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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 35—RESTORATION OF FEDERAL EMPLOYEES AFTER SERVICE IN THE ARMED FORCES

Part 35 is revised and amended to read as set out below. Substantive changes have been made to conform with recent amendments to the Universal Military Training and Service Act of 1950. These changes will require that restoration rights be given to permanent employees who serve not more than four years on active duty in the armed forces, (under the former act the length of service was three years and restoration rights were limited to one enlistment) and that a leave of absence be granted to employees for the purpose of entering or determining physical condition to enter the armed forces and for training duty.

In addition, certain changes have been made as a result of new policy. These changes will require that restoration rights be granted to indefinite employees serving in defense establishments with reemployment rights back to their original agency under Part 8 of the Commission's Regulations, so that these employees may regain their Federal employment and preserve their reemployment rights back to their original agency; that a permanent employee who has received promotion of more than one grade be offered restoration to the next best available position for which qualified, if he cannot be restored to his former position (present policy provides that if the employee cannot be restored to the position he left, he will be restored to the next lower position in which he served under indefinite promotion); that the agency positively identify the position the employee leaves (agencies formerly were required to review the job description which the employee held on a permanent basis and to furnish him with a copy of that description at the time he entered the armed forces); and that agencies give consideration for promotion to employees serving in the armed forces to the same extent as they would have received had they not been absent (present policy permits this consideration but does not require it).

These amendments are effective upon publication in the FEDERAL REGISTER.

Sec.
35.1 Coverage.
35.2 Agency action at time employee leaves.
35.3 Agency action while employee is absent.
35.4 Requirements for restoration.
35.5 Agency action at time employee returns.
35.6 Appeals to the Commission.
35.7 Commission action on appeal.

AUTHORITY: §§ 35.1 to 35.7 issued under sec. 9, 62 Stat. 614; 50 U. S. C. App. Sup. 459. E. O. 10180, Nov. 13, 1950, 15 F. R. 7745; 3 CFR 1950 Supp.

§ 35.1 *Coverage.* The regulations in this part apply to any person who, subsequent to June 24, 1948, leaves other than a temporary position in the executive branch of the Federal or the District of Columbia Government and enters on active duty for service in the armed forces of the United States. The regulations in this part also apply to any permanent employee who has been indefinitely promoted or reassigned to the position he leaves to enter such service, and to any employee who has been given an indefinite appointment with reemployment rights under Part 8 of this chapter.

§ 35.2 *Agency action at time employee leaves*—(a) *Military furlough or separation*—(1) *Recording of action.* Each employee entering the armed forces for active service shall be furloughed or separated for military service at the option of the agency. At the time he returns to duty the employee shall be considered as having been on military furlough and shall be entitled to all the benefits provided by law or the regulations in this part.

(2) *Job identity requirements.* The agency concerned shall positively identify the position the employee is leaving.

(b) *Leave of absence.* Agencies shall grant a leave of absence to an employee for the purpose of entering, determining physical fitness to enter, or performing training duty in the armed forces of the United States. Upon application within 30 days after release from training duty or after rejection the employee shall be returned to his position without reduction in seniority, status, or pay, except as

(Continued on p. 6167)

CONTENTS

FEDERAL REGISTER

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CONTENTS—Continued

CONTENTS—Continued

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.

such reduction may be made for all employees similarly situated.

§ 35.3 *Agency action while employee is absent*—(a) *Reallocations.* If the employee's position is reallocated upward during his absence, personnel action shall be taken placing him in the reallocated position unless it is clearly shown that he is not qualified for the position. If the position is reallocated downward during his absence, no personnel action shall be taken until he returns and is restored. At that time the downgrading must be processed under section 14 of the Veterans' Preference Act of 1944, as amended.

(b) *Promotions.* An employee absent on military duty shall be given the same consideration for promotion as employees who are serving in the agency at that time. He shall be considered for any and all promotions for which he would normally have been considered had he not been absent on military duty. Agencies will be held responsible for maintaining adequate records to assure such consideration during the time he is absent. Any such promotion shall be effected as of the date it would have been made notwithstanding the absence for military duty.

(c) *Reorganizations.* In the event of any reorganization within an agency which affects the position of any employee absent on military duty, the agency is responsible for determining the position of comparable grade to which the employee shall be assigned and for recording the same on official records.

(d) *Abolition of the agency or transfer of functions.* If any functions of any agency are transferred to another agency or to a continuing or successor agency, the employee absent on military duty may be reassigned to another position of comparable grade in the agency. If this is not done, the head of the receiving agency shall be responsible for taking official action transferring the employee to said agency. In event the agency is abolished and the functions are not transferred to any other agency, it shall be the responsibility of the head of the agency which is being abolished to furnish to the Commission a list of all employees absent in the armed forces and to note the Official Personnel Folders accordingly. This list shall contain, in addition to the names of the employees, the date of birth, position, grade, and salary, and the organizational unit of the agency in which they were employed.

(e) *Notice of right to appeal.* When an agency refuses to restore, or determines that it is not feasible to restore an employee as provided in this part, the agency shall notify the employee in writing to this effect and of his right to appeal to the Commission. A copy of the notice shall be forwarded to the Commission.

§ 35.4 *Requirements for restoration.* Any employee covered by the regulations in this part, who after June 24, 1948 is inducted, enlists, or is ordered or called into the armed forces of the United States for active service is entitled to restoration if he serves not more than four years (exclusive of any additional service imposed according to law); receives a certificate of Satisfactory Completion of Training and Service; Makes application for restoration within 90 days after discharge or from hospitalization continuing after discharge for not more than 1 year; and is qualified to perform the duties of the position.

§ 35.5 *Agency action at time employee returns*—(a) *Time limit for restoration.* Restoration shall be made as soon as possible, and in no event later than 30 days after the employee's application is received in the agency.

(b) *Order of restoration of permanent employees.* Permanent employees of the agency shall be restored to employment in the following order:

(1) *Positions to which indefinitely promoted.* If a final date for termination of indefinite promotions has not been set, the employee shall be restored to the position indicated or one of like seniority, status and pay, unless such position is occupied by an employee with greater retention preference:

(i) To the position to which promoted while in the military service;

(ii) To the position in which he was serving under indefinite promotion at the time he entered military service;

(iii) To the next best available position for which he is qualified.

(2) *Permanent positions.* If the employee is not entitled to restoration to a position to which indefinitely promoted, he shall be restored to the position indicated or if it does not exist, to a position of like seniority, status and pay:

(i) To the position to which he was promoted on a permanent basis while in the military service;

(ii) To his last permanent position;

(iii) To the next best available position for which he is qualified.

(c) *Order of restoration of indefinite employees with reemployment rights.* Employees given indefinite appointments with reemployment rights under Part 8 of this chapter shall be restored to employment in the following order:

(1) *In the agency left to enter military service.* Unless the position concerned is occupied by an employee with greater retention preference, the employee shall be restored to the position indicated or one of like seniority, status and pay:

(i) To the position to which indefinitely promoted while in the military service;

(ii) To the position in which he was serving at the time he entered military service;

(iii) To the next best available position for which he is qualified.

(2) *In the agency in which he has reemployment rights.* If the employee is unable to be restored in the agency he left to enter military service, he shall be reemployed in the agency in which he has reemployment rights in accordance with Part 8 of this chapter.

(d) *Physical qualifications.* A returning employee who is not qualified to perform the duties of the position to which he is entitled to be restored because of disability sustained during service in the armed forces but who is qualified to perform the duties of any other position in the agency, shall be restored to such other position in such a way as to provide him like seniority, status and pay, or the nearest approximation thereof consistent with the circumstances in his case.

(e) *Conflicting rights.* In case two or more employees are entitled to be restored to the same position restoration action shall be taken as follows:

(1) *Restoration to permanent position.* If the employees left a permanent position, the employee who left such position first shall have the prior right to be restored thereto. The second employee shall be assigned to a position of like seniority, status and pay for which he is qualified, if there is such a position not occupied by an employee with equal or greater retention preference. If such an assignment is impossible, the second employee shall be offered restoration to the next best available position for which he is qualified.

(2) *Restoration to positions to which indefinitely promoted and of employees*

with reemployment rights. If restoration is to be made to a position to which indefintely promoted, or to an indefinite position from which the employee has reemployment rights, the employee who would have greater retention preference shall have the prior right to be restored thereto. The second employee shall be assigned to a position of like seniority, status and pay for which he is qualified. If such assignment is impossible the second employee shall be offered restoration to the next best available position. In neither case may an employee be restored to a position occupied by an employee with greater retention preference.

(f) *Restoration to position to which indefinitely promoted.* Restoration to a position based on the employee's indefinite promotion shall not cause such indefinite promotion to extend beyond the date it would otherwise be terminated.

§ 35.6 *Appeals to the Commission—*(a) *Executive branch and District of Columbia employees.* An employee may appeal to the Commission to establish his rights to restoration as follows:

(1) *Former agency not in existence.* If the agency in which he was employed is no longer in existence and its functions have not been transferred to another agency, appeal must be filed not later than 10 days after expiration of the 90-day period following discharge or hospitalization continuing after discharge for not more than one year.

(2) *Not feasible to restore.* Appeal from the decision of an agency that it is not feasible for him to be restored to employment must be filed not later than 10 days after receipt of notice from the agency.

(3) *Failure of restoration.* If the agency fails to restore him within 30 days after receipt of his application, appeal must be filed not later than 10 days after expiration of this 30-day period.

(4) *Refusal of restoration.* If the agency refuses to restore him to employment, appeal must be filed not later than 10 days after receipt of notice from the agency.

(5) *Improper restoration.* If the agency has improperly restored him to employment, appeal must be filed not later than 10 days after such improper restoration.

(6) *Delayed appeals.* An appeal filed after expiration of the 10-day filing period may be accepted in the discretion of the Commission where the employee shows good cause for not filing within that period.

(b) *Legislative employees.* An employee of the legislative branch of the Government who is eligible to acquire a competitive status under section 2 (b) of the act of November 26, 1940 may file an appeal with the Commission when it is not possible for him to be restored in the legislative branch. The appeal must be filed not later than 10 days after expiration of the 90-day period following discharge or hospitalization continuing after discharge for not more than one year.

§ 35.7 *Commission action on appeal—*(a) *Restoration of permanent employees—*(1) *Agency not in existence or not feasible to restore.* When the Commission finds that the employee cannot be restored to his permanent position because the agency is no longer in existence and its functions have not been transferred, or that it is not feasible for the employee to be restored, it shall determine whether there is a position in any other agency in the executive branch of the Government or the government of the District of Columbia for which the employee is qualified and which is vacant or held by a temporary employee. When it is so determined the employee shall be restored to such position as directed by the Commission.

(2) *Legislative employees.* When the Commission finds that the employee is eligible to acquire a competitive status in accordance with section 2(b) of the act of November 26, 1940, it shall determine whether there is a position in any agency for which the employee is qualified and which is vacant or held by a temporary employee. When it is so determined he shall be restored to such position as directed by the Commission.

(3) *Failure or refusal to restore.* When the Commission finds that a permanent employee has not been restored to a permanent position in accordance with the regulations in this part, or that an agency has failed or refused to restore an employee in accordance with subparagraphs (1) or (2) of this paragraph, it shall issue an order specifically requiring such agency of the Government or the government of the District of Columbia to restore the employee and to compensate him for any loss of salary suffered by reason of refusal or failure to comply with the regulations in this part. Such compensation shall be less any amount received by him through other employment, unemployment compensation, or readjustment allowances. An affidavit of the employee, subject to verification of any amounts claimed to have been received, shall be required for the employing agency to determine the compensation due.

(b) *Restoration to positions to which indefinitely promoted.* When the Commission finds that a permanent employee is entitled to be restored to a position of a higher grade than his last permanent position, it shall notify and require the agency to restore the employee in accordance with the regulations in this part.

(c) *Restoration of indefinite employee with reemployment rights.* When the Commission finds that an indefinite employee with reemployment rights has not been restored by the agency he left to enter military service, it shall notify and require that agency to restore the employee in accordance with the regulations in this part. If such agency is no longer in existence, or it is not feasible for the employee to be restored in such agency, the Commission will notify the employee to exercise his reemployment rights in his former agency in accordance with Part 8 of this chapter.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] ROBERT RAMSPECK,
Chairman.

[F. R. Doc. 51-7313; Filed, June 26, 1951; 8:49 a. m.]

TITLE 6—AGRICULTURAL CREDIT

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

Subchapter C—Loans, Purchases, and Other Operations

[1951 C. C. C. Grain Price Support Bulletin 1, Supp. 2, Grain Sorghums]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1951-CROP GRAIN SORGHUMS LOAN AND PURCHASE AGREEMENT PROGRAM

SUPPORT RATES

The 1951 C. C. C. Grain Price Support Bulletin 1, 16 F. R. 1987, issued by the Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1951 was supplemented by 1951 C. C. C. Grain Price Support Bulletin 1, Supplement 1, Grain Sorghums, 16 F. R. 4179, containing the specific requirements applicable to price support operations on grain sorghums of the 1951-crop. These regulations are further supplemented as follows:

§ 601.911 *Support rates.* Basic support rates for grain sorghums placed under loan and for grain sorghums delivered under purchase agreement are as set forth in this section.

(a) *Basic support rates at designated terminal markets.* Basic support rates per 100 pounds for grain sorghums of the Classes I to IV, inclusive, grading No. 2 or better, and containing not in excess of 13 percent moisture, stored in approved warehouses at the terminal markets listed below are as follows:

Terminal market:	*Rate per 100 pounds*
Omaha, Nebr	$2.61
Sioux City, Iowa	2.61
Kansas City, Mo	2.64
Galveston, Tex	2.71
Houston, Tex	2.71
New Orleans, La	2.71
Saint Louis, Mo	2.82
Memphis, Tenn	2.85
Los Angeles, Calif	2.96
San Francisco, Calif	2.96

(b) *Basic county support rates.* The following basic county support rates per 100 pounds are established for grain sorghums of the Classes I to IV, inclusive, grading No. 2 or better, and containing not in excess of 13 percent moisture. Both farm-storage loans and country warehouse-storage loans will be made at the support rate established for the county in which the grain sorghums are stored.

ALABAMA	*Rate per 100 pounds*
All counties	$2.34

ARIZONA

County	*Rate per 100 pounds*	*County*	*Rate per 100 pounds*
Cochise	$2.22	Pima	$2.42
Graham	2.14	Pinal	2.52
Greenlee	2.00	Yuma	2.54
Maricope	2.52		

ARKANSAS	
All counties	$2.34

CALIFORNIA

County	Rate per 100 pounds	County	Rate per 100 pounds
Alameda	$2.76	Sacramento	$2.69
Butte	2.64	San Benito	2.70
Colusa	2.65	San Bernardino	2.68
Contra Costa	2.75	San Joaquin	2.72
Fresno	2.64	San Luis Obispo	2.63
Glenn	2.62	Shasta	2.52
Imperial	2.62	Solano	2.73
Kern	2.64	Stanislaus	2.70
Kings	2.64	Sutter	2.66
Los Angeles	2.73	Tehama	2.61
Madera	2.66	Tulare	2.64
Merced	2.69	Yolo	2.70
Placer	2.66		
Riverside	2.66		

COLORADO

Adams	$2.10	Las Animas	$2.10
Araphoe	2.10	Lincoln	2.10
Baca	2.12	Logan	2.10
Bent	2.11	Morgan	2.10
Cheyenne	2.13	Otero	2.10
Crowley	2.10	Phillips	2.13
Denver	2.10	Prowers	2.13
Elbert	2.10	Pueblo	2.10
El Paso	2.10	Sedgwick	2.11
Jefferson	2.10	Washington	2.10
Kiowa	2.12	Weld	2.10
Kit Carson	2.13	Yuma	2.12

GEORGIA

All counties $2.39

IOWA

All counties $2.19

KANSAS

County	Rate per 100 pounds	County	Rate per 100 pounds
Allen	$2.31	Labette	$2.30
Anderson	2.33	Lane	2.19
Atchison	2.35	Leavenworth	2.38
Barber	2.22	Lincoln	2.24
Barton	2.22	Linn	2.33
Bourbon	2.32	Logan	2.17
Brown	2.33	Lyon	2.30
Butler	2.25	McPherson	2.25
Chase	2.28	Marion	2.25
Chautauqua	2.28	Marshall	2.30
Cherokee	2.30	Meade	2.18
Cheyenne	2.15	Miami	2.36
Clark	2.19	Mitchell	2.25
Clay	2.28	Montgomery	2.30
Cloud	2.26	Morris	2.27
Coffey	2.32	Morton	2.14
Comanche	2.20	Nemaha	2.31
Cowley	2.25	Neosho	2.31
Crawford	2.32	Ness	2.21
Decatur	2.19	Norton	2.22
Dickinson	2.25	Osage	2.32
Doniphan	2.32	Osborne	2.24
Douglas	2.36	Ottawa	2.25
Edwards	2.22	Pawnee	2.22
Elk	2.28	Phillips	2.22
Ellis	2.22	Pottawatomie	2.31
Ellsworth	2.24	Pratt	2.22
Finney	2.18	Rawlins	2.18
Ford	2.20	Reno	2.25
Franklin	2.36	Republic	2.26
Geary	2.29	Rice	2.24
Gove	2.19	Riley	2.30
Graham	2.22	Rooks	2.22
Grant	2.16	Rush	2.22
Gray	2.19	Russell	2.23
Greeley	2.16	Saline	2.25
Greenwood	2.30	Scott	2.18
Hamilton	2.16	Sedgwick	2.25
Harper	2.24	Seward	2.16
Harvey	2.25	Shawnee	2.32
Haskell	2.18	Sheridan	2.19
Hodgeman	2.21	Sherman	2.16
Jackson	2.32	Smith	2.24
Jefferson	2.36	Stafford	2.22
Jewell	2.25	Stanton	2.15
Johnson	2.38	Stevens	2.15
Kearny	2.16	Sumner	2.25
Kingman	2.24	Thomas	2.18
Kiowa	2.22	Trego	2.22

KANSAS—continued

County	Rate per 100 pounds	County	Rate per 100 pounds
Wabaunsee	$2.31	Wilson	$2.30
Wallace	2.16	Woodson	2.31
Washington	2.28	Wyandotte	2.39
Wichita	2.16		

LOUISIANA

All counties $2.34

MINNESOTA

All counties $2.14

MISSISSIPPI

All counties $2.34

MISSOURI

All counties $2.34

NEBRASKA

County	Rate per 100 pounds	County	Rate per 100 pounds
Adams	$2.25	Jefferson	$2.28
Antelope	2.26	Johnson	2.30
Arthur	2.14	Kearney	2.23
Banner	2.08	Keith	2.13
Blaine	2.19	Keye Paha	2.20
Boone	2.28	Kimball	2.10
Box Butte	2.12	Knox	2.24
Boyd	2.22	Lancaster	2.34
Brown	2.19	Lincoln	2.18
Buffalo	2.25	Logan	2.19
Burt	2.33	Loup	2.23
Butler	2.33	McPherson	2.18
Cass	2.35	Madison	2.28
Cedar	2.26	Merrick	2.28
Chase	2.14	Morrill	2.10
Cherry	2.17	Nance	2.29
Cheyenne	2.10	Nemaha	2.31
Clay	2.25	Nuckolls	2.25
Colfax	2.32	Otoe	2.33
Cuming	2.32	Pawnee	2.31
Custer	2.22	Perkins	2.14
Dakota	2.29	Phelps	2.22
Dawes	2.09	Pierce	2.27
Dawson	2.22	Platte	2.30
Deuel	2.12	Polk	2.30
Dixon	2.28	Red Willow	2.19
Dodge	2.34	Richardson	2.31
Douglas	2.35	Rock	2.20
Dundy	2.13	Saline	2.30
Fillmore	2.28	Sarpy	2.36
Franklin	2.22	Saunders	2.34
Frontier	2.19	Scotts Bluff	2.08
Furnas	2.21	Seward	2.32
Gage	2.30	Sheridan	2.12
Garden	2.12	Sherman	2.25
Garfield	2.24	Sioux	2.08
Gosper	2.21	Stanton	2.30
Grant	2.14	Thayer	2.27
Greeley	2.27	Thomas	2.18
Hall	2.26	Thurston	2.32
Hamilton	2.28	Valley	2.24
Harlan	2.22	Washington	2.34
Hayes	2.16	Wayne	2.26
Hitchcock	2.16	Webster	2.24
Holt	2.24	Wheeler	2.27
Hooker	2.16	York	2.29
Howard	2.26		

NEW MEXICO

Bernalillo	$1.97	McKinley	$1.93
Catron	1.75	Mora	1.93
Chaves	2.02	Quay	2.06
Colfax	1.98	Roosevelt	2.07
Curry	2.07	Sandoval	1.93
De Baca	2.02	San Juan	1.74
Eddy	2.00	San Miguel	1.88
Grant	1.81	Santa Fe	1.86
Guadalupe	1.93	Sierra	1.93
Harding	1.88	Socorro	1.93
Hidalgo	1.98	Torrance	1.96
Lea	2.06	Union	1.97
Luna	1.93	Valencia	1.93

NORTH CAROLINA

All counties $2.39

NORTH DAKOTA

All counties $2.09

OKLAHOMA

County	Rate per 100 pounds	County	Rate per 100 pounds
Adair	$2.25	Le Flore	$2.27
Alfalfa	2.20	Lincoln	2.17
Atoka	2.21	Logan	2.17
Beaver	2.10	Love	2.17
Beckham	2.14	McClain	2.17
Blaine	2.17	McCurtain	2.20
Bryan	2.19	McIntosh	2.22
Caddo	2.17	Major	2.17
Canadian	2.17	Marshall	2.17
Carter	2.17	Mayes	2.25
Cherokee	2.23	Murray	2.17
Choctaw	2.20	Muskogee	2.24
Cimarron	2.05	Noble	2.20
Cleveland	2.17	Nowata	2.28
Coal	2.20	Okfuskee	2.20
Comanche	2.17	Oklahoma	2.17
Cotton	2.17	Okmulgee	2.20
Craig	2.28	Osage	2.20
Creek	2.20	Ottawa	2.27
Custer	2.17	Pawnee	2.20
Delaware	2.25	Payne	2.16
Dewey	2.16	Pittsburg	2.22
Ellis	2.13	Pontotoc	2.19
Garfield	2.19	Pottawatomie	2.17
Garvin	2.18	Pushmataha	2.23
Grady	2.17	Roger Mills	2.13
Grant	2.20	Rogers	2.25
Greer	2.16	Seminole	2.19
Harmon	2.14	Sequoyah	2.25
Harper	2.12	Stephens	2.17
Haskell	2.24	Texas	2.09
Hughes	2.20	Tillman	2.17
Jackson	2.17	Tulsa	2.24
Jefferson	2.17	Wagoner	2.23
Johnston	2.17	Washington	2.27
Kay	2.21	Washita	2.17
Kingfisher	2.17	Woods	2.19
Kiowa	2.17	Woodward	2.14
Latimer	2.24		

SOUTH CAROLINA

All counties $2.39

SOUTH DAKOTA

All counties $2.14

TENNESSEE

All counties $2.34

TEXAS

County	Rate per 100 pounds	County	Rate per 100 pounds
Andrews	$2.08	Collin	$2.19
Aransas	2.26	Collingsworth	2.10
Archer	2.13	Colorado	2.43
Armstrong	2.09	Comal	2.26
Atascosa	2.21	Comanche	2.17
Austin	2.44	Concho	2.13
Bailey	2.09	Cooke	2.17
Bandera	2.17	Coryell	2.25
Bastrop	2.36	Cottle	2.09
Baylor	2.13	Crosby	2.09
Bee	2.26	Culberson	1.99
Bell	2.30	Dallam	2.04
Bexar	2.23	Dallas	2.21
Blanco	2.24	Dawson	2.09
Borden	2.09	Deaf Smith	2.09
Bosque	2.22	Delta	2.20
Bowie	2.29	Denton	2.18
Brazoria	2.46	Dewitt	2.34
Brazos	2.40	Dickens	2.09
Briscoe	2.09	Donley	2.09
Brooks	2.14	Duval	2.16
Brown	2.17	Eastland	2.16
Burleson	2.40	Ellis	2.22
Burnet	2.22	Erath	2.18
Caldwell	2.32	Falls	2.31
Calhoun	2.33	Fannin	2.17
Callahan	2.13	Fayette	2.40
Cameron	2.07	Fisher	2.12
Carson	2.09	Floyd	2.09
Castro	2.09	Foard	2.12
Cherokee	2.30	Franklin	2.25
Childress	2.11	Frio	2.18
Clay	2.17	Gaines	2.29
Cochran	2.09	Galveston	2.47
Coke	2.09	Garza	2.09
Coleman	2.16	Gillespie	2.17

TEXAS—continued

County	Rate per 100 pounds	County	Rate per 100 pounds
Glasscock	$2.09	Milam	$2.35
Goliad	2.32	Mills	2.19
Gonzales	2.33	Mitchell	2.10
Gray	2.09	Montague	2.17
Grayson	2.17	Montgomery	2.45
Grimes	2.43	Moore	2.05
Guadalupe	2.28	Motley	2.09
Hale	2.09	Navarro	2.26
Hall	2.09	Nolan	2.10
Hamilton	2.20	Nueces	2.21
Hansford	2.05	Ochiltree	2.07
Hardeman	2.13	Oldham	2.09
Harris	2.46	Palo Pinto	2.15
Hartley	2.05	Parker	2.19
Haskell	2.12	Parmer	2.09
Hays	2.30	Pecos	2.01
Hemphill	2.10	Polk	2.42
Hidalgo	2.05	Potter	2.09
Hill	2.23	Presidio	1.98
Hockley	2.09	Randall	2.09
Hood	2.19	Reagan	2.07
Houston	2.38	Real	2.13
Howard	2.09	Reeves	2.01
Hudspeth	1.99	Refugio	2.31
Hunt	2.17	Roberts	2.09
Hutchinson	2.06	Robertson	2.36
Irion	2.08	Rockwall	2.20
Jack	2.14	Runnels	2.09
Jackson	2.40	San Jacinto	2.44
Jeff Davis	1.98	San Patricio	2.24
Jim Hogg	2.11	San Saba	2.20
Jim Wells	2.22	Schleicher	2.07
Johnson	2.21	Scurry	2.10
Jones	2.12	Shackelford	2.12
Karnes	2.27	Sherman	2.05
Kaufman	2.21	Somervell	2.19
Kendall	2.17	Stephens	2.13
Kent	2.09	Sterling	2.09
Kerr	2.16	Stonewall	2.09
Kimble	2.16	Swisher	2.09
King	2.11	Tarrant	2.20
Kleberg	2.19	Taylor	2.11
Knox	2.12	Terry	2.09
Lamar	2.20	Throckmorton	2.13
Lamb	2.09	Tom Green	2.09
Lampasas	2.21	Travis	2.32
La Salle	2.15	Upton	2.02
Lavaca	2.38	Uvalde	2.13
Lee	2.38	Van Zandt	2.21
Leon	2.35	Victoria	2.35
Limestone	2.31	Waller	2.45
Lipscomb	2.09	Ward	2.02
Live Oak	2.24	Washington	2.43
Llano	2.21	Webb	2.09
Loving	2.01	Wharton	2.44
Lubbock	2.09	Wheeler	2.09
Lynn	2.09	Wichita	2.09
McCulloch	2.17	Wilbarger	2.14
McLennan	2.27	Willacy	2.09
McMullen	2.19	Williamson	2.31
Martin	2.09	Wilson	2.25
Mason	2.17	Wise	2.18
Matagorda	2.42	Young	2.14
Maverick	2.03	Yoakum	2.09
Medina	2.20	Zapata	2.01
Menard	2.16	Zavala	2.10
Midland	2.08		

WYOMING

All counties	$2.09

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies sec. 2, 62 Stat. 1070, as amended, secs. 301, 401, 63 Stat. 1053, 1054; 7 U. S. C. Sup., 1447, 1421)

Issued this 22d 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. 51-7347; Filed, June 26, 1951; 8:50 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[1023 (Cigar-filler-52)-3]

PART 723—CIGAR-FILLER TOBACCO, AND CIGAR-FILLER AND BINDER TOBACCO

CIGAR-FILLER TOBACCO MARKETING QUOTA REGULATIONS, 1952-53 MARKETING YEAR

GENERAL

Sec.
723.371 Basis and purpose.
723.372 Definitions.
723.373 Extent of calculations and rule of fractions.
723.374 Instructions and forms.
723.375 Applicability of §§ 723.371 to 723.388.

HARVESTED ACREAGE, ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

723.376 Determination of harvested acreage for old farms.
723.377 Determination of 1952 preliminary acreage allotments for old farms.
723.378 1952 old farm tobacco acreage allotment.
723.379 Adjustment of acreage allotments for old farms.
723.380 Reallocation of allotments released from farms removed from agricultural production.
723.381 Farms divided or combined.
723.382 Determination of normal yields.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

723.383 Determination of acreage allotments for new farms.
723.384 Time for filing application.
723.385 Determination of normal yields.

MISCELLANEOUS

723.386 Determination of acreage allotments and normal yields for farms returned to agricultural production.
723.387 Approval of determinations made under §§ 723.371 to 723.386.
723.388 Application for review.

AUTHORITY: §§ 723.371 to 723.388 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 313, 363, 52 Stat. 38, as amended, 47, as amended, 63; 7 U. S. C. 1301, 1313, 1363.

GENERAL

§ 723.371 *Basis and purpose.* The regulations contained in §§ 723.371 to 723.388 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the establishment of 1952 farm acreage allotments and normal yields for cigar-filler tobacco. The purpose of the regulations in §§ 723.371 to 723.388 is to provide the procedure for allocating, on an acreage basis, the State marketing quota for cigar-filler tobacco for the 1952–53 marketing year among farms and for determining normal yields. Prior to preparing the regulations in §§ 723.371 to 723.388, public notice (16 F. R. 4471) was given in accordance with the Administrative Procedure Act (5 U. S. C. 1003). The data, views, and recommendations pertaining to the regulations in §§ 723.371 to 723.388, which were submitted have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 723.372 *Definitions.* As used in §§ 723.371 to 723.388, and in all instructions, forms, and documents in connection therewith the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) *Committees.* (1) "Community committee" means the group of persons elected within a community as the community committee of the Production and Marketing Administration to assist in administering the Production and Marketing Administration programs within the community.

(2) "County committee" means the group of persons elected within a county as the county committee of the Production and Marketing Administration to assist in administering the Production and Marketing Administration programs within the county.

(3) "State committee" means the group of persons designated as the State Committee of the Production and Marketing Administration, charged with the responsibility of administering Production and Marketing Administration programs within the State.

(b) *Farm.* "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Assistant Administrator for Production, Production and Marketing Administration, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(c) *New farm.* "New farm" means a farm on which tobacco will be produced in 1952 for the first time since 1946.

(d) *Old farm.* "Old farm" means a farm on which tobacco was produced in one or more of the five years 1947 through 1951.

(e) *Cropland.* "Cropland" means farm land which in 1951 was tilled or was in regular crop rotation, excluding (1) bearing orchards and vineyards (except the acreage of cropland therein), (2) plowable noncrop open pasture, and (3) any land which constitutes or will constitute, if tillage is continued, a wind erosion hazard to the community.

(f) *Operator.* "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(g) *Person.* "Person" means an individual, partnership, association, corporation, estate or trust or other business enterprise or other legal entity, and whenever applicable, a State, a political

subdivision of a State, or any agency thereof.

(h) *Tobacco.* "Tobacco" means cigar-filler tobacco, type 41, that type of cigar-leaf tobacco commonly known as Pennsylvania Seedleaf, Pennsylvania Broadleaf, Pennsylvania filler type, or Lancaster and York County filler type; and produced principally in Lancaster County, Pennsylvania, and the adjoining counties; as classified in Service and Regulatory Announcement No. 118 (7 CFR Part 30) of the Bureau of Agricultural Economics of the United States Department of Agriculture. Tobacco which has the same characteristics and corresponding qualities, colors, and lengths, shall be treated as one type, regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco.

§ 723.373 *Extent of calculations and rule of fractions.* All acreage allotments shall be rounded to the nearest one-tenth acre. Fractions of fifty-one thousandths of an acre ar more shall be rounded upward, and fractions of five-hundredths of an acre or less shall be dropped. For example, 1.051 would be 1.1 and 1.050 would be 1.0.

§ 723.374 *Instructions and forms.* The Director, Tobacco Branch, Production and Marketing Administration, shall cause to be prepared and issued such forms as are necessary and shall cause to be prepared such instructions as are necessary, for carrying out §§ 723.371 to 723.388. The forms and instructions shall be approved by, and the instructions shall be issued by, the Assistant Administrator for Production, Production and Marketing Administration.

§ 723.375 *Applicability of §§ 723.371 to 723.388.* Sections 723.371 to 723.388 shall govern the establishment of farm acreage allotments and normal yields for tobacco in connection with farm marketing quotas for the marketing year beginning October 1, 1952. The applicability of §§ 723.371 to 723.388 is contingent upon the proclamation of a national marketing quota for cigar-filler tobacco by the Secretary of Agriculture, and the approval thereof by growers voting in a referendum pursuant to section 312 of the Agricultural Adjustment Act of 1938, as amended.

HARVESTED ACREAGE, ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 723.376 *Determination of harvested acreage for old farms.* The county committee shall determine from the best available data the actual harvested acreage for each of the years 1947–51 for all old tobacco farms. Data for making such determinations shall be taken from county office records, producers' sales records, producers' reports, and estimates of other persons having knowledge of tobacco produced on the farm. In determining the harvested acreage for any year, due allowance shall be made for drought, flood, hail, other abnormal weather conditions and plant bed and other diseases.

§ 723.377 *Determination of 1952 preliminary acreage allotments for old farms.* The preliminary acreage allotment for an old farm shall be the largest of the following:

(a) The average acreage of tobacco harvested on the farm in the five years 1947–51, except that if the five-year average is in excess of the three-year, 1949–51, average, it shall be reduced to the larger of such three-year average or 50 percent of the five-year average.

(b) 80 percent of the average acreage of tobacco harvested on the farm in the past three years 1949–51.

(c) 45 percent of the acreage of tobacco harvested on the farm in 1951.

§ 723.378 *1952 old farm tobacco acreage allotment.* The preliminary allotments calculated for all old farms in the State pursuant to § 723.377 shall be adjusted uniformly so that the total of such allotments plus the acreage available for adjusting acreage allotments for old farms pursuant to § 723.379 shall not exceed the State acreage allotment: *Provided,* That if the acreage allotment so determined for any farm (except farms operated, controlled, or directed by a person who also operates, controls, or directs another farm on which tobacco is produced) is less than that acreage which, with the normal yield for the farm, would produce 2,400 pounds of tobacco, then such acreage allotment shall be increased to the smaller of (a) 120 percent thereof, or (b) that acreage which, with the normal yield for the farm, would produce 2,400 pounds of tobacco.

§ 723.379 *Adjustment of acreage allotments for old farms.* The allotment for an old farm may be adjusted if the community committee, with the approval of the county committee, finds it to be smaller in relation to the past acreage of tobacco (harvested and diverted), land, labor, and equipment available for the production of tobacco, and crop-rotation practices, than the average of the allotments for other old farms in the community in relation to such factors: *Provided,* That the allotment as adjusted shall not exceed the acreage capacity of shed space which is in usable condition and available for curing tobacco produced on the farm. The acreage available for increasing allotments under this section shall not exceed 4 percent of the 1952 State acreage allotment.

§ 723.380 *Reallocation of allotments released from farms removed from agricultural production.* The allotment determined or which would have been determined for any land which is removed from agricultural production for any purpose because of acquisition by any Federal, State, or other agency having a right of eminent domain shall be placed in the State pool and shall be available to the State committee for use in providing equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farms by such agencies. Upon application to the county committee, within five years from the date of such acquisition of the farm, any owner so displaced shall be entitled to have an allotment for any other farm owned or purchased by him equal to an allotment which would have been determined for such other farm plus the allotment which would have been determined for the farm so acquired: *Provided,* That such allotment shall not exceed 20 percent of the acreage of cropland on the farm.

§ 723.381 *Farms divided or combined.* (a) If land operated as a single farm in 1951 will be operated in 1952 as two or more farms, the 1952 preliminary tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the tracts in the same proportion as the acreage of cropland suitable for the production of tobacco in each such tract in such year bore to the total number of acres of cropland suitable for the production of tobacco on the entire farm in such year, except that, upon recommendation of the county committee, and with State committee approval and agreement of the interested parties in writing, the preliminary tobacco acreage allotment determined or which otherwise would have been determined for the entire farm may be apportioned among the tracts in the same proportion as the 1947–51 five-year average of tobacco harvested on each such tract bore to the 1947–51 five year average of the acreage of tobacco harvested on the entire farm: *Provided,* That with the recommendation of the county committee and approval of the State committee, the preliminary tobacco acreage allotment determined for a tract under the provisions of this paragraph may be increased or decreased by not more than the larger of one-tenth acre or 10 percent of the 1952 preliminary acreage allotment determined for the entire farm with corresponding increases or decreases made in the preliminary acreage allotment apportioned to the other tract or tracts.

(b) If two or more farms operated separately in 1951 are combined and operated in 1952 as a single farm, the 1952 preliminary allotment shall be the sum of the 1952 preliminary allotments determined for each of the farms composing the combination.

(c) If a farm is to be divided in 1952 in settling an estate, the preliminary allotment may be divided among the various tracts in accordance with paragraph (a) of this section, or on such other basis as the State committee determines will result in equitable farm allotments.

§ 723.382 *Determination of normal yields.* The normal yield for any old farm shall be that yield which the county committee determines is normal for the farm taking into consideration (a) the yields obtained on the farm during the four years 1946–49, (b) the soil and other physical factors affecting the production of tobacco on the farm; and (c) the yields obtained on other farms in the locality which are similar with respect to such factors.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

§ 723.383 *Determination of acreage allotments for new farms.* (a) The acreage allotment, other than an al-

lotment made under § 723.380, for a new farm shall be that acreage which the county committee determines is fair and reasonable for the farm taking into consideration the past tobacco experience of the farm operator; the land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco: *Provided*, That the acreage allotment so determined shall not exceed 75 percent of the allotments for old tobacco farms which are similar with respect to land, labor, and equipment available for the production of tobacco, crop-rotation practices, and the soil and other physical factors affecting the production of tobacco.

(b) Notwithstanding any other provisions of this section a tobacco acreage allotment shall not be established for any new farm unless each of the following conditions has been met:

(1) The farm operator shall have had experience in growing the kind of tobacco for which an allotment is requested during one of the past five years: *Provided, however*, That a farm operator who was in the armed services during World War II shall be deemed to have met the requirements of this subparagraph if he has had experience in growing the kind of tobacco for which an allotment is requested during one year either within the five years immediately prior to his entry into the armed services or since his discharge from the armed services.

(2) The farm operator shall be largely dependent for his livelihood on the farm covered by the application.

(3) The farm covered by the application shall be the only farm owned or operated by the owner or farm operator for which a cigar-filler (type 41) tobacco allotment is established for the 1952–53 marketing year.

(c) The acreage allotments established as provided in this section shall be subject to such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new farms. One percent of the 1952 national marketing quota shall, when converted to an acreage allotment by use of the national average yield, be available for establishing allotments for new farms. The national average yield shall be the average of the several State yields used in converting the State marketing quota into State acreage allotments.

§ 723.384 *Time for filing application.* An application for a new farm allotment shall be filed with the county committee prior to February 1, 1952, unless the farm operator was discharged from the armed services subsequent to December 31, 1951, in which case such application shall be filed within a reasonable period prior to planting tobacco on the farm.

§ 723.385 *Determination of normal yields.* The normal yield for a new farm shall be that yield per acre which the county committee determines is normal for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

MISCELLANEOUS

§ 723.386 *Determination of acreage allotments and normal yields for farms returned to agricultural production.* (a) Notwithstanding the foregoing provisions of §§ 723.371 to 723.385, the preliminary acreage allotment for any farm which was acquired by any Federal, State, or other agency having the right of eminent domain for any purpose and which is returned to agricultural production shall be the sum of the acreages of tobacco harvested on the farm during the five years 1947–51 divided by the number of years for which tobacco was harvested on the farm during such five-year period. If no tobacco was harvested on the farm during the five years 1947–51, the farm returned to agricultural production shall be regarded as a new farm.

(b) The normal yield for any such farm shall be that yield per acre which the county committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

§ 723.387 *Approval of determinations made under §§ 723.371 to 723.386.* The State committee will review all allotments and yields and may correct or require correction of any determinations made under §§ 723.371 to 723.386. All acreage allotments and yields shall be approved by the State committee, and no official notice of acreage allotment shall be mailed to a grower until such allotment has been approved by the State committee.

§ 723.388 *Application for review.* Any producer who is dissatisfied with the farm acreage allotment and marketing quota established for his farm, may, within fifteen days after mailing of the official notice of the farm acreage allotment and marketing quota, file application with the county committee to have such allotment reviewed by a review committee. The procedures governing the review of farm acreage allotments and marketing quotas are contained in the regulations issued by the Secretary (7 CFR Part 711) which are available at the office of the county committee.

Done at Washington, D. C., this 22d day of June 1951. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-7344; Filed, June 26, 1951; 8:53 a. m.]

[1023 (Maryland-52)-3]

PART 727—MARYLAND TOBACCO

MARYLAND TOBACCO MARKETING QUOTA REGULATIONS, 1952–53 MARKETING YEAR

GENERAL

Sec.
727.311 Basis and purpose.
727.312 Definitions.
727.313 Extent of calculations and rule of fractions.
727.314 Instructions and forms.
727.315 Applicability of §§ 727.211 to 727.229.

HARVESTED ACREAGE, ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

727.316 Determination of harvested acreage for old farms.
727.317 Determination of 1952 preliminary acreage allotments for old farms.
727.318 1952 old farm tobacco acreage allotment.
727.319 Adjustment of acreage allotments for old farms.
727.320 Determination of harvested acreage for divided or combined farms.
727.321 Reallocation of allotments released from farms removed from agricultural production.
727.322 Farms divided or combined.
727.323 Determination of normal yields.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

727.324 Determination of acreage allotments for new farms.
727.325 Time for filing application.
727.326 Determination of normal yields.

MISCELLANEOUS

727.327 Determination of acreage allotments and normal yields for farms returned to agricultural production.
727.328 Approval of determinations made under §§ 727.311 to 727.327.
727.329 Application for review.

AUTHORITY: §§ 727.311 to 727.329 issued under sec. 375, 52 Stat. 66; as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 313, 363, 52 Stat. 38, as amended, 47, as amended, 63; 7 U. S. C. 1301, 1313, 1363.

GENERAL

§ 727.311 *Basis and purpose.* The regulations contained in §§ 727.311 to 727.329 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the establishment of 1952 farm acreage allotments and normal yields for Maryland tobacco. The purpose of the regulations in §§ 727.311 to 727.329 is to provide the procedure for allocating on an acreage basis, the State marketing quota for Maryland tobacco for the 1952–53 marketing year among farms and for determining normal yields. Prior to preparing the regulations in §§ 727.311 to 727.329, public notice (16 F. R. 4471) was given in accordance with the Administrative Procedure Act (5 U. S. C. 1003). The data, views, and recommendations pertaining to the regulations in §§ 727.311 to 727.329, which were submitted have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 727.312 *Definitions.* As used in §§ 727.311 to 727.329, and in all instructions, forms, and documents in connection therewith the words and phrases defined in this section shall have the meanings herein assigned to them unless th context or subject matter otherwise requires.

(a) *Committees.* (1) "Community committee" means the group of persons elected within a community as the community committee of the Production and Marketing Administration to assist in administering the Production and

Marketing Administration programs within the community.

(2) "County committee" means the group of persons elected within a county as the county committee of the Production and Marketing Administration to assist in administering the Production and Marketing Administration programs within the county.

(3) "State committee" means the group of persons designated as the State committee of the Production and Marketing Administration, charged with the responsibility of administering Production and Marketing Administration programs within the State.

(b) *Farm.* "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Assistant Administrator for Production, Production and Marketing Administration, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(c) *New farm.* "New farm" means a farm on which tobacco will be produced in 1952 for the first time since 1946.

(d) *Old farm.* "Old farm" means a farm on which tobacco was produced in one or more of the five years 1947 through 1951.

(e) *Cropland.* "Cropland" means farm land which in 1951 was tilled or was in regular crop rotation, excluding (1) bearing orchards and vineyards (except the acreage of cropland therein), (2) plowable noncrop open pasture, and (3) any land which constitutes or will constitute, if tillage is continued, a wind erosion hazard to the community.

(f) *Operator.* "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(g) *Person.* "Person" means an individual, partnership, association, corporation, estate or trust or other business enterprise or other legal entity, and whenever applicable, a State, a political subdivision of a State, or any agency thereof.

(h) *Tobacco.* "Tobacco" means Maryland tobacco, type 32, as classified in Service and Regulatory Announcement No. 118 (7 CFR Part 30) of the Bureau of Agricultural Economics of the United States Department of Agriculture. Tobacco which has the same characteristics and corresponding qualities, colors, and lengths, shall be treated as one type, regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco.

§ 727.313 *Extent of calculations and rule of fractions.* All acreage allotments shall be rounded to the nearest one-tenth acre. Fractions of fifty-one thousandths of an acre or more shall be rounded upward, and fractions of five-hundredths of an acre or less shall be dropped. For example, 1.051 would be 1.1 and 1.050 would be 1.0.

§ 727.314 *Instructions and forms.* The Director, Tobacco Branch, Production and Marketing Administration, shall cause to be prepared and issued such forms as are necessary, and shall cause to be prepared such instructions as are necessary, for carrying out the regulations in this part. The forms and instructions shall be approved by, and the instructions shall be issued by, the Assistant Administrator for Production, Production and Marketing Administration.

§ 727.315 *Applicability of §§ 727.311 to 727.329.* Sections 727.311 to 727.329 shall govern the establishment of farm acreage allotments and normal yields for tobacco in connection with farm marketing quotas for the marketing year beginning October 1, 1952. The applicability of §§ 727.311 to 727.329 is contingent upon the proclamation of a national marketing quota for Maryland tobacco by the Secretary, and the approval thereof by growers voting in a referendum pursuant to section 312 of the Agricultural Adjustment Act of 1938, as amended.

HARVESTED ACREAGE, ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 727.316 *Determination of harvested acreage for old farms.* The county committee shall determine from the best available data the actual harvested acreage for each of the years 1947–51 for all old tobacco farms. Data for making such determinations shall be taken from county office records, producers' sales records, producers' reports, and estimates of other persons having knowledge of tobacco produced on the farm. In determining the harvested acreage for any year, due allowance shall be made for drought, flood, hail, other abnormal weather conditions, and plant bed and other diseases.

§ 727.317 *Determination of 1952 preliminary acreage allotments for old farms.* The preliminary acreage allotment for an old farm shall be the largest of the following:

(a) The average acreage of tobacco harvested on the farm in the five years 1947–51, except that if the five-year average is in excess of the three-year, 1949–51, average, it shall be reduced to the larger of such three-year average or 50 percent of the five-year average.

(b) 90 percent of the average acreage of tobacco harvested on the farm in the three years 1949–51.

(c) 50 percent of the acreage of tobacco harvested on the farm in 1951.

§ 727.318 *1952 old farm tobacco acreage allotment.* The preliminary allotments calculated for all old farms in the State pursuant to § 727.317 shall be adjusted uniformly so that the total of such allotments plus the acreage available for adjusting acreage allotments for old farms pursuant to § 727.319 shall not exceed the State acreage allotment: *Provided,* That if the acreage allotment so determined for any farm (except farms operated, controlled, or directed by a person who also operates, controls, or directs another farm on which tobacco is produced) is less than that acreage which, with the normal yield for the farm, would produce 2,400 pounds of tobacco, then such acreage allotment shall be increased to the smaller of (a) 120 percent thereof, or (b) the acreage which, with the normal yield for the farm, would produce 2,400 pounds of tobacco.

§ 727.319 *Adjustment of acreage allotments for old farms.* The allotment for an old farm may be adjusted if the community committee, with the approval of the county committee, finds it to be smaller in relation to the past acreage of tobacco (harvested and diverted), taking into consideration the effect of plant bed and other diseases; land, labor, and equipment available for the production of tobacco, and crop-rotation practices, than the average of the allotments for other old farms in the community in relation to such factors: *Provided,* That the allotment as adjusted shall not exceed the acreage capacity of barn space which is in usable condition and available for curing tobacco produced on the farm. The acreage available for increasing allotments under this section shall not exceed 5 percent of the 1952 State acreage allotment.

§ 727.320 *Determination of harvested acreage for divided or combined farms.* (a) If land operated as a single farm in any of the five years 1947–51 has since been divided into two or more tracts, the harvested acreage of tobacco for the farm for the respective years in which the land was operated as a single farm shall be apportioned among the tracts in the same proportion as the acreage of cropland suitable for the production of tobacco in each tract in such year bore to the total number of acres of cropland suitable for the production of tobacco on the entire farm in such year, except that, upon recommendation of the county committee, and with State committee approval and agreement of the interested parties in writing, the harvested acreage of tobacco for the farm for the respective years in which the land was operated as a single farm may be apportioned among the tracts in the same proportion as the average acreage of tobacco harvested on each such tract bore to the average of the acreage of tobacco harvested on the entire farm in such years.

(b) If land operated as two or more farms in any of the five years 1947–51 has since been combined into one farm, the harvested acreage of tobacco for the farm shall be the sum of the harvested acreage on the separate tracts.

§ 727.321 *Reallocation of allotments released from farms removed from agricultural production.* The allotment determined or which would have been de-

termined for any land which is removed from agricultural production for any purpose because of acquisition by any Federal, State, or other agency having a right of eminent domain shall be placed in a State pool and shall be available to the State committee for use in providing equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farms by such agencies. Upon application to the county committee, within five years from the date of such acquisition of the farm any owner so displaced shall be entitled to have an allotment for any other farm owned or purchased by him equal to an allotment which would have been determined for such other farm plus the allotment which would have been determined for the farm so acquired: *Provided,* That such allotment shall not exceed 20 percent of the acreage of cropland on the farm.

§ 727.322 *Farms divided or combined.* (a) If land operated as a single farm in 1951 will be operated in 1952 as two or more farms, the 1952 preliminary tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the tracts in the same proportion as the acreage of cropland suitable for the production of tobacco in each such tract in such year bore to the total number of acres of cropland suitable for the production of tobacco on the entire farm in such year, except that, upon recommendation of the county committee, and with State committee approval and agreement of the interested parties in writing, the preliminary tobacco acreage allotment determined or which otherwise would have been determined for the entire farm may be apportioned among the tracts in the same proportion as the 1947–51 five-year average of tobacco harvested on each such tract bore to the 1947–51 five-year average of the acreage of tobacco harvested on the entire farm: *Provided,* That with the recommendation of the county committee and approval of the State committee, the preliminary tobacco acreage allotment determined for a tract under the provisions of this paragraph may be increased or decreased by not more than the larger of one-tenth acre or 10 percent of the 1952 preliminary acreage allotment determined for the entire farm with corresponding increases or decreases made in the preliminary acreage allotment apportioned to the other tract or tracts.

(b) If two or more farms operated separately in 1951 are combined and operated in 1952 as a single farm, the 1952 preliminary allotment shall be the sum of the 1952 preliminary allotments determined for each of the farms composing the combination.

(c) If a farm is to be divided in 1952 in settling an estate, the preliminary allotment may be divided among the various tracts in accordance with paragraph (a) of this section, or on such other basis as the State committee determines will result in equitable farm allotments.

§ 727.323 *Determination of normal yields.* The normal yield for any old farm shall be that yield which the county committee determines is normal for the farm taking into consideration (a) the yields obtained on the farm during the years 1946–49, (b) the soil and other physical factors affecting the production of tobacco on the farm; and (c) the yields obtained on other farms in the locality which are similar with respect to such factors.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

§ 727.324 *Determination of acreage allotments for new farms.* (a) The acreage allotment, other than an allotment made under § 727.321, for a new farm shall be that acreage which the county committee determines is fair and reasonable for the farm taking into consideration the past tobacco experience of the farm operator; the land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco: *Provided,* That the acreage allotment so determined shall not exceed 75 percent of the allotments for old tobacco farms which are similar with respect to land, labor, and equipment available for the production of tobacco, crop-rotation practices, and the soil and other physical factors affecting the production of tobacco.

(b) Notwithstanding any other provisions of this section a tobacco acreage allotment shall not be established for any new farm unless each of the following conditions has been met:

(1) The farm operator shall have had experience in growing the kind of tobacco for which an allotment is requested during one of the past five years: *Provided, however,* That a farm operator who was in the armed services during World War II shall be deemed to have met the requirements of this subparagraph if he has had experience in growing the kind of tobacco for which an allotment is requested during one year either within the five years immediately prior to his entry into the armed services or since his discharge from the armed services.

(2) The farm operator shall be largely dependent for his livelihood on the farm covered by the application.

(3) The farm covered by the application shall be the only farm owned or operated by the owner or farm operator for which a Maryland tobacco allotment is established for the 1952–53 marketing year; and

(4) The farm will not have a 1952 allotment for any kind of tobacco other than that for which application is made under this part.

(c) The acreage allotments established as provided in this section shall be subject to such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new farms. One percent of the 1952 national marketing quota shall, when converted to an acreage allotment by the use of the national average yield, be available for establishing allotments for new farms. The national average yield shall be the average of the several State yields used in converting the State marketing quota into State acreage allotments.

§ 727.325 *Time for filing application.* An application for a new farm allotment shall be filed with the county committee prior to February 1, 1952, unless the farm operator was discharged from the armed services subsequent to December 31, 1951, in which case such application shall be filed within a reasonable period prior to planting tobacco on the farm.

§ 727.326 *Determination of normal yields.* The normal yield per acre for a new farm shall be that which the county committee determines is normal for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

MISCELLANEOUS

§ 727.327 *Determination of acreage allotments and normal yields for farms returned to agricultural production.* (a) Notwithstanding the foregoing provisions of §§ 727.311 to 727.326, the preliminary acreage allotment for any farm which was acquired by any Federal, State, or other agency having the right of eminent domain for any purpose and which is returned to agricultural production shall be the sum of the acreages of tobacco harvested on the farm during the five years 1947–51 divided by the number of years for which tobacco was harvested on the farm during such five-year period. If no tobacco was harvested on the farm during the five years 1947–51, the farm returned to agricultural production shall be regarded as a new farm.

(b) The normal yield for any such farm shall be that yield per acre which the county committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

§ 727.328 *Approval of determinations made under §§ 727.311 to 727.327.* The State committee will review all allotments and yields and may correct or require correction of any determinations made under §§ 727.311 to 727.327. All acreage allotments and yields shall be approved by the State committee, and no official notice of acreage allotment shall be mailed to a grower until such allotment has been approved by the State committee.

§ 727.329 *Application for review.* Any producer who is dissatisfied with the farm acreage allotment and marketing quota established for his farm, may, within fifteen days after mailing of the official notice of the farm acreage allotment and marketing quota, file application with the county committee to have such allotment reviewed by a review committee. The procedures governing the review of farm acreage allotments and marketing quotas are contained in the regulations issued by the Secretary (7 CFR Part 711) which are available at the office of the county committee.

Done at Washington, D. C., this 22d day of June 1951. Witness my hand and

the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-7345; Filed, June 26, 1951; 8:53 a. m.]

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter H—Determination of Wage Rates

[Sugar Determination 863.4]

PART 863—SUGARCANE; FLORIDA

FAIR AND REASONABLE WAGE RATES DURING PERIOD JULY 1, 1951 THROUGH JUNE 30, 1952

Pursuant to the provisions of section 301 (c) (1) of the Sugar Act of 1948 (herein referred to as "act"), after investigation, and consideration of the evidence obtained at the public hearing held in Clewiston, Florida on May 5, 1951, the following determination is hereby issued:

§ 863.4 *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Florida during the period July 1, 1951 through June 30, 1952*—(a) *Requirements.* The requirements of section 301 (c) (1) of the act shall be deemed to have been met with respect to the production, cultivation, or harvesting of sugarcane in Florida during the period July 1, 1951 through June 30, 1952, if the producer complies with the following:

(1) *Wage rates.* All persons employed on the farm shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates as agreed upon between the producer and the worker, but after July 1, 1951, or the date of issuance of this determination, whichever is later, not less than the following:

(i) *For work performed on a time basis.*

	Cents per hour
(a) All workers except as otherwise specified	50.0
(b) Tractor drivers and operators of mechanical harvesting or loading equipment	60.0
(c) Workers between 14 and 16 years of age (maximum employment per day for such workers, without deduction from payments under the act to the producer, is 8 hours)	43.0

(ii) *For work performed on a piecework basis.* The piecework rate for any operation shall be as agreed upon between the producer and the worker: *Provided,* That the hourly rate of earnings of each worker employed on piecework during each pay period (such pay period not to be in excess of two weeks) shall average for the time involved not less than the applicable hourly rate prescribed in subdivision (i) of this subparagraph.

(2) *Perquisites.* In addition to the foregoing, the producer shall furnish to the worker, without charge, the perquisites customarily furnished by him such as a habitable house, garden plot, medical attention, and similar items.

(b) *Subterfuge.* The producer shall not reduce the wage rates to workers below those determined in this section through any subterfuge or device whatsoever.

(c) *Claim for unpaid wages.* Any person who believes he has not been paid in accordance with this determination may file a wage claim with the local County Production and Marketing Administration Committee against the producer on whose farm the work was performed. Such claim must be filed within two years from the date the work with respect to which the claim is made was performed. Detailed instructions and wage claim forms are available at the office of the local County PMA Committee. Upon receipt of a wage claim the County PMA Committee shall thereupon notify the producer against whom the claim is made concerning the representation made by the worker, and, after making such investigation as it deems necessary, notify the producer and worker in writing of its recommendation for settlement of the claim. If either party is not satisfied with the recommended settlement, an appeal may be made to the State PMA Committee, Seagle Building, Gainesville, Florida, which shall likewise consider the facts and notify the producer and worker in writing of its recommendation for settlement of the claim. If the recommendation of the State PMA Committee is not acceptable, either party may file an appeal with the Director of the Sugar Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. All such appeals shall be filed within 15 days after receipt of the recommended settlement from the respective committee, otherwise such recommended settlements will be applied in making payments under the act. If a claim is appealed to the Director of the Sugar Branch, his decision shall be binding on all parties insofar as payments under the act are concerned.

STATEMENT OF BASES AND CONSIDERATION

(a) *General.* The foregoing determination provides fair and reasonable wage rates which a producer must pay, as a minimum, for work performed by persons employed on the farm in the production, cultivation, or harvesting of sugarcane in Florida during the period from July 1, 1951, through June 30, 1952, as one of the conditions for payment under the Act. In this statement, the foregoing determination, as well as determinations for prior years, will be referred to as "wage determination" identified by the period for which effective.

(b) *Requirements of the act and standards employed.* In determining fair and reasonable wage rates it is required under the act that a public hearing be held, that investigations be made and that consideration be given to (1) the standards formerly established by the Secretary under the Agricultural Adjustment Act, as amended, and (2), the differences in conditions among various sugar producing areas.

A public hearing was held in Clewiston, Florida, on May 5, 1951, at which interested persons presented testimony with respect to fair and reasonable wage rates for sugarcane work during the period from July 1, 1951 through June 30, 1952. In addition, investigations have been made on conditions affecting such wage rates. In this determination consideration has been given to the testimony presented at the hearing and to information resulting from investigations. The primary factors which have been considered are (1) prices of sugar and by-products; (2) income from sugarcane; (3) costs of production; (4) cost of living; (5) relationship of labor cost to total cost. Other economic influences also have been considered.

(c) *Background.* Wage determinations for sugarcane work in Florida have been issued each year since 1937. The first wage determination covered work in the harvesting of the 1937 crop while subsequent determinations covered all work applicable to production, cultivation and harvesting. Prior to July 1, 1946, separate wage determinations were issued for production and cultivation work during a calendar year and for the harvesting of each crop. Both time and piecework rates were provided for in these determinations. Beginning July 1, 1946, a single wage determination for harvest and nonharvest work during the subsequent 12-month period was issued and in conjunction therewith the previous differential in basic time rates between nonharvest and harvest work was abolished. At the same time specific harvesting piecework rates were omitted from the wage determinations and provision was made for piecework rates as agreed to by producers and workers subject to a minimum hourly guarantee of the worker's earnings. The omission of specific piecework rates from the wage determinations was made because the use of tonnage rates was discontinued by producers in favor of row rates for harvesting. The many variable factors made it impracticable to establish per row rates for harvesting in subsequent determinations.

Generally, the level of rates established in the early determinations reflected the wage-income relationship prior to 1938. In the wage determination for the 1944–45 crop an adjustment was made in the wage-income relationship after reappraisal of the factors influencing wage rates. As a result of changes in the economic factors affecting wage rates, together with adjustments in the wage-income relationship, the weighted average basic time rates have been increased from 17.9 cents per hour in 1938 to 45.8 cents per hour in 1950–51. No major changes were made in the 1950–51 wage determination.

(d) *1951–52 wage determination.* In the 1951–52 wage determination basic wage rates for all classes of workers are increased 5 cents per hour above the rates provided in the 1950–51 wage determination. The differential rate for female workers which has been provided in prior wage determinations has been eliminated. The weighted average basic time rate for all workers under this de-

termination will be approximately 51 cents per hour.

An examination has been made of the factors customarily considered in wage determinations. Current sugar and molasses prices are at levels which are favorable compared with such prices a year ago. Producer returns are likely, therefore, to exceed those for the previous crop. Prices paid by producers for commodities used in production also have risen during the past year but the increases have been offset in some degree by improved production resulting in lower unit costs. In addition, during recent years major improvements have been made in labor productivity on the farm. Prices of food and clothing as measured by the Consumers' Price Index have risen substantially during the past year.

The differential rate for work performed by female workers has been eliminated from the rate structure because female workers are not generally used in this area. Should the employment of female workers become prevalent, an appropriate rate for such workers may be provided in subsequent determinations upon showing of their proper performance capabilities as compared with other workers.

In this area a considerable portion of cultivation and harvesting work is performed on a piecework basis and workers' earnings are considerably above the minimum rates established. During 1950–51 the earnings of workers employed on piecework in cultivation were reported to average about 60 cents per hour and between 73 and 98 cents per hour for cutting sugarcane during the harvest. In a number of instances the actual hourly rates paid to workers employed on a time basis also were significantly above the minimum rates provided. In addition to these wages, producers furnish workers without charge the customary perquisites such as housing, water, garden plot and medical attention.

At the public hearing it was recommended that the minimum guarantee of earnings to workers employed on a piecework basis be eliminated from the determination. While consideration has been given to this recommendation it is believed that the absence of a minimum guarantee of earnings in cases where minimum piecework rates are not specified would deny to the majority of workers the protection of the minimum wage provisions of the act.

After consideration of the economic factors affecting the production of sugarcane in Florida and testimony presented at the public hearing, the increases provided in this determination are deemed to be fair and reasonable.

Accordingly, I hereby find and conclude that the foregoing wage determination will effectuate the wage provisions of the Sugar Act.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup., 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U. S. C. Sup., 1131)

Issued this 22d day of June 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51–7343; Filed, June 26, 1951; 8:52 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 958—IRISH POTATOES GROWN IN COLORADO

LIMITATION OF SHIPMENTS

§ 958.309 *Limitation of shipments*—(a) *Findings.* (1) Pursuant to Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958), regulating the handling of Irish potatoes grown in the State of Colorado, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the administrative committee for Area No. 1, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, (ii) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this section, (iii) compliance with this section will not require any preparation on the part of handlers which cannot be completed by the effective date, (iv) a reasonable time is permitted, under the circumstances, for such preparation, and (v) information regarding the committee's recommendation has been made available to producers and handlers in the production area.

(b) *Order.* (1) During the period from July 9, 1951, to May 31, 1952, both dates inclusive, no handler shall ship potatoes grown in Area No. 1, as such area is defined in Marketing Agreement No. 97 and Order No. 58, which do not meet the requirements of Regulation No. 1 limiting shipments to U. S. No. 2 or better grades (General Cull Regulation—published in the FEDERAL REGISTER, July 16, 1949; 14 F. R. 3979), and which are of sizes smaller than 2 inches minimum diameter or 4 ounces minimum weight as such grades and sizes are defined in the U. S. Standards for Potatoes (7 CFR 51.366), including the tolerance set forth therein.

(2) During the period from September 1, 1951, to October 31, 1951, both dates inclusive, no handler shall ship potatoes grown in Area No. 1, as such area is defined in Marketing Agreement No. 97 and Order No. 58, which do not comply with the aforesaid grade and size requirements and which are more than "moderately skinned" as such term is defined in the U. S. Standards for Potatoes (7 CFR 51.366), which means that not more than 10 percent of the potatoes in any lot have more than one-half of the skin missing or feathered.

(3) The limitations set forth in subparagraphs (1) and (2) of this paragraph shall not be applicable to (i) potatoes shipped for seed purposes which have been officially certified as seed potatoes by the official Colorado seed certifying agency and which are in containers bearing official Colorado seed certification tags, and (ii) potatoes shipped for consumption by a charitable institution, for relief purposes, or for manufacturing purposes for conversion into by-products.

(4) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 21st day of June 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51–7346; Filed, June 26, 1951; 8:50 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5678]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

FASHION TOWNE, 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' suits 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' suits 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 nonfibrous loading, filling, or adulterating matter; and, (c) the name or the registered identification number of the manufacturer of such wool product 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 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, sec. 2, 54 Stat. 1128; 15 U. S. C. 15, 68) [Cease and desist order, Fashion Towne, Inc., et al., Docket 5678, April 3, 1951]

In the Matter of Fashion Towne, Inc., a corporation, and Morton Davis and Anna Davis, Individually and as officers of Fashion Towne, 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 respondents, in which stipulation the respondents waived 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, Fashion Towne, Inc., a corporation, and its officers, and Morton Davis and Anna Davis, 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' suits 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' suits 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.

(c) The name or the registered identification number of the manufacturer of such wool product 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 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 3, 1951.

By the Commission.

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

[F. R. Doc. 51-7314; Filed, June 26, 1951; 8:49 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 383]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 378]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

MAINE

Amendment 383 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 378 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respects:

1. Schedule A, Item 135, is amended to read as follows:

Name of defense-rental area	State	County or counties under rent regulation	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed
(135) Bangor	Maine	Penobscot	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943

This recontrols the entire Bangor, Maine, Defense-Rental Area, which Defense-Rental Area was heretofore decontrolled as of September 16, 1949.

2. A new item is hereby incorporated in Schedule B to read as follows:

86. Provisions relating to the Bangor, Maine, Defense-Rental Area.

Recontrol of the Bangor, Maine, Defense-Rental Area. Effective June 27, 1951, the provisions of §§ 825.1 to 825.12 and 825.81 to 825.92 shall apply to housing accommodations in the Bangor, Maine, Defense-Rental Area, except as modified by the following provisions:

a. As to housing accommodations in the Bangor, Maine, Defense-Rental Area, all orders in effect on September 15, 1949, in accordance with §§ 825.1 to 825.12 or 825.81 to 825.92, shall be in full force and effect.

b. If, on June 27, 1951, there was a ground for adjustment under § 825.5 (a) or 825.85 (a) for which no order had previously been issued, and a petition for adjustment is filed on or before July 27, 1951, the adjustment shall be effective as of June 27, 1951.

c. If, on June 27, 1951, the services provided with any housing accommodations are less than the minimum required by § 825.3 or 825.83, the landlord shall either restore and maintain such minimum services or file a petition on or before July 27, 1951 requesting approval of the decreased services. If, on June 27, 1951, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by § 825.3 or 825.83, the landlord shall file, on or before July 27, 1951, a written report showing the decrease in furniture, furnishings, or equipment. Except as modified by this paragraph c, the provisions of §§ 825.5 (b) and 825.85 (b) shall be applicable to all such cases.

d. In the case of any action which on June 27, 1951, was required or authorized by §§ 825.1 to 825.12 or 825.81 to 825.92 to be taken within a specified period of time the same time period shall be applicable but such time period shall be counted from June 27, 1951.

e. The provisions of §§ 825.6 and 825.86 shall not apply to any case in which judgment was entered prior to June 27, 1951 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup., 1894)

This amendment shall become effective June 27, 1951.

Issued this 22d day of June 1951.

ED DUPREE, *Acting Housing Expediter.*

[F. R. Doc. 51-7319; Filed, June 26, 1951; 8:51 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter S—Moneys: Tribal and Individual

PART 221—INDIAN MONEY ACCOUNTS

Sections 221.1 to 221.40 inclusive, of Part 221 are repealed and §§ 221.1 to 221.12 as hereinafter set forth are substituted therefor. The title of this part is changed to "Indian Money Accounts".

Sec.
221.1 Definitions.
221.2 Osage Agency.
221.3 Individual accounts.
221.4 Minors.
221.5 Adults under legal disability.
221.6 Voluntary deposits.
221.7 Payments by other Federal agencies.
221.8 Purchase orders.
221.9 Restrictions.
221.10 Funds of deceased Indians.
221.11 Funds of deceased Indians of the Five Civilized Tribes.
221.12 Supervision; appeal.

AUTHORITY: §§ 221.1 to 221.12 issued under R. S. 161; 5 U. S. C. 22.

§ 221.1 *Definitions.* Whenever used in this part the terms defined in this section shall have the meaning herein stated:

(a) "Commissioner" means the Commissioner of Indian Affairs.

(b) "Area Director" means the officer in charge of an area office for the Bureau of Indian Affairs.

(c) "Superintendent" means the superintendent or other officer in charge of an Indian reservation, agency or establishment.

(d) "Minor" means an individual who has not reached his majority as defined by the laws of the state of his domicile.

(e) "Indian Money Accounts" are those accounts under the control of superintendents or disbursing agents containing funds, regardless of derivation, belonging to individuals.

§ 221.2 *Osage Agency.* The provisions of this part do not apply to funds the deposit or expenditure of which is subject to the provisions of Part 222.

§ 221.3 *Individual accounts.* Individuals shall have the right to withdraw funds in their Indian money accounts and upon their request the superintendent shall disburse the funds to them at such convenient times and places as the superintendent may designate, except as otherwise provided in this part.

§ 221.4 *Minors.* Funds of a minor may be disbursed for the minor's support, health, education, or welfare to parents, state-appointed guardians, fiduciaries, or to persons having the control and custody of the minor under plans approved by the superintendent, or directly to the minor upon such conditions as the superintendent may prescribe, in such amounts as he may deem necessary in the best interests of the minor. Superintendents are authorized to require modification of an approved plan whenever deemed in the best interest of the minor.

§ 221.5 *Adults under legal disability.* The funds of an adult who is non compos mentis or under other legal disability may be disbursed for his benefit for such purposes deemed to be for his best interest and welfare in the discretion of the superintendent, or the funds may be disbursed to a state-appointed guardian or curator under such conditions as the superintendent may prescribe.

§ 221.6 *Voluntary deposits.* Voluntary deposits shall not be accepted, but Indians who require banking service shall be encouraged to utilize commercial facilities. If in any case it is the judgment of the superintendent that an exception to this prohibition should be made to avoid a substantial hardship, he shall submit the facts in the case to the Area Director who is authorized to allow or deny an exception.

§ 221.7 *Payments by other Federal Agencies.* Superintendents are authorized to accept and administer moneys that may be received from the Veterans Administration or other government agency pursuant to the act of February 25, 1933 (47 Stat. 907; 25 U. S. C. 14), for the benefit of adult Indians under legal disability or minors for whom no legal guardian or fiduciary has been appointed.

§ 221.8 *Purchase orders.* Purchase orders shall not be issued except upon the request of the individual and only to meet emergencies.

§ 221.9 *Restrictions.* Funds obligated under assignments made pursuant to Part 30 of this chapter shall be disbursed only in accordance with the terms thereof. Funds derived from the sale of capital assets which by agreement approved prior to such sale by the Commissioner or his authorized representative are to be expended for specific purposes, and funds obligated under contractual arrangements approved in advance by the superintendent or subject to deductions specifically authorized or directed by acts of Congress, shall be disbursed only in accordance with the agreements (including any subsequently approved modifications thereof) or acts of Congress.

§ 221.10 *Funds of deceased Indians.* Funds of a deceased Indian may be disbursed (a) for support of dependent members of the families of decedent in such amounts deemed necessary to avoid hardship and consistent with the value of the estate and the interest of probable heirs; (b) for the payment of obligations previously authorized; (c) for the last illness and funeral expenses of the decedent; and (d) for probate fees and claims allowed pursuant to Parts 81 and 82 of this title.

§ 221.11 *Funds of deceased Indians of the Five Civilized Tribes.* Funds of a deceased Indian of the Five Civilized Tribes may be disbursed to pay ad valorem and personal property taxes, Federal and state estate and income taxes, obligations approved by the superintendent prior to death of decedent, expenses of last sickness and burial and claims found to be just and reasonable which are not barred by the statute of limitations, and costs of determining heirs to restricted property by the state courts.

§ 221.12 *Supervision; appeal.* Exercise of authority by superintendents under this part shall be subject to the supervision and control of the Commissioner and his designated representatives. Appeal from an action taken by the superintendent may be taken within 30 days to the Area Director and thence to the Commissioner within a like period.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JUNE 19, 1951.

[F. R. Doc. 51-7316; Filed, June 26, 1951; 8:50 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter F—Personnel

PART 572—CONTRACT SURGEONS AND CIVILIAN VETERINARIANS

CONTRACT SURGEONS

Sections 572.1 through 572.5 are rescinded and the following substituted therefor:

CONTRACT SURGEONS

Sec.
572.1 Authority to employ.
572.2 Duties and privileges.
572.3 Pay and allowances.
572.4 Qualifications.
572.5 Contracts.

AUTHORITY: §§ 572.1 to 572.5 issued under R. S. 161; 5 U. S. C. 22. Interpret or apply sec. 18, 31 Stat. 752, sec. 504, 63 Stat. 827; 10 U. S. C. 107, 37 U. S. C. 304.

§ 572.1 *Authority to employ.* When authorized by the Secretary of the Army, and to the extent deemed necessary by him, full-time or part-time contract surgeons may be employed by The Surgeon General. The commanding generals of the continental Army areas may act for The Surgeon General within their respective Army areas in contracting for the services of such full-time or part-time contract surgeons. Employment of all other contract surgeons will be accomplished by The Surgeon General.

§ 572.2 *Duties and privileges.* The professional and administrative duties of contract surgeons are identical to those of a Medical Corps officer, except so far as they are limited by the fact that contract surgeons do not perform their functions by virtue of military rank or commission. Contract surgeons are not eligible for detail on courts martial, but may be detailed to serve on medical boards convened pursuant to AR 40-610 (Army regulation pertaining to administration of medical treatment facilities), and on other administrative boards when authorized by law or regulation.

§ 572.3 *Pay and allowances*—(a) *Full-time contract surgeons.* Contract surgeons serving full time with any of the uniformed services are entitled to be paid the minimum basic pay, the basic allowances, and such other allowances as are authorized by the act of October 12, 1949 (Pub. Law 351, 81st Cong.), to be paid to commissioned officers in pay grade O-2.

(b) *Part-time contract surgeons.* (1) Contract surgeons who are serving part

time with any of the uniformed services receive only the pay specifically stipulated in their contracts and are not entitled to basic subsistence allowance or basic quarters allowance.

(2) Contract surgeons who are serving part time with any of the uniformed services are entitled to receive the allowances for travel and transportation prescribed for commissioned officers under the same conditions and in the same amounts.

(3) Part time contract surgeons are not authorized to make allotments of pay.

(c) *Pay while on leave.* (1) When contracts so provide, contract surgeons will be entitled to full pay and allowances while on sick or ordinary leave, under the same rules as apply to commissioned officers.

(2) Contract surgeons who have served continuously under two or more contracts are not entitled while serving under their present contracts to credit for leave which accrued but was not taken under prior contracts.

§ 572.4 *Qualifications.* To be eligible for employment as a contract surgeon, the candidate must be a graduate of a medical school legally authorized to confer the degree of doctor of medicine and acceptable to the appointing authority. The candidate must also be a licensed practitioner in good standing and must possess acceptable moral, professional, and physical qualifications.

§ 572.5 *Contracts.* The policy of the Department of the Army is to make or authorize full-time contracts only under exceptional circumstances and upon a full representation of the necessity therefor.

[AR 35–1360, 11 June 1950 and AR 40–30, June 5, 1951]

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

[F. R. Doc. 51–7288; Filed, June 26, 1951; 8:46 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 12, Amendment 1]

CPR 12—MILLED RICE

ESTABLISHING DIFFERENTIAL FOR UNPOLISHED CALIFORNIA PEARL RICE

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 1 to Ceiling Price Regulation 12 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 12 establishes the differential for each grade of unpolished California Pearl rice at $.50 below the ceiling price of milled rice of the same grade of that variety.

CPR 12 established dollars-and-cents ceiling prices for milled rice of all varieties and provided that the differentials customarily used by millers during the GCPR base period be used in determining the ceiling price for rice of a lower degree of milling.

Historically, sales of unpolished rice have been limited to very infrequent sales for export. There appears to be little or no demand for it in the United States. California Pearl rice is milled only by a very small number of millers, none of whom made any sales of undermilled or unpolished rice during the GCPR base period. Moreover, in view of the infrequency of such sales, these millers did not customarily offer unpolished rice for sale at a quoted differential but determined the differential on the basis of conditions prevailing at the time of each sale. Consequently, these millers are now unable to determine the proper differential to be applied in determining their ceiling prices for unpolished rice.

Due to the lack of satisfactory data, the differential fixed by the Office of Price Administration under MPR 150 for unpolished California Pearl rice has been taken as a basis for the differential established by this amendment. This differential was then adjusted to reflect approximately the rise in the ceiling price of milled rice since that time.

In view of the limited demand for unpolished rice, it is not believed necessary to fix differentials for all varieties of unpolished rice at this time. This amendment is therefore restricted to California Pearl rice.

Complete revision of CPR 12 is contemplated in the near future when the necessary pricing data are available. Consequently, the differential established by this amendment is temporary and subject to change.

Special circumstances have rendered impracticable consultation with formal industry advisory committees or trade association representatives. However, the Director has given consideration to information received from members of the industry affected by this amendment.

In formulating this amendment, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950. In his judgment, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

AMENDATORY PROVISION

Ceiling Price Regulation 12 is amended as follows:

1. Section 4 (d) is amended by adding an undesignated paragraph: So that section 4 (d) shall read as follows:

(d) *Differentials for grade and quality.* Your differentials, above or below the prices listed in paragraph (a) of this section for grade, quality and lower degree of milling, which you customarily used during the base period established by the GCPR, shall continue to prevail and apply.

Your differential for each grade of California Pearl rice, unpolished, shall be $.50 below your ceiling price for the same grade of milled California Pearl rice.

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

Effective date. This amendment shall become effective on July 2, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 26, 1951.

[F. R. Doc. 51–7433; Filed, June 26, 1951; 4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 35]

GCPR, SR 35—CATSUP AND CHILI SAUCE BOTTLES DURING 1951 BOTTLING SEASON

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 35 to the General Ceiling Price Regulation is issued.

STATEMENT OF CONSIDERATIONS

Catsup and chili sauce bottling is performed during a very short season which in most parts of the country occurs during August and September. Many bottlers are unable to determine their precise demands for catsup and chili bottles until the size of the tomato crop is known. The result has been that bottlers have been unable, or at any rate reluctant, to place orders for bottles early enough so as to enable manufacturers of bottles to plan their production. To meet this situation manufacturers of bottles have at times in the past offered a pre-season discount. This has taken the form either of a reduction of the price in effect during the preceding season or the postponement until late spring of the effective date of price increases announced during the fall or winter.

As a result of this practice, sellers of catsup and chili sauce bottles found themselves during the base period with delivered prices which reflected the pre-season discount. Some of them had announced higher prices in effect for deliveries during the 1951 bottling season. To compensate for the seasonal discount this supplementary regulation allows manufacturers to increase their prices by 15 cents per gross.

The allowance for pre-season purchases was not stated as a percentage. It is clear that in 1949 leading manufacturers stated the allowance specifically at 15 cents a gross. In 1950 it was first stated as a like dollar-cent allowance from list prices which were carried over from the 1949 season, and retained as published list prices until, in March and April of 1950, the companies announced and published new prices to become effective for the 1950 packing season. These were set at 25 cents a gross higher than the "pre-season" prices, and 10 cents higher than the previous list prices. It is not possible to separate from that

25-cent differential the proportion attributable to pre-season inducement and that proportion representing prospective increased costs for the seasonal production. This supplementary regulation, therefore, recognizes the 1949 discount as the only reasonably well defined pre-season allowance.

This supplementary regulation is made applicable only to the 1951 bottling season. It is expected that a tailored regulation will be ready in time for subsequent seasons.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Ceiling prices.
3. Miscellaneous.

AUTHORITY: Sections 1 to 3 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. *What this supplementary regulation does.* This supplementary regulation modifies General Ceiling Price Regulation ceiling prices for sales of glass containers used for catsup and chili sauce when sold for use during the 1951 bottling season.

SEC. 2. *Ceiling prices.* The ceiling price for glass containers used for catsup and chili sauce, sold by manufacturers, is the price established under the General Ceiling Price Regulation plus 15 cents per gross.

SEC. 3. *Miscellaneous.* Except as herein specifically modified all of the provisions of the General Ceiling Price Regulation remain in effect.

Effective date. This Supplementary Regulation 35 to the General Ceiling Price Regulation shall become effective on the 26th day of June 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 26, 1951.

[F. R. Doc. 51-7430; Filed, June 26, 1951; 9:48 a. m.]

[General Ceiling Price Regulation, Supplementary Regulation 37]

GCPR, SR 37,—CEILING PRICES FOR SPRING LAMB

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 2 (16 F. R. 738), this supplementary regulation to the General Ceiling Price Regulation (16 F. R. 808) is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation provides that spring or new crop lamb carcasses and cuts must be priced on the same basis as winter or old crop lamb carcasses and cuts under the General Ceiling Price Regulation and may not be priced as though they were different commodities. This is in line with a press release issued by the Office of Price Stabilization on March 2, 1951.

Spring lamb and winter lamb are similar commodities. However, under normal market conditions, lamb prices decline during the summer and fall months and rise in the spring and thus winter lamb prices are generally lower than spring lamb prices. In the inflation following Korea, prices departed from this normal pattern and lamb prices continued to rise throughout the latter half of 1950 and the early part of 1951.

Pending further study prior to the issuance of dollars and cents regulations governing wholesale and retail prices of lamb carcasses and cuts, the January level provides a fair and equitable basis for interim pricing of these carcasses and cuts. The prices for winter lamb carcasses and cuts frozen under the General Ceiling Price Regulation are sufficiently high to reflect a fair price to producers of live spring lambs. The highest average farm price of lambs in the period May 24–June 24, 1950, was $26.40 per cwt. The parity price as of May 15, 1951, was $21.70 per cwt. so that the effective legal minimum is $26.40 per cwt.

The farm prices of lambs for the first five months of this year are set out in the following table:

January 15, 1951	$30.00
February 15, 1951	33.30
March 15, 1951	35.00
April 15, 1951	34.30
May 15, 1951	32.60

It is clear from these figures that the freeze ceilings for lamb carcasses and cuts reflect a price for live lambs at a level of about 140 to 150 per cent of parity and substantially in excess of the legal minimum.

In the judgment of the Director of Price Stabilization the provisions of this supplementary regulation to the General Ceiling Price Regulation 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 of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives 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 this supplementary regulation the Director has consulted with representatives of the industry to the extent practicable under the circumstances and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Commodity classification of lamb.

AUTHORITY: Sections 1 to 2 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. *What this supplementary regulation does.* This supplementary regulation classifies each carcass and each wholesale and retail cut of lamb as a single commodity irrespective of type except where cuts and carcasses were classified by grade during the base period.

SEC. 2. *Commodity classification of lamb.* (a) In determining your ceiling prices for carcasses and wholesale and retail cuts of every type of lamb (including regular lamb, old crop lamb, winter lamb, spring lamb, genuine spring lamb, and new crop lamb) you shall treat each carcass and each wholesale and retail cut of lamb as a single commodity. For example, a spring lamb carcass shall be deemed to be the same commodity as a winter lamb carcass.

(b) If, however, it was your practice to treat different grades of lamb as separate commodities, then you shall treat each carcass and each wholesale or retail cut of the same grade of lamb as a single commodity irrespective of the type of lamb. For example, a prime spring lamb carcass shall be deemed to be the same commodity as a prime winter lamb carcass.

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

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 26, 1951.

[F. R. Doc. 51-7429; Filed, June 26, 1951; 9:47 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter K—Security of Vessels

[CGFR 51-29]

PART 121—SECURITY CHECK AND CLEARANCE OF MERCHANT MARINE PERSONNEL

REQUIREMENTS FOR DOCUMENTS BEARING SECURITY CLEARANCE INDORSEMENT

Pursuant to the authority of 33 CFR 6.10–3, Executive Order No. 10173 (15 F. R. 7007), the Commandant may require that all licensed officers and certificated men employed on other than exempted designated categories of merchant vessels of the United States be holders of specially validated documents. The purpose of the following new regulation, designated as § 121.16, is to require that all persons employed on merchant vessels of the United States of 100 gross tons and over engaged in trade on the Great Lakes shall be holders of a specially validated document as a condition precedent to employment thereon. This is the first of a series of similar requirements covering the categories of vessels listed in 33 CFR 121.02 (16 F. R. 817). Since the security interests of the United States call for the aforesaid application of the provisions of 33 CFR 6.10–3 at the earliest practicable date and because of the national emergency declared by the President, it is found that compliance with the notice of proposed rule making, public rule making procedure thereon, and effective date requirements of the Administrative Procedure Act is impracticable and contrary to the public interest.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Executive Order No. 10173, the following regulation is prescribed which shall become effective on and after August 1, 1951:

Part 121 is amended by adding a new § 121.16 reading as follows:

§ 121.16 *Requirements for documents bearing security clearance indorsement.* (a) On and after August 1, 1951, all persons employed on merchant vessels of the United States of 100 gross tons and upwards engaged in trade on the Great Lakes shall be required as a condition of employment to be in possession of a document bearing a special validation indorsement for emergency service prior to acceptance of employment as members of crews of such vessels. The issuance of documents bearing security clearance shall be in the form and manner prescribed by §121.15.

Dated: June 20, 1951.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 51-7317; Filed, June 26, 1951; 8:50 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

PART 6—PATENT REGULATIONS

Subpart A is amended so as to read as follows:

SUBPART A—INVENTIONS BY EMPLOYEES

Sec.
6.1 Definitions.
6.2 Report of invention.
6.3 Action by supervisory officials.
6.4 Action by Solicitor.
6.5 Rights in inventions made before January 23, 1950.
6.6 Rights in inventions made on or after January 23, 1950.
6.7 Appeal by employee.
6.8 Domestic patent protection.
6.9 Foreign patent protection.
6.10 Publication and public use of invention before patent application is filed.
6.11 Publicity concerning invention after patent application is filed.
6.12 Condition of employment.

AUTHORITY: §§ 6.1 to 6.12 issued under R. S. 161; 5 U. S. C. 22. E. O. 10096, 15 F. R. 389; 3 CFR, 1950 Supp.

SUBPART A—INVENTIONS BY EMPLOYEES

§ 6.1 *Definitions.* As used in this subpart:

(a) The term "Department" means the Department of the Interior.

(b) The term "Secretary" means the Secretary of the Interior.

(c) The term "Solicitor" means the Solicitor of the Department of the Interior.

(d) The term "Chairman" means the Chairman of the Government Patents Board.

(e) The term "invention" means any art, machine, manufacture, design, or composition of matter, or any new and useful improvement thereof, or any variety of plant, which is or may be patentable under the patent laws of the United States.

(f) The term "employee" includes a part-time consultant or a part-time employee of the Department in so far as inventions made during periods of official duty are concerned, except when special circumstances in a specific case require an exemption in order to meet the needs of the Department, each such exemption to be subject to the approval of the Chairman.

§ 6.2 *Report of invention.* (a) Every invention made by an employee of the Department shall be reported by such employee through his supervisor and the head of the bureau or office to the Solicitor, unless the invention obviously is unpatentable. If the invention is the result of group work, the report shall be made by the supervisor and shall be signed by all employees participating in the making of the invention. The original and three copies of the invention report shall be furnished to the Solicitor. The Solicitor may prescribe the form of the report.

(b) The report shall be made as promptly as possible, taking into consideration such factors as possible publication or public use, reduction to practice, and the necessity for protecting any rights of the Government in the invention. Although it is not necessary to withhold the report until the process or device is completely reduced to practice, reduction to practice assists in the preparation of a patent application and, if diligently pursued, protects the interests of the Government and of the inventor. If an invention is reduced to practice after the invention report is filed, the Solicitor must be notified forthwith.

(c) For the protection of the rights of the Government and of the inventor, invention reports and memoranda or correspondence concerning them are to be considered as confidential documents.

(d) An invention report shall contain the following information:

(1) The title of the invention;

(2) The full name, residence, office address, bureau or office and division, position or title, and official working place of the inventor;

(3) A statement of the evidence that is available as to the making of the invention, including information relative to conception, disclosure to others, and reduction to practice;

(4) Information concerning any publication or public use of the invention;

(5) The problems which led to the making of the invention;

(6) The objects, advantages, and uses of the invention;

(7) A description of the invention;

(8) Experimental data;

(9) Information which the inventor may have obtained as to the prior art;

(10) The inventor's opinion as to the foreign countries in which the invention would be most useful and would have the greatest commercial value;

(11) Either a statement that the employee is willing to assign the rights in the invention to the Government, or a request pursuant to paragraph (e) of this section for a determination of the respective rights of the Government and of the inventor.

(e) If the inventor believes that he is not required by the regulations in this subpart to assign to the Government the entire domestic right, title, and interest in and to the invention, and if he is unwilling to make such an assignment to the Goverment, he shall, in his invention report, request that the Solicitor determine the respective rights of the Government and of the inventor in the invention, and he shall include in his invention report information on the following points, in addition to the data called for in paragraph (d) of this section:

(1) The circumstances under which the invention was made and developed;

(2) The employee's official duties, as given on his job sheet or otherwise assigned, at the time of the making of the invention;

(3) Whether the employee wishes a patent application to be prosecuted under the act of March 3, 1883, as amended (35 U. S. C. 45), if it should be determined that he is not required to assign all domestic rights in the invention to the Government; and

(4) Whether the employee would be willing, upon request, voluntarily to assign foreign rights in the invention to the Government if it should be determined that an assignment of such rights to the Government is not required.

§ 6.3 *Action by supervisory officials.* (a) The preparation of an invention report and other official correspondence on patent matters is one of the regular duties of an employee who has made an invention, and the supervisor of such employee shall see that he is allowed sufficient time from his other duties to prepare such documents. The supervisor shall ascertain that the invention report and other papers are prepared in conformity with these regulations; and, before transmitting the invention report to the head of the bureau or office, shall check its accuracy and completeness, especially with respect to the circumstances in which the invention was developed, and shall add whatever comments he may deem to be necessary or desirable. The supervisor shall add to the file whatever information he may have concerning the governmental and commercial value of the invention, and the foreign countries in which it is likely that the invention would be most useful and would have the greatest commercial value.

(b) The head of the bureau or office shall make certain that the invention report is as complete as circumstances permit. He shall provide whatever information may be available in his agency concerning the governmental and commercial value of the invention, and the foreign countries in which it is likely that the invention would be most useful and would have the greatest commercial value.

(c) If the employee inventor requests that the Solicitor determine his rights in the invention, the head of the bureau or office shall state his conclusions with respect to such rights.

(d) The head of the bureau of office shall indicate whether, in his judgment,

the invention is liable to be used in the public interest, and he shall set out the facts supporting his conclusion whenever the employee's invention report does not contain sufficient information on this point.

§ 6.4 *Action by Solicitor.* (a) If an employee inventor requests, pursuant to paragraph (e) of § 6.2, that such determination be made, the Solicitor shall determine the respective rights of the employee and of the Government in and to the invention. The Solicitor's determination respecting an invention made before January 23, 1950, shall be final; but his determination respecting an invention made on or after January 23, 1950, shall be subject to review by the Chairman in proper cases under Executive Order 10096 and the rules and regulations issued by the Chairman with the approval of the President.

(b) If the Government is entitled to obtain the entire domestic right, title, and interest in and to an invention made by an employee of the Department, the Solicitor, subject to review by the Chairman in proper cases, may take such action respecting the invention as he deems necessary or advisable to protect the interests of the United States.

§ 6.5 *Rights in inventions made before January 23, 1950.* (a) The provisions of this section shall be applied in determining the respective rights of the Government and of an employee of the Department in and to any invention made by the employee prior to January 23, 1950.

(b) Each employee of the Department is required, upon request, to assign to the United States, as represented by the Secretary, all domestic and foreign rights to any invention made by the employee within the general scope of his governmental duties, unless such requirement is waived in writing by the Solicitor. An invention will be considered as having been made within the general scope of the governmental duties of an employee (1) whenever his duties include research or investigation, or the supervision of research or investigation, and the invention arose in the course of such research or investigation and is relevant to the general field of an inquiry to which the employee was assigned, or (2) whenever the invention was in a substantial degree made or developed through the use of Government facilities or financing, or on Government time, or through the aid of Government information not available to the public.

(c) An employee of the Department is entitled to all rights resulting from any invention which was made by him outside the general scope of his governmental duties, as defined in paragraph (b) of this section.

(d) If the Solicitor finds that an invention made by an employee of the Department outside the general scope of his governmental duties is used or liable to be used in the public interest, and executes a certificate to that effect, the employee may, if he wishes to do so, request that an application for a patent be filed and prosecuted at the expense of the Government under the act of March 3, 1883, as amended (35 U. S. C. 45). Under such circumstances, the invention may be manufactured and used by or for the Government for governmental purposes without the payment of any royalty.

(e) The requirement relative to the assignment of domestic patent rights to the United States, set forth in paragraph (b) of this section, may be waived in whole or in part, in writing, by the Solicitor in the case of any invention as to which he finds, upon grounds to be specified by him, that the interests of the United States do not require the full assignment of such rights.

(f) The requirement relative to the assignment of foreign patent rights to the United States, set forth in paragraph (b) of this section, may be waived in whole or in part, in writing, by the Solicitor if a determination is made by competent authority pursuant to section 3 of Executive Order No. 9865 (12 F. R. 3907) that no foreign patent protection shall be procured by the Government as to an invention or that foreign patent protection shall be procured by the Government only in specified foreign jurisdictions. An employee of the Department shall not file in any foreign jurisdiction any patent application relating to an invention made within the general scope of his governmental duties unless the Solicitor has waived in writing the requirement that foreign rights be assigned to the United States.

§ 6.6 *Rights in inventions made on or after January 23, 1950.* (a) The rules prescribed in this section shall be applied in determining the respective rights of the Government and of an employee of the Department in and to any invention made by the employee on or after January 23, 1950.

(b) (1) Except as indicated in the succeeding subparagraphs of this paragraph, the Government shall obtain the entire domestic right, title, and interest in and to any invention made by an employee of the Department (i) during working hours, or (ii) with a contribution by the Government of facilities, equipment, materials, funds, or information, or of time or services of other Government employees on official duty, or (iii) which bears a direct relation to or is made in consequence of the official duties of the inventor.

(2) In any case where the contribution of the Government, as measured by any one or more of the criteria set forth in subparagraph (1) of this paragraph, to the invention is insufficient equitably to justify a requirement of assignment to the Government of the entire domestic right, title, and interest in and to such invention, or in any case where the Government has insufficient interest in an invention to obtain the entire domestic right, title, and interest therein (although the Government could obtain same under subparagraph (1) of this paragraph, the Solicitor, subject to the approval of the Chairman, shall leave title to such invention in the employee, subject, however, to the reservation to the Government of a nonexclusive, irrevocable, royalty-free license in the invention with power to grant licenses for all governmental purposes, such reservation, in the terms thereof, to appear, where practicable, in any patent, domestic or foreign, which may issue on such invention.

(3) In applying the provisions of subparagraphs (1) and (2) of this paragraph to the facts and circumstances relating to the making of any particular invention, it shall be presumed that any invention made by an employee who is employed or assigned (i) to invent or improve or perfect any art, machine, manufacture, or composition of matter, or (ii) to conduct or perform research, development work, or both, or (iii) to supervise, direct, coordinate, or review Government financed or conducted research, development work, or both, or (iv) to act in a liaison capacity among governmental or nongovernmental agencies or individuals engaged in such work, falls within the provisions of subparagraph (1) of this paragraph, and it shall be presumed that any invention made by any other employee falls within the provisions of subparagraph (2) of this paragraph. Either presumption may be rebutted by the facts or circumstances attendant upon the conditions under which any particular invention is made and, notwithstanding the foregoing, shall not preclude a determination that the invention falls within the provisions of subparagraph (4) of this paragraph.

(4) In any case wherein the Government neither (i) obtains the entire domestic right, title, and interest in and to an invention pursuant to the provisions of subparagraph (1) of this paragraph, nor (ii) reserves a non-exclusive, irrevocable, royalty-free license in the invention, with power to grant licenses for all governmental purposes, pursuant to the provisions of subparagraph (2) of this paragraph, the Solicitor, subject to the approval of the Chairman, shall leave the entire right, title, and interest in and to the invention in the employee, subject to law.

(c) In the event that the Solicitor determines, pursuant to subparagraph (2) or subparagraph (4) of paragraph (b) of this section, that title to an invention will be left with an employee, the Solicitor shall, subject to considerations of national security, or public health, safety, or welfare, report to the Chairman, promptly upon making such determination, the following information concerning the invention:

(1) Description of the invention in sufficient detail to permit a satisfactory review;

(2) Name of inventor and his employment status; and

(3) Statement of the Solicitor's determination and reasons therefor.

The report in a case falling within the provisions of subparagraph (2) of paragraph (b) of this section shall be made after the expiration of the period prescribed in § 6.7 for the taking of an appeal, or it may be made prior to the expiration of such period if the employee acquiesces in the Solicitor's determination. The Chairman thereupon will review the determination of the Solicitor, and his decision respecting the matter shall be final, subject to the right of the inventor to submit to the Chairman, within 30 days (or such longer period as the Chairman may, for good cause, fix

in any case) after receiving notice of such decision, a petition for the reconsideration of the decision if it gives to the Government greater rights than the Solicitor's determination. A copy of any such petition must also be filed by the inventor with the Solicitor within the prescribed period.

§ 6.7 *Appeal by employee.* (a) Any employee who is aggrieved by a determination of the Solicitor pursuant to subparagraph (1) or subparagraph (2) of paragraph (b) of § 6.6 may obtain a review of the determination by filing, within 30 days (or such longer period as the Chairman may, for good cause, fix in any case) after receiving notice of such determination, a written appeal with the Chairman and a copy of the appeal with the Solicitor.

(b) In the event of the filing of an appeal pursuant to this section, the Solicitor shall, subject to considerations of national security, or public health, safety, or welfare, furnish the Chairman in writing, promptly upon the filing of the appeal, the following information concerning the invention involved in the appeal:

(1) Description of the invention in sufficient detail to permit a satisfactory review;

(2) Name of the inventor and his employment status, including a detailed statement of his official duties and responsibilities at the time of making the invention; and

(3) Detailed statement of the nature of the dispute or controversy, together with copies of the Solicitor's determination, of any briefs or written arguments that may have been filed, of any statements or other evidence that may have been considered by the Solicitor, and of other relevant material.

(c) The decision of the Chairman upon any appeal taken pursuant to this section shall be final.

§ 6.8 *Domestic patent protection.* (a) The Solicitor, upon determining that an invention coming within the scope of subparagraph (1) or subparagraph (2) of paragraph (b) of § 6.6 has been made, shall thereupon determine whether patent protection will be sought in the United States by the Department for such invention. A controversy over the respective rights of the Government and of the inventor in any case shall not delay the taking of the actions provided for in this section. In cases coming within the scope of subparagraph (2) of paragraph (b) of § 6.6, action by the Department looking toward such patent protection shall be contingent upon the consent of the inventor.

(b) Where there is a dispute as to whether subparagraph (1) or subparagraph (2) of paragraph (b) of § 6.6 applies in determining the respective rights of the Government and of an employee in and to any invention, the Solicitor will determine whether patent protection will be sought in the United States pending the Chairman's decision on the dispute, and, if he determines that an application for patent should be filed, he will take such rights as are specified in subparagraph (2) of paragraph (b) of § 6.6, but this shall be without prejudice to acquiring the rights specified in subparagraph (1) of that paragraph should the Chairman so decide.

(c) Where the Solicitor has determined to leave title to an invention with an employee under subparagraph (2) of paragraph (b) of § 6.6, the Solicitor will, upon the filing of an application for patent and pending review of the determination by the Chairman, take the rights specified in that subparagraph, without prejudice to the subsequent acquisition by the Government of the rights specified in subparagraph (1) of paragraph (b) of § 6.6 should the Chairman so decide.

(d) In the event that patent protection is sought by the Department for an invention made by a Government employee, the Solicitor shall, subject to considerations of national security, or public health, safety, or welfare, report to the Chairman, promptly upon the filing of an application for patent, the following information concerning the invention:

(1) Brief description of the invention;

(2) Name of the inventor and his employment status; and

(3) Serial number, title of invention, and date on which the application was filed.

(e) In the event that the Solicitor determines that an application for patent will not be filed on an invention made under the circumstances specified in subparagraph (1) of paragraph (b) of § 6.6, giving the United States the right to title thereto, the Solicitor shall, subject to considerations of national security, or public health, safety, or welfare, report to the Chairman, promptly upon making such determination, the following information concerning the invention:

(1) Description of the invention in sufficient detail to permit a satisfactory review;

(2) Name of the inventor and his employment status; and

(3) Statement of the Solicitor's determination and reasons therefor.

The Chairman may, if he determines that the interest of the Government so requires and subject to considerations of national security, or public health, safety, or welfare, cause an application for patent to be filed or cause the invention to be fully disclosed by publication thereof.

(f) Whenever a patent hereafter issues on an invention made by an employee of the Department in respect to which the Government has any right, title, or interest, including a license, in and to the invention, the Solicitor shall, promptly upon the issuance of the patent, furnish to the Chairman:

(1) An abstract of the invention;

(2) Name of the inventor and his empolyment status;

(3) A copy of the patent; and

(4) Statement of the nature and extent of the right, title, or interest of the Government in the invention.

§ 6.9 *Foreign patent protection.* (a) Immediately upon the filing of an application for United States patent and receiving from the Commissioner of Patents the serial number of such application on an invention in and to which the Government, as represented by the Secretary, has obtained title or the right to file foreign patent applications thereon, or holds an option to obtain such right, the Solicitor shall, in accordance with the procedure prescribed by the Chairman, ascertain whether the United States will seek foreign patent protection for such invention, and, if so, in what foreign jurisdictions such patent protection will be sought. When the foreign patent rights in an invention made by a Department employee have not been assigned to the Government but the Government may, at its option or on request, acquire such rights, and a decision is made that the Government will not seek a foreign patent in any particular foreign country, the inventor may apply for patent in such country, subject to a non-exclusive, irrevocable, royalty-free license to the Government for governmental purposes.

§ 6.10 *Publication and public use of invention before patent application is filed.* (a) Publication or public use of an invention constitutes a statutory bar to the granting of a patent for the invention unless a patent application is filed within one year of the date of such publication or public use. In order to preserve rights in unpatented inventions, it shall be the duty of the inventor, or of his supervisor if the inventor is not available to make such report, to report forthwith to the Solicitor any publication or use (other than experimental) of an invention, irrespective of whether an invention report has previously been filed. If an invention report has not been filed, such a report, including information concerning the public use or publication, shall be filed at once. If an invention is disclosed to any person who is not employed by the Department or working in cooperation with the Department upon that invention, a record shall be kept of the date and extent of the disclosure, the name and address of the person to whom the disclosure was made, and the purpose of the disclosure.

(b) No description, specification, plan, or drawing of any unpatented invention upon which a patent application is likely to be filed shall be published, nor shall any written description, specification, plan, or drawing of such invention be furnished to anyone other than an employee of the Department or a person working in cooperation with the Department upon that invention, unless the Solicitor is of the opinion that the interests of the Government will not be prejudiced by such action. If any publication disclosing the invention, not previously approved by the Solicitor, comes to the attention of the inventor or his supervisor, it shall be the duty of such person to report such publication to the Solicitor.

§ 6.11 *Publicity concerning invention after patent application is filed.* In order that the public may obtain the greatest possible benefit from inventions in which the Secretary has transferable interests, inventions assigned to the Secretary upon which patent applications have been filed shall be publicized as widely as possible, within limitations of authority, by the Department, by the

originating agency, by the division in which the inventor is employed, and by the inventor himself in his contacts with industries in which the invention is or may be useful. Regular organs of publication shall be utilized to the greatest extent possible. In addition, it shall be the duty of the Solicitor, upon being advised of the issuance of any patent assigned to the Secretary, to take steps towards listing the patent, in the register in the Patent Office established for that purpose, as available for licensing.

§ 6.12 *Condition of employment.* (a) The regulations in this subpart, as were those of Departmental Orders Nos. 1763 (7 F. R. 10161) and 1871 (8 F. R. 12523), as amended (10 F. R. 9722), shall be a condition of employment of all employees of the Department and shall be effective as to all inventions made during any period of employment since November 17, 1942, except that the provisions relating to foreign patent rights and foreign patent applications shall not apply to inventions which, prior to the effective date of the regulations in this subpart, have been reported to the Solicitor and upon which foreign patent applications already have been filed in accordance with the provisions of Orders Nos. 1763 and 1871. The regulations in this subpart shall be effective without regard to any existing or future contracts to the contrary entered into by any employee of the Department with any person other than the Government.

(b) If a patent application is filed upon an invention which has been made by an employee of the Department under circumstances that entitle the Government to the entire domestic right, title, and interest in and to the invention, but which has not been reported to the Solicitor pursuant to the regulations in this subpart, title to such invention shall immediately vest in the Government, as represented by the Secretary, and the contract of employment shall be considered an assignment of such rights.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JUNE 21, 1951.

[F. R. Doc. 51-7293; Filed, June 26, 1951; 8:47 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[S. O. 865, Amdt. 10]

PART 95—CAR SERVICE

DEMURRAGE ON FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of June A. D. 1951.

Upon further consideration of Service Order No. 865 (15 F. R. 6197, 6256, 6330, 6452, 7800; 16 F. R. 320, 819, 1131, 2040, 2894, 3619, 5175), and good cause appearing therefor: *It is ordered,* That:

Section 95.865 *Demurrage on freight cars* of Service Order No. 865, as amended, be and it is hereby further suspended until 7:00 a. m., August 1, 1951, only to the extent it applies on refrigerator cars.

It is further ordered, That this amendment shall become effective at 7:00 a. m., July 1, 1951, and a copy be served upon the State railroad regulatory bodies of each State, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended, sec. 15, 24 Stat. 384 as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-7305; Filed, June 26, 1951; 8:48 a. m.]

[S. O. 865, Amdt. 11]

PART 95—CAR SERVICE

DEMURRAGE ON FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of June, A. D. 1951.

Upon further consideration of Service Order No. 865 (15 F. R. 6197, 6256, 6330, 6452, 7800; 16 F. R. 320, 819, 1131, 2040, 2894, 3619, 5175), and good cause appearing therefor: *It is ordered,* That:

Section 95.865 *Demurrage on freight cars,* of Service Order No. 865 be, and it is hereby further amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This section shall expire at 11:59 p. m., October 31, 1951, unless otherwise modified, changed, suspended or annulled by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p. m., July 15, 1951.

It is further ordered, That a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended, 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended, sec. 15, 24 Stat. 384, as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-7306; Filed, June 26, 1951; 8:48 a. m.]

[Rev. S. O. 867, Amdt. 3]

PART 95—CAR SERVICE

RESTRICTIONS ON TRAP AND FERRY CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of June, A. D. 1951.

Upon further consideration of Revised Service Order No. 867 (15 F. R. 6199, 6313, 6573; 16 F. R. 2895), and good cause appearing therefor: *It is ordered,* That:

Section 95.867 *Restrictions on trap and ferry cars,* of Revised Service Order No. 867 be, and it is hereby further amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This section shall expire at 11:59 p. m., November 30, 1951, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p. m., June 30, 1951.

It is further ordered, That a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended, sec. 15, 24 Stat. 384, as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-7307; Filed, June 26, 1951; 8:48 a. m.]

[S. O. 868, Amdt. 2]

PART 95—CAR SERVICE

SUSPENSION OF FOLLOW-LOT RULE AND TWO-FOR-ONE RULE

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of June, A. D. 1951.

Upon further consideration of Service Order No. 868 (15 F. R. 6314, 6452, 6671; 16 F. R. 2895), and good cause appearing therefor: *It is ordered,* That:

Section 95.868 *Suspension of follow-lot rule and two-for-one rule,* of Service Order No. 868 be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This section shall expire at 11:59 p. m., November 30, 1951, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p. m., June 30, 1951.

It is further ordered, That a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 120. Interprets or applies sec. 1, 24 Stat. 379, as amended, sec. 15, 24 Stat. 384, as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-7308; Filed, June 26, 1951; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 957]

IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND IN MALHEUR COUNTY, OREGON

NOTICE OF PROPOSED BUDGET AND RATE OF ASSESSMENT

Notice is hereby given that the Secretary of Agriculture is considering the approval of the budget and rate of assessment hereinafter set forth, which were recommended by the Idaho-Eastern Oregon Potato Committee, established pursuant to Marketing Agreement No. 98 and Order No. 57, as amended (7 CFR Part 957), regulating the handling of Irish potatoes grown in designated counties in Idaho and in Malheur County, Oregon, issued under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed in triplicate with the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 15 days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

§ 957.204 *Budget of expenses and rate of assessment.* (a) The expenses necessary to be incurred by the Idaho-Eastern Oregon Potato Committee, established pursuant to Marketing Agreement No. 98 and Order No. 57, as amended, to enable such committee to carry out its functions pursuant to the provisions of the aforesaid marketing agreement and amended order, during the fiscal year ending May 31, 1952, will amount to $20,000.00;

(b) The rate of assessment to be paid by each handler who first ships potatoes shall be fifty cents per carload or fraction thereof, or per truckload of 5,000 pounds or more, of potatoes handled by him as the first handler thereof during said fiscal year; and

(c) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 98 and Order No. 57, as amended (7 CFR, Part 957).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 21st day of June 1951.

[SEAL] S. R. SMITH, *Director, Fruit and Vegetable Branch, Production and Marketing Administration.*

[F. R. Doc. 51-7342; Filed, June 26, 1951; 8:52 a. m.]

[7 CFR, Part 986]

[Docket No. AO 196-A 1]

HANDLING OF HOPS GROWN IN OREGON, CALIFORNIA, WASHINGTON, AND IDAHO, AND OF HOP PRODUCTS PRODUCED THEREFROM IN THESE STATES

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENTS TO MARKETING AGREEMENT AND ORDER

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to proposed amendments to the marketing agreement and order (7 CFR Part 986) regulating the handling of hops grown in Oregon, California, Washington, and Idaho, and of hop products produced therefrom in these States, (hereinafter called the "order"). Such order is effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) (hereinafter called the "act"), and any amendments which may be adopted as a result of this proceeding will also be effective pursuant to the said act. Interested parties may file exceptions to this recommended decision with the Hearing Clerk, United States Department of Agriculture, Room 1353, South Building, Washington 25, D. C., not later than the 12th day after publication of this recommended decision in the FEDERAL REGISTER, except that, if such 12th day should fall on a Saturday, Sunday, or holiday, they must be filed not later than the next succeeding work day. Exceptions should be filed in quadruplicate.

Preliminary statement. A public hearing, on the record of which this recommended decision is based, was held at Portland, Oregon, on March 19, 20, and 21, 1951. Such hearing was held pursuant to a notice thereof which was published in the FEDERAL REGISTER (16 F. R. 2127) on March 7, 1951. Said notice contained amendments to the order which had been proposed to the Secretary of Agriculture (hereinafter called the "Secretary") by the Hop Control Board (hereinafter called the "board"), the administrative agency for order operations. The United States Hop Growers Association joined the board in a request for a hearing on the proposed amendments. In addition the notice contained three comparatively routine amendments which were proposed by the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture.

The material issues, presented on the record of the hearing, are as follows:

(1) The amendment of § 986.1 (f) to clarify the definition of "grower."

(2) The amendment of § 986.6 (c) (1) (ii) to delete the requirement that preliminary estimates of hop production be made for each grower.

(3) The amendment of § 986.6 (c) (2) (ii) (*a*) (*b*) to:

(a) Require the issuance of preliminary salable allotments (not to exceed 50 percent of their probable final salable allotments) only to those growers who apply therefor; and

(b) Provide for the issuance to growers who apply therefor, of supplementary salable allotments up to 80 or 90 percent of their probable final salable allotments, depending upon the completeness of available information regard their respective productions.

(4) The amendment of § 986.9 to require:

(a) Reports from each grower showing the quantities and locations of all uncertificated hops owned or controlled by him; and

(b) That all dispositions of uncertificated hops be under the supervision of the board.

(5) The amendment of § 986.6 (f) to:

(a) Restrict or eliminate the exercise of the present diversion privileges with respect to unharvested hops; and

(b) Provide for the exercise of the diversion privileges with respect to certificated hops which have been destroyed or damaged after leaving the control of a grower.

(6) The amendment of § 986.6 (c) (1) (i) and (vi) to require that harvested, unharvested, and total hop production be shown separately in crop determination reports.

(7) The amendment of § 986.6 (c) (2) (i) to:

(a) Authorize the increasing of the salable percentage to compensate for any deficits in the quantity of hops available for market by reason of the failure of individual growers to harvest their entire salable allotments; and

(b) "Provide for increasing the salable percentage to 100 percent when the total quantity harvested is less than the salable quantity.

(8) The amendment of § 986.7 (b) (1) to provide for the payment of assessments on hops handled as replacements for hops which are diverted after leaving the control of the grower.

(9) The amendment of § 986.1 to add a definition of "part" and "subpart."

(10) The renumbering of the sections, paragraphs, subparagraphs, and subdivisions throughout the order in accordance with the revised Federal Register regulations.

(11) The making of such other changes in the order as may be necessary to make the entire order conform with any amendments thereto which may result from the hearing.

Findings and conclusions. The following findings and conclusions on the aforementioned material issues are based upon the evidence adduced at the hearing and the record thereof:

(1) The order should be amended in respect to the definition of "grower" (§ 986.1 (f) of the present order) so as to clarify the meaning of this term. The present definition is that such term "is synonymous with 'producer' and means any person who is engaged, in a proprietary capacity, in the commercial production of hops." It is stated in rather broad, general language, and this has resulted in the arising of questions as to whether or not certain persons desiring to be classified as growers, particularly in connection with leasing arrangements should be so classified. In other words, the situation is now such that the present definition should be changed and reworded so as to set up such additional standards, or criteria, as may be necessary to provide adequate bases for the making of such determinations.

As one of the means of accomplishing this objective, it is concluded that the present definition should have added thereto a statement as to the specific kinds of farming arrangements whereunder persons should be considered as being growers of hops. Such kinds of arrangements should be as follows: (1) A person who owns and farms land, resulting in his or its ownership of the hops produced thereon; (2) a person who rents and farms land, resulting in his or its ownership of all or a portion of the hops produced thereon; or (3) a person who owns land which he or it does not farm and, as rental for such land, obtains the ownership of all or a portion of the hops produced thereon.

It is obvious that a person who falls within the category numbered (1) should be regarded as a grower. With respect to the category numbered (2), such category would include all persons who produce hops on lands which they rent. Such renters would fall in two general classes, namely: (a) Those who pay a specified amount of money for the rental of the property in question and have the ownership of all of the hops which are produced thereon; and (b) those who operate under a crop-share rental arrangement, whereunder the ownership of the crop produced thereon is divided between the tenant and the landlord on an agreed basis. In the situation mentioned under (a), the tenant would be the sole grower with respect to the particular crop. However, in the situation mentioned under (b), the tenant would be one of two producers with respect to such crop, the other being the landlord. The category numbered (3) is intended primarily for the purpose of making it clear that the landlord in such a share-crop arrangement would also be a grower, i. e., with respect to his share of the crop. This would be in accordance with general legal concepts as applied to such situations. Also, such categories are the same as those which are set forth in the definition of "producer" which is contained in the required procedure for the conduct of referenda among producers in connection with marketing orders (except those applicable to milk and its products) (15 F. R. 5176). Those procedural rules govern the basis on which producers (growers) are entitled to vote in connection with the determination as to whether orders of this nature, or amendments to such orders, are approved. It is reasonable and proper that persons who are eligible to vote in a referendum in regard to the adoption or amendment of a hop marketing order should be the same persons as those whose produce is to be regulated. Ownership of, or lease-hold interest in land, and the acquisition, in any manner other than as hereinbefore set forth, of legal title to hops grown thereon, should obviously not be deemed to result in such owners or lessees becoming growers, since the aforementioned categories cover all who should be considered as growers.

Also, as a further means of accomplishing this objective, clarification is needed with respect to one aspect of the meaning which should be assigned to the term "person" as used in such definition. The term last referred to is defined (see § 986.1 (c)) as meaning any "individual, partnership, corporation, association, or any other business unit." The same definition of that term is set forth in the act. Experience has shown that the term "partnership" has caused difficulty from the standpoint of the business arrangements which it covers. It is concluded that the term "partnership" should be deemed to include a husband and wife, and any others, with respect to land the title to which, or the leasehold interest in which, is vested in them as tenants in common, joint tenants, tenants by the entirety, or, under community property laws, as community property. These cover situations which are generally found to exist in connection with the operation of orders of this nature, and they are commonly considered to be partnership arrangements.

Referring back to the categories numbered (2) and (3), the proponents took the position at the hearing that, in case of a crop-share arrangement, the landlord should not be considered to be a grower because he does not produce the crop by farming the land, such function being performed wholly by the renter. This position ignores the fact that, in such a situation, the landlord acquires a vested interest, in his part of the hop crop, which must be recognized. This is particularly true with respect to the issuance of salable allotments. This situation is clearly one of joint ownership of the hop crop, and would normally call originally for the issuance of a joint salable allotment, pursuant to the provisions of § 986.6 (c) (3) (i) of the present order, to both the landlord and the tenant as the growers. As is also provided for in that section, in the event that thereafter the interests of the joint growers should be segregated, they are entitled, upon filing written application therefor, to have the salable allotment for the crop segregated and distributed "in accordance with their respective segregated interests in the crop." This means, of course, that such a landlord must be considered as a grower in connection with that crop to the extent of his interests therein.

The aforementioned discussion as to renters should not be considered as being confined to persons who are the initial renters of the property in question. That is to say, it is possible that such an initial renter may, in turn, rent the same land to someone else, and the latter conduct the actual farming operations. In such a situation the renter who actually conducts the farming operations will be a grower. A number of questions were asked on cross-examination which were designed to obtain categorical answers as to who should be considered to be growers in connection with various hypothetical situations involving leasing arrangements. In view of the potential varied ramifications which such arrangements might entail, and particularly in view of the fact that past experience in that regard has indicated that some of such arrangements were not entered into in good faith, it is not practicable to make a general ruling which will apply to all such situations. Each such situation must necessarily be viewed in the light of its attendant facts and circumstances. It is sufficient to say that, if such attendant facts and circumstances indicate that the arrangements were entered into in good faith, the aforementioned rules and guides should apply thereto.

A question was also raised at the hearing as to who should be considered to be the grower in the event that the person who had qualified as a grower with respect to a particular hop crop dies. It seems clear that, in such a situation, the successors in interest of the deceased person should be regarded as the growers. In other words, if the ownership is acquired by specified persons, such persons should be regarded as occupying the same position as the deceased person would have occupied if he had lived. Also, in case the property

should be held under a trust arrangement, the trustees should be regarded as occupying that position.

(2) Section 986.6 (c) (1) (ii) of the present order should be amended to delete the requirement that preliminary estimates of each grower's production be made prior to the start of harvest, or as soon as practicable thereafter, except in cases where the issuance of preliminary salable allotments are requested by growers. When the order was promulgated it was believed necessary that these estimates be made as the basis for the early issuance of preliminary allotments to growers. Experience under the order has shown that in many instances it is not necessary that growers obtain preliminary salable allotments, since by the time they are needed, adequate information as to their production is generally available to the board, and such growers are then eligible to receive supplementary allotments covering much larger quantities. The board, therefore, should not be required to incur the expense involved in making a preliminary production estimate for any grower who does not request a preliminary salable allotment, as is discussed under (3) below.

The requirement for the preliminary estimate of total production should remain unchanged so that an indication of the salable percentage for that crop can be had as early as practicable. However, this estimate should be based on Federal or Federal-State crop estimates, whichever is available, and such other relevant data as are available, and the requirements for physical examination of each hop yard and examination of each yard's historical production should be deleted.

Evidence adduced at the hearing shows that, for the years 1947 to 1950, inclusive, the variation between the Federal-State estimate of hop production as of August 1 and the final estimate issued by it in December was in no instance more than two percent. The Federal-State preliminary estimate of production as of August 1 is available about August 10 each year, which is prior to the date on which a preliminary estimate of production will be needed by the board for use in computing the estimated salable percentage. The Federal-State preliminary report issued as of August 1 would, therefore, be a satisfactory basis for use in computing an estimated salable percentage. Also, its use should result in no complications in connection with the computations of any preliminary salable allotments or of the supplementary salable allotments. In this latter connection, preliminary allotments may not be in excess of 50 percent of the probable final salable allotments, and, it is proposed that the supplementary allotments shall not exceed 90 percent of the probable final salable allotments. In view of the slight variation between the advanced and final crop estimations, there appears to be no probability that the use of the proposed new method will result in the issuance of higher preliminary and supplementary salable allotments than will be issued finally.

(3) Section 986.6 (c) (2) (ii) (*a*) and (*b*) of the present order should be amended to require the issuance of preliminary salable allotments (which may not exceed 50 percent of the probable final salable allotments) only to those growers who apply therefor, and to provide for the issuance of supplementary salable allotments of not to exceed 80 or 90 percent of their probable final salable allotments, depending upon the completeness of available information regarding the applying growers' production. Under the present provisions of the order, the board is required to issue to each grower a preliminary salable allotment. The purpose of this provision is to provide an allotment for each grower early in the season without the necessity of his making application therefor. However, as is indicated in (2) above, many growers have not found preliminary salable allotments to be necessary. The deletion, therefore, of the requirement for the issuance of such preliminary allotments to all growers would result in the elimination of expenses which have been incurred by the board in that regard which are now deemed to be unnecessary. When any grower desires a preliminary salable allotment he should make application therefor to the board, either directly or through his agent. In such an event, the board should make a preliminary estimate of the applying growers' hop production, which should be based upon a physical examination of his hop yard. If such examination should justify the issuance of a supplementary allotment rather than a preliminary allotment, it could be issued to him, thus eliminating the necessity for computation and issuance of a preliminary salable allotment. This would provide the grower with the maximum practicable allotment at the earliest practicable date.

Under the present provisions of the order, supplementary salable allotments not to exceed 80 percent of their respective probable final allotments may be issued to growers without action by the Secretary. In other words, any such issuance in excess of 80 percent has to be approved specially by the Secretary. During each of the past two years, the board has requested and received the approval of the Secretary for the issuance of supplementary salable allotments up to 90 percent of any grower's probable final salable allotment when complete information was available as to that grower's production for that year. It has been found that a 90 percent allotment can safely be issued under such circumstances, and without the possibility of exceeding any grower's final salable allotment. Since the estimated salable percentage at the time of the issuance of supplementary allotments is based almost entirely upon latest official crop estimates, which in turn, are based largely on actual harvest information, any subsequent change in the salable percentage will, in all likelihood, be small. The remaining margin of 10 percent of each grower's probable final salable allotment has been found to be ample to assure adequate protection against abnormal conditions causing a change in the salable percentage. The bases for calculating both the 80 percent and the 90 percent supplementary allotments are set forth in detail in the proposed amendments. The issuance of an 80 percent supplementary allotment to a grower should be based on adequate, but not necessarily complete, crop production information available to the board including, but not limited to, bale count data or other reasonably accurate information as to such grower's hop production for that year. The issuance of a 90 percent supplementary allotment to a grower should be based on complete crop information available to the board including, but not limited to, complete weight data on such grower's harvested production and the recommended determination as to any of his unharvested hop production for that year, and Federal-State Inspection Service evidence of the meeting of the applicable minimum standard requirements for quality, by all harvested hops of such grower for that year. The above-mentioned requirements would provide adequate assurance against issuance of supplementary salable allotments in excess of the respective final salable allotments, and the board, therefore, should be authorized to issue such supplementary allotments up to 90 percent without prior approval by the Secretary.

(4) The provisions of § 986.9 of the present order should be amended by adding at the end thereof a provision requiring reports by growers to the board as to the quantities and locations of uncertificated hops and hop products which they own. During the last two years, lack of adequate information in this regard has hampered proper administration of the order, particularly from the standpoint of discovering violations. The requiring of such reports would also tend to discourage violations of the order in regard to the handling of uncertificated hops or hop products. In the past the board has endeavored to obtain this information from growers on a voluntary reporting basis, but the information obtained has not been complete, due to the fact that some growers have not made such reports. Reports of this kind should be prepared as of June 1, since by that time practically all hops of the production of the then current marketing season, eligible for certification, will have been certificated, and it is a date near the beginning of the succeeding marketing season. A reasonable time after June 1 of each year for filing the reports with the board should be allowed, and it is concluded that 15 days should be ample time for this purpose. The reports should be filed by June 15. It is possible that the board may find it necessary for administrative purposes to have available reports of this kind as of some other date or dates than June 1. It should therefore be provided that reports containing the aforesaid information should be furnished by growers as of such other date or dates as the board might specify.

The order should also be amended to require that all dispositions by growers of uncertificated hops should be under the supervision of the board, and that growers desiring to make such dispositions should arrange with the board for

supervision to assure that the disposition is in accordance with the order provisions. Principal methods of disposition of uncertificated hops, consistent with the provisions of the order, should include, but are not limited to, destruction, farm use, or sale pursuant to the provisions of § 986.6 (f) of the present order which authorizes replacement of diverted hops by uncertificated hops. Under the provisions of the present order, growers may dispose of uncertificated hops outside normal trade channels without reporting such action to the board or obtaining its supervision. Experience in administering the order has shown that one of the most important enforcement problems is preventing uncertificated hops from entering normal trade channels. The requiring of periodic reports to the board as to holdings of uncertificated hops and hop products by each grower and the requiring of board supervision of disposition of such hops will facilitate enforcement of the order.

In regard to the commodities which are required to be regulated pursuant to the provisions of section 8c (6) of the act, hops and hop products occupy a special and unique position. That is to say, in the case of most, if not all, of the other commodities there are disposal outlets for the surplus portions which are not competitive with the normal market outlets for such commodities. In each such instance, it is practicable to defer the regulation, or control, of the particular commodity until it has been received by recognized handlers, and, insofar as surpluses are concerned, it is feasible to require those handlers to set aside, and to hold for disposition by the administrative agency for program operations in channels which are not competitive with the normal market channels, the surplus portions of such commodities, as is provided for particularly in sections 8c (6) (D) and (E) of the act. A typical disposal outlet for such a surplus portion which would not be competitive with the normal market outlets for such commodity is for animal feed. This method of handling the surplus is followed in cases where such action is feasible.

In the case of hops and their products, however, the disposition by the board of the surplus portion in channels which are not competitive with normal market channels is not feasible or practicable, in that the only market demand for hops and hop products is in what are considered to be normal market channels. According to testimony which was presented at the promulgation hearing which preceded the issuance of the present order, approximately 98 percent of all hops and hop products sold are used in the brewing of malt beverages. The balance is disposed of in the manufacture of certain other preparations. All of these outlets are considered by the hop industry as normal market outlets for hops and hop products, and all of such outlets are, and must be, considered in computing the salable quantity of hops for a year. Testimony was also presented at such hearing to the effect that, while it is possible to use hops in such non-competitive channels as mulch, fertilizer (humus), and animal bedding, there is no market demand for those uses.

The result of the aforementioned situation with respect to hops and hop products is that the surplus portions must be left in the control of the respective growers. The necessity for this way of handling hops and hop products has been specifically recognized by Congress, in that it has enacted special provisions to cover the regulation of hops and hop products in section 8c (6) (G) of the act, wherein specific authorization is set forth for the equitable apportionment among hop growers of the salable quantity of hops which may be sold by them. It is obvious that, if the board is to perform its functions adequately, it must be considered as having the authority to exercise all appropriate and necessary supervision over surplus hops to insure that they will not be disposed of in normal market channels. Since surplus hops are in the possession of the growers, such supervision necessarily entails supervision over their actions in that regard. It is obvious that the proposed requirements as to reporting by growers and supervision by the board are necessary to operate a more fully effective control program over hops and hope products.

The aforementioned situation, including the attendant enforcement difficulties, is recognized and provided for, to some extent, in the present order, in that it is provided, in § 986.6 (e) of the present order, that no person shall handle any hops or hop products covered thereunder which have not been duly certificated as being within the salable portion of the particular grower and as meeting the applicable quality standards, as well as that each bale or other container of such hops or hop products had been duly marked or tagged "for the purpose of identifying such hops or hop products as being covered by a duly issued salable allotment or as being properly certificated." However, as is indicated above, the present provisions on the matter have not been adequate from the standpoint of insuring that surplus hops and hop products do not find their way into normal market outlets. The proposed additional requirements should tend further to discourage such violations, as well as tend to facilitate the discovery by the board of any violations in that regard which may occur in the future.

(5) Section 986.6 (f) of the present order should remain unchanged, except that hop products should be included as eligible for diversion and minor changes in wording should be made to clarify the meaning.

Under the present order provisions, the exercise of the diversion privilege is restricted to hops which are in the control of the grower and which "are destroyed, or are so damaged or deteriorated as in the judgment of the grower to be unmarketable, or if because of quality or type such hops are unsatisfactory to the grower." Experience has shown that some growers convert at least some of their hops to hop products before selling them. Up to this time, such hop products have been primarily lupulin and hop oil. It is also possible that a hop product may be destroyed, or become damaged or deteriorated, or that its quality may be unsatisfactory to the grower. Therefore, hop products should be included as eligible for diversion. However, any replacement for a diverted hop product should be in the form of hops in a quantity computed in accordance with the conversion ratios which are prescribed in § 986.6 (b) (6) of the present order. It is necessary that any such replacement be made in the form of hops because there is no provision or other authorization for the production of hop products from surplus hops. This extension of the diversion privilege is intended to cover a situation which it is expected will seldom arise, since it appears that there has been little need for such action in that regard in the past. However, the order should contain authorization for such action to cover cases where such need arises.

The proposed amendment of this section, as set forth in the notice of hearing, provided for restricting the diversion privileges to harvested hops, except in so-called hardship cases. Such cases were proposed to be those in which the Growers Allocation Committee should find and determine that any substantial portion, or all, of any grower's production (which has been brought to maturity) has been damaged seriously by flood, frost, hail, disease, insects, or other factors, and where such a cause is found by the Growers Allocation Committee, with the approval of the Secretary, to be of a nature which is not within the control of hop growers generally. In such a situation, it was proposed that the grower be issued an exemption certificate by the board entitling him to replace such hops within his salable allotment.

However, at the hearing, the proponents of the aforementioned proposal, in lieu thereof, made a new proposal which differed from the original in two main respects, namely: (a) The so-called hardship clause was eliminated; and (b) the diversion privilege, in addition to applying to harvested hops, would be allowed with respect to one-half of the unharvested production of any grower, within his salable allotment. With respect to the so-called hardship provision, all testimony in regard thereto was that such a provision was impracticable and unnecessary, and that it should not be adopted. With respect to the proposed relaxation of the diversion privilege, as set forth in the hearing notice, in connection with unharvested hops from zero to 50 percent, it developed that the change in the proposal resulted from a compromise which had been reached at an industry meeting held just prior to the beginning of the hearing. Other than the argument that such a compromise would promote favorable acceptance of the proposal on the part of the greatest number of growers practicable, no persuasive testimony as to why such percentage should be adopted was adduced. One segment of the industry argued at the hearing in favor of the adoption of the original proposal with the so-called hardship clause eliminated.

The preponderance of the testimony of those favoring the limitation of the diversion privilege as applied to unharvested hops was to the effect that the provisions of the present order permitting the unrestricted diversion of unharvested hops, within the salable allotments are encouraging the planting of additional acreage to hops for allocation purposes, and with no intention of harvesting the hops produced thereon, and encouraging the retention in production of acreage which would otherwise go out of production. Further expansion of acreage, it was claimed, would add to the present burdensome surplus. In other words, the primary intended purpose of the amendment in that regard is to limit, or restrict, hop acreage.

As has been indicated to the board in the past, the legislative history of the act, and particularly with respect to sections 8c (6) (B) and (G), demonstrates that it is the intent of Congress that a program of this nature is not to be utilized for the limitation of acreage and production of the commodity which is being regulated. In other words, any such limitation must be effected pursuant to the authority contained in other laws which specifically authorize such action. Since this is the admitted primary purpose of the proposed amendment, it follows that its adoption would not be permissible legally. However, in view of the fact that some segments of the hop industry contend that this situation is disrupting the market, it is concluded that the matter should also be discussed from an economic standpoint.

Total hop acreage increased from 37,550 acres in 1949 (the year the present order became effective) to 38,800 acres in 1950, or three percent. Of this increased acreage, Oregon accounted for 100, California for 200, Washington for 800, and Idaho for 150. Testimony indicated that hop acreage in Washington will increase by approximately 2,000 acres in 1951, and that substantial new acreage is being planted in Idaho, with smaller new plantings elsewhere. Evidence showed that the average price received by growers for hops was 57.0 cents per pound for the 1949 crop and 66.1 cents per pound for the 1950 crop. Testimony indicated that the total cost of producing hops (preharvest and harvesting costs) ranges generally between 40 and 50 cents per pound. It appears, therefore, that under normal practices, a grower who harvested his salable hops in 1949 and 1950, would have a considerable margin of profit. It seems probable, therefore, that the indicated increases in acreage are due in considerable degree to the relative profitability of hop production.

The States of Washington and Idaho, where the largest percentage increases in acreage are taking place, are (1) the States with the highest average yield per acre, which results in a lower cost per pound of production; (2) the States which produce the highest proportion of seedless hops (which command a premium generally averaging 10 cents per pound); and (3) the States in which a greater proportion of the total production is harvested by mechanical means, thereby further tending to reduce the cost per pound of production. These factors appear to be influencing a shift in acreage among the States in the production area. Testimony indicated that during 1949 and 1950 the quantity of hops left unharvested and diverted represented only about six percent of the respective salable quantities. No persuasive evidence was introduced into the record to show that the diversion privilege was a significant factor in influencing acreage increases.

In some instances, contracts for diversion of unharvested hops were made early in the season and prior to the time that an estimate could be made as to the quality of the hops being diverted. It was also testified that many yards were left unharvested due to obvious indications of low quality and the inability of some growers to complete harvest in time to prevent serious deterioration of the hops. If growers of poor quality hops are precluded from diverting such hops in the unharvested state, they would probably harvest them rather than lose all or part of the certification rights to which they are entitled. After having invested harvesting costs ranging generally from 20 to 25 cents a pound in addition to their preharvest costs in these hops, they would not be able to pay much for hops produced by other growers who had harvested surplus hops, and still sell at a profit at the market price. Other growers, who had produced good quality hops in excess of their salable allotments, might not be willing to incur the costs of harvesting the surplus if they could not recover at least the amount of such costs. This would tend to reduce the quantity of harvested surplus hops available for replacement purposes. To the extent the quantity to be diverted exceeded the quantity available for replacement, the diversion privilege would become inoperative. The low quality hops which could not be diverted would be marketed, thus tending to defeat the primary purpose for which the diversion privilege was intended. On the other hand, should the hops be harvested and replaced with better quality surplus hops, such action would involve an unnecessary waste of labor and materials.

Both the original and the modified proposals could result in inequities among growers. The order provides that the Secretary may increase the salable quantity at any time when the continued withholding of surplus would result in season average prices in excess of parity, or upon due consideration of either the needs of brewers or a recommendation of the board that the salable quantity be increased. If restrictions were placed on the diversion of unharvested hops, as proposed, any increase in the salable quantity, and consequent increase in the salable percentage, made after the completion of harvest could result in inequities among growers. Those growers who harvested only their original salable allotments would be unable to use all or a portion of their increased salable allotments, and the burden of surplus would not be equitably apportioned among all growers. Under the present order, growers who had harvested only their original allotments could, by means of the diversion of unharvested hops, share in the increased salable quantity to the extent they could find surplus hops of other growers for replacement. While there is no assurance that such replacement hops would be available, under the present provisions of the order, these growers are not precluded from participation in sales resulting from an increase in the salable percentage. It is also possible that some growers may unintentionally fail to harvest their entire salable allotments. The present diversion privilege affords an equitable means of permitting them to sell their full allotments.

Proponents expressed concern in regard to the accuracy of the board's estimates of unharvested hops left in the field. The estimating of yields on unharvested acreage has been one of the major difficulties in connection with administration of the order. In estimating production on an entire yard which is left unharvested, the board has had to rely for yield data on a sample pick of a portion of the yard. In general, for any yard, accuracy of estimates improves as the acreage harvested increases. It was testified that both the original and the modified proposals would encourage the harvesting by each grower of his salable quantity, thereby providing the board with a sound basis for estimating the production on the unharvested acreage. A grower having more than one yard might still be able to allow an entire yard to remain unharvested in satisfaction of his surplus obligation and the board would still be obliged to estimate production on yards from which no hops had been harvested. Furthermore, by means of bona fide leases, growers could obtain ownership of hops produced on other acreage and allow them to remain unharvested in satisfaction of surplus. The proposals, therefore, would not provide a complete or equitable method of improving the accuracy of production estimates. It was proposed at the hearing that the salable allotments be applied to individual yards if either one of the proposals should be adopted. The "tying in" of allotments with individual yards would require changes in the order which were not contemplated nor set forth in the notice of hearing, and were not substantiated by evidence at the hearing. One problem which would arise in this connection would be that of developing satisfactory guides for determining what should be considered as an individual yard, and no evidence was presented at the hearing on the basis of which such guides could be formulated.

In regard to the further proposal that the diversion privilege be applicable to hops after they have left the control of the grower, the proponents testified that in 1949, 190,000 pounds of hops in possession of a brewer had been destroyed by fire, and in 1946, about 180,000 pounds in possession of another brewer had been destroyed. Each of these losses represents less than four-tenths of one percent of the 1950 crop salable quantity of 50,000,000 pounds. There was no evidence that such losses after leaving control of the grower have been or are likely to be of significant volume. It was testified that it might be impossible to re-

place such hops, in respect to quality and type, from the salable hops available. It was therefore proposed that the owner of such destroyed hops be allowed to purchase for replacement uncertificated hops from growers, thereby enabling the selling growers to sell additional quantities of hops, which they would not otherwise be able to sell. There is no assurance that the hops of the particular quality or type as those which were destroyed would be available in the surplus hops held by growers. Even if the desired qualities and types were available in the surplus quantity, sales of such hops would customarily be at prices lower than the market price for salable hops. While this may be advantageous to the individual grower who is thus able to dispose of additional surplus hops, it does not necessarily follow that the entire industry has benefited. Under the present order, when hops are destroyed while in the hands of dealers or brewers, they must be replaced from the salable quantity at regular market prices. Once hops have left the growers' hands they have been marketed insofar as the order is concerned. The purposes of the order do not include making available at lower prices to dealers and brewers replacement hops for those damaged or destroyed while in their possession. If this amendment were adopted, and a dealer or brewer did not have such hops insured, his loss due to destruction of hops in his possession would be reduced. If he had insurance, replacement costs incurred by the insurance company would be reduced, or insurance rates charged the owner of such hops would be lowered. In any event such a provision can only benefit persons other than growers generally, and reduce the total returns to growers for hops sold. Ordinarily, such losses can be replaced from the salable quantity established for that crop, and would be reflected in a reduction in the quantity of growers' salable hops carried over into the succeeding marketing season. If the quantity destroyed is so great that it could not be replaced from available supplies, there is provision in the order for increasing the salable quantity to make up the deficit. Under the present order and under the proposed amendment growers would sell the same total quantity of hops, but in the former case such hops would be sold at a higher average price, and the benefits would accrue to all growers.

Under questioning regarding administrative problems which might arise in connection with the diversion of hops outside the production area, proponents of the amendment testified that the checking of nearly all claims could be handled by correspondence, with the aid of insurance companies. In instances, however, where no insurance companies are involved, it seems likely that it would be necessary to send representatives out to investigate and report on the loss. This could involve considerable expense by the board, and since no provision is made for recovery of such expense, it would have to come out of the regular assessment fund.

Therefore, the proposal for the diversion of hops after they have left the control of the grower should be denied.

(6) It was proposed to amend § 986.6 (c) (1) (i) and (vi) of the present order to include provision for determining separately for each grower his harvested, unharvested, and total production of hops. The present order requires that the total production of hops be determined. The reason advanced for requiring these separate determinations was that, if § 986.6 (f) should be amended in accordance with the hearing notice proposal or a modification thereof, it would be necessary to have available for administrative use separate data on harvested and unharvested hops. However, it has been concluded that the proposal to change or modify the diversion privilege should be denied. Therefore, the proposal to require separate determinations of harvested and unharvested hops should also be denied. Section 986.6 (c) (1) (i) of the present order should, however, be amended to authorize the use by the Growers Allocation Committee of all available information in determining a grower's production in the event that such grower fails or refuses to make available to said committee information relative to his hop crop which the committee finds to be desirable in order properly to make such determination. Under the present provisions, in such a situation, the committee is required to make such a determination "on the basis of an estimate of the grower's acreage, the average crop conditions in the area, and the probable yield per acre on the grower's acreage." Experience under order operations has shown that the committee may have available other pertinent information which should be considered in making such a determination, and it should be authorized, in such an event, to consider such other available information. This would tend to insure that the determination would have the maximum accuracy obtainable.

(7) Section 986.6 (c) (2) (i) of the present order should remain unchanged. The first part of the proposed amendment of this section provided for increasing the salable percentage to compensate for deficits in hops available for market by reason of the failure of individual growers to harvest their entire salable allotments. Under the proposed amendment of the provisions regarding the diversion privilege, it is conceivable that, although the quantity harvested by all growers in any year may exceed the salable quantity established for that year, the entire salable quantity would not be available for market. Since it is herein concluded that no changes should be made in the present order in regard to the diversion privilege, it is unnecessary to change the provisions of the aforesaid section relating to the salable percentage. The diversion privilege set forth in the present order provides for the diversion of hops, either harvested or unharvested, and also provides for their replacement by surplus hops which have been harvested. In this manner the deficit due to individual growers failing to harvest their salable quantities may be offset by the quantities harvested by other growers in excess of their salable quantities. Therefore, if the quantity harvested by all growers in any year is equal to or in excess of the salable quantity for that year's crop, the entire salable quantity would be potentially available for market.

The second part of the proposed amendment of this section provided for increasing the salable percentage to 100 percent when the total quantity harvested is less than the salable quantity. As in the case mentioned hereinabove, if the proposed amendment to the diversion privilege were adopted, this amendment would be necessary to allow the total quantity harvested to become available for market. However, it has been concluded that the proposed change in the diversion provisions should not be adopted, and the present provisions regarding diversion are such as will allow the total quantity harvested, if it is less than the salable quantity, to become available for market. Furthermore, any increase in the salable percentage, based on the quantity harvested, could result in inequities among the proportionate salable quantities applicable to growers. Those growers who harvested quantities in excess of their salable quantities would be able to sell all such hops, whereas those growers who had left a portion, or all, of their hops unharvested in anticipation of utilizing the provisions of the diversion privilege would be unable to sell as much of their salable quantities as they can under the present order.

These proposed amendments should not, therefore, be adopted.

(8) It was proposed to amend § 986.7 (b) (1) of the present order so as to provide for payment of assessments on hops handled as replacements for hops which are diverted after leaving the control of a grower, even though assessments had been paid on the diverted hops. Since it has been concluded that § 986.6 (f) should not be amended to provide for the diversion of hops which have been destroyed or damaged after leaving the control of the grower, it is not necessary to make provisions for payment of assessments on such hops. The proposed amendment should therefore be denied. However, since a grower may produce hop products from hops which he obtains as replacements for diverted hops, it should be stated that said grower shall not be deemed to be the first handler of such hop products insofar only as payment of assessments may be concerned.

(9) The provisions of § 986.1, "Definitions", of the present order should be amended by adding thereto a definition of "part" and "subpart." The term "part" should mean the order regulating the handling of hops grown in Oregon, California, Washington, and Idaho, and of hop products produced therefrom in these States and all rules, regulations, and supplementary orders issued thereunder. The aforesaid order should be a subpart of such part. The use of such terms having those meanings would be in conformity with requirements of the Federal Register Division for orders of this nature.

(10) The order, as it may be amended, should be rewritten in its entirety so that its sections, paragraphs, subparagraphs, and subdivisions will be renumbered in accordance with the requirements of the

revised Federal Register regulations, which require a system of numbering different from that used in the present order. The change would not affect the meaning and intent of the provisions of the order. Inasmuch as it is the established policy to number the provisions of the marketing agreement in the same manner as the order, similar changes in numbering should be made in the marketing agreement.

(11) It was testified at the hearing that changes should be made in any provisions of the order not directly involved in connection with specific amendments which are necessary to make such other provisions conform with any amended provisions which might result from this proceeding. It was emphasized that any such changes should be limited strictly to those which are obviously appropriate and necessary, and that, other than to the extent indicated, such changes should not affect the present meaning of such provisions. A careful review of such other provisions discloses that the only such conforming changes which will be necessary in connection with this proceeding is to delete references to preliminary estimates of the productions of individual growers as set forth in §§ 986.6 (c) (1) (iii), (iv) and (v) of the present order. These deletions are necessary and appropriate in the light of the fact that it has been concluded herein that the provisions of § 986.6 (c) (1) (ii) of the present order should be amended so as to delete therefrom the requirement for the making of preliminary estimates of each grower's production of hops.

SUBPART—ORDER RELATIVE TO HANDLING

General findings. (a) The findings hereinafter set forth are supplementary, and in addition, to the findings and determinations which were previously made in connection with the original issuance of the marketing agreement and order (7 CFR Part 986); and said previous findings and determinations are hereby ratified and confirmed except the finding with respect to the base period for the parity determination, and except insofar as such findings and determinations may be in conflict with the findings set forth herein.

(b) The order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(c) The order, as hereby proposed to be amended, will be applicable only to persons in the respective classes of industrial and commercial activities specified, or necessarily included, in the proposals upon which the amendment hearing was held; and

(d) There are no differences in the production and marketing of hops in the production area covered by this order, as herein proposed to be amended, which make necessary different terms applicable to different parts of such area.

Order relative to handling. It is, therefore, ordered that the handling of hops grown in Oregon, California, Washington, and Idaho, and of hop products produced therefrom in these States, shall, from the effective time hereof, be in conformity to, and in compliance with, the terms and conditions of the following order:

DEFINITIONS

§ 986.1 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States, or any other officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to perform the duties of the Secretary under the act.

§ 986.2 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 61 Stat. 208, 707).

§ 986.3 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 986.4 *Hops.* "Hops" means, except as otherwise specifically indicated in this subpart, the pistillate cones, either in the green or the dried state, of the vine Humulus lupulus or Humulus americanus grown in the States of Oregon, California, Washington, or Idaho.

§ 986.5 *Hop product.* "Hop product" means any substance which is (a) derived, either in whole or in part, from hops, including, but not limited to, any form of lupulin, lupulin sweepings, hop oil, or hop extracts or concentrates, and (b) capable of being used for a purpose for which hops are used.

§ 986.6 *Grower.* "Grower" is synonymous with "producer," and means any person who or which is engaged in a proprietary capacity in the commercial production of hops, and who or which is an individual, partnership, corporation, association, or any other business unit who or which: (a) Owns and farms land, resulting in his or its ownership of the hops produced thereon; (b) rents and farms land, resulting in his or its ownership of all or a portion of the hops produced thereon; or (c) owns land which he or it does not farm and, as rental for such land, obtains the ownership of all or a portion of the hops produced thereon. Ownership of, or leasehold interest in land, and the acquisition, in any manner other than as hereinbefore set forth, of legal title to hops grown thereon shall not be deemed to result in such owners or lessees becoming producers. For the purpose of this definition, the term "partnership" shall be deemed to include a husband and wife, and any others, with respect to land the title to which, or the leasehold interest in which, is vested in them as tenants in common, joint tenants, tenants by the entirety, or, under community property laws, as community property.

§ 986.7 *Dealer.* "Dealer" means any person, other than a grower or brewer, who is a handler of hops or hop products for his or its own account.

§ 986.8 *Grower-dealer.* "Grower-dealer" means any grower, other than a brewer, who is a handler for his or its own account of any hops or hop products other than those of his or its own production: *Provided,* That handling transactions pursuant to § 986.81 shall not be within this definition.

§ 986.9 *Brewer.* "Brewer" means any person who uses hops or any hop product in manufacturing any malt beverage for commercial purposes.

§ 986.10 *Handler.* "Handler" means any person who, either personally or through another person, handles hops or any hop product: *Provided,* That a person who handles hops which have been previously certificated and handled by another person shall not thereby be deemed to be a handler with respect to such hops.

§ 986.11 *Handle.* "Handle" means, except as provided in § 986.81, (a) to market, ship, or transport (except as a common or contract carrier for others) to or for market, or to use, any hops or hop product, or (b) to purchase, take consignment of, accept delivery of (except as a common or contract carrier) in connection with a purchase or sale or otherwise acquire, within the States of Oregon, California, Washington, or Idaho, hops or any hop product from a grower or any other person.

§ 986.12 *Consumptive demand.* "Consumptive demand" means that quantity of hops and hop products (expressed in terms of dried hops) which it is anticipated will be required in all trade outlets, both domestic and foreign, during the period September 1 of the respective year through the following August 31.

§ 986.13 *Marketing season.* "Marketing season" means the 12 months from August 1 to the following July 31, both dates inclusive.

§ 986.14 *Federal-State inspection service.* "Federal-State inspection service" means that inspection service on hops or hop products which is performed within the States of Oregon, California, Washington, or Idaho by the United States Department of Agriculture or by said Department under a cooperative arrangement with any of such States pursuant to authority contained in any act of Congress.

§ 986.15 *Part and Subpart.* "Part" means the order regulating the handling of hops grown in Oregon, California, Washington, and Idaho, and of hop products produced therefrom in these States, and all rules, regulations, and supplementary orders issued thereunder. This order regulating the handling of hops grown in Oregon, California, Washington, and Idaho, and of hop products produced therefrom in these States shall be a "subpart" of such part.

HOP CONTROL BOARD

§ 986.20 *Establishment.* A Control Board consisting of eighteen members, with an alternate member for each such member, is hereby established to administer the terms and provisions of this subpart, of whom, with their respective alternates, nine shall represent growers of hops, two shall represent grower-dealers, three shall represent dealers, and four shall represent brewers. The grower members of the Control Board shall be growers of hops who are not grower-

dealers, of whom three shall be growers of hops in and residents of the States of Oregon or Idaho, three shall be growers of hops in and residents of the State of California, and three shall be growers of hops in and residents of the State of Washington. One of the grower-dealer members of the Control Board shall be a grower-dealer having his or its principal office in that regard in the States of Oregon, California, Washington, or Idaho, and the other grower-dealer member shall be a grower-dealer having his or its principal office in that regard outside of such States. Each of the four brewer members of the Control Board shall be a brewer. Each of the three dealer members of the Control Board shall be a dealer in hops. An officer, agent, or employee of a business unit other than an individual person shall be eligible for membership or alternate membership on the Control Board in the category in which such business unit belongs pursuant to the provisions hereof. No person shall be selected as a member or alternate member of the Control Board who is not actively engaged, as his principal business occupation, in the business of the group which he represents, and may be an officer, agent, or employee of a business unit engaged in such business.

§ 986.21 *Designation of original members and alternates.* The original members of the Control Board, and their respective alternates, shall be selected by the Secretary, subject to the requirements as to district representation, occupation, and residence which are set forth in § 986.20, and shall serve for a term ending on March 31, 1950, except that, if the respective successor to such original member or alternate member has not been selected and qualified by March 31, 1950, such original member or alternate member shall serve until his respective successor has been selected and has qualified. For the consideration of the Secretary in making such selection, nominations for original members and alternate members of the Control Board may be submitted to him not later than the date on which this subpart is issued by the Secretary, but may be submitted prior thereto. Nominations for the original nine grower members and their alternates may be made by any grower, or by any association or other group of growers. Nominations for the original two grower-dealer members and their alternates may be made by any grower-dealer, or by any group of grower-dealers. Nominations for the original four brewer members and their alternates may be made by any brewer, or by any organization of brewers. Nominations for the original three dealer members and their alternates may be made by any dealer, or by any group of dealers. However, the Secretary, in making his selection of the original members and their alternates shall not be bound to make such selections from nominations thus received, but he shall make such selections in his discretion.

§ 986.22 *Nomination and selection of successor members and alternates*—(a) *General.* Members and alternates of the Control Board selected for terms commencing April 1, 1950, and thereafter, shall serve for terms of two years ending March 31 or until such time thereafter as their successors have been selected and have qualified. Selection of successor members of the Control Board and their alternates shall be made by the Secretary for each of the aforementioned groups from the nominations submitted for that purpose by the respective groups and/or from among other qualified persons. Such nominations for each respective group shall be made to the Secretary on or before March 1 of each election year in the manner hereinafter described.

(b) *Grower members.* Each of the growers Advisory Committees, established pursuant to § 986.40, shall nominate to the Secretary the names of three qualified persons as grower members, and three qualified persons as their alternates, from the State or States represented by the respective committee. The persons receiving in consecutive order the highest number of votes for members shall be the nominees for members of the respective committees, and a corresponding provision shall apply to nominees for alternate members.

(c) *Grower-dealer member, Western.* The grower-dealers whose principal offices are within the States of Oregon, California, Washington, or Idaho, shall nominate to the Secretary, by means of an election in which all (and only) such grower-dealers shall be entitled to participate on the basis of one vote for each full bale of hops (including hop products expressed in terms of dried hops) handled by the particular grower-dealer during the next preceding marketing season, one qualified person as the grower-dealer member, and one qualified person as his alternate.

(d) *Grower-dealer member, Eastern.* The grower-dealers whose principal offices are outside the States of Oregon, California, Washington, or Idaho, shall nominate to the Secretary, by means of an election in which all (and only) such grower-dealers shall be entitled to participate on the basis of one vote for each full bale of hops (including hop products expressed in terms of dried hops) handled by the particular grower-dealer during the next preceding marketing season, one qualified person as grower-dealer member, and one qualified person as his alternate.

(e) *Dealer members.* The dealers shall nominate to the Secretary by means of elections in which all (and only) dealers shall be entitled to participate on the basis of one vote for each full bale of hops (including hop products expressed in terms of dried hops) handled by the particular dealer, as the first handler thereof, other than a grower, and for that dealer's own account, during the next preceding marketing season, three qualified persons as dealer members and three qualified persons as their alternates. Nominations for one of such members and his alternate shall be made by each of the following categories of dealers: (1) Those handling less than 10,000 bales of hops (including hop products expressed in terms of dried hops) during the next preceding marketing season; (2) those handling between 10,000 and 25,000 bales of hops (including hop products expressed in terms of dried hops) during the next preceding marketing season; and (3) those handling over 25,000 bales of hops (including hop products expressed in terms of dried hops) during the next preceding marketing season.

(f) *Brewer members.* Of the four qualified persons to be nominated by the brewers for selection as brewer members of the Control Board, and their respective alternates, two of such nominations for members and their respective alternates may be made to the Secretary by the United States Brewers Foundation, Inc., whose present office address is 21 East Fortieth Street, New York, N. Y., and two such nominations for members, and their respective alternates, may be made by the Small Brewers' Association whose present office address is 188 West Randolph Street, Chicago, Ill. However, nominations may also be made by any individual brewer or by any other associations or groups of brewers.

(g) *Elections of nominees for membership.* Each election for the purpose of nominating grower, grower-dealer and dealer members or alternates of the Control Board to succeed those whose terms of office expire on March 31, of any year, shall be held on or before the preceding March 1, and shall be conducted and supervised by the Control Board. Regulations prescribing the method or methods for, and the rules governing the election of nominees as hereinbefore provided, and which shall assure to all persons eligible to take part in such elections reasonable opportunity to select candidates and to vote for nominees, shall be adopted by the Control Board and submitted to the Secretary on or before November 1, 1949; and such regulations as shall be approved by the Secretary shall govern each such election. Reports of the results of elections of nominees shall be submitted to the Secretary by the Control Board.

(h) *Time limitation on nominations.* In the event any of the group nominations are not submitted to the Secretary within twenty days after the time hereinbefore specified, the Secretary may select each such member or alternate without waiting for the nomination or nominations to be made. If no qualified person is available from any category in any such group, the Secretary may appoint such member or alternate from another category within such group.

(i) *Qualification of members and alternates.* Each person selected as a member or alternate of the Control Board, including original members and alternates, shall promptly qualify by filing with the Secretary a written acceptance of the appointment. The failure of an appointee to qualify within twenty days after the appointment of such person shall be cause for the Secretary to appoint another person in his stead.

(j) *Qualifications requirements for alternates.* Each alternate shall meet the same qualifications, be nominated and selected in the same manner, and hold office for the same term, as the member for whom he is alternate. An alternate for a member of the Control Board shall, in the event of that member's absence, act in the place and stead

of that member; and in the event of such member's removal, resignation, disqualification, or death, the alternate for such member shall act in the place and stead of said member until a successor for the unexpired term of said member has been selected.

(k) *Substitutes for members or alternates.* In the event any member of the Control Board and his alternate are both unable or fail to attend a meeting of the Control Board, any alternate for any other member of the same group as that represented by the absent member may be designated by the absent member to serve in the stead of the absent member, or pending such designation the Secretary may designate such temporary substitute.

§ 986.23 *Vacancies.* To fill any vacancy which occurs by reason of the failure of any person, selected as a member of the Control Board or as an alternate member thereof, to qualify, or the death, removal, resignation, or disqualification of any qualified member or alternate member of the Control Board, a successor for his unexpired term of office shall be nominated and selected (insofar as is appropriate) in the manner specified in this subpart, for the nomination and selection of successors to the initial members and alternate members of the Control Board representing the same industry group as was represented by the respective member or alternate member thus to be succeeded. In the event such nomination for vacancy is not made within thirty days after the beginning of the vacancy, the Secretary may select a person to fill such vacancy without waiting for the nomination to be made.

§ 986.24 *Compensation.* The members of the Control Board, and their respective alternates, shall serve without compensation, but shall be reimbursed for expenses necessarily incurred in the performance of their duties hereunder.

§ 986.25 *Powers.* The Control Board shall have the following powers:

(a) To administer the provisions of this subpart in accordance with their terms;

(b) To make rules and regulations to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violations of this subpart; and

(b) To recommend to the Secretary amendments to this subpart.

§ 986.26 *Duties.* The duties of the Control Board shall be, among others, as follows:

(a) *Intermediary.* To act as intermediary between the Secretary and any grower, handler, dealer, grower-dealer, or brewer;

(b) *Minutes, books and records.* To keep minutes, books, and other records which will clearly reflect all of its acts and transactions, and which shall be subject at any time to examination by the Secretary or his designated representative;

(c) *Scientific studies and research.* To provide, subject to prior approval by the Secretary, for the making of scientific and other studies and for the conducting of research appropriate in connection with the performance of its official duties;

(d) *Assembling data.* To gather and assemble data on the growing, handling, shipping and marketing conditions relative to hops and hop products, appropriate or desirable in connection with the performance of its official duties;

(e) *Information.* To furnish to the Secretary such available information with respect to hops as the Board may deem appropriate or as the Secretary may request;

(f) *Audit.* To cause the books and other records of the Control Board to be audited by one or more competent accountants at least once each marketing season and at such other times as the Control Board may deem necessary, or as the Secretary may request, and to file with the Secretary a copy of each audit report made;

(g) *Managing agent.* To employ a managing agent who, during his employment as such, shall not be a grower, dealer, grower-dealer, or brewer, nor in the employment thereof or financially interested in the production of, dealing in, or use of hops and hop products, and who shall serve as the Secretary of the Control Board and the secretary of the Growers Allocation Committee and shall have such other duties as are specified for him herein or by the Control Board; and to employ or retain such other employees, agents, and representatives as the Control Board may deem necessary; and to determine the salaries and define the duties of such managing agent, employees, agents and representatives;

(h) *Notice to Secretary of meetings.* To give to the Secretary the same notice of meetings of the Control Board as is given to the members of the Control Board; and

(i) *Issuance of necessary regulations.* To issue, with the approval of the Secretary, any regulations which are necessary and appropriate for the carrying out of the provisions of this subpart in accordance with their terms.

§ 986.27 *Procedure*—(a) *Rules and officers.* The Control Board shall adopt rules governing the performance of its powers and duties hereunder, and shall select a chairman and such other officers as it may deem advisable.

(b) *Quorum.* A quorum shall consist of twelve members, or alternate members or substitutes then serving in the place and stead of any members, in attendance at the meeting, and all decisions of the Control Board shall be made by not less than ten affirmative votes.

(c) *Permissive methods of voting.* The Control Board may vote by mail or telegraph upon due notice to all members and when any proposition is submitted for polling by such method, one dissenting vote shall prevent its adoption until submitted to a meeting of the Control Board.

§ 986.28 *Funds and other property*—(a) *Uses.* All funds received by the Control Board pursuant to this subpart shall be used solely for the purposes specified in this subpart; and the Secretary may require the Control Board and its members to account for all receipts and disbursements.

(b) *Accountability of members.* Whenever any person ceases to be a member or alternate member of the Control Board, such person shall account for all receipts and disbursements under this subpart and deliver all property, funds, books, and other records (in his possession or control) of the Control Board, to his successor in office or to such person as the Secretary may designate, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor or in such designated person the right to all of the property, funds or claims vested in such member.

(c) *Legal action for collection of assessments.* The Control Board, with the approval of the Secretary, may maintain in its own name, or in the names of its members, a suit against any handler subject to the provisions of this subpart for the collection of such handler's pro rata share of expenses.

GROWERS ALLOCATION COMMITTEE

§ 986.35 *Members.* The grower members and the grower-dealer members of the Control Board shall constitute the Growers Allocation Committee. Said committee shall have such duties and powers as are expressly specified in this subpart for that committee and such other duties and powers as may be incident thereto. The Growers Allocation Committee may incur only such expenses as from time to time are authorized by the Control Board.

§ 986.36 *Procedure.* The Growers' Allocation Committee shall select one of its members as its chairman and such other officers as it may deem advisable. It shall keep proper records of all its proceedings, and shall adopt regulations governing its procedure. It may provide for voting by mail or telegraph upon due notice to all members and when any such proposition is submitted for polling by such method, one dissenting vote shall prevent its adoption until submitted to a meeting of the Growers Allocation Committee.

§ 986.37 *Alternates.* The alternate of each grower member or grower-dealer member of the Control Board shall have the same right to serve in lieu of a member of the Growers Allocation Committee as such alternate has to serve in lieu of a member of the Control Board.

GROWERS ADVISORY COMMITTEES

§ 986.40 *Establishment and membership.* A Growers Advisory Committee of 12 members is hereby established for each of the States of Washington and California, and of 13 members for the combined States of Oregon and Idaho. Each of the said committees shall consist of members who shall be growers or grower-dealers, or officers or employees of growers or grower-dealers, engaged in growing hops in and shall be residents of the State or States for which the respective committee is established; one of the members of the Advisory Committee for the States of Oregon and Idaho shall be a grower or an officer or employee

thereof, engaged in growing hops in and a resident of the State of Idaho.

§ 986.41 *Original members.* The original members of the Growers Advisory Committees shall be the members of the existing advisory committees organized by the United States Hop Growers Association, an association of hop growers whose present address is Mills Building, San Francisco, California. Each of the original members shall serve for a term ending on January 31, 1950, and in the event that the respective person's successor has not been selected by February 1, 1950, such person shall serve until his successor has been selected.

§ 986.42 *Election of successor members.* Successor members of Growers Advisory Committees, beginning with those elected for terms beginning on and after February 1, 1950, shall serve a two year term ending January 31. Election shall be at meetings held under the supervision of the managing agent or his designated representative by the growers and grower-dealers in each of the hereafter designated districts. In such election each grower and each grower-dealer residing or producing hops in the district shall have an opportunity to participate, and at such election shall, on behalf of himself, his agents, partners, affiliates, subsidiaries, and representatives, cast only one vote to fill the vacancy or vacancies occurring in his district. No grower or grower-dealer shall vote in more than one district in any one Sate. Voting shall be by ballot; there shall be no voting by proxy. The nominee having the highest number of votes shall be the member for the district or, in the districts electing more than one member, the nominees receiving in consecutive order the highest number of votes shall be the members for that district. In the case of a tie vote, where vacancies are insufficient to give membership to each, a run-off election shall be held on the vacancy in question.

§ 986.43 *Washington Advisory Committee.* The State of Washington is hereby delimited into four election districts, as follows:

District No. 1. That portion of Yakima County lying east of the Yakima River and north of Parker Ridge, and all counties of the State of Washington not delineated in other districts.

District No. 2. Benton County, Klickitat County, and that portion of Yakima County lying south of Parker and Ahtanum Ridges.

District No. 3. That portion of Yakima County lying north of Ahtanum Ridge and west of the Yakima River.

District No. 4. All counties of the State of Washington lying west of Districts 2 and 3, or lying west of the Cascade Mountains.

Growers and grower-dealers who reside or produce hops in any such district shall be entitled to vote for and select for that district three members of the Advisory Committee.

§ 936.44 *California Advisory Committee.* The State of California is hereby delimited into three election districts, as follows:

District No. 1. Sacramento County and all other counties of the State of California not delineated in other districts.

District No. 2. Sonoma, Napa and Marin Counties.

District No. 3. Mendocino and Lake Counties.

Growers and grower-dealers who reside or produce hops in any such district shall be entitled to vote for and select for that district four members of the Advisory Committee.

§ 986.45 *Oregon-Idaho Advisory Committee.* The States of Oregon and Idaho are hereby delimited into twelve election districts, as follows:

District No. 1 (Grants Pass). Douglas, Jackson, Josephine, Coos, and Currie Counties.

District No. 2 (Eugene, etc.). Lane County and that portion of Linn County not delineated in District 3.

District No. 3 (Albany, Corvallis, etc.). Benton County and those areas of Marion and Linn Counties described as follows: Beginning at Jefferson, Oregon, thence north along U. S. Highway 99 East to a point east of Tice Island in the Willamette River, thence due west along a straight line to Tice Island, thence south along the meanderings of the Willamette River to the confluence of the Luckiamute and Willamette Rivers, thence due southwest to the northeast corner of Benton County, thence south along the boundary of Benton and Linn Counties to a point due west of Brownsville, Oregon, thence in an easterly direction to Brownsville to include all growers operating hop yards in the Brownsville area, thence continuing to the eastern boundary of Linn County to include all growers operating yards in Linn County north of the line as described.

District No. 4 (Independence, Dallas, etc.). All of Polk County not delineated in District 6, all of that portion of Marion County adjacent to Independence and not delineated in Districts 3, 5 and 6, and that portion of Yamhill County not delineated in Districts 10 and 11.

District No. 5 (Silverton, etc.). Beginning at the North Howell Grange building in Marion County, Oregon, thence due south along a straight line to Stayton, Oregon, thence due east along a straight line to the headwaters of the Abiqua River, thence following the meanderings of the Abiqua River in a northwesterly direction to a point due east of the North Howell Grange, thence due west along an imaginary line to point of beginning.

District No. 6 (Salem, etc.). Beginning at Rickreall, Oregon, thence north along west side of U. S. Highway 99W, to a point due west of Wheatland, thence due east along a straight line to Wheatland to include all growers in the area in the vicinity of Wheatland, Oregon, thence northeast along a straight line to Fairfield, thence east following the Fairfield road to Aral Corners, thence due north from Aral Corners to the St. Louis Road to the corner of the "Old Miller Place," thence east to the Southern Pacific Railway and continuing east to U. S. Highway 99 East, thence south following U. S. Highway 99 East, to the intersection of U. S. Highway 99 East and the Parkersville Road, known as the "Manning Corner," thence east to Parkersville, thence south to the Central Howell School, thence due south following a straight line to the Santiam River, thence north and west following the meanderings of the Santiam River to Jefferson, thence due north following U. S. Highway 99 to Sunnyside, thence due west following a straight line to the Willamette River to a point south of Roberts' Station, thence north following the meanderings of the Willamette River to Salem, thence west following the Dallas-Salem Highway to Rickreall, point of beginning.

District No. 7 (Wilder, Ontario, etc.). The State of Idaho and Malheur County in the State of Oregon.

District No. 8 (Mount Angel, etc.). Beginning at the North Howell Grange, thence south and east following the meanderings of the Abiqua River to the foothills of the Cascade Mountains to a point due south of Mollalla, thence due north following a straight line to Molalla, thence west following the Woodburn-Molalla highway to its intersection with U. S. Highway 99 East, thence south following U. S. Highway 99 East to Gervais, thence south from Gervais to the Manning Corner, thence east to Parkersville, thence south to the North Howell Grange, the place of beginning.

District No. 9 (Donald, Woodburn, Aurora, etc.). Beginning at Oregon City, thence south along the Oregon City-Molalla highway to Molalla to include all growers operating hop yards within a one-mile radius of Mulino, thence west following the Woodburn-Molalla Highway to its intersection with U. S. Highway 99 East, thence south following U. S. Highway 99 East to Gervais, thence west following the direct highway to St. Louis, thence north following the meanderings of Champoeg Creek to its confluence with the Willamette River, thence in a northerly direction following the meanderings of the Willamette River to Wilsonville, thence continuing in a north and easterly direction along the meanderings of the Willamette River to the place of beginning.

District No. 10 (St. Paul, etc.). Beginning at Wilsonville, thence north following U. S. Highway 99 West to Jurgens Park on the Tualatin River, thence northwesterly following a straight line to the southwest corner of Multnomah County, thence southwesterly following a straight line to Laurel, thence southwest following a straight line to McMinnville, thence south following the west side of U. S. Highway 99 West to a point due west of Wheatland, thence due east following a straight line to Wheatland, thence northeast to Fairfield, thence continuing east to Aral Corners, thence north to Champoeg Creek, thence continuing in a northerly direction and following the meanderings of Champoeg Creek to the Willamette River, thence continuing in a northeasterly direction following the meanderings of the Willamette River to Wilsonville, the point of beginning.

District No. 11 (Hillsboro, Forest Grove, etc.) Beginning at the southwest corner of Multnomah County, thence in a southwesterly direction following a straight line to Laurel, thence southwesterly following a straight line to McMinnville, thence west following a straight line to the western boundary of Yamhill County. Close any short gap by a straight line and follow County line to the point of beginning.

District No. 12 (Portland, Hermiston, etc.). Umatilla, Morrow, Gilliam, Sherman, Wasco, Hood River and Multnomah Counties, and that portion of Clackamas County described as follows: Beginning at Sellwood, Oregon, thence south following the meanderings of the Willamette River to Oregon City, thence south following the Oregon City-Molalla Highway to Lewis Station due east of Canby thence due east along a straight line to the Cascade Mountains, thence north along the eastern boundary of Clackamas County to the northern boundary of Clackamas County, thence due west to place of beginning and all other Counties or portion of Counties of Oregon not delineated in other districts.

Growers and grower-dealers who reside or produce hops in the district which includes the State of Idaho shall be entitled to vote for and select for that district two members of the Advisory Committee, one of whom shall be a grower of hops in the State of Idaho; and growers and grower-dealers who reside

or produce hops in any of the other districts shall be entitled to vote for and select for that district one member of the Advisory Committee.

§ 986.46 *Changes in districts.* The number of districts or the area covered by each in any State or States may be changed by the Secretary in an equitable manner giving consideration to quantity of hops produced, number of growers, geographical characteristics or other factors and upon recommendation of the Control Board or of the Advisory Committee for such State or States.

§ 986.47 *Alternates.* Each member of an Advisory Committee may designate, in writing, addressed to the managing agent, an alternate having the same membership qualifications as are applicable to the member. Such alternate may act at any meeting of the Advisory Committee at which the member is not present.

§ 986.48 *Vacancies.* A vacancy in the membership of an Advisory Committee shall be filled, for the balance of the term of the member whose place is vacant, by a person of the membership qualifications of the former member, selected by majority vote of the remaining members of that committee.

§ 986.49 *Expenses.* The members of each Advisory Committee may be reimbursed by the Control Board for all travel and other expenses necessarily incurred in the performance of their duties.

§ 986.50 *Functions*—(a) *Nomination of successor Control Board members.* Each Advisory Committee shall promptly nominate to the Secretary a successor to any grower from that State whose term on the Control Board as a member or alternate shall expire or whose place on the Control Board for any reason may become vacant. Grower members of an Advisory Committee, as well as other growers, shall be eligible for nomination by that Advisory Committee to serve on the Control Board.

(b) *Officers and other functions.* Each Advisory Committee shall select from its membership a chairman and such other officers as the respective committee may deem advisable, and shall keep proper records of all of its proceedings. It shall hold meetings after notice to its members, upon the call of four members, or upon the call of its chairman, or the Control Board, or the managing agent. Each Advisory Committee shall serve the Control Board in an advisory capacity concerning the administration hereof in the State or States for which such committee is established, and in general shall perform such ministerial functions as the Control Board may, from time to time, specify. Each Advisory Committee may incur only such expenses as are authorized by the Control Board.

CONTROL OF QUALITY

§ 986.60 *Minimum standards of quality and grading and inspection requirements*—(a) *Establishment.* In order to effectuate the declared policy of the act, the Secretary shall, after consideration of the Control Board's recommendations, prescribe minimum standards of quality for hops with respect to their leaf and stem content or other factors of quality and maturity for which grading and inspection procedure has been developed by the Grain Branch, Production and Marketing Administration, United States Department of Agriculture and is in general use; and shall prescribe grading and inspection requirements therefor. The term "leaves and stems," as used in this subpart, shall include all leaves and stems of the hop plant, except the stems (petioles) which bear the individual cones, and all extraneous matter. Hop seeds which are naturally within the hops under inspection shall not be considered as extraneous matter. To aid the Secretary in prescribing minimum standards and requirements, the Control Board shall furnish to the Secretary the information upon which it acted in recommending such standards and requirements, and shall furnish such other available data pertaining thereto as the Secretary shall request.

(b) *Initial standards and requirements.* Until such time as other standards and requirements for leaf and stem content are prescribed under this section, no hops shall be deemed merchantable or entitled to certification which contain over fifteen percent by weight, of leaves and stems as defined in this section and as determined by the Federal-State inspection service.

(c) *Operation irrespective of price.* The provisions of this subpart relating to minimum standards of quality and maturity, and to grading and inspection requirements, within the meaning of section 2 (3) of the act, and any other provisions pertaining to the administration and enforcement thereof, shall continue in effect irrespective of whether the season average price for hops is in excess of the parity level specified in section 2 (1) of the act.

§ 986.61 *Inspection and certification.* Each grower shall be entitled, upon application to the Control Board or its representative, and subject to the meeting by him of any applicable provisions of § 986.60 and §§ 986.70 through 986.81, to the certification of hops harvested after the effective date of this subpart: *Provided*, That such hops have been inspected by the Federal-State Inspection Service within the States of Oregon, California, Washington, or Idaho, and their official certificate presented by such grower showing such hops to meet said standards and requirements. No person shall handle any hops harvested after the effective date of this subpart unless such hops have been so certificated by the Control Board.

§ 986.62 *Regulations.* Such certification as to minimum quality shall be based on information on a Federal-State Inspection Certificate and shall include substantially the following wording: "Hops covered by this certificate are of the _____ crop and are covered (year) by Federal-State Inspection Certificate No. _____ as meeting minimum standards of quality prescribed pursuant to applicable Federal-Marketing Agreement and Order." Such certification shall be executed by authorized representatives of the Control Board, the grower and the handler. The bale or other container shall also be marked or tagged to furnish proper identification as to producer and lot. Such marking or tagging shall comply with the requirements for marking included in § 986.79. This method of marking may be changed by the Conrtol Board, subject to the approval of the Secretary.

CONTROL OF SURPLUS

§ 986.70 *Application.* The provisions of §§ 986.70 through 986.81 shall apply only during marketing seasons in which the estimated season average price of hops to growers is at or below the parity level specified in section 2 (1) of the act.

§ 986.71 *Determination of salable quantity*—(a) *Total carryover.* As early in the respective year as it shall find it to be feasible, but not later than August 1, the Control Board shall ascertain or estimate the total carryover, within the United States, of hops and hop products, expressed in terms of dry hops, produced in or outside the area covered hereby prior to that year and which, if produced within such area, are eligible for handling pursuant to the terms of this subpart.

(b) *Consumptive demand.* At the same time, the Control Board shall estimate the total consumptive demand for hops produced during the respective year. In estimating such consumptive demand, there shall be included the quantity of such hops estimated to be used as hops and the quantity estimated to be used in the form of hop products.

(c) *Recommendation by Control Board.* Immediately thereafter, and based upon its aforesaid estimates and findings, the Control Board shall make and transmit to the Secretary its recommendation of the maximum quantity of hops (net dry weight), produced during that respective year which should, in order to effectuate the declared policy of the act, be handled in the form of hops or in the form of any hop product, and, with such recommendation, shall transmit to the Secretary its estimates and findings on which its recommendation is based.

(d) *Determination by Secretary of salable quantity.* On the basis of the aforesaid estimates, data, and recommendations of the Control Board submitted pursuant to this section, and such other pertinent information as the Secretary may have, the Secretary shall determine, fix, and announce such maximum quantity of hops produced during that respective year which may be handled in the form of hops and in the form of any hop product. Such maximum quantity of hops which shall be fixed by the Secretary as aforesaid shall be known, and is referred to hereinafter, as the salable quantity of that respective year's crop of hops.

§ 986.72 *Increase of salable quantity.* The Secretary may at any time increase the salable quantity for the crop of any year in which the continued withholding of surplus would result in a season average price to growers in excess of the parity level specified in section 2 (1) of the act, or upon due consideration of

either the needs of brewers or a recommendation of the Control Board that the salable quantity be increased. The Secretary may not decrease said salable quantity.

§ 986.73 *Conversion ratios.* In computing the hops equivalent of hop products, and unless changed as hereinafter provided, one pound of lupulin shall be considered equivalent to 20 pounds of dry hops and one pound of hop oil to 400 pounds of dry hops. In the case of hop extracts or concentrates for which conversion ratios are not established herein, the Control Board, or its authorized representative may temporarily establish such conversion ratios for a period not exceeding 90 days. Conversion factors referred to in this subpart may be changed by regulation of the Control Board, subject to approval of the Secretary.

§ 986.74 *Determination of quantity available for market*—(a) *Determination by Growers Allocation Committee.* As the basis for apportioning equitably among growers the salable quantity of each year's crop, the Growers Allocation Committee each year as early as practicable during or after harvest, shall determine, or cause to be determined under its supervision, the total quantity of hops (net dry weight), meeting the requirements of § 986.60, available for market by each grower from his production of hops during that year. Such determination shall include the quantity, if any, of such hops found to have been converted into hop products, except lupulin sweepings shall be included, in the computation, only to the extent of the pounds of lupulin found to be in such quantity of lupulin sweepings. Unharvested hops shall be included only if grown to maturity and remaining unharvested on living vines which remain strung or trained and from which hops have not been picked, and which have not been removed from the wires or poles. In the event any grower does not permit the Growers Allocation Committee, or its representatives, access to any hops grown by that grower, or to any product thereof, or shall fail or refuse to make available to said committee, or its representatives, information relative to such hops or hop products which the Growers Allocation Committee finds to be desirable in order properly to make such determination in accordance with the provisions hereof, the Growers Allocation Committee shall determine or cause to be determined, on the basis of an estimate of the grower's acreage, the average crop conditions in the area, the probable yield per acre on the grower's acreage, and from such other information as is available to it, the respective grower's production as aforesaid. After completing its determination of production by each individual grower, the Growers Allocation Committee shall, by means of addition, compute the total production by all growers.

(b) *Preliminary estimates.* The Growers Allocation Committee each year, prior to the start of harvest, or as soon thereafter as practicable, shall determine, or cause to be determined under its supervision, a preliminary estimate of said total quantity of hops which will become available for market by all growers from that year's crop. Said preliminary estimate shall be based upon then current Federal or Federal-State crop estimates, as the case may be, and upon such other relevant data as are available.

(c) *Determinations for and protests by members of committee.* The determinations pursuant to paragraph (a) of this section for each member of alternate member of the Growers Allocation Committee shall not be made by any member or alternate member of such committee, but shall be made, and reported in writing to the Secretary and to the Growers Allocation Committee, by such other qualified person or persons as the Control Board or its authorized representative shall designate for that purpose. Any protest by a member or alternate member of the Growers Allocation Committee concerning such determination shall be made directly to, and be determined by, the Secretary.

(d) *Notice to growers.* The Growers Allocation Committee shall cause to be mailed to each grower notice of the determination, pursuant to paragraph (a) of this section, of the respective grower's production for the respective year, and also, the computation of the total quantity determined, pursuant to paragraphs (a) and (b) of this section, respectively, produced by all growers during that year. The committee shall also publicly announce said computations of said total quantity, both estimated and final.

(e) *Protests by growers.* Any grower who may be dissatisfied with the determinations, pursuant to paragraph (a) of this section or § 986.75, may protest in writing to the Growers Allocation Committee within 10 days of the date of mailing of the notice and if dissatisfied with the decision in regard to such protest may appeal in writing to the Secretary.

(f) *Determination by Secretary.* Upon expiration of the time for protest specified in paragraph (e) of this section, and after completion of action by that committee upon all protests, the Growers Allocation Committee shall report to the Secretary all findings, determinations, and computations made by or for it, pursuant to paragraph (a) of this section, together with the data on which the same were based. On the basis of such findings, determinations, computations, data and other pertinent information which the Secretary may have, the Secretary shall determine and notify the Growers Allocation Committee of the total quantity of hops (net dry weight) meeting the requirements of § 986.60 available for market by each grower from his production of hops during that year: *Provided,* That such determinations shall include the quantity, if any, of such hops converted into hop products except that insofar as lupulin sweepings are concerned there shall be included, in the computation, only the pounds of lupulin in such quantity of lupulin sweepings, and insofar as unharvested hops are concerned, shall include (net dry weight) only hops of that respective year's crop grown to maturity and remaining unharvested on the living vines. The Secretary, after having determined each grower's production, as aforesaid, shall, by means of addition, determine the production by all growers; the total production by all growers is hereinafter referred to as the "aggregate production" for that respective year. Immediately upon receipt of notice thereof from the Secretary, the Growers Allocation Committee shall publicly announce the aforesaid determination by the Secretary.

§ 986.75 *Computation of growers' allotments; salable percentage.* The "salable percentage" of the aggregate production, determined pursuant to § 986.74, shall be computed by dividing the salable quantity of that year's crop, determined pursuant to § 986.71, by the aforesaid aggregate production, and multiplying the quotient by 100. After computing the growers' salable percentage on this basis, the percentage shall be adjusted to the nearest tenth of a percent. Each grower's allotment of the salable quantity of that year's crop shall be that same salable percentage applied to that grower's production as determined pursuant to § 986.74: *Provided,* That, in lieu of the method of computing growers' allotments described in the preceding sentence, the Secretary may make effective, at the beginning of any marketing season, the following procedure pursuant to a recommendation of the Control Board to that effect (such recommendation of the Board to be pursuant to and in accordance with a prior recommendation to it by the Growers Allocation Committee); each grower's allotment of the salable quantity of that year's crop shall be computed by first subtracting from said grower's poundage of merchantable production, the leaf and stem content thereof and applying the salable percentage to the remainder, then dividing the resulting quantity by the average percentage of clean hops (hops exclusive of leaf and stem content) in the aggregate production of hops for the preceding marketing season. The quotient will be the grower's allotment of the salable quantity, in pounds of hops as prepared for market by him. The Board shall include in any recommendation pursuant to this proviso full information and data on which such recommendation is based. Said recommendation shall specify in regard to the "percentage of clean hops" to be used in the computation, whether such percentage shall be computed and applied for the production area as a whole or separately by States, and the Secretary if he approves the Board's recommendation shall state in his approval which procedure in regard thereto, shall be followed: *And provided further,* That, if this substitute method of computing growers' allotments is made effective, the Board may recommend (following a recommendation to it by the Growers Allocation Committee) to the Secretary the readoption of the original method at the beginning of any subsequent marketing season, supplying full information and data upon which such recommendation is based, and the Secretary may make such original method again effective.

In any year in which the salable percentage, determined pursuant to this section, exceeds 98 percent, each grower's allotment shall be the total quantity produced by such grower, determined pursuant to § 986.74. Each allotment determined under this subpart shall be expressed in pounds, net dry weight of hops, and shall be known as the respective grower's "salable allotment" of that respective year's crop.

§ 986.76 *Preliminary and supplementary allotments*—(a) *Preliminary.* In order to assist growers to avoid delays in their individual harvesting and marketing, the Control Board, or its authorized representative, each year shall compute an "estimated salable percentage" of estimated aggregate production and shall compute and issue, or cause to be computed and issued, prior to the issuance of final allotments applicable to that year's crop, to any grower who applies therefor to the Growers Allocation Committee, a preliminary allotment representing such proportion of that grower's total production of hops during that year as the Growers Allocation Committee, or its authorized representatives, shall estimate will not be in excess of 50 percent (or such lower percentage as the Control Board, with the approval of the Secretary, may specify) of that grower's estimated salable allotment for that year's crop. Said estimate shall be based upon physical examination of the hop yard, or yards, upon the historical production thereof, upon official crop estimates, and upon such other relevant data as are available.

(b) *Supplementary, eighty percent basis.* The Control Board, or its authorized representative, shall each year issue, prior to the issuance of final allotments applicable to that year's crop, to any grower who applies therefor to the Growers Allocation Committee, a supplementary allotment representing such proportion of that grower's total production of hops during that year as the Growers Allocation Committee, or its authorized representatives, shall determine will not be in excess of 80 percent of that grower's probable salable allotment for that year's crop: *Provided,* That any such supplementary allotment shall be based upon adequate, but not complete, crop production information available to the Growers Allocation Committee, or its authorized representatives, including, but not limited to bale count data or other reasonably accurate information as to such grower's hop production for that year.

(c) *Supplementary, ninety percent basis.* The Control Board, or its authorized representative, shall issue, prior to the issuance of final allotments applicable to that year's crop, to any grower who applies therefor to the Growers Allocation Committee, a supplementary allotment representing such proportion of that grower's total production of hops during that year as the Growers Allocation Committee, or its authorized representatives, shall determine will not be in excess of 90 percent of that grower's probable salable allotment for that year's crop: *Provided,* That any such supplementary allotment shall be based upon complete crop production information available to the Growers Allocation Committee, or its authorized representatives, including, but not limited to, complete weight data on such grower's harvested hop production and the recommended determination by the Growers Allocation Committee, or its authorized representatives, as to any unharvested hop production for that year, and Federal-State Inspection Service evidence of the meeting of all minimum standard requirements for quality provided for in the order, by all harvested hops of such grower for that year.

(d) *Eligibility for certification.* After issuance to a grower of such preliminary or supplemental allotment, the hops covered thereby, and any hop product derived from such hops, shall be eligible for certification, marking, and handling as though the final allotment had been issued, and subject to the same terms, conditions, and regulations as are applicable to such certification, marking, and handling of hops and hop products under a final salable allotment.

(e) *Notice to growers.* The Growers Allocation Committee shall mail to each grower who has requested a preliminary or supplementary allotment (either or both) notice thereof, and to each grower notice of his final salable allotment computed by that committee as herein provided. A list of the salable allotments of all growers for each year's crop shall be compiled and maintained by the Growers Allocation Committee at each of its offices, where the same shall be available during all reasonable hours for inspection by any interested person.

§ 986.77 *Joint allotment*—(a) *Joint ownership.* In the event that more than one grower shall participate jointly in the production of hops, whether as landlord and tenant, as partners, or otherwise, and said growers report that fact to the Growers Allocation Committee, then a single salable allotment shall cover such joint production. In the event that thereafter the interests of those growers in the crop produced or being produced are segregated, the Growers Allocation Committee, or its authorized representative, upon written application signed by all of said interested growers shall segregate and distribute said salable allotment among said growers in accordance with their respective segregated interests in the crop.

(b) *Associations.* Upon application of any bona fide incorporated cooperative association of growers which is authorized to market hops or hop products included within the salable allotments of those of its members who have authorized the association to sell and pool their hops for them, the individual salable allotments of such members shall be pooled and hops produced by those members during that season, and hop products derived from such hops, may be certificated and handled by that association without regard to the limits of the individual allotments of the members: *Provided,* That, (1) any such application is made in writing by the association to the Growers Allocation Committee prior to determination of the salable allotments to which it is to apply, (2) such application is signed by the duly authorized officers of the association, (3) such application is accompanied by satisfactory evidence that the submission of it has been approved by the membership of the association, by official action at a meeting or otherwise during the particular calendar year, and (4) such application is also accompanied by satisfactory evidence that each of the individual members who will be affected by the pooling arrangement has authorized the association to handle his hops under such a pooling arrangement.

§ 986.78 *Revision of allotments*—(a) *Revision and new allotments.* In the event that at the normal time, no determination, pursuant to § 986.74, has been made as to a particular grower entitled thereto pursuant to the provisions of this subpart, or a previous determination as to a particular grower is substantially in error, the Growers Allocation Committee shall make the determination or correct the erroneous determination, or shall cause such determination or correction to be made. The same requirements of determination and approval by the Secretary, notice to the grower and rights of protest and appeal, shall be effective with respect to such determination, as in the case of a timely or original determination.

(b) *Correction of clerical errors.* In the event that the Growers Allocation Committee or the Managing Agent shall find, at any time, that the salable allotment previously issued to a grower was incorrectly computed or is erroneous by reason of mathematical or clerical error, the Growers Allocation Committee or the Managing Agent shall correct and revise said allotment to the extent found to be proper, and shall notify the respective grower and the Secretary of such correction.

§ 986.79 *Certification*—(a) *Hops harvested during effective period of order.* Each grower for whom a salable quantity is determined may, upon application to the Control Board or its representative and subject to the limitations of §§ 986.60 through 986.62, have the eligible quantity of hops or hop products certificated for handling. Such certification shall consist of the indelible marking of each bale or other container of such hops or hop products by an authorized representative of the Control Board and the issuance and delivery of a "handling certificate." Such marking shall be placed on the bale cover or other container or on a tag securely attached to such other container, and shall show the year of production, the handling certificate number, and the words "Certificated, Hop Control Board." This method of marking may be changed by the Control Board, subject to the approval of the Secretary. Such handling certificate shall certify that pursuant to the provisions hereof a specified quantity of hops or hop products has been duly certificated, for the grower and handler named in said certificate, as being eligible for handling pursuant to the terms hereof, and shall be executed by authorized representatives of the Control Board, the grower, and the han-

dler. Such certification may exceed any grower's salable quantity by not over 100 pounds, provided such excess quantity is included entirely within the weight of the last bale or container certificated for said quantity.

(b) *Hops harvested prior to effective date of subpart.* Any person who owns or is in the possession of hops harvested or hop products from hops harvested prior to the effective date of this subpart, is entitled upon application, within 30 days after the effective date of this subpart, to the Control Board or its representatives, to have such hops or hop products certificated free of charge without regard to any salable quantity, or minimum standard of quality. The Control Board may extend such time for good cause.

§ 986.80 *Limitation of handling to certificated hops or hop products.* No person, as principal, agent, broker, legal representative, or otherwise, shall handle any hops harvested or hop products from hops harvested subsequent to the effective date of this subpart, unless: (a) Prior to such handling, the Control Board shall have issued a "handling certificate" pursuant to § 986.79 applicable to such hops or hop products; (b) each bale or other container of said hops or hop products shall have been duly marked or tagged as prescribed in this subpart, for the purpose of identifying such hops or hop products as being covered by a duly issued salable allotment or as being properly certificated. However, hops harvested prior to the effective date of this subpart and hop products produced from such hops may be certificated for handling without regard to the salable allotment or the quality restriction

§ 986.81 *Diversion privileges.* In the event hops, whether harvested or unharvested, or hop products, in the control of the respective grower thereof, are destroyed, or are so damaged or deteriorated as in the judgment of the grower to be unmarketable, or if, because of quality or type, such hops or hop products are unsatisfactory to the grower, the grower thereof may, if the lupulin has not been removed from such hops, replace such hops, or hop products, within the limits of his salable allotment for that respective year, by acquiring uncertificated hops of that year's crop from the growers thereof (in the case of diversion of hop products, and replacement thereof by hops, conversion ratios, as provided in § 986.73, shall be used in computing the poundage of hops to be used in replacement of such hop products): *Provided,* That such purchasing grower shall first submit a written statement to the Growers Allocation Committee setting forth the year of production, location, and the quantity of hops, or hop products, which such grower desires so to replace (and, if the hops, or hop products, to be replaced have been destroyed, the time, place, and cause of such destruction, together with proof of such destruction satisfactory to the Growers Allocation Committee, or its authorized representatives), and the name and address of each grower from whom he proposes to acquire uncertificated hops for that purpose, and makes arrangements with the Growers Allocation Committee or its authorized representatives whereby the unmarketable or unsatisfactory hops, or hop products, which are thus to be replaced will be effectively diverted from or disposed of out of the normal channels of trade, and such disposal or diversion shall be in such manner as may be prescribed by the Control Board: *And provided further,* That such hops shall not be diverted or disposed of into hop products, as defined in § 986.5. The selling grower as defined in this subpart shall not be regarded as handling hops within the meaning of this subpart nor shall the hops sold be considered a part of the selling grower's allotment. The Growers Allocation Committee shall prepare, and from time to time shall revise, a list of the names and addresses of growers known to have uncertificated hops for sale pursuant to the provisions of this section; and a list of the names and addresses of growers who report to the Growers Allocation Committee that they desire to purchase or acquire uncertificated hops pursuant to this section. The Growers Allocation Committee shall make such lists available to any grower of hops at each office of the Control Board.

EXPENSES AND ASSESSMENTS

§ 986.90 *Expenses.* The Control Board (including, but not limited to, the Growers Allocation Committee and the several Growers Advisory Committees) is authorized to incur such expenses as the Secretary may find are reasonable and likely to be incurred by it during each marketing season for the maintenance and functioning by it and for such purposes as the Secretary may, pursuant to the provisions of this subpart determine to be appropriate. Such expenses shall be paid from the funds acquired pursuant to this section. The recommendation of the Control Board as to its expenses for each such marketing season, or a portion thereof, together with all data supporting such recommendation, shall be submitted to the Secretary within 45 days from the effective date of this subpart and in succeeding marketing seasons on or before September 15 of the marketing season for which such recommendation is made. The funds to cover such expenses shall be acquired by levying assessments as hereinafter provided. The expenses to be incurred during the partial marketing season immediately following the effective date of this subpart may be included with the expenses for the 1949 season.

§ 986.91 *Assessments*—(a) *Requirement for payment.* Each handler shall pay to the Control Board the assessment provided hereinafter with respect to all hops and hop products which are handled or to be handled by that handler as the first handler thereof, except (1) such hops or hop products as are duly certificated pursuant to § 986.79 (b) and (2) such hop products as have been derived from duly certificated hops with respect to which such assessment previously had been paid: *Provided,* That any grower who markets or transports to market within the State of production hops produced by that grower, or any hop product produced by that grower from hops producer by that grower, or hops acquired pursuant to § 986.81 or hop products produced from such hops, shall not be deemed to be the first handler thereof insofar only as payment of assessments pursuant to the provisions of this paragraph are concerned, and the person who handles such hops or hop products next following such handling by said grower shall be considered the first handler thereof within the provisions of this section. Said assessment shall be paid to the Control Board prior to or at the time of such handling, or at such subsequent time as the Control Board may specify.

(b) *Rate of assessment.* Beginning with the effective date of this subpart, the aforesaid assessment shall be at the rate of one-fourth of one cent per pound, net dry weight, of hops handled, and said rate shall continue in effect until changed by the Control Board with the approval of the Secretary; and the assessment rate of any hop product shall be based upon the assessment rate for hops, and shall be computed at such conversion ratio or ratios between hops and the respective hop product as determined pursuant to § 986.73.

§ 986.92 *Refunds.* Any money collected as assessments during any marketing season and not expended in connection with that season's operations, may be used by the Control Board during a period of five months subsequent to such marketing season in paying the expenses of the Control Board incurred in connection with the new marketing season. The Control Board shall, however, from funds on hand, including assessments collected during the new marketing season, credit or upon request make available, within six months after the beginning of the new marketing season, the aforesaid excess carried into the new season, to each handler from whom an assessment was collected in the preceding marketing season, in the proportion that the amount of the assessment paid by the respective handler bears to the total amount of the assessments paid by all handlers during said preceding marketing season.

COMPLIANCE WITH PROVISIONS OF AGREEMENT AND ORDER

§ 986.95 *Compliance.* Each handler shall comply strictly with all provisions of this subpart and all regulations duly effective under this subpart. No handler shall handle any hops or any hop product in violation of any of the provisions of this subpart or in violation of any regulation effective pursuant to this subpart.

REPORTS, BOOKS, AND RECORDS

§ 986.101 *Books and records.* Each handler and each subsidiary or affiliate thereof shall keep books and other records which will clearly show the details of its handling of hops and hop products.

§ 986.102 *Reports by handlers.* To enable the Control Board, the Growers Allocation Committee, and each Advisory Committee to perform its functions un-

der this subpart, each handler shall furnish to the managing agent, (a) on June 1, or as of that date and within 15 days thereafter or on any other date or dates which the Control Board may specify, complete information as requested by the Control Board relating to the total quantity of hops and hop products owned by the respective handler; and (b) on or before December 1, or on any other date or dates which the Control Board may specify, complete information relating to (1) the volume of hops and hop products handled during the next preceding marketing season; (2) the names and addresses of the growers and other persons from whom such hops or hop products were acquired; and (3) the quantity of hops grown by that handler during such period. Such information furnished to the managing agent shall be confidential and shall not be disclosed to any person (including members of the Control Board as well as other persons) except to the Secretary at his request, or to such person as the Secretary may specify: *Provided*, That the managing agent may compile such information in such form as will not reveal the identity of individual informants and may make such compilations available to the Control Board, Growers Allocation Committee, any Advisory Committee, or to the public. The managing agent shall not disclose any information acquired under this section, except as herein expressly authorized.

§ 986.103 *Uncertificated hops and hop products*—(a) *Reports by growers.* Each grower shall report to the Control Board, or its authorized representatives, prior to June 15 of each marketing season, the quantities (by years of production stated separately) and locations of all uncertificated hops and hop products owned by him as of the preceding June 1, and each grower shall also furnish to the Control Board reports containing such information as of such other date or dates as the Control Board may specify.

(b) *Supervision of disposition.* Any grower who desires to dispose of any uncertificated hops or hop products in his possession shall first arrange with the Control Board, or its authorized representatives, for supervision of such disposition. The Control Board, or its authorized representatives, shall thereupon provide such supervision at the mutual convenience of such grower and of the Control Board, or its authorized representatives, and such supervision shall be sufficient to assure disposition consistent with the provisions of this section. The requirements set forth in this paragraph shall cover, but are not limited to, any disposition by destruction, or by sale pursuant to the provisions of § 986.81.

MISCELLANEOUS PROVISIONS

§ 986.105 *Amendments.* Amendment of this subpart may from time to time be proposed by the Control Board or by the Secretary.

§ 986.106 *Agents.* The Secretary may, by a designation in writing, name any person, including but not being limited to, any officer or employee of the United States Department of Agriculture, or any Division thereof, to act as his agent or representative in connection with any of the provisions of this subpart.

§ 986.107 *Effective time suspension, and termination* — (a) *Effective time.* The provisions of this subpart, or of any amendment to this subpart, shall become effective at such time as the Secretary may declare, and shall continue in force unless terminated or suspended in one of the ways hereinafter specified, so long as the provisions of the act authorizing the same are in effect.

(b) *Termination or suspension.* The Secretary may, at any time, terminate or suspend the provisions of this subpart whenever he finds that the provisions of this subpart obstruct or do not tend to effectuate the declared policy of the act; and such notice of the termination or suspension shall be given as the Secretary deems proper.

The Secretary shall terminate the provisions of this subpart whenever he finds that such termination is favored by the majority of the growers of hops who, during such representative period as may be detremined by the Secretary, have ben engaged in the production of hops within said States for market: *Provided*, That such majority have, during such period, produced for market more than fifty percent of the total volume of hops produced for market in said area during such period. Such termination shall become and be effective on and after the first day of July subsequent to the announcement thereof by the Secretary.

The provisions of this subpart shall terminate in any event whenever the provisions of the act authorizing them cease to be in effect.

(c) *Proceedings after termination.* Upon the termination of the provisions of this subpart the members of the Control Board then functioning shall continue as trustees (for the purpose of liquidating the affairs of said Control Board) of all funds and property then in the possession or under the control of the Control Board, including but not being limited to claims for any funds unpaid or property not delivered at the time of such termination; but the procedural rules governing the activities of said trustees; including, but not limited to, the determination as to whether action may be taken by only a majority vote of the trustees, shall be prescribed by the Secretary. Said trustees shall continue in such capacity until discharged by the Secretary, and from time to time shall account for all receipts and disbursements, and deliver all funds and property on hand, together with all books and records of the Control Board and the trustees, to such person as the Secretary may direct, and shall, upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person the right to all of the funds or claims vested in the Control Board or the trustees pursuant hereto. Any funds collected for expenses pursuant to §§ 986.90 through 986.92 and held by such trustees or such person over and above amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the trustees or such other person, in the performance of their duties under this subpart, shall, as soon as practicable after the termination of the provisions of this subpart, be disbursed among the handlers pro rata in proportion to their contributions pursuant to this subpart. Any person to whom funds, property, or claims have been delivered by the Control Board or its members, upon direction of the Secretary as herein provided, shall be subject to the same obligations and duties with respect to said funds, property, or claims as are hereinabove imposed upon the members of said Board or upon said trustees.

§ 986.108 *Duration of immunities.* The benefits, privileges, and immunities conferred by virtue of this subpart shall cease upon termination of this subpart except with respect to acts done under and during the existence of this subpart; and the benefits, privileges, and immunities conferred hereby upon any party signatory to this subpart shall cease upon the termination hereof as to such party except with respect to acts done under and during the existence of this subpart.

§ 986.109 *Separability.* If any provision of this subpart is declared invalid or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder hereof or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

§ 986.110 *Derogation.* Nothing contained in this subpart is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States (a) to exercise any powers granted by the act or otherwise, or (b) in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 986.111 *Right of the Secretary.* Each member of the Control Board, Growers Allocation Committee, and Growers Advisory Committee, including successors and alternates, and any agent, representative or employee apointed or employed by the Control Board, shall be subject to removal or suspension by the Secretary at any time. Each regulation, decision, determination, or other act of the Control Board, Growers Allocation Committee, or any Growers Advisory Committee, shall be subject to the continuing right of the Secretary to disapprove of the same at any time and, upon such disapproval, shall be deemed null and void except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 986.112 *Liability of Control Board members.* No member of the Control Board, Growers Allocation Committee, or any Advisory Committee, nor any agent, representative, or employee, shall be held liable individually in any way whatsoever to any other person for errors in judgment, mistakes, or other acts either of commission or omission as such member, employee, representative, except for acts of dishonesty. The liability of the parties hereunder is several and not joint, and no party shall be liable for the default of any other party.

§ 986.113 *Effect of termination or amendment.* Unless otherwise expressly provided by the Secretary, the termination of this subpart or of any regulation issued pursuant to this subpart, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen prior thereto, or (b) release or extinguish any violation of this subpart or of any regulation issued under this subpart or (c) affect or impair any right or remedy of the United States, or of the Secretary, or of any other person with respect to any such violation.

Filed at Washington, D. C., this 22d of June 1951.

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

[F. R. Doc. 51-7349; Filed, June 26, 1951; 8:50 a. m.]

[7 CFR Part 993]

[Docket No. AO 201-A 1]

HANDLING OF DRIED PRUNES PRODUCED IN CALIFORNIA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENTS TO MARKETING AGREEMENT AND ORDER

Correction

In Federal Register Document 51-6955, appearing at page 5794 of the issue for Saturday, June 16, 1951, the following changes should be made.

1. On page 5795, first column, subparagraph (3), the word "infected" should read "infested".

2. On page 5797, first column, tenth line from the bottom, the figure "303" should read "305".

3. On page 5800, third column, the first sentence of the last paragraph should read as follows:

The present provisions of § 993.5 (e) (1) (ii) (*a*) authorize, in addition to sales as aforesaid, sales in situations where foreign markets are developed in countries which were not considered in estimating the salable percentage. * * *

4. On page 5801, third column, the first sentence of the last paragraph should read as follows:

The present provisions of § 993.5 (e) (1) (v) (*a*) authorize, in addition to sales as aforesaid, sales in situations where expansion occurs in manufacturing outlets which were not provided for in estimating the salable percentage. * * *

5. On page 5804, second column, twelfth line, the word "production" should read "productions".

6. On page 5804, third column, twenty-second line, the word "terms" should read "term".

7. On page 5805, third column, the first line of item 6 should read: "6. Amend § 993.2 (l) (6) of the order,".

8. On page 5809, first column, nineteenth line, the word "much" should read "such".

9. On page 5810, the fifth line of § 993.26, the word "group" should read "groups", and in the eleventh line of § 993.26, the word "proportion" should read "proportions".

10. On pages 5818 and 5819, the following changes should be made in § 993.97:

a. In item I. A. (2), the word "conditions" should read "condition", and in item I. A. (9), the word "infestations" should read "infestation".

b. In item I. B. (3), the word "mean" should read "means".

c. Item II. A. (8) should read "(8) Imbedded dirt;".

NOTICES

DEPARTMENT OF THE TREASURY

Fiscal Service, Bureau of Accounts

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1951, 65th Supp.]

PROVIDENCE WASHINGTON INDEMNITY CO.

SURETY COMPANY ACCEPTABLE ON FEDERAL BONDS

JUNE 20, 1951.

A Certificate of Authority has been issued by the Secretary of the Treasury to the above company under the act of Congress approved July 30, 1947, (6 U. S. C. secs. 6-13), as an acceptable surety on Federal bonds. An underwriting limitation of $354,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington 25, D. C.

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 51-7318; Filed, June 26, 1951; 8:50 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[District No. 6, Amdt. 1]

COLORADO

MODIFICATION OF GRAZING DISTRICT

Under and pursuant to the authority vested in the Secretary of the Interior by the act of June 28, 1934 (48 Stat. 1269, 43 U. S. C. 315 et seq.) as amended, known as the Taylor Grazing Act, and in accordance with Departmental Order No. 2583 of August 16, 1950, sec. 2.22, 15 F. R. 5643, it is ordered as follows:

The Government-owned lands in the following-described areas are added to Colorado Grazing District No. 6, as heretofore established and modified (Misc. No. 1609199):

SIXTH PRINCIPAL MERIDIAN

T. 9 N., R. 91 W.,
Secs. 1 to 18 inclusive.
T. 10 N., R. 91 W.,
Secs. 5 to 8 inclusive;
Sec. 9, lots 3, 4, 5, 6, 9, 11, 12, 13, 14, 15, 16;
Sec. 10, lots 10, 11, 12, 13, 14, 15;
Sec. 13, lots 1, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16;
Sec. 15, lots 3, 4, 5, 6, 11, 12, 13, 14;
Secs. 16 to 36 inclusive.
Tps. 9 and 10 N., Rs. 92, 93, and 94 W.
T. 9 N., R. 95 W.,
Secs. 1 to 5 inclusive;
Secs. 8 to 17 inclusive;
Secs. 20 to 29 inclusive;
Secs. 32 to 36 inclusive.

The areas described include 27,580.99 acres of public land, 33,848.67 acres of acquired land, and 124,523.31 acres of non-public land.

WILLIAM ZIMMERMAN, JR.,
Associate Director.

[F. R. Doc. 51-7315; Filed, June 26, 1951; 8:50 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4161]

TRANS AMERICAN AIRWAYS, INC., ET AL.

NOTICE OF ORAL ARGUMENT

In the matter of the revocation of Letter of Registration No. 1760 issued to Trans American Airways, Inc., Letter of Registration No. 810 issued to Great Lakes Airlines, Inc., Letter of Registration No. 1519 issued to Golden Airways, Inc., and the alleged unauthorized air transportation activities and operations of Edward Ware Tabor and Sky Coach Air Travel, Inc.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on July 19, 1951, at 10:00 a. m., e. d. s. t., in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., June 21, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-7339; Filed, June 26, 1951; 8:52 a. m.]

[Docket No. 3966 et al.]

WEST COAST AIRLINES, INC. AND UNITED AIR LINES, INC.; WEST COAST CERTIFICATE RENEWAL CASE

NOTICE OF ORAL ARGUMENT

In the matter of the renewal and amendment of the temporary certificate of public convenience and necessity for route No. 77 held by West Coast Airlines, Inc., and the temporary suspension in part of the certificates of public convenience and necessity for routes Nos. 1 and 57 held by United Air Lines, Inc.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, particularly sections 205 and 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be held on July 17, 1951, at 10:00 a. m., e. d. s. t., in room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., June 22, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-7340; Filed, June 26, 1951; 8:52 a. m.]

[Docket No. 4972]

TRANS WORLD AIRLINES, INC.

NOTICE OF HEARING

In the matter of the application of Trans World Airlines, Inc., for redesignation of the intermediate point Allentown/Bethlehem, Pennsylvania, as Allentown/Bethlehem/Easton, Pennsylvania.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding is assigned to be held on July 2, 1951, at 2:30 p. m. e. d. t. in Room E-210 Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D. C., before Examiner Richard A. Walsh.

Dated at Washington, D. C., June 21, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-7341; Filed, June 26, 1951; 8:52 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

OFFICE OF AUDIT

ORGANIZATION AND FUNCTIONS

I. *General.* The Office of Audit is established as a staff office in the Production and Marketing Administration. The principal office is located in Washington, D. C., at the South Agriculture Building.

II. *Responsibilities.* The Office of Audit is responsible for the planning, directing and performing of commercial type audits and examinations of the Administration, its agents and contractors, and making cost analyses for use in renegotiating or terminating contracts.

III. *Field offices.* Field offices are primarily responsible for the performance of audits and the preparation of reports and recommendations on audits and examinations conducted. The field offices are located at: Atlanta, Georgia (Southeast area); Chicago, Illinois (Midwest area); Dallas, Texas (Southwest area); New York City, New York, (Northeast area); and San Francisco, California (Western area).

IV. *Availability of records and information.* Any person desiring information or to make submittals or requests with respect to the programs of this Office, should address his request to the Chief, Office of Audit, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. The records of the Office are available for examination in acordance with rules and designations of records issued by the Secretary (7 CFR 1.1-1.10).

Done at Washington, D. C., this 21st day of June 1951.

[SEAL] G. F. GEISSLER, *Administrator.*

[F. R. Doc. 51-7348; Filed, June 26, 1951; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Project No. 1553]

NEW JERSEY ZINC CO.

NOTICE OF ORDER ISSUING NEW LICENSE

JUNE 21, 1951.

Notice is hereby given that, on May 24, 1951, the Federal Power Commission issued its order entered May 22, 1951, issuing new license (Minor-Part) in the above-designated matter.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-7285; Filed, June 26, 1951; 8:45 a. m.]

[Project No. 344]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF ORDER AMENDING LICENSE

JUNE 21, 1951.

Notice is hereby given that, on April 20, 1951, the Federal Power Commission issued its order entered April 18, 1951, amending license (Major) in the above-designated matter.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-7286; Filed, June 26, 1951; 8:46 a. m.]

[Docket No. G-1414]

TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF ORDER REOPENING RECORD FOR RECEIVING EVIDENCE AND MODIFYING ORDER

JUNE 21, 1951.

Notice is hereby given that, on June 20, 1951, the Federal Power Commission issued its order entered June 19, 1951, reopening record for receiving evidence and modifying order issued January 26, 1951, published in the FEDERAL REGISTER February 1, 1951 (16 F. R. 953), issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-7287; Filed, June 26, 1951; 8:46 a. m.]

[Docket No. G-1635]

HOPE NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

JUNE 20, 1951.

On March 13, 1951, Hope Natural Gas Company (Applicant), a West Virginia corporation having its principal place of business at Clarksburg, West Virginia, filed an application as supplemented on April 27, 1951, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities, all as more fully described in such application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application including publication in the FEDERAL REGISTER on March 24, 1951 (16 F. R. 2667).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on July 11, 1951, at 9:45 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: June 21, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-7283; Filed, June 26, 1951; 8:45 a. m.]

[Docket No. G-1664]

SOUTHWEST GAS CORP., LTD.

ORDER FIXING DATE OF HEARING

JUNE 20, 1951.

On April 13, 1951, Southwest Gas Corporation, Ltd. (Applicant), a California corporation having its principal place of business at Barstow, California, filed an application as supplemented on May 29, 1951, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas transmission pipe-line facilities, all as more fully de-

scribed in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application including publication in the FEDERAL REGISTER on April 26, 1951 (16 F. R. 3600).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on July 11, 1951, at 9:30 a. m. e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application; *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: June 21, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-7284; Filed, June 26, 1951; 8:45 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[General Overriding Regulation 10, Special Order 1]

VI-JON LABORATORIES, INC.

CEILING PRICES FOR SALES BY MANUFACTURER AND FOR SALES AT RETAIL

Statement of considerations. In accordance with General Overriding Regulation 10, the applicant named in the accompanying special order, Vi-Jon Laboratories, Incorporated, has applied to the Office of Price Stabilization for an adjustment of the manufacturer's ceiling prices on all of its products and for an adjustment of the ceiling prices for sales at retail on certain of its products listed below.

Applicant has submitted the information required by section 3 of the regulation and has produced evidence which in the judgment of the Director established that the applicant is eligible for an adjustment provided by the regulation.

Upon the basis of the information submitted it appears that the applicant's existing ceiling prices would require it to operate at a loss with respect to its over-all manufacturing operations and the adjusted ceiling prices for which it applies are not out of line with the ceiling prices established for other sellers of similar commodities.

It further appears that the loss would be due to a substantial increase in raw material and labor costs; that the loss involved is attributable to the level of its existing ceiling prices and to no other cause; and if the proposed schedule of adjusted ceiling prices is put into effect by applicant, its operations will be at no more than a break-even point.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to General Overriding Regulation 10, this special order is hereby issued.

1. The following adjusted ceiling prices are established for sales after the effective date of this special order by the manufacturer to retailers and by any seller at retail of the products listed below:

CEILING PRICES FOR SALES BY VI-JON LABORATORIES, INC., ST. LOUIS, MO., AND CHICAGO, ILL.

No.	Size	Product	New manufacturers ceiling price to retailers	New retail ceiling price
			Dozen	*Each*
166	2 oz.	V/J Oily Polish Remover	$0.62	
177	3 oz.	Vi-Jon Oily Polish Remover	.66	
500	7/16 oz.	Vi-Jon Nail Polish	.71	
312	4 oz.	Vi-Jon Hospital Antiseptic	.68	
316	12 oz.	Vi-Jon Hospital Antiseptic	1.46	
432	16 oz.	Vi-Jon Hospital Antiseptic	1.60	
193	4 oz.	Vi-Chlo-Ris Mouthwash	.60	
195	12 oz.	Vi-Chol-Ris Mouthwash	1.19	
390	16 oz.	Vi-Chlo-Ris Mouthwash	1.24	
112	3 oz.	V/J Cocoanut Oil Shampoo	.66	
81A	3 oz.	Sta-Bac Brilliantine, Amber	.65	
81R	3 oz.	Sta-Bac Brilliantine, Red	.65	
82	3 oz.	Sta-Bac Brilliantine, Non-oily	.65	
98	3 oz.	V/J Brilliantine, W/Olive Oil	.67	
79	3 oz.	Vi-Jon Rose Hair Oil (Red)	.65	
80	3 oz.	Petrolatum Hair Oil (Clear)	.61	
62	5¼ oz.	Sta-Bac Curl Set (Green)	.66	
63	5¼ oz.	Vi-Jon Quick Wave Set (Clear)	.66	
60	5¼ oz.	Sta-Bac Wave Set W/Lanolin	.66	
324	3 oz.	70% Isopropyl Rubbing Alcohol	.64	
326	16 oz.	70% Isopropyl Rubbing Alcohol	1.57	
131	4 oz.	Hydrogen Peroxide	.57	
134	6 oz.	Hydrogen Peroxide	.65	
136	8 oz.	Hydrogen Peroxide	.80	
137	16 oz.	Hydrogen Peroxide	1.18	
28	⅛ oz.	Mertheolate (Lilly)	.68	
163	¼ oz.	Mercurochrome, Rubber caps	.56	
165	½ oz.	Mercurochrome, Rubber cap	.68	
149	15/16 oz.	White Petroleum Jelly	.40	
152	2.85 oz.	White Petroleum Jelly	.65	
156	5 oz.	White Petroleum Jelly	.91	
151	12 oz.	White Petroleum Jelly	1.73	$0.29
124	3½ oz.	Amber Petroleum Jelly	.63	
41	5 oz.	Apple Blossom Bubble Bath	.67	
43	5 oz.	Gardenia Bubble Bath	.67	
45	5 oz.	Pine Bubble Bath	.67	
46	5 oz.	Assorted Bubble Bath	.67	
18	12 oz.	Pine Bath Crystals	.69	
20	12 oz.	Bouquet Bath Crystals	.69	
22	12 oz.	Spice Bath Crystals	.69	
26	12 oz.	Assorted Bath Crystals	.69	
331	5 oz.	Vi-Jon A/B Talc (Metal Can)	.83	.15
332	5 oz.	Vi-Jon Rose Talc (Metal Can)	.83	.15
333	5 oz.	Vi-Jon Sweet Pea Talc (Metal Can)	.83	.15
100	4 oz.	Vi-Jon Velvet Night (Metal Can)	.79	.15
150	2.85 oz.	Old Southern Hair Pomade	.70	
144	3½ oz.	Solid Red Brilliantine	.63	
110	1½ oz.	Vi-Jon Hair Cream Solid	.67	
157	4 oz.	Blondair Bleaching Peroxide	.71	
160	6 oz.	Blondair Bleaching Peroxide	.87	
159	16 oz.	Blondair Bleaching Peroxide	1.64	
118	3 oz.	Vi-Jon Hair Tonic	.69	
168	8 oz.	Vi-Jon Hair Tonic	1.45	
114		Vi-Jon Hair Rinse	* .60	
93	2 oz.	Vi-Jon Rosewater and Glycerin	.65	
241	12 oz.	V/J Almond Lotion, White	1.47	
229	12 oz.	Velta Lotion, Pink	1.47	
192	2 oz.	V/J Lilac After Shave Lotion	.68	
203	3 oz.	V/J Lilac After Shave Lotion	.92	.15
122	8 oz.	V/J Lilac After Shave Lotion	1.64	.29
85	2 oz.	Vi-Jon Bay Rum	.67	
174	8 oz.	Vi-Jon Bay Rum	1.49	.29
132	12 oz.	Vi-Jon Bay Rum	1.76	.35
116	3 oz.	Ba-Shave Lotion	.66	
47	¼ oz.	Blue Danube Perfume	.69	
51	1 oz.	Blue Danube Perfume	1.59	
88	½ oz.	Velvet Night Perfume	.70	
209	10 oz.	Lady Orchid All Purpose Cream	1.70	
210	10 oz.	Lady Orchid Cold Cream	1.80	
211	10 oz.	Lady Orchid Vanishing Cream	1.87	
54	13½ oz.	Lady Orchid All Purpose Cream	2.10	
55	13½ oz.	Lady Orchid Cold Cream	2.48	
56	15 oz.	Lady Orchid Vanishing Cream	2.37	
10	2 oz.	V/J Lemon Vanishing Cream	.65	
12	2 oz.	V/J Dry Skin Cream W/Lanolin	.67	
15	2 oz.	V/J Olive Oil Cold Cream	.68	
16	2 oz.	V/J All Purpose Cream	.67	
17	2 oz.	V/J Vanishing Cream	.67	
24	2 oz.	V/J Olive Oil Hand Cream	.69	
96	2 oz.	Witch Hazel	.71	
111		Modern Eyes Mascara, Black	.65	
170	1 oz.	Menthol Balm	.75	

CEILING PRICES FOR SALES BY VI-JON LABORATORIES, INC., ST. LOUIS, MO., AND CHICAGO, ILL.—Con.

No.	Size	Product	New manufacturers ceiling price to retailers	New retail ceiling price
			Dozen	*Each*
256	16 oz.	Hospital Brand Mineral Oil	$2.06	$0.35
362	2 oz.	Hospital Brand Castor Oil	1.19	
402	2 oz.	Pure Gum Spirits Turpentine	.70	
416	16 oz.	Turpentine	2.49	.39
103	2 oz.	V/J Pure Imported Olive Oil	1.38	

The above listed ceiling prices are subject to the following discounts, allowances and trade practices:
F. o. b. St. Louis and Chicago; Terms: 1 percent 10 days, 30 days net.
F. o. b. St. Louis and Chicago with special freight allowance of $1 per hundredweight to all points in: New England States, New Jersey, Delaware, Pennsylvania east of the Susquenhanna River, New York State east of Seneca Lake. This special freight allowance for the northeastern territory is in lieu of services formerly rendered by the Brooklyn warehouse now closed.
To all other points freight to be equalized with Brooklyn, Chicago, or St. Louis, whichever is cheapest.
Delivered in Chicago and St. Louis in 200-pound lots or more.

No.	Size	Product	New manufacturers ceiling price to retailers	New retail ceiling price
			Dozen	*Each*
99	2 oz.	Vi-Jon Soft Hand Lotion	$0.67	
101	8 oz.	Vi-Jon Soft Hand Lotion	1.50	
555	6 oz.	Hospital Antiseptic	1.08	
546	6 oz.	Vi-Chlo-Ris Mouthwash	.95	
65	5-1 gram	Capsules Sta-Curl	1.62	
218	8 oz.	Cocoanut Oil Shampoo	1.65	
77	1½ oz.	V/J Special Formula Shampoo	.68	
72	2 oz.	V/J Creme Shampoo W/Lanolin	1.60	
78	2 oz.	Sta-Bac Hair Cream (White Liquid)	.74	
95	8 oz.	Sta-Bac Hair Cream (White Liquid)	1.56	
197	1 oz.	Vi-Jon Hair Lacquer	.74	
199	3 oz.	Vi-Jon Hair Lacquer	1.51	
71A	2 oz.	Sta-Bac Brilliantine, Amber	.70	
84A	6 oz.	Sta-Bac Brilliantine, Amber	1.14	
71R	2 oz.	Sta-Bac Brilliantine, Red	.70	
84R	6 oz.	Sta-Bac Brilliantine, Red	1.14	
75	2 oz.	Sta-Bac Brilliantine, Non-oily	.70	
73	2 oz.	V/J Olive Oil Brilliantine	.73	
74	2 oz.	VI-Jon Rose Hair Oil	.70	
107	6 oz.	Vi-Jon Rose Hair Oil	1.14	
139	8¾ oz.	Vi-Jon Hair Pomade	1.62	
182	1½ oz.	V/J Lanolin Polish Remover	.58	
1	13 oz.	Vi-Jon Rose Talc	1.53	$0.25
3	13 oz.	Vi-Jon Sweet Pea Talc	1.53	.25
6	13 oz.	Vi-Jon Southern Bouquet Talc	1.53	.25

The ceiling prices listed above for those items including and following No. 99, 2 oz. Vi-Jon Soft Hand Lotion are subject to the following discounts, allowances and trade practices:
Freight fully prepaid on all items when ordered in amounts totaling $20.00 or more anywhere in the U. S. A. except in the states of Arizona, California, Idaho, Nevada, Oregon, Utah and Washington. When ordered with f. o. b. items proportionate freight to be allowed on face of invoice. Terms: 1 percent 10 days, 30 days net.

CEILING PRICES FOR SALES BY VI-JON LABORATORIES, INC., OAKLAND, CALIF.

No.	Size	Product	New manufacturers ceiling price to retailers	New retail ceiling price
			Dozen	*Each*
312	4 oz.	Antiseptic	$0.80	$0.12
424	6 oz.	Antiseptic	.92	
432	16 oz.	Antiseptic	1.68	
	32 oz.	Antiseptic	2.70	
193	4 oz.	Vichloris	.68	
386	6 oz.	Vichloris	.77	
390	16 oz.	Vichloris	1.45	
	32 oz.	Vichloris	2.20	
324	4 oz.	Isopropyl Alcohol	.82	
323	6 oz.	Isopropyl Alcohol	1.00	

CEILING PRICES FOR SALES BY VI-JON LABORATORIES, INC., OAKLAND, CALIF.—Continued

No.	Size	Product	New manufacturers ceiling price to retailers	New retail ceiling price
			Dozen	*Each*
326	16 oz.	Isopropyl Alcohol	$1.50	
131	4 oz.	Peroxide 10 Vol.	.68	
134	6 oz.	Peroxide 10 Vol.	.80	$0.15
136	8 oz.	Peroxide 10 Vol.	.92	
137	16 oz.	Peroxide 10 Vol.	1.42	
157	4 oz.	Peroxide 20 Vol.	.85	
160	6 oz.	Peroxide 20 Vol.	.98	
158	8 oz.	Peroxide 20 Vol.	1.24	
159	16 oz.	Peroxide 20 Vol.	1.79	
62	6 oz.	Curl Set (Green)	.69	
63	6 oz.	Curl Set (Clear)	.69	
66	6 oz.	Curl Set (Veg. Oil)	.71	
	16 oz.	Curl Set	1.40	
71	2 oz.	Brilliantine A-R	.64	
81	3 oz.	Brilliantine A-R	.75	
84	6 oz.	Brilliantine A-R	.93	
80	3 oz.	Brilliantine Clear	.75	
98	3 oz.	Brilliantine Veg Oil	.75	
150	3½ oz.	Old Southern Pomade	.93	.15
144	3½ oz.	Solid Br. Pomade	.90	.15
79	3 oz.	Rose Hair Oil	.75	
107	6 oz.	Rose Hair Oil	.93	
89	8 oz.	Rose Hair Oil	1.07	
119	16 oz.	Rose Hair Oil	1.58	
152	3½ oz.	White Jelly	.78	.15
151	14 oz.	White Jelly	2.10	
124	3½ oz.	Amber Jelly	.78	.15
155	14 oz.	Amber Jelly	1.90	
103	2 oz.	Olive Oil	1.32	
118	3 oz.	Hair Tonic	.84	.15
168	8 oz.	Hair Tonic	1.41	
	16 oz.	Hair Tonic	2.40	
78	2 oz.	Hair Cream	.72	
95	8 oz.	Hair Cream	1.53	
97	16 oz.	Hair Cream	2.45	
112	4 oz.	Shampoo	.80	
113	8 oz.	Shampoo	1.25	
115	16 oz.	Shampoo	2.14	
99	2½ oz.	Soft Hand Lotion	.75	
	3½ oz.	Soft Hand Lotion	.84	
101	8 oz.	Soft Hand Lotion	1.50	
93	3½ oz.	Rosewater & Glycerin	.80	.12
180	1½ oz.	Glycerine	1.48	
181	3 oz.	Glycerine	2.40	
90	3½ oz.	Almond Lotion	.75	
241	8 oz.	Almond Lotion	1.38	
243	12 oz.	Almond Lotion	1.84	
285	16 oz.	Almond Lotion	2.12	
91	3½ oz.	Hand Balm	.75	
240	8 oz.	Hand Balm	1.38	
244	12 oz.	Hand Balm	1.86	
286	16 oz.	Hand Balm	2.10	
24	2 oz.	Hand Cream	.80	
14	2 oz.	Cold Cream	.80	
85	3 oz.	Bay Rum	.80	.12
87	4 oz.	Bay Rum	.90	.15
174	8 oz.	Bay Rum	1.51	.29
132	12 oz.	Bay Rum	1.85	
173	16 oz.	Bay Rum	2.45	
96	3 oz.	Witch Hazel	.75	
126	4 oz.	Witch Hazel	1.00	
128	8 oz.	Witch Hazel	1.90	
129	16 oz.	Witch Hazel	2.70	
	32 oz.	Witch Hazel	4.00	
117	3 oz.	Lilac After Shave	.84	.15
122	8 oz.	Lilac After Shave	1.66	.29
143	16 oz.	Lilac After Shave	2.51	
52	1 oz.	Night in Hongkong	1.59	
48	¼ oz.	Night in Hongkong	.70	
51	1 oz.	Blue Danube Perfume	1.59	
47	¼ oz.	Blue Danube Perfume	.70	
166	2 oz.	Nail Polish Remover	.96	
177	3 oz.	Nail Polish Remover	.75	
182	2 oz.	Lanolin Nail Polish Remover	.69	
500	½ oz.	Nail Polish (all shades)	.75	
331	5 oz.	Talcum	.94	
332	5 oz.	Talcum	.94	
333	5 oz.	Talcum	.94	

CEILING PRICES FOR SALES BY VI-JON LABORATORIES, INC., ST. LOUIS, MO., AND CHICAGO, ILL.

No.	Size	Product	New manufacturers ceiling price to retailers	New retail ceiling price
			Dozen	*Each*
100	4 oz.	Velvet Night Talc	$0.90	
41	5 oz.	Bubble Bath (all odors)	.75	
18	12 oz.	Bath Crystals (all odors)	.75	
111		Mascara (all shades)	.65	
28	½ tr.	Merthiolate	1.09	
29	1 oz.	Merthiolate	1.79	
162	1 oz.	Mercurochrome	1.14	
161	½ oz.	Mercurochrome	.72	
163	¼ oz.	Mercurochrome	.56	
197	1 oz.	Hair Lacquer	.87	
199	3 oz.	Hair Lacquer	1.58	

Those prices above listed which are for sales by Vi-Jon Laboratories, Inc., Oakland, Calif., are subject to the following discounts, allowances and trade practices:
All shipments f. o. b. Oakland or Los Angeles. Minimum order 100 pounds one item or assorted.

2. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

3. The provisions of this special order are applicable to sales of the above listed commodities in the 48 states of the United States and in the District of Columbia.

Effective date. This special order shall become effective June 26, 1951.

MICHAEL V. DISALLE,
Director,
Office of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7350; Filed, June 25, 1951; 8:54 a. m.]

[General Ceiling Price Regulation, Supplementary Regulation 5 Section 8, Special Order 1]

CERTAIN CHRYSLER AUTOMOBILES

RETAIL LIST PRICES

Statement of Considerations. The Director of Price Stabilization has recently established wholesale ceiling prices on certain new models of automobiles not counterparts of those previously produced, for the Chrysler Corporation pursuant to section 4 (d) of Ceiling Price Regulation 1. Accordingly, by authority of section 8 of Supplementary Regulation 5 to the General Ceiling Price Regulation and in conformance with the standards set forth therein, the Director has determined to establish dollar and cents prices for such models, which prices shall be used by the seller in place of the sum of those items specified in section 3 (a) and 3 (h) of Supplementary Regulation 5 to the General Ceiling Price Regulation, to determine retail ceiling prices under section 3.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 8 of Supplementary Regulation 5 to the General Ceiling Price Regulation, this Special Order 1 is hereby issued.

1. The following prices for automobiles with four tires are established for use by retail sellers in place of the sum of those items specified in section 3 (a) and 3 (h) of Supplementary Regulation 5 to the General Ceiling Price Regulation.

Chrysler New Yorker, C-52:	
6 passenger Sedan	$2,914.77
Club Coupe	2,888.78
Convertible Coupe	3,382.74
Newport	3,280.12
Town and Country Wagon	3,478.53
Chrysler Imperial, C-54:	
6 passenger Sedan	$3,175.99
Club Coupe	3,165.04
Convertible Coupe	3,809.53
Newport	3,496.18
Crown Imperial, C-53:	
8 passenger Sedan	$5,702.89
8 passenger Limousine	5,805.41

2. This special order or any provision thereof may be revoked, suspended or amended by the Director of Price Stabilization at any time.

Effective date. This special order shall become effective June 30, 1951.

EDWARD F. PHELPS, Jr.
Acting Director of
Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7371; Filed, June 25, 1951; 11:25 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 81]

UNION UNDERWEAR CO., 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, Union Underwear Company, Inc., 350 Fifth Avenue, New York 1, N. Y., 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 and boys' underwear manufactured by Union Underwear Company,, Inc., 350 Fifth Avenue, New York 1, N. Y., having the brand name(s) "Fruit of the Loom", shall be the proposed retail ceiling prices listed by Union Underwear Company, Inc., in its application dated April 2, 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 25, 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 26, 1951, Union Underwear Company, 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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 2 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7372; Filed, June 25, 1951; 11:25 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 82]

ROSEDALE KNITTING CO.

CEILING PRICE AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Rosedale Knitting Company, Reading, 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 women's hosiery manufactured by Rosedale Knitting Company, Reading, Pennsylvania, having the brand name(s) "Rosedale", shall be the proposed retail ceiling prices listed by Rosedale Knitting Company, in its application dated May 7, 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 25, 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 26, 1951, Rosedale Knitting 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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) Our price to retailers	(Column 2) 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 2 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7373; Filed, June 25, 1951; 11:26 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 83]

CHIPMAN KNITTING MILLS

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, Chipman Knitting Mills, Easton, 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 specific 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 women's hosiery manufactured by Chipman Knitting Mills, Easton, Pennsylvania, having the brand name(s) "Roman Stripe Hosiery", shall be the proposed retail ceiling prices listed by Chipman Knitting Mills, in its application dated May 2, 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 25, 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 26, 1951, Chipman Knitting Mills, 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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) Our price to retailers	(Column 2) 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 amend-

ment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 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 its 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7374; Filed, June 25, 1951; 11:26 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 84]

GRUEN WATCH CO.

CEILING PRICE AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, the Gruen Watch Company, Time Hill, Cincinnati 6, Ohio, 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 and ladies' watches, manufactured by the Gruen Watch Company, Time Hill, Cincinnati 6, Ohio, having the brand name(s) "Gruen", shall be the proposed retail ceiling prices listed by the Gruen Watch Company, in its application dated April 19, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's applications dated May 7, 1951, and May 18, 1951). 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 25, 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 26, 1951, the Gruen 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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	Retailers' 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 2 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7375; Filed, June 25, 1951; 11:26 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 85]

TRU BALANCE CORSETS, 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, Tru Balance Corsets, Inc., 38 East 32d Street, New York 16, New York, 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 women's girdles and panty girdles manufactured by Tru Balance Corsets, Inc., 38 East 32d Street, New York 16, New York, having the brand name(s) "Tru Balance" and "Miss Tru Balance", shall be the proposed retail ceiling prices listed by Tru Balance Corsets, Inc., in its application dated April 3, 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 25, 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 26, 1951, Tru Balance Corsets, 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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 2 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7376; Filed, June 25, 1951; 11:26 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 86]

WHITE STAG MFG. 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, White Stag Manufacturing Co., 67 West Burnside Street, Portland 9, Oreg., 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, women's, and children's outerwear and head gear manufactured by White Stag Manufacturing Co., 67 West Burnside Street, Portland, Oreg., having the brand name(s) "White Stag", shall be the proposed retail ceiling prices listed by White Stag Manufacturing Co., in its application dated March 15, 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 25, 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 26, 1951, White Stag Manufacturing Co., 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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	Retailers' 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 2 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7377; Filed, June 25, 1951; 11:26 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 87]

A-1 MANUFACTURING 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, A-1 Manufacturing Company, 1049 South Los Angeles Street, Los Angeles 15, California, 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 ceil-

ing 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 and boys' jackets, slacks and shorts manufactured by A–1 Manufacturing Company, 1049 South Los Angeles, Los Angeles 15, California, having the brand name(s) "Suppldrape Marine Blue Denims", shall be the proposed retail ceiling prices listed by A–1 Manufacturing Company, in its application dated April 3, 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 25, 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 26, 1951, A–1 Manufacturing 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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 2 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51–7378; Filed, June 25, 1951; 11:26 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 88]

GOTHAM HOSIERY CO., 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, Gotham Hosiery Company, Inc., 200 Madison Avenue, New York 16, New York, 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 women's nylon hosiery manufactured by Gotham Hosiery Company, Inc., 200 Madison Avenue, New York 16, New York, having the brand name(s) "Gotham Gold Stripe", shall be the proposed retail ceiling prices listed by

Gotham Hosiery Company, Inc., in its application dated May 11, 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 25, 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 26, 1951, Gotham Hosiery Company, 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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	Retailers' 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 2 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 t he 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7379; Filed, June 25, 1951; 11:27 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 89]

LONGINES-WITTNAUER WATCH CO., 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, Longines-Wittnauer Watch Co., Inc., 580 Fifth Avenue, New York 19, New York, 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 Longines-Wittnauer Watch Co., Inc. (a New York corporation), 580 Fifth Avenue, New York 19, N. Y., having the brand name(s) "Longines" and "Wittnauer" shall be the proposed retail ceiling prices listed by Longines-Wittnauer Watch Co., Inc., in its application dated May 21, 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 25, 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 26, 1951, Longines-Wittnauer Watch Co., 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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 2 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7380; Filed, June 25, 1951; 11:27 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 90]

COPELAND & THOMPSON, 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, Copeland & Thompson, Inc., 206 Fifth Avenue, New York 10, New York (hereafter called wholesaler), 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 imported Spode china and earthenware sold at wholesale by Copeland & Thompson, Inc., 206 Fifth Avenue, New York 10, New York, having the brand name(s) "Spode", shall be the proposed retail ceiling prices listed by Copeland & Thompson, Inc., in its application dated April 24, 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 25, 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 wholesaler after the effective date of this special order.

3. On and after July 26, 1951, Copeland & Thompson, 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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 wholesaler'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 wholesaler 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 wholesaler 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 wholesaler 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 wholesaler 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 wholesaler shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the wholesaler 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 wholesaler 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7381; Filed, June 25, 1951; 11:27 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 91]

TRUNDLE BUNDLE PRODUCTS 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, Trundle Bundle Products Co., 326 West Michigan Street, Duluth 2, Minnesota, 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 babies' sleeping garments manufactured by Trundle Products Co., 326 West Michigan Street, Duluth 2, Minnesota, having the brand name(s) "Trundle Bundle" shall be the proposed retail ceiling prices listed by Trundle Bundle Products Co., in its application dated March 30, 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 25, 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 26, 1951, Trundle Bundle Products Co. 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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) Our price to retailers	(Column 2) 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 26, 1951.

JUNE 25, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

[F. R. Doc. 51-7387; Filed, June 25, 1951; 12:33 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 92]

ANNIS SPORTSWEAR, 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, Annis Sportswear, Inc., 1384 Broadway, New York 18, New York 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 swim suits manufactured by Annis Sportswear, Inc., 1384 Broadway, New York 18, New York, having the brand name(s) "Sea Glamour" shall be the proposed retail ceiling prices listed by Annis Sportswear, Inc., in its application dated May 11, 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 25, 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 26, 1951, Annis Sportswear, 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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) Our price to retailers	(Column 2) 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7388; Filed, June 25, 1951; 12:33 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 93]

ABBEY IMPORTS, 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, Abbey Imports, Inc., 350 Fifth Avenue, New York 1, N. Y. (hereafter called wholesaler), 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 wool socks sold at wholesale by Abbey Imports, Inc., 350 Fifth Avenue, New York 1, New York, having the brand name(s) "Byford 98" shall be the proposed retail ceiling prices listed by Abbey Imports, Inc., in its application dated May 8, 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 25, 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 wholesaler after the effective date of this special order.

3. On and after July 26, 1951, Abbey Imports, 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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 wholesaler'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 wholesaler 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 wholesaler 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 shal be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler 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 wholesaler 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 wholesaler shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the wholesaler 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 wholesaler 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7389; Filed, June 25, 1951; 12:34 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 94]

OLYMPIC KNITWEAR, 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, Olympic Knitwear, Inc., 1372 Broadway, New York 18, N. Y., 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 sweaters manufactured by Olympic Knitwear, Inc., 1372 Broadway, New York 18, N. Y. having the brand name(s) "Tish-U-Knit" shall be the proposed retail ceiling prices listed by Olympic Knitwear, Inc. 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 25, 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 26, 1951, Olympic Knitwear, 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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) Our price to retailers	(Column 2) 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7390; Filed, June 25, 1951; 12:34 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 95]

GLADDING, MCBEAN & 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, Gladding, McBean & Co., 2901 Los Feliz Boulevard, Los Angeles 39, California, 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 earthenware and vitrified china manufactured by Gladding, McBean & Co., 2901 Los Feliz Boulevard, Los Angeles 39, California, having the brand name(s) "Franciscan Ware" and "Franciscan Fine China" shall be the proposed retail ceiling prices listed by Gladding, McBean & Co. in its application dated April 18, 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 25, 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 26, 1951, Gladding, McBean & Co., 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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 2 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7391; Filed, June 25, 1951; 12:34 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 96]

FOLEY MFG. 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, Foley Manufacturing Company, 3300 Northeast Fifth Street, Minneapolis 18, Minnesota, 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 kitchen utensils manufactured by Foley Manufacturing Company, 3300 Northeast Fifth Street, Minneapolis 18, Minnesota having the brand name(s) "Foley" shall be the proposed retail ceiling prices listed by Foley Manufacturing Company, in its application dated May 4, 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 25, 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 26, 1951, Foley Manufacturing 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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 armendment 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 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7392; Filed, June 25, 1951; 12:34 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 97]

SITROUX 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, Sitroux, Incorporated, 468 Fourth Avenue, New York 16, N. Y., 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 facial tissues manufactured by Sitroux, Incorporated, 468 Fourth Avenue, New York 16, N. Y., having the brand name(s) "Sitrue" shall be the proposed retail ceiling prices listed by Sitroux, Incorporated, in its application dated April 0, 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 25, 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 26, 1951, Sitroux Incorporated, 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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 2 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. The special order shall become effective June 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7393; Filed, June 25, 1951; 12:34 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 98]

ATLANTIC PRODUCTS CORP.

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, Atlantic Products Corporation, Trenton 5, New Jersey, 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 wardrobe luggage manufactured by Atlantic Products Corporation, Trenton 5, New Jersey, having the brand name(s) "Val-A-Pak" and "Lady Val-A-Pak" shall be the proposed retail ceiling prices listed by Atlantic Products Corporation in its application dated April 18, 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 25, 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 26, 1951, Atlantic Products Corporation 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 lable, 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 25, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 25, 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) Our price to retailers	(Column 2) 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 2 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 provisons of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 25, 1951.

[F. R. Doc. 51-7394; Filed, June 25, 1951; 12:35 p. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26191]

WROUGHT IRON PIPE FROM WHARTON, N. J., TO SOUTHWEST

APPLICATION FOR RELIEF

JUNE 22, 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. 3748.

Commodities involved: Iron or steel pipe, wrought iron, welded or seamless, and related articles, carloads.

From: Wharton, N. J.

To: Points in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

Grounds for relief: Circuity, rail competition, grouping, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates; D. Q. Marsh's tariff I. C. C. No. 3748, Supp. 81

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. 51-7304; Filed, June 26, 1951; 8:48 a. m.]

[Rev. S. O. 876, General Permit 7-L]

COMMON CARRIERS BY RAILROAD

PERMISSION REGARDING CERTAIN SHIPMENTS OF LUMBER AND LUMBER PRODUCTS

Pursuant to the authority vested in me in paragraph (d) (2) of Revised Service Order No. 876 (16 F. R. 3620, 4276), permission is granted for any common carrier by railroad, subject to the Interstate Commerce Act, to disregard the provisions of Revised Service Order No. 876 insofar as they apply to shipments of lumber and lumber products from transit points where identity of the particular shipment has been preserved and the outbound shipment represents all of the material after processing received at the transit point.

This general permit shall become effective at 12:01 a. m., June 21, 1951, and shall expire at 11:59 p. m., September 30, 1951, unless otherwise modified, changed, suspended, or revoked.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of June 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-7309; Filed, June 26, 1951; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 2-5787 (22-417)]

HOUSEHOLD FINANCE CORP.

NOTICE OF APPLICATION AND OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 21st day of June A. D. 1951.

Notice is hereby given that Household Finance Corporation (Company) has filed an application under clause (ii) of section 310 (b) (1) of the Trust Indenture Act of 1939 (act) for a finding by the Commission that trusteeship of J. P.

Morgan & Co. Incorporated (Morgan) under an Indenture dated July 1, 1945 (1945 Indenture), which was heretofore qualified under the act, and trusteeship by Morgan under an Indenture dated July 1, 1948 (not qualified under the act) for which an exemption was granted July 27, 1948, pursuant to the provisions of section 310 (b) (1) (ii) of the act (hereinafter referred to as the 1948 Indenture) and under a proposed New Indenture to be dated July 1, 1951 (not to be qualified under the act), is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify said Trustee from acting as such under the 1945 Indenture.

Section 310 (b) of the act, which is included in section 8 of Article Seven of the 1945 Indenture, provides in part that if an indenture trustee under an indenture qualified under the act has or shall acquire any conflicting interest (as defined in the section), it shall, within ninety days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of this section provides, with certain exceptions stated therein, that a trustee is deemed to have a conflicting interest if it is acting as trustee under a qualified indenture of an issuer and becomes trustee under another indenture of the same issuer. However, pursuant to clause (ii) of subsection (1), an issuer may sustain the burden or proving, on application to the Commission and after opportunity for hearing thereon, that trusteeship under a qualified indenture and another indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under one of such indentures.

The Company alleges: (1) that it proposes to issue $25,000,000 aggregate principal amount of 3½ percent Sinking Fund Debentures, due July 1, 1966, under a New Debenture under which Morgan is to be named Indenture Trustee; that said Debentures will be sold to one institutional investor which will purchase for investment and not with a view to distribution; and, that the New Indenture is exempted from qualification under the act by section 304 (b) (1) thereof; (2) that it has outstanding $15,000,000 principal amount of unsecured 2¾ percent Sinking Fund Debentures, due July 1, 1970, issued under the qualified 1945 Indenture, under which Morgan is Trustee; (3) that the 1945 Indenture names Morgan as Trustee and contains language substantially similar to that of section 310 (b) (1) of the act, including clause (ii) thereof; (4) that it also has outstanding $25,000,000 principal amount of 3 percent Sinking Fund Debentures, due July 1, 1964, under the 1948 Indenture, executed by the Company with Morgan, as Trustee, which were purchased by two institutional investors for investment and not with a view to distribution; (5) that the Commission on July 27, 1948, granted an application for exemption under section 310 (b) (1) (ii) of the act for Morgan to become Trustee under the 1948 Indenture without becoming disqualified under the 1945 Indenture; (6) that the 1945 Indenture, the 1948 Indenture and the New Indenture will be wholly unsecured; that the provisions of the New Indenture will in all other respects be substantially the same as the 1945 Indenture and the 1948 Indenture except that the New Indenture will contain different dates, redemption prices, sinking fund amounts and certain covenants, and the effectiveness of certain provisions conforming to the act will be deferred until the New Debenture is qualified thereunder; (7) that it is not in default under the 1945 Indenture or the 1945 Debentures, or under the 1948 Indenture or the 1948 Debentures; and (8) that differences existing between the 1945 Indenture, 1948 Indenture and the New Indenture are not likely to involve a conflict of interest in the trusteeship.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission at 425 Second Street NW., Washington, D. C.

Notice is further given that an order granting the application may be issued by the Commission at any time after July 5, 1951, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in clause (ii) of section 310 (b) (1) of the Trust Indenture Act of 1939. Any interested person may, not later than July 2, 1951, at 5:30 p. m., e. d. s. t., in writing, submit to the Commission his views or any additional facts bearing upon this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact and law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7289; Filed, June 26, 1951; 8:46 a. m.]

[File No. 7-1316]

ALUMINUM CO. OF AMERICA

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 21st day of June A. D. 1951.

The Boston Stock Exchange, pursuant to section 12 (f)*(2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, no par value, of Aluminum Company of America, a security listed and registered on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to July 5, 1951, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7291; Filed, June 26, 1951; 8:47 a. m.]

[File No. 54-168]

ELECTRIC BOND AND SHARE CO.

ORDER CONTAINING RECITALS IN ACCORDANCE WITH SUPPLEMENT R OF INTERNAL REVENUE CODE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of June A. D. 1951.

Electric Bond and Share Company ("Bond and Share"), a registered holding company, being the owner of approximately 22,000 shares of the common stock of Florida Power & Light Company, and being under commitment to dispose of said shares, having notified the Commission pursuant to Rule U-44 (c) of the rules and regulations promulgated under the Public Utility Holding Company Act of 1935 of its intention to sell 3,200 shares of the common stock of Florida Power & Light Company, at a price of $21,625 per share, to The Pennroad Corporation, without payment of any fees or commissions; and

The Commission having notified Bond and Share pursuant to Rule U-44 (c) that no declaration need be filed with respect to the proposed sale; and

Bond and Share having requested the Commission to issue an order containing findings and recitations in accordance with the meaning and requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof:

It is ordered and recited, That the sale and transfer by Electric Bond and Share Company of 3,200 share of common stock of Florida Power & Light Company to The Pennroad Corporation is necessary or appropriate to the integration or simplification of the holding company system of which Electric Bond and Share

Company is a member and is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, all in accordance with the meaning and requirements of the Internal Revenue Code and section 1808 (f) and Supplement R thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7290; Filed, June 26, 1951; 8:47 a. m.]

[File No. 70-2621]

NORTH PENN GAS CO.

SUPPLEMENTAL ORDER APPROVING PRICE AND SPREAD, WITH RESPECT TO ISSUANCE AND SALE OF DEBENTURES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 19th day of June A. D. 1951.

North Penn Gas Company ("North Penn"), a registered holding company and a gas utility company which is a subsidiary of Pennsylvania Gas & Electric Corporation, also a registered holding company, having filed an application - declaration, and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935 (the "act") and certain rules and regulations promulgated thereunder, with respect to, among other things, the issuance and sale by North Penn, pursuant to the competitive bidding provisions of Rule U-50, of $2,700,000 principal amount of -- percent Debentures, due June 1, 1971; and

The Commission, by order dated June 7, 1951, having granted and permitted to become effective the aforesaid application-declaration, subject to the condition, among others, that the proposed issuance and sale of such debentures by North Penn should not be consummated until the results of the competitive bidding pursuant to Rule U-50 held with respect thereto shall have been made a matter of record in this proceeding and a further order entered with respect thereto; and

Jurisdiction having been reserved with respect to all fees and expenses incurred or to be incurred in connection with the proposed transactions; and

North Penn having filed a further amendment to the application-declaration in which it is stated that in accordance with the permission granted by said order of the Commission dated June 7, 1951, it offered such debentures for sale pursuant to the competitive bidding requirements of Rule U-50 and received a single bid therefor, namely:

Bidder	Annual interest rate (percent)	Price to company [1] (percent of principal	Annual cost to company (percent)
Halsey, Stuart & Co. Inc.	5	100.20	4.98

[1] Exclusive of accrued interest from June 1, 1951.

Said amendment having further stated that North Penn has accepted the bid of Halsey, Stuart & Co., Inc., for the debentures, as set forth above, and that the debentures will be offered for sale to the public at a price of 103.20 percent of their principal amount, plus accrued interest, resulting in an underwriters' spread of 3.0 percent of the principal amount, aggregating $81,000; and

Said amendment having set forth estimated fees and expenses to be incurred in connection with the proposed transactions in an aggregate amount of $68,247, including the following fees: $8,000 to Winthrop, Stimson, Putnam & Roberts, $1,000 to McWilliams, Wagoner & Troutman, and $500 to W. Earle Costello, as counsel to the company; $5,000 to Hughes, Hubbard & Reed, as counsel for, and to be paid by, the underwriters; and $6,000 to Arthur Anderson & Co., for accounting services; and

The Commission having received a request from representatives of the Protective Committee for the Class A Common Stock of Pennsylvania Gas & Electric Corporation that a public hearing be held with respect to the results of such competitive bidding, such request having been joined in by counsel for the Division of Public Utilities; the Commission having directed that a hearing be held and such hearing having been duly convened; the Commission having examined the record as now completed and finding that the applicable provisions of the act have been satisfied and observing no reason for imposing special terms and conditions with respect to said matter, and finding that the fees and expenses incurred and to be incurred in connection with the proposed transactions are not unreasonable;

It is ordered, That the application-declaration, as further amended, be granted and permitted to become effective forthwith, and that the jurisdiction heretofore reserved over the issuance and sale of the debentures with respect to the results of competitive bidding, and over the fees and expenses incurred in connection with the proposed transactions, be, and the same hereby is, released, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7292; Filed, June 26, 1951; 8:47 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 18042]

ASBACH & CO. A. G. AND ANNI HELENE JOHANNA EVA WILHELM OEHMICHEN

In re: Debt owing to Asbach & Co. A. G. and claim owned by Anni Helene Johanna Eva Wilhelm Oehmichen also known as A. H. J. Oehmichen. D-28-739.

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 Asbach & Co. A. G., the last known address of which is Ruedesheim, Germany, is a corporation, partnership, association or other business organization, 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 designated enemy country (Germany);

2. That Anni Helene Johanna Eva Wilhelm Oehmichen also known as A. H. J. Oehmichen, on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941 has been a resident of Germany and is a national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation owing to Asbach & Co. A. G., by United States Imports and Exports, Inc., c/o Office of Alien Property, New York, New York, representing merchandise purchased, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Asbach & Co. A. G., the aforesaid national of a designated enemy country (Germany);

4. That the property described as follows: All right, title, interest and claim of any kind or nature whatsoever of Anni Helene Johanna Eva Wilhelm Oehmichen also known as A. H. J. Oehmichen, against United States Imports and Exports Inc., % Office of Alien Property, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Anni Helene Johanna Eva Wilhelm Oehmichen also known as A. H. J. Oehmichen, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons named 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 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 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7271; Filed, June 25, 1951; 8:59 a. m.]

[Vesting Order 500A-289]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

In re: Copyrights.

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) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That 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 Column 5 of said Exhibit A, 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 Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A.

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number.

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or revesting, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, 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 or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

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 2 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 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 June 5, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Copyright Numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
E. for. 4467	Metamorphosen (full score). A study for 23 solo strings. 1946.	Richard Strauss, a citizen of Germany (nationality, German)	Boosey & Hawkes, Ltd., 295 Regent St., London W. 1, England.	Author.
D. 69276	Intermezzo (textbook libretto). (Eine bürgerliche Komödie, mit sinfonischen Zwischenspielen in 2 Aufzügen). 1924.	do	Adolph Fürstner, Victoriastrasse 34-A, Berlin W., Germany (nationality, German).	Author and owner.

[F. R. Doc 51-7273; Filed, June 25, 1951; 8:59 a. m.]

[Vesting Order 18003]

SWISS BANK CORP.

In re: Accounts maintained in the name of Swiss Bank Corporation or Societe de Banque Suisse, Geneva, Switzerland, and owned by persons whose names are unknown. F-69-2745.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their

principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 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.

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, and the term "designated enemy country" has reference to Germany or Japan.

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.

EXHIBIT A

[Accounts maintained in the name of Swiss Bank Corporation or Societe de Banque Suisse, Geneva, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account
1. Brown Bros. Harriman & Co., 59 Wall St., New York 5, N. Y.	Societe de Banque Suisse, Geneva, ordinary account, blocked account, as described by Brown Bros. Harriman & Co. in its report on Form OAP-700 bearing its Serial No. 73.
2. Swiss Bank Corp., New York Agency, 15 Nassau St., New York, N. Y.	(a) Ordinary account consisting of cash in the amount of $74,346, (b) Ordinary account consisting of securities payable in dollars, valued at $8,371 and securities payable in dollars, of indeterminable value, (c) Ordinary account general ruling 6/17 consisting of cash in the amount of $2,400.00, (d) Ordinary account general ruling 6/17 consisting of cash in the amount of $181 and securities payable in dollars, valued at $648.00, (e) Ordinary account general ruling 6/17 consisting of cash in the amount of $843.00, (f) Ordinary account general ruling 6/17 consisting of cash in the amount of $71.00, (g) Special depot 14430, (h) Special depot 15838, (i) Certified 405, (j) Certified 1035, (k) Special depot 18096, (l) Special depot 70192, (m) Special depot 120478, (n) Ordinary account consisting of securities payable in dollars, of indeterminable value and securities not payable in dollars of indeterminable value, (o) Ordinary account consisting of securities payable in dollars, valued at $88 and securities payable in dollars, of indeterminable value, (p) Ordinary account general ruling 6/17 consisting of cash in the amount of $90, (q) Special depot 5192/487, and (r) Special depot 5192/487 general ruling 6/17; as described by the Swiss Bank Corp., New York Agency in its report on Form OAP-700, bearing its Serial No. 0069.

[F. R. Doc. 51-7322; Filed, June 26, 1951; 8:50 a. m.]

[Vesting Order 18004]

SWISS BANK CORP.

In re: Accounts maintained in the name of Swiss Bank Corporation, or Societe de Banque Suisse Basle, Switzerland, and owned by persons whose names are unknown. F-63-2748 (Basle).

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights, and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 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.

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, and the term "designated enemy country" has reference to Germany or Japan.

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.

EXHIBIT A

[Accounts maintained in the name of Swiss Bank Corporation, or Societe de Banque Suisse Basle, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account
Brown Bros., Harriman & Co., 59 Wall St., New York 5, N. Y.	Societe de Banque Suisse, Basle, ordinary account, blocked account, as described by Brown Bros., Harriman & Co., in its report on Form OAP-700, bearing its Serial No. 72.

[F. R. Doc. 51-7323; Filed, June 26, 1951; 8:50 a. m.]

[Vesting Order 18005]

SWISS BANK CORP.

In re: Accounts maintained in the name of Swiss Bank Corporation, or Societe de Banque Suisse Basle, Switzerland, and owned by persons whose names are unknown F-63-2748 (Basle).

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock, in any of said accounts,

excepting from the foregoing, however, all property, rights and interests which are expressly excluded in the attached Exhibit A, and all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 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.

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, and the term "designated enemy country" has reference to Germany or Japan.

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.

EXHIBIT A

[Accounts maintained in the name of Swiss Bank Corp., or Societe de Banque Suisse, Basle, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account	Column III Property, rights and interests in the account as of Oct. 2, 1950, excluded from this vesting order.[1]
1. Brown Bros. Harriman & Co., 59 Wall St., New York 5, N. Y.	1. Societe de Banque Suisse, Basle, ordinary account, blocked account, and 2. Societe de Banque Suisse, Basle, general ruling No. 6 account; as described by Brown Bros. Harriman & Co., in its report on Form OAP-700, bearing its Serial No. 71.	$5,000 from general ruling No. 6 account, (2) which according to photostatic copy of letter from Swiss Bank Corporation, Basle to Brown Bros. Harriman & Co., dated Nov. 7, 1950, Re "Assets still blocked under E. O. 8389 as amended", attached to Form OAP-700 filed by Brown Bros. Harriman & Co., bearing its Serial No. 71, represents claims of persons domiciled in Roumania.
2. Swiss Bank Corp., 15 Nassau St., New York, N. Y.	1. Ordinary a/c consisting of cash in the amount $131,162.00, 2. Ordinary a/c consisting of securities payable in dollars, valued at $41,494 plus securities also payable in dollars, of indeterminable value, and securities not payable in dollars, valued at $153.00, 3. Ordinary a/c general ruling 6/17 consisting of cash in the amount of $15,364.00, as described on page 1 of the rider to Form OAP-700 filed by Swiss Bank Corp. New York Agency, bearing its serial No. 87, 4. Special a/c 1684, 5. Special a/c 1815, 6. Special a/c 1815 general ruling 6/17, 7. Special a/c 2252, 8. Special a/c 2252 general ruling 6/17, 9. Special a/c 3524, 10. Special a/c 4931, 11. Special a/c 6086, 12. Special a/c 6086 general ruling 6/17, 13. Special a/c 6249, 14. Special a/c 6249 general ruling 6/17, 15. Special a/c 9105/249, 16. Special a/c 25542, 17. Special a/c 30089, 18. Special a/c 31272, 19. Special a/c 31273, 20. Special a/c 31274, 21. Special a/c 31298, 22. Special a/c 31455, 23. Special a/c 32257, 24. Special a/c 32257 general ruling 6/17, 25. Special a/c 32528, 26. Special a/c 32968, 27. Special a/c 32968 general ruling 6/17, 28. Special a/c 33340, 29. Special a/c 33432, 30. Special a/c 34328, 31. Special a/c 34328 general ruling 6/17, 32. Special a/c 35638, 33. Special a/c 35638 general ruling 6/17, 34. Special a/c 35997, 35. Special a/c 36189, 36. Special a/c 36189 general ruling 6/17, 37. Special a/c 36435, 38. Special a/c 36685, 39. Special a/c 36685, general ruling 6/17 40. Special a/c 36947, 41. Special a/c 36947 general ruling 6/17, 42. Special a/c 38203, 43. Special a/c 38203 general ruling 6/17, 44. Special a/c 38204, 45. Special a/c 38204 general ruling 6/17, 46. Special a/c 38579, 47. Special a/c 38579 general ruling 6/17, 48. Special a/c 38903, 49. Special a/c 39903, 50. Special a/c 40536, 51. Special a/c 40536 general ruling 6/17, 52. Special a/c 50460, 53. Special a/c 51959 general ruling 6/17, 54. Ordinary depot consisting of securities payable in dollars valued at $1,340 as described on page 4 of the rider attached to Form OAP-700 filed by Swiss Bank Corp. New York Agency, bearing its Serial No. 87, 55. Ordinary account general ruling 6/17 consisting of cash in the amount of $369 as described on page 4 of the rider attached to Form OAP-700 filed by Swiss Bank Corp. New York Agency, bearing its Serial No. 87, 56. Special depot 30377 general ruling 6/17, 57. Ordinary depot consisting of securities payable in dollars valued at $8,060 as described on page 4 of the rider attached to Form OAP-700 filed by Swiss Bank Corp. New York Agency, bearing its Serial No. 87, 58. Ordinary account general ruling 6/17 consisting of cash in the amount of $2,139 as described on page 4 of the rider attached to Form OAP-700 filed by Swiss Bank Corp. New York Agency, bearing its Serial No. 87, 59. Special depot 34661, 60. Special depot 32676, 61. Special account 32676 general ruling 6/17, 62. Ordinary depot consisting of securities payable in dollars valued at $804 as described on page 5 of the rider attached to Form OAP-700 filed by Swiss Bank Corp. New York Agency, bearing its Serial No. 87,	$80,289.05 from ordinary a/c (1), which according to license application NY 869057 filed by by Swiss Bank Corp. New York, Agency, represented claims of persons domiciled in Hungary and Roumania.

[1] Also excluded from this vesting order are (a) any accumulations or accruals to, changes in form of, or substitutions for, any such property, rights and interests, since Oct. 2, 1950, and (b) any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants), and any and all declared and unpaid dividends on any shares of stock, listed in column III or excluded under (a) of this footnote.

EXHIBIT A—Continued

[Accounts maintained in the name of Swiss Bank Corp., or Societe de Banque Suisse, Basle, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account	Column III Property, rights and interests in the account as of Oct. 2, 1950, excluded from this vesting order.[1]
2. Swiss Bank Corp., 15 Nassau St., New York, N. Y.	63. Ordinary account general ruling 6/17 consisting of cash in the amount of $265 as described on page 5 of the rider attached to Form OAP-700 filed by Swiss Bank Corp. New York Agency, bearing its Serial No. 87, 64. Ordinary depot consisting of securities payable in dollars of indeterminable value as described on page 5 of rider attached to Form OAP-700 filed by Swiss Bank Corp. New York Agency, bearing its Serial No. 87, 65. Special depot 7517, 66. Special a/c 7517 general ruling 6/17, 67. Special a/c 40720, 68. Special a/c 25572/44036, 69. Ordinary a/c, the balance therein, which as of Oct. 2, 1950, consisted of cash in the amount of $4,469 as described on page 6 of rider attached to Form OAP-700 filed by Swiss Bank Corp. New York Agency, bearing its Serial No. 87, 70. Ordinary a/c General Ruling 6/17 consisting of cash in the amount of $91 as described on page 6 of rider attached to Form OAP-700 filed by Swiss Bank Corp. New York Agency, bearing its Serial No. 87, 71. General ruling 6 a/c incorporated a/c consisting of cash in the amount of $2 as described on page 7 of rider attached to Form OAP-700 filed by Swiss Bank Corp. New York Agency, bearing its Serial No. 87, and 72. Special a/c 41749; as described by Swiss Bank Corp. New York Agency, in its report on Form OAP-700 bearing its Serial No. 87.	

[1] Also excluded from this vesting order are (a) any accumulations or accruals to, changes in form of, or substitutions for, any such property, rights and interests, since Oct. 2, 1950, and (b) any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants), and any and all declared and unpaid dividends on any shares of stock, listed in column III or excluded under (a) of this footnote.

[F. R. Doc. 51-7324; Filed, June 26, 1951; 8:50 a. m.]

[Vesting Order 18014]

JULIUS BERNHARD CASPAR

In re: Estate of Julius Bernhard Caspar, deceased. File No. F-28-28123; E. T. sec. 17104.

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 Dorothea Caspar also known as Dorothy B. Caspar, who on or since the effective date of Executive Order 8389 as amended and on or since December 11, 1941 has been a resident of Germany, is a national of a designated enemy country (Germany);

2. That Heinz Caspar, whose last known address is Germany is a resident of Germany and a national of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof and each of them, in and to the Estate of Julius Bernhard Caspar, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Francis J. Mulligan, as administrator, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

5. That the national interest of the United States requires that the said Dorothea Caspar also known as Dorothy B. Caspar be treated as a national of a designated enemy country (Germany);

6. That to the extent that the person named in subparagraph 2 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

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 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7325; Filed, June 26, 1951; 8:51 a. m.]

[Vesting Order 18017]

MOTIEJUS ELGERMANUS

In re: Estate of Motiejus Elgermanus, also known as Motjies Elgermanus, and Matthaus Holgermann, deceased. File No. D-28-12693; E. T. sec. 16869.

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 Emma Endrulat who on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany is a national of a designated enemy country (Germany);

2. That Olga Scherwas, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Motiejus Elgermanus, also known as Motjies Elgermanus, and as Matthaus Holgermann, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Eleanor March Moody, 80 Federal Street, Boston 10, Massachusetts, as administratrix, acting under the judicial supervision of the Probate Court, Suffolk County, Boston, Massachusetts;

and it is hereby determined:

5. That the national interest of the United States requires that Emma Endrulat be treated as a national of a designated enemy country (Germany);

6. That to the extent that the person named in subparagraph 2 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

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 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7326; Filed, June 26, 1951; 8:51 a. m.]

[Vesting Order 18021]

ANNA KUKOWSKI ET AL.

In re: Rights of Anna Kukowski et al. under insurance contract. File No. F-28-31460-H-1.

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 Anna Kukowski, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Anna Kukowski, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 74 232 438, issued by The Prudential Insurance Company of America, Newark, New Jersey, to Anna Kukowski, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, Anna Kukowski or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unkown, of Anna Kukowski, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Anna Kukowski, 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 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7327; Filed, June 26, 1951; 8:51 a. m.]

[Vesting Order 18030]

JOHANN SCHMITZ

In re: Rights of Johann Schmitz under Insurance Contract. File No. F-28-24452-H-1.

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 Johann Schmitz, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 6 759 058 C, issued by the Metropolitan Life Insurance Company, New York, New York, to Wilhelm Schmitz, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

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 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7332; Filed, June 26, 1951; 8:51 a. m.]

[Vesting Order 18025]

CHARLES NIRMAIER

In re: Trust under Will of Charles Nirmaier, deceased. File No. D-28-11620; E. T. sec. 15832.

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 Magdalena Schuler, Barbara Nirmaier, Susanna Nirmaier and Peter Nirmaier, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Charles Nirmaier, deceased, and in and to trust created under the will of Charles Nirmaier, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Joseph J. Croak and Joseph J. Gunther, as executors, acting under the judicial supervision of the Surrogate's Court, County of Nassau, State of New York;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 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 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7330; Filed, June 26, 1951; 8:51 a. m.]

[Return Order 978]

JOHANNA DOBNER

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, 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., Notice of Intention To Return Published, and Property

Johanna Dobner, Baden near Vienna, Austria; Claim No. 13071; April 24, 1951 (16 F. R. 3525); $6,159.24 in the Treasury of the United States. Scrip Certificate No. 39 for 24/100th of one share of Citizens Utilities Company (Delaware) 5 percent cumulative convertible series preferred stock (void November 1, 1948), presently in the custody of Office of Alien Property, New York, N. Y.

The following securities, registered in the name of the Alien Property Custodian, and presently in the custody of Federal Reserve Bank of New York; one $5,000 United States Savings Bond, Series G, 2½ percent, due September 1, 1955, numbered 619,846; 8 shares of $1 par value capital stock of Citizens Utilities

Company (Delaware), evidenced by Certificate No. 16,825; 20 shares of $50 par value 5 percent cumulative preferred stock of Mountain States Power Company (Delaware), evidenced by Certificate No. 2801; 40 shares of no par value common stock of Mountain States Power Company (Delaware), evidenced by Certificate No. 3908.

Real property in Monterery County, California, described as follows: Lot (27) as said lot is delineated and so designed on that certain Map entitled, "Maps of Laureles Outing Club", being part of Lot 1 and 2 and all of Lot 3, Section 29, Township 16 South, Range 2 East, M. D. M., filed for record March 7, 1927 in the office of the County Recorder of the County of Monterey, State of California, in Map Book 3, Cities and Towns, page 37 there.

Appropriate documents and papers effectuating this order will issue.

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. 51-7333; Filed, June 26, 1951; 8:52 a. m.]

[Return Order 979]

BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSN. AND NICOLA BONFIGLIO

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, 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., Notice of Intention To Return Published, and Property

Bank of America National Trust and Savings Association, as Administrator with the will annexed of the estate of Nicola Bonfiglio, a/k/a Giambattista Nicola Giulio Bonfiglio, deceased, Los Angeles, Calif.; Claim No. 41021; January 6, 1951 (16 F. R. 219), $14,021.90 in the Treasury of the United States. An undivided one-fifth interest in real property situated in Los Angeles, Calif., known as: 1561 W. 20th Street, 1567 W. 20th Street, 1553 W. 20th Street, 1556 Washington Boulevard, and 1562 Washington Boulevard.

Appropriate documents and papers effectuating this order will issue.

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. 51-7334; Filed, June 26, 1951; 8:52 a. m.]

[Return Order 982]

SOCIETE NOBEL FRANCAISE

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Societe Nobel Francaise, Paris, France; Claim No. 43869; May 2, 1951 (16 F. R. 3874); property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent Nos. 2,105,208; 2,211,266, and 2,245,123. This return shall not be deemed to include the rights of any licensees under the above patents.

Appropriate documents and papers effectuating this order will issue.

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. 51-7335; Filed, June 26, 1951; 8:52 a. m.]

[Return Order 985]

ELSA KLIER ET AL.

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, 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., Notice of Intention To Return Published, and Property

Elsa Klier, Georg Lorenz Klier, Oskar Klier, Hof on the Saale, Germany; and Else Kunzel, nee Klier, Doernigheim near Frankfurt on the Main, Germany; Claim No. 40906; May 2, 1951 (16 F. R. 3874); returnable to Elsa Klier: $10,054.32 in the Treasury of the United States and her interest in the estate and the trust created under the Will of Oskar Ludwig, deceased. Returnable to the other claimants in equal shares: The interest of the issue of Elsa Klier in the said estate and trust.

Appropriate documents and papers effectuating this order will issue.

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. 51-7337; Filed, June 26, 1951; 8:52 a. m.]

[Return Order 983]

SOCIETE CENTRALE DE CHEMINS DE FER ET D'ENTREPRISES

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Societe Centrale de Chemins de Fer et d'Entreprises, Le Mans (Sarthe), France; Claim No. 41903; May 4, 1951 (16 F. R. 3966); property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent No. 2,134,628. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

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. 51-7336; Filed, June 26, 1951; 8:52 a. m.]

[Return Order 986]

GEORGES SAUERWEIN

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

George Sauerwein, Paris, France; Claim No. 30288; May 2, 1951 (16 F. R. 3874), property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent No. 2,230,655. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

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. 51-7338; Filed, June 26, 1951; 8:52 a. m.]