are packed, at least 50 percent of the apples in any lot shall meet the requirements of the higher grade in the combination. (See Color Requirements, subparagraph (9) of this paragraph, Tolerances, paragraph (c) of this section, and Condition after Storage or Transit, paragraph (f) of this section.)

(8) *U. S. Hail grade.* U. S. Hail grade consists of apples which meet the requirements of U. S. No. 1 grade except that hail marks where the skin has not been broken and well healed hail marks where the skin has been broken shall be permitted, provided the applies are fairly well formed. (See Color Requirements, subparagraph (9) of this paragraph, Tolerances, paragraph (c) of this section, and Condition after Storage or Transit, paragraph (f) of this section.)

(9) *Color requirements.* In addition to the requirements specified for the above grades, apples of these grades shall have the percentage of color specified for the variety in Table I appearing in this subparagraph. For the solid red varieties the percentage stated refers to the area of the surface which must be covered with a good shade of solid red characteristic of the variety: *Provided,* That, an apple having color of a lighter shade of solid red or striped red than that considered as a good shade of red characteristic of the variety may be admitted to a grade, provided it has sufficient additional area covered so that the apple has as good an appearance as one with the minimum percentage of good red characteristic of the variety required for the grade. For the striped red varieties the percentage stated refers to the area of the surface in which the stripes of good shade of red characteristic of the variety shall predominate over stripes of lighter red, green, or yellow. However, an apple having color of a lighter shade than that considered as a good shade of red characteristic of the variety may be admitted to a grade: *Provided,* That, it has sufficient additional area covered so that the apple has as good an appearance as one with the minimum percentage of stripes of a good red characteristic of the variety required for the grade. Faded brown stripes shall not be considered as color except in the case of the Gray Baldwin variety.

TABLE I—COLOR REQUIREMENTS FOR SPECIFIED U. S. GRADES OF APPLES, BY VARIETIES

Variety	U. S. Extra Fancy	U. S. Fancy	U. S. No. 1
Solid Red:	*Percent*	*Percent*	*Percent*
Black Ben	75	50	25
Gano	75	50	25
Winesap	75	50	25
Other similar varieties [1]	75	50	25
Red Sport varieties [2]	75	50	25
Striped or partially red:			
Cortland	66	33	25
Jonathan	66	33	25
McIntosh	66	33	25
Other similar varieties [3]	66	33	25
Baldwin	50	25	15
Ben Davis	50	25	15
Delicious	50	25	15
Mammoth Black Twig	50	25	15
Northern Spy	50	25	15
Rome Beauty	50	25	15
Stayman	50	25	15
Turley	50	25	15
Wagener	50	25	15
Wealthy	50	25	15
Willow Twig	50	25	15
York Imperial	50	25	15
Other similar varieties [4]	50	25	15
Hubbardson	50	15	10
Stark	50	15	10
Other similar varieties	50	15	10
Red June	50	15	(5)
Williams	50	15	(5)
Other similar varieties	50	15	(5)
Gravenstein	25	10	(5)
Other similar varieties [6]	25	10	(5)
Red checked or blushed:			
Maiden Blush	(7)	(8)	(8)
Twenty Ounce	(7)	(8)	(8)
Winter Banana	(7)	(8)	(8)
Other similar varieties	(7)	(8)	(8)
Green varieties	(9)	(9)	(9)
Yellow varieties	(9)	(9)	(9)
Golden Delicious	(10)	(10)	(10)

[1] Arkansas Black, Beacon, Detroit Red, Esopus Spitzenburg, King David, Lowry, Minjon.
[2] When Red Sport varieties are specified as such they shall meet the color requirements specified for Red Sport varieties.
[3] Haralson, Kendall, Macoun, Melba, Snow (Fameuse).
[4] Bonum, Early McIntosh, Limbertwig, Milton, Nero, Paragon.
[5] Tinge of color.
[6] Duchess, Red Astrachan, Smokehouse, Summer Rambo.
[7] Blush check.
[8] None.
[9] Characteristic ground color.
[10] 75 percent characteristic color. NOTE "Characteristic color", when the white around the lenticels predominates over the green color, creating a mottling effect on the surface of the apple, it shall be considered as the minimum characteristic color.

(b) *Unclassified.* Unclassified consists of apples which are not graded in conformity with any of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no definite grade has been applied to the lot.

(c) *Tolerances.* In order to allow for variations incident to proper grading and handling, not more than a total of 10 percent of the apples in any lot may fail to meet the requirements of the grade: *Provided,* That, not more than one-half of this amount, or 5 percent, shall be allowed for apples which are seriously damaged by insects and including not more than 1 percent for apples affected by decay or internal breakdown or both.

(1) When applying the foregoing tolerances to Combination U. S. Extra Fancy and U. S. Fancy grade, no part of any tolerance shall be allowed to reduce, for the lot as a whole, the 25 percent of apples of the higher grade required in the combination, but individual containers shall have not less than 15 percent of the higher grade.

(2) When applying the foregoing tolerances to Combination U. S. Fancy and U. S. No. 1 grade and to Combination U. S. No. 1 and U. S. Utility grade, no part of any tolerance shall be allowed to reduce, for the lot as a whole, the 50 percent of apples of the higher grade required in the combination, but individual containers shall have not less than 40 percent of the higher grade.

(d) *Application of tolerances to individual packages.* The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations, provided the averages for the entire lot are within the tolerances specified for the grade:

(1) For packages which contain more than 10 pounds, and a tolerance of 10 percent or more is provided (as in the case of size, where a tolerance of 15 percent is provided) individual packages in any lot shall have not more than one and one-half times the tolerance specified. For packages which contain more than 10 pounds and a tolerance of less than 10 percent is provided, individual packages in any lot shall have not more than double the tolerance specified, except that at least one apple which is seriously damaged by insects or affected by decay or internal breakdown may be permitted in any package.

(2) For packages which contain 10 pounds or less, individual packages in any lot are not restricted as to the percentage of defects: *Provided,* That not more than one apple which is seriously damaged by insects or affected by decay or internal breakdown may be permitted in any package.

(e) *Basis of calculating percentages.* (1) When the numerical count is marked on the container, percentages shall be calculated on the basis of count.

(2) When the minimum diameter or minimum and maximum diameters are marked on the container, percentages shall be calculated on the basis of weight.

(3) When the apples are in bulk, percentages shall be calculated on the basis of weight.

(f) *Condition after storage or transit.* Decay, scald, or any other deterioration which may have developed on apples after they have been in storage or transit shall be considered as affecting condition and not the grade.

(g) *Size requirements.* (1) The numerical count or the minimum diameter of the apples packed in a closed container shall be indicated on the container.

(2) When the numerical count is marked on the container the minimum size of the largest apple shall be not more than one-fourth inch larger than the minimum size of the smallest apple.

(3) When the numerical count is not shown the minimum diameter shall be plainly stamped, stenciled, or otherwise marked on the container in terms of whole inches, whole and half inches, whole and quarter inches, or whole and eighth inches, as 2½ inches minimum, 2¼ inches minimum, or 2⅝ inches minimum, in accordance with the facts. It is suggested that both minimum and maximum diameters be marked on the container, as 2¼ to 2¾ inches, or 2½ to 2¾ inches, as such marking is especially desirable for apples marketed in the export trade.

(4) The measurement for minimum size shall be the largest diameter of the apple taken at right angles to a line from the stem end to the blossom end. The measurement for maximum size shall be the smallest dimension of the apple determined by passing the apple through a round opening.

(5) In order to allow for variations incident to proper sizing, not more than 5 percent of the apples in any lot may not meet the size requirements: *Provided,* That, when the maximum and minimum sizes are both stated, an additional 10 percent tolerance shall be allowed for apples which are larger than the maximum size stated.

(h) *Packing requirements.* (1) Each package shall be packed so that the apples on the shown face shall be reasonably representative in size, color and quality of the contents of the package.

(2) Boxes: (i) Apples packed in the standard northwestern apple boxes shall be arranged in the containers according to the approved and recognized methods with the stems pointing toward the ends of the boxes, except when jumbled. All packages shall be well filled but not to the extent as to cause excessive or unnecessary bruising to the apples because of overfilled packages. Apples packed in the standard northwestern apple boxes shall be tightly packed with sufficient bulge to prevent any appreciable movement of the apples within the containers when lidded. Each wrapped apple shall be completely enclosed by its individual wrapper.

(ii) Apples packed in other type boxes, such as nailed wooden boxes, wire-bound boxes, and fibreboard boxes, may be place packed, jumble packed faced, or jumble packed, and all packs shall be well filled.

(iii) Apples packed in boxes equipped with cell compartments or molded trays shall be of the proper size for the cells or the molds in which they are packed.

(iv) Apples packed in consumer unit cartons and packed into shipping containers shall completely fill the shipping container.

(3) Baskets: Apples packed in U. S. standard bushel baskets, one-half bushel baskets and five-eighths bushel baskets may be ring faced and shall be tightly packed with sufficient bulge to prevent any appreciable movement of the apples within the containers when lidded.

(4) Barrels: Apples packed in barrels shall be tightly packed.

(5) In order to allow for variations incident to proper packing, not more than 5 percent of the containers in any lot may not meet these requirements.

(i) *Suggestions for marking containers.* (1) In order to conserve space, abbreviations may be used for marking United States grade names on containers. The following abbreviations are suggested where it is not desired to use the full grade name:

(i) U. S. Ex. Fcy. for U. S. Extra Fancy.
(ii) U. S. Fcy. for U. S. Fancy.
(iii) U. S. No. 1 for U. S. No. 1.

(iv) U. S. Util. for U. S. Utility.

(v) Combination grades may be designated by abbreviations of the grades preceded by the abbreviation "Comb.", as "Comb. U. S. Fcy.-U. S. No. 1".

(j) *Standards for export, as applied to condition factors.* (1) The apples in any lot shall be generally tightly packed when in barrels or baskets, and generally fairly tightly or tightly packed, when in boxes.

(2) Not more than 5 percent of the apples in any lot shall be further advanced in maturity than firm ripe.

(3) Not more than 5 percent of the apples in any lot shall be damaged by storage scab.

(4) Not more than a total of 5 percent of the apples in any lot shall be damaged by bitter pit, Jonathan spot, scald, internal breakdown, water core, freezing, decay, or other such condition factors: *Provided,* That,

(i) Not more than 2 percent shall be allowed for apples affected by decay;

(ii) Not more than 2 percent shall be allowed for damage by internal breakdown;

(iii) Not more than 2 percent of slight scald shall be permitted for apples properly packed in oiled paper or which have been especially treated with oil to prevent scald; otherwise, the apples must be free from scald.

(5) Any lot of apples shall be considered as meeting the standards for export if the entire lot averages within the requirements specified: *Provided,* That, no sample from the containers in any lot is found to exceed double the percentages specified.

(k) *Definitions.* (1) "Mature" means that the apples have reached the stage of growth which will insure the proper completion of the ripening process. Before a mature apple becomes overripe it will show varying degrees of firmness, depending upon the stage of the ripening process. The following terms are used for describing these different stages of firmness of apples:

(i) "Hard" means apples with a tenacious flesh and starchy flavor. Apples at this stage are suitable for storage and long-distance shipment.

(ii) "Firm" means apples with a tenacious flesh but which are becoming crisp with a slight starchy flavor, except the Delicious variety. Apples at this stage are also suitable for storage and long-distance shipment.

(iii) "Firm ripe" means apples with crisp flesh except that the flesh of the apples of the Gano, Ben Davis, and Rome Beauty varieties may be slightly mealy. Apples at this stage may be shipped long distances but should be moved into consumption within a short period of time.

(iv) "Ripe" means apples with mealy flesh and soon to become soft for the variety. Apples at this stage should be moved immediately into consumption.

(2) "Overripe" means apples which are dead ripe, with flesh very mealy or soft, and past commercial utility.

(3) "Carefully hand-picked" means that the apples do not show evidence of rough handling or of having been on the ground.

(4) "Clean" means that the apples are free from excessive dirt, dust, spray residue and other foreign material.

(5) "Well formed" means that the apple has the normal shape characteristic of the variety, except that the shape may be slightly irregular, provided, it does not detract from the general appearance of the apple.

(6) "Injury" means any defect which more than slightly affects the appearance, or the edible or shipping quality of the apples.

(i) Russeting in the stem cavity or calyx basin which cannot be seen when the apple is placed stem end or calyx end down on a flat surface, shall not be considered in determining whether or not an apple is injured by russeting, except that rough or bark-like russeting in the stem cavity or calyx basin shall be considered as injury when the appearance of the apple is materially affected. The following types and amounts of russeting outside of the stem cavity or calyx basin, shall be considered as injury:

(*a*) Smooth net-like russeting, when an aggregate area of more than 5 percent of the surface is covered, and the color of the russeting shows no very pronounced contrast with the background color of the apple, or lesser amounts of more conspicuous net-like russeting when the appearance is affected to a greater extent than the above amount permitted.

(*b*) Smooth, solid russeting which covers an aggregate area of more than one-half inch in diameter, and the pattern and color of the russeting shows no very pronounced contrast with the background color of the apple, or lesser amounts of more conspicuous solid russeting when the appearance is affected to a greater extent than the above amount permitted.[1]

(*c*) Slightly rough russeting which covers an aggregate area of more than one-fourth inch in diameter.[1]

(*d*) Rough russeting, unless it is well within the stem cavity or calyx basin and is not readily apparent.

(ii) Any one of the following defects, or any combination thereof, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as injury:

(*a*) Sunburn or spray burn, when the discolored area does not blend into the normal color of the fruit.

(*b*) Dark brown or black limb rubs which affect a total area of more than one-eighth inch in diameter, except that light brown limb rubs of a russet character shall be considered under the definition of injury by russeting.[1]

(*c*) Hail marks, drought spots or other similar depressions or scars where there is appreciable discoloration other than russeting, or when the indentations are not superficial, or when an individual indentation exceeds one-eighth inch in diameter, or the total affected area exceeds one-fourth inch in diameter.[1]

(*d*) Stem or calyx cracks which are not well healed, or well healed stem or calyx cracks which exceed a length of one-eighth inch.

(*e*) Diseases: (*1*) Cedar rust infection which affects a total area of more than one-eighth inch in diameter.[1]

(2) Sooty blotch or fly speck which is thinly scattered over more than 5 percent of the surface, or dark, heavily concentrated spots which affect an area of more than one-fourth inch in diameter.[1]

(3) Red skin spots which are thinly scattered over more than one-tenth of the surface, or dark, heavily concentrated spots which affect an area of more than one-fourth inch in diameter.[1]

(*f*) Insects: (*1*) Any healed sting or healed stings which affect a total area of more than one-eighth inch in diameter including any encircling discolored rings.[1]

(2) Worm holes.

(7) "Fairly well formed" means that the apple may be slightly abnormal in shape but not to an extent which detracts materially from its appearance.

(8) "Damage" means any defect which materially affects the appearance, or the edible or shipping quality of the apples.

(i) Russeting in the stem cavity or calyx basin which cannot be seen when the apple is placed stem end or calyx end down on a flat surface shall not be considered in determining whether or not an apple is damaged by russeting, except that excessively rough or bark-like russeting in the stem cavity or calyx basin shall be considered as damage when the appearance of the apple is materially affected. The following types and amounts of russeting outside of the stem cavity or calyx basin, shall be considered as damage:

(*a*) Russeting which is excessively rough on Roxbury Russet and other similar varieties.

(*b*) Smooth net-like russeting, when an aggregate area of more than 15 percent of the surface is covered, and the color of the russeting shows no very pronounced contrast with the background color of the apple, or lesser amounts of more conspicuous net-like russeting when the appearance is affected to a greater extent than the above amount permitted.

(*c*) Smooth solid russeting, when an aggregate area of more than 5 percent of the surface is covered, and the pattern and color of the russeting shows no very pronounced contrast with the background color of the apple, or lesser amounts of more conspicuous solid russeting when the appearance is affected to a greater extent than the above amount permitted.

(*d*) Slightly rough russeting which covers an aggregate area of more than one-half inch in diameter.[1]

(*e*) Rough russeting which exceeds one-fourth inch in diameter, unless it is well within the stem cavity or calyx basin and is not readily apparent.[1]

(ii) Any one of the following defects, or any combination thereof, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(*a*) Sunburn or spray burn which has caused blistering or cracking of the skin,

[1] The area refers to that of a circle of the specified diameter.

or when the discolored area does not blend into the normal color of the fruit unless the injury can be classed as russeting.

(b) Limb rubs which affect a total area of more than one-half inch in diameter, except that light brown limb rubs of a russet character shall be considered under the definition of damage by russeting.[1]

(c) Hail marks, drought spots, or other similar depressions or scars which are not superficial, or when such injury affects a total area of more than one-half inch in diameter.[1]

(d) Stem or calyx cracks which are not well healed, or well healed stem or calyx cracks which exceed an aggregate length of one-fourth inch.

(e) Diseases: (1) Scab spots which affect a total area of more than one-fourth inch in diameter.[1]

(2) Cedar rust infection which affects a total area of more than one-fourth inch in diameter.[1]

(3) Sooty blotch or fly speck which is thinly scattered over more than one-tenth of the surface, or dark, heavily concentrated spots which affect an area of more than one-half inch in diameter.[1]

(4) Red skin spots which are thinly scattered over more than one-tenth of the surface, or dark, heavily concentrated spots which affect an area of more than one-half inch in diameter.[1]

(f) Insects: (1) Any healed sting or healed stings which affect a total area of more than three-sixteenths inch in diameter including any encircling discolored rings.[1]

(2) Worm holes.

(9) "Seriously deformed" means that the apple is so badly misshapen that its appearance is seriously affected.

(10) "Serious damage" means any defect which seriously affects the appearance, or the edible or shipping quality of the apples.

(i) The following types and amounts of russeting shall be considered as serious damage:

(a) Smooth solid russeting, when more than one-half of the surface in the aggregate is covered, including any russeting in the stem cavity or calyx basin or slightly rough, or excessively rough or bark-like russeting which detracts from the appearance of the fruit to a greater extent than the amount of smooth solid russeting permitted: *Provided*, That, any amount of russeting shall be permitted on Roxbury Russet and other similar varieties.

(ii) Any one of the following defects, or any combination thereof, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as serious damage:

(a) Sunburn or spray burn which seriously detracts from the appearance of the fruit.

(b) Limb rubs which affect more than one-tenth of the surface in the aggregate.

(c) Hail marks, drought spots, or scars, if they materially deform or disfigure the fruit, or if such defects affect more than one-tenth of the surface in the aggregate: *Provided*, That, no hail marks which are unhealed shall be permitted and not more than an aggregate area of one-half inch shall be allowed for well-healed hail marks where the skin has been broken.[1]

(d) Stem or calyx cracks which are not well healed, or well healed stem or calyx cracks which exceed an aggregate length of one-half inch.

(e) Visible water core which affects an area of more than one-half inch in diameter.[1]

(f) Diseases: (1) Scab spots which affect a total area of more than three-fourths inch in diameter.[1]

(2) Cedar rust infection which affects a total area of more than three-fourths inch in diameter.[1]

(3) Sooty blotch or fly speck which affects more than one-third of the surface.

(4) Red skin spots which affect more than one-third of the surface.

(5) Bitter pit and Jonathan spot which is thinly scattered over more than one-tenth of the surface and does not materially deform or disfigure the fruit.

(g) Insects: (1) Healed stings which affect a total area of more than one-fourth inch in diameter including any encircling discolored rings.[1]

(2) Worm holes.

Effective time and supersedure. The United States Standards for Apples contained in this section and which supersede the United States Standards for Apples (S. R. A.—P. M. A. 154) shall become effective thirty (30) days after the date of publication in the FEDERAL REGISTER.

(Pub. Law 759, 81st Cong.)

Done at Washington, D. C., this 18th day of June 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

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PART 51—FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

SUBPART B—UNITED STATES STANDARDS FOR FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS

UNITED STATES STANDARDS FOR SWEETPOTATOES FOR CANNING

On May 12, 1951, a notice of rule making was published in the FEDERAL REGISTER (F. R. Doc. 51-5511; 16 F. R. 4467) regarding proposed United States Standards for Sweetpotatoes for Canning. After consideration of all relevant matters presented, including the proposals set forth in this aforesaid notice, the following United States Standards for Sweetpotatoes for Canning are hereby promulgated under the authority contained in the Department of Agriculture Appropriation Act, 1951 (Pub. Law 759, 81st Cong., approved September 6, 1950).

§ 51.372 *Standards for sweetpotatoes for canning*—(a) *Grades*—(1) *U. S. No. 1.* U. S. No. 1 consists of sweetpotatoes of similar type which are firm, fairly well shaped, free from soft rot, black rot, cull material, freezing injury, scald, cork or other internal discoloration, and free from damage caused by dry rot other than black rot, other diseases, bruises, cuts, growth cracks, pithiness, wireworm, weevil, other insects, stringiness, sunburn, mechanical or other means.

(i) Unless otherwise specified, each sweetpotato shall be not more than 5 inches in length, or more than 2 inches in diameter or less than 1½ inches in diameter. (See Tolerances, paragraph (c) of this section.)

(2) *U. S. No. 2.* U. S. No. 2 consists of sweetpotatoes of similar type which are firm, not badly misshapen, free from soft rot, black rot, cull material, freezing injury, scald, and free from serious damage caused by dry rot other than black rot, other diseases, bruises, cuts, cork or other internal discoloration, growth cracks, pithiness, wireworm, weevil, other insects, stringiness, sunburn, mechanical or other means.

(i) Unless otherwise specified, each sweetpotato shall be not more than 9 inches in length, or more than 2¼ inches in diameter or less than 1¼ inches in diameter. (See Tolerances, paragraph (c) of this section.)

(b) *Culls.* Culls consists of sweetpotatoes which fail to meet the requirements of either U. S. No. 1 or U. S. No. 2 grades.

(c) *Tolerances.* In the application of these standards, it is assumed that in most instances sellers will not sort their sweetpotatoes into separate lots of U. S. No. 1 and U. S. No. 2 grades before delivery to the buyer. In such cases there is no need for tolerances. If the contract between the buyer and seller calls for the delivery of lots containing only one grade, such as U. S. No. 1 or U. S. No. 2, or a combination of U. S. No. 1 and U. S. No. 2 grades, then unless otherwise specified, a tolerance of 10 percent, by weight, shall be allowed for sweetpotatoes which fail to meet the requirements of the grade, other than for size and cull material: *Provided*, That, not more than one-fifth of this amount, or 2 percent, shall be allowed for sweetpotatoes affected by soft rot or black rot. In addition, not more than 2 percent, by weight, shall be allowed for cull material. An additional tolerance of 10 percent, by weight, shall be allowed for sweetpotatoes which fail to meet the specified size requirements: *Provided*, That, not more than one-half of this amount, or 5 percent, shall be allowed for sweetpotatoes below the specified minimum diameter.

(d) *Definitions.* (1) "Similar type" means that the sweetpotatoes have the same type of flesh and that the flesh of the sweetpotatoes does not show material variation in color. For example, dry type shall not be mixed with moist type and white fleshed varieties shall not be mixed with yellow- or orange-fleshed varieties.

(2) "Firm" means that the sweetpotato is not soft, flabby or excessively shriveled.

[1] The area refers to that of a circle of the specified diameter.

(3) "Fairly well shaped" means that the sweetpotato is not materially curved, crooked, constricted, grooved, flattened, or otherwise materially misshapen for canning purposes.

(4) "Cull material" means pieces of sweetpotatoes, vines, root crowns, sprouts, secondary rootlets, loose dirt, adhering caked dirt or other foreign matter. Sweetpotatoes with attached vines, root crowns, sprouts, secondary rootlets, and adhering caked dirt shall not be scored against U. S. No. 1 or U. S. No. 2 grades, but such vines, root crowns, sprouts, secondary rootlets, and adhering caked dirt shall be removed from the sweetpotato and scored as cull material.

(5) "Damage" means any injury or defect which materially affects the edible or canning quality, or which cannot be removed in the ordinary process of trimming without a loss of more than 5 percent of the total weight of the sweetpotato, including peel covering the defective area.

(6) "Badly misshapen" means that the sweetpotato is so curved, crooked, grooved, constricted, flattened, or otherwise misshapen that, in the ordinary process of trimming, a waste of over 10 percent, by weight, is incurred in excess of that which would occur if the sweetpotato were perfect.

(7) "Serious damage" means any injury or defect which seriously affects the edible or canning quality, or which cannot be removed in the ordinary process of trimming without a loss of more than 10 percent of the total weight of the sweetpotato, including peel covering the defective area.

(8) "Diameter" means the greatest dimension of the sweetpotato measured at right angles to the longitudinal axis.

(e) *Effective time.* The aforesaid United States Standards for Sweetpotatoes for Canning contained in this section shall become effective thirty (30) days after the date of publication in the FEDERAL REGISTER.

(Pub. Law 759, 81st Cong.)

Done at Washington, D. C., this 19th day of June 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51-7176; Filed, June 21, 1951; 8:59 a. m.]

PART 51—FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

SUBPART B—UNITED STATES STANDARDS FOR FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS

U. S. STANDARDS FOR SWEETPOTATOES FOR DICING OR PULPING

On May 12, 1951, a notice of rule making was published in the FEDERAL REGISTER (F. R. Doc. 51-5508; 16 F. R. 4467) regarding proposed United States Standards for Sweetpotatoes for Dicing or Pulping. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following United States Standards for Sweetpotatoes for Dicing or Pulping are hereby promulgated under the authority contained in the Department of Agriculture Appropriation Act, 1951 (Pub. Law 759, 81st Cong., approved Sept. 6, 1950).

§ 51.373 *Standards for sweetpotatoes for dicing or pulping*—(a) *Grades* (1)—*U. S. No. 1.* U. S. No. 1 consists of sweetpotatoes of similar type which are firm, not badly misshapen, free from soft rot, black rot, cull material, freezing injury, scald, cork or other internal discoloration, and free from damage caused by dry rot other than black rot, other diseases, bruises, cuts, growth cracks, pithiness, wireworm, weevil, other insects, stringiness, sunburn, mechanical or other means. (See Size and Tolerances, paragraphs (c) and (d) of this section.)

(2) *U. S. No. 2.* U. S. No. 2 consists of sweetpotatoes of similar type which are firm, free from soft rot, black rot, cull material, freezing injury, and free from serious damage caused by dry rot other than black rot, other diseases, bruises, cuts, cork or other internal discoloration, growth cracks, pithiness, scald, wireworm, weevil, other insects, stringiness, sunburn, mechanical or other means. (See Size and Tolerances, paragraphs (c) and (d) of this section.)

(b) *Culls.* Culls consists of sweetpotatoes which fail to meet the requirements of either U. S. No. 1 or U. S. No. 2 grades.

(c) *Size.* The minimum or the minimum and maximum sizes for the foregoing grades may be specified by agreement between buyer and seller. Size shall be stated in terms of diameter.

(d) *Tolerances.* In the application of these standards, it is assumed that in most instances sellers will not sort their sweetpotatoes into separate lots of U. S. No. 1 and U. S. No. 2 grades before delivery to the buyer. In such cases there is no need for tolerances. If the contract between buyer and seller calls for the delivery of lots containing only one grade, such as U. S. No. 1 or U. S. No. 2, or a combination of U. S. No. 1 and U. S. No. 2 grades, then unless otherwise specified, a tolerance of 10 percent, by weight, shall be allowed for sweetpotatoes which fail to meet the requirements of the grade, other than for size and cull material: *Provided,* That, not more than one-fifth of this amount or 2 percent, shall be allowed for sweetpotatoes affected by soft rot or black rot. In addition, not more than 2 percent, by weight, shall be allowed for cull material. An additional tolerance of 15 percent, by weight, shall be allowed for sweetpotatoes which fail to meet the specified size requirements: *Provided,* That, not more than one-third of this amount, or 5 percent, shall be allowed for sweetpotatoes below the specified minimum diameter.

(e) *Definitions.* (1) "Similar type" means that the sweetpotatoes have the same type of flesh and that the flesh of the sweetpotatoes does not show material variation in color. For example, dry type shall not be mixed with moist type and white-fleshed varieties shall not be mixed with yellow- or orange-fleshed varieties.

(2) "Firm" means that the sweetpotato is not soft, flabby or excessively shriveled.

(3) "Badly misshapen" means that the sweetpotato is so curved, crooked, grooved, constricted, flattened, or otherwise misshapen that, in the ordinary process of trimming, a waste of over 10 percent by weight, is incurred in excess of that which would occur if the sweetpotato were perfect.

(4) "Cull material" means pieces of sweetpotatoes, vines, root crowns, sprouts, secondary rootlets, loose dirt, adhering caked dirt or other foreign matter. Sweetpotatoes with attached vines, root crowns, sprouts, secondary rootlets, and adhering caked dirt shall not be scored against U. S. No. 1 or U. S. No. 2 grades, but such vines, root crowns, sprouts, secondary rootlets, and adhering caked dirt shall be removed from the sweetpotato and scored as cull material.

(5) "Damage" means any injury or defect which materially affects the edible or processing quality, or which cannot be removed in the ordinary process of trimming without a loss of more than 10 percent of the total weight of the sweetpotato, including peel covering the defective area.

(6) "Serious damage" means any injury or defect which seriously affects the edible or processing quality, or which cannot be removed in the ordinary process of trimming without a loss of more than 25 percent of the total weight of the sweetpotato, including peel covering the defective area.

(7) "Diameter" means the greatest dimension of the sweetpotato measured at right angles to the longitudinal axis.

(f) *Effective time.* The United States Standards for Sweetpotatoes for Dicing or Pulping contained in this section shall become effective thirty (30) days after the date of publication in the FEDERAL REGISTER.

(Pub. Law 759, 81st Cong.)

Done at Washington, D. C., this 18th day of June 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51-7170; Filed, June 21, 1951; 8:57 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Regs., Amdt. 62 [1]]

PART 370—SCOPE OF EXPORT CONTROL BY DEPARTMENT OF COMMERCE

PART 371—GENERAL LICENSES

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

PART 374—PROJECT LICENSES

PART 379—EXPORT CLEARANCE

MISCELLANEOUS AMENDMENTS

1. Part 370 *Scope of export control by Department of Commerce* is amended by adding thereto a new § 370.7a to read as follows:

§ 370.7a *Vessels, other than vessels of war.* The export of vessels, other than vessels of war, shall be governed under authority of sections 9 and 37 of the Shipping Act, 1916, as amended (46 CFR Part 221), by the U. S. Maritime Administration.

This part of the amendment shall become effective as of June 14, 1951.

2. Section 371.2 *General provisions* is amended in the following particulars:

Paragraph (b) *Use of general license symbol* is amended to read as follows:

(b) *Use of general license symbol.* A person exporting any commodity pursuant to any general license established in this part shall enter on the shipper's export declaration, when such declaration is required, the designation or symbol of the general license authorizing the exportation. In the case of exportations by mail, the designation or symbol of the general license shall be written in ink on the address side of the wrapper of the parcel and shall be followed by the words, "Export License Not Required." The use of such designation or symbol shall constitute a certification by the exporter that the terms, provisions, and conditions of the general license involved have been met.

EXAMPLE: If medicinals are to be sent to a member of the American Embassy in a foreign country, they may be exported under general license GUS, and the exporter will note on the export declaration the symbol GUS to indicate that the exportation is licensed.

This part of the amendment shall become effective as of June 14, 1951.

3. Section 371.9 *General in-transit license GIT*, paragraph (c) *Excepted Commodity List* is amended in the following particulars:

The title of paragraph (c) and the introductory sentence preceding the commodity list are amended to read as follows:

(c) *Commodities excepted from the provisions of this general license.* Commodities identified on the Positive List of Commodities (§ 399.1) by means of a star (★) following the Schedule B number may not be exported to any destination under this general license.

NOTE: All shipments of merchandise for which the shipper's export declaration for in-transit goods is required (Commerce Form 7513) must be shown in terms of Schedule S as well as in terms of Schedule B. Schedule S numbers, by commodity groupings, are contained in Schedule S, Statistical Classification of Domestic and Foreign Merchandise Exported from the United States, obtainable without charge from the Bureau of the Census, Washington 25, D. C.

Regardless of whether so designated on the Positive List of Commodities, the following commodities are excepted from the provisions of this general license. (See Current Export Bulletin 625.[1])

The following commodities are added to the excepted commodity list:

Commodity	Schedule B No.	Schedule S No.[1]
OTHER NONMETALLIC MINERALS (PRECIOUS INCLUDED)		
Abrasives:		
Diamond grinding wheels, sticks, hones, and laps	540905	555
Diamond bearings	599098	555
IRON AND STEEL MANUFACTURES		
Tools (iron and steel chief value):		
Diamond saws, except circular	615605	607
Tools incorporating industrial diamonds, n. e. s. (include metal alloy slugs containing diamonds).	617891	607
MINING, WELL, AND PUMPING MACHINERY		
Mining and quarrying machinery:		
Core drills, except chilled shot type	731100	725
Rock drill bits, detachable, when containing diamonds	731150	725
Petroleum field and refining equipment and parts:		
Oil and gas well drill bits, when containing diamonds	734240	725
METALWORKING MACHINERY, EXCEPT MACHINE TOOLS		
Diamond dies for power-driven metalworking machinery (state size)	745503	730
OTHER INDUSTRIAL MACHINERY		
Diamond penetrators	774020	745
Metal hardness testers adapted to or incorporating diamond penetrators (indenters-brales).	774020	745
Industrial machinery and parts, n. e. s.:		
Parts for diamond penetrators	775098	745
Parts and accessories for metal hardness testers which incorporate or are adapted to the incorporation of diamond penetrators (indenters-brales).	775098	745
SCIENTIFIC AND PROFESSIONAL INSTRUMENTS, APPARATUS, AND SUPPLIES, N. E. S.		
Diamond disk points and other dental instruments containing diamonds	915000	901

[1] The Department of Commerce Schedule S number is shown for each commodity. All shipments of merchandise for which the shipper's export declaration for in-transit goods is required must be reported in terms of Schedule S, as well as Schedule B.

This part of the amendment shall become effective as of June 14, 1951.

4. Section 371.16 *Export of certain vessels VMC* is hereby deleted.

This part of the amendment shall become effective as of June 14, 1951.

5. Section 372.11 *Issuance and use of export licenses* is amended in the following particulars:

Paragraph (d) *Partial shipments* is amended to read as follows:

(d) *Partial shipments.* Partial shipments may be made against a validated export license; however, when shipped by mail, only one shipment, whether complete or partial, may be made.

This part of the amendment shall become effective as of June 14, 1951.

6. Section 374.6 *Export clearance* is amended in the following particulars:

Paragraph (a) *Presentation of license* is amended to read as follows:

(a) *Presentation of license.* When clearing shipments for export under any project license, the licensee must present, upon demand of the collector of customs at the port of exit, either the original or a photostatic copy of the license, and any supplementary validated documents.

Shipment under any project license cannot be made by mail unless the shipper has applied for and obtained an individual export license covering the particular commodities to be exported by mail. Application should be made on Form IT–375 in the usual way, except that the license holder should indicate on the face of the form that shipment of the commodities listed is to be made by mail. An individual license will be issued on the safety paper license form (Form IT–628). Clearance against such individual license must be effected in accordance with the procedures for shipments by mail outlined in § 379.1 (f) of this subchapter.

This part of the amendment shall become effective as of June 14, 1951.

7. Section 379.1 *Presentation for export* is amended in the following particulars:

a. Subparagraphs (2) and (3) of paragraph (a) *Commodities; use of license or other authorization for export shipments* are amended to read as follows:

(2) *Filing of validated license at time of first shipment.* Notwithstanding any other provision of Parts 370 to 399, inclusive, of this subchapter, all validated licenses, except project licenses, must be presented to and filed with the collector of customs or postmaster, as the case may be, when the first shipment is cleared for exportation against that license.

(3) *Subsequent shipments from port where validated license filed.* If only a partial shipment is made thereunder, the validated export license will be appro-

[1] This amendment was published in Current Export Bulletin No. 625, dated June 14, 1951.

[1] As set forth in Current Export Bulletin 625, at such time as the commodities listed in this paragraph are identified on the Positive List, this list will be discontinued.

priately endorsed and held by the collector until complete shipment is made.[1] On any subsequent shipments under that license from the same port, duly executed shipper's export declarations shall be presented, as provided in this section and § 379.2 of this subchapter, for clearance of the shipment.

b. Paragraph (b) *Presentation of shipper's export declarations* is amended to read as follows:

(b) *Presentation of shipper's export declarations.* In every case, as provided above in paragraph (a) of this section, where a validated export license is required to be presented[2] to and filed with a collector of customs or postmaster, as the case may be, a duly executed shipper's export declaration (in the number of copies provided in paragraph (c) of this section) also shall be presented at the same time. In the case of shipments made pursuant to general license or pursuant to an unexpired validated export license on file with a collector of customs, a duly executed declaration (in the number of copies provided in paragraph (c) of this section) shall be presented to the collector of customs or postmaster, as the case may be, at the same time and in the same manner as provided for in the first sentence of this paragraph.

Shipper's export declarations duly executed on Commerce Form 7525–V (revised November 1948) must be presented on and after January 1, 1949, where such type of declaration is applicable to the exportation.

c. A new paragraph (f) is added thereto to read as follows:

(f) *Shipments via mail.* In exporting merchandise by surface or air parcel post, the sender (exporter) must (a) present a validated license to the postmaster or (b) place the appropriate general license symbol on the address side of the wrapper, followed by the words, "Export License Not Required." The symbol and the phrase will constitute certification to the postmaster and the Office of International Trade that a validated export license is not required for the shipment.

If the sender is shipping a gift parcel under provisions of the general license for gift parcels (see § 371.23 of this subchapter), he must place the words "Gift—Export License Not Required," on the address side of the wrapper and the word "Gift" on the customs declaration tag. In this instance, the word "Gift" is the general license symbol.

Only one shipment may be made against a validated export license if exportation is by mail. In all cases the sender must surrender his license to the postmaster at the time of shipment.

All exportations via mail should conform to the applicable Post Office Department regulations as to size, weight, permissible contents, etc.

NOTE: It is the responsibility of the shipper in each case to determine whether exportation of his parcel is permissible under a general license or whether a validated license is required.

This part of the amendment shall become effective as of June 14, 1951.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Acting Director,
Office of International Trade.

[F. R. Doc. 51-7130; Filed, June 21, 1951; 8:47 a. m.]

[5th Gen. Rev. of Export Regs., Amdt. P. L. 53[1]]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

1. The following commodity is added to the Positive List:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
208900	High pressure rotary drilling hose	Lb	RUBR	25	RO

This part of the amendment shall become effective as of 12:01 a. m., June 19, 1951.

2. Certain commodities are changed from R to RO commodities as follows:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
812100	Biologics: Human blood plasma[1]		DRUG	None	RO

[1] By this amendment the GLV dollar-value limit for human blood plasma is reduced from $25 to none. The present entry on the Positive List is revised to read as follows: "Serums, antitoxins and toxoids, for human use (except human blood plasma), GLV value 25, validated license required, R."

This part of the amendment shall become effective as of 12:01 a. m., June 19, 1951.

3. The following revision is made in commodity description. This revision makes no substantive change, but merely deletes the word "mohair", which was inadvertently used to describe cashmere goat wool. Angora goat hair (mohair) and Angora goat (mohair) noils and waste remain on the Positive List under Schedule B Nos. 360911 and 362600, respectively.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
362600	Wool noils and waste, mill waste (garnetted, picked, and carded included) except noils of cashmere goat, camel, and vicuna.	Lb	TEXT	250	RO

This part of the amendment shall become effective as of June 14, 1951.

4. The following revision is made in commodity description:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
799998	Parts for watercraft for pleasure purposes, whether or not engine-equipped, 18 feet in length and over; parts for merchant vessels (including tankers, tank barges, whaling factories, and other watercraft) for commercial and industrial purposes, 18 feet in length and over.[1]		TRAN 9	100	RO

[1] The effect of this amendment is to add to the Positive List parts for whaling factories and to extend the coverage for all commodities covered by this entry from R to RO control. (See Part 5 below for deletion of watercraft from this Schedule B number.)

[1] This amendment was published in Current Export Bulletin No. 625, dated June 14, 1951.

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[1] Only one shipment, whether complete or partial, may be made against an export license if exportation is to be made by mail (see § 372.11 (d) of this subchapter and paragraph (f) of this section).

[2] Par. (b) of this section requires declarations to be presented to customs officials before the time that goods are first deposited on a dock or pier or other place of lading for loading onto an exporting carrier. This reflects an interpretation of the phrase contained in par. (a) in this section, "presented * * * for loading," as meaning deposit on pier or dock for the purpose of loading onto an exporting carrier.

This part of the amendment shall become effective as of 12:01 a. m., June 19, 1951.

5. The following commodities are deleted from the Positive List. Exportation of these commodities is under the exclusive jurisdiction of the U. S. Maritime Administration.[1]

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
795510	Tankers and whaling factories	No.	TRAN	None	RO
795510	Other merchant vessels and watercraft (including hulls) for commercial and industrial purposes, whether or not engine-equipped, 18 feet in length and over.	No.	TRAN	None	R
795550	Watercraft for pleasure purposes, engine-equipped, 18 feet in length and over.	No.	TRAN	None	R
799998	Watercraft for pleasure purposes, except engine-equipped, 18 feet in length and over.[1]		TRAN 9	100	R

[1] The watercraft and vessel parts covered by this Schedule B number remain under the jurisdiction of the Office of International Trade for export control purposes. The revised entry for this Schedule B number is set forth in Part 4 above.

This part of the amendment shall become effective as of 12:01 a. m., June 14, 1951. Shipments of any commodities removed from general license to Country Group R or Country Group O destinations, or whose GLV dollar-value limits were reduced, as a result of changes set forth in Parts 1, 2 and 4 of this amendment, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., June 19, 1951, may be exported under the previous general license provisions up to and including July 14, 1951. Any such shipment not laden aboard the exporting carrier on or before July 14, 1951, requires a validated license for export.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Acting Director,
Office of International Trade.

[F. R. Doc. 51-7129; Filed, June 21, 1951; 8:47 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 4970]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CARTER PRODUCTS, INC. AND STREET & FINNEY

Subpart—*Advertising falsely or misleadingly:*

§ 3.30 *Composition of goods;* § 3.135 *Nature—Product or service;* § 3.170 *Qualities or properties of product or service;* § 3.195 *Safety;* § 3.205 *Scientific or other relevant facts.* Subpart—*Using misleading name—Goods:* § 3.2325 *Qualities or properties.* In connection with the offering for sale, sale or distribution of the product now designated "Carter's Little Liver Pills," or any other product of substantially similar composition or possessing substantially similar properties under whatever name sold, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase of said preparation in commerce, which advertisements represent, directly or by implication, (a) that said preparation represents a fundamental principle of nature in self-treatment; (b) that said preparation will bring on or restore regularity of bowel movement, or is a cure, remedy or competent or effective treatment for constipation, or has any beneficial value in the treatment of any of the symptoms thereof in excess of the temporary relief afforded by its laxative action; (c) that said preparation does not contain strong medicines; (d) that said preparation is unqualifiedly safe; (e) that said preparation is an effective treatment for sluggish liver function or that it will have any therapeutic action on any condition, disease or disorder of the liver; (f) that said preparation will make bile flow freely, increase or beneficially influence the formation, secretion or flow of bile, or prevent or overcome discomforts caused by overindulgence in food or other pleasures; (g) that said preparation will provide two-way relief or that it possesses therapeutic properties in addition to those afforded by laxative action; (h) that said preparation will cause the proper flow of, or beneficially affect, the gastric juices or digestive juices, or lessen food decay; (i) that said preparation is based on the fundamental principle of the operation of the digestive system; (j) that said preparation will help food digestion, or regulate digestion or the digestive system; (k) that said preparation will have any influence in inducing a state of "bounce", vigor or well-being except in those instances in which a lack thereof is due solely to constipation; (l) that constipation poisons the body; (m) that said preparation has any value in the treatment of headache, ugly complexion, bad breath, coated tongue or a bad taste in the mouth, or for those conditions in which an individual feels "Down-and-out," "blue," "down-in-the dumps," "worn out," "sunk," "logy," "depressed," "sluggish," "all-in," "listless," "mean," "low," "cross," "tired," "stuffy," "heavy," "miserable," "sour," "grouchy," "irritable," "cranky," "peevish," "fagged out," "dull," "sullen," "what's-the-use," "bogged down," "grumpy," "run-down," or "gloomy," in excess of such temporary relief therefrom as may be afforded by an evacuation of the bowels in those cases in which such symptoms or conditions are associated with and caused by constipation; (n) that said preparation is a competent or effective treatment for indigestion or retarded digestion; or, (o) that said preparation is a competent or effective treatment for billiousness; or any advertisements in which the word "liver" is used in the trade name for respondent's preparation; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Carter Products, Inc. et al., Docket 4970, March 28, 1951]

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, testimony and other evidence introduced before a trial examiner of the Commission theretofore designated by it, the report of the trial examiner upon the facts and the exceptions filed thereto, briefs and supplemental briefs in support of and in opposition to the complaint, and oral arguments; and the Commission having made its findings as to the facts and its conclusion that the respondent therein named has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent, Carter Products, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of the product now designated "Carter's Little Liver Pills," or any other product of substantially similar composition or possessing substantially similar properties under whatever name sold, do forthwith cease and desist from:

(1) Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or by implication—

(a) That said preparation represents a fundamental principle of nature in self-treatment;

(b) That said preparation will bring on or restore regularity of bowel movement, or is a cure, remedy or competent or effective treatment for constipation, or has any beneficial value in the treatment of any of the symptoms thereof in excess of the temporary relief afforded by its laxitive action;

(c) That said preparation does not contain strong medicines;

(d) That said preparation is unqualifiedly safe;

(e) That said preparation is an effective treatment for sluggish liver function or that it will have any therapeutic action on any condition, disease or disorder of the liver;

(f) That said preparation will make bile flow freely, increase or beneficially influence the formation, secretion or flow of bile, or prevent or overcome discomforts caused by overindulgence in food or other pleasures;

[1] See F. R. Doc. 51-7130, *supra,* for Amendment No. 62 adding § 370.7a and deleting § 371.16 of this subchapter.

(g) That said preparation will provide two-way relief or that it possesses therapeutic properties in addition to those afforded by laxative action;

(h) That said preparation will cause the proper flow of, or beneficially affect, the gastric juices or digestive juices, or lessen food decay;

(i) That said preparation is based on the fundamental principle of the operation of the digestive system;

(j) That said preparation will help food digestion, or regulate digestion or the digestive system;

(k) That said preparation will have any influence in inducing a state of "bounce," vigor or well-being except in those instances in which a lack thereof is due solely to constipation;

(l) That constipation poisons the body;

(m) That said preparation has any value in the treatment of headache, ugly complexion, bad breath, coated tongue or a bad taste in the mouth, or for those conditions in which an individual feels "Down-and-out," "blue," "down-in-the dumps," "worn out," "sunk," "logy," "depressed," "sluggish," "all-in," "listless," "mean," "low," "cross," "tired," "stuffy," "heavy," "miserable," "sour," "grouchy," "irritable," "cranky," "peevish," "fagged out," "dull," "sullen," "what's-the-use," "bogged down," "grumpy," "run-down," or "gloomy," in excess of such temporary relief therefrom as may be afforded by an evacuation of the bowels in those cases in which such symptoms or conditions are associated with and caused by constipation;

(n) That said preparation is a competent or effective treatment for indigestion or retarded digestion;

(o) That said preparation is a competent or effective treatment for biliousness.

(2) Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, in which the word "Liver" is used in the trade name for respondent's preparation.

(3) Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of said product in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any representation prohibited in paragraphs (1) and (2) hereof.

It is further ordered, That the charges of the complaint as they relate to respondent Street & Finney, a corporation, be, and the same hereby are, dismissed without prejudice to the right of the Commission to take such further action as future conditions may warrant.

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

Issued: March 28, 1951.

By the Commission.[1]

[SEAL] D. C. DANIEL, *Secretary*

[F. R. Doc. 51-7148; Filed, June 21, 1951; 8:50 a. m.]

[Docket 4918]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

C. HOWARD HUNT PEN CO.

Subpart—*Misbranding or mislabeling:* § 3.1185 *Composition;* § 3.1255 *Manufacture or preparation;* § 3.1325 *Source or origin—Maker or seller.* Subpart—*Using misleading name—Goods:* § 3.2310 *Manufacture or preparation;* § 3.2345 *Source or origin—Maker.* In connection with the offering for sale, sale or distribution in commerce, of fountain pen points, (1) representing, through the use on fountain pen points of the term "14 Kt. Gold Plated" or "14 K. Gold Plate", or any other term or mark, that such points are coated or covered with an alloy of substantial thickness and not less than 14/24ths by weight of gold, when such is not the fact; or misrepresenting in any manner the quantity or quality of the gold coating or covering on any fountain pen points; (2) representing in any manner, directly or by implication, that fountain pen points are made of an alloy of gold when such points are in fact made of other materials and are merely coated or covered with an alloy of gold; (3) using the word "Iridium" or the words "Iridium Tipped", or any simulation thereof, either alone or in conjunction with other words, to designate, describe or refer to any fountain pen points which are not in fact tipped with the element iridium; or, (4) using the word "Waltham" as an imprint on or in connection with the sale of any fountain pen points; or otherwise representing that any of the respondent's fountain pen points are the products of the Waltham Watch Manufacturing Company of Waltham, Massachusetts; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, C. Howard Hunt Pen Company, Docket 4918, March 29, 1951]

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the respondent's answer thereto, testimony and other evidence introduced before trial examiners of the Commission theretofore duly designated by it, the report of the original trial examiner upon the evidence and exceptions to such report, the recommended decision of the substitute trial examiner and exceptions thereto, briefs in support of and in opposition to the complaint and oral argument thereon and briefs and oral argument in opposition to and in support of a tentative order to cease and desist attached to the Commission's order of May 22, 1950, rejecting the trial examiner's recommended order to cease and desist and affording the respondent an opportunity to show cause why said tentative order should not be entered as the Commission's order to cease and desist; and the Commission, having disposed of the exceptions to the trial examiner's recommended decision and having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, C. Howard Hunt Pen Company, a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of fountain pen points, do forthwith cease and desist from:

(1) Representing, through the use on fountain pen points of the term "14 Kt. Gold Plated" or "14 K. Gold Plate", or any other term or mark, that such points are coated or covered with an alloy of substantial thickness and not less than 14/24th by weight of gold, when such is not the fact; or misrepresenting in any manner the quantity or quality of the gold coating or covering on any fountain pen points.

(2) Representing in any manner, directly or by implication, that fountain pen points are made of an alloy of gold when such points are in fact made of other materials and are merely coated or covered with an alloy of gold.

(3) Using the word "Iridium" or the words "Iridium Tipped", or any simulation thereof, either alone or in conjunction with other words, to designate, describe or refer to any fountain pen points which are not in fact tipped with the element iridium.

(4) Using the word "Waltham" as an imprint on or in connection with the sale of any fountain pen points; or otherwise representing that any of the respondent's fountain pen points are the products of the Waltham Watch Manufacturing Company of Waltham, Massachusetts.

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

Issued: March 29, 1951.

By the Commission.

[SEAL] D. C. DANIEL, Secretary.

[F. R. Doc. 51-7149; Filed, June 21, 1951; 8:51 a. m.]

[Docket 5729]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

EARL ARONBERG ET AL.

Subpart—*Advertising falsely or misleadingly:* § 3.170 *Qualities or properties of product or service.* In connection with the offering for sale, sale, or distribution

[1] Statement by Commissioner Carson filed as a part of the original document.

in commerce, of respondents' Shadz Color Shampoo, or any product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, directly or indirectly disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce, etc., of said product, which advertisements represent, directly or through inference, that said product will color hair; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Earl Aronberg et al. t. a. The Ronald Company, Docket 5729, April 5, 1951]

In the Matter of Earl Aronberg and Lewis Potter, Individuals Trading as The Ronald Company

Pursuant to the provisions of the Federal Trade Commission Act, the Federal Trade Commission, on December 22, 1949, issued and subsequently served its complaint in this proceeding upon the respondents, Earl Aronberg and Lewis Potter, individuals trading as The Ronald Company, charging them with the use of unfair and deceptive acts and practices in commerce in violation of the provisions of said act. After the issuance of said complaint and the filing of respondents' answer thereto, hearings were held at which testimony and other evidence were introduced before a trial examiner of the Commission theretofore duly designated by it, and such testimony and other evidence were duly recorded and filed in the office of the Commission. On January 9, 1951, the trial examiner filed his initial decision, which was served on the respondents on January 20, 1951.

The Commission, having reason to believe that the initial decision was deficient in certain material respects, subsequently placed this case on its own docket for review, and on February 26, 1951, it issued, and thereafter served upon the parties, its order affording the respondents an opportunity to show cause why said initial decision should not be altered in the manner and to the extent shown in a tentative decision of the Commission attached to said order. Respondents not having appeared in response to the leave to show cause, this proceeding regularly came on for final consideration by the Commission upon the record herein on review; and the Commission, having duly considered the matter and being now fully advised in the premises, finds that this proceeding is in the interest of the public and makes this its findings as to the facts,[1] conclusion drawn therefrom,[1] and order, the same to be in lieu of the initial decision of the trial examiner.

It is ordered, That respondents, Earl Aronberg and Lewis Potter, individually and trading as The Ronald Company, or under any other name, their employees, agents, and representatives, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of Shadz Color Shampoo, or any product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from, directly or indirectly:

1. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or through inference, that said product will color hair.

2. Disseminating or causing to be disseminated, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said product, any advertisement which contains the representation prohibited in paragraph I of this order.

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

Issued: April 5, 1951.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-7147; Filed, June 21, 1951; 8:50 a. m.]

[Docket 5779]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

KIMBERLEY GIRL COATS, INC., ET AL.

Subpart—*Misbranding or mislabeling:* § 3.1190 *Composition: Wool Products Labeling Act.* § 3.1325 *Source or origin—Wool Products Labeling Act.* Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 3.1845 *Composition—Wool Products Labeling Act;* § 3.1900 *Source or origin—Wool Products Labeling Act.* In connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation, or distribution in commerce, of ladies' coats or other wool products as defined in and subject to the Wool Products Labeling Act of 1939, which contain, purport to contain, or in any way are represented as containing "wool", "reprocessed wool", or "reused wool" as defined in said Act, misbranding such ladies' coats or other products by failing to affix securely to or place on such products a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner, (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any non-fibrous loading, filling or adulterating matter; and, (c) the name or the registered identification number of the manufacturer of such wool products or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and in the Wool Products Labeling Act of 1939; prohibited, subject to the provision, however, that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; and to the further provision that nothing contained in the order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 54 Stat. 1128; 15 U. S. C. 45, 68) [Cease and desist order, Kimberley Girl Coats, Inc. et al., Docket 5779, April 5, 1951]

In the Matter of Kimberley Girl Coats, Inc., a Corporation, and Samuel Plotkin and Leon Waisman, Individually and as officers of Respondent Kimberley Girl Coats, Inc.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and a stipulation as to the facts entered into by and between Daniel J. Murphy, Chief, Division of Litigation, of the Commission, and counsel for respondents, in which stipulation the respondents waved all intervening procedure and further hearing as to said facts; and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Wool Products Labeling Act of 1939 and the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Kimberley Girl Coats, Inc., a corporation, and its officers, and Samuel Plotkin and Leon Waisman, individually, and their respective representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation, or distribution in commerce as "commerce" is defined in the aforesaid Acts, of ladies' coats or other wool products as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain, or in any way are represented as containing "wool," "reprocessed wool", or "reused wool", as those terms are defined in said Act, do forthwith cease and desist from misbranding such ladies' coats or other products by failing to affix securely to or place on such products a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such

[1] Filed as a part of the original document.

fiber is five percentum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of such wool product of any non-fibrous loading, filling or adulterating matter.

(c) The name or the registered identification number of the manufacturer of such wool products or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and in the Wool Products Labeling Act of 1939.

Provided, That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939: *And provided further,* That nothing contained in this order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

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

Issued: April 5, 1951.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 51-7150; Filed, June 21, 1951; 8:51 a m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52752]

PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

VOUCHERS; VENDORS' BILLS OF SALE; INVOICES

The form of certification made by the payee on vouchers, vendors' bills of sale, or invoices for purchases or for services other than personal has been revised by Circular Letter No. A-49009, A-51607, dated May 1, 1950, of the Comptroller General of the United States, (29 Comp. Gen. 574), and new standard forms have been prescribed for the public voucher for transportation charges, Government transportation requests, and bills of lading.

Accordingly, § 24.34, Customs Regulations of 1943 (19 CFR 24.34), is amended as follows:

1. Paragraph (a) is amended by substituting the following form of certification for the form of certification appearing therein:

I certify that the above bill is correct and just and that payment therefor has not been received.

2. Paragraph (g) is deleted and paragraph (f) is amended to read as follows:

(f) Vouchers for passenger transportation furnished customs officers or employees on Government transportation requests, standard Form 1139, and vouchers for transportation of freight and express furnished on Government bills of lading, standard Form 1103, issued by customs officers or employees shall be rendered on Public Voucher for Transportation Charges, standard Form 1113, with memorandum copy, standard Form 1113a, to the customs office to be billed as indicated on the transportation request or bill of lading. Charges for freight or express must not be included on the same voucher with charges for passenger transportation. The words "Passenger," "Freight," or "Express" as the case may be should be printed or otherwise placed by the carrier immediately above the title of the voucher form. Original Government bills of lading, standard Form 1103, or transportation requests, standard Form 1139, or certificates in lieu thereof, standard Forms 1108 or 1158, respectively, shall be attached to these vouchers.

(R. S. 161, 251, sec. 22, 28 Stat. 210, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624, 41 U. S. C. 21)

Comptroller General Circular Letter No. A-49009, A-51607, 5/1/50 (29 Comp. Gen. 574), and General Regulations No. 51, Supplement No. 11, 9/7/50, shall be cited as the marginal reference opposite § 24.34 (a).

General Regulations No. 97-Revised (25 Comp. Gen. 924), General Regulations No. 108 (26 Comp. Gen. 978) and Supplement No. 3-Revised, 5/14/51, shall be cited as the marginal reference opposite § 24.34 (f).

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: June 15, 1951.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-7158; Filed, June 21, 1951; 8:54 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter D—Employment Taxes

[T. D. 5845]

PART 411—EMPLOYERS' TAX, EMPLOYEES' TAX, AND EMPLOYEE REPRESENTATIVES' TAX UNDER THE RAILROAD RETIREMENT TAX ACT

USE OF FEDERAL RESERVE BANKS AND AUTHORIZED COMMERCIAL BANKS

On May 8, 1951, notice of proposed rule making, regarding amendments to Regulations 114 (26 CFR Part 411) relating to the payment of employers' tax and employees' tax under the Railroad Retirement Tax Act, was published in the FEDERAL REGISTER (16 F. R. 4256). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendments to Regulations 114 set forth below are hereby adopted.

PARAGRAPH 1. Immediately preceding § 411.601, the row of asterisks following the provisions of paragraph (1) of section 3310 (f) of the Internal Revenue Code, added by Treasury Decision 5794, approved July 6, 1950, is striken, and the following provisions of law, being paragraph (2) of such section 3310 (f), are inserted in lieu thereof:

(2) *Use of Government depositaries.* The Secretary may authorize Federal Reserve banks, and incorporated banks or trust companies which are depositaries or financial agents of the United States, to receive any tax imposed by this title, in such manner, at such times, and under such conditions as he may prescribe; and he shall prescribe the manner, times, and conditions under which the receipt of such tax by such banks and trust companies is to be treated as payment of such tax to the collector.

PAR. 2. Immediately after § 411.606, the following new section is inserted:

§ 411.606a *Use of Federal Reserve banks and authorized commercial banks in connection with payment of employers' tax and employees' tax with respect to compensation paid on or after July 1, 1951*—(a) *In general.* If the amount of employees' tax deducted during a calendar month after June 30, 1951, plus the amount of employers' tax imposed for such month, exceeds $100 in the case of an employer, it will be the duty of such employer to deposit the aggregate amount of such taxes with a Federal Reserve bank. The employer, at his election, may forward the remittance to a commercial bank authorized by the Secretary of the Treasury to accept remittances of the aforementioned taxes for transmission to a Federal Reserve bank. If a portion of the aforementioned taxes for a calendar month is reportable under § 411.601 on the return on Form CT-1 for the tax-return period immediately preceding such month, it will be the duty of the employer to deposit such portion in the same manner as if it were for the last calendar month in such tax-return period, except that no deposit shall be made for a calendar month prior to July 1, 1951.

(b) *Procedure.* The deposit of the taxes for the first or second calendar month of a tax-return period shall be made on or before the fifteenth day after the close of the month for which the deposit is made. The deposit of the taxes for the third calendar month of a tax-return period shall be made on or before the last day of the first calendar month following the close of such period. Each deposit shall be accompanied by a Railroad Retirement Depositary Receipt (Form 515), which shall be prepared in accordance with the instructions applicable thereto. After the Federal Reserve bank has validated the depositary receipt, such depositary receipt will be returned to the employer. Every employer making deposits pursuant to this section shall attach to his return on Form CT-1 for the tax-return period with respect to which such deposits are made, in part or full payment of the taxes shown thereon, depositary receipts so validated. If the taxes due for such tax-return period exceed the aggregate amount of the depositary receipts so attached, the employer shall pay to the collector the balance due. If the aggregate amount of such depositary receipts exceeds such taxes, a credit or refund may be obtained; and in the event a credit is taken on the return on Form CT-1 for a subsequent quarter,

the employer shall reduce the amount of the deposit otherwise required under paragraph (a) of this section for one of the months of such subsequent quarter by the amount of such credit.

(c) *Procurement of prescribed form.* Initially, Form 515, Railroad Retirement Depositary Receipt, will so far as possible be furnished the employer by the collector. An employer not supplied with the proper form should make application therefor to the collector in ample time to have such form available for use in making his initial deposit within the time prescribed in this section. Thereafter a blank form will be sent to the employer by the Federal Reserve bank when returning the validated depositary receipt. An employer may secure additional forms from a Federal Reserve bank by applying therefor and advising the bank of the identification number to be shown on his depositary receipts. The identification number to be shown by an employer on each depositary receipt should be the same as the identification number required to be shown by the employer on each quarterly return, Form 941, to be filed with the collector pursuant to Regulations 116 (26 CFR Part 405), relating to the collection of income tax at source on wages. The address of the employer, as shown on each depositary receipt, should be the address to which the receipt should be returned following validation by the Federal Reserve bank.

(53 Stat. 183, 467; 26 U. S. C. 1535, 3791)

[SEAL] FRED S. MARTIN,
Acting Commissioner of Internal Revenue.

Approved: June 19, 1951.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 51-7156; Filed, June 21, 1951; 8:53 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter A—Aid of Civil Authorities and Public Relations

PART 512—PRISONERS

Part 512 is revised to read as follows:

Sec.
512.1 Clemency.
512.2 Correspondence and visits.

AUTHORITY: §§ 512.1 and 512.2 issued under sec. 2, 38 Stat. 1085, as amended; 10 U. S. C. 1453. Interpret or apply secs. 1, 2, 38 Stat. 1074, 1075, 1085, 1086; 10 U. S. C. 1455, 1457, 1457a, 1457b.

SOURCE: AR 600-330, May 8, 1951, AR 600-345, May 28, 1951, and SR 600-330-1, May 8, 1951.

§ 512.1 *Clemency.* Sentence review, and consideration for clemency and restoration will be in accordance with the provisions of the Manual for Courts Martial (16 F. R. 1303) and paragraphs (a) and (b) of this section.

(a) *Authority to mitigate, remit, and suspend sentences.* (1) Any commanding officer who has immediate authority to appoint for the command in which a person under sentence may be, a court of the kind that imposed the sentence, or any superior military authority, may mitigate, remit, or suspend, in whole or in part, any executed portion of a sentence (including all uncollected forfeitures) adjudged by a court martial, other than a sentence extending to death or dismissal or affecting a general officer, with the following exception: Only the Secretary of the Department or other person designated by him may mitigate, remit, or suspend such sentences in the cases of those persons confined in United States disciplinary barracks or in institutions under the control of The Attorney General.

(2) After being informed of the decision of the Board of Review in a case referred to it, The Judge Advocate General may, prior to taking the action prescribed in paragraph 100c (1), Manual for Courts-Martial 1951 (16 F. R. 1303), mitigate, remit, or suspend in whole or in part any unexecuted portion of a sentence other than a sentence extending to death or dismissal or affecting a general officer (including all uncollected forfeitures) adjudged by a court martial.

(b) *Time of clemency review.* (1) Sentences adjudged by courts martial or other military tribunals which involve dismissal, dishonorable or bad-conduct discharge, and confinement will be reviewed for clemency wherever the prisoner is confined as follows:

(i) In cases in which the sentence to confinement is less than 8 months, as soon as practicable.

(ii) In cases in which the sentence to confinement is 8 months or more and less than 2 years, not earlier than 4 months nor later than 6 months from the date the sentence to confinement became effective, and annually thereafter.

(iii) In cases in which the confinement is 2 years or more, not earlier than 6 months nor later than 8 months from the date the sentence to confinement became effective, and annually thereafter.

(iv) In any case at any time prior to completion of the sentence, upon recommendation of appropriate authority for cause.

NOTE: The date on which the initial clemency review is due will be extended by any inoperative time.

(2) In addition to the reviews for clemency otherwise required, written application for a special clemency review, setting forth a basis for the application and containing sufficient grounds for further clemency review, may be made by the prisoner or in behalf of the prisoner, and forwarded through channels to the appropriate convening authority having court-martial jurisdiction if the prisoner is confined in a place other than a disciplinary barracks or Federal institution. If the prisoner is confined in a disciplinary barracks or Federal institution, such application will be forwarded to The Adjutant General, Department of the Army, Washington 25, D. C.

(3) A prisoner released on parole or conditionally released will be considered annually for clemency until expiration of the full term of his sentence or sentences without credit for abatements.

§ 512.2 *Correspondence and visits—*(a) *Authorized correspondents and visitors.* No limitations will be imposed as to the number of persons who may be approved for the purpose of visiting or corresponding with a prisoner. The prisoner's wife, children, parents, brothers, and sisters should be approved uniformly unless disapproval is required in the interest of safe administration or the prisoner's welfare. Other persons may be approved as correspondents and visitors when this appears to be in the best interest of the prisoner.

(b) *Mail.* (1) Incoming and outgoing mail will be inspected.

(2) Restrictions will not be placed on the number of letters to or from authorized correspondents, except as necessary for security and control, prevention of unreasonable individual excesses, or to prevent delays in processing mail. Normally, sentenced prisoners will be permitted to write at least two letters each week and to receive all incoming letters from authorized correspondents. Mail privileges for unsentenced prisoners will be as liberal as operating conditions and facilities permit. Letters to members of Congress, to Federal officials, to higher military authority, or to inspectors general, and correspondence regarding legal matters in which the prisoner has a legitimate interest, will be forwarded to the addressee subject to inspection. Other special purpose correspondence may be permitted in the discretion of the commanding officer. Letters containing accusations, charges, or complaints will be forwarded through proper channels to officials who have the authority to correct the complaints or alleged wrongs.

(3) Vulgar or obscene language or any violations of postal laws will not be permitted.

(4) Postage for all authorized mail will be furnished as a regular item of the health and comfort issue and will be provided from the $3 monthly health and comfort allowance. Prisoners will not be permitted to have postage stamps in their personal possession.

(c) *Visits.* (1) Restrictions on the number and length of visits and on the number of authorized persons permitted to visit at any one time will be limited to those which are necessary for the safe handling of visits, prisoner control, and those made necessary by operational routines or limited facilities. Normally, sentenced prisoners should be permitted to receive visits of 1 to 2 hours' duration on non-workdays (weekends and holidays) at least twice monthly. However, in determining the need for exceptions, consideration should be given to the distance traveled by visitors, the frequency of visits, and other pertinent factors. Visits for unsentenced prisoners will be as liberal as operating conditions and facilities permit. Reasonable exceptions as to time and length of visits will be made for attorneys to interview their clients regarding pending legal affairs.

(2) All visits to prisoners will be supervised for custodial purposes.

(d) *Other.* The receiving of articles other than correspondence may be authorized by commanding officers. Telegraphic communications may be authorized only when warranted by existing

circumstances. Telephone calls to or by prisoners, at the expense of the caller will be permitted only in emergencies when no other means of communication will suffice, will be monitored, and will be limited to the emergency subject.

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51-7153; Filed, June 21, 1951; 8:51 a. m.]

Subchapter B—Claims and Accounts

PART 536—CLAIMS AGAINST THE UNITED STATES

BURIAL EXPENSES

In § 536.51, subdivision (iv) of paragraph (a) (2) is rescinded, subdivisions (i) and (ii) (*a*) and (*b*) of paragraph (a) (6) are revised, subparagraph (5) of paragraph (b) is revised, and subparagraph (2) of paragraph (f) is revised, as follows:

§ 536.51 *Expenses allowable*—(a) *For personnel of the Army of the United States and Regular Army (§ 536.50 (a) and civilian employees of the Department of the Army described in § 536.50 (c) (1) and (2).* * * *

(2) *Transportation.* * * *

(iv) *Reimbursement for transportation costs when remains are shipped to next of kin prior to interment in a national or post cemetery.* [Rescinded.]

* * * * *

(6) *Interment expenses.* * * *

(i) *Interment in a private cemetery.* When remains are shipped to a funeral director selected by the next of kin and subsequently interred in a private cemetery, an interment allowance not to exceed $125 is authorized. Relatives are responsible for paying the bill of the receiving funeral director. Upon request, the Government will reimburse the person who paid iterment expenses for such expenses up to but not in excess of $125; any expenses over and above this amount must be borne by the person who incurred the expenses. A certificate signed by the person who paid the expenses, showing the total amount of interment expenses actually paid and the name and location of the cemetery in which interment was made should be submitted by such person to the purchasing and contracting officer who arranged for shipment of the remains. The purchasing and contracting officer, upon receipt of such certificate, will place it in line for payment by the disbursing officer.

(ii) *Interment in a national or post cemetery.* (*a*) When remains are shipped to a funeral director selected by the next of kin and subsequently interred in a national or post cemetery, relatives are responsible for paying the bill of the receiving funeral director. Upon request, the Government will reimburse the person who paid any expenses incurred prior to interment for such expenses up to but not in excess of $75; any expenses over and above this amount must be borne by the person who incurred the expenses. A certificate signed by the person who paid the expenses, showing the total amount of expenses actually paid and the name and location of the cemetery in which interment was made, should be submitted by such person to the purchasing and contracting officer who arranged for shipment of the remains. The purchasing and contracting officer concerned, upon receipt of such certificate, will place it in line for payment by the disbursing officer.

(*b*) When remains are shipped direct to a national or post cemetery for interment, superintendents of national cemeteries or commanding officers of post cemeteries will make all necessary arrangements for receiving the remains at a common carrier terminal and for transporting them to the national or post cemetery, including necessary personnel to handle the casketed remains and storage, if required. Government facilities will be used if available; otherwise services will be obtained in each individual case as required unless there is a contract in effect which was awarded under Army Regulations. The funeral director rendering any of the services called for will be required to submit a properly certified itemized invoice to the national cemetery superintendent or commanding officer of the post cemetery concerned, who will place thereon the following certification, and then forward it to the appropriate Army purchasing and contracting officer for processing and payment: "I certify that the services itemized on this invoice have been satisfactorily rendered."

* * * * *

(b) *For components other than the Regular Army (§ 536.50 (b)).* * * *

(5) Interment expenses as provided in paragraph (a) (6) of this section.

* * * * *

(f) *For military prisoners.* * * *

(2) Interment at the place of death or, if remains are released to an individual for interment, interment expense as provided in paragraph (a) (6) (i) of this section.

[C 6, AR 30-1830, 4 June 1951] (R. S. 161; 5 U. S. C. 22. Interprets or applies 45 Stat. 251, as amended, secs. 2-5, 52 Stat. 398, 399; 10 U. S. C. 916, 916 a-d)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51-7154; Filed, June 21, 1951; 8:52 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amendment 11]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

EXEMPTION OF CERTAIN PAPER GIFT DRESSINGS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (16 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment 11 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from Ceiling Price Regulation 22 certain decorative paper gift dressings by placing these products in Appendix A. This exemption will apply only to those commodities produced for over-the-counter sale during the year 1951.

The principal outlet for this industry is the syndicate or variety store. Manufacturers' prices are adjusted by varying the number of units included in a package in order to maintain the established system of retail pricing at 5¢, 10¢, 15¢, 25¢ and $1.00. Preparation for a Christmas season, for example, customarily begins from 18 to 27 months in advance of the period by designing lay-outs, art work, and color schemes, following which dies and plates are ordered. Prices, design and count usually are established with major buyers in the month of June, which is 18 months prior to the applicable season. The manufacture, including marking and packaging, is started immediately thereafter in July and August, and catalogues publish the offering prices the following December, an entire year before the intended use of the product by the ultimate consumer.

To calculate new prices for these commodities under the provisions of CPR-22 would impose an insurmountable burden on manufacturers. While the effect of such calculations are not specifically known, the Office of Price Stabilization has been advised that a price variation of each style package might occur either forward or backward, of ¼ or ½ cent, and in either event there would be no practicable method of conforming with the new ceiling prices except by repackaging the commodities in new containers and reprinting the retail prices. The cost of so doing plus the time element, the republication of price catalogues and the uneven price results that will occur sufficiently warrant the continuation of the old pricing practices for the remainder of the year 1951.

It should also be pointed out that at least 75 percent of the estimated production for 1951 had been completed prior to the General Ceiling Price Regulation. An insistence upon a charge under CPR 22 causing dissimilar prices and uneven counts in identical packages for the remainder of the production would not be feasible. These commodities are not cost-of-living items and would have no important adverse effect upon the defense effort.

So-called Christmas greeting and other similar special occasion cards are not included within this exemption.

For these reasons the Director of Price Stabilization finds that exempting sales for the year 1951 only is necessary to prevent hardship and inequities, and is not inconsistent with the objectives of the Defense Production Act of 1950.

AMENDATORY PROVISIONS

Ceiling Price Regulation 22 is amended by adding a new paragraph (gg) to Appendix A to read as follows:

(gg) Decorative paper gift dressings produced for over-the-counter sale for special occasions during 1951, including but not limited to enclosure cards, tags, seals, plain and printed gift wrap papers, labels and gift money envelopes, which are usually but not necessarily pre-packaged, and usually but not necessarily bear printed price and count identification on the package. Not included are so-called Christmas and similar special occasion greeting cards.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date: This amendment to Ceiling Price Regulation 22 shall become effective June 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 21, 1951.

[F. R. Doc. 51-7235; Filed, June 21, 1951; 10:58 a. m.]

[Ceiling Price Regulation 46]

CPR 46—COPPER SCRAP AND COPPER ALLOY SCRAP

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) and Executive Order 10161 (15 F. R. 6105), and in accordance with Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation No. 46 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes dollars-and-cents ceiling prices for copper scrap and copper alloy scrap.

Copper scrap and copper alloy scrap are important as a source of metals ultimately utilized in a wide range of products important to the national defense program and the civilian economy. Copper refineries and smelters use scrap to supplement their supply of primary metal and ordinarily about one-fourth of their output is derived from such material. Brass and bronze ingot manufacturers depend upon scrap as their principal raw material, using primary metal only as a means of obtaining ingot with the desired combination of metals. Although nonferrous foundries generally produce their castings from brass or bronze ingot, some large foundries consume scrap directly.

The various grades of copper scrap and copper alloy scrap ordinarily sell at prices somewhat below the value of the constituent metals and it is through this spread that the copper refineries and ingot manufacturers are able to recover their costs and earn a profit on their operations. The grades of copper scrap having a high copper content ordinarily sell at a relatively small and uniform differential below the prevailing price for primary metal while the poorer grades sell at lower prices either because they have less intrinsic metal value or because of the cost involved in processing them into higher grade material. The prices for copper alloy scrap, on the other hand, fluctuate more widely in response to changes in the supply or demand for ingot. In the period preceding the outbreak of the Korean crisis, the price for copper scrap reflected the differential below the price of new metal which had prevailed for two or three years while the prices for copper alloy scrap were somewhat depressed, in terms of the value of constituent metals, because ingots were in relatively good supply as the result of shipments from abroad.

Following the outbreak of hostilities in Korea and as a result of the increased demand arising out of our defense program, prices for all grades of copper scrap and copper alloy scrap rose disproportionately in the period between June 24, 1950 and January 26, 1951, and by the time the General Ceiling Price Regulation was issued on January 26, 1951, they bore little or no relation to the value of metal content measured in terms of the prevailing prices for new metal. Thus during the base period described in that regulation (December 19, 1950, to January 25, 1951) a considerable volume of copper scrap was sold at 30 cents or more per pound even though the prevailing price for electrolytic copper was only 24½ cents per pound.

This abnormal price relationship, reflected in ceiling prices established by the General Ceiling Price Regulation, has resulted in serious distortion in the normal flow of scrap and has caused hardship to some producers. These circumstances, and the accompanying confusion among both buyers and sellers, constitutes a serious threat to the continued output of needed civilian items and materials and equipment essential to our defense program.

The ceiling prices established in this regulation are designed to correct this situation by rolling back the prices for scrap. The ceiling prices established for No. 1 heavy copper and copper wire, containing a minimum of 98.5 percent copper, is 19.25 cents per pound or approximately 80 percent of the prevailing price (24½ cents per pound) for domestic electrolytic copper. This reflects the differential which existed in the pre-Korea period and the ceiling prices for other grades of copper scrap are established at corresponding levels.

The ceiling prices for copper alloy scrap, on the other hand, are established at levels which reflect differentials below the prevailing prices for new metals which existed during periods of high, but not abnormal, industrial activity. Although these differentials are somewhat lower than those which existed in the period preceding the Korea outbreak, they are considered necessary not to prevent the flow of copper alloy scrap into channels where it can be most economically used. Copper refiners who recover only the copper content of scrap ordinarily are unable to compete for copper alloy scrap with brass and bronze ingot manufacturers because the products of such manufacturers contain, in addition to copper, the other metals (tin, lead, and zinc) present in such alloy materials, and consequently they are able to pay higher prices. If under existing conditions of shortage ceiling prices for copper alloy scrap were set at too low a level, copper refiners would be in a position to use such material and important quantities would be diverted from consumers who can utilize it most economically.

Although there does not appear to have been any trade practice in the marketing of copper scrap and copper alloy scrap insofar as quantity premiums are concerned, it does appear that sellers ordinarily are able to obtain some premium in connection with the sale of relatively large lots of such material. In recognition of this fact and to encourage the accumulation and distribution of needed supplies, the regulation establishes appropriate quantity premiums. Similarly preparation premiums have been provided to encourage the flow of scrap to foundries in a form acceptable for direct use.

Copper scrap and copper alloy scrap cannot be exported without specific authorization from the Office of International Trade, but it is considered appropriate to permit an exporter who receives such authority to charge a premium to compensate him for the added risk involved in this type of transaction. A packing and preparation premium for export shipments has also been provided, but it may be charged only when such operations are performed by a person other than the exporter and the latter may pass on only the amount which he pays for such packing or preparation.

This regulation applies to all sales of copper scrap and copper alloy scrap by industrial producers, railroads, and government agencies; to sales by any person to a consumer, a dealer affiliated with a consumer, and to exporters; and to sales by importers and exporters. Transactions between dealers who are not affiliated with consumers have been exempted from all price control. Substantial quantities of copper scrap and copper alloy scrap enter the market through a large number of relatively small dealers who obtain such material from many different sources and sell it to larger dealers who accumulate scrap in quantities which can be sold to consumers. Because of these circumstances and the fact that the provisions of this regulation require that ceiling prices be determined on the basis of the copper and other metallic content it would be extremely difficult to achieve compliance in such dealer-to-dealer transactions and the administrative burdens involved would be incommensurate with the benefits derived.

Although representatives of certain segments of the industry have recommended that the coverage of the regulation be limited to sales to consumers and that all sales to dealers be exempted from price control, it is believed that such action would be detrimental to the stabilization program. Large quantities

of copper scrap and copper alloy scrap are sold by industrial producers, railroads, and governmental agencies and because such sellers can readily ascertain the material from which their scrap is generated they will have little difficulty in determining ceiling prices under the regulation.

If no price controls were imposed upon material from these sources when sold to dealers, it is likely that under existing conditions prices for such transactions would rise substantially. It has been urged that the imposition of ceiling prices upon sales to consumers would prevent dealers from paying more for scrap than they could afford, but experience has shown that a limitation upon the price at which a dealer may resell scrap does not operate as an effective check upon the price which he is willing to pay. In all likelihood, dealers bidding against each other for material which is in extremely short supply would raise the level of prices to the point where they would be unable to obtain adequate margins and this would lead to pressure for higher ceiling prices on sales to consumers and to attempt to make up losses by resort to tie-in transactions and other evasive practices. Furthermore, some quantities of scrap customarily move directly from industrial producers, railroads, and government agencies to consumers and if dealers and consumers were not placed on an equal footing in purchasing such material, it would be diverted from the normal channels of distribution. Since some consumers also act as dealers, either directly or through affiliated organizations, it is considered necessary to limit the prices at which their affiliated dealers may purchase scrap from industrial producers, railroads, or government agencies in order to prevent them from having an undue advantage in obtaining such materials.

In order to avoid undue hardship upon dealers, the regulation permits, for 14 days, deliveries at prices in excess of ceiling prices in order to carry out contracts entered into before the issuance of the regulation. Such deliveries may be made, however, only if the material so delivered was acquired by the seller at prices in excess of the ceiling and if before the issuance date it had been received by, or was in transit to, the seller. Although the time allowed for contract completion in this regulation is shorter than the 30 day period allowed for nickel scrap by Ceiling Price Regulation 29 and longer than the 7 day period allowed for zinc scrap by Ceiling Price Regulation 43, the distinction is justified by the different considerations which affect each of these materials. The 30 day period for nickel scrap was allowed because certain quantities are imported, but such an extended period is unnecessary in the case of copper scrap and copper alloy scrap since little of such material comes from sources outside of the United States. On the other hand, considerable quantities of copper scrap and copper alloy scrap which require processing and sorting move through dealers and a 7-day period like that allowed for zinc scrap (most zinc scrap requires no preparation and moves directly from generator to consumer) would be insufficient to permit a dealer to handle material which may be in transit to him at the time the regulation is issued and which he purchased at prices in excess of the ceiling prices established by this regulation to fulfill a contract with his customer. It is believed that the period allowed by this regulation for contract completion will be sufficient to protect dealers against undue loss in this connection.

Some railroads have agreements, of many years standing, with certain foundries whereby these foundries will take the scrap railroad castings from the roads and use them to produce new castings under an agreed conversion charge. Since this is an economical use of the metal which involves no actual sale and since the conversion charge is regulated under the General Ceiling Price Regulation, these railroad scrap conversion transactions are exempted under this regulation.

In the judgment of the Director of Price Stabilization, the provisions of Ceiling Price Regulation 46 are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

In formulating Ceiling Price Regulation 46, the Director consulted with representatives of the industry affected to the extent practicable under existing circumstances, and has given full consideration to their recommendations.

The provisions of Ceiling Price Regulation 46 and their effect upon business practices, cost practices, or means or aids to distribution in the industry have also been considered. To the extent that the provisions of the regulation may operate to compel changes in such practices or methods, such provisions are necessary to prevent circumvention or evasion of the regulation and to effectuate the policies of the Defense Production Act of 1950.

REGULATORY PROVISIONS

Sec.

AUTHORITY: Sections 1 to 18 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Products covered by this regulation.* This regulation establishes ceiling prices for all grades of copper scrap and copper alloy scrap. Copper scrap or copper alloy scrap does not include:

(a) Cupro-nickel scrap, other than copper-nickel solids and borings;

(b) Brass mill scrap. Such scrap includes all kinds and grades of nonferrous scrap materials which are the waste or by-product of any kind of fabrication of new sheet, tube, wire, rod or other brass mill products; uncontaminated, fired or demilitarized brass cartridge and artillery cases; and any new sheet, tube, wire, rod or other brass mill products sold for remelting purposes, whether such products are in the form originally sold by the brass mill or have been further fabricated, processed, altered or assembled. Brass mill scrap does not include, however, any material which meets the foregoing requirements but which is unsuitable for brass mill use.

(c) Copper-bearing material, such as ashes, skimmings, buffings, grindings, spatters, washings, mud and all similar residues containing copper, and irony brass or similar material which does not meet the specifications herein for any grade of copper scrap or copper alloy scrap.

SEC. 2. *Transactions covered by this regulation.* (a) This regulation applies to the following transactions:

(1) All sales of copper scrap or copper alloy scrap by an industrial producer, railroad, or governmental agency (whether Federal, State, or local) except as set forth in paragraph (b) (2) of this section;

(2) Sales and deliveries of copper scrap and copper alloy scrap by any person to a consumer, a dealer affiliated with a consumer, or an exporter;

(3) Sales and deliveries of copper scrap and copper alloy scrap by an importer or exporter.

(b) This regulation does not apply to the following transactions:

(1) Sales and deliveries of copper scrap and copper alloy scrap to a dealer by any person except an industrial producer, railroad, governmental agency, a consumer, a dealer affiliated with a consumer, an importer or an exporter.

(2) Sales and deliveries of copper scrap and copper alloy scrap in connection with the conversion of railroad scrap.

(c) For the purposes of this section the term "Conversion of railroad scrap" means a transaction, consummated pursuant to a written agreement, in which all of the following conditions are satisfied:

(1) A person owning, operating, or maintaining railroad rolling stock sells or delivers to a foundry copper scrap or copper alloy scrap generated from such person's use or processing of castings or other products of the type produced by the foundry;

(2) The foundry converts copper scrap or copper alloy scrap into castings or

other products of the type from which the scrap was generated; and

(3) The foundry returns to the person from whom it obtained such scrap an equivalent amount of castings or other products of the type from which the scrap was generated.

SEC. 3. *Persons covered.* This regulation applies to any person who engages as a seller in any of the transactions covered by this regulation. It also applies to any person who in the regular course of trade or business buys or receives copper scrap or copper alloy scrap from such seller.

SEC. 4. *Geographical applicability.* This regluation applies in the forty-eight States of the United States, its Territories and Possessions, and the District of Columbia.

SEC. 5. *Exemptions.* Notwithstanding the provisions of any price regulation or order heretofore or hereafter issued by the Office of Price Stabilization, except an amendment to this regulation, all transactions described in section 2 (b) of this regulation are exempt from price control.

SEC. 6. *Prohibitions* — (a) *Against transactions above ceiling prices.* Regardless of any contract or other obligation (except as provided in section 7 of this regulation), on and after the effective day of this regulation no person covered by this regulation shall sell or deliver, or buy or receive in the regular course of trade or business, any copper scrap or copper alloy scrap at a price in excess of the applicable ceiling price set forth in this regulation. No person shall offer, solicit, attempt, or agree to do any of the foregoing.

Lower prices than those set forth in this regulation may be charged, demanded, paid or offered.

(b) *Against tie-in transactions.* No person covered by this regulation shall sell copper scrap or copper alloy scrap on condition (1) that the buyer purchase from any person any commodity or service, or (2) that the buyer sell to any person any commodity or service. No person covered by this regulation who buys copper scrap or copper alloy scrap in the regular course of trade or business shall participate in any such tie-in transaction.

(c) *Against evasion.* No person covered by this regulation shall evade or circumvent the provisions of this regulation by direct or indirect methods in connection with the sale, purchase, delivery or transfer of copper scrap or copper alloy scrap, alone or in conjunction with any other product, or by way of any commission, service, transportation, or other charge, or discount, premium, or other trade understanding or otherwise.

SEC. 7. *Permission to carry out certain prior contracts.* Regardless of any provisions of this regulation, until July 10, 1951, any person covered by this regulation may deliver copper scrap or copper alloy scrap at a price in excess of the applicable ceiling price established herein in order to carry out any contract entered into before June 21, 1951, if the material so delivered was purchased at a price in excess of the ceiling price established herein and if before June 21, 1951, it was received by, or was in transit to, the person making delivery.

SEC. 8. *General pricing provisions*— (a) *Pricing basis.* Section 9 of this regulation sets forth ceiling base prices for various grades of copper scrap and copper alloy scrap. Sections 10, 11 and 12 of this regulation set forth certain premiums which may be charged, when applicable, in addition to the ceiling base prices.

The ceiling base prices in section 9 of this regulation apply f. o. b. point of shipment, but the delivered price (price f. o. b. point of shipment plus transportation costs paid by the buyer) may not exceed the ceiling delivered price set forth in section 13 of this regulation.

When copper scrap or copper alloy scrap is sold on a "where is" basis, the applicable ceiling base price in section 9 must be reduced by an amount no less than the cost to the buyer of loading such material on the conveyance in which it is transported to the buyer's receiving point.

(b) *Mixed shipments.* When grades of copper scrap and copper alloy scrap having different ceiling prices under the provisions of this regulation are shipped in one vehicle, the ceiling price for the entire shipment shall be the ceiling price applicable to the lowest priced grade contained therein unless each grade is invoiced separately and is so loaded in the vehicle that it can be readily distinguished and separately weighed.

SEC. 9. *Ceiling base prices.* The ceiling base price, f. o. b. point of shipment, for each grade of copper scrap or copper alloy scrap listed in Table A is the applicable price set forth in that table.

Payment shall be made on the basis of the weight and classification of material determined at the buyer's receiving point.

Unless otherwise specified in Table A, borings and turnings shall be classified on the basis of button analysis in accordance with accepted laboratory standards and payments shall be computed on the basis of the wet or natural analysis. Solids shall be classified on the basis of analysis in accordance with accepted laboratory standards.

The following deductions, when applicable, must be made in the applicable price set forth in Table A:

(a) For each grade preceded by an asterisk, a deduction of not less than .25 cents per pound for each .10 percent or fraction thereof of the following impurities, singly or combined: Antimony, alloyed iron, aluminum, silicon, and manganese;

(b) For copper alloy borings and turnings containing more than 3 percent free iron which can be removed by magnetizing, a deduction of not less than .15 cents per pound for each 1 percent or fraction thereof of iron in excess of 3 percent;

(c) Borings and turnings containing more than 10 percent free iron or containing any free iron which cannot be removed by magnetizing shall be classified as refinery brass if they meet the specifications set forth in Table A for that grade.

TABLE A

GROUP I. COPPER SCRAP AND REFINERY BRASS

Grade	Specifications	Price (cents per pound of scrap unless otherwise indicated)
No. 1 heavy copper and No. 1 copper wire.	Consists of unalloyed clean, unsweated copper wire, copper cable, and pieces, having a copper content of not less than 98.5 percent. Must be free of wire and cable smaller than 16 B & S wire gauge; ashy wire and cable; burnt wire and cable which is brittle; and brazed, soldered, tinned, plated and painted material.	19.25 For No. 1 heavy copper, a deduction of not less than 0.25 cent per pound must be made for the weight of all pieces which exceed 12 inches in width or diameter or 48 inches in length.
No. 2 copper wire and mixed heavy copper.	Consists of copper wire, cable and pieces having a copper content of not less than 95 percent. Must be free of silicon bronze, aluminum bronze, and copper-nickel alloys.	17.75 For mixed heavy copper, a deduction of not less than 0.25 cent per pound must be made for the weight of all pieces which exceed 12 inches in width or diameter or 48 inches in length. For copper content less than 96 percent a deduction of not less than 0.242 cent per pound must be made. For copper content in excess of 96 percent an addition of 0.242 cent per pound may be made for each 1 percent or fraction thereof of copper in excess of 96 percent.
Copper tuyeres	Consists of copper tuyeres, including Bosh plates.	17.50 A deduction of not less than 0.242 cent per pound must be made for each 1 percent or fraction thereof of adhering iron and non-metallics in excess of 5 percent.
Light copper	Consists of miscellaneous copper having a copper content of not less than 90 percent. Must be free of radiators, gaskets, bronze and brass screens, and electrotype shells.	16.50 For copper content less than 92 percent, a deduction of not less than 0.242 cent per pound must be made for each 1 percent or fraction thereof of copper below 92 percent. For copper content in excess of 92 percent, an addition of 0.242 cent per pound may be made for each 1 percent or fraction thereof of copper in excess of 92 percent.
No. 1 copper borings	Consists only of unalloyed copper borings and turnings, having a copper content of not less than 98.5 percent. Must be free of all other material and contamination other than free iron, oil, moisture and nonmetallics.	19.25

TABLE A—Continued

GROUP I. COPPER SCRAP AND REFINERY BRASS—continued

Grade	Specifications	Price (cents per pound of scrap unless otherwise indicated)
No. 2 copper borings	Consists of copper borings and turnings having a copper content of not less than 95 percent. Must be free of silicon bronze borings, aluminum bronze borings and copper-nickel alloy borings.	17.75 For copper content less than 96 percent, a deduction of not less than 0.242 cent per pound must be made. For copper content in excess of 96 percent, an addition of 0.242 cent for each 1 percent or fraction thereof of copper in excess of 96 percent may be made.
Lead-covered copper wire and cable.	Consists of tinned and untinned copper wire and cable covered with a sheathing of lead. May contain rubber, plastic, fabric and paper insulation, but must be free of steel-armored and other metallically armored material.	The ceiling price is the sum of: the ceiling price set forth in this table for the copper scrap content; plus the ceiling price for the lead scrap content; minus 0.75 cent per pound of material.
Insulated copper wire and cable.	Consists of tinned and untinned copper wire, cable and pieces covered with rubber, plastic, paint, enamel, fabric, and other insulation. Must be free of steel-armored and other metallically armored material, asbestos covering, and porcelain.	The ceiling price is the ceiling price set forth in this table for the copper scrap content minus 0.75 cent per pound of material.
Refinery brass	Consists of any copper scrap which has a dry copper content of 50 percent or more but which fails to meet the specifications for any other grade of copper scrap set forth in this table.	17.25 cents per pound of dry copper content for material having a dry copper content in excess of 60 percent. 17 cents per pound of the dry copper content for material having a dry copper content of 50 to 60 percent, inclusive. For shipments of less than 10,000 pounds a deduction of $15 per shipment must be made.

GROUP II. COPPER ALLOY SCRAP

All moisture, oil, grease, free iron, dirt, pulp and other non-metallics must first be deducted before determining the weight of any of the following grades of scrap for pricing purposes

Bellmetal	Must have a copper content of not less than 80 percent, a tin content of not less than 16 percent, and a lead content of not more than 1 percent.	36.25
High grade bronze gears.	Must have a copper content of not less than 87 percent, a tin content of not less than 9 percent, and a lead content of not more than 1 percent.	29.75
*Tinny phosphor bronze solids and borings.	Must have a copper content of not less than 88 percent, a tin content of not less than 3 percent, a lead content of not more than 1 percent. Combined silicon, manganese, and aluminum must not exceed 0.10 percent.	20.25 cents per pound of copper content plus 123 cents per pound of tin content. In the case of shipments of less than 5,000 pounds, a flat price of 22.25 cents per pound of scrap may be charged if the buyer determines by inspection that the material meets the specification.
*High grade low lead bronze solids and borings.	Must have a copper content of not less than 75 percent, a tin content of not less than 5 percent and a lead content of not more than 3 percent. May not contain more than 0.40 percent antimony, 0.40 percent alloyed iron, or 0.35 percent aluminum, manganese, and silicon combined.	For material with a lead content of 1 percent or less: 20.25 cents per pound of copper content. 123 cents per pound of tin content. For material with a lead content of 1.01 percent to 2 percent: 19.75 cents per pound of copper content. 110 cents per pound of tin content. For material with a lead content of 2.01 to 3 percent: 19.25 cents per pound of copper content. 100 cents per pound of tin content. In case of shipments of less than 5,000 pounds, a flat price of 21.25 cents per pound of scrap may be charged if the buyer determines by inspection that the material meets the specification.

TABLE A—Continued

GROUP II. COPPER ALLOY SCRAP—continued

Grade	Specifications	Price (cents per pound of scrap unless otherwise indicated)
*High lead bronze solids and borings.	Must have a copper content of not less than 70 percent, a tin content of not less than 5 percent and a zinc content of not more than 4 percent. May not contain more than 0.50 percent antimony, 0.50 percent alloyed iron, or 0.35 percent aluminum, silicon, and manganese combined.	19.25 cents per pound of copper content plus 94 cents per pound of tin content. In the case of shipments of less than 5,000 pounds, a flat price of 20 cents per pound of scrap may be charged if the buyer determines by inspection that the material meets the specification.
Soft red brass solids (No. 1).	Consists of clean red brass castings having a copper content of not less than 82 percent and a tin content of not less than 4 percent.	19.50
*Soft red brass borings (No. 1 composition borings).	Must have a copper content of not less than 77 percent, a tin content of not less than 3 percent, and a lead content of not more than 6 percent. May not contain more than 0.35 percent antimony, 0.35 percent alloyed iron, or 0.35 percent aluminum, manganese, and silicon combined.	19.25 cents per pound of copper content plus 83 cents per pound of tin content.
*Mixed brass borings	Must have a copper content of not less than 70 percent and a tin content of not less than 2 percent. May not contain more than 0.35 percent antimony, 0.35 percent alloyed iron, or 0.35 percent aluminum, manganese, and silicon combined.	19.25 cents per pound of copper content plus 78 cents per pound of tin content.
Copper-nickel solids and borings.	Consists of solids, borings, and turnings having a copper content of not less than 95 percent, balance nickel.	17.75
Bronze paper mill wire cloth.	Consists of bronze Fourdrinier wire cloth and screen, having a copper content of not less than 83 percent, a tin content of not less than 3 percent, and a lead content of not more than 1 percent.	21.50
Ford aluminum bronze gears.	Consists of clean aluminum bronze Ford gears.	18.25
Aluminum bronze solids.	Consists of aluminum bronze solids, other than Ford gears.	17.25 cents per pound of dry copper content for material having a dry copper content in excess of 60 percent. 17 cents per pound of the dry copper content for material having a dry copper content of 50 to 60 percent, inclusive. For shipments of less than 10,000 pounds a deduction of $15 per shipment must be made.
Contaminated gilding metal solids and turnings.	Must have a copper content of not less than 88 percent.	17.25
Unlined standard red car boxes.	Consists of clean standard unlined railroad boxes free of yellow boxes and iron-backed boxes.	19.25
Lined standard red car boxes.	Consists of clean standard lined railroad boxes free of yellow boxes and iron-backed boxes.	18.25
Cocks, faucets, and fittings.	Consists of clean mixed red and yellow cast cocks and faucets, red hose couplings, and red pipe fittings. Must be free of yellow gas cocks and yellow brass valves. The cocks and faucets must contain a minimum of 35 percent red cocks and faucets, and must be free of zinc die cast cocks and faucets.	16.75
Mixed brass screens	Consists of all clean copper and brass screens, other than bronze paper mill wire-cloth, having a copper content of not less than 75 percent.	16.00
Zincy bronze solids and borings.	Must have a copper content of not less than 78 percent. Must not contain more than 2 percent impurities (including lead and tin). Balance zinc.	16.25

TABLE A—Continued

GROUP II. COPPER ALLOY SCRAP—continued

Grade	Specifications	Price (cents per pound of scrap unless otherwise indicated)
Red brass breakage (irony composition).	Consists of irony red brass castings, including red brass carburetors, free of aluminum and zinc die cast attachments. May not contain more than 10 percent adhering iron.	16.25
Automobile radiators..	Consists of mixed copper and brass unsweated automobile and truck radiators.	15.50
Nickel silver solids and turnings.	Consists of nickel silver having a minimum copper content of 55 percent and minimum nickel content of 8 percent. Must be free of stainless steel and all foreign material.	14.25
*Copper lead solids and borings.	Must have a copper content of not less than 40 percent. Must not contain more than 1 percent antimony and 1 percent other impurities combined. Balance lead.	14.00
Heavy yellow brass solids.	Consists of clean yellow brass solids free of silicon bronze, aluminum bronze, manganese bronze, and iron.	14.00
Yellow brass borings..	Consists of yellow brass borings. May not contain more than 0.25 percent antimony, 0.50 percent alloyed iron, and 0.35 percent aluminum, manganese, and silicon combined.	13.00
Manganese bronze propellers.	Consists of clean manganese bronze propellers having a minimum copper content of 55 percent and a maximum lead content of 0.40 percent.	16.75 A deduction of not less than 1 cent per pound must be made for the weight of material exceeding 3½ feet in any dimension.
Manganese bronze solids.	Consists of clean manganese bronze solids, having a minimum copper content of 55 percent and a maximum lead content of 0.40 percent. Must be free of aluminum bronze, silicon bronze and adhering iron.	15.50 A deduction of not less than 1 cent per pound must be made for the weight of material exceeding 3½ feet in any dimension.
Manganese bronze borings.	Shall consist of borings, turnings and chips having a copper content of not less than 55 percent and a lead content of not more than 0.40 percent. Must be free of aluminum bronze and silicon bronze.	14.75
Fired rifle shells.....	Consists of contaminated fired rifle shells free of gun powder, bullets, and iron.	18.25
Brass pipe.....	Consists of brass pipe and tubing free of Muntz metal, Admiralty tubing, soldered, tinned, plated, corroded, and aluminum-painted material, and material with cast brass connections.	16.50
Admiralty condenser tubes.	Consists of clean sound Admiralty condenser tubing, plated or unplated, free of nickel, silver, cupro-nickel, and corroded material.	15.50
Muntz metal condenser tubes.	Consists of sound Muntz metal condenser tubes, plated or unplated. Must be free of nickel silver, cupro-nickel, and corroded material.	15.25
Old rolled brass.....	Consists of old sheet brass free of soldered, tinned, plated, corroded and aluminum-painted material, and free of Muntz metal.	15.50
Plated rolled brass sheet, pipe and reflectors.	Consists of clean plated brass sheet, pipe, tubing, and reflectors. Must be free of Muntz metal, Admiralty tubing, soldered, tinned, corroded, and aluminum-painted material, and material with cast brass connections.	15.25

SEC. 10. *Quantity premiums.* In addition to the applicable ceiling base price determined in accordance with sections 8 and 9 of this regulation, a quantity premium may be charged in accordance with the provisions of this section.

No quantity premium may be charged for any scrap for which a preparation premium is charged in accordance with section 11 of this regulation.

(a) *Delivery period.* The applicable quantity premium set forth in Table B below may be charged if the seller delivers, within a period of three calendar days (excluding Saturdays, Sundays, and holidays), the specified quantity of material (1) to a public carrier for transportation to the buyer, (2) to the buyer at his receiving point by a carrier owned or controlled by the seller, or (3) upon a conveyance owned or controlled by the buyer. The amount of material delivered during any one day may be counted only once in determining whether a quantity premium may be charged and paid.

TABLE B

Quantity	Premium (cents per pound)
40,000 pounds or more of either Group I or Group II material, singly or combined	1¼
60,000 pounds or more of either Group I or Group II material	1¾

(b) *Determination of weight.* Whether a delivery or series of deliveries qualifies for a quantity premium shall be determined on the basis of the weight of the scrap (or in the case of Refinery Brass, the pounds of dry copper content) determined at the buyer's receiving point and the following shall be deducted from the total weight of the material delivered:

(1) The weight of all containers, dunnage, and other tare;

(2) The weight of insulation on insulated copper wire and cable;

(3) The weight of all material which is not copper scrap or copper alloy scrap;

(4) The weight of all copper scrap and copper alloy scrap for which a preparation premium is charged in accordance with section 11 of this regulation.

SEC. 11. *Preparation premiums for sales of prepared scrap to any person other than a copper refiner or brass or bronze ingot manufacturer*—(a) *Ordinary preparation.* In addition to the applicable ceiling base price determined in accordance with sections 8 and 9 of this regulation, a preparation premium may be charged in accordance with the provisions of this paragraph.

The premiums set forth in Tables C and D may be charged only for scrap sold to a person who is not a copper refiner or a brass or bronze ingot manufacturer. Such premiums may be charged only for:

(1) Solids in crucible shapes or briquettes; and

(2) Borings which have been demagnetized and do not contain more than 0.25 percent free iron.

TABLE C

The premiums set forth herein apply to deliveries in any quantity:

Grade of Scrap	Premium (cents per pound)
No. 1 heavy copper and No. 1 copper wire	3.75
No. 2 copper wire and mixed heavy copper	3.50
No. 1 copper borings	2.50
High grade low lead bronze solids	3.25
High grade low lead bronze borings	2.50
High lead bronze solids	3.25
High lead bronze borings	2.50
Soft red brass solids	3.25
Soft red brass borings	2.50
Unlined standard red car boxes	2.50
Cocks, faucets and fittings	3.00
Heavy yellow brass solids	3.25
Yellow brass borings	2.50
Manganese bronze propellers	3.25
Manganese bronze solids	4.00
Aluminum bronze solids	4.00

TABLE D

The premiums set forth herein apply only to deliveries of 40,000 pounds or more of one or more of the specified grades.

Grade of Scrap	Premium (cents per pound)
Brass pipe	2.75
Admiralty condenser tubes	2.75
Muntz metal condenser tubes	2.75
Old rolled brass	2.75
Plated rolled brass sheet, pipe, and reflectors	2.75

(b) *Special preparation.* Any consumer of copper scrap or copper alloy scrap, other than a copper refiner or brass or bronze ingot manufacturer, who desires to purchase such scrap prepared to his specifications in a form not covered in paragraph (a) of this section shall apply to the Office of Price Stabilization, Washington 25, D. C., for the establish-

ment of a preparation premium. Any such application shall set forth the following information: The name and address of the applicant; the nature of the applicant's business; the purpose for which the specially prepared material will be used; the name and address of the person or persons from whom the applicant will buy such material; the date of the authorization from the National Production Authority permitting the applicant to purchase copper scrap or copper alloy scrap; a statement of the specifications for the specially prepared material; a description of the manner in which such material will be prepared; if the applicant previously purchased similar material, the price last paid prior to the issuance of this regulation; and a proposed preparation premium.

The premium established by the Office of Price Stabilization shall be in line with the preparation premiums otherwise established in this regulation.

(c) *Export packing and preparation premium.* Any person other than an exporter who packs in bales, drums, or other containers, or prepares in briquettes, copper scrap or copper alloy scrap for export may charge a premium of 2.75 cents per pound in addition to the applicable ceiling base price determined in accordance with sections 8 and 9 of this regulation.

No quantity or preparation premium (except as provided in this paragraph) may be charged for copper scrap or copper alloy scrap sold to an exporter.

SEC. 12. *Other premiums*—(a) *Exporter premiums.* In addition to the applicable ceiling base price determined in accordance with sections 8 and 9 of this regulation, an exporter of copper scrap or copper alloy scrap may charge the following premiums:

(1) The amount of any export packing or preparation premium, as provided for in paragraph (c) of section 11 of this regulation, paid to another person;

(2) An amount not to exceed 5 percent of the applicable ceiling base price.

No quantity or preparation premiums (except as provided in this paragraph) may be charged by an exporter.

(b) *Premiums for gold and silver content.* Any person who sells copper scrap or copper alloy scrap containing gold or silver to a refiner who customarily recovers such precious metals may charge a premium not exceeding the ceiling price for the gold and silver content of the scrap in addition to the applicable ceiling price otherwise established in this regulation.

SEC. 13. *Ceiling delivered prices.* The ceiling delivered price for copper scrap or copper alloy scrap is the applicable ceiling base price, f. o. b. point of shipment, determined in accordance with sections 8 and 9 of this regulation, plus the applicable premiums determined in accordance with sections 10, 11 and 12 of this regulation, plus whichever of the following transportation charges is applicable:

(a) When delivery is made to the buyer's receiving point by a public (common or contract) carrier, an amount not in excess of the actual charge (including transportation taxes) made by such carrier;

(b) When delivery is made to the buyer's receiving point by a vehicle owned or controlled by the seller, an amount not in excess of the lowest published and applicable motor common carrier charge (not including transportation taxes) for transporting the quantity of copper scrap or copper alloy scrap being priced from the point, or points, of shipment to the buyer's receiving point. In the case of a series of deliveries which qualifies for a quantity premium, the published and applicable motor common carrier charge shall be determined on the basis of the total quantity involved even though separate deliveries are made in lesser quantities, and such charge shall be prorated over the quantities contained in each delivery.

SEC. 14. *Definitions.* When used in this regulation, the term:

(a) "Briquette" means any power compressed, self-adhering bundle whose measurements do not exceed 16 x 10 x 12 inches.

(b) "Consumer" includes any person whose business consists, in whole or in part, of smelting, refining, melting, or otherwise processing copper scrap or copper alloy scrap into a form other than scrap or having such scrap so processed for his account by another person under a toll or conversion agreement. Any parent or subsidiary of a consumer and any person owned, operated, affiliated with, under common control with, or otherwise controlled by an officer, director, partner, or proprietor of a consumer, shall also be considered to be a consumer for the purposes of this regulation even though such person may act as dealer.

(c) "Copper alloy scrap" refers to the grades of scrap listed in Group II in Table A.

(d) "Copper bearing material" includes ashes, skimmings, buffings, grindings, spatters, washings, mud and all other similar residues which contain copper. It also includes irony brass and any similar material which does not meet the specifications for any grade of copper scrap or copper alloy scrap.

(e) "Copper scrap" refers to the grades of scrap listed in Group I in Table A.

(f) "Crucible shape" means clean scrap of uniform grade in lengths not exceeding 16 inches, containing no free iron or other harmful material, and suitable for direct use by the consumer without further preparation.

(g) "Dealer" means any person whose business includes the acquisition of any material for the purpose of sale as waste, scrap or salvage materials.

(h) "Dealer affiliated with a consumer" means a dealer who is the parent or subsidiary of a consumer, who is owned or operated by, or under common control with, a consumer, or who is owned, operated, or controlled by an officer, director, or partner of a consumer. It also included any dealer who owns or operates a consumer or who has an officer, director, or partner who owns, operates, or controls a consumer.

(i) "Dry Copper Content" means the copper content as determined by electrolytic assay less 1.3 units (26 pounds of copper per net ton of material).

(j) "Exporter" means a person who last sells copper scrap or copper alloy scrap which is transported from a point in the United States, its Territories and Possessions to a point outside thereof.

(k) "Importer" means a person who first sells copper scrap or copper alloy scrap which is transported, either before or after such sale, from a point outside the United States, its Territories and Possessions to a point inside thereof.

(l) "Industrial producer" means any person engaged in manufacturing, fabricating, repairing, mining, or refining or in furnishing communication or transportation services, who produces copper scrap or copper alloy scrap as a by-product of such operations or from obsolescence.

(m) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing; the United States or any agency thereof, or any other government or any of its political subdivisions or any agency of any of the foregoing.

(n) "Point of shipment" means the point from which copper scrap or copper alloy scrap is loaded on a conveyance for shipment to buyer's receiving point. In the case of copper scrap or copper alloy scrap sold by an importer and delivered into the continental United States, its Territories, or Possessions by water, the point of shipment means the place within the continental United States, its Territories or Possessions where the material is loaded on a conveyance for transportation directly to the buyer's receiving point. In the case of copper scrap or copper alloy scrap sold by an importer and transported to the buyer overland from Mexico or Canada the point of shipment means the freight station in the United States at or nearest the point at which the material first enters the United States.

(o) "Scrap" includes all materials which are the waste or by-product of any kind of metal working or processing and articles which have been discarded on account of obsolescence, failure, or other reasons. It does not include copper bearing materials, nor does it include articles which are still useful in their existing state when sold and purchased for re-use in such state.

SEC. 15. *Excise, sales, and similar taxes.* Any person may collect, in addition to the ceiling prices established by this regulation, any excise, sales or similar tax imposed upon him by reason of his sales of scrap covered by this regulation if he is not prohibited by law from making such collection and if he states separately from his selling price the tax collected.

SEC. 16. *Record-keeping requirements.* Every person purchasing or selling the scrap materials covered by this regulation shall keep for inspection by the Director of Price Stabilization, for a period of two years, complete and accurate rec-

ords of each purchase and sale showing: The date thereof; the name and address of the seller and buyer; the quantity and analysis of each grade of copper scrap or copper alloy scrap sold or purchased; the price charged or paid, f. o. b. point of shipment, for each such grade of scrap; the premiums, if any, charged or paid; the point, or points, of shipment and the buyer's receiving point; and the disposition of transportation charges.

SEC. 17. *Penalties.* Persons violating any of the provisions of this regulation shall be subject to the criminal penalties, civil enforcement actions and suits for damages provided for in the Defense Production Act of 1950.

SEC. 18. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1.

Effective date. This regulation shall become effective June 26, 1951.

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

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 21, 1951.

[F. R. Doc. 51-7240; Filed, June 21, 1951; 4:00 p. m.]

[Ceiling Price Regulation 22, Supplementary Regulation 6]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 6—CEILING PRICES FOR MANUFACTURERS FOR THE SALE OF PAINTS, VARNISHES, AND LACQUERS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 6 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation provides alternative pricing methods to all manufacturers of paints, varnishes, and lacquers, which for the purposes of this supplementary regulatiton include the following: (1) Paints, mixed and ready for use or in dry or paste form; (2) varnishes, including spirit varnishes but not including shellac gum; (3) lacquers and enamels; (4) fillers, putty, and top dressings; (5) paint and varnish removers; (6) "water-proofing" compounds excepting metallic compounds but including roof coating and roof cements; and (7) artists' oils and water colors. It includes sales of these commodities by manufacturers at retail, because many such sales are priced and made by manufacturers in direct relation to their wholesale sales.

The considerations involved in the issuance of the Manufacturers' General Ceiling Price Regulation, Ceiling Price Regulation 22, are in general entirely applicable to the paint, varnish and lacquer industry.

The primary alternative pricing provision found in the supplementary regulation is one which, at the option of a manufacturer, permits him to determine his ceiling prices by increasing his base period prices by 15 percent. This percentage factor was derived in a test of a representative sample of manufacturers' production costs in the base period, April 1 through June 24, 1950, as affected by increases in labor and material costs, subject to the limitations set forth in Ceiling Price Regulation 22. The test disclosed that the CPR 22 formula would give manufacturers in the paint industry an average increase of at least 15 percent over their base period prices. This alternative method of pricing by a straight increase of 15 percent over base period prices, therefore, affords to the many small manufacturers in this industry a speedy and simple method of determining ceiling prices consistent with the standards of Ceiling Price Regulation 22. Because this factor is related to experience in the curtailed second quarter of 1950, the method permits relation only to such second quarter 1950 prices.

The other important change brought about by the supplementary regulation imposes limitations in the use of the price computation provisions of CPR 22. First, it eliminates the manufacturers' choice among base periods and establishes a single base period April 1 through June 24, 1950. Consultations with representatives of the industry and with the Industry Advisory Committee establish that this is a representative base period for all manufacturers concerned. Confinement to this base period further permits the use of stipulated increases in the costs of several hundred of the major raw material items used by the industry in the production of paints, varnishes and lacquers.

These materials cost increase factors are set forth in Appendix A to this supplementary regulation. The items listed primarily are, or are derived from, agricultural products which are free from price control because they are still under "parity". The increase factors stated in Appendix A are derived from spot price quotations published in the industry's two leading trade journals. They measure the cost differences occurring from June 1, 1950 to March 15, 1951, the latter date being applicable to these raw materials under provisions of CPR 22. It is found that these cost increases accurately represent the experience of the great majority of companies producing paints, varnishes and lacquers. A small minority of companies enjoyed price advantages during the pre-Korea period by reason of their ability to buy under long-term contracts, but market conditions about March 15, 1951 have deprived them of this advantage. Accordingly, the cost increases experienced by this group will be somewhat greater than as reflected in Appendix A. In the opinion of the Director of Price Stabilization the increases as measured in Appendix A are accurately representative for the great majority of manufacturers and may therefore be deemed generally fair and equitable for the industry as a whole.

The manufacturers of the subject commodities will use the cost increase factors for any materials listed which are ingredients of their products; they find cost increases for other materials under the provisions of CPR 22. The use of the appendix to this supplementary regulation will facilitate computation for the persons affected and will simplify administration by the Office of Price Stabilization. Further, for these reasons, and the reasons previously given, it will contribute greatly to the restoration of the normal price relationship among the affected manufacturers as they existed in the pre-Korea base period April 1 through June 24, 1950.

In general, the supplementary regulation does not operate to compel changes in business practices, cost practices, or methods, or means of addition to distribution, established in the industry, and to the extent that such changes are involved the action is found to be necessary to prevent circumvention or evasion of this regulation.

REGULATORY PROVISIONS

Sec.
1. Sellers and sales covered.
2. Commodities covered.
3. "Manufacturer".
4. Establishment of ceiling prices.
5. Alternative pricing method; percentage increase.
6. Filings and sales.

AUTHORITY: Sections 1 to 6 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; CFR, 1950 Supp.

SECTION 1. *Commodities covered.* The commodities covered by this supplementary regulation are paints, varnishes, and lacquers. "Paints, varnishes and lacquers" are the following:

1. Paints, mixed and ready for use or in dry or paste form;
2. Varnishes, including spirit varnishes but not including shellac gum;
3. Lacquers and enamels;
4. Fillers, putty, and top dressings;
5. Paint and varnish removers;
6. "Water-proofing" compounds excepting metallic compounds but including roof coating and roof cements;
7. Artists' oils and water colors.

SEC. 2. *Sellers and sales covered.* This supplementary regulation covers you if you are a manufacturer of paints, varnishes, and lacquers and if you are located in the United States, its territories or possessions, or the District of Columbia. It applies to all your sales of paints, varnishes, and lacquers which you manufacture, including your sales at retail. All the provisions of Ceiling Price Regulation 22 shall be applicable to you in your sales of the commodities covered by this supplementary regulation except as those provisions are modified and supplemented by the alternative pricing provisions set forth in sections 4, 5 and 6 of this supplementary regulation. You must notice also that this supplementary regulation does not exempt any sales by you nor may you elect not to use this supplementary regulation. To this extent Section 1 of Ceiling Price Regulation 22 is superseded.

SEC. 3. *"Manufacturer".* For the purpose of this supplementary regulation, the term "manufacturer" means any person who produces, processes, packages or repackages paints, varnishes and lacquers on his own premises or with his own equipment for sale under his own brand or trade name or under the brand or trade name of any other person.

SEC. 4. *Establishment of ceiling prices.* Unless you are eligible and choose to use the alternative pricing method set forth in section 5 of this supplementary regulation, you shall establish your ceiling prices under the provisions of Ceiling Price Regulation 22 but subject to the following limitations with respect to base period and to your determination of your materials cost increase factors.

(a) *Base period.* The base period which you must use for all purposes shall be the period April 1, 1950 through June 24, 1950. The option given in CPR 22 to use one of the three preceding quarters as a base period is not available to you.

(b) *Materials cost increase factors; use of Appendix A hereof.* In calculating your materials cost adjustment in the computation of your ceiling price you must, for the raw materials which you use and which are listed in Appendix A of this supplementary regulation, apply the materials cost increase factors set forth in Appendix A of this supplementary regulation.

SEC. 5. *Alternative pricing method; percentage increase*—(a) *Who may use this section.* This section applies to sales by you of paints, varnishes and lacquers for which you had a base period price and paints, varnishes and lacquers in the same categories as those for which you had a base period price. This section furnishes a method you may elect to use in lieu of section 4 of this supplementary regulation and the pricing provisions set forth in sections 7 through 16 of Ceiling Price Regulation 22. If you elect to use this alternative method you must apply it to all paints, varnishes and lacquers in categories in which you dealt during the base period and which you now manufacture and sell. Once made, your election is final. The base period you must use for purposes of this section is the period April 1 through June 24, 1950.

(b) *Ceiling prices for commodities with base period prices.* If a commodity you are now selling had a base period price, your ceiling price for sales of that commodity is 115 percent of your base period (i. e., April 1 through June 24, 1950) price. This method of determining your ceiling prices shall be in lieu of the materials cost adjustment and labor cost adjustment provided for in section 4 of this supplementary regulation and in Ceiling Price Regulation 22.

(c) If you establish ceiling prices under paragraph (b) of this section you need not file OPS Public Form No. 8, but you must, in lieu of filing that form, file a statement showing your base period prices for these commodities or for any commodity falling in the same category. Your statement shall include your price list or lists and any applicable discount schedules you last had in effect on or before June 24, 1950 as to any paints, varnishes or lacquers for which you had a list price.

(d) *Ceiling prices for other commodities for which you cannot establish prices under paragraph (b) of this section.* If a commodity you are now selling or propose to sell did not have a base period (i. e., April 1 through June 24, 1950) price but falls within a category in which you dealt during that base period, you determine your ceiling price in accordance with instructions given in section 32 of Ceiling Price Regulation 22; except that with respect to the comparison commodity you must use a ceiling price determined under paragraph (b) of this section. For the meaning and selection of a "category" and a "comparison commodity," refer to Ceiling Price Regulation 22.

SEC. 6. *Filings and sales.* On or before July 16, 1951, your OPS Public Form No. 8 report, or the statement required to be filed under section 5 (c) of this supplementary regulation (as the case may be) shall be filed with the Office of Price Stabilization by registered mail directed to: Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C. The prices computed and reported in accordance with this supplementary regulation shall constitute your ceiling prices for the sales of the affected commodities immediately upon your mailing of the Form 8 report or the section 5 (c) statement as provided in this section 6.

Effective date. The effective date of this regulation is July 16, 1951, or such earlier date between June 21, 1951, and July 16, 1951, as you may select. If you select such an earlier date, the supplementary regulation becomes effective as to you upon that date for all of your commodities covered by this supplementary regulation.

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

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 21, 1951.

APPENDIX A

MATERIALS COST INCREASE FACTORS

There are listed in this Appendix various materials for which you must use the increase factor in the Appendix if you are pricing under section 4 of this Supplementary Regulation 6. The first column lists the material. The second column lists the unit to which the increase factor shown in the third column shall apply. The third column in some instances indicates the dollars and cents increase for the indicated unit of the material, and in other cases indicates the percentage increase factor to be applied to your cost of the listed material in the base period April 1, 1950 through June 24, 1950. The percentage factor applied to your base period cost for the indicated unit of material is the dollars and cents amount to be applied as the increase in cost for that unit of material. In some cases the third column indicates a decrease in cost for a listed material. In respect to those materials the decrease in cost must be computed and recognized in the same manner as the indicated cost increases.

Material	Unit for price	Unit price increase (dollars or percent)
Acids:		
Abietic, commercial	Pound	$0.02.
Castor oil, split	Pound	$0.09.
Chromic, 99½-99¾	Pound	$0.015.
Coconut oil, double distilled.	Pound	$0.06.
Cottonseed oil, distilled	Pound	$0.1075.
Cresylic, imported, 75% at 215° C.	Gallon	163.0%.
Linseed oil, regular distilled.	Pound	$0.04.
Naphthenic 220-230	Pound	$0.01.
Soybean, double distilled.	Pound	$0.085.
Stearic, double pressed	Pound	$0.1025.
Alcohol:		
Allyl	Pound	No increase.
Amyl, fermentation, ref. 126-132°.	Pound	No increase.
Butyl, fermentation, normal.	Pound	154.0%.
Denatured, SDI	Gallon	102.0%.
Ethyl, tax free	Gallon	17.0%.
Allyl Starch, 40% solution	Pound	$0.033.
Aluminum:		
Naphthenate, liquid, 1.7%.	Pound	$0.0375.
Paste, standard	Pound	$0.015.
Powder, varnish, std	Pound	$0.10.
Stearate, dibasic	Pound	$0.125.
Ammonium linoleate, tech.	Pound	No increase.
Antimony oxide	Pound	84.5%.
Antimony sulphide, 62-64%.	Pound	$0.21.
Arsenic, trioxide, USP	Pound	No increase.
Arsenic, metal, lump	Pound	No increase.
Asbestos, Canadian fiber, 3T.	Short ton	$53.50.
Asphaltum, cut-back	Gallon	No increase.
Asphalt, gilsonite, select	Ton	$0.50.
Asphalt, Trinidad, Manjack No. 10.	Pound	No increase.
Baryte ore	Short ton	No increase.
Black, bone	Pound	No increase.
Butyl acetate, fermentation, normal.	Pound	163.0%.
Butyl, lactate, fermentation.	Pound	$0.07.
Cadmium metal, ingots	Pound	$0.55.
Calcium chromate	Pound	No increase.
Calcium naphthenate, 4% Ca.	Pound	$0.0225.
Calcium Resinate, precip	Pound	$0.035.
Casein, domestic, standard.	Pound	$0.195.
Casein, imported, ground	Pound	$0.175.
Castor beans	Long ton	$185.00.
Cashewnut liquid, treated	Pound	No increase.
China clay, imported, white, powd.	Short ton	No increase.
Chromium acetate solution 7½ percent.	Pound	$0.005.
Coaltar, refined	Gallon	$0.005.
Cobalt acetate	Pound	$0.175.
Cobalt linoleate, fused 8½ Co.	Pound	$0.045 decrease.
Cobalt naphthenate, 6 percent Co.	Pound	$0.05.
Cobalt resinate, 3 percent Co.	Pound	$0.0375.
Copper naphthenate 8 percent Cu.	Pound	$0.035.
Creosote, coaltar, refined	Gallon	$0.035.
Cresols, tech	Pound	$0.045.
Dextrin, corn, Canary	100pounds	$1.15.
Diatomaceous earth, imported, Mexican.	Short ton	No increase.
Dibutyl phthalate, fermentation.	Pound	$0.115.
Diethylethanolamine, fermentation.	Pound	$0.06.
Dipentene, steam-dist	Gallon	$0.01 decrease.
Ethyl acetate, fermentation, 85-88 percent.	Pound	$0.10.
Ethyl lactate, fermentation.	Pound	$0.0325.
Ethyl Silicate, 40 percent	Pound	No increase.
Glue, bone, 110 jellygrams	Pound	$0.05.
Glue, Hide, 229-330	Pound	$0.05.
Glycerin, refined, 98 percent.	Pound	$0.32.
Graphite, imported, Crystal.	Pound	No increase.
Green, chrome, CP, 26-30 percent blue.	Pound	$0.06.
Green, chromium oxide, hydrated.	Pound	$0.20.
Gum:		
Copal, Congo, No. 1	Pound	$0.005.
Copal, Manila DBB	Pound	$0.05.
Pontianak, chips	Pound	$0.115.
Dammar, Batavia, A/E	Pound	No increase.
East India, Batu, bold.	Pound	$0.04.
Singapore No. 1	Pound	$0.06.
Elemi	Pound	$0.035.
Ester, gum resin, imported	Pound	$0.085.

Material	Unit for price	Unit price increase (dollars or percent)
Gum—Continued		
Karaya, powdered No. 1	Pound	$0.07.
Kauri	Pound	No increase.
Gypsum, crude	Short ton	$12.65.
Irish moss, prime	Pound	$0.12.
Iron acetate, 28°	Pound	No increase.
Iron naphthenate, 6% Fe	Pound	$0.03.
Lanolin, anhydrous, USP	Pound	No increase.
Lead acetate, gran	Pound	$0.0325.
Blue, basic sulphate	Pound	$0.045.
Metallic, paste	Pound	$0.0725.
Naphthenate, 24% Pb	Pound	$0.045.
Red, 95% Pb_3O_4	Pound	$0.0525.
Red, 97% Pb_3O_4	Pound	$0.0525.
Red, 98% Pb_3O_4	Pound	$0.055.
Resinate, precip	Pound	$0.035.
Tallate, liquid, 16% Pb	Pound	$0.03.
White, basic carbonate	Pound	$0.0375.
White, basic sulphate	Pound	$0.045.
White, basic silicate	Pound	24.0%.
Leaded zinc oxide, 35%	Pound	$0.0375.
Lecithin, tech., bleached	Pound	$0.07.
Litharge, powd	Pound	$0.0525.
Lithopone, ordinary	Pound	$0.0125.
Lithopone, titanated	Pound	$0.01375.
Magnesium carbonate, USP.	Pound	$0.005.
Manganese, borate, tech	Pound	$0.01.
Manganese, dioxide, 84-87%	Short ton	No increase.
Manganese, linoleate, liq., 4.35%	Pound	$0.08¾ decrease.
Manganese, linoleate, sol. 8.2%	Pound	$0.08 decrease.
Manganese, naphthenate, 6% Mn.	Pound	$0.025.
Manganese, resinate, precip. Mn.	Pound	$0.03.
Mannitol, commercial	Pound	No increase.
Metacresol	Pound	$0.20.
Methyl abietate	Pound	No increase.
Methyl abietate, hydrogenated.	Pound	No increase.
Mercury, quicksilver	76-pound flask.	$145.00.
Mica, dry grd	Pound	$0.0025.
Molasses, blackstrap	Gallon	280.0%.
Naphthalene, refined, industrial.	Pound	$0.02¾.
Naphthenic acid 230-240	Pound	No increase.
Nitrocellulose, ester soluble 30-40 sec.	Pound	$0.05.
Nitrocellulose, spirits soluble 40-50 sec.	Pound	$0.12.
Oils:		
Castor, blown	Pound	$0.17½.
Castor, dehydrated, bodied.	Pound	$0.186.
Castor, refined and deodorized.	Pound	$0.175.
Castor, sulphonated, 50%	Pound	$0.07.
Coconut, crude	Pound	$0.06¾.
Cottonseed, crude	Pound	$0.08½.
Linseed, raw	Pound	$0.057.
Menhaden, refined, alkali.	Pound	$0.115.
Oiticica, liquid	Pound	$0.16.
Peanut, refined	Pound	$0.11¼.
Pine, steam distilled	Pound	$0.022.
Safflower	Pound	$0.014.
Sardine, refined, alkali	Pound	$0.115.
Soybean, refined alkali	Pound	$0.07.
Tall, refined	Pound	$0.0075.
Tar, pine	Pound	$0.006.
Tung, domestic	Pound	$0.17.
Tung, imported	Pound	$0.18.
Orange, cadmium lithopone.	Pound	$0.55.
Orange, chrome	Pound	$0.07.
Orange, molybdated	Pound	$0.05.
Orthocresol, pure	Pound	No increase.
Paracresol, 98%	Pound	No increase.
Pinetar, retort	Pound	$0.006.
Pitch:		
Coaltar, 150° F	Short ton	$1.50.
Cottonseed	Pound	$0.03.
Linseed	Pound	No increase.
Soybean	Pound	$0.0025.
Potassium cyanide	Pound	No increase.
Potassium bichromate	Pound	$0.0025.
Protein, soya, chem. isolated.	Pound	$0.04.
Red, cadmium light	Pound	$0.70.
Red, cadmium, orange	Pound	$0.65.
Red, Cadmium, Lithopone, deep.	Pound	$0.52.
Red, iron oxide, 75-78% coppers.	Pound	No increase.
Red, mercury oxide	Pound	$2.22.
Red, Persian Gulf	Pound	No increase.
Red, Spanish oxide, grade 1.	Pound	$0.0012.
Red, Turkey	Pound	No increase.
Red, quicksilver	Pound	$0.12 decrease.
Rosin, wood, FF	100 pounds	$2.30.
Rosin, gum, WG	100 pounds	$3.99.
Shellac, bleached, bone dry.	Pound	$0.10.
Shellac, superfine	Pound	$0.20.
Sodium Bichromate	Pound	No increase.
Sodium Chromate	Pound	No increase.
Sodium molybdate, anhy.	Pound	$0.06.
Sodium prussiate, yellow	Pound	$0.01.
Sorbitol, cryst	Pound	No increase.
Starch, corn	100 pounds	$1.03.
Talc, fibrous, 98.5-99.5%, 325 mesh.	Short ton	5.9%.
Titanium dioxide, chalk resist.	Pound	$0.01¾.
Titanium pigment, calcium-rutile.	Pound	$0.006.
Tributyl phosphate, fermentation.	Pound	$0.07.
Tributyl citrate, tech., fermentation.	Pound	No increase.
Tricresyl phosphate, coaltar, imported.	Pound	$0.06½.
Turpentine, gum	Gallon	$0.52.
Turpentine, wood, steam dist.	Gallon	$0.36.
Wax, bees, bleached, USP.	Pound	$0.19.
Wax, Candelilla, refined	Pound	$0.25½.
Wax, Carnauba, North country.	Pound	$0.48.
Wax, Oricury, refined	Pound	$0.24.
Wax, Japan	Pound	$0.13.
Wax, Montan, refined	Pound	No increase.
Wax, sugar cane, imported.	Pound	$0.12.
Whiting, Paris white	Short ton	No increase.
Woodflour, 40 mesh	Short ton	No increase.
Yellow, barium chromate CP.	Pound	$0.0475.
Yellow, Cadmium, CP, all shades.	Pound	$0.55.
Yellow, Cadmium lithopone, all shades.	Pound	$0.37.
Yellow, Chrome, CP	Pound	$0.07.
Yellow, iron oxide, natural.	Pound	No increase.
Yellow, mercury oxide	Pound	$2.22.
Yellow, zinc	Pound	$0.06.
Zein	Pound	$0.05.
Zinc cyanide	Pound	$0.072.
Zinc dust	Pound	$0.091.
Zinc naphthanate, 8% Zn liquid.	Pound	$0.0325.
Zinc oxide, pigment, acicular.	Pound	$0.0325.
Zinc resinate, precip	Pound	$0.04.
Zinc stearate, tech	Pound	$0.12.
Zinc sulphide, pure	Pound	$0.04.
Zinc cadmium sulphide, fluorescent.	Pound	$0.10.

[F. R. Doc. 51-7236; Filed, June 21, 1951; 10:58 a. m.]

[Ceiling Price Regulation 22, Amendment 12]

CPR 22—Manufacturers' General Ceiling Price Regulation

PAINTS, VARNISHES, AND LACQUERS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment removes the exemption of paints, varnishes, and lacquers from Ceiling Price Regulation 22. Shellac gum and metallic waterproofing compounds continue to be exempted. There is being issued a regulation supplementary to CPR 22 which will bring paints, varnishes, and lacquers under the coverage of CPR 22 and will afford certain alternative pricing methods for manufacturers of these commodities.

AMENDATORY PROVISIONS

Ceiling Price Regulation 22 is amended as follows:

Appendix A is amended by striking out from paragraph (i) subparagraph (10), the words "Paints, varnishes, and lacquers" and by substituting therefor the words "Shellac gum and metallic waterproofing compounds."

(Sec. 704, Pub. Law 774, 81st Cong.)

This amendment shall become effective June 21, 1951.

Michael V. DiSalle,
Director of Price Stabilization.

June 21, 1951.

[F. R. Doc. 51-7237; Filed, June 12, 1951; 10:58 a. m.]

[Ceiling Price Regulation 47]

CPR 47—Brass Mill Scrap

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.) and Executive Order 10161 (15 F. R. 6105), and in accordance with Economic Stabilization General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation No. 47 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes dollars-and-cents ceiling prices for various grades of brass mill scrap. Brass mill scrap includes all kinds and grades of nonferrous scrap materials which are the waste or byproduct of any kind of fabrication of new brass mill products and any new brass mill product which is sold for remelting purposes, regardless of whether such product is in the form originally sold by a brass mill or whether it has been further fabricated, processed, altered, or assembled. Brass mill scrap also includes uncontaminated, fired or demilitarized brass cartridge and artillery cases. Any such material, however, which is unsuitable for brass mill use does not come within the classification of brass mill scrap.

Most brass mill scrap consists only of material which is generated in the manufacture of articles from new sheet tube, wire, or other brass mill product and it does not include any scrap material obtained through the wrecking of such things as automotive equipment, industrial machinery, or buildings. Ordinarily, there is a reciprocal movement of material between the brass mills and the consumers of their products. Brass mills sell their sheet, wire, tube and other products to manufacturers and fabricators and these in turn sell the scrap which results from their operations to the brass mills. Certain quantities of brass mill scrap customarily move through dealers, but since little or no preparation of such material is necessary, the principal operation of the dealer consists of the accumulation and sorting of material from small manufacturers and fabricators and reselling it in quantities which can be conveniently handled by the brass mills. Under conditions of shortage such as those which now exist, the dealer func-

tion takes on added importance because it returns to the mills needed material which might otherwise be lost to them.

Brass mill scrap is a direct substitute for the prime metals which it contains and in period of increased production it constitutes anywhere from 20 to 70 percent of the raw material used in the production of various grades of brass mill products. Ordinarily, scrap sells at a price below the mixture value of its component metals and this differential remains relatively fixed. The data set forth in the following table indicate the relationship between the prices of new metal and the prices for an important grade of scrap during the period from January 1, 1950, to June 8, 1950.

Date	Copper	Zinc	New metal value 70/30 brass	Base price differential	
				70/30 brass scrap	New metal over scrap
Jan. 1, 1950	18.50	10.72	16.166	12.50	3.666
May 1, 1950	19.50	11.47	17.091	13.375	3.716
May 24, 1950	20.50	12.97	18.241	14.625	3.616
June 8, 1950	22.50	15.47	20.391	16.75	3.641

As in the case of virtually all scrap metals, however, the outbreak of hostilities in Korea and the inauguration of our defense program upset this customary relationship and the prices for brass mill scrap rose more sharply than the prices for new metal. During the base period of the General Ceiling Price Regulation (December 19, 1950, to January 25, 1951, inclusive) the market for brass mill scrap was extremely chaotic and some sellers were able to obtain prices for scrap which reflected metal values in excess of the prices prevailing for new metal. Thus while new copper was selling at 24½ cents per pound, brass mills were compelled to pay as much as 28 cents or more per pound for copper in scrap. Similarly, 70/30 Yellow Brass scrap having a value, in terms of new metal prices, of 22½ cents a pound was selling for as much as, and in some cases more than, 26 cents per pound.

This abnormal price relationship, reflected in ceiling prices established under the General Ceiling Price Regulation, has disrupted the normal flow of scrap and is causing some hardship to consumers. These circumstances, and the accompanying uncertainty and confusion among both buyers and sellers, constitutes a serious threat to the continued output of brass mill products essential to both the defense program and the civilian economy.

The ceiling prices established by this regulation are designed to correct this situation by rolling back the ceiling prices for brass mill scrap to a level which will restore, generally, the same cents per pound differential between the prices for such scrap and the prices for new metal which prevailed in the period preceding the Korean crisis. Thus the ceiling price for clean heavy copper scrap has been established at 21½ cents per pound based upon the 3 cent pre-Korea differential for this grade below the prevailing ceiling price for prime domestic copper (24½ cents per pound). Similarly the ceiling prices for the alloy grades of brass mill scrap, with the exception of phosphor bronze, represent the pre-Korean cents per pound differentials below the ceiling prices for the metals which such scrap contains.

The ceiling prices established for phosphor bronze scrap reflect a somewhat smaller differential below prevailing prices for new metals than that which existed in the pre-Korea period in order to prevent the diversion of such material from brass mill consumers. During the pre-Korea period, the prices for phosphor bronze brass mill scrap were relatively low, in terms of the value of its constituents metals, because there was little demand for phosphor bronze material on the part of brass and bronze ingot manufacturers. Phosphor bronze scrap which is contaminated and unsuitable for brass mill use comes within the category of copper alloy scrap and the ceiling prices for such material are being established at levels which will not encourage its use by copper refiners and will not prevent its flow to brass and bronze ingot manufacturers. If the ceiling prices for phosphor bronze brass mill scrap (which contains only uncontaminated material and is restricted to brass mill use by the National Production Authority) were set at too low a level, it would encourage the contamination of such material in order to bring it within the classification of copper alloy scrap and needed material would be diverted from the brass mills. The ceiling prices for phosphor bronze brass mill scrap, therefore, have been established at a slightly higher level than the ceiling prices for comparable copper alloy scrap.

Although there does not appear to be any customary trade practice in the marketing of brass mill scrap insofar as quantity premiums are concerned, it does appear that deliveries in relatively large quantities ordinarily command some premiums over deliveries in lesser amount. In recognition of this fact and in order to encourage the accumulation and distribution of needed brass mill scrap, the regulation establishes certain premiums for a delivery or series of deliveries in specified quantities. Furthermore, premiums have been established for inter-dealer transactions in order to encourage smaller dealers to dispose of their scrap instead of holding it until they have accumulated amounts for which a quantity premium might be charged. No quantity premium may be charged where such inter-dealer premiums are applicable.

In order to permit dealers to operate and to provide an incentive for their collection of scrap from many small and scattered sources, the regulation establishes ceiling prices for sales by dealers which are ½ cent per pound higher than the ceiling prices applicable to sales by persons other than dealers. This provision reflects the recommendation of both dealers and consumers.

Since brass mill scrap, with the exception of demilitarized cartridges and shells, is new scrap generated directly from brass mill products, the grades established in this regulation conform to the various grades of brass mill products. When the generator sells his scrap either directly to a brass mill or to a dealer he must specify on the bill of sale the trade or alloy name of the brass mill product from which it was generated and the name of the brass mill producer. Such information must also be set forth on all subsequent bills of sale. Although it might have been possible to distinguish between grades of scrap on the basis of analysis of metallic content, such method of classification would have created problems of enforcement which are avoided by the technique adopted in the regulation.

In order to avoid undue hardship upon dealers, the regulation permits, for 7 days, deliveries at prices in excess of ceiling prices in order to carry out contracts entered into before the issuance of the regulation. Such deliveries may be made, however, only if the material so delivered was acquired by the seller at prices in excess of the ceiling and if before the issuance date it had been received by, or was in transit to, the seller. Although the time allowed for contract completion in this regulation is shorter than the 30 day period allowed for nickel scrap by Ceiling Price Regulation 29 and the 14 day period allowed by Ceiling Price Regulation 46 for copper scrap and copper alloy scrap, the distinction is justified by the different considerations which affect each of these materials. The 30 day period for nickel scrap was allowed because certain quantities are imported, but such an extended period is considered unnecessary for brass mill scrap since virtually no such material comes from sources outside of the United States. Since most brass mill scrap moves from generator to consumer in the form in which it is generated, the considerations which justified a 14 day period for contract completion in the case of copper scrap and copper alloy scrap are not present here. The 7 day period allowed in this regulation corresponds with that provided for in Ceiling Price Regulation 43—Zinc Scrap, and it is considered sufficient to protect dealers against undue loss in this connection.

In the judgment of the Director of Price Stabilization, the provisions of Ceiling Price Regulation 47 are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

In formulating Ceiling Price Regulation 47, the Director consulted with representatives of the industry affected to the extent practicable under existing

circumstances, and has given full consideration to their recommendations.

The provisions of Ceiling Price Regulation 47 and their effect upon business practices, cost practices, or means or aids to distribution in the industry have also been considered. To the extent that the provisions of the regulation may operate to compel changes in such practices or methods, such provisions are necessary to prevent circumvention or evasion of the regulation and to effectuate the policies of the Defense Production Act of 1950.

REGULATORY PROVISIONS

Sec.
1. Coverage of this regulation.
2. Exemptions.
3. Prohibitions and permission to carry out certain contracts.
4. Ceiling prices, f. o. b. point of shipment.
5. Ceiling delivered prices.
6. Ceiling prices for unlisted grades and specially prepared brass mill scrap.
7. Definitions.
8. Excise, sales, and similar taxes.
9. Invoicing and record-keeping requirements.
10. Penalties.
11. Petitions for amendment.

AUTHORITY: Sections 1 to 11 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. *Coverage of this regulation*—(a) *Products covered.* This regulation establishes ceiling prices for all grades of brass mill scrap. Brass mill scrap includes all kinds and grades of nonferrous scrap materials which are the waste or by-product of any kind of fabrication of new sheet, tube, wire, rod or other brass mill product. It also includes uncontaminated, fired or demilitarized brass cartridge and artillery cases and any new sheet, tube, wire, rod or other brass mill product sold for remelting purposes, regardless of whether such brass mill product is in the form originally sold by a brass mill of whether it has been further fabricated, processed, altered or assembled. Brass mill scrap does not include, however, any material which qualifies under the foregoing provisions, but which is unsuitable for brass mill use.

(b) *Transactions covered.* This regulation applies to all sales and deliveries of brass mill scrap except sales or deliveries between a parent corporation and its wholly owned subsidiary or between subsidiary corporations wholly owned by the same parent corporation.

(c) *Persons covered.* This regulation applies to any person, including an importer or exporter, who engages as a seller in any of the transactions covered by this regulation. It also applies to any person who, in the regular course of trade or business, buys brass mill scrap from any such seller.

(d) *Geographical applicability.* This regulation applies in the 48 States of the United States, its Territories and Possessions, and the District of Columbia.

SEC. 2. *Exemptions.* Notwithstanding the provisions of any price regulation or order heretofore or hereafter issued by the Office of Price Stabilization, except an amendment to this regulation, all sales and deliveries and purchases and receipts of brass mill scrap which are not covered by this regulation are exempt from price control.

SEC. 3. *Prohibitions and permission to carry out certain contracts*—(a) *Prohibitions*—(1) *Against transactions above ceiling prices.* Regardless of any contract or other obligation (except as provided in paragraph (b) of this section), on and after the effective date of this regulation no person covered by this regulation shall sell or deliver, or buy or receive in the regular course of trade or business, brass mill scrap at a price in excess of the applicable ceiling price established by this regulation. No person covered by this regulation shall offer, solicit, attempt, or agree to do any of the foregoing.

Lower prices than those set forth in this regulation may be charged, demanded, paid, or offered.

(2) *Against tie-in transactions.* No person covered by this regulation shall sell brass mill scrap upon condition (i) that the buyer purchase from any person any commodity or service, or (ii) that the buyer sell to any person any commodity or service. No person covered by this regulation who buys brass mill scrap in the regular course of trade or business shall participate in any such tie-in transaction.

(3) *Against evasion.* No person shall evade or circumvent the provisions of this regulation by direct or indirect methods in connection with the sale, purchase, delivery, or transfer of brass mill scrap, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge or discount, premium, or other privilege, or by upgrading, trade understanding, or otherwise.

(b) *Permission to carry out certain contracts.* Regardless of any other provisions of this regulation, until July 3, 1951, any person may deliver brass mill scrap at a price in excess of the ceiling price established herein in order to carry out any contract entered into before June 21, 1951, if the material so delivered was purchased at a price in excess of the ceiling prices established herein and if before June 21, 1951, it was received by, or was in transit to, the person making delivery.

SEC. 4. *Ceiling prices, f. o. b. point of shipment*—(a) *Sales by any person other than a dealer.* (1) The ceiling price, f. o. b. point of shipment, for any grade of brass mill scrap listed in Table A below when sold by any person other than a dealer is the applicable price set forth in that table. Note, however, that the delivered price (price f. o. b. point of shipment plus transportation costs paid by the buyer) may not exceed the applicable ceiling delivered price set forth in section 5 of this regulation.

When any brass mill scrap is sold on a "where is" basis, an amount no less than the cost to the buyer of loading the scrap in the conveyance in which it is to be transported must be deducted from the applicable price set forth in Table A.

Certain quantity premiums may be charged in accordance with subparagraph (2) of this paragraph and provisions for pricing mixed shipments are set forth in subparagraph (3) of this paragraph.

Each grade of scrap listed in Table A designates the grade of brass mill product from which such scrap is generated.

TABLE A

[*Ceiling prices (cents per pound)*]

Kind or grade of scrap (trade or alloy name)	Clean heavy scrap	Rod and rod ends	Turnings
Copper	21.50	21.50	20.75
Gilding 95 percent	20.50	20.25	19.75
Commercial bronze 90 percent	20.50	20.25	19.75
Red brass 85 percent	20.25	20.00	19.375
Low brass 80 percent	20.125	19.875	19.375
Best quality brass	19.875	----------	----------
Cartridge brass 70 percent	19.125	18.875	17.875
Yellow brass	19.125	18.875	17.875
Muntz metal	18.125	17.875	17.375
Naval brass	18.75	18.50	18.00
Manganese bronze	18.75	18.50	18.00
Silicon bronze	20.875	20.625	19.875
Cupro nickel 30 percent	25.50	----------	----------
Nickel silver:			
5 percent	19.875	19.625	9.9375
8 percent	21.125	20.875	10.5625
10 percent	21.50	21.25	10.75
12 percent	22.00	21.75	11.00
15 percent	22.625	22.375	11.3125
18 percent	23.50	23.25	11.75
Phosphor bronze:			
5 percent	27.00	26.75	25.75
8 percent	30.00	29.75	28.75
10 percent	32.00	31.75	30.75
Under 4 percent	25.00	24.75	23.75
Beryllium copper:			
0.020 inch and thicker	30.00	----------	25.00
Thinner than 0.020"	25.00	----------	----------
Uncontaminated fired or demilitarized cartridge and artillery cases	19.125	----------	----------

(2) *Quantity premiums.* In addition to the ceiling prices determined in accordance with subparagraph (1), of this paragraph, the quantity premiums set forth in Table B may be charged if the seller, within a period of three consecutive calendar days (excluding Saturdays, Sundays, and legal holidays) delivers from one or more shipping points the specified quantity of material (i) to a public carrier for transportation to the buyer's receiving point, (ii) to the buyer at his receiving point in a conveyance owned or controlled by the seller, or (iii) upon a conveyance owned or controlled by the buyer. The amount of material delivered during any calendar day may be counted only once in determining whether a quantity premium may be charged.

Whether a delivery or series of deliveries qualifies for a quantity premium shall be established on the basis of the actual weight of brass mill scrap determined at the buyer's receiving point. The weight of containers, dunnage, or other tare may not be included in determining whether a quantity premium may be charged.

TABLE B

Quantity:	*Premium per pound of scrap (cent)*
20,000 to 40,000 pounds	½
40,000 pounds or more	1

(3) *Mixed shipments.* When grades or forms of brass mill scrap having different ceiling prices under the provisions of this regulation are shipped in one vehicle, the ceiling price for the entire shipment shall be the ceiling price applicable to the lowest priced grade or form contained therein unless each grade or form is invoiced separately and is so loaded in the vehicle that it can be

readily distinguished and separately weighed.

(b) *Sales by a dealer*—(1) *To a consumer.* The ceiling price, f. o. b. point of shipment, for the sale of brass mill scrap by a dealer to a consumer is the price determined in accordance with paragraph (a) of this section plus an amount not to exceed ½ cent per pound.

(2) *To a dealer.* The ceiling price, f. o. b. point of shipment, for the sale of brass mill scrap by a dealer to a dealer is the price determined in accordance with paragraph (a) of this section plus an amount not to exceed 1½ cents per pound: *Provided, however,* That no quantity premium may be charged in connection with the sale of brass mill scrap by one dealer to another dealer.

SEC. 5. *Ceiling delivered prices.* The ceiling delivered price for brass mill scrap is the applicable ceiling price, f. o. b. point of shipment, determined in accordance with section 4 of this regulation, plus whichever of the following charges is applicable:

(a) When delivery is made to the buyer's receiving point by a public (common or contract) carrier, an amount not in excess of the actual charge (including transportation taxes) made by such carrier;

(b) When delivery is made to the buyer's receiving point by a vehicle owned or controlled by the seller, an amount not in excess of the lowest published and applicable motor common carrier charge (not including transportation taxes) for transporting the quantity of brass mill scrap being priced from the point, or points, of shipment to the buyer's receiving point. In the case of a series of deliveries which qualifies for a quantity premium, the published and applicable motor common carrier charge shall be determined on the basis of the total quantity involved even though separate deliveries are made in lesser quantities, and such charge shall be prorated over the quantities contained in each delivery.

SEC. 6. *Ceiling prices for unlisted grades and specially prepared brass mill scrap*—(a) *Unlisted grades.* The ceiling price for any grade of brass mill scrap not listed in Table A shall be the price established by the Office of Price Stabilization upon application by the seller. Any application pursuant to this paragraph shall be filed with the Office of Price Stabilization, Washington 25, D. C., and shall set forth the following information: The name and address of the seller; a description of the grade of brass mill scrap for which a ceiling price is to be established; the name and address of the generator of the scrap; the trade name, if any, of the brass mill product from which the scrap was generated; and a proposed ceiling price.

The ceiling price established by the Office of Price Stabilization under the provisions of this section shall be in line with the ceiling prices otherwise established in this regulation.

A person who files an application in accordance with this paragraph may sell the product covered at a price not in excess of his proposed ceiling price provided that he furnishes the buyer with a copy of his application and agrees with the buyer that he will refund the amount, if any, by which the sales price exceeds the ceiling price established by the Office of Price Stabilization.

(b) *Specially prepared brass mill scrap.* Any consumer of brass mill scrap, other than a producer of brass mill products, who desires to purchase brass mill scrap specially prepared to his specifications in a form not listed in Table A shall apply to the Office of Price Stabilization, Washington 25, D. C., for the establishment of a ceiling price for such material. Any application pursuant to this paragraph shall set forth the following information: The name and address of the applicant; the nature of the applicant's business; the purpose for which the specially prepared material will be used; the name and address of the person or persons from whom the applicant will buy such material; the date of the authorization from the National Production Authority permitting the applicant to purchase brass mill scrap; a statement of the specifications for the specially prepared material; a description of the manner in which such material will be prepared; if the applicant previously purchased similar specially prepared material, the price last paid prior to the issuance of this regulation; and a proposed ceiling price.

The ceiling price established by the Office of Price Stabilization under provisions of this paragraph shall be in line with the ceiling prices otherwise established in this regulation.

SEC. 7. *Definitions.* When used in this regulation, the term:

(a) "Consumer" includes any person whose business consists in whole or in part of smelting, refining, melting or otherwise processing brass mill scrap into a form other than scrap or having such scrap so processed for his account by another person under a toll or conversion agreement. Any parent or subsidiary of a consumer and any person owned, operated, affiliated with, under common control with, or otherwise controlled by an officer, director, partner, or proprietor of a consumer shall also be considered to be a consumer for the purposes of this regulation.

(b) "Dealer" means any person whose business includes the acquisition of any material for the purpose of sale as waste, scrap, or salvage materials.

(c) "Exporter" means a person who last sells brass mill scrap which is transported, after such sale, from a point in the United States, its Territories or Possessions to a point outside thereof.

(d) "Importer" means a person who first sells brass mill scrap which is transported, either before or after such sale, from a point outside the United States, its Territories or Possessions to a point inside thereof.

(e) "Parent Corporation" means a corporation which owns all of the capital stock, except qualifying shares, of one or more corporations.

(f) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions or any agency of the foregoing.

(g) "Point of shipment" means the point at which brass mill scrap is loaded on a conveyance for transportation to the buyer's receiving point. In the case of brass mill scrap sold by an importer and delivered into the United States, its Territories or Possessions, by water, the point of shipment shall be deemed to be the place within the limits of the continental United States, its Territories or Possessions where the material is loaded on a conveyance for transportation to the buyer's receiving point. In the case of brass mill scrap sold by an importer and transported directly to the buyer's receiving point overland from Mexico or Canada, the point of shipment shall be deemed to be the freight station in the United States at or nearest the point at which the scrap first enters the United States.

(h) "Wholly owned subsidiary" means a corporation in which the parent corporation owns all of the capital stock except qualifying shares.

SEC. 8. *Excise, sales, and similar taxes.* Any person may collect, in addition to the ceiling price established by this regulation, any excise, sales, or similar tax imposed upon him by reason of his sale of brass mill scrap if he is not prohibited by law from making such collection and if he states separately from his selling price the amount of the tax collected.

SEC. 9. *Invoicing and record-keeping requirements*—(a) *Invoicing requirements.* Invoices and bills of sale for brass mill scrap must contain full information identifying by the alloy or trade name the brass mill product from which the particular scrap (other than uncontaminated, fired or demilitarized cartridge and artillery cases) being sold was generated, and the name of the producer of such brass mill product.

(b) *Record-keeping requirements.* Every person selling or purchasing brass mill scrap shall keep for inspection by the Director of Price Stabilization, for a period of two years, complete and accurate records of each sale or purchase showing: The date thereof; the name and address of the seller and the buyer; the quantity of each grade sold or purchased; information identifying by the alloy or trade name the brass mill product from which the particular scrap was generated and the name of the producer of such brass mill product; the price charged or paid, f. o. b. point of shipment, for each grade of brass mill scrap; the premiums, if any, charged or paid; the point or points of shipment and the buyer's receiving point; and the disposition of transportation charges.

SEC. 10. *Penalties.* Persons violating any of the provisions of this regulation shall be subject to the criminal penalties, civil enforcement actions, and suits for damages provided for by the Defense Production Act of 1950.

SEC. 11. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance

with the provisions of Price Procedural Regulation No. 1.

Effective date. This regulation shall become effective June 26, 1951.

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

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 21, 1951.

[F. R. Doc. 51-7241; Filed, June 21, 1951; 4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 15, Amendment 3]

GCPR, SR 15—EXCEPTIONS FOR CERTAIN SERVICES

ADJUSTABLE PRICING

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment to Supplementary Regulation 15 (16 F. R. 2908), is hereby issued.

STATEMENT OF CONSIDERATIONS

The orderly functioning of the transportation industry is vital to the accomplishment of many of the objectives of the mobilization program as enunciated in the Defense Production Act of 1950. A major part of these essential transportation services are rendered by that group of motor carriers commonly referred to as "contract carriers." The large packers and processors of food products, nationwide chain store systems and many manufacturers and distributors in the mercantile field depend almost exclusively upon services of these contract carriers. Although the charges for this transportation amount to only a very small part of the total cost or price of the goods transported, the continued efficient maintenance of the transportation service is a major concern to the shippers using those services and to the public generally.

The services supplied by these particular motor carriers are distinctive in that they are not supplied under a general offer or holding-out to the public but, instead, are afforded only as a continuing bilateral obligation under individual written agreements, which agreements specifically state the agreed terms and conditions for performance of the particular service involved. Such contracts, naturally, are for definite fixed terms or, as is most common, they are continuing agreements subject to reopening at stated periods or to cancellation by either party on prior notice. These arrangements are characteristic of the whole "contract carrier" industry. In addition, certain segments of the "contract carrier" industry are also subject to conditions, trade practices and characteristics peculiar to a particular type of operation all varying substantially; and these variations require separate treatment in the formulation of proper ceiling price regulations.

Formal Industry Advisory Committees have been appointed separately for the Contract Carriers generally, except Tank Truck Transportation, Contract Carriers of Liquid Commodities in Tank Trucks, and for the Truck and Passenger Car Rental Operators. Meetings have been had with each of these committees, and their recommendations confirm the necessity of following the procedure adopted by the Office of Price Administration in World War II in establishing separate regulations for each of these distinctive parts of the whole industry. While the formulation of these different regulations is being pressed with all vigor within the limitations of time and staff, it has become apparent that the delays unavoidably incident to selection and appointment of committees, arrangements of meetings, study of industry data, and actual formulation of the regulations have brought about a condition which seriously threatens the maintenance of these essential transportation services.

Ceiling rates for all transportation service, other than those performed by common carriers, and ceiling rates for the commercial rental of trucks and automobiles (directly associated with the motor carrier industry) are subject to the General Ceiling Price Regulation, which establishes as maximum the highest rates charged during the period December 19, 1950 to January 25, 1951. Because of the characteristic of the industry, previously mentioned, under which services generally are performed pursuant to long term contracts, many of the "base period" rates of these carriers actually reflect rates agreed upon long prior to the prescribed "base period." Many of these carriers, with their rates thus frozen at inequitable and unrealistic levels and with no means yet available for adjustment, have demonstrated that present operations under such ceiling rates subject them to substantial financial hardships; and the growing effect of this condition has brought about a real and serious threat to the continuance of their services. Shippers as well as carriers have urged that means be provided immediately whereby reasonable bases of operations can be arrived at pending definite determination of fair and equitable adjusted rates under the regulations to be issued. For these reasons the Director of Price Stabilization deems it necessary, in order to effectuate the purposes of the Act, to permit immediately the making of new long term contracts with agreement between the parties that any adjustment by OPS of the carriers' existing ceilings may be "carried back" to the date of such agreement. Upon issuance and effectiveness of the particular regulations enabling such adjustments to be made, this limited authority for adjustable pricing will become inoperative.

AMENDATORY PROVISIONS

Supplementary Regulation 15 to the General Ceiling Price Regulation is hereby amended as follows:

1. At the end of section 1 the period is changed to a comma and the following is added: "or to provide adjustable pricing authority as to sellers of certain services."

2. A new section 2a, to be inserted between section 2 and section 3, is added, to read as follows:

SEC. 2a. *Adjustable pricing authority.* (a) Contract carriers by motor vehicle, as defined herein, and lessors of trucks and passenger cars, may enter into "long-term contracts" with their shippers or lessees for the furnishing of future transportation service at rates no higher than their existing ceiling rates but such contracts may contain the condition that such service as may be rendered thereunder subsequent to the effective date of this amendment shall be subject to any increase in rates applicable to such service as may be established or approved by the Office of Price Stabilization subsequent hereto.

(b) Definitions: "Contract carriers by motor vehicle" means motor carriers engaged in rendering transportation service by motor vehicle under individual contracts or agreements. "Long-term contracts" means written bilateral contracts or agreements providing for the performance of specified services for fixed periods of 90 or more days or for indefinite periods of not less than 90 days but containing no provisions for cancellation by either party during the first 90 days thereof.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment 3 to Supplementary Regulation 15 to the General Ceiling Price Regulation shall become effective June 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 21, 1951.

[F. R. Doc. 51-7238; Filed, June 21, 1951; 10:58 a. m.]

[General Ceiling Price Regulation, Supplementary Regulation 25, Amendment 1]

GCPR, SR 25—COUPON EXCHANGE RATES AND OTHER PREMIUM PROGRAMS

REMOVAL OF REQUIREMENT FOR DIRECTOR'S APPROVAL

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment to Supplementary Regulation No. 25 to the General Ceiling Price Regulation (16 F. R. 808) is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment removes the requirement that changes in premium catalogues may not be made without the prior approval of the Director of Price Stabilization. This approval would have led to undue delay in securing the necessary approvals. Supplementary Regulation 25 states the conditions under which these proposed changes in premium catalogues would be approved. When these changes are submitted to this Agency in appropriate form they will be subjected to careful review. Under this

amendment, the submitting company need not wait upon any express approval of this Agency before putting such changes into effect but may put them in effect after a fifteen day waiting period, if the proposal has not been disapproved in the meantime. The Director does retain the right to disapprove of any of the proposed changes at any time. This method of obtaining approval is comparable to that provided in Ceiling Price Regulation 22.

AMENDATORY PROVISIONS

Supplementary Regulation 25 to the General Ceiling Price Regulation is amended in the following respects:

1. The last sentence in sections 4 (c) (1), (2), and (3) is deleted.

2. A paragraph is added to the end of section 4 which reads as follows:

You may not put your proposed changes in your coupon exchange plan into operation until the expiration of fifteen days following the date of the mailing of any report under this section. The Director of the Office of Price Stabilization reserves the right to disapprove of any proposed change at any time.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment is effective June 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 21, 1951.

[F. R. Doc. 51-7239; Filed, June 21, 1951; 10:59 a. m.]

[General Overriding Regulation 7, Amdt. 2]

GOR 7—EXEMPTION OF CERTAIN FOOD AND RESTAURANT COMMODITIES, INEDIBLE PRODUCTS

SALES OF SAFFLOWER OIL AND SEED

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this amendment to General Overriding Regulation 7 is hereby issued.

STATEMENTS OF CONSIDERATIONS

This amendment to General Overriding Regulation 7 exempts safflower oil and safflower seeds from price control. These products are difficult to price equitably under the General Ceiling Price Regulation or under CPR-22 because only scatterd sales were made during the base period of either regulation. No parity price has been computed by the Department of Agriculture and the data available to price these commodities properly are meager. The volume of safflower oil produced is small. It has been estimated from unofficial acreages and yields of seed, and the oil yield of that seed, that approximately 150 tank-cars was produced from the 1950 crop. The price that safflower oil can command is determined not by its own weight in the market but by the prices of linseed oil and soybean oil. Safflower seed oil is principally used as a substitute for linseed oil and soybean oil in the drying oils field. Since both linseed oil and soybean oil are under price control, it is not felt that the decontrol of this substitute material will allow such material to rise beyond a fair price in relation to linseed and soybean oils.

Under these circumstances it is clear that safflower oil and seeds have but a trifling effect upon the cost of living, the cost of the defense effort, or the general current of industrial costs. Furthermore, any ceiling price restrictions imposed on these commodities would involve an administrative burden out of all proportion to the importance of keeping such commodities under price control.

Exemption of these commodities from price regulations by the Office of Price Stabilization will in no way defeat or impair the price stabilization program or the objectives of the Defense Production Act of 1950.

AMENDATORY PROVISIONS

General Overriding Regulation 7 is amended by adding a new section 5 to read as follows:

SEC. 5. *Safflower oil and safflower seeds.* No ceiling price regulation heretofore issued or which may hereafter be issued by the Office of Price Stabilization shall apply to sales of the following products:

1. Safflower oil.
2. Safflower seeds.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment shall become effective June 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 21, 1951.

[F. R. Doc. 51-7243; Filed, June 21, 1951; 4:00 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation 6]

CMP REG. 6—CONSTRUCTION UNDER THE CONTROLLED MATERIALS PLAN

This regulation is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950. In the formulation of this regulation, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all industries affected in advance of the issuance of this regulation has been rendered impracticable because the regulation affects many different industries.

EXPLANATORY PROVISIONS

Sec.
1. What this regulation does.
2. Definitions.
3. General construction schedule and allotment procedure.
4. Statements of requirements.
5. Applications for authorized construction schedules and allotments.

AUTHORIZED CONSTRUCTION SCHEDULES, ALLOTMENTS, AND DELIVERY ORDERS FOR CONTROLLED MATERIALS

Sec.
6. How construction schedules are authorized.
7. How allotments are made.
8. Designation and use of allotment numbers.
9. Allotments by contractors and consumers.
10. How to cancel or reduce allotments.
11. Transfer of allotments.
12. Alternative procedure for simultaneous allotments.
13. Restrictions on placing authorized controlled material orders, and on use of allotments and materials.
14. Adjustments for changes in requirements.
15. How to place orders with controlled materials producers and distributors.

GENERAL PROVISIONS

16. Applicability of other regulations and orders.
17. Records and reports.
18. Applications for adjustment or exception.
19. Communications.
20. Violations.

AUTHORITY: Sections 1 to 20 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

EXPLANATORY PROVISIONS

SECTION 1. *What this regulation does.* The purpose of this regulation is to explain how to get materials for construction under the Controlled Materials Plan. Manufacturers of class A products for use in construction may receive authorized production schedules and allotments under this regulation, but they must comply with all applicable provisions of CMP Regulation No. 1. Controlled materials for the manufacture of class B products are not obtained under this regulation. A manufacturer of class B products for use in construction may obtain allotments from the appropriate Industry Division or Claimant Agency in accordance with the provisions of CMP Regulation No. 1. This regulation will be supplemented from time to time by the issuance of procedures, forms, interpretations, directions, and instructions.

SEC. 2. *Definitions.* As used in this regulation:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "NPA" means the National Production Authority.

(c) "Construction project" means the erection of any building, structure, or project, or addition or extension thereto, or alteration thereof, through the incorporation-in-place on the site of products and materials which are to be an integral and permanent part of the building, structure, or project.

(d) "Construction program" means a statement of the types and amounts of construction projects to be provided in specified periods of time.

(e) "Authorized construction program" means a construction program specifically approved by the Require-

ments Committee of the Defense Production Administration.

(f) "Construction schedule" means a statement of the type and amount of construction project or projects to be provided by a contractor.

(g) "Authorized construction schedule" means a construction schedule specifically approved by a Claimant Agency or by an Industry Division with respect to a prime contractor, or specifically approved by a prime contractor or a subcontractor with respect to a subcontractor.

(h) "Production schedule" means a statement of the amounts of a class A product or group of class A products for use in construction to be produced by a secondary consumer in specified periods of time.

(i) "Authorized production schedule" means a production schedule for class A products to be used in construction specifically approved by a prime contractor, a subcontrator, or a secondary consumer with respect to a secondary consumer.

(j) "Controlled material" means steel, copper, and aluminum, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(k) "Industry Division" means the division or other unit of NPA which is charged with supervision over particular types of construction.

(l) "Claimant Agency" means any Government agency or subdivision thereof designated as such by the Defense Production Administration.

(m) "Prime contractor" means any person who receives an authorized construction schedule and an allotment of controlled material from a Claimant Agency or an Industry Division. A prime contractor shall be the person who is to be the owner of the construction, or the person designated by such owner to act as the prime contractor for him.

(n) "Subcontractor" means any person who receives an authorized construction schedule and an allotment of controlled material from a prime contractor or another subcontractor.

(o) "Secondary consumer" means any person who receives an authorized production schedule for a class A product to be used in construction and an allotment of controlled material from a prime contractor, a subcontractor, or another secondary consumer.

(p) "Allotment" means (1) an authorization by the Requirements Committee of the Defense Production Administration, of the amount of controlled materials which a Claimant Agency may receive and/or allot during a specified period, or (2) an authorization by the Requirements Committee of the Defense Production Administration, of the amount of controlled materials which an Industry Division may allot during a specified period, or (3) an authorization by a Claimant Agency or an Industry Division, of the amount of controlled materials which may be received and/or allotted by one of its prime contractors during a specified period, or (4) an authorization by a prime contractor or a subcontractor, of the amount of controlled materials which may be received and/or allotted by one of its subcontractors or secondary consumers during a specified period, or (5) an authorization by a secondary consumer, of the amount of controlled materials which may be received and/or allotted by one of its secondary consumers during a specified period.

(q) "Class A product" means any product which is not a class B product (as defined in paragraph (r) of this section), and which contains any controlled material, fabricated or assembled beyond the forms and shapes specified in Schedule I of CMP Regulation No. 1, other than any controlled material which may be contained in class B products incorporated in it.

(r) "Class B product" means any product designated as such in the "Official CMP Class B Product List" issued by NPA, as the same may be modified from time to time.

(s) "Delivery order" means any purchase order, contract, shipping, or other instruction calling for delivery of any material or product on a particular date or dates or within specified periods of time.

(t) "Authorized controlled material order" means any delivery order for any controlled material (as distinct from a product containing controlled material) which is placed pursuant to an allotment as provided in section 15 of this regulation or which is specifically designated to be such an order by any regulation or order of NPA.

SEC. 3. *General construction schedule and allotment procedure.* (a) Each Claimant Agency or Industry Division shall authorize construction schedules of prime contractors pursuant to authorized construction programs. Each prime contractor who has an authorized construction schedule shall, pursuant thereto, authorize construction schedules of his subcontractors; and each subcontractor who has an authorized construction schedule shall, pursuant thereto, authorize construction schedules of his subcontractors.

(b) Each Claimant Agency or Industry Division shall make allotments to prime contractors, for the purpose of fulfilling related authorized construction schedules, pursuant to allotments which it has received. Each prime contractor who has received an allotment shall, pursuant thereto, make allotments to his subcontractors to fulfill related authorized construction schedules; and each subcontractor who has received an allotment shall, pursuant thereto, make allotments to his subcontractors to fulfill related authorized construction schedules.

(c) Each prime contractor or subcontractor who has an authorized construction schedule shall, pursuant thereto, authorize production schedules of secondary consumers producing class A products for it; and each secondary consumer who has an authorized production schedule shall, pursuant thereto, authorize production schedules of secondary consumers producing class A products for it.

(d) Each prime contractor or subcontractor who has received an allotment shall, pursuant thereto, make allotments to secondary consumers producing class A products for it, to fulfill related authorized production schedules; and each secondary consumer who has received an allotment shall, pursuant thereto, make allotments to secondary consumers producing class A products for it, to fulfill related authorized production schedules.

(e) Nothing in this regulation shall be interpreted to prohibit construction by a person who does not have an authorized construction schedule for such construction: *Provided, however,* That such construction must comply with the provisions and limitations of NPA Order M–4 and all other applicable regulations and orders of NPA.

SEC. 4. *Statements of requirements.* (a) The basis for an allotment to a prime contractor, subcontractor, or secondary consumer shall be his actual requirements (including those of his subcontractors and/or secondary consumers) for controlled materials in connection with the fulfillment of an authorized construction schedule or an authorized production schedule, after taking inventories into account to the extent required by CMP Regulation No. 2. A statement of requirements is to be furnished as provided in section 5 of this regulation.

(b) When a person who has furnished a statement of requirements ascertains that he has substantially overstated his requirements or those of his subcontractors or secondary consumers for any material or product, he shall report such error immediately to the person to whom the statement of requirements was furnished.

(c) If any person receives any statement of requirements which he knows or has reason to believe to be substantially excessive, with respect to controlled materials, he shall withhold any allotment based thereon in an amount sufficient to correct such excess and shall report the facts immediately to the appropriate Claimant Agency or Industry Division.

SEC. 5. *Applications for authorized construction schedules and allotments.* (a) Except where otherwise specifically provided by NPA, construction schedules may be authorized and related allotments made on the basis of information furnished by application on Form CMP–4C, or in such other manner as may be prescribed.

(b) Any contractor, upon the request of a Claimant Agency or contractor, shall furnish to such Claimant Agency or contractor, the information called for in Form CMP–4C. Such information shall be submitted on Form CMP–4C or in such other manner as may be prescribed.

(c) Any prime contractor who desires to undertake construction shall submit an application on Form CMP–4C (or in such other manner as may be prescribed) to the appropriate Claimant Agency or industry Division for authorization to commence construction where required by the provisions of NPA Order M–4 or any other applicable regulation or order of NPA.

(d) Any prime contractor who desires to undertake construction, whether or not authorization to commence construc-

tion is required by the provisions of NPA Order M–4 or any other applicable regulation or order of NPA, may submit an application on Form CMP–4C (or in such other manner as may be prescribed) to the appropriate Claimant Agency or Industry Division for an authorized construction schedule and related allotment.

(e) Any prime contractor who has received authorization to commence construction under the provisions of NPA Order M–4, may submit an application on Form CMP–4C (or in such other manner as may be prescribed) for an authorized construction schedule and related allotment.

(f) Applications pursuant to paragraphs (c) and (d) of this section may be combined in a single Form CMP–4C (or in such other manner as may be prescribed).

(g) Any producer of class A products, upon the request of a prime contractor, a subcontractor, or a secondary consumer for whom he produces class A products for use in construction, shall furnish the information called for in Form CMP–4A by submitting such form (or by furnishing the information in such other manner as may be prescribed) to the person making the request. Such producer shall receive an authorized production schedule and allotment under this regulation, but he must comply with all applicable provisions of CMP Regulation No. 1.

AUTHORIZED CONSTRUCTION SCHEDULES, ALLOTMENTS, AND DELIVERY ORDERS FOR CONTROLLED MATERIALS

SEC. 6. *How construction schedules are authorized.* (a) A construction schedule for each prime contractor undertaking construction pursuant to an authorized construction program will be authorized by the appropriate Claimant Agency or Industry Division on such form or in such manner as may be prescribed. A Claimant Agency may, in particular cases, authorize a construction schedule through an Industry Division.

(b) A construction schedule for each subcontractor shall be authorized pursuant to an authorized construction schedule by the appropriate prime contractor or subcontractor, on such form or in such manner as may be prescribed.

(c) A production schedule for each secondary consumer producing a class A product for use in construction shall be authorized by the contractor or secondary consumer for whom such class A product is to be produced, pursuant to an authorized construction schedule or an authorized production schedule, on such form as may be prescribed. A contractor having several authorized construction schedules bearing the same allotment number, and a secondary consumer having several authorized production schedules bearing the same allotment number, may, pursuant thereto, authorize a single production schedule of a secondary consumer producing class A products for him.

(d) Except where otherwise specifically provided by NPA, no person shall authorize a construction schedule or a production schedule unless at the same time he makes an allotment as provided in section 7 of this regulation, and no person shall make an allotment unless at the same time he authorizes a related construction schedule or a related production schedule as provided in this section.

(e) When the construction schedule of a prime contractor or a subcontractor, or the production schedule of a secondary consumer, is authorized and a related allotment is made to him, a DO rating shall be assigned or applied to such schedule by the person authorizing the schedule, for use as provided in paragraph (f) of this section.

(f) A contractor who has received a DO rating for an authorized construction schedule as provided in paragraph (e) of this section may use such rating with the related allotment number on delivery orders only: (1) To acquire products and materials other than controlled materials in the minimum practicable amounts required, and on a date or dates no earlier than required, to fulfill such schedule; or (2) to replace in his inventory products and materials other than controlled materials used to fulfill authorized construction schedules; or (3) to acquire production machinery and production equipment necessary for the operation of the completed construction project covered by the authorized construction schedule to which such DO rating relates. A delivery order placed by a contractor pursuant to this paragraph must contain, in addition to a DO rating with an allotment number, a certification in the following form: "Certified under CMP Regulation No. 6," which shall be signed manually or as provided in NPA Reg. 2. This certification shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place an order under the provisions of this regulation to obtain the products or materials covered by the delivery order. When a contractor converts a delivery order for products or materials other than controlled materials, pursuant to section 5 of CMP Regulation No. 3, he shall use the certification provided in this paragraph in lieu of the certification provided in CMP Regulation No. 3. In all other respects the provisions of CMP Regulation No. 3 shall apply to a DO rating used by a contractor in connection with delivery orders for products and materials other than controlled materials. A secondary consumer who has received a DO rating for an authorized production schedule as provided in paragraph (e) of this section shall use such rating in accordance with the provisions of CMP Regulation No. 3.

SEC. 7. *How allotments are made.* (a) Each Claimant Agency, Industry Division, or contractor authorizing a construction schedule, as provided in section 6 of this regulation, shall concurrently make a related allotment, pursuant to allotments which it has received, to the contractor whose construction schedule has been authorized, on such form or in such manner as may be prescribed.

(b) Each contractor or secondary consumer authorizing a production schedule as provided in section 6 of this regulation, shall concurrently make a related allotment, pursuant to allotments which it has received, to the secondary consumer whose production schedule has been authorized, on such form as may be prescribed.

(c) Except where otherwise specifically provided by NPA, the allotment shall specify the quantities and the kinds of controlled materials needed for delivery in specified calendar quarters to complete the related authorized construction schedule or related authorized production schedule. Allotments shall be made in terms of (1) carbon steel (including wrought iron), (2) alloy steel (except stainless steel), (3) stainless steel, (4) copper and copper-base alloy brass mill products, (5) copper wire mill products, (6) copper and copper-base alloy foundry products and powder, and (7) aluminum, in each case without further breakdown.

(d) The allotment shall be identified by an allotment number as provided in section 8 of this regulation.

(e) Advance allotments by Claimant Agencies or Industry Divisions to prime contractors may be made within such limits as may be specified by the Requirements Committee of the Defense Production Administration. Prime contractors receiving such advance allotments shall, in turn, make advance allotments to their subcontractors and secondary consumers, and such subcontractors and secondary consumers shall make advance allotments, in the same manner as in the case of regular allotments, but no contractor or secondary consumer shall make any allotment before receiving his own allotment.

(f) A Claimant Agency, Industry Division, contractor, or secondary consumer may make allotments only in the same kinds of controlled materials in which it has received its allotment.

SEC. 8. *Designation and use of allotment numbers.* (a) Allotments shall be identified by an allotment number consisting of a Claimant Agency letter symbol and one digit designating the authorized construction program of such Claimant Agency.

(b) Authorized controlled material orders shall show the related allotment number and the calendar quarter for which the allotment is valid. For example, a delivery order for controlled materials placed pursuant to an allotment identified by allotment number K–2 which is valid for the fourth quarter of 1951 shall be designated as follows: K–2–4Q51. The date or dates on which delivery is required must also be specified on such delivery order.

(c) Delivery orders for products and materials other than controlled materials required for completion of an authorized construction schedule shall show the DO rating and the related allotment number, for example, DO–K–2. The date or dates on which delivery is required must also be specified on such delivery order.

SEC. 9. *Allotments by contractors and consumers.* (a) Each prime contractor receiving an allotment may use that portion of the allotment which he requires to obtain controlled materials as such for his authorized construction schedule, and shall allot the remainder to his sub-

contractors and secondary consumers producing class A products for him to cover their requirements for controlled materials for related authorized construction schedules and authorized production schedules. Allotments by subcontractors to subcontractors and secondary consumers, and allotments by secondary consumers to secondary consumers supplying them, shall be made in the same fashion.

(b) No contractor or secondary consumer shall make any allotment in an amount which exceeds the related allotment received by him, after deducting all other allotments made by him and all orders for controlled materials placed by him pursuant to his related allotment.

(c) No contractor or secondary consumer shall make any allotment in excess of the amount required, to the best of his knowledge and belief, to fulfill the related authorized construction schedule of the subcontractor or the related authorized production schedule of the secondary consumer to whom the allotment is made (including the schedules of any subcontractors and/or secondary consumers supplying them).

(d) A contractor may make an allotment to his subcontractor or secondary consumer, and a secondary consumer may make an allotment to his secondary consumer, on such form (including Form CMP–5 set forth in Schedule II of CMP Regulation No. 1) as may be prescribed for the purpose. Allotments may be made by telegraphing or telephoning the information required by the appropriate form and confirming the same with such form, within 15 days.

SEC. 10. *How to cancel or reduce allotments.* A person who has made an allotment may cancel or reduce the same by notice in writing to the person to whom it was made. A person who has received an allotment may cancel or reduce the same by making an appropriate notation thereon and notifying the person from whom he received it. In either case, if an allotment received by a person is cancelled, he must cancel all allotments which he has made, and all authorized controlled material orders which he has placed, on the basis of the allotment; and, if an allotment received by a person is reduced, he must cancel or reduce allotments which he has made, or authorized controlled material orders which he has placed, to the extent that the same exceed his allotment as reduced. If and to the extent that cancellation or reduction is impracticable because of shipments already made to him pursuant to such allotment, he may use or dispose of controlled materials or class A products which he gets with such allotment in the manner provided in section 13 of this regulation.

SEC. 11. *Transfer of allotments.* No contractor shall transfer or assign any allotment (as distinct from making an allotment) unless concurrently he transfers or assigns the related authorized construction schedule, and unless such transfers or assignments are approved in writing by the authorizing Claimant Agency, Industry Division, or contractor.

SEC. 12. *Alternative procedure for simultaneous allotments.* A contractor who has several subcontractors and/or secondary consumers in different degrees of remoteness, may, at his option, authorize individual construction and/or production schedules and make simultaneous direct allotments to all such subcontractors and/or secondary consumers of all degrees of remoteness. The person who is to make the allotment under this alternative procedure (the originating contractor) may request each supplier of all degrees of remoteness to furnish him directly with information regarding such supplier's requirements for controlled materials, and each such supplier shall comply with such request. If this procedure is followed, each supplier shall include in the information he furnishes to the originating contractor only his own requirements for controlled materials and not those of his suppliers. In no event shall a person who uses this alternative procedure make an allotment of more controlled materials than he has received. All the provisions of this regulation regarding authorized construction schedules, authorized production schedules, and allotments, shall apply to the alternative procedure for simultaneous allotments, except as specifically provided in this section.

SEC. 13. *Restrictions on placing authorized controlled material orders, and on use of allotments and materials.* (a) In no event shall a contractor request delivery of any controlled material in a greater amount or on an earlier date than required to fulfill his authorized construction schedule, or in an amount so large or on a date so early that receipt of such amount on the requested date would result in his having an inventory of controlled materials in excess of the limitations prescribed by CMP Regulation No. 2 or by any other applicable regulation or order of NPA. If the quantity of any controlled material required by a contractor is less than the minimum mill quantity specified in Schedule IV of CMP Regulation No. 1, and is not procurable from a distributor, he may accept delivery of the full minimum shown in such schedule.

(b) No contractor shall use an allotment, or any controlled material or class A product obtained pursuant to an allotment for any purpose except: (1) To fulfill the related authorized construction schedule, or (2) to fulfill any of his other authorized construction schedules which bear the same allotment number, or (3) to replace in inventory, controlled materials or class A products used to fulfill any of such authorized construction schedules, subject to the provisions of CMP Regulation No. 2 or any other applicable regulation or order of NPA. Where an allotment made for one schedule is used in filling another schedule as provided in this paragraph, no charge need be made against the allotment account of the second schedule, but an appropriate record must be made, on the allotment accounts or otherwise, describing the circumstances.

(c) If a contractor's needs for a controlled material or class A product are reduced before he has ordered or received delivery of them, he must immediately return the allotment as explained in section 14 of this regulation unless he uses the allotment for the purposes permitted in paragraph (b) of this section. If he has already placed authorized controlled material orders or delivery orders for class A products, he must cancel them. If cancellation of such orders is impracticable because of shipments already made, he may accept delivery of the controlled materials and class A products, in which case his use of them is covered by paragraph (d) of this section.

(d) If it develops, after a contractor has received delivery of controlled materials or class A products, that he cannot use them for a purpose permitted under paragraph (b) of this section, he may use or dispose of them subject to restrictions of other orders or regulations of NPA.

(e) If, before using or disposing of controlled materials or class A products in a way permitted by this section, the contractor receives instructions from NPA as to disposition or use of the same, he must comply with such instructions. Also, he must comply with any instructions he receives from a Claimant Agency with respect to his use of controlled materials or class A products which he obtained by use of an allotment from that Claimant Agency, in any construction program of the same Claimant Agency, or with respect to their sale to any other person for use in a program of the same Claimant Agency, subject always to whatever rights he may have to reimbursement.

(f) A contractor need not segregate inventories of controlled materials or class A products which he obtained by use of his allotments, even though different allotment numbers are used in ordering them, nor does he have to earmark them for a particular construction schedule. Although a contractor must charge the appropriate allotment account when placing an authorized controlled material order or making an allotment, he may keep all controlled materials and class A products received in a common inventory and in withdrawing from inventory he does not have to charge the withdrawal against the allotment account.

SEC. 14. *Adjustments for changes in requirements.* (a) If a contractor's requirements for controlled materials or class A products needed to fulfill an authorized construction schedule are increased after he receives his allotment, he may apply for an additional allotment to the person who made the allotment for that schedule.

(b) If a contractor finds that he has been allotted substantially more than he needs, he must return the excess. As of the first of each month, each contractor must check up on his anticipated requirements for the quarter and determine whether he has been allotted more than he anticipates he needs. If he has, he must return the excess by the tenth of the month. He need not take a physical inventory for this purpose, but must merely check up on the effect of known changes in his requirements or

errors which he has discovered in his statement of requirements.

(c) The return of an unneeded allotment must be made to the person from whom the allotment was received on such form as may be prescribed. If it is impracticable to obtain the prescribed form, the return may be made by letter setting forth the facts.

(d) In those cases where it is impracticable for a subcontractor to return an allotment to the person from whom he received it, he may make the return directly to the appropriate Claimant Agency or Industry Division.

SEC. 15. *How to place orders with controlled materials producers and distributors.* (a) A delivery order placed with a controlled materials producer or a controlled materials distributor (as defined in CMP Regulation No. 4) for controlled material shall be deemed an authorized controlled material order only if (1) it contains an allotment number and the calendar quarter for which the allotment is valid, as provided in section 8 of this regulation, and complies with the provisions of this section, or (2) it is specifically designated as an authorized controlled material order by any regulation or order of NPA.

(b) A contractor who has received an allotment may place an authorized controlled material order with any controlled materials producer or distributor unless otherwise specifically directed. An allotment to a prime contractor may include an instruction to place delivery orders for controlled materials with one or more designated controlled materials producers. In such event the prime contractor shall use the allotment only to obtain controlled materials from the designated controlled materials producer or producers or to make allotments to subcontractors and secondary consumers, designating therein only producers named in the allotment received by him. Except as required by the allotment which he has received, no contractor or secondary consumer shall impose any such restriction in any allotment made by him.

(c) Every authorized controlled material order placed by a contractor must contain a certification in addition to an allotment number. Unless another form of certification is specifically prescribed by an applicable order or regulation of NPA, such certification shall be in the following form: "Certified under CMP Regulation No. 6," and shall be signed manually or as provided in NPA Reg. 2. This certification shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place an authorized controlled material order under the provisions of this regulation to obtain the controlled materials covered by the delivery order.

(d) An authorized controlled material order must be in sufficient detail to permit entry on mill schedules and must be received by the controlled materials producer at such time in advance as is specified in Schedule III of CMP Regulation No. 1, or at such later time as the controlled materials producer may find it practicable to accept the same, provided that no controlled materials producer shall discriminate between customers in rejecting or accepting late orders.

(e) A delivery order for controlled materials placed by a contractor before he has received his authorized construction schedule and allotment, calling for delivery after June 30, 1951, may be converted into an authorized controlled material order, after receipt of such schedule and allotment, either by furnishing a revised copy of the order conforming to the requirements of this section or by furnishing in writing information clearly identifying the order and bearing the certification required by paragraph (c) of this section.

(f) No person shall place an authorized controlled material order unless the amount of controlled material ordered is within the related allotment received by him, after deducting all allotments made by him and all orders for controlled material placed by him pursuant to the same allotment, or unless he is expressly authorized to place such an order by any applicable regulation or order of NPA.

(g) Authorized controlled material orders shall take precedence over other orders for controlled materials to the extent provided in CMP Regulation No. 3. A delivery order for controlled materials not covered by an allotment shall not be combined with an authorized controlled material order. However, such orders shall be combined if the total of both does not exceed the minimum mill quantity specified in Schedule IV of CMP Regulation No. 1, provided that the controlled materials involved are not procurable from a distributor. Where such orders are combined, the portion covered by allotment must be specifically identified by the appropriate allotment number, and such delivery order must contain the certification provided in paragraph (c) of this section.

GENERAL PROVISIONS

SEC. 16. *Applicability of other regulations and orders.* Nothing in this regulation shall be construed to relieve any person from complying with all other applicable regulations and orders of NPA. In case compliance by any person with the provisions of any such regulation or order would prevent fulfillment of an authorized construction schedule, he shall immediately report the matter to the Claimant Agency which authorized the schedule and to NPA, or to the Industry Division which authorized the schedule. NPA will thereupon take such action as is deemed appropriate, but unless and until otherwise expressly authorized or directed by NPA, such person shall comply with the provisions of such regulation or order.

SEC. 17. *Records and reports.* (a) Each contractor making or receiving any allotment of controlled materials shall maintain at his regular place of business accurate records of all allotments received, of procurement pursuant to all allotments, and of the subdivision of all allotments among his direct subcontractors and direct secondary consumers. Such records shall be kept separately by allotment numbers, pursuant to section 8 of this regulation, and shall include separate entries under each number for each contractor, Claimant Agency, or Industry Division from whom allotments are received under such number, except as otherwise specifically provided in this regulation.

(b) Each contractor shall retain for at least 2 years at his regular place of business all documents on which he relies as entitling him to make or receive an allotment or to accept delivery of controlled materials or class A products, segregated and available for inspection by representatives of NPA, or Claimant Agencies authorized by NPA, or filed in such manner that they can be readily segregated and made available for such inspection.

(c) The provisions of this regulation do not require any particular accounting method, provided the records maintained supply the information specified by this regulation and furnish an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(d) Persons subject to this regulation shall maintain such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942.

SEC. 18. *Applications for adjustment or exception.* Any person subject to any provision of this regulation may file a request for adjustment, exception, or other relief upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests claiming that the public interest is prejudiced, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing submitted in triplicate, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 19. *Communications.* All communications concerning this regulation, except as otherwise specified in this regulation, shall be addressed to the National Production Authority, Washington 25, D. C., Ref: CMP Regulation No. 6.

SEC. 20. *Violations.* Any person who wilfully violates any provision of this regulation or any other regulation or order of the National Production Authority, or who wilfully conceals a material fact or furnishes false information in the course of operation under this regulation, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment, or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in

accordance with the Federal Reports Act of 1942.

This regulation shall take effect on June 21, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-7242; Filed, June 21, 1951; 11:16 a. m.]

Chapter XV—Federal Reserve System

[Regulation X, Interpretation 36]

REG. X—REAL ESTATE CREDIT

INT. 36—DETERMINATION OF VALUE OF RESIDENTIAL PROPERTY

Inquiries have been received concerning the application of section 2 (i) (2) (B) of Regulation X to a case where, through unforeseen delays, credit is extended more than one year after the acquisition of property.

A typical example might be as follows: On June 5, 1950, an individual purchased a lot. On December 5, 1950, a Registrant committed himself to provide permanent financing to the extent of the maximum loan value computed on the basis of bona fide estimated cost. Because of unforeseen delays, however, construction will not be completed until July 1951. The question raised is whether the Registrant must now base the maximum loan value on his appraisal rather than the estimated cost, or whether the commitment to extend credit may be considered an extension of credit.

The Board has ruled in other cases in the past that a commitment to extend credit cannot be considered an extension of credit. Therefore, it will be necessary in such cases for the Registrant to base his loan on an appraisal rather than on estimated cost.

(Sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 602, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 51-7123; Filed, June 21, 1951; 8:45 a. m.]

[Regulation W, Interpretations 39, 40, 41]

REG. W—CONSUMER CREDIT

INT. 39—FREE MERCHANDISE AND REBATES

An instalment vendor of a listed article is not prohibited by the regulation from giving a discount or rebate on the sales price of a listed article or from making a bona fide "free" gift of other merchandise to the buyer of a listed article. However, in the case of a cash discount or rebate, and also in the case of a "free" gift which allows the customer to make a selection among a variety of merchandise or which is otherwise similar or equivalent to cash, the down payment to be obtained on the article must be net of the amount received by the purchaser from the vendor. In the case of other "free" gifts, the down payment must be obtained on the gross price of the listed article without any deduction for the "free" gift.

This interpretation supersedes the interpretation published in 15 F. R. 7827 (12 CFR 222.118 (b) (8)) on the same subject.

INT. 40—COOKING STOVES AND RANGES

The classification "cooking stoves and ranges" does not include cooking equipment designed for commercial use in restaurants and hotels; nor does it include any cooking equipment with less than three heating surfaces.

This interpretation supersedes the interpretation published in 15 F. R. 7827 (12 CFR 222.118 (b) (49)) on the same subject.

INT. 41—SUCTION CLEANER ATTACHMENTS

Questions have been raised concerning the status under Regulation W of certain devices or attachments frequently offered for sale and usable in connection with suction cleaners.

"Suction cleaners designed for household use," whether tank-type or upright brush-type, are articles listed in item 10 of Group B of section 9 (the Supplement to the regulation). Devices or attachments which may be fitted to a suction cleaner power unit by means of a flexible hose, wand, or by other means, are "accessories" within the meaning of section 8 (j) (7) of the regulation and must be included in the "cash price" of the listed article when sold in connection with the suction cleaner power unit. Such attachments include nozzles, sometimes equipped with bristles, adapted for cleaning rugs, furniture, floors, walls, draperies, radiators and the like.

To be so classified as "accessories" within section 8 (j) (7), it is not necessary that the device or attachment be usable exclusively with the suction cleaner power unit or for cleaning in the more ordinary sense. It is sufficient that the device or attachment is usable in connection with the suction cleaner power unit. The fact that the device or attachment may be operated manually or with other power units is immaterial. Thus, attachments for scrubbing or polishing floors, vaporizing moth crystals, or spraying rugs, fabrics, etc., are likewise "accessories" within the meaning of section 8 (j) (7). The same would be true, for example, of a garment bag equipped with a fitting to accommodate an attachment for vaporizing moth crystals, a self-winding extension cord device or attachment, and a device especially designed for holding or storing some or all of the attachments mentioned above.

The fact that some or all such devices or attachments may be available for purchase independently of the suction cleaner power unit also is immaterial, as is the fact that they may be priced separately.

(Sec. 5, 40 Stat. 415, as amended, sec. 601, Pub. Law 774, 81st Cong.; 50 U. S. C. App. 5. E. O. 8843, Aug. 9, 1941, 6 F. R. 4035; 3 CFR, 1941 Supp.)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 51-7124; Filed, June 21, 1951; 8:45 a. m.]

Chapter XVIII — National Shipping Authority, Maritime Administration, Department of Commerce

[NSA Order 35 (OPR-2)]

NSA 35 (OPR-2)—VOYAGE DATA

Sec.
1. What this order does.
2. Voyage numbers.
3. Voyage commencements.
4. Voyage terminations.
5. Idle status period.
6. General provisions.

AUTHORITY: Sections 1 to 6 issued under sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114.

SECTION 1. *What this order does.* The General Agents, as appointed by the National Shipping Authority, promulgated under GAA, 3/19/51, shall be instructed in the manner of recording voyage activities of dry cargo vessels operated for the account of the National Shipping Authority.

SEC. 2. *Voyage numbers.* (a) The voyages of National Shipping Authority vessels shall be numbered consecutively commencing with voyage No. 1 having the prefixed designation NSA and followed by the General Agents' abbreviated designation and voyage number, as NSA-1/ABC-1.

(b) The continuity of NSA voyage numbers shall not change with berth agency operations or in the transfer of vessels to other General Agents.

(c) The General Agents' designated abbreviation and voyage numbers shall terminate upon transfer of the vessel and the succeeding General Agent shall affix his abbreviated designation and initial voyage numbers, as NSA-13/XYZ-1.

SEC. 3. *Voyage commencements.* (a) All voyages shall commence at 0001 hours of the date on which any of the following activities occur first:

(1) Vessel goes on loading berth, or

(2) Vessel sails outward on a new voyage, or

(3) Following termination of the previous voyage as prescribed in section 4 (a) of this order.

(4) Following termination of an idle status period as prescribed in section 5 (a) and (b) of this order.

SEC. 4. *Voyage terminations.* (a) All voyages shall terminate at a continental United States port at 2400 hours of the date on which any of the following activities were completed, whichever occurs last:

(1) Final discharge of cargo or ballast.

(2) Paying off of crew from sea articles.

(3) Completion of voyage repairs.

SEC. 5. *Idle status period.* (a) The General Agent shall place a vessel in idle status during the period of reactivation notwithstanding the fifteen (15) day minimum period as provided for in paragraph (b) of this section.

(b) The General Agent shall place a vessel in idle status, although the voyage may have commenced, whenever and as soon as it is anticipated that the minimum period of inactivity will exceed fifteen (15) days, due, but not limited to: (1) Repairs, (2) labor, (3) awaiting allocation, (4) awaiting cargo.

(c) Should the anticipated period of inactivity terminate prior to the expiration of the 15 day minimum idle status period, except as provided in paragraph (a) of this section, the General Agent shall cancel the idle status and antedate the succeeding voyage commencement to the termination of the previous voyage as prescribed in section 4 (a) of this order.

(d) Should an idle status period be established after a voyage has commenced, the voyage shall be suspended for the duration of the idle status period and resumed when the idle status period is terminated.

(e) Idle status periods as defined in this order, shall be established only in continental United States ports.

(f) Idle status periods shall be treated as separate accounting periods.

SEC. 6. *General provisions.* (a) In cases of overlapping activities and all other questions arising in respect to voyage commencements, terminations and idle status periods as defined in sections 3, 4 and 5 of this order, the General Agent shall immediately inform the nearest Coast Director, or his local representative of the circumstances and submit recommendations for terminating a voyage. The resulting recommendations, decisions and instructions shall be confirmed in writing to the General Agent, with a copy of such correspondence being sent to the Division of Operations, N. S. A., Washington 25, D. C.

(b) In the event a vessel is employed in intermediate voyage or voyages, or in cross trading outside the continental United States, the voyage shall continue until terminated at a continental United States port.

(c) There shall be no voyage terminations outside continental United States ports except in cases of,

(1) Total loss or constructive total loss of the vessel.

(2) Transfer of operations.

Effective date. This order shall be effective on date of publication in the FEDERAL REGISTER.

C. H. MCGUIRE,
Director,
National Shipping Authority.

[F. R. Doc. 51-7179; Filed, June 21, 1951; 8:59 a. m.]

[NSA Order 36 (DRO-27)]

NSA 36 (DRO-27)—RATE ON IRON ORE IN BULK FROM NARVIK TO BALTIMORE OR PHILADELPHIA

Sec.
1. What this order does.
2. Freight rates and charter terms and conditions required under "Warshipvoy" form of charter as revised August 15, 1944.

AUTHORITY: Sections 1 and 2 issued under sec. 204.49 Stat. 1987, as amended; 46 U. S. C. 1114.

SECTION 1. *What this order does.* This order hereby authorizes the following freight rate and charter terms and conditions for the transportation of full cargoes of Iron Ore, in bulk, under "Warshipvoy" form of charter as revised August 15, 1944, in vessels operated for account of the National Shipping Authority, from Narvik to Baltimore or Philadelphia, effective on vessels commencing to load on and after May 1, 1951.

SEC. 2. *Freight rates and charter terms and conditions required under "Warshipvoy" form of charter as revised August 15, 1944.*

RATE: $4.25 U. S. currency per ton of 2,240 pounds.

NOTE: Foregoing rate applies on cargoes loaded at one port for one port of discharge only.

The following clauses are to be inserted in paragraphs E, F, G, H, and I of Part I of "Warshipvoy":

E. *Freight rate* (insert rate as above set forth). Freight shall be determined on the cargo outturn weight and shall be due and payable in accordance with Clause 6 of Part II hereof.

Demurrage. Charterers to pay demurrage at the rate of $_____[1] per day for each and every day or pro rata for part of a day for all time used in loading or discharging in excess of allowed laytime.

Despatch. No despatch shall be payable.

F. *Stevedoring.* Loading, trimming and discharging shall be performed by charterer at charterer's risk and expense.

G. *Loading time.* Loading to be at the rate of 2,000 tons of 2,240 pounds per day, Sundays and holidays excepted unless used. Time lost in loading due to whether preventing loading shall not count as laytime.

H. *Discharging time.* Cargo shall be discharged at the rate of 1,500 tons of 2,240 pounds per day. Sundays and holidays excepted unless used. Time lost in discharging due to weather preventing discharge shall not count as laytime.

I. *Special provisions.* 1. Laydays are not reversible.

2. Charterer to have liberty to load and/or discharge at night, on Sundays and holidays, vessel paying all overtime charges except for stevedores.

3. Owners or Master to telegraph Malmexport, Stockholm and Malmexport, Narvik six (6) days notice of expected arrival date and readiness at port of loading together with time of departure from the last port of call.

4. Charterer, at least 3 days prior to vessel's expected arrival off Delaware Capes, shall declare to owner by telegraph name of discharging port and berth.

5. No cargo to be loaded in deep tanks or in hatches smaller than 16' by 16'.

6. General average clause: The adjustment and settlement of general average claims, pursuant to Clause 21, Part II shall be governed by the York-Antwerp Rules of 1950, exclusive of Rule 22.

7. Wherever the words "United States Maritime Commission" appear in Part II hereof same shall be understood to mean National Shipping Authority.

8. This contract is subject to the approval of the National Shipping Authority.

C. H. MCGUIRE,
Director,
National Shipping Authority.

[F. R. Doc. 51-7178; Filed, June 21, 1951; 8:59 a. m.]

[1] (Insert applicable demurrage rate, i. e., fifteen hundred dollars ($1,500) for Liberty type vessels and eighteen hundred dollars ($1,800) for Victory type vessels.)

[NSA Order 37 (DRO-28)]

NSA 37 (DRO-28)—RATE ON IRON ORE IN BULK FROM MONROVIA, LIBERIA, TO BALTIMORE OR PHILADELPHIA

Sec.
1. What this order does.
2. Freight rates and charter terms and conditions required under "Warshipvoy" form of charter as revised August 15, 1944.

AUTHORITY: Sections 1 and 2 issued under sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114.

SECTION 1. *What this order does.* This order hereby authorizes the following freight rate and charter terms and conditions for the transportation of full cargoes of Iron Ore, in bulk, under "Warshipvoy" form of charter as revised August 15, 1944, in vessels operated for account of the National Shipping Authority, from Monrovia, Liberia, to Baltimore or Philadelphia, effective on vessels commencing to load on and after May 1, 1951.

SEC. 2. *Freight rates and charter terms and conditions required under "Warshipvoy" form of charter as revised August 15, 1944.*

RATE: $6.00 U. S. currency per ton of 2,240 pounds.

NOTE: Foregoing rate applies on cargoes loaded at one port for one port of discharge only.

The following clauses are to be inserted in paragraphs E, F, G, H, and I of Part I of "Warshipvoy":

E. *Freight rate* (insert rate as above set forth). Freight shall be determined on the cargo outturn weight and shall be due and payable in accordance with Clause 6 of Part II hereof.

Demurrage. Charterers to pay demurrage at the rate of $_____[1] per day for each and every day or pro rata for part of a day for all time used in loading or discharging in excess of allowed laytime.

Despatch. No despatch shall be payable.

F. *Stevedoring.* Loading, trimming and discharging shall be performed by charterer at charterer's risk and expense.

G. *Loading time.* Loading to be at the rate of 2,000 tons of 2,240 pounds per day, Sundays and holidays excepted unless used.

Time lost in loading due to weather preventing loading shall not count as laytime.

H. *Discharging time.* Cargo shall be discharged at the rate of 1,500 tons of 2,240 pounds per day, Sundays and holidays excepted unless used. Time lost in discharging due to weather preventing discharge shall not count as laytime.

I. *Special provisions.* 1. Laydays are not reversible.

2. Charterer to have liberty to load and/or discharge at night, on Sundays and holidays, vessel paying all overtime charges except for stevedores.

3. Owners or Master to telegraph Amsaline, Monrovia, Liberia, six (6) days notice of expected arrival date and readiness at port of loading together with time of departure from the last port of call.

4. Charterers, at least 3 days prior to vessel's expected arrival off Delaware Capes, shall declare to owner by telegraph name of discharging port and berth.

5. No cargo to be loaded in deep tanks or in hatches smaller than 16' by 16'.

6. General average clause: The adjustment and settlement of general average claims, pursuant to Clause 21, Part II, shall be governed by the York-Antwerp Rules of 1950, exclusive of Rule 22.

7. Wherever the words "United States Maritime Commission" appear in Part II hereof, same shall be understood to mean National Shipping Authority.

8. This contract is subject to the approval of the National Shipping Authority.

C. H. McGUIRE,
Director,
National Shipping Authority.

[F. R. Doc. 51-7177; Filed, June 21, 1951; 8:59 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

PART 211—ADMINISTRATION

COOPERATION WITH USER ORGANIZATIONS

By virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35, 16 U. S. C. 551), and the act of February 1, 1905 (33 Stat. 628, 16 U. S. C. 472), Regulation A-9 of the regulations relating to the occupancy, use, protection and administration of the national forests, which constitutes § 211.1, Chapter II, Title 36, Code of Federal Regulations, is hereby amended to read as follows:

§ 211.1 *Cooperation with user organizations.* (a) Permittees who use a national forest or a portion thereof for like purposes and desire to cooperate with the Forest Service in the systematic betterment of conditions and facilities controlling their use of the national forest lands may do so by organizing (1) associations in which all permittees of like character within an area are eligible to membership, or (2) advisory boards without associations representing the permittees and requesting official recognition by the Forest Service. The request should be addressed to the Forest Supervisor who will act on all requests. To obtain recognition, an association must show that its membership includes a majority of all persons holding permits for like purposes in the area involved and that an advisory board has been elected whose agreements on behalf of the association shall be binding upon all members thereof. An advisory board without an association representing the permittees, to obtain recognition, must show that it represents a majority of all persons holding permits for like purposes in the area involved and that its agreements shall be binding upon all permittees that it represents. Upon recognition by the Forest Supervisor, the advisory board of an association or advisory board without an association representing the permittees shall be entitled to receive notice of proposed action and have an opportunity to be heard in reference to any proposed changes likely to affect materially the use or interest in the forest or a portion thereof enjoyed by the persons using the area.

(b) Upon receiving a request and recommendation from an advisory board representing an association or an advisory board without an association representing the permittees, the Forest Supervisor may establish special rules to prevent damage to the national forest lands, to regulate their use and occupancy, and to promote their development and improvement for the purposes and in the ways for which such permits are issued. Upon the establishment of special rules they will be made a part of the permits and shall be binding on the permittees.

(c) Upon receiving a request and recommendation of a majority of the members of an association or from a majority of the permittees of an area represented by an advisory board, the Forest Supervisor may authorize the operation by the association or advisory board, of services or utilities of general character and benefit which promote the protection and improvement of the forest lands by the permittees.

(d) A majority of the permittees of each national forest or the advisory board representing such permittees may either elect or appoint one of the permittees on such national forest as their representative on an advisory board representing a group of national forests. Upon such election or appointment, the regional forester will recognize the permittee so elected or appointed as a member of the advisory board representing a particular group of national forests.

(30 Stat. 35, as amended; 16 U. S. C. 551. Interpret or apply sec. 1, 33 Stat. 628; 16 U. S. C. 472)

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the city of Washington, D. C., this 19th day of June 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-7137; Filed, June 21, 1951; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[26 CFR, Part 29]

INCOME TAX; RECOGNITION OF GAIN IN CERTAIN CORPORATE REORGANIZATIONS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in sections 62 and 3791 of the Internal Revenue Code (53 Stat. 32, 467; 26 U. S. C. 62, 3791) and pursuant to the provisions of Public Law 814, 81st Congress, approved September 23, 1950.

[SEAL] FRED S. MARTIN,
Acting Commissioner of Internal Revenue.

In order to conform Regulations 111 (26 CFR Part 29) to section 206, relating to recognition of gain in certain corporate reorganizations, of the Revenue Act of 1950 (81st Congress, 2d Session), approved September 23, 1950, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.112 (b) (7)-1 the following:

SEC. 206. ELECTION AS TO RECOGNITION OF GAIN IN CERTAIN CORPORATE LIQUIDATIONS [REVENUE ACT OF 1950, APPROVED SEPTEMBER 23, 1950].

(a) *Amendment of section 112 (b) (7).* Section 112 (b) (7) (relating to recognition of gain in certain corporate liquidations) is hereby amended as follows:

(1) Clauses (i) and (ii) of subparagraph (A) are hereby amended to read as follows:

(i) The liquidation is made in pursuance of a plan of liquidation adopted after December 31, 1950, whether the taxable year of the corporation began on, before, or after January 1, 1951; and

(ii) The distribution is in complete cancellation or redemption of all the stock, and the transfer of all the property under the liquidation occurs within some one calendar month in 1951.

(2) Subparagraph (B), clause (ii) of subparagraph (E), and clause (i) of subparagraph (F) are each amended by striking out "December 10, 1943" and inserting in lieu thereof "August 15, 1950".

* * * * *

(c) *Effective date.* The amendments made by this section shall be applicable only to taxable years ending after December 31, 1950.

PAR. 2. Section 29.112 (b) (7)–1, as added by Treasury Decision 5356, approved April 19, 1944, is amended as follows:

(A) By inserting in the heading and in the section immediately after "in 1944", wherever "in 1944" appears therein, the following: "or 1951".

(B) By inserting in the first sentence of paragraph (b), immediately after "February 25, 1944", the following: ", if the liquidation occurs within one calendar month in 1944, and after December 31, 1950, if the liquidation occurs within one calendar month in 1951."

(C) By striking therefrom the second sentence of paragraph (b) and inserting in lieu thereof the following: "In the case of a liquidation occurring in 1944, the plan may be adopted at any time after February 25, 1944, and before the first distribution under the liquidation occurs. In the case of a liquidation occurring in 1951, the plan may be adopted at any time after December 31, 1950, and before the first distribution under the plan occurs."

PAR. 3. Section 29.112 (b) (7)–2, as added by Treasury Decision 5356, is amended as follows:

(A) By inserting in the first sentence immediately after "December 10, 1943", the following: "(in the case of a liquidation occurring within one calendar month in 1944), or August 15, 1950 (in the case of a liquidation occurring within one calendar month in 1951)".

(B) By striking from the first sentence of the example "1944" and inserting in lieu thereof the following: "1951".

PAR. 4. Section 29.112 (b) (7)–4, as added by Treasury Decision 5356, is amended as follows:

(A) By inserting in the first sentence of paragraph (b) (2) immediately after "December 10, 1943" the following: "(in the case of a liquidation occurring within one calendar month in 1944), or after August 15, 1950 (in the case of a liquidation occurring within one calendar month in 1951)".

(B) By striking therefrom the second sentence of paragraph (b) (2) and inserting in lieu thereof the following: "The mere replacement after December 10, 1943, or after August 15, 1951, whichever date is applicable, of lost or destroyed certificates or instruments acquired on or before such date, or the mere conversion of certificates or instruments into certificates or instruments of larger or smaller denomination will not constitute an acquisition within the meaning of the phrases 'acquired after December 10, 1943' and 'acquired after August 15, 1950' ".

(C) By inserting immediately before the period at end of paragraph (b) (2) the following: ", or from the issuance after August 15, 1950, of certificates of stock in connection with a subscription made and accepted on or before August 15, 1950".

(D) By striking from the example in paragraph (c) of such section "December 10, 1943," wherever "December 10, 1943," appears in such example and inserting in lieu thereof "August 15, 1950,"; and by striking from such example "1944" and inserting in lieu thereof "1951".

PAR. 5. Section 29.112 (b) (7)–5, as added by Treasury Decision 5356, is amended by inserting immediately after "December 10, 1943" the following: ", in the case of a liquidation occurring in 1944, or after August 15, 1950, in the case of a liquidation occurring in 1951".

PAR. 6. There is inserted immediately preceding § 29.113 (a) (18)–1 the following:

SEC. 206. ELECTION AS TO RECOGNITION OF GAIN IN CERTAIN CORPORATE LIQUIDATIONS [REVENUE ACT OF 1950, APPROVED SEPTEMBER 23, 1950].

* * * * *

(b) *Basis of property.* Section 113 (a) (18) (relating to basis of property received in certain corporate liquidations) is hereby amended by inserting after the word "Chapter" the following "(whether before or after its amendment by the Revenue Act of 1950)".

(c) *Effective date.* The amendments made by this section shall be applicable only to taxable years ending after December 31, 1950.

PAR. 7. Section 29.113 (a) (18)–1, as added by Treasury Decision 5356, is amended as follows:

(A) By striking "and" at the end of paragraph (a) (2) (ii) and inserting in lieu thereof the following:

", or

"(iii) Pursuant to a plan of liquidation adopted after December 31, 1950, in accordance with which the distribution is in complete cancellation or redemption of all the stock and the transfer of all the property in the liquidation occurs within some one calendar month of the calendar year 1951; and".

(B) By inserting immediately before the period at the end of paragraph (a) the following: ", or after August 15, 1950, if subparagraph (2) (iii) is applicable".

PAR. 8. Section 29.148–2, as amended by Treasury Decision 5356, is amended as follows:

(A) By inserting in the heading of paragraph (b) (2) immediately after "of 1944", the following: "or 1951".

(B) By striking from the first sentence of paragraph (b) (2) ", adopted after February 25, 1944," and by inserting in such sentence immediately after "calendar year 1944" the following: "or 1951".

(C) By inserting in paragraph (b) (2) (iii) immediately after "shareholders as of December 10, 1943", the following: "(in the case of a liquidation within one calendar month in 1944) or as of August 15, 1950 (in the case of a liquidation within one calendar month in 1951)".

(D) By inserting in paragraph (b) (2) (iii), immediately after "between December 10, 1943," the following: "or August 25, 1950, whichever date is applicable,".

PAR. 9. Section 29.148–3, as amended by Treasury Decision 5687, approved February 16, 1949, is further amended by striking from the second sentence of paragraph (b) thereof "adopted after February 25, 1944," and by inserting in such sentence immediately after "calendar year 1944" the following: "or 1951".

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[F. R. Doc. 51–7157; Filed, June 21, 1951; 8:53 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 27]

OFFICIAL COTTON STANDARDS OF THE UNITED STATES FOR THE GRADE OF AMERICAN-EGYPTIAN COTTON

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering a revision of the standards for grades of cotton of varieties known as American-Egyptian, to be effective on and after August 1, 1952, pursuant to the authority contained in section 9 of the United States Cotton Futures Act of August 11, 1916 (39 Stat. 476; as amended March 4, 1919, 40 Stat. 1348, 1351; May 31, 1920, 41 Stat. 725; and February 26, 1927, 44 Stat. 1248; 26 U. S. C. 1926) and by section 6 of the United States Cotton Standards Act of March 4, 1923 (42 Stat. 1517; 7 U. S. C. 51–65).

In response to the urgent need for a revision in the grade standards for American-Egyptian cotton our specialists have (1) carefully surveyed the 1950–51 crop of this cotton; (2) assembled a proposed set of new grade standards that would replace the present standards; (3) presented these proposed boxes to various members of the cotton industry and trade for suggestions; and (4) where practical incorporated these suggestions into the proposed standards and prepared a revised set of grade boxes. Said standards shall supersede the present standards for grades of American-Egyptian cotton which were promulgated by the Secretary of Agriculture on March 19, 1940.

Before recommending the promulgation of these new and revised standards, they will be on display in Washington. Various groups in the industry who are interested in American-Egyptian cotton are invited to examine the new boxes in our classing room on the sixth floor of the Agricultural Annex, Twelfth and C Streets SW., Washington, D. C., at 10:00 o'clock a. m., on June 25, 1951. Should you wish to send a representative we shall be glad to have him in attendance.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed boxes should file same, in duplicate, with the Director, Cotton Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later

than 15 days after publication hereof in the FEDERAL REGISTER.

Done at Washington, D. C., this 19th day of June 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-7171; Filed, June 21, 1951; 8:58 a. m.]

Bureau of Entomology and Plant Quarantine

[7 CFR, Part 301]

JAPANESE BEETLE

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that the Secretary of Agriculture, pursuant to section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), is considering amending §§ 301.48, 301.48-2, 301.48-3 (b), 301.48-4 (a) (2), 301.48-5 (c), and 301.48-9 of notice of quarantine No. 48 and supplementary regulations, as amended (7 CFR and Supp. 301.48, 301.48-2, 301.48-3 (b), 301.48-4 (a) (2), 301.48-5 (c), and 301.48-9), in the following respects:

1. Amend § 301.48 by inserting therein the words "North Carolina" after the words "New York"; by deleting therefrom the words "(c) cut flowers"; and by changing the present "(d)" to "(c)".

2. Amend § 301.48-2 to include the following additional counties, cities, and towns, or parts thereof, including all minor civil divisions therein:

New York. All nonregulated portions of the counties of Monroe and Warren, and the towns of Granby, Hannibal, Mexico, Minetto, New Haven, Palermo, Scriba, and Volney, in Oswego County.

North Carolina. Counties of Beaufort, Bertie, Buncombe, Cabarrus, Camden, Carteret, Chowan, Craven, Cumberland, Currituck, Dare, Davidson, Duplin, Edgecombe, Forsyth, Gates, Greene, Guilford, Halifax, Harnett, Henderson, Hertford, Hyde, Johnston, Jones, Lenoir, Martin, Mecklenburg, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Randolph, Rowan, Sampson, Tyrrell, Washington, Wayne, and Wilson; township of Beaver Dam and city of Canton in Haywood County.

Ohio. Townships of Lafayette, Linton, Oxford, and Tuscarawas, in Coshocton County; township of Chester, in Geauga County; township of Prairie, in Holmes County; township of Hanover, in Licking County; townships of Benton, Jackson, Lee, Ohio, Salem, and Switzerland, in Monroe County; townships of Adams, Cass, Falls, Hopewell, Highland, Jackson, Jefferson, Licking, Madison, Monroe, Muskingum, Perry, Salem, Union, and Washington, in Muskingum County; and townships of Adams, Belpre, Dunham, Fearing, Grandview, Independence, Lawrence, Liberty, Ludlow, Muskingum, Salem, and Warren, in Washington County.

Pennsylvania. All nonregulated portions of Mercer County.

West Virginia. County of Hampshire.

3. Amend § 301.48-3 (b) to read as follows:

(b) *Articles the movement of which is regulated.* Unless exempted by administrative instructions issued by the Chief of the Bureau of Entomology and Plant Quarantine and except as hereinafter otherwise provided, the movement of the following articles from regulated areas to points outside thereof is subject to the regulations in this subpart;

(1) Soil, humus, compost, and decomposed manure moved independent of or in connection with nursery stock or any other articles or things.

(2) Nursery stock.

(3) Fresh fruits and vegetables.

4. Amend § 301.48-4 (a) (2) by deleting the comma following "(b)" and deleting "and (4)" preceding the word "only."

5. Amend § 301.48-5 (c) by deleting the word "sanitation" preceding the word "safeguards."

6. Amend § 301.48-9 by deleting the title *"Inspection in transit"* and substituting therefor *"Inspection of shipments en route."*

This proposal to continue the Japanese beetle quarantine, with amendments to quarantine the State of North Carolina and to regulate portions thereof as well as additional areas in New York, Ohio, Pennsylvania, and West Virginia, has been decided upon after a thorough study of testimony presented at a public hearing held in Washington on March 30, 1951. The purpose of the proposed amendments is to accomplish these changes, to eliminate cut flowers as a quarantined product, and to clarify the phraseology of several regulations.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Chief of the Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 20 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 19th day of June 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-7136; Filed, June 21, 1951; 8:47 a. m.]

NOTICES

DEPARTMENT OF COMMERCE

Office of International Trade

[Case No. 104]

WHITE LABORATORIES, INC.

ORDER REVOKING AND DENYING LICENSE PRIVILEGES

In the matter of White Laboratories, Inc., Respondent, 113 North Thirteenth Street, Newark 7, New Jersey.

This proceeding was begun on April 12, 1951, by the transmission of a charging letter to the above-named respondent, wherein the Office of International Trade charged respondent with having violated the Export Control Act of 1949, and the regulations promulgated thereunder, by making application to the Office of International Trade, on January 16, 1951, for export license to ship one 30-gallon drum of vitamin fortified halibut liver oil of respondent's fabrication, in which application respondent knowingly made certain false representations to the effect that respondent held an accepted order for this drug, that the purchaser and named ultimate consignee was in Hong Kong, and that Hong Kong was the country of ultimate destination, whereas respondent well knew it held no order whatever for this drug from the named consignee in Hong Kong but held an order therefor from another purchaser in Shanghai, China, for the exportation of which the Office of International Trade had denied to respondent an export license on January 9, 1951.

Following receipt of the said charging letter, respondent by and through its responsible officials discussed the charges as aforesaid with appropriate officials of the Office of International Trade and with the Compliance Commissioner, and upon the basis of such discussion submitted to the Office of International Trade a duly authorized statement to the effect that it admitted, for the purposes of this compliance proceeding only, the charges made in said charging letter of April 12, 1951, that it waived all right to a hearing on such charges, and that it consented to the entry of an order the terms of which are set forth hereinbelow.

The investigation report and other evidentiary material in the possession of the Office of International Trade, together with the said charging letter and the above-mentioned proposal for a consent order have been submitted to the Compliance Commissioner for review; that upon the basis of such review and upon the discussions as aforesaid he has found that respondent dealt with two independent customers bearing the identical name, one customer being located in Hong Kong, the other in Shanghai, China; that respondent periodically received orders from and shipped to each of such customers a certain specified halibut liver oil preparation of respondent's fabrication which each such customer thereafter packaged and marketed under an identical trade-name; that respondent held an order for one 30-gallon drum of said oil preparation from such customer in Shanghai, China, but was unable to obtain export license to ship the commodity to Shanghai; that

respondent assuming that such customer in Hong Kong required and could use this 30-gallon drum of halibut liver oil in that place, but holding no order therefor, applied to the Office of International Trade for export license to ship this specific drum to its Hong Kong customer without giving the Office of International Trade the true facts; that in reliance on the false statements contained in said application the Office of International Trade issued an export license to respondent, but that said license was thereafter cancelled and returned to the Office of International Trade and that the said commodity was not shipped by respondent.

The Compliance Commissioner has accordingly found, to the extent above indicated, that the charges as set forth in the charging letter with regard to respondent corporation are supported by the evidence, that the terms and conditions of the proposed order as consented to by respondent are fair and reasonable, and that such order should be issued.

The findings and recommendations of the Compliance Commissioner have been carefully considered together with the above-described evidentiary material, the charging letter, and the afore-mentioned proposal for a consent order, and it appears that such findings are in accordance with the evidence and that such recommendations are reasonable and should be adopted.

Now, therefore, it is ordered, As follows:

(1) Respondent corporation is hereby denied the privilege of obtaining or using or participating directly or indirectly in the obtaining or using of export licenses, including general as well as validated export licenses, for the export to any destination of any commodity on the Positive List, as such list may be constituted at the time of any proposed shipment, for a period of three months from the date of this order.

(2) Such denial of export license privileges shall be deemed to include and prohibit participation by the respondent as a party, or as a representative of a party, to any export license application or to any exportation under either general or validated license, in any manner or capacity, including the financing, forwarding, transporting, or other servicing of exports for any of the aforesaid Positive List commodities.

(3) Such denial of export license privileges shall extend not only to respondent corporation but also to any person, firm, corporation, or other business organization with which said respondent may be now or hereafter related by ownership, control or other connection, or with which said respondent may hold a position of responsibility in the conduct of trade involving exportation from the United States or services connected therewith.

(4) This order shall not be deemed to deny to respondent the privilege of making exportation from the United States under general licenses, or to file applications for validated licenses where required to export commodities not on the Positive List at the time of a particular shipment.

Dated: June 15, 1951.

WALLACE S. THOMAS,
Acting Assistant Director for Export Supply.

[F. R. Doc. 51-7146; Filed, June 21, 1951; 8:50 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LUMBER AND BUILDING MATERIALS DEALERS

NOTICE OF HEARING RELATING TO APPLICATION OF EXEMPTIONS

Notice was published in the FEDERAL REGISTER on June 1, 1951, of a hearing to be held in this matter before an authorized representative of the Administrator on June 27, 1951.

Requests have been received from parties who intend to appear to present evidence in this matter that additional time be allowed for the preparation of pertinent material. I have considered such requests and find them to be reasonable.

Notice is hereby given that the hearing in this matter will be held on July 25, 1951, in Room 2325, United States Department of Labor Building, Washington, D. C.

Signed at Washington, D. C., this 18th day of June 1951.

WM. R. MCCOMB,
Administrator, Wage and Hour and Public Contracts Divisions.

[F. R. Doc. 51-7138; Filed, June 21, 1951; 8:48 a. m.]

EMPLOYMENT OF LEARNERS

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended September 25, 1950; 15 F. R. 5701; 6360).

Alabama Textile Products Corp., Crestview, Fla., effective 6-8-51 to 12-7-51; 20 learners for expansion purposes in the manufacture of men's woven pajamas only (men's woven underwear).

Ashland Crafts, Inc., Eighteenth and Carter Avenue, Ashland, Ky., effective 6-11-51 to 12-10-51; 20 learners for expansion purposes only (children's dresses).

Blue Bell, Inc., Natchez, Miss., effective 1-15-51 to 7-14-51; 54 may be employed for expansion purposes only (cotton trousers and shirts) (replacement certificate).

Carlisle Manufacturing Co., Manti, Utah, effective 6-8-51 to 12-7-51; 75 learners for expansion purposes only (men's khaki shirts).

Guin Manufacturing Corp., Guin, Ala., effective 6-15-51 to 6-14-52; for normal labor turnover, not to exceed 10 learners (men's and boys' shirts and pajamas).

F. Jacobson & Sons, Inc., Salisbury, Md., effective 6-8-51 to 12-7-51; for expansion purposes only, 10 learners (men's shirts).

Kelly Shirt Co., 209 Monroe Street, NW., Grand Rapids, Mich., effective 6-11-51 to 6-10-52; for normal labor turnover purposes, four learners (custom made shirts).

Sherrod Shirt Co., Independence, Va., effective 6-11-51 to 12-10-51; for expansion purposes only, 45 learners (work pants).

Boris Smoler & Sons, 507 Jefferson Street, La Porte, Ind., effective 6-6-51 to 6-5-52; 10 percent of total productive factory force, for normal labor turnover (wash dresses).

Boris Smoler & Sons, Church and Maple Streets, Salem, Ill., effective 6-6-51 to 6-5-52; 10 percent of total productive factory force, for normal labor turnover (cotton dresses).

Boris Smoler & Sons, 3021 North Pulaski Road, Chicago, Ill., effective 6-6-51 to 6-5-52; 10 percent of total productive factory force, for normal labor turnover (wash dresses).

Boris Smoler & Sons, Crawford and Prospect Streets, Elkhart, Ind., effective 6-6-51 to 6-5-52; 10 percent of total productive factory force, for normal labor turnover (wash dresses and housecoats).

I. Taitel & Sons, Scottsburg, Ind., effective 6-8-51 to 6-7-52; for normal labor turnover, not to exceed 10 learners (men's and boys' odd outerwear jackets).

Tamco Corp., 6341 South Harper Avenue, Chicago, Ill., effective 6-8-51 to 12-7-51; for expansion purposes only, 10 learners (boys' sport shirts).

Wallick Dress Co., 305 West Lincoln Highway, Coatesville, Pa., effective 6-5-51 to 6-4-52; 10 percent of total productive factory force or five learners, whichever is greater (ladies' cotton dresses).

Wallick Dress Co., Gap, Pa., effective 6-5-51 to 6-4-52; 10 percent of total productive factory force or five learners, whichever is greater (cotton dresses).

Wallick Dress Co., Honeybrook, Pa., effective 6-5-51 to 6-4-52; 10 percent of total productive factory force, or five learners, whichever is greater (cotton dresses).

Wallick Dress Co., Elkton, Md., effective 6-5-51 to 6-4-52; 10 percent of total productive factory force, or five learners, whichever is greater (cotton dresses).

Wallick Dress Co., Third and Fleetwood Streets, Coatesville, Pa., effective 6-5-51 to 6-4-52; 10 percent of total productive factory force for normal labor turnover (cotton dresses).

Independent Telephone Industry Learner Regulations (29 CFR 522.82 to 522.93, as amended January 25, 1950; 15 F. R. 398).

Wamego Telephone Co., Wamego, Kans., effective 6-8-51 to 6-7-52.

Knitted Wear Industry Learner Regulations (29 CFR 522.69 to 522.79, as amended January 25, 1950; 15 F. R. 398).

Alabama Textile Products Corp., Crestview, Fla., effective 6-8-51 to 6-7-52; 5 percent of the total number of productive factory workers engaged in the manufacture of men's woven shorts only.

Iredell Knitting Mills, Inc., Statesville, N. C., effective 6-8-51 to 6-7-52; 5 percent of the total number of productive factory workers, not including office or sales personnel.

Iredell Knitting Mills, Inc., Statesville, N. C., effective 6-8-51 to 12-7-51; five additional learners for expansion purposes only (supplemental certificate).

Mullins Textile Mills, Inc., Mullins, S. C., effective 6-11-51 to 12-10-51; 100 learners for expansion purposes only.

Rita's Fashions, Moscow, Pa., effective 6-11-51 to 6-10-52; five learners.

Shoe Industry Learner Regulations (29 CFR 522.250 to 522.260; 15 F. R. 6546).

Clapp Shoe Co., Inc., Main Street, Naples, N. Y., effective 6-11-51 to 12-31-51; four learners.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

Edward Alden Studios, Inc., 1425 Broadway, Detroit, Mich., effective 6-6-51 to 12-5-51; 10 learners; hand and machine sewers only, 320 hours; 55 cents per hour for first 160 hours and 65 cents per hour for remaining 160 hours (lamps and shades).

Fallen's Electric, 209 South Dallas Street, Ennis, Tex., effective 6-6-51 to 12-5-51; three learners; rewinder and machinist, 480 hours each; 60 cents per hour for first 240 hours and 65 cents per hour for remaining 240 hours (rebuilding of automobile generators and armatures).

Lakeland Tanning Co., Inc., Lakeland, Fla., effective 6-8-51 to 12-7-51; 10 percent of the total number of productive factory workers, not including office or sales personnel; toggling, staking, shaving, buffing, seasoning, trimming, embossing, graining, spraying and sorting, 320 hours, 60 cents per hour (shoe leather).

Paramount Cap Manufacturing Co., Gerald, Mo., effective 6-5-51 to 6-4-52; six learners; sewing machine operators, 240 hours; 60 cents per hour (cloth caps).

Sparta Pipes, Inc., Sparta, N. C., effective 6-18-51 to 12-17-51; 10 percent of the productive factory workers, not including office or sales personnel; pipemakers, 240 hours; 60 cents per hour (smoking pipes).

Worcester Felt Pad Corp., P. O. Box No. 5036, Tucson, Ariz., effective 6-5-51 to 12-4-51; two learners; sewing machine operators, 160 hours; 60 cents per hour (ironing board pads and covers).

Zion Industries, Inc., 2669-77 Sheridan Road, Zion, Ill., effective 6-8-51 to 12-7-51; three learners; sewing machine operator, 240 hours; 60 cents per hour (curtain and drapery fabrics).

The following special learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Pan American Crafts, San Juan, P. R., effective 6-4-51 to 12-3-51; 80 learners as sewing machine operators; 200 hours at 25 cents an hour (manufacture of brassieres).

Jem Manufacturing Co., Santurce, P. R., effective 6-4-51 to 12-3-51; 80 learners as sewing machine operators; 200 hours at 25 cents an hour (manufacture of brassieres).

Jem Manufacturing Co., Bayamon, P. R., effective 6-4-51 to 12-3-51; 80 learners as sewing machine operators; 200 hours at 25 cents an hour (manufacture of brassieres).

U. S. Textile Importing Co., Santa Isabel, P. R., effective 5-21-51 to 11-20-51; 30 learners in occupation of machine embroidering; 240 hours at 22½ cents per hour (machine embroidering).

Miranda Hermanos & Co. S. EN C., 1256 Ponce de Leon Avenue, Santurce, P. R., effective 5-17-51 to 11-16-51; 26 learners in the occupation of machine and hand sewing; 120 hours at 24 cents an hour and 120 hours at 30 cents an hour (men's clothing).

The Shawy Hand Bag Co., P. R., Inc., Caguas, P. R., effective 6-4-51 to 12-3-51; 20 learners, corde for ladies handbags; 160 hours at 25 cents an hour and 160 hours at 29 cents an hour (corde handbags).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 12th day of June 1951.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 51-7122; Filed, June 21, 1951; 8:45 a. m.]

ECONOMIC STABILIZATION AGENCY

[General Order 8, Amdt.]

SALARY STABILIZATION BOARD

AMENDMENT TO ORGANIZATION STATEMENT

1. Section 3 (a) of General Order No. 8, dated May 10, 1951, is amended to read as follows:

SEC. 3. *Organization*—(a) *Salary Stabilization Board.* There shall be a Salary Stabilization Board which shall consist of five public members, one of whom shall be designated as Chairman. The Chairman of the Wage Stabilization Board shall serve as an ex-officio nonvoting member of the Salary Stabilization Board, advising the Board in respect to the terms of section 5 (b) of this order.

2. The designation "Salary Stabilization Division" as used throughout the order is amended to read "Office of Salary Stabilization."

Issued at Washington, D. C., June 19, 1951, 3:15 p. m.

ERIC JOHNSTON,
Administrator.

[F. R. Doc. 51-7207; Filed, June 21, 1951; 8:52 a. m.]

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 75]

HAMILTON WATCH CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Hamilton Watch Company, Columbia Avenue, Lancaster, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of watches manufactured by Hamilton Watch Company, Columbia Avenue, Lancaster, Pennsylvania, having the brand name(s) "Hamilton" shall be the proposed retail ceiling prices listed by Hamilton Watch Company in its application dated April 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than August 21, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable

under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after July 23, 1951, Hamilton Watch Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special 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:

OPS—Sec. 43—CPR 7
Price $--------

On and after August 21, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 21, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective 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 regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers.	Retailer's ceilings for articles of cost listed in column 1
$-------- per --------{unit. dozen. etc.	
Terms{net. percent EOM. etc.	
	$--------*

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 21, 1951.

[F. R. Doc. 51-7217; Filed, June 21, 1951; 9:14 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 76]

SKYWAY LUGGAGE CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Skyway Luggage Company, 10 Wall Street, Seattle 1, Washington, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of luggage manufactured by Skyway Luggage Company, 10 Wall Street, Seattle 1, Washington, having the brand name(s) "Skyway" shall be the proposed retail ceiling prices listed by Skyway Luggage Company in its application dated April 26, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than August 21, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after July 23, 1951, Skyway Luggage Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special 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:

OPS—Sec. 43—CPR 7
Price $--------

On and after August 21, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 21, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an

article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective 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 regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____ {unit. dozen. etc.}	
Terms {net. percent EOM. etc.}	
	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 21, 1951.

[F. R. Doc. 51-7218; Filed, June 21, 1951; 9:14 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 77]

SWANK, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Swank, Inc., Attleboro, Massachusetts, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's belts, wallets, wallet inserts, secretaries, slim billfolds, key cases, comb and file sets and manicure sets manufactured by Swank, Inc., Attleboro, Massachusetts, having the brand name(s) "Swank" shall be the proposed retail ceiling prices listed by Swank, Inc., in its application dated March 27, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than August 21, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after July 23, 1951, Swank, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special 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:

OPS—Sec. 43—CPR 7
Price $_____

On and after August 21, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 21, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective 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 regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subse-

quent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per _____ {unit. dozen. etc.}

Terms {net. percent EOM. etc.}

$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months' period following the effective date of this special order and within 45 days of the expiration of each successive 6 months' period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months' period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 21, 1951.

[F. R. Doc. 51-7219; Filed, June 21, 1951; 9:14 a. m.]

JURISDICTIONAL CHANGES IN CERTAIN DISTRICT OFFICES

ORGANIZATIONAL STATEMENT

The field organization of the Office of Price Stabilization of the Economic Stabilization Agency, established pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) and Executive Order 10161 (15 F. R. 6105) as published in the FEDERAL REGISTER dated February 2, 1951 (16 F. R. 987) and as amended March 3, 1951 (16 F. R. 2028), April 20, 1951 (16 F. R. 3444), and May 12, 1951 (16 F. R. 4476) is further amended to include the following changes in District Office boundaries:

Region II (New York, New Jersey). The County of St. Lawrence heretofore served by the Albany District Office will now be served by the Syracuse District Office.

Region VII (Illinois, Indiana, Wisconsin). The District Office in Chicago, Illinois heretofore limited to Cook County, Illinois, will assume service operations in the area comprised of Lake, Kane, Cook, Du Page, and Will Counties in the State of Illinois and Lake County in the State of Indiana.

The District Office in Peoria, Illinois will serve the Northern portion of the State of Illinois except Lake, Kane, Cook, Du Page and Will Counties, its Southern boundary being composed of Hancock, McDonough, Fulton, Tazewell, McLean, Ford and Iroquois Counties.

The District Office in Indianapolis, Indiana will serve the State of Indiana except Lake County.

The changes herein designated shall be effective immediately.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 21, 1951.

[F. R. Doc. 51-7234; Filed, June 21, 1951; 10:58 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6363]

IOWA POWER AND LIGHT CO.

NOTICE OF APPLICATION

JUNE 18, 1951.

Take notice that on June 15, 1951, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Iowa Power and Light Company, a corporation organized under the laws of the State of Iowa and doing business in said State with its principal business office in Des Moines, Iowa, seeking an order authorizing the issuance of 50,000 shares of 4.40 percent cumulative preferred stock. The applicant proposes to issue and sell said stock to a group of sixteen institutional investors and requests exemption of the issuance and sale of said stock from the competitive bidding requirements of the Commission's rules and regulations; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 9th day of July 1951, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-7145; Filed, June 21, 1951; 8:49 a. m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

ATTESTING OFFICERS

DESCRIPTION OF AGENCY AND PROGRAMS AND FINAL DELEGATIONS OF AUTHORITY

Section III c, *Field organization and final delegations of authority,* is amended as follows:

c. *Attesting officers.* Effective April 24, 1951, in each Field Office the Chief of the Production and Document Control Section and the Production and Document Control Assistant next subordinate to the Chief are designated Attesting Officer and Alternate Attesting Officer, respectively, in respect to all documents requiring attestation. The Attesting Officer shall affix the official seal to such documents as may require its application and is authorized to certify that copies of documents, leases, contracts and other papers, duly approved, are identical with the originals. The Alternate Attesting Officer shall have the same duties, functions and authority vested in the Attesting Officer.

Date approved: June 8, 1951.

[SEAL] JOHN TAYLOR EGAN,
Commissioner.

[F. R. Doc. 51-7125; Filed, June 21, 1951; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26176]

PERLITE FROM NEW ORLEANS AND PORT CHALMETTE, LA., TO CAIRO, ILL., AND MEMPHIS, TENN.

APPLICATION FOR RELIEF

JUNE 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for Chicago, Rock Island and Pacific Railroad Company and other carriers named in the application.

Commodities involved: Perlite, carloads.

From: New Orleans and Port Chalmette, La.

To: Cairo, Ill., and Memphis, Tenn.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hear-

ing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-7139; Filed, June 21, 1951; 8:48 a. m.]

[4th Sec. Application 26177]

GLASSWARE BETWEEN OFFICIAL TERRITORY AND THE SOUTH

APPLICATION FOR RELIEF

JUNE 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents, for carriers parties to Agent Boin's tariff I. C. C. No. A-726.

Commodities involved: Glassware, other than cut, viz: bottles, carboys, etc., carloads.

Between: Trunk-line (including Buffalo-Pittsburgh territory) and New England territories, on the one hand, and southern territory, on the other.

Grounds for relief: Circuity, grouping, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-726, Supp. 228.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-7140; Filed, June 21, 1951; 8:48 a. m.]

[4th Sec. Application 26178]

MERCHANDISE FROM GREENSBORO, N. C., TO MEMPHIS, TENN.

APPLICATION FOR RELIEF

JUNE 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1073.

Commodities involved: Merchandise in mixed carloads.

From: Greensboro, N. C.

To: Memphis, Tenn.

Grounds for relief: Circuitous routes and competition with rail and motor carriers.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1073, Supp. 64.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-7141; Filed, June 21, 1951; 8:49 a. m.]

[4th Sec. Application 26179]

MERCHANDISE FROM CINCINNATI, OHIO TO DUNBARTON, S. C.

APPLICATION FOR RELIEF

JUNE 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1073.

Commodities involved: Merchandise in mixed carloads.

From: Cincinnati, Ohio.

To: Dunbarton, S. C.

Grounds for relief: Circuitous routes and competition with rail and motor carriers.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1073, Supp. 65.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-7142; Filed, June 21, 1951; 8:49 a. m.]

[4th Sec. Application 26180]

BENZOL FROM MINNEQUA, COLO., TO BROWNSVILLE, TEX.

APPLICATION FOR RELIEF

JUNE 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3715.

Commodities involved: Benzol (benzene), in tank-car loads.

From: Minnequa, Colo.

To: Brownsville, Tex.

Grounds for relief: Circuitous routes, competition with rail carriers, and market competition.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3715, Supp. 49.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-7143; Filed, June 21, 1951; 8:49 a. m.]

[4th Sec. Application 26181]

FERRO-SILICON FROM CALVERT, KY., TO ALCOA, TENN.

APPLICATION FOR RELIEF

JUNE 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Illinois Central Railroad Company and Southern Railway Company.

Commodities involved: Ferro-Silicon, carloads.

From: Calvert, Ky.

To: Alcoa, Tenn.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1079, Supp. 34.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-7144; Filed, June 21, 1951; 8:49 a. m.]

UNITED STATES TARIFF COMMISSION

[List No. 210]

VITRIFIED CHINA ASSN., INC.

APPLICATION FOR INVESTIGATION

JUNE 19, 1951.

Application as listed below has been filed with the United States Tariff Commission for investigation under the provisions of section 336 of the Tariff Act of 1930.

Name of article	Purpose of request	Date received	Name and address of applicant
The following articles provided for in par. 212 of the Tariff Act of 1930: Tableware, kitchenware, and table and kitchen utensils, not containing 25 percent or more of calcined bone (except hotel or restaurant ware and utensils): Plates, not over 6⅝ inches in diameter and valued not over $2.55 per dozen, or over 6⅝ but not over 7⅞ inches in diameter and valued not over $3.45 per dozen, or over 7⅞ but not over 9½ inches in diameter and valued not over $5 per dozen, or over 9½ inches in diameter and valued not over $6 per dozen; cups, valued not over $4.45 per dozen; saucers, valued not over $1.90 per dozen; and articles other than plates, cups, or saucers, valued not over $11.50 per dozen articles; all the foregoing, whether or not painted, colored, tinted, stained, enameled, gilded, printed, or ornamented or decorated in any manner.	Increase in duty.	June 18, 1951	Vitrified China Association, Inc. Washington, D.C.

The application listed above is available for public inspection at the office of the Secretary, Tariff Commission Building, Eighth and E Streets NW., Washington, D. C., and in the New York Office of the Commission, located in Room 437 of the Custom House, where it may be read and copied by persons interested.

DONN N. BENT, *Secretary.*

[F. R. Doc. 51-7155; Filed, June 21, 1951; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-193, 54-140, 54-65, 59-6]

UNITED GAS IMPROVEMENT CO. ET AL.

ORDER DIRECTING DISPOSITION OF SECURITIES AND ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of June A. D. 1951.

In the matter of The United Gas Improvement Company, File Nos. 54-193, 54-140, 54-65, and The United Gas Improvement Company and Subsidiary Companies, Respondents, File No. 59-6.

The United Gas Improvement Company ("UGI"), a registered holding company having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") for approval of a plan involving the exchange by UGI of certain of its portfolio assets for shares of its outstanding capital stock; and

The Commission having heretofore instituted proceedings pursuant to section 11 (b) (1) of the act to determine the status of the UGI holding company system under that section; and

The Commission having consolidated the proceedings with respect to the status of the UGI holding company system under section 11 of the act with the proceedings with respect to the application of UGI for approval of a plan under section 11 (e) of the act and having ordered a hearing be held with respect to said consolidated proceedings; and

UGI having requested that the Commission find that the carrying out of the proposed exchange plan is necessary and appropriate to effectuate the provisions of section 11 (b) of the act and in granting the application for approval of said plan, enter an order conforming to the requirements of the Internal Revenue Code, as amended, including sections 371 and 1808 (f); and

A public hearing having been held after appropriate notice and the Commission having considered the record in these matters and having made and filed its Findings and Opinion herein; and

The Commission having concluded that the standards of section 11 (b) (1) of the act require that UGI dispose of certain securities of nonsubsidiary companies; and

The Commission finding that said plan of UGI is necessary to effectuate the provisions of section 11 (b) (1) of the act and is fair and equitable to the persons affected thereby:

It is ordered, Pursuant to section 11 (b) (1) of the act that UGI, a registered holding company, sever its relationships with the companies hereinafter designated by disposing or causing the disposition in any appropriate manner not in contravention of the applicable provisions of the act or the rules and regulations promulgated thereunder of its direct and indirect ownership, control and holding of securities issued by Central Illinois Light Company, Consumers Power Company, Delaware Power & Light Company, Niagara Mohawk Power Corporation, Philadelphia Electric Company, Public Service Electric and Gas Company and Delaware Coach Company.

It is further ordered, That said plan of UGI be, and the same hereby is, approved, subject however to the terms and conditions contained in Rule U-24 and to the reservation of jurisdiction with respect to all legal fees and expenses incurred in connection with the plan.

It is further ordered and recited, That the transactions herein described and recited proposed in the plan filed by UGI are necessary or appropriate to effectuate the provisions of section 11 (b) of the act:

(1) The transfer and delivery to UGI stockholders and the acquisition by UGI stockholders pursuant to the plan of not more than (a) 145,314 shares of the common stock of Consumers Power Company, and (b) not more than 217,970 shares of the common stock of Philadelphia Electric Company; all in exchange for not more than 363,285 shares of the outstanding capital stock (par value $13.50) of UGI on the basis of the exchange of 3 shares of the common stock of Philadelphia Electric Company and 2 shares of the common stock of Consumers Power Company for each 5 shares of said outstanding capital stock of UGI, and (2) The disposition by UGI on the New York Stock Exchange of such shares of the common stocks of Philadelphia Electric Company and Consumers Power Company (otherwise exchangeable for UGI stock under the plan) as will be necessary to provide the cash required to be exchanged for UGI stock held in lots of 1 to 4 shares.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7127; Filed, June 21, 1951; 8:46 a. m.]

[File No. 70-2632]

UNITED CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE WITH RESPECT TO PROPOSED EXCHANGE OF SECURITIES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 18th day of June A. D. 1951.

The United Corporation ("United"), a registered holding company, having filed an application-declaration pursuant to the provisions of sections 10 and 12 of the Public Utility Holding Company Act of 1935 ("act"), and Rules U-43 and U-44 promulgated thereunder with respect to the following proposed transactions:

Under the provisions of a plan heretofore filed under section 11 (e) of the act by The United Gas Improvement Company ("UGI"), a registered holding company, and approved by order of the Commission dated June 15, 1951, the holders of the capital stock of UGI are afforded an opportunity to exchange, for each unit of five shares of UGI's capital stock, to the extent of but not exceeding 363,285 shares of such stock, three shares of common stock of Philadelphia Electric Company and two shares of common stock of Consumers Power Company.

United, as the owner of 80,832 shares of the capital stock of UGI, proposes to tender all, or the major portion, of such shares to UGI under the terms of the Plan. Consummation of the proposed exchange by United would result in United's receiving not more than 0.51 percent of the voting securities of Consumers Power Company and not more than 0.45 percent of the voting securities of Philadelphia Electric Company;

Said application-declaration having been filed on May 15, 1951, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said application-declaration be granted and permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the said application-declaration be, and hereby is, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7126; Filed, June 21, 1951; 8:46 a. m.]

EDWIIN HAWLEY CO.

MEMORANDUM OPINION AND ORDER REVOKING REGISTRATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of June A. D. 1951.

In the matter of Edwiin Hawley, Edwin Riley Hawley, or E. R. Hawley doing business as Edwiin Hawley Co., Hotel Adams, Central Avenue and Adams Street, Phoenix, Arizona.

These proceedings were instituted pursuant to section 15 (b) of the Securities Exchange Act of 1934 ("Exchange Act") and section 203 (d) of the Investment Advisers Act of 1940 ("Advisers Act") to determine whether the registration as a broker and dealer of Edwiin Hawley (also known as Edwin Riley Hawley and E. R. Hawley), doing business as Edwiin Hawley Co., a sole proprietorship, should be revoked, and whether his registration as an investment adviser should be revoked or suspended.[1] The order for proceedings alleges that the registrant willfully violated sections 15 (b) and 17 (a) of the Exchange Act and Rules X-15B-2 and X-17A-5 thereunder and that he violated section 207 of the Advisers Act.

The proceedings were instituted on April 5, 1951, by notice and order for hearing, copies of which were sent by registered mail to the business and residence addresses last furnished us by the registrant and to a previous business address. These registered notices were returned to us by the Post Office Department with notations indicating that the registrant could not be found at any of those addresses.[2]

Registrant's registration as a broker and dealer became effective on October 12, 1945, and his registration as investment adviser became effective on April 26, 1946. Neither registration has been withdrawn, cancelled, suspended or revoked.

Rule X-15B-2, promulgated under section 15 (b) of the Exchange Act, provides that registered brokers and dealers must file with us supplemental statements to their applications for registration to report changes, not previously reported, which render no longer accurate any information previously submitted in such applications. Section 207 of the Advisers Act makes it unlawful willfully to misstate or omit to state material facts in any registration application or report filed with the Commission under section 203 or 204.

Pursuant to Rule X-15B-2, and to Rule R-204-1 under Section 204 of the Advisers Act,[3] the registrant filed with us, until January 1949, supplemental statements and reports reporting his current business and residence addresses in Phoenix, Arizona. The order for proceedings does not allege that these reports misstated this information as of the times of filing. However, the record shows that since the end of January 1949 the registrant has not maintained any office or residence at the last designated addresses or at any address in that city and has not notified us of his current addresses.

Upon review of the record in these proceedings, we have concluded that the registrant violated section 15 (b) of the act and Rule X-15B-2 thereunder by failing to report to us his current business and residence addresses, and that such violation was willful. We have also concluded that he violated section 207 of the Advisers Act in that the last addresses stated in his registration application as amended are now false, and that, in view of his failure to continue the filing of reports to keep that information current, such misstatement is willful within the meaning of that section.

Section 17 (a) of the Exchange Act and Rule X-17A-5 thereunder provide, among other things, that every registered broker or dealer must file with us a report of financial condition during each calendar year. We specifically referred the registrant to the requirements of this rule in a letter dated October 12, 1945, and thereafter he filed financial reports for a few years. However, he did not file the required report for the calendar year 1950. Upon review of the record in these proceedings we have concluded that the registrant violated section 17 (a) of the Exchange Act and Rule X-17A-5 thereunder as a result of his failure to file such report. We conclude also that such violation was willful within the meaning of section 15 (b).

We conclude, on the basis of the foregoing, that it is necessary in the public interest to revoke registrant's registrations as a broker and dealer and as an investment adviser. However, in view of the fact that our records do not show whether he actually received personal notice of the scheduled hearing, and to avoid any possible prejudice to him, our order will provide that the revocation of registrations be without prejudice to a motion by the registrant to reopen the proceedings and to seek, upon a proper showing, to set aside the order of revocation.

Accordingly it is ordered, That the registrations as a broker and dealer and as an investment adviser of Edwin Hawley, Edwin Riley Hawley, or E. R. Hawley, doing business as Edwin Hawley Co. be, and they hereby are, revoked without

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[1] Section 15 (b) of the Exchange Act provides in part:

The Commission shall, after appropriate notice and opportunity for hearing, by order * * * revoke the registration of any broker or dealer if it finds that such * * * revocation is in the public interest and that (1) such broker or dealer * * * (D) has willfully violated any provision * * * of this title, or of any rule or regulation thereunder.

Section 203 (d) of the Advisers Act provides in part:

The Commission after hearing may by order * * * revoke or suspend the registration of an applicant under this section, if the Commission finds that such * * * revocation, or suspension is in the public interest and that such investment adviser. * * *

* * * * * *

(3) has violated the provisions of Section 207 of this title.

[2] Our order and notice instituting these proceedings provided that the same be published in the FEDERAL REGISTER not later than 15 days prior to May 14, 1951. Pursuant to this provision the order and notice was published in the FEDERAL REGISTER of April 11, 1951. 16 F. R. 3203-4.

[3] Rule R-204-1 requires registered investment advisers to file semi-annual reports keeping current the information contained in registration applications.

prejudice to a motion by him to reopen the record in the proceedings and, upon a proper showing, to set aside this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7128; Filed, June 21, 1951; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 17818]

MASCHINENFABRIK AUGSBURG-NUERNBERG A. G. AND GENERAL MACHINERY CORP.

In re: Interests of Maschinenfabrik Augsburg-Nuernberg A. G. in a license agreement dated October 1, 1936, with General Machinery Corporation.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Maschinenfabrik Augsburg-Nuernberg A. G., the last known address of which is Augsburg, Germany, is a corporation organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor), created in Maschinenfabrik Augsburg-Nuernberg A. G., by virtue of an agreement dated October 1, 1936, by and between Maschinenfabrik Augsburg-Nuernberg A. G. and General Machinery Corporation (including all modifications thereof and supplements thereto, if any), which agreement relates, among other things, to certain United States Letters Patent;

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid national of a foreign country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 10, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 51-7160; Filed, June 21, 1951; 8:54 a. m.]

[Vesting Order 17991]

UNITED STATES CURRENCY OWNED BY PERSONS UNKNOWN

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the Bank Deutscher Laender, Frankfurt/Main, Germany, on or about April 21, 1951, shipped to the Federal Reserve Bank of New York, United States currency in the aggregate amount of $27,470 which said Bank Deutcher Laender had previously received from the Office of the United States High Commissioner for Germany for the purpose of such shipment;

2. That the aforesaid currency was captured in Germany by United States Military Forces and was subsequently delivered to the Office of the United States High Commissioner for Germany;

3. That the Office of the United States High Commissioner for Germany has been unable to determine the identities of the persons who are the owners of the aforesaid currency;

4. That the persons referred to in subparagraph 3 hereof, who, if individuals, there is reasonable cause to believe are residents of Germany and which, if partnerships, corporations, associations or other organizations, there is reasonable cause to believe are organized under the laws of, or have or, on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, are nationals of a designated enemy country (Germany);

5. That the property described as follows: United States currency in the aggregate amount of $27,470 shipped on or about April 21, 1951 by the Bank Deutscher Laender, Frankfurt/Main, Germany, to the Federal Reserve Bank of New York, and presently in the custody of the Federal Reserve Bank of New York,

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 persons referred to in subparagraph 4 hereof, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

6. That to the extent that the persons referred to in subparagraph 4 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 5, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 51-7161; Filed, June 21, 1951; 8:54 a. m.]

[Vesting Order 17916]

PRAG-FILM A. G.

In re: Rights in motion pictures owned by Prag-Film A. G.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ufa-Film G. m. b. H., the last known address of which is Berlin, Germany, is a corporation organized under the laws of Germany and which has or, on or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Berlin, Germany, and is a national of a designated enemy country (Germany);

2. That Prag-Film A. G., the last known address of which is Prague-Barrandow, Czechoslovakia, and which there is reasonable cause to believe is a corporation organized under the laws of Czechoslovakia, is or, on or since the effective date of Executive Order 8389, as amended, has been owned or controlled by or acting or purporting to act directly or indirectly for the benefit or on behalf of the aforesaid Ufa-Film G. m. b. H., and is a national of a designated enemy country (Germany);

3. That the property described as follows:

(a) All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, in, to and under the following:

(1) The motion pictures listed in Exhibits A and B set forth below and made a part hereof, including, but not limited to, the exclusive right to exhibit same in whole or in part by any means within the United States, all rights to arrange, adapt, revise, translate, and duplicate said motion pictures in whole or in part, and every copyright, claim of copyright, right to copyright, and right to renew the copyright or copyrights in said motion pictures,

(2) The screen plays, scenarios, and shooting scripts upon which said motion pictures are based, including, but not limited to all motion picture and television rights therein, and every copyright, claim of copyright, right to copyright, and right to renew the copyright or copyrights in said screen plays, scenarios, and shooting scripts.

(3) The rights to dramatize, perform, represent, and reproduce on motion picture film those portions of the published and unpublished works subject to copyright, other than the above mentioned screen plays, scenarios, and shooting scripts, which underlie or are embodied in said motion pictures and to exhibit such film by any means in the United States,

(b) All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of Prag-Film A. G., and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations), whether or not named elsewhere in this order, who are citizens and residents of, or which are organized under the laws of or have their principal places of business in, Germany, and are nationals of such designated enemy country, in, to and under the following:

(1) All prints in the United States of the motion pictures listed in said Exhibits A and B,

(2) All arrangements, adaptations, revisions, dramatizations, translations, and versions of the motion pictures listed in said Exhibits A and B,

(3) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the property described in subparagraphs 3 (a), 3 (b) (1) and 3 (b) (2) of this vesting order,

(c) All monies and amounts, and all rights to receive monies and amounts, by way of damages, royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the property described in subparagraphs 3 (a) and 3 (b) of this vesting order, and

(d) All causes of action accrued or to accrue at law or in equity with respect to the property described in subparagraphs 3 (a), 3 (b), and 3 (c) hereof, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law and by statute for the infringement of any copyright, for the violation of any right and for the breach of any obligation described in or affecting the aforesaid property,

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 persons referred to in subparagraphs 2 and 3 (b) hereof, the aforesaid nationals of a designated enemy country (Germany) and is property of, or is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interest therein held by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That Prag-Film A. G., is controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany); and

5. That to the extent that the persons referred to in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 24, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Titles of feature motion pictures produced by Prag-Film A. G.

Glueck unterwegs.
Himmel, wir erben ein Schloss.
Die Jungfern von Bischofsberg.
Komm zu mir zurueck.
Liebe, Leidenschaft und Leid.
Leuchtende Schatten.
Schicksal am Strom.
Das Schwarze Schaf (1943).
Seine beste Rolle.
Sieben Briefe.
Spiel.
Dir Zuliebe.
Der Zweite Schuss.

EXHIBIT B

Titles of motion picture short subjects produced by Prag-Film A. G.

Deutsche Baustile.
Egerland.
Greif, der Polizeihund.
Hochzeit im Korallenmeer.
Johann Gregor Mendel.
Kopernikus.
Niederschlesien.
Oberschlesien.
Das Orchester.
Perpetuum mobile.
Posen, Stadt im Aufbau.
Prager Barock.
Ruebezahl.

[F. R. Doc. 51-7162; Filed, June 21, 1951; 8:55 a. m.]

[Vesting Order 17917]

UNIVERSUM-FILM A. G. ET AL.

In re: Rights in motion pictures owned by Universum-Film A. G. and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) whose names and last known addresses are set forth in Column 2 of Exhibits A, B and E set forth below and made a part hereof, are residents of, or are organized under the laws of, or have or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany and are nationals of a designated enemy country (Germany);

2. That the producers of the motion pictures listed in Exhibits C and D set forth below and made a part hereof, who, if individuals, there is reasonable cause to believe are residents of Germany and who, if partnerships, associations, corporations or other business organizations, there is reasonable cause to believe are organized under the laws of, or have or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows:

(a) All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law, of the United States and of the several States thereof, in, to and under the following:

(1) The motion pictures listed in said Exhibits A, B, C, D and E, including, but not limited to, the exclusive right to exhibit same in whole or in part by any means within the United States, all rights to arrange, adapt, revise, translate, and duplicate said motion pictures in whole or in part, and every copyright, claim of copyright, right to copyright, and right to renew the copyright or copyrights in said motion pictures.

(2) The screen plays, scenarios, and shooting scripts upon which said motion pictures are based, including, but not limited to, all motion picture and television rights therein, and every copyright, claim of copyright, right to copyright, and right to renew the copyright or copyrights in said screen plays, scenarios, and shooting scripts.

(3) The rights to dramatize, perform, represent, and reproduce on motion picture film those portions of the published and unpublished works subject to copyright, other than the above mentioned screen plays, scenarios, and shooting scripts, which underlie or are embodied in said motion pictures and to exhibit such film by any means in the United States.

(b) All right, title, interest, and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred to in subparagraphs 1 and 2 hereof, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations), whether or not named elsewhere in this order including said Exhibits A, B, C, D and E, who are citizens and residents of,

or which are organized under the laws of or have their principal places of business in, Germany, and are nationals of such designated enemy country, in, to and under the following:

(1) All prints in the United States of the motion pictures listed in said Exhibits A, B, C, D and E

(2) All arrangements, adaptations, revisions, dramatizations, translations, and versions of the motion pictures listed in said Exhibits A, B, C, D and E

(3) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the property described in subparagraphs 3 (a), 3 (b) (1) and 3 (b) (2) of this vesting order

(c) All monies and amounts, and all rights to receive monies and amounts, by way of damages, royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the property described in subparagraphs 3 (a) and 3 (b), of this vesting order, and

(d) All causes of action accrued or to accrue at law or in equity with respect to the property described in subparagraphs 3 (a), 3 (b), and 3 (c) hereof, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law and by statute for the infringement of any copyright, for the violation of any right and for the breach of any obligation described in or affecting the aforesaid property,

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 persons referred to in subparagraphs 1, 2, and 3 (b) hereof, the aforesaid nationals of a designated enemy country (Germany) and is property of, or is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interest therein held by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 24, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Title and producer and/or distributor

Abschied, Universum-Film A. G. "Ufa", Berlin, Germany.

An heiligen Wassern, Fanal-Filmproduktion G. m. b. H., Berlin, Germany.

Die andere Seite, Candofilm Verleih und Vertriebs G. m. b. H., Berlin, Germany.

Arme kleine Eva, Gustav Althoff-Film, Berlin, Germany.

Baby, Ondra-Lamac-Film G. m. b. H., Berlin, Germany.

Berge in Flammen, Vandal & Delao Tonfilm Produktions G. m. b. H., Berlin, Germany.

Bobby geht los, Deutsche Universal-Film A. G., Berlin, Germany.

Bomben auf Monte Carlo, Universum-Film A. G. "Ufa", Berlin, Germany.

Boykott, Emelka-Konzern, Munich, Germany.

Der brave Sünder, Cine-Allianz-Tonfilm G. m. b. H., Berlin, Germany.

Das brennende Herz, Terra-Film A. G., Berlin, Germany.

Bruder Bernhard, Münchner Lichtspielkunst A. G., Munich, Germany.

Ein Burschenlied aus Heidelberg, Universum-Film A. G. "Ufa", Berlin, Germany.

Die Cousine aus Warschau, Cine Allianz-Tonfilm G. m. b. H., Berlin, Germany.

Cyankali, Atlantis Film G. m. b. H., Berlin, Germany

D-Zug 13 hat Verspätung, Universum-Film A. G. "Ufa", Berlin, Germany.

Delikatessen, Deutsches Lichtspiel Syndikat A. G., Berlin, Germany.

Dolly macht Karriere, Universum-Film A. G. "Ufa", Berlin, Germany.

Donauwalzer, Aafa-Film A. G., Berlin, Germany.

Das Donkosakenlied, Deutsche Universal-Film A. G., Berlin, Germany.

Dreigroschenoper (German version only), Tonbild Syndikat A. G., Berlin, Germany.

Die Ehe, Velde-Film, Berlin, Germany.

Einbrecher, Universum-Film A. G. "Ufa" Berlin, Germany.

Eine Woche Glück, Greenbaum Film G. m. b. H., Berlin, Germany.

Er und seine Schwester (1931 production), Ondra-Lamac Film G. m. b. H., Berlin, Germany.

Erotik, Vereinigte Star-Film G. m. b. H., Berlin, Germany.

Es flüstert die Liebe (1929 production), Aafa-Film A. G., Berlin, Germany.

Es wird schon wieder besser, Universum-Film A. G. "Ufa", Berlin, Germany.

Der falsche Ehemann, Universum-Film A. G. "Ufa", Berlin, Germany.

Die Faschingsfee, Greenbaum Film G. m. b. H., Berlin, Germany.

Die fidele Herrenpartie, Aafa-Film A. G., Berlin, Germany.

Das Flötenkonzert von Sanssouci, Universum-Film A. G. "Ufa", Berlin, Germany.

Fräulein Else, Poetic-Film G. m. b. H., Berlin, Germany.

Die Frau, die Dich niemals vergisst, Bayerische-Film G. m. b. H., Munich, Germany.

Die Frau, nach der man sich sehnt, Terra-Film A. G., Berlin, Germany.

Die Frau, von der man spricht, Aafa-Film A. G., Berlin, Germany.

Frauen am Abgrund, Ilma-Film Produktions G. m. b. H., Berlin, Germany.

Der Frechdachs, Universum-Film A. G. "Ufa", Berlin, Germany.

Die 5 verfluchten Gentlemen, Vandal & Delac Tonfilm Produktions G. m. b. H., Berlin, Germany.

Ein ganz verflixter Karl, Orplid-Film G. m. b. H., Berlin, Germany.

Gassenhauer, Deutsches Lichtspiel Syndikat A. G., Berlin, Germany.

Der Gefangene der Bernina, Emelka-Konzern, Munich, Germany.

Der Geheimagent (Ein Mann fällt vom Himmel), Deutsche Universal Film A. G., Berlin, Germany.

Das Geheimnis der roten Katze, Erich Engels Film G. m. b. H., Berlin, Germany.

Das Gespensterschiff (Das Schiff ohne Hafen), Harry Piel Film G. m. b. H., Berlin, Germany.

Gigolo, der schöne arme Tanzleutnant, Haase-Film, Berlin, Germany.

Glück über Nacht, H. M.-Film, Berlin, Germany.

Die grosse Sehnsucht (Achtung-Aufnahme), Cicero-Film G. m. b. H., Berlin, Germany.

Der Günstling von Schönbrunn, Greenbaum-Film G. m. b. H., Berlin, Germany.

Die Halbwüchsigen, Gustav Althoff-Film, Berlin, Germany.

Hans in allen Gassen, Froehlich-Film G. m. b. H., Berlin, Germany.

Hasenklein kann nichts dafür, Central-Film, Fett & Co., Berlin, Germany.

Die heiligen drei Brunnen, Hom-Film G. m. b. H., Berlin, Germany.

Heute Nacht-eventuell, Orplid-Film G. m. b. H., Berlin, Germany.

Hier Nachtgespenst-wer dort, Henny Porten Film Produktion G. m. b. H., Berlin, Germany.

Hingabe, Orplid Film G. m. b. H., Berlin, Germany.

Der Hochtourist (1931 production), Universum-Film A. G. "Ufa", Berlin, Germany.

Hokus-Pokus, Universum-Film A. G. "Ufa", Berlin, Germany.

Ihre Hoheit befiehlt, Universum-Film A. G. "Ufa", Berlin, Germany.

Ihre Majestät die Liebe (German version only) Deutches Lichtspiel Syndikat A. G., Berlin, Germany.

Im Banne des Eulenspiegels, Kollektiv-Film G. m. b. H., Berlin, Germany.

In einer kleinen Konditorei, Emelka Konzern, Munich, Germany.

Die Jagd nach der Million, Aafa-Film A. G., Berlin, Germany.

Jenseits der Strasse, Prometheus Film Verleih und Vertriebs G. m. b. H., Berlin, Germany.

Jonny braucht Geld, P. D. C.-Film, Berlin, Germany.

Jonny stiehlt Europa, Harry Piel Film G. m. b. H., Berlin, Germany.

Kaiserin Elisabeth von Österreich (Der Leidensweg einer Frau) Gottschalk Tonfilm Produktions G. m. b. H., Berlin, Germany.

Kampf, Majestic-Film G. m. b. H., Berlin, Germany.

Kasernenzauber, Hegewald-Film G. m. b. H., Berlin, Germany.

Katherine Knie, Erich Engels Film G. m. b. H., Berlin, Germany.

Der keusche Joseph, Deutsches Lichtspiel Syndikat A. G., Berlin, Germany.

Die keusche Kokotte, Emelka Konzern, Munich, Germany.

Kiki, Ondra-Lamac-Film G. m. b. H., Berlin, Germany.

Der kleine Seitensprung, Universum-Film A. G., "Ufa", Berlin, Germany.

Kohlhiesels Töchter (1930 production), Henny Porten Film Produktion G. m. b. H., Berlin, Germany.

Der Korvettenkapitän, Aafa-Film A. G., Berlin, Germany.

Kriminalreporter Hohn, Engels & Schmidt Tonfilm G. m. b. H., Berlin, Germany.

Das Land des Lächelns, Richard Tauber Tonfilm G. m. b. H., Berlin, Germany.

Laubenkolonie (Die lustigen Musikanten), Aafa Film A. G., Berlin, Germany.
Liebe und Champagner, Greenbaum-Film G. m. b. H., Berlin, Germany.
Liebesabenteuer, Vandal & Delac Tonfilm Produktions G. m. b. H., Berlin, Germany.
Der Liebling der Götter, Universum-Film A. G., "Ufa", Berlin, Germany.
Das Lied der schwarzen Berge, Deutsche Eidophon-Film G. m. b. H., Berlin, Germany.
Das Lied einer Nacht, Cihe-Allianz-Tonfilm G. m. b. H., Berlin, Germany.
Ludwig II, Deutsche Universal-Film A. G., Berlin, Germany.
Lügen auf Rügen, Aafa-Film A. G., Berlin, Germany.
Der Lumpenball, Karl Heinz Produktion, Berlin, Germany.
Der lustige Witwer, Deutsches Lichtspiel Syndikat A. G., Berlin, Germany.
Madame hat Ausgang, Vandal & Delac Tonfilm Produktions G. m. b. H., Berlin, Germany.
Madonna oder Dirne, Mondial-Film G. m. b. H., Berlin, Germany.
Das Mädchenschiff, Hegewald-Film G. m. b. H., Berlin, Germany.
Männer ohne Beruf, Deutsches Lichtspiel Syndikat A. G., Berlin, Germany.
Mamsell Nitouche, Vandor-Film, Berlin, Germany.
Man braucht kein Geld, Cine-Allianz-Tonfilm G. m. b. H., Berlin, Germany.
Der Mann, der den Mord beging, Terra-Film A. G., Berlin, Germany.
Der Mann, der seinen Mörder sucht, Universum-Film A. G. "Ufa", Berlin, Germany.
Mascottchen, Greenbaum-Film G. m. b. H., Berlin, Germany.
Mein Herz sehnt sich nach Liebe, Aafa-Film A. G., Berlin, Germany.
Mein Glück-bist Du, May-Film A. G., Berlin, Germany.
Menschen im Feuer, Deutsches Lichtspiel Syndikat A. G., Berlin, Germany.
* * * mit Küchenbenutzung, Erich Engels Film G. m. b. H., Berlin, Germany.
Mitternachtsliebe, Froehlich Film G. m. b. H., Berlin, Germany.
Mutter Krausens Fahrt ins Glück, Prometheus Film Verleih und Vertriebs G. m. b. H., Berlin, Germany.
Mutterliebe (1929 production), Henny Porten Film Produktion G m. b. H., Berlin, Germany.
Die Nacht ohne Pause, Deutsche Universal-Film A. G., Berlin, Germany.
Das närrische Glück, Aafa-Film A. G., Berlin, Germany.
Napoleon auf St. Helena, der gefangene Kaiser, Peter Ostermayr Produktion G. m. b. H., Berlin, Germany.
Nie wieder Liebe, Universum-Film A. G. "Ufa", Berlin, Germany.
Niemandsland, Candofilm Verleih und Vertriebs G. m. b. H., Berlin, Germany.
Nur Dich hab ich geliebt, Aafa-Film A. G., Berlin, Germany.
Nur Du, Deutsches Lichtspiel Syndikat, A. G., Dresden, Germany.
Oh Mädchen, mein Mädchen, wie lieb ich Dich, Aafa-Film A. G., Berlin, Germany.
Opernredoute, Greenbaum-Film G. m. b. H., Berlin, Germany.
Der Orlow, H. R. Sokal Film G. m. b. H., Berlin, Germany.
Panik in Chicago, Deutsches Lichtspiel Syndikat A. G., Berlin, Germany.
Rasputin (Der Dämonder Frauen), Gottschalk Tonfilm Produktions G. m. b. H., Berlin, Germany.
Rauschgift, Universum-Film A. G. "Ufa", Berlin, Germany.
Der Rebell (Die Feuer rufen), Deutsche Universal Film A. G., Berlin, Germany.
Reserve hat Ruh, Aafa-Film A. G., Berlin, Germany.
Rosenmontag, Universum-Film A. G. "Ufa", Berlin, Germany.
Der Ruf des Nordens, Hom-Film G. m. b. H., Berlin, Germany.
Schachmatt, Gnom-Tonfilm G. m. b. H., Berlin, Germany.
Das Schicksal der Renate Langen, Aafa-Film A. G., Berlin, Germany.
Das Schiff der verlorenen Menschen, Max Glass Produktion G. m. b. H., Berlin, Germany.
Der Schlemihl, Biograph Film G. m. b. H., Berlin, Germany.
Das schöne Abenteuer, Universum-Film A. G. "Ufa", Berlin, Germany.
Schützenfest auf Schilda, Gottschalk Tonfilm Produktions G. m. b. H., Berlin, Germany.
Schuss im Morgengrauen, Universum-Film A. G. "Ufa", Berlin, Germany.
Schuss im Tonfilm-Atelier, Universum-Film A. G. "Ufa" Berlin, Germany.
Der schwarze Domino, Aafa-Film A. G., Berlin, Germany.
Der schwarze Husar, Universum-Film A. G. "Ufa", Berlin, Germany.
Sein Scheidungsgrund, Universum-Film A. G. "Ufa" Berlin, Germany.
Seine Frau, die Hochstaplerin, Universum-Film A. G. "Ufa", Berlin, Germany.
Seitensprünge (1931 production), Deutche Universal-Film A. G., Berlin, Germany.
Sensation im Wintergarten, Lothar Stark-Film G. m. b. H., Berlin, Germany.
Der Sieger, Universum-Film A. G. "Ufa", Berlin, Germany.
Die Somme, Candofilm Verleih und Vertriebs G. m. b. H., Berlin, Germany.
Spielereien einer Kaiserin, Greenbaum-Film G. m. b. H., Berlin, Germany.
Spuren im Schnee (1929 production) Emelka Konzern, Munich, Germany.
Ein steinreicher Mann, Deutsche Universal-Film A. G., Berlin, Germany.
Der Storch streikt, Deutcshe Universal-Film A. G., Berlin, Germany.
Strich durch die Rechnung, Universum-Film A. G. "Ufa", Berlin, Germany.
Stürme der Leidenschaft, Universum-Film A. G. "Ufa", Berlin, Germany.
Tarakanowa, die falsche Zarentochter, Deutsches Lichtspiel Syndikat A. G., Berlin, Germany.
Tempo-Tempo, Aafa-Film A. G., Berlin, Germany.
Der Tiger, Universum-Film A. G. "Ufa", Berlin, Germany.
Ein toller Einfall, Universum-Film A. G. "Ufa", Berlin, Germany.
Der träumende Mund, Emelka Konzern, Munich, Germany.
Troika, Hisa-Film G. m. b. H., Berlin, Germany.
. . . und das ist die Hauptsache, May-Film A. G., Berlin, Germany.
Unter falscher Flagge, Deutsche Universal-Film A. G., Berlin, Germany.
Vater und Sohn, Deutsches Lichtspiel Syndikat A. G., Berlin, Germany.
Die verkaufte Braut, Reichsliga-Film, Berlin, Germany.
Voruntersuchung, Universum-Film A. G. "Ufa", Berlin, Germany.
Die Wasserteufel von Hieflau, Deutsche Universal-Film A. G., Berlin, Germany.
Der Weg durch die Nacht, Maxim-Film Gesellschaft Ebner & Co., Berlin, Germany.
Wehe, wenn er losgelassen, Ondra-Lamac Film G. m. b. H., Berlin, Germany.
Die weisse Hölle von Piz Palu, H. R. Sokal Film G. m. b. H., Berlin, Germany.
Der weisse Rausch, H. R. Sokal Film G. m. b. H., Berlin, Germany.
Die weissen Teufel (Die neuen Wunder des Schneeschuhs), H. R. Sokal Film G. m. b. H., Berlin, Germany.
Wenn der weisse Flieder wieder blüht, Münchner Lichtspielkunst A. G., Munich, Germany.
Wenn die Liebe Mode macht, Universum-Film A. G. "Ufa", Berlin, Germany.
Wo die Wolga fliesst (Auferstehung), Deutsche Universal-Film A. G., Berlin, Germany.
Zapfenstreich am Rhein, Delog-Film, Berlin, Germany.
Zwei glückliche Tage, Aafa-Film A. G., Berlin, Germany.
Zweierlei Moral, Klangfilm G. m. b. H., Berlin, Germany.
Zweimal Hochzeit, Cine-Allianz-Tonfilm G. m. b. H., Berlin, Germany.

EXHIBIT B

Title and producer and/or distributor

Aufregung in Manila, Terra-Film A. G., Berlin, Germany.
Colon-Panama Canal, Hamburg-Amerikanische Packetfahrt A. G., Hamburg, Germany.
Crossing the Andes by Water, Hamburg-Amerikanische Packetfahrt A. G., Hamburg, Germany.
The Danube from the Black Forest to Vienna, Reichsbahnzentrale für den deutschen Reiseverkehr, Berlin, Germany.
Germany's Lure of Sunshine and Show, Tofa, Tonfilmfabrikations G. m. b. H., Berlin, Germany.
Der Herr Bürovarsteher, Elite-Tonfilm-produktions G. m. b. H., Berlin, Germany.
In old Hessen, Reichsbahnzentrale für den deutschen Reiseverkehr, Berlin, Germany.
Der kleine Schwindlerin, T. K.-Tonfilm-produktions G. m. b. H., Berlin, Germany.
Der moderne Student, Atlantic-Film Hans Arnau & Co., Berlin, Germany.
Thousand Year old Cities, Reichsbahnzentrale für den deutschen Reiseverkehr, Berlin, Germany.

EXHIBIT C

Title and director

Der Kampf ums Matterhorn (alternate titles: (1) Der Herr der Berge, (2) Die Musketiere, vom Matterhorn); Luis Trenker, who is also the principal actor in the picture.
Wiegenlied, Karl Lamac.

EXHIBIT D

Titles of motion pictures

Du bist verrückt mein Kind.
German Winter Sports, Championships 1935.
Homeland.
Leningrad.
Melodien.
Richard Wagner where he lived and died.
Russia.
Ruthenia.
Stuttgart.
The Violin.
Wie es damals war.
Winter Olympics.
Winter Sports at Garmisch-Partenkirchen.

EXHIBIT E

Title and producer and/or distributor

Orgelklänge, Universum-Film A. G. "Ufa", Berlin, Germany.
Von Schwarzkitteln und Schauflern, Universum-Film A. G. "Ufa", Berlin, Germany.

[F. R. Doc. 51–7163; Filed, June 21, 1951; 8:56 a. m.]

ALICE M. TEGETMEIER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after ade-

quate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Alice M. Tegetmeier, New York, N. Y.; Claim No. 11725; $1,735.48 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Alice Tegetmeier in and to trusts created under the will of Otto Pressprich, Jr., deceased.

Executed at Washington, D. C., on June 18, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7164; Filed, June 21, 1951; 8:56 a. m.]

SIMON LOEWI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Simon Loewi, Nuremberg, Germany; Claim No. 43034; $1,925.07 in the Treasury of the United States.

Executed at Washington, D. C., on June 18, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7165; Filed, June 21, 1951; 8:56 a. m.]

RENE VELUT

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Rene Velut, Francueil (Indre et Loire), France; Claim No. 41463; property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent No. 2,048,902.

Executed at Washington, D. C., on June 18, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7166; Filed, June 21, 1951; 8:56 a. m.]

ROMUALDO DI GIUSEPPE ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Romualdo Di Giuseppe, a/k/a Alde Di Giuseppe, Ercole Di Giuseppe, a/k/a Arcolino Di Giuseppe, and Domenico Di Giuseppe individually and as legal guardian of Carmela, Umberto and Vito Di Nicola, Casoli, Italy; Claim No. 36468; all right, title, interest, and claim of any kind or character whatsoever of Assunta Di Giuseppe, Dominico Di Giuseppe, Arcolino Di Giuseppe and Alde Di Giuseppe, and each of them, in and to the estate of Palmerino Di Giuseppe, deceased.

Executed at Washington, D. C., on June 14, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7167; Filed, June 21, 1951; 8:56 a. m.]

PIERRE PAUL AND RENE JEAN RATIE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim Nos., and Property

Pierre Paul Ratie, a/k/a Pierre Paul Ratier, Chatillon-sous-Bagneux, France; Claim No. 41629; Rene Jean Ratie, a/k/a Rene Jean Ratier, Sceaux, France; Claim No. 41630; property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942) relating to Patent Application Serial No. 388,128 (now Patent No. 2,417,176), an undivided one-half thereof to each claimant.

Executed at Washington, D. C., on June 18, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7168; Filed, June 21, 1951; 8:57 a. m.]