THE NATIONAL ARCHIVES

FEDERAL REGISTER

VOLUME 16 NUMBER 182

Washington, Wednesday, September 19, 1951

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10289

PROVIDING FOR THE PERFORMANCE OF CERTAIN FUNCTIONS OF THE PRESIDENT BY THE SECRETARY OF THE TREASURY

By virtue of the authority vested in me by section 1 of the act of August 8, 1950, 64 Stat. 419 (Public Law 673, 81st Congress), and as President of the United States, it is ordered as follows:

1. The Secretary of the Treasury is hereby designated and empowered to perform the following-described functions of the President without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 1 of the act of August 1, 1914, c. 223, 38 Stat. 609, 623, as amended (19 U. S. C. 2), (1) to rearrange, by consolidation or otherwise, the several customs-collection districts, (2) to discontinue ports of entry by abolishing the same and establishing others in their stead, and (3) to change from time to time the location of the headquarters in any customs-collection district as the needs of the service may require.

(b) The authority vested in the President by section 1 of the Anti-Smuggling Act of August 5, 1935, c. 438, 49 Stat. 517 (19 U. S. C. 1701), (1) to find and declare that at any place or within any area on the high seas adjacent to but outside customs waters any vessel or vessels hover or are being kept off the coast of the United States and that, by virtue of the presence of any such vessel or vessels at such place or within such area, the unlawful introduction or removal into or from the United States of any merchandise or person is being, or may be, occasioned, promoted, or threatened, (2) to find and declare that certain waters on the high seas are in such proximity to such vessel or vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessel or vessels, and (3) to find and declare that, within any customs-enforcement area, the circumstances no longer exist which gave rise to the declaration of such area as a customs-enforcement area.

(c) The authority vested in the President by section 2 of the act of August 18, 1914, c. 256, 38 Stat. 699 (46 U. S. C. 82), to suspend the provisions of law requiring survey, inspection, and measurement of foreign-built vessels admitted to American registry.

(d) The authority vested in the President by section 5 of the act of May 28, 1908, c. 212, 35 Stat. 425, as amended (46 U. S. C. 104), to determine (as a prerequisite to the extension of reciprocal privileges by the Commissioner of Customs) that yachts used and employed exclusively as pleasure vessels and belonging to any resident of the United States are allowed to arrive at and depart from any foreign port and to cruise in the waters of such port without entering or clearing at the custom-house thereof and without the payment of any charges for entering or clearing, dues, duty per ton, tonnage taxes, or charges for cruising licenses.

(e) The authority vested in the President by section 2 of the act of March 24, 1908, c. 96, 35 Stat. 46 (46 U. S. C. 134), to name the hospital ships to which section 1 of the said act shall apply and to indicate the time when the exemptions thereby provided for shall begin and end.

(f) The authority vested in the President by section 4228 of the Revised Statutes, as amended (46 U. S. C. 141), (1) to declare that—upon satisfactory proof being given by the government of any foreign nation that no discriminating duties of tonnage or imposts are imposed or levied in the ports of such nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States or from any foreign country—the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects the vessels of such foreign nation, and the produce, manufactures, or merchandise imported into the United States from such foreign nation, or from any other foreign country, and (2) to suspend in part the operation of section 4219 of the Revised Statutes, as amended (46 U. S. C. 121), and section IV, J, subsection 1 of the act of October 3, 1913, c. 16, 38 Stat. 195, as amended (46 U. S. C. 146), so that foreign vessels from a country imposing partial discriminating tonnage duties upon American vessels, or partial discriminating import duties upon American merchandise, may

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

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CODIFICATION GUIDE

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

CODIFICATION GUIDE—Con.

enjoy in our ports the identical privileges which the same class of American vessels and merchandise may enjoy in such country: *Provided*, that the United States Tariff Commission shall obtain and furnish to the Secretary of the Treasury the proof required by the said section 4228, as amended, as the basis for an order of the Secretary suspending and discontinuing (wholly or in part) discriminating tonnage duties, imposts, and import duties within the United States: *And provided further*, that the said authority shall be exercised in consultation with the Department of State.

(g) The authority vested in the President by section 3639 of the Revised Statutes, as amended (31 U. S. C. 521), to regulate and increase the sums for which bonds are, or may be, required by law, but only to the extent that such section affects collectors of customs, comptrollers of customs, and surveyors of customs (and the successors thereof under section 1 of the act of July 5, 1932, c. 430, 47 Stat. 580, 584 (19 U. S. C. 5a)).

(h) The authority vested in the President by section 3650 of the Internal Revenue Code (26 U. S. C. 3650) to establish convenient collection districts (for the purpose of assessing, levying, and collecting the taxes provided by the internal revenue laws), and from time to time to alter such districts.

2. The Secretary of the Treasury is hereby designated and empowered to perform without the approval, ratification, or other action of the President the following functions which have heretofore, under the respective provisions of law cited, required the approval of the President in connection with their performance by the Secretary of the Treasury:

(a) The authority vested in the Secretary of the Treasury by section 6 of the act of July 8, 1937, c. 444, 50 Stat. 480 (5 U. S. C. 134e), to make rules and regulations necessary for the execution of the functions vested in the Secretary of the Treasury by the said act, as amended.

(b) The authority vested in the Secretary of the Treasury by section 9 of the act of June 19, 1934, c. 674, 48 Stat. 1181 (31 U. S. C. 448a), to issue rules and regulations necessary or proper to carry out the purposes of the said act or of any order issued thereunder.

(c) The authority vested in the Secretary of the Treasury by section 1805 of the Internal Revenue Code (26 U. S. C. 1805) to issue rules and regulations (with respect to silver bullion) necessary or proper to carry out the purposes of the said section.

(d) The authority vested in the Secretary of the Treasury by section 3 of the act of January 30, 1934, c. 6, 48 Stat. 340 (31 U. S. C. 442), to issue regulations prescribing the conditions under which gold may be acquired and held, transported, melted or treated, imported, exported, or earmarked for certain purposes.

(e) The authority vested in the Secretary of the Treasury by section 1 of Title II of the act of June 15, 1917, c. 30, 40 Stat. 220 (50 U. S. C. 191), to make rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, exclusive of

the territory and waters of the Canal Zone.

(f) The authority vested in the Secretary of the Treasury by section 6 of the act of June 19, 1934, c. 674, 48 Stat. 1178 (31 U. S. C. 316b), to investigate, regulate, or prohibit, by means of licenses or otherwise, the acquisition, importation, exportation, or transportation of silver and of contracts and other arrangements made with respect thereto, and to require the filing of reports in connection therewith.

3. The Secretary of the Treasury and the Postmaster General are hereby designated and empowered jointly to prescribe without the approval of the President regulations, under section 1 of the act of July 8, 1937, c. 444, 50 Stat. 479 (5 U. S. C. 134), governing the shipment of valuables by the executive departments, independent establishments, agencies, wholly-owned corporations, officers, and employees of the United States.

4. As used in this order, the term "functions" embraces duties, powers, responsibilities, authority, or discretion, and the term "perform" may be construed to mean "exercise".

5. All actions heretofore taken by the President in respect of the matters affected by this order and in force at the time of the issuance of this order, including regulations prescribed by the President in respect of such matters, shall, except as they may be inconsistent with the provisions of this order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order.

HARRY S. TRUMAN

THE WHITE HOUSE,
September 17, 1951.

[F. R. Doc. 51-11340; Filed, Sept. 17, 1951; 12:41 p. m.]

TRADE AGREEMENT LETTER

[SUSPENSION OF CERTAIN IMPORTS FROM BULGARIA, PURSUANT TO PROCLAMATION 2935 [1]]

THE WHITE HOUSE,
Washington, September 17, 1951.

MY DEAR MR. SECRETARY:

Pursuant to Part I of my proclamation of August 1, 1951, carrying out sections 5 and 11 of the Trade Agreements Extension Act of 1951, I hereby notify you that the suspension provided for therein shall be applicable with respect to imports from Bulgaria which are entered, or withdrawn from warehouse, for consumption after the close of business October 17, 1951.

Very sincerely yours,

HARRY S. TRUMAN

Honorable JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 51-11342; Filed, Sept. 17, 1951; 1:37 p. m.]

RULES AND REGULATIONS

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

COMPTROLLER OF THE CURRENCY

Effective upon publication in the FEDERAL REGISTER, § 6.103 (h) (2) is amended to read as follows:

§ 6.103 *Treasury Department.* * * *

(h) *Comptroller of the Currency.* * * *

(2) NC/PD. Until December 31, 1953, positions of Chief National Bank Examiner, Assistant Chief National Bank Examiner, District Chief National Bank Examiner, National Bank Examiner, and Assistant National Bank Examiner, whose salaries are paid from assessments against national banks and other financial institutions.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR, 1948 Supp.)

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

[F. R. Doc. 51-11278; Filed, Sept. 18, 1951; 8:53 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 50-4]

PART 50—AIRMAN AGENCY CERTIFICATES

PRIMARY FLYING SCHOOL CURRICULUM

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 13th day of September 1951.

Section 50.13 (a) of the current Civil Air Regulations requires a primary flying school giving instruction in airplanes to provide at least 35 hours of flight time in accordance with a curriculum approved by the Administrator.

During 1950 the Board approved for a trial period of one year several special flight curricula which provided for less than 35 hours of flight time, and in lieu of the reduced flight time substituted additional specialized training in either synthetic trainers or as observer-trainee in flight.

During this period it was contemplated that the Administrator would closely monitor such training, evaluate the results thereof, and report his findings to the Board.

The Administrator has accordingly advised the Board that the results of this specialized training have been satisfactory; however, he believes that 30 hours of flight time in airplanes is the minimum necessary for private pilot competency.

Based on the findings of the Administrator, the Board is of the opinion that the use of such special curricula should be encouraged and that this can best be accomplished by amending the Civil Air Regulations to permit the Administrator to approve such special curricula in the future.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 50 of the Civil Air Regulations (14 CFR Part 50, as amended) effective October 10, 1951:

By amending § 50.13 (a) (1) to read as follows:

§ 50.13 *Flying school curriculum.* * * *

(a) Primary flying school: (1) Airplanes—35 hours of flight time, or 30 hours of flight time and such additional specialized instruction as is acceptable to the Administrator.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601, 602, 607, 52 Stat. 1007, 1008, 1011; 49 U. S. C. 551, 552, 557)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-11299; Filed, Sept. 18, 1951; 8:54 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52818]

PART 6—AIR COMMERCE REGULATIONS

REVOCATION OF WEEKS MUNICIPAL FIELD, FAIRBANKS, ALASKA, AS AN AIRPORT OF ENTRY

SEPTEMBER 13, 1951.

The designation of Weeks Municipal Field, Fairbanks, Alaska, as an airport of entry (international airport) for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (49 U. S. C. 179 (b)), is hereby revoked, effective on the date of publication of this Treasury decision in the FEDERAL REGISTER.

The list of international airports in § 6.12, Customs Regulations of 1943 (19 CFR 6.12), as amended, is hereby further amended by deleting therefrom the location and name of said airport.

[1] 16 F. R. 7635.

Notice of the proposed revocation of the designation of Weeks Municipal Field as an airport of entry (international airport) was published in the FEDERAL REGISTER of August 8, 1951 (16 F. R. 7772), pursuant to the provisions of the Administrative Procedure Act (5 U. S. C. 1003). The revocation is made for the reason that there will no longer be a control tower or an air traffic control center at the field and for this reason the delayed effective date requirement of section 4 (c) of the Administrative Act (5 U. S. C. 1003 (c)) is being dispensed with.

(Sec. 7, 44 Stat. 572, as amended; 49 U. S. C. 177)

[SEAL] JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-11294; Filed, Sept. 18, 1951; 8:53 a. m.]

[T. D. 52819]

PART 6—AIR COMMERCE REGULATIONS

CLEVELAND MUNICIPAL AIRPORT; CHANGE IN NAME OF AIRPORT OF ENTRY

SEPTEMBER 13, 1951.

The official name of the Cleveland Municipal Airport, Cleveland, Ohio, which is a designated airport of entry (international airport) (T. D. 48534), has been changed to "Cleveland Hopkins Airport." Therefore, § 6.12, Customs Regulations of 1943 (19 CFR 6.12) as amended, is hereby further amended by substituting the name "Cleveland Hopkins Airport" for the name "Cleveland Municipal Airport" opposite "Cleveland, Ohio."

(Sec. 7, 44 Stat. 572, as amended; 49 U. S. C. 177)

[SEAL] JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-11293; Filed, Sept. 18, 1951; 8:54 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

Subchapter E—Farm Mortgage Insurance

PART 251—FARM MORTGAGE INSURANCE; ELIGIBILITY REQUIREMENTS

MISCELLANEOUS AMENDMENTS

1. Section 251.27 (a) is hereby amended to read as follows:

§ 251.27 *Eligible mortgages in Alaska.* (a) The Commissioner may, if he finds that because of higher costs prevailing in the Territory of Alaska, it is not feasible to construct dwellings on property located in Alaska without sacrifice of sound standards of construction, design, and livability, within the limitations as to maximum mortgage amounts provided in § 251.16 prescribe by regulation or otherwise, with respect to dollar amount, a higher maximum for the principal obligation of mortgages covering property located in Alaska, in such amounts as he shall find necessary to compensate for such higher costs but not to exceed, in any event, the maximum otherwise applicable by more than one-half thereof.

2. Section 251.27c (b) is hereby amended to read as follows:

§ 251.27c *Defense Production Act of 1950 controls.* * * *

(b) For the period this paragraph remains in effect, and notwithstanding the provisions of § 251.17, a mortgage insured pursuant to an application received by the Commissioner on or after October 12, 1950, and covering property upon which there is located a dwelling designed principally for a single-family or a two-family residence, must have a maturity satisfactory to the Commissioner not more than 20 years from the date of insurance, except that if the transaction price is $12,000, or less, per family unit, and the property is approved for insurance prior to the beginning of construction, the mortgage may have a maturity not in excess of 25 years from the date of insurance.

3. Section 251.27c is hereby amended by adding at the end thereof the following new paragraph:

(d) The provisions of § 251.27b and this section shall not be applicable under the following circumstances:

(1) Where the mortgagor certifies in a form satisfactory to the Commissioner that the entire proceeds of the mortgage are to be used for the replacement, reconstruction or repair of a residential structure destroyed or substantially damaged by flood, fire or other similar casualty;

(2) Where the mortgagor certifies in a form satisfactory to the Commissioner that on or after July 19, 1950, he was the owner of a residence and that his title thereto has been transferred to the United States, or to one of the States or subdivisions thereof, through condemnation proceedings or by voluntary conveyance in lieu of condemnation, and that the proceeds of the mortgage are to be used solely to finance the purchase or construction of a similar residence to be used in substitution therefor; or

(3) Where an application is made to the Commissioner in the nature of a request to reopen or reissue an expired commitment, provided that the Commissioner finds that such commitment was not subject to the provisions of § 251.27b or this section when issued, and that such commitment expired on or after July 19, 1950, and that the application of the provisions of § 251.27b or this section to the reopened or reissued commitment would cause severe hardship to the mortgagor or mortgagee. If the Commissioner finds that such expired commitment when issued was subject to the provisions of § 251.27b, but not to this section, the provisions of this section shall not apply, but the reopened or reissued commitment shall be subject to the same credit control provisions which were applicable to the expired commitment when issued.

4. Part 251 is hereby amended by adding the following new § 251.27d:

§ 251.27d *Owner-occupancy in military service cases.* Any mortgage otherwise eligible for insurance under any of the provisions of this part, may be insured without regard to any requirement contained in this part that the mortgagor be the occupant of the property at the time of insurance, where the Commissioner is satisfied that the inability of the mortgagor to occupy the property is by reason of his entry into military service subsequent to the filing of an application for insurance and the mortgagor expresses an intent, (in such form as may be prescribed by the Commissioner), to occupy the property upon his discharge from military service.

(Sec. 211, as added by sec. 3, 52 Stat. 23; 12 U. S. C. 1715b. Interprets or applies sec. 203, 48 Stat. 1248, as amended; 12 U. S. C. 1709)

Issued at Washington, D. C., September 11, 1951.

WALTER L. GREENE,
Acting Federal Housing Commissioner.

[F. R. Doc. 51-11240; Filed, Sept. 18, 1951; 8:46 a. m.]

TITLE 25—INDIANS

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

Subchapter L—Irrigation Projects: Operation and Maintenance

PART 130—OPERATION AND MAINTENANCE CHARGES

WAPATO INDIAN IRRIGATION PROJECT, WASHINGTON

On July 19, 1951, notice of intention to amend § 130.86 was published in the daily issue of the FEDERAL REGISTER (16 F. R. 6950). Interested persons were thereby given opportunity to participate in the preparing of the amendments by submitting data or arguments within 30 days of the date of publication of the notice. No written communications were received, and after giving due consideration to such oral arguments as were presented, it was determined that sufficient justification was not submitted to alter the amendments as proposed by the notice published in the FEDERAL REGISTER. Therefore, the said section is hereby amended and promulgated as follows:

§ 130.86 *Charges.* Pursuant to the provisions of the acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385, 387), the operation and maintenance charges on assessable lands under the Wapato Indian Irrigation Project, Yakima Indian Reservation, Washington, for the calendar year 1952 and subsequent years until further notice, are hereby fixed as follows:

(a) Minimum charges for all tracts in noncontiguous single ownership	$7.25
(b) Flat rate upon all farm units or tracts for each assessable acre	5.50
(c) Storage operation and maintenance. For all lands with a storage water right, known as "B" lands, in addition to other charges per acre	.30

(Secs. 1, 3, 36 Stat. 270, 272, as amended; 25 U. S. C. 385)

E. MORGAN PRYSE,
Area Director.

[F. R. Doc. 51-11292; Filed, Sept. 18, 1951; 8:53 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter I—Bureau of Mines, Department of the Interior

PART 10—COAL ANALYSIS FOR NON-FEDERAL APPLICANTS

Part 10, of Title 30, Code of Federal Regulations, is revised to read as follows:

Sec.
10.1 Policy governing coal analyses.
10.2 Applications.
10.3 Coal samples and fees.
10.4 Schedule of fees.

AUTHORITY: §§ 10.1 to 10.4 issued under sec. 5, 36 Stat. 370, as amended; 30 U. S. C. 7.

§ 10.1 *Policy governing coal analyses.* The Bureau of Mines makes analyses of coals primarily on behalf of Federal agencies. However, the Bureau will make analyses of coals for a non-Federal applicant in the following instances when such work can be done without hindrance to other Bureau functions:

(a) To check laboratory techniques, methods, and results at the request of a laboratory engaged in coal analysis.

(b) In cases involving disputes where the laboratory analyses previously obtained by the parties are in conflict.

(c) In cases where non-Federal applicants are investigating coal deposits by core drilling and other geologic methods, provided the data from such investigations are to be published, either by the Bureau or the applicant.

(d) In any other cases which the Director, Bureau of Mines, determines to be in the public interest.

§ 10.2 *Applications.* Requests of non-Federal applicants for coal analyses should be sent in duplicate to the Regional Director, Region VIII, Bureau of Mines, Central Experiment Station, 4800 Forbes Street, Pittsburgh 13, Pennsylvania.

§10.3 *Coal samples and fees.* When an applicant has been notified that his application has been approved, he should send the requisite samples and fees as follows:

(a) Samples of coal should be collected and shipped in the manner approved by the Bureau of Mines. (See Bureau of Mines Technical Paper 1, "The Sampling of Coal in the Mine," by Joseph A. Holmes; and Bureau of Mines Revision of Technical Paper 133, "Directions for Sampling Coal for Shipment or Delivery," by N. H. Snyder). Samples should be sent, transportation charges prepaid, to the Regional Director, Region VIII, Bureau of Mines, Central Experiment Station, 4800 Forbes Street, Pittsburgh 13, Pennsylvania. Each sample of coal should be accompanied by identification showing the name of the applicant, the name of the coal bed and of the mine from which the coal came, the exact location where the sample originated in case of mine or core drill sample, the place of delivery in case of a sample of delivered coal, the State and county in which the mine (or coal bed in case of core drill sample) is located, and the shipping point or town nearest the mine or drill site.

(b) Every non-Federal applicant except a State governmental agency must pay the fees specified in § 10.4 of this part by check, bank draft, or money order payable to the order of the Treasurer of the United States. All fees should be transmitted to the Regional Director, Region VIII, Bureau of Mines, Central Experiment Station, 4800 Forbes Street, Pittsburgh 13, Pennsylvania.

§ 10.4 *Schedule of fees.* The following fees are charged for analyses of each sample:

(1) Determination of one of either (ash, or sulphur, or volatile matter, or B. t. u.)	$4.00
(2) Proximate analysis	6.00
(3) Proximate analysis, sulphur determination, and calorimetric determination of heat units	8.00
(4) Determination of softening temperature of ash	10.00
(5) Ultimate analysis of a sample and calorimetric determination of heat units	20.00

(6) Fees for special tests will be computed on the basis of the cost of the work involved.

THOS. H. MILLER,
Acting Director.

Approved: August 30, 1951.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 51-11236; Filed, Sept. 18, 1951; 8:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

Subchapter E—Claims

PART 753—FOREIGN, NON-COMBAT CLAIMS

REVISION

Part 753 is revised to read as follows:

SCOPE OF THE FOREIGN CLAIMS ACT

Sec.
753.1 General.
753.2 Purpose.
753.3 Territorial application.
753.4 Acts not within scope of employment.
753.5 Criminal acts.
753.6 Elements of damage in case of personal injury and death.
753.7 Bailed or leased property.
753.8 Use and occupancy of real property.
753.9 Other noncombat activities.
753.10 Application to pending claims.

LIMITATIONS OF APPLICATION

753.11 Persons excluded as claimants.
753.12 Claims excluded.
753.13 Negligence or wrongful act on part of claimant.
753.14 Combat activities.
753.15 Claims of subrogees.
753.16 Statute of limitations.
753.17 Nature of claim.
753.18 Claims for damage occasioned by naval vessels.

FOREIGN CLAIMS COMMISSIONS

753.19 Creation.
753.20 Membership of commissions.

PROCEDURE

753.21 No formal procedure prescribed.
753.22 Report of proceedings.
753.23 Notification to claimant of award.
753.24 Payments.

CONDITIONS OF PAYMENT

753.25 Conditions to be fulfilled.

NATURE OF RELEASES

753.26 Release when award is made.

CLAIMS DISALLOWED BY FOREIGN CLAIMS COMMISSIONS

753.27 Forwarded to the Judge Advocate General.

CLAIMS NOT WITHIN JURISDICTION OF FOREIGN CLAIMS COMMISSIONS

753.28 Meritorious claims in excess of $5,000.
753.29 Claims arising from incidents on the high seas.

AUTHORITY: §§ 753.1 to 753.29 issued under sec. 1, 55 Stat. 880, as amended; 31 U. S. C. 224d.

NOTE: §§ 753.1 to 753.29 are also contained in the Naval Supplement to the Manual for Courts Martial, United States, effective May 31, 1951.

SCOPE OF THE FOREIGN CLAIMS ACT

§ 753.1 *General.* Claims for damage to or loss or destruction of real or personal property, and for personal injury or death, caused by military forces, or individual members (whether military personnel or civilian employees) thereof, or otherwise incident to noncombatant activities of such forces, in a foreign country to public property located therein or to privately owned property, or to the persons, of inhabitants of such country, are within the Foreign Claims Act. The word "claims" as used in the regulations of this part refers to those demands for payment submitted by individuals, partnerships, associations, or corporations, including foreign countries, and states, territories, and other political subdivision of such countries, other than such demands for payment as arise under ordinary obligations incurred by the Department of the Navy in the procurement of services or supplies. Claims for damage to or loss or destruction of public property in the Philippines that arose prior to July 4, 1946, are not within the scope of the statute.

§ 753.2 *Purpose.* The purpose of the act of January 2, 1942, as amended, is the "promoting" and "maintaining" of "friendly relations" in foreign countries by the prompt "settlement" of "meritorious" claims. The regulations in this part are to be so administered as to effectuate the expressed purpose of Congress.

§ 753.3 *Territorial application.* The provisions of the regulations in this part are applicable to claims arising in "foreign" countries. The fact that a claim arises at a place, within a foreign country, under the temporary or permanent jurisdiction of the United States does not preclude the allowance thereunder of a claim which would otherwise be within the Foreign Claims Act, as amended.

§ 753.4 *Acts not within scope of employment.* As far as military personnel are concerned, the doctrine of scope of employment has no application. Claims, otherwise within the Foreign Claims Act, as amended, may be allowed regardless of whether the naval personnel or employee of the United States who caused the damage, injury, or death was acting within the scope of his employment: *Provided*, That no claim may be

allowed if the damage, injury, or death is caused by a civilian employee of the United States, who, if a citizen of the foreign country, is acting outside the scope of his employment. In determining whether conduct, although not expressly authorized, is nevertheless within the scope of employment, consideration may be given to all of the attendant facts and circumstances including, the time, place, and purpose of the activity; whether the activity was for the furtherance of the general interest of the Government; whether the activity is usual for personnel of the grade and classification involved or reasonably to be expected of such personnel; and whether the instrumentality from which the damage or injury resulted was owned or furnished by the Government. A slight deviation as to time or place will ordinarily not constitute a departure from scope of employment; such a deviation, to have legal effect, must be a material deviation.

§ 753.5 *Criminal acts.* That the act giving rise to the claim may constitute a crime does not bar relief. Claims otherwise within the Foreign Claims Act, as amended, may be allowed regardless of whether the act of the officer or employee of the United States which caused the damage, injury, or death was a crime or other wrongful act, or negligence or mere mistake of judgment.

§ 753.6 *Elements of damage in case of personal injury and death.* Actual and reasonable medical and hospital expenses, reasonable compensation for pain and suffering and loss of earning capacity may be paid in cases of personal injury. If death results, actual and reasonable burial expenses and reasonable compensation for loss of prospective support may also be allowed. Claims of dependents for loss of prospective support are allowable only if such claims are recognized by the law of the country where the injury occurred. In computing damages in cases of personal injury or death, local standards will be taken into consideration as a controlling factor. In case of death, only one claim arises; the amount approved therefor will, to the extent found practicable or feasible be apportioned among the beneficiaries, and in the proportions, prescribed by law or custom of the place in which the accident or incident resulting in the death occurs.

§ 753.7 *Bailed or leased property.* Claims for damage to or loss or destruction of personal property, otherwise within the Foreign Claims Act, as amended, may be settled thereunder, notwithstanding the fact that the property was loaned, rented, or otherwise bailed to the Government under an agreement, express or implied. Claims for rent of personal property are not payable under the regulations in this part.

§ 753.8 *Use and occupancy of real property.* Claims for damage to real property incident to the use and occupancy thereof by the Government under a lease, express or implied, or otherwise, are payable under the provisions of the regulations in this part even though legally enforceable against the Government, as contract claims; payment may, however, be precluded by the provisions of § 753.14. Claims payable under this section may, if deemed preferable as in the best interests of the Government, be processed as contract claims. Claims for rent of real property are not payable under the regulations in this part.

§ 753.9 *Other noncombat activities.* Claims for damage to or loss or destruction of property, or for personal injury or death, though not caused by acts or omissions of military personnel or civilian employees of the Navy, are payable under the provisions of this section if otherwise incident to the noncombat activities of the Navy. In general the claims within the above category are those arising out of authorized activities which are peculiarly military activities having little parallel in civilian pursuits and to situations which historically have been considered as furnishing a proper basis for the payment of claims. Included are claims where no particular act or omission on the part of military personnel or civilian employees is present or if present and though occurring within the scope of their employment is at least less obvious or less personal but where, because of the peculiar nature of the activity or of the resulting damage or injury, the burden of the loss should be borne rather by the Government than by the particular individual on whom the loss initially fell. Included also are claims arising out of activities such as those involving the use of explosives, whether or not involving negligent acts or omissions, of which damage or injury is a natural consequence. For example, included are claims for damage or injury arising out of, and which are natural or probable results of incidents of, maneuvers and special field exercises, practice firing of heavy guns, practice bombing, operation of aircraft and antiaircraft, use of instrumentalities having latent mechanical defects not traceable to negligent acts or omissions, movement of combat vehicles or other vehicles, designed especially for military use, and use and occupancy of real estate.

§ 753.10 *Application to pending claims.* See § 753.16.

LIMITATIONS OF APPLICATION

§ 753.11 *Persons excluded as claimants.* The following classes of claimants are among those excluded:

(a) Persons not inhabitants of the country in which the accident or incident resulting in the claim occurs. The word "inhabitant" as used in the regulations in this part refers to those who at the time of the occurrence dwell or reside in the country in which the accident or incident occurs. Citizenship of, or legal domicile in, such country is not required; transients having no abode or dwelling place in such country are not included. An inhabitant of any dominion, state, province, colony, territory, or possession constituting a part of a foreign country will be deemed an inhabitant of such foreign country within the meaning of the regulations in this part as to any claim arising out of an accident or incident occurring in any part of such country. The status of the decedent will control in cases of claims based on death.

(b) Members of the armed forces of the United States.

(c) Nationals of a country at war with the United States, or any ally of such an enemy country, except as the Foreign Claims Commission considering the claim, or the local military commander, shall determine that the claimant is friendly to the United States.

(d) United States citizens not inhabitants of the country in which the accident or incident occurs.

§ 753.12 *Claims excluded.* The following classes of claims are excluded: Claims purely contractual in character; private contractual and domestic obligations of individual military personnel or civilian employees; claims based solely on compassionate grounds; bastardy claims; claims for patent infringement.

§ 753.13 *Negligence or wrongful act on the part of claimant.* No claim will be allowed where the damage, injury, or death is proximately caused in whole or in part by negligence or wrongful act on the part of the claimant, his agent, or employee. This limitation is applicable to situations where under the law of the country where the injury arises contributory negligence bars the claim. If, however, under the law or custom of the country in which the claim arises, such contributory negligence or wrongful act is not recognized generally as a bar to recovery in tort claims, or is held to be a factor diminishing the extent of the claimant's recovery, then in that case such local law or custom will be applied so far as practicable, in determining the effect of such negligence or wrongful act.

§ 753.14 *Combat activities.* Claims for damage to or loss or destruction of property, or for personal injury or death, resulting from action by the enemy, or resulting directly or indirectly from any act by armed forces engaged in combat, are not payable under the Foreign Claims Act.

§ 753.15 *Claims of subrogees.* Settlement will be made solely with the insured, rather than with the insurer or with both the insured and the insurer, in cases of damage to or loss or destruction of property or personal injury or death covered by insurance. No inquiry will be made into, or determination made of, the relative interests as between insured and insurer. The entire claim, including any portion thereof insured against, will be filed by or on behalf of the insured and payment of the entire amount allowed will be made to the insured as the real claimant. Claims by insurers in their own right are not within the provisions of the Foreign Claims Act, as amended, and will not be considered; insurers presenting claims shall be so advised and informed that subrogation claims are not recognized under the act. Evidence of authority to file a claim on behalf of the insured may be established by a power of attorney, or other documentary evidence satisfactory to the Foreign Claims Commission.

§ 753.16 *Statute of limitations.* The application of the amended Foreign Claims Act depends upon the date when the claim arose. Some claims, arising in the interval between December 7, 1941, and May 1, 1943, which would have been barred under the original act for failure to file claims within the 1-year period, now by virtue of the amendment may be filed prior to May 1, 1944. Claims of inhabitants of the Philippines arising during the war may be filed within 1 year after July 25, 1947. The situation with respect to limitations is as follows:

(a) Claims arising in foreign countries on or subsequent to May 1, 1943, and claims arising in the Philippines subsequent to July 25, 1947, must be presented within 1 year after the occurrence of the accident or incident out of which the claim arises.

(b) For unsatisfied claims, which arose on or after May 27, 1941, but prior to December 7, 1941, the amended act has no application unless the claim was under $1,000 and was presented within 1 year from the date when it arose. (Claims arising on or after May 27, 1941, and prior to December 7, 1941, if over $1,000, are not within the amended act, whether claim was filed or not.) Thus all unsettled claims, provided that they were presented within the 1-year period and are under $1,000, if arising prior to December 7, 1941, may be dealt with under the amended act.

(c) Claims arising in foreign countries out of accidents or incidents occurring subsequent to December 6, 1941, but prior to May 1, 1943, regardless of amount, must have been presented prior to May 1, 1944. Claims of this category were not barred by a failure to have complied with the 1-year provision of the original act.

(d) Claims arising in the Philippines out of accidents or incidents occurring subsequent to December 6, 1941, but prior to July 25, 1947 (dates at Washington, D. C.), may, on good cause shown and regardless of amount, be presented within 1 year after July 25, 1947.

§ 753.17 *Nature of claim.* Any claim will be considered if it states substantially the material facts with such definiteness as to give reasonable notice of the time, place, and nature of the accident or incident out of which the claim arose and an estimate or statement of the damage, loss, destruction, injury, or death resulting. The claim should be signed by or on behalf of the claimant and should, if practicable, be under oath. In cases in which the claim is made in behalf of the true claimant satisfactory evidence of authority to act for the claimant must be furnished.

§ 753.18 *Claims for damage occasioned by naval vessels.* Unless specifically authorized by the Secretary of the Navy in each case, the Foreign Claims Commission shall not assume jurisdiction or proceed to hear any claim for damage occasioned by a naval vessel. This provision applies to claims for damage caused to land structures as well as claims of an admiralty nature. The occurrence of any such damage, if brought to the attention of a claims commission, shall be reported immediately to the Judge Advocate General, attention of the Admiralty Branch.

FOREIGN CLAIMS COMMISSIONS

§ 753.19 *Creation.* (a) All commanding officers are hereby granted authority to appoint Foreign Claims Commissions. For the purposes of the Foreign Claims Act and the regulations in this part, naval attaches are to be considered commanding officers. Commissions may be appointed to consider each claim as presented, or to constitute a standing claims commission to consider all claims presented to it. The commanding officer to whom a claim is presented has the duty of referring the claim to a commission, and of appointing a commission himself where necessary or expeditious. Each Foreign Claims Commission will be composed of one or more officers.

(b) Claims may be considered by a commission of not more than one member when the amount claimed is not in excess of $500; claims may be considered by a commission consisting of three members when the amount claimed is between $500 and $5,000. The findings of a claims commission are final and not subject to review where the amount awarded is not in excess of $2,500. Where the amount awarded is between $2,500 and $5,000, the findings and opinion of the claims commission are subject to the review of the commanding officer; claims between $2,500 and $5,000 may be paid only when the commanding officer has approved the action of the commission in allowing such claim.

§ 753.20 *Membership of commissions.* The commission shall consist of not less than one or more than three commissioned officers of either the Navy or Marine Corps, who shall have rank commensurate with the claim being investigated.

PROCEDURE

§ 753.21 *No formal procedure prescribed.* No formal procedure for the conduct of an investigation of a claim is prescribed. However, the instructions governing the procedure of courts of inquiry and board of investigation by Naval Supplement to the Manual for Courts Martial, United States, 1951, should be followed in principle as a guide. A transcript of the testimony of witnesses is not required and only the substance of statements of witnesses need be recorded. However, it is desirable that signed statements of material witnesses be made a part of the record. The formal rules of evidence need not be adhered to and any evidence, regardless of its form, which the commission deems material may be received and evaluated.

§ 753.22 *Report of proceedings.* The commission shall at the conclusion of its hearings make findings of fact regarding each claim and of the amount, in the indigenous currency of the country of which claimant is an inhabitant, found by it to be just compensation to the claimant and make a brief written report of its proceedings. The report should set forth as a minimum:

(a) The date or dates of the hearing or hearings.

(b) The date of the final determination.

(c) The amount claimed stated in the indigenous currency, and solely for administrative control purposes, the conversion into United States currency at the existing official rate of exchange on the date of initial consideration of the claim.

(d) The amount awarded stated in the indigenous currency, and, solely for administrative control and memorandum accounting purposes, the conversion into United States currency at the existing official rate of exchange on the date of final determination.

(e) A brief statement of facts, including the date of accident or injury, the date the claim was filed, and the nature of the damage or injury (i. e., whether to person or property).

(f) Findings as to the necessary jurisdictional facts. A copy of the precept creating the commission together with a copy of claimant's release (in case of allowance) or notification to claimant (in case of disallowance) should be attached to the report. The original report, together with three copies, will be submitted to the convening authority. When the findings of fact of such commission are received by the convening authority they shall in each case be final and conclusive. This procedure applies to claims where the amount to be paid is under $2,500. Where the amount which the commission recommends be paid is between $2,500 and $5,000, the findings of the commission are transmitted to the convening authority for his consideration and approval; upon receiving such approval, the findings shall in such cases be final and conclusive.

§ 753.23 *Notification to claimant of award.* Upon completion of the report of the commission and approval by the convening authority when required, the claimant will be notified of the award and, if the claimant executes a release for the amount of the award, this release together with the original and one copy of the report of the commission shall be transmitted to the nearest disbursing officer for payment. At the same time one copy of the report shall be forwarded to the Secretary of the Navy (Office of the Judge Advocate General) for filing.

§ 753.24 *Payments.* All payments made in liquidation of claims under the subject statute shall be paid out of the appropriation "Payment of Claims under Specified Acts, Navy."

CONDITIONS OF PAYMENT

§ 753.25 *Conditions to be fulfilled.* Prior to payment of any claim within the Foreign Claims Act, each of the following conditions must be fulfilled:

(a) The amount due on account of the damage, loss, destruction, injury, or death must be determined.

(b) The award must not exceed $5,000, but recommendation for awards in excess of that amount may be reported to Congress for consideration.

(c) The claim must be presented within 1 year, except that (1) claims arising in foreign countries after December 6, 1941, but prior to May 1, 1943, must have been presented prior to May 1,

1944, and (2) claims arising in the Philippines after December 6, 1941, but prior to July 25, 1947, may, on good cause shown, be presented within 1 year after July 25, 1947.

(d) Claims by subrogees will not be recognized, except as a part of the insured's claim.

(e) Contributory negligence or wrongful act, which is in whole or in part the proximate cause of the injury, bars a claim unless such contributory negligence is not a bar to recovery or is only a diminution of the extent of recovery in tort claims under the local law or custom.

(f) The damage, injury, or death must not have resulted from any action by the enemy or directly or indirectly from any act of American or Allied armed forces engaged in combat.

(g) The property lost, damaged, or destroyed must belong to an inhabitant of the foreign country where the accident or incident occurred, or belong to the country itself.

(h) The injury or death must be to an inhabitant of the foreign country where the accident or incident occurred.

(i) If the claimant is a national of a country at war with the United States, or of any ally of such enemy country, there must be a determination by the Foreign Claims Commission or by the local commander that the claimant is friendly to the United States.

(j) The claim must be approved by a Foreign Claims Commission and, if in excess of $2,500, by the commanding officer.

(k) The claimant must accept, in full satisfaction and in final settlement, the amount approved, and give a release therefor.

NATURE OF RELEASES

§ 753.26 *Release when award is made.* (a) A release should be obtained from the claimant in every case in which an award is made by a commission and accepted by the claimant.

(b) The release executed by the claimant should release the United States and also release the tort-feasor or the person or persons who have done the damage occasioned if their identity is known. If the identity of such persons is unknown and they cannot be described by name, in such an instance, the release should recite that the claimant also releases the person or persons who occasioned the injury, the names and identity of said person or persons being unknown to the claimant.

(c) The release executed should preclude any possible future assertion of the claim for which the United States has made compensation.

CLAIMS DISALLOWED BY FOREIGN CLAIMS COMMISSIONS

§ 753.27 *Forwarded to the Judge Advocate General.* Claims within the final jurisdiction of the commission but disallowed as not meritorious or for any other reason will be forwarded direct to the Judge Advocate General within 30 days. In all such cases the original and two copies of the report, claim, and supporting papers (including a copy of the notification of disallowance to the claimant) will be so forwarded; the remaining copy will be retained by the commission for its files.

CLAIMS NOT WITHIN JURISDICTION OF FOREIGN CLAIMS COMMISSIONS

§ 753.28 *Meritorious claims in excess of $5,000.* Claims within the Foreign Claims Act, except that the total amount due on account of damage, injury, and death exceeds $5,000 and the claimant will not accept $5,000 in full satisfaction and in final settlement of his claim, will be forwarded direct to the Judge Advocate General for legal review and appropriate administrative action. All claims of this nature shall be considered by a commission consisting of three members, and the record of such proceedings shall include signed statements of material witnesses or transcripts of their oral testimony. The Foreign Claims Commission will forward with any such claims its findings, and any recommendation as to the action to be taken (including its findings as to the total damage, injury, and death sustained) together with, if practicable, a statement from the owner of the property, or the person injured, or the legal representative of the person killed, signifying his willingness to accept the amount so found in full satisfaction and in final settlement of his claim. In all such cases, the original and two copies of the report, claim and supporting papers will be so forwarded; the remaining copy will be retained by the commission for its files.

§ 753.29 *Claims arising from incidents on the high seas.* Claims arising from incidents on the high seas are not within the jurisdiction of a Foreign Claims Commission. While there is no jurisdiction when the claimant (or decedent in the case of death claims) is not an inhabitant of the country in which the claim arises, in these cases, as in the case of claims exceeding $5,000, reports shall be forwarded in triplicate to the Judge Advocate General.

DAN A. KIMBALL,
Secretary of the Navy.

SEPTEMBER 5, 1951.

[F. R. Doc. 51-11239; Filed, Sept. 18, 1951; 8:46 a. m.]

Chapter XVII—Federal Civil Defense Administration

PART 1705—CONTRIBUTIONS FOR TRAINING AND EDUCATION

The following regulations, Part 1705, Contributions for Training and Education, are hereby issued.

Sec.

AUTHORITY: §§ 1705.1 to 1705.7 issued under sec. 401, 64 Stat. 1254; 50 U. S. C. App. Sup. 2253.

§ 1705.1 *Purpose.* The purpose of the regulations in this part is to prescribe the procedures to be followed in applying for and making Federal contributions for financing training and education programs and projects for civil defense, and the conditions under which such contributions will be made.

§ 1705.2 *Definitions.* Except as otherwise stated, the following terms shall have the following meanings when used in the regulations in this part:

(a) *Training and education.* The teaching of the general public and of civil defense workers about the need for and the measures to be adopted to achieve adequate civil defense in the United States, and the development of necessary skills to accomplish such measures.

(b) *Program.* The course of action adopted by a State for civil defense training and education.

(c) *Project.* A definable part of a program, complete in itself but limited to a specific phase of a program.

§ 1705.3 *Conditions of contributions.* The Administrator will make contributions to the States, on the basis of programs or projects approved by him, for the purchase of materials, equipment, and facilities for training and education subject to the following conditions:

(a) *Administrative expenses and personal equipment.* No contributions shall be made for State or local personnel or administrative expenses or for items of personal equipment for State or local workers.

(b) *Matching State funds.* The amounts authorized to be contributed to each State for training and education shall be matched by such State from any source it determines is consistent with its laws, including but not limited to State, county, municipal, and private sources. The making of an application for a contribution shall constitute an assurance by the State that funds to match the proposed Federal contribution are available and shall be used for the purposes indicated.

(c) *Information and reports.* In making a request for a contribution, a State shall submit information concerning the program or project for which the contribution is desired, and concerning the relation between such program or project and the State's over-all civil defense program. This information shall include a statement as to the necessity for purchasing the desired materials, equipment, and facilities. To the extent that any of such information has already been submitted by a State to FCDA, it need not be resubmitted but should be incorporated by reference into the request. The State will also transmit to the Administrator, as required, a statement of its plans for meeting the conditions of this regulation, and such reports as the Administrator may from time to time request.

(d) *Specifications.* Specifications for materials, equipment, and facilities shall be approved by the Administrator.

(e) *Allocation of funds for training and education.* The Administrator will allocate Federal funds available for training and education, on the basis of

such standards as he may determine. If the amount so allocated to a State is not matched within time limits specified by the Administrator, he may reallocate such amount to other States.

(f) *Cancellation or breach.* If for any reason the State should revoke or cancel its request for a financial contribution for the purpose of materials, equipment, or facilities for the training and education for which the Administrator has agreed to make a contribution, or breaches any condition of this regulation, it will promptly reimburse the Federal Government for any loss, as determined by the Administrator, occasioned to the Federal Government thereby.

(g) *Inspection and accounting.* Materials, equipment, and facilities will be controlled in accordance with accepted or prescribed methods of accounting, identification and administrative responsibility. The Administrator or his representatives shall have access to such materials, equipment, and facilities at all reasonable times for purposes of inspection. The Administrator or his representatives shall also have access to the books and records of the State relating to such materials, equipment, and facilities.

(h) *Use and disposal.* Materials, equipment, and facilities for training and education shall be distributed and used only for civil defense purposes unless the Administrator prescribes or authorizes otherwise, and such materials, equipment, and facilities shall not be disposed of without prior approval of the Administrator.

(i) *Insignia.* Materials, equipment, and facilities purchased either in whole or in part with Federal funds will, whenever practicable, be marked with the official civil defense insignia.

(j) *Shipment.* If materials, equipment, or facilities should be lost between the manufacturer and the consignee in the State in such manner that neither the manufacturer nor the carrier is liable, the loss will be shared by the Federal Government and the State in the same proportion as they are contributing to the cost thereof.

(k) *Sale.* In the event materials, equipment, or facilities are sold, the State will remit to FCDA, or credit FCDA with, a percentage of the selling price or trade-in allowance equal to the percentage of the Federal contribution toward the original purchase price and transportation costs thereof.

(l) *Reimbursable loss.* If any identifiable reimbursable loss of materials, equipment, or facilities is suffered by the State it will remit to FCDA, or credit FCDA with, a percentage of any reimbursement equal to the percentage of Federal contribution toward the original purchase price and transportation costs thereof, except when the reimbursement is applied to the replacement of such materials, equipment, and facilities.

(m) *Title.* Title to materials, equipment, and facilities procured by FCDA will pass to the State upon delivery of such materials, equipment, and facilities to the State. The State will furnish to FCDA the name of such person who has been authorized in the name of the State to execute the necessary receiving reports, fiscal transactions, and other necessary documents in the name of the State in connection with such materials, equipment and facilities.

(n) *Loyalty oath.* No request for financial assistance for training and education shall be approved by the Administrator unless (1) the State law requires that each person, other than a Federal employee, who is appointed to serve in a State or local organization for civil defense shall take an oath in writing before a person authorized to administer oaths, which oath shall be substantially as follows:

I _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties upon which I am about to enter.

And I do further swear (or affirm) that I do not advocate, nor am I a member or an affiliate of any organization, group, or combination of persons that advocates the overthrow of the Government of the United States by force or violence; and that during such time as I am a member of the (name of civil defense organization), I will not advocate nor become a member or an affiliate of any organization, group, or combination of persons that advocates the overthrow of the Government of the United States by force or violence.

or (2) the State certifies that it has directed the State civil defense agency to require that each person, other than a Federal employee, who is appointed to serve in a State or local organization for civil defense, shall, before entering upon his duties, take such an oath in writing before a person authorized to administer oaths.

(o) *Failure to expend funds.* Where a State acts as its own purchasing agent, and the Administrator, after reasonable notice and opportunity for hearing, finds that the State has failed or is failing to expend funds in accordance with the terms and conditions of the Act or the Administrator's rules and requirements thereunder, all such findings shall be final, and the State shall have no claim or right of action against the Federal Government, the Administration, or any other Agency of or individual employed by the Federal Government by reason of any action taken by the Administrator based on one or more of such findings.

§ 1705.4 *Requests for contributions.* A request for a contribution for training and education shall be signed by the Governor or by such other State officer as may be duly authorized.

§ 1705.5 *Procurement of materials, equipment, and facilities for training and education involving Federal funds.*—(a) *Procurement by Administrator.* Procurement, involving Federal funds, of materials, equipment, and facilities for training and education will ordinarily be performed by the Administrator to promote economy and standardization. FCDA standard specifications have been formulated for this purpose.

(b) *Procurement by State.* Under special circumstances, the Administrator may permit a State to purchase certain categories or items directly. FCDA standard specifications will be used for such purchases wherever possible, unless a substitute is approved by the Administrator.

(c) *Procurement by State; amount of contribution.* When a State procures materials, equipment, and facilities for training and education the amount of the Federal contribution shall not exceed the sum of fifty percent of what the Administrator would have paid had he purchased the materials, equipment, or facilities plus fifty percent of the transportation.

§ 1705.6 *Approval of requests.* (a) Upon approval by the Administrator of a request for materials, equipment, and facilities which he is to procure, an acknowledgment will be returned to the State and the State may anticipate delivery, transportation prepaid to the consignee specified in the request.

(b) Upon approval by the Administrator of a request for materials, equipment, and facilities which the State is to procure, an acknowledgment will be returned to the State and the State may then undertake procurement.

(c) In the event the Administrator disapproves a request he shall notify the State thereof in writing, giving a brief statement of his reasons for such disapproval.

§ 1705.7 *Billing and payment.* (a) When materials, equipment, and facilities procured by the Administrator have been delivered to the State, the Administrator will invoice the State for the State's share, and the State shall make prompt payment, through the Administrator, to the Treasurer of the United States. The invoice shall also include one-half the cost of any procurement services billed to FCDA by other Federal agencies, but not including any FCDA administrative costs.

(b) When materials, equipment, and facilities have been procured by a State, the State will submit an invoice to the Administrator. The invoice shall be in an amount not to exceed fifty percent of the sum of the cost of the materials, equipment, or facilities and the transportation charges.

This regulation shall be effective on September 19, 1951.

MILLARD CALDWELL,
Administrator,
Federal Civil Defense Administration.

[F. R. Doc. 51-11341; Filed, Sept. 18, 1951; 8:52 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amdt. 26]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

OPTION TO PROPOSE A METHOD FOR CALCULATING INCREASED COST OF MATERIALS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order

10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 26 to Ceiling Price Regulation 22 (16 F. R. 3562) is hereby issued.

STATEMENT OF CONSIDERATIONS

The substitute method for calculating increased cost of materials used in this amendment is the same as used in Amendment 14 to CPR 30. Accordingly, the same Statement of Considerations in that amendment is applicable to this amendment.

This amendment also corrects a typographical error in section 8 (c) of this regulation.

AMENDATORY PROVISIONS

1. Ceiling Price Regulation 22 is amended by adding a new section after section 16, designated section 16a and reading as follows:

SEC. 16a. *Option to propose a method.* If you have not already filed Public Form No. 8 showing computations made in accordance with the provisions of this regulation and believe that none of the four alternative methods available to you for calculating the "materials cost adjustment" can practicably be used by you, you may propose a substitute method in the manner specified in the following paragraph of this section. It is the opinion of the Director of Price Stabilization that the four methods offered provide adequate alternatives for all businesses, and a substitute plan will be considered only in exceptional cases of multi-product manufacturers whose established accounting practices and system of materials control and distribution are of such a nature as to make the use of any of the four alternative methods extremely difficult. This must be affirmatively shown in the application. Your proposed method must follow the same general techniques, definitions and limitations as the four alternative methods already provided and must achieve the same basic results.

You should submit your proposed method in writing to the Office of Price Stabilization, Washington 25, D. C., stating the reasons why you believe it appropriate and necessary, and why none of the four alternative methods can practicably be used by you, and setting forth in detail the steps to be taken under your proposed method. You may, if you prefer, submit your proposed method without actually calculating your ceiling prices under it, but you must show why the proposed method will reach the same basic results as any of the four alternative methods. Unless and until the Director of Price Stabilization approves your proposal in writing you may not use it.

2. The seventh sentence in section 8 (c) is amended by inserting the word "or" between the word "unemployment" and the word "compensation" so that the sentence reads as follows: "You may also add to your recomputed payroll a dollar amount to reflect for the labor covered by that payroll, any increase between the end of your base period and March 15, 1951, in the cost to you of required payments under Federal Insurance Contributions Act, the Federal Unemployment Tax Act and any state or local unemployment or compensation law."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 26 to Ceiling Price Regulation 22 shall become effective September 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 18, 1951.

[F. R. Doc. 51-11385; Filed, Sept. 18, 1951; 4:00 p. m.]

[Ceiling Price Regulation 30, Amdt. 14]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

OPTION TO PROPOSE A METHOD FOR CALCULATING INCREASED COST OF MATERIALS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 14 to Ceiling Price Regulation 30 (16 F. R. 4108) is hereby issued.

STATEMENT OF CONSIDERATIONS

Four alternative methods were provided by this regulation to calculate the increased cost of materials that a manufacturer may add to his base period price. These are deemed to be sufficiently varied and comprehensive to cover all types of businesses. However, experience has shown that in certain exceptional cases a manufacturer may have an accounting system and a system of materials control and distribution that make the use of any of the four methods extremely difficult. This amendment permits a manufacturer, in such circumstances, to propose another method which might vary the existing prescribed techniques in some respect but will achieve the same basic result. The amendment requires the manufacturer who desires to do this to submit the method for the examination and approval of the Director of Price Stabilization, and requires him to show affirmatively the exceptional circumstances that require such variation. This option, however, is only open to those who have not made the computations required by the regulation and filed their reports of these computations. The option provided by this amendment has been issued pursuant to the recommendations of several manufacturers who have made computations which they have been able to show reached the same results as the methods already provided and who have offered convincing evidence that their established accounting practices do not practicably permit the computations in the manner provided by the regulation. To this extent the industry representatives have been consulted in the formulation of this amendment.

AMENDATORY PROVISIONS

Ceiling Price Regulation 30 is amended by adding after section 20 a new section numbered section 20a to read as follows:

SEC. 20a. *Option to propose a method.* If you have not filed Public Form No. 8 showing computations made in accordance with the provisions of this regulation by September 1, 1951 and believe that none of the four alternative methods available to you for calculating the "material cost adjustment" can practicably be used by you, you may propose a substitute method in the manner specified in the following paragraph of this section. It is the opinion of the Director of Price Stabilization that the four methods offered provide adequate alternatives for all businesses, and a substitute plan will be considered only in exceptional cases of multi-product manufacturers whose established accounting practices and system of materials control and distribution are of such a nature as to make the use of any of the four alternative methods extremely difficult. This must be affirmatively shown in the application. Your proposed method must follow the same general techniques, definitions and limitations as the four alternative methods already provided and must achieve the same basic results.

You should submit your proposed method in writing to the Industrial Materials and Manufactured Goods Division, Washington 25, D. C., stating the reasons why you believe it appropriate and necessary, and why none of the four alternative methods can practicably be used by you, and setting forth in detail the steps to be taken under your proposed method. You may, if you prefer, submit your proposed method without actually calculating your ceiling prices under it, but you must show why the proposed method will reach the same basic results as any of the four alternative methods. Unless and until the Director of Price Stabilization approves your proposal in writing you may not use it.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 14 to Ceiling Price Regulation 30 shall become effective September 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 18, 1951.

[F. R. Doc. 51-11384; Filed, Sept. 18, 1951; 4:00 p. m.]

[General Ceiling Price Regulation, Amdt. 1 to Supplementary Regulation 45]

GCPR, SR 45—ADJUSTMENT OF CEILING PRICES FOR ICE

SEASONAL PRICING FOR MANUFACTURERS OF ICE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 45 is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 45 to the General Ceiling Price Regulation established procedures and standards for ad-

justment of the ceiling prices of ice manufacturers and harvesters and of those who purchase ice from them for resale. Under Supplementary Regulation 45 manufacturers and harvesters who wish to have their ceiling prices adjusted must file an application with OPS and make certain showings as to their prices and as to the effect of those prices on their financial position and on their ability to continue to supply ice needs in the areas of their operation. In view of the fact that many sellers have seasonal pricing patterns, customary seasonal price changes are of course considered in dealing with applications for adjustment.

The purpose of the present amendment is to make it possible for manufacturers and harvesters and for distributors having seasonal price patterns to adjust their ceiling prices in accordance with those patterns without the necessity of filing an application. To avoid uncertainty seasonality is tested under the amendment in terms of whether the seller's highest prices in December 1950 were lower than his highest prices in July 1950. The net effect of the amendment is that such sellers would be able, without filing an application, to reestablish their 1950 summer prices. Since the objective is to permit a reflection of the normal seasonal pattern for these sellers, the amount and duration of the price adjustment would also have to follow the seasonal pattern. More specifically, a seller who takes a seasonal upward adjustment would have to follow his monthly 1950 prices for the corresponding months of 1951 and each subsequent year. Thus, application of the adjustment provision to afford price increases during certain months over GCPR ceiling prices might well require decreases from these prices for other months.

It should be added that as a condition of a seller taking an automatic adjustment allowed under this amendment, he must post in his selling premises his monthly prices and the dates in 1950 when he put these prices in effect. This will, of course, make his seasonal pattern known to his purchasers and aid enforcement.

On the basis of available data, it is expected that a small number of manufacturers, harvesters and distributors who would not qualify for a price adjustment under SR 45 as originally issued would nonetheless under this amendment be entitled to take an adjustment. The Director does not consider that such a result would unduly impair the carrying out of the purposes of the economic stabilization program since the adjustment would reflect normal patterns of operation and the prices to be used would be those in effect in July 1950.

To the extent practicable, persons representing important segments of the industry have been consulted in the preparation of this amendment and their recommendations fully considered.

AMENDATORY PROVISIONS

Supplementary Regulation 45 to the General Ceiling Price Regulation is amended by the addition of the following section:

SEC. 7. *Alternative adjustment for manufacturers or harvesters and for distributors who have customarily had seasonal prices.* (a) This section applies to you if (1) you are a manufacturer or harvester or a distributor of ice and (2) as to your sales to any given class of purchaser, the highest price you received for a customary sale in December 1950, was lower than the highest price you received for a customary sale in July 1950.

In that case, you may during each month of 1951 and every subsequent year, without filing an application under the provisions of section 3 of this supplementary regulation, adjust your ceiling price otherwise determined under the General Ceiling Price Regulation for sales to a class of purchaser up to the highest price you received for a customary sale to the same class of purchaser in the corresponding month of 1950. If you use this section to increase, during any month, a ceiling price established under the General Ceiling Price Regulation, you must also, for those months where the application of this section would so require, decrease that ceiling price.

You may not, however, adjust your ceiling prices under this section unless you first conspicuously post on each of the premises where you sell ice the monthly prices and the dates in 1950 on which you established the prices on which you rely as demonstrating that you have a seasonal pricing pattern.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective September 24, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 18, 1951.

[F. R. Doc. 51-11386; Filed, Sept. 18, 1951; 4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 62]

GCPR, SR 62—MAXIMUM RATES FOR THE TRANSPORTATION OF COAL IN COLLIERS FROM HAMPTON ROADS, VIRGINIA TO CERTAIN NORTH ATLANTIC POINTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 62 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation establishes a dollars and cents ceiling rate for the transportation of coal in colliers from Hampton Roads, Virginia to certain New England ports, including Boston, Massachusetts, ports on Long Island Sound, New York, New York, and Philadelphia, Pennsylvania.

The entire coastwise collier fleet consists of 24 colliers aggregating 250,705 deadweight tons which are owned by six companies. These companies operate as contract carriers engaged in the transportation of coal by colliers from Hampton Roads, Virginia to Philadelphia, Pennsylvania, New York, New York, ports on Long Island Sound and New England ports along the Atlantic Coast. Inasmuch as they are contract carriers their rates are subject to the General Ceiling Price Regulation.

The new rates were determined by taking rates established in 1946 by the Office of Price Administration after a thorough cost study of the industry and by adding to these rates the increases in certain major costs since that time.

The trend of coal shipments. Southern coal mine operators utilize two types of transportation for the movement of southern coal to New England and North Atlantic ports—i. e. (1) all rail; or (2) rail and water via Hampton Roads.

Following the Second World War, intense competition from oil has had the effect of reducing the consumption of coal in New England and this, of course, has been reflected in reduced shipments of coal both by all rail and by rail-water transportation. This decline in the use of coal in the post-war period in New England was further aggravated by the relative decline in general business conditions in New England during the period. The combined effect of these two factors was to reduce the shipment of coal in colliers in 1950 to approximately 50 percent of the average for the period 1940 to 1948. The depression in coal shipments to New England had the effect of depressing rates for the shipment of coal in colliers below the level necessary to maintain an efficient system of water transportation for coal to New England.

It is customary in the coal industry for contracts to be written for the shipment of coal covering the "coal year"—i. e. April 1 to April 1. The General Ceiling Price Regulation froze the depressed rates which had been established as of April 1, 1950. These rates, which are roughly 6¢ per ton below 1946 rates, do not cover costs of operations as they are known to have existed in 1946 and are particularly deficient with respect to current costs of operating the collier fleet.

The trend of costs. During the Second World War the collier fleet was requisitioned by the United States government and operated by the War Shipping Administration. Since normal operation of the collier fleet during the war could not be maintained, collier owners were reimbursed for added war costs by the War Shipping Administration. The fleet owners as agents of the War Shipping Administration submitted full and detailed reports of costs for rate making purposes. Costs were classified for rate making purposes into (1) normal costs of operation; and (2) added war costs. The former of these was used by the Office of Price Administration as the basis for establishing ceiling rates applicable to the shipment of coal in colliers from Hampton Roads to New York and New England Ports.

At the close of the war, the collier fleet was returned by the War Shipping Administration to its owners and ceiling rates, reflecting the cost studies above referred to were established under Order

L-274 (September 5, 1946). This Order was amended on September 19, 1946 to establish a schedule of rates for vessels of various sizes as follows:

MAXIMUM RATES FOR TRANSPORTATION OF COAL IN COLLIERS

From Hampton Roads, Virginia, To Boston, Massachusetts

Vessel, deadweight tonnage summer freeboard:	*Rate per gross cargo ton*
Less than 4,301	2.32
4,301 to 5,800	2.10
5,801 to 8,000	1.66
8,001 to 10,000	1.53
10,001 and over	1.31

For self-discharging type vessel maximum rate from Hampton Roads, Virginia, to Boston, Massachusetts, shall not be in excess of $1.42 per gross ton.

1. For other ports, apply the following differentials: Bath, Maine and ports east of Portland, Maine, plus 35 cents; Portland, Maine and Portsmouth, New Hampshire, plus 15 cents; ports on Long Island Sound, including Thames River, minus 15 cents; and New York, New York and Philadelphia, Pennsylvania, minus 20 cents.

2. Add 5 cents per ton for coal taken on at second port loading facility.

3. Add 5 cents per ton for unloading by vessel self-unloading equipment.

4. The maximum charge for any cargo shall be computed at the rate applicable to the vessel according to its deadweight tonnage summer freeboard.

Certified cost data submitted by the industry covering all major operating costs demonstrate that the industry has been required to assume steadily increasing costs since the establishment of the above schedule of rates. For instance, actual monthly payrolls have increased 34.7 percent; fuel oil costs have increased 43.3 percent; tug services have increased 33.5 percent; ship repair costs have increased 74.6 percent. The increases in costs itemized add up to a total of almost 26 cents per ton above the cost in effect in September of 1946. This cost figure does not take into consideration known increases in victualling costs, medical expenses, ship's laundry, increased payroll taxes or wage increases granted as of July 1, 1951.

Full cost data applicable to the last half of 1950 or the first half of 1951 are not available because of special conditions which have confronted the industry since the outbreak of war in Korea. The tremendous increase in demand for coal for Western Europe and the consequent increase in demand for colliers to serve the off-shore trade makes it difficult, if not impossible, to arrive at proper cost allocations between these two types of service. Vessels normally in the coastwise trade are now used whenever possible for off-shore voyages. Inasmuch as the industry has customarily kept its records on a monthly rather than on a voyage basis the distribution of overhead costs between the coastwise trade, subject to regulation by the Office of Price Stabilization, and off-shore trade, not subject to such supervision, is not practical for present purposes. Accordingly, the approximately 32 cents per ton increase in present ceiling rates proposed by the industry and authorized in this regulation does not fully reflect all of the cost increases which the industry has experienced.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of the Office of Price Stabilization, the rates contained in this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national defense effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended.

In formulating this supplementary regulation the Director has consulted with representatives of the industries, so far as practicable under the circumstances, and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.
1. Purpose.
2. Applicability.
3. Maximum rates.
4. Miscellaneous.

AUTHORITY: Sections 1 to 4 issued under Sec. 704, 64 Stat. 816, amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Purpose.* The purpose of this supplementary regulation is to establish dollars and cents ceiling rates for the transportation of coal by contract water carrier, in colliers, from Hampton Roads, Va., to United States ports on the North Atlantic Coast.

SEC. 2. *Applicability.* The provisions of this supplementary regulation shall apply to any carrier, other than a common carrier as defined in section 302 (d), Interstate Commerce Act, as amended, engaged in the transportation, under individual contract or agreement, of coal, in colliers, from Hampton Roads, Va. to United States ports on the North Atlantic Coast.

SEC. 3. *Maximum rates.* The maximum rates for the transportation of coal, in colliers, from Hampton Roads, Va., to ports along the North Atlantic coast by any carrier subject to this regulation, shall be as follows:

Vessel deadweight tonnage summer freeboard:	*Rate per gross cargo ton*
Less than 5,801	$2.36
5,801 to 8,000	1.92
8,001 to 10,000	1.79
10,001 and over	1.57

(*a*) The above rates are for transportation to Boston, Massachusetts; for other ports, apply the following differentials: Bath, Maine and ports east of Portland, Maine, plus 35 cents; Portland, Maine, and Portsmouth, New Hampshire, plus 15 cents; ports on Long Island Sound, including Thames River, minus 15 cents; and New York, N. Y., and Philadelphia, Pa., minus 20 cents.

(*b*) Add 5 cents per ton for coal taken on at second port loading facility.

(*c*) The maximum charge for any cargo shall be computed at the rate applicable to the vessel according to its deadweight tonnage summer freeboard.

SEC. 4. *Miscellaneous.* Those water carriers subject to this supplementary regulation shall remain subject to all other provisions of the General Ceiling Price Regulation which are not inconsistent with the provisions hereof, including, but not limited to, the enforcement and penalty provisions thereof and the requirement of keeping on file for inspection a statement of their ceiling prices or rates.

Effective date. This supplementary regulation to the General Ceiling Price Regulation shall become effective on the 20th day of September 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 18, 1951.

[F. R. Doc. 51–11383; Filed, Sept. 18, 1951; 11:38 a. m.]

[Ceiling Price Regulation 23, Amdt. 3]

CPR 23—LIVE CATTLE

CHANGE IN ADDITIONS IN MAXIMUM CALCULATED PRICE FORMULA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order 2 (16 F. R. 738) this Amendment 3 to Ceiling Price Regulation 23 is hereby issued.

STATEMENT OF CONSIDERATIONS

In the formula provided in Ceiling Price Regulation 23 for computing the slaughterer's maximum calculated prices on OPS Public Form 14, an addition is allowed which represents the approximate average difference between the value of the by-products and the expense of buying cattle, killing, chilling the carcasses, preparing by-products, selling, administration, overhead and profit. Recently there has been a substantial decline in the selling price of hides and fats. Accordingly, this amendment changes the by-product factor addition which the slaughterer uses in computing his maximum calculated prices for cattle, in order to more accurately reflect the decreased value of by-products.

Amendment 6 to Ceiling Price Regulation 24, Ceiling Prices of Beef Sold at Wholesale, also issued today, provides, among other things, for an increase in the price of beef at wholesale. The reasons for this increase are contained in the Statement of Considerations accompanying that amendment.

The effect of this amendment is to continue the present compliance prices for all grades of cattle, except utility grade, the compliance price of which is increased in accordance with the recent amendment to the Defense Production Act. That amendment forbids the maintenance of ceiling prices on live cattle below 90 percent of the price received by grade by producers on May 19, 1951, as determined by the Secretary of Agriculture. The higher price for utility grade and the prices for other grades of cattle provided for in this amendment conform to this new legal minimum.

In certain cases these changes will effect a change in a slaughterer's maximum calculated prices. In those in-

stances, the slaughterer must file a revised OPS Public Form 14 pursuant to Section 8 (b), Ceiling Price Regulation 23, as amended.

In formulating this amendment the Director of Price Stabilization has consulted with industry representatives and has given full consideration to their recommendations. 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, as amended.

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

AMENDATORY PROVISIONS

Ceiling Price Regulation 23 is amended as follows:

The table set forth in Appendix A, V, Item 6 (6) is deleted and the following table is substituted therefor:

	Plants in all States west of and including Montana, Wyoming, Colorado and New Mexico	All other States and District of Columbia
Prime	$0.95	$1.10
Choice	1.00	1.15
Good	1.10	1.25
Commercial	1.20	1.35
Utility	1.20	1.35
Cutter and canner	1.10	1.25
Bulls (all grades)	.65	.80

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall be effective on September 19, 1951.

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

SEPTEMBER 17, 1951.

[F. R. Doc. 51-11344; Filed, Sept. 17, 1951; 3:44 p. m.]

[Ceiling Price Regulation 24, Amdt. 6]

CPR 24—CEILING PRICES OF BEEF SOLD AT WHOLESALE

REVISED CEILING PRICES OF BEEF SOLD AT WHOLESALE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), Economic Stabilization Agency General Order 2 (16 F. R. 738), Delegation of Authority by the Secretary of Agriculture to the Economic Stabilization Agency with respect to the Allocation of Meat (16 F. R. 1272) and Economic Stabilization Agency General Order 5 (16 F. R. 1273) this Amendment 6 to Ceiling Price Regulation 24 is hereby issued.

STATEMENT OF CONSIDERATIONS

The accompanying amendment to CPR 24 makes several major changes as well as certain modifications of a minor nature.

(1) The designation of military processing beef specifications, which formerly referred only to JAN–B–617, the specification for meat derived from the entire carcass, is broadened to include JAN–B–723, the specification covering utility beef derived from rounds, chucks, loins and ribs.

(2) CPR 24 did not provide a local delivery addition for boneless processing beef sold to the armed forces. As a result, sellers refused to deliver this beef in their own trucks, often delaying delivery and inconveniencing the government. This amendment corrects this situation by permitting the seller to charge the addition for local delivery he performs.

(3) In several instances sellers have circumvented the provisions of the regulation by making sales of carcasses or wholesale cuts to their customers and buying back a portion of the carcass at a substantial discount below the ceiling price for that portion of the carcass. For example, in many cases, sellers sold a hindquarter at ceiling price and then repurchased the loin from the buyer at a discount ranging up to $15.00 per cwt. below the ceiling price for the loin. This type of practice had the effect of increasing the price of the round by approximately $15.00 per cwt. This amendment prohibits this type of evasive practice by requiring a seller to pay the full ceiling price in the event that he wishes to repurchase from his customer any part of a beef carcass or cut.

(4) In many cases sellers have circumvented the provisions of the regulation by selling ground beef products at prices greatly in excess of the ceiling prices for ground beef. Some sellers added condiments to ground beef, while others added cereal, eggs or other ingredients. In order to prevent the continuation of these practices, this amendment prohibits the sale of all fresh ground meat containing beef except those ground meat items which are produced in accordance with the specifications of CPR 24.

(5) CPR 24 provides graduated markups for different classes of sellers and permits different prices for various classes of buyers. It also prohibits the sales of certain beef items to certain classes of buyers. As an aid to enforcement, the sales invoice should contain the class of buyer and class of seller involved in each transaction. Accordingly, this amendment requires the seller to specifically indicate on the invoice the category in which the seller falls as well as the class of buyer. Certain abbreviations have been provided to facilitate the designation of these various classes of buyers and sellers.

(6) Similarly, as an additional enforcement device, this amendment requires shippers who sell on an f. o. b. plant basis and prepay the freight which they bill the buyer to include the amount of these freight charges on their invoices as a separate item.

(7) There has been a very substantial decline in the market for hides and fats. The current ceiling prices for each grade of dressed beef are based on live cattle compliance prices provided for in Ceiling Price Regulation 23 after making allowance for the value of the hide and fat by-products. If packers are to be given generally fair and equitable ceiling prices, as is required by law, it is necessary to make up for these reductions in their selling prices of hides and fats by reducing the live cattle compliance prices which they may pay or by increasing the ceiling prices of dressed beef which they sell.

The former alternative is now impractical. Congress has eliminated the authority to impose slaughter quotas. As a result, packers are presently encountering serious difficulties in purchasing live cattle within the cattle compliance prices. Indeed, it has been necessary to modify the compliance prices of CPR 23 for a temporary period to alleviate this situation. To lower these prices below present levels would make it more difficult, if not impossible, for legitimate packers to obtain cattle. The only practical alternative is to raise dressed beef prices by an amount sufficient to offset the decline in hides and fats prices. This amendment therefore increases all beef prices by that amount.

(8) In extending the Defense Production Act, Congress provided that "no ceiling shall be established or maintained for any agricultural commodity below 90 percentum of the price received (by grade) by producers on May 19, 1951, as determined by the Secretary of Agriculture". The Secretary has determined the price of each grade of cattle on May 19. The prices currently provided by Ceiling Price Regulation 23 are above the 90 percent minimum for each grade except utility. The 90 percent minimum for utility grade cattle requires a substantial increase in the compliance price provided by Ceiling Price Regulation 23 and, to maintain fair and equitable margins for slaughterers of utility cattle, a substantial increase in the ceiling prices of utility grade beef. This amendment provides for the required increases in the ceiling prices of utility grade beef. In addition, this amendment provides for separate prices on those utility boneless beef items which were formerly priced at one level with the same items of cutter and canner grades. The greatly increased spread between utility beef and cutter and canner beef required by the recent statutory amendments makes it impossible to continue to price the boneless beef of the three grades identically.

(9) After extensive study of the price differentials between the primal cuts and consultation with industry representatives, it has been determined to revise, and this amendment therefore modifies, these price differentials to reflect more accurately the relative value of each cut.

(10) CPR 24 did not provide a price for untrimmed loins but instead followed the recommendation of the Beef Industry Advisory Committee and provided ceiling prices for two separate cuts, the short loin and the sirloin, which together comprise the trimmed loin. In many cases retailers have been unable to obtain the ceiling prices established for certain types of cuts derived from the short loin and therefore their realized margins have been reduced. They have therefore requested that the price of the short loin be reduced. However, hotel and restaurant suppliers have been able to ob-

tain better prices for the cuts derived from the short loin and have requested that there be a substantial differential between the ceiling prices for the short loin and the sirloin. In order to give effect to the desires of both these segments of the meat industry, this amendment removes the short loin and sirloin from the primal cut schedule and adds them to the fabricated cut schedules, and provides a ceiling price for untrimmed loins. This will enable retailers to buy a full loin at a price which will enable them to realize more adequate margins and will meet the requirements of the hotel and restaurant suppliers.

(11) Originally packers and packer branch houses were permitted to sell fabricated cuts to hotel supply houses and combination distributors. Many hotel supply houses and combination distributors found that their source of supply of carcasses and wholesale cuts had been completely eliminated and, therefore, they urged that the regulations be amended to prohibit packers and packer branch houses from selling them fabricated cuts. This change was incorporated into the regulation by Amendment 3 to CPR 24. The hotel supply house and combination distributors Industry Advisory Committee has recently requested a change in the regulation to permit packers and packer branch houses to sell to hotel supply houses and combination distributors fabricated cuts derived from utility grade beef. Accordingly, this amendment incorporates this change into the regulation. Moreover, this amendment provides a fourth schedule of ceiling prices for fabricated beef cuts sold by designated sellers to designated buyers. This schedule, which is the lowest priced schedule of the four, reflects customarily low markups on these sales and is based on a re-examination of customary markups of fabricated cuts.

(12) Current ceiling prices for boneless beef cuts and boneless processing beef are on a uniform basis by areas, with increases being provided at 50 cent intervals in the zone differential allowance. For example, all sellers in areas where the zone differential was between 0 and 49 cents per cwt. had the same ceiling price for these items despite the fact that there were different ceiling prices for the carcass beef and wholesale cuts they processed in these areas, depending on the applicable zone differentials. This amendment provides for ceiling prices for boneless cuts and boneless processing beef on a formula basis so that in every instance the price of the boneless beef will be related to the price of the carcass beef from which the boneless beef was derived. In this way a seller's ceiling prices will accurately reflect his costs.

(13) Re-examination of the non-slaughtering producers' addition on sales of boneless beef cuts and boneless processing beef has disclosed that the $2.00 per cwt. addition is excessive and that $1.50 per cwt. is adequate to cover their additional expenses. Accordingly, this amendment reduces that addition to $1.50 per cwt.

(14) Sufficient information is now available to determine a ceiling price for skirt steak. This amendment therefore defines, and provides a ceiling price for, skirt steak.

(15) This amendment defines, and provides a ceiling price for, lean ground beef in casings, in accordance with the request of several meat processors.

(16) The use of 4-way military beef effects substantial economies in transportation and handling costs by the elimination of fat and bone from the finished product. Many governmental agencies and institutions have requested authorization for the purchase of this type of meat. Accordingly, this amendment authorizes governmental agencies and institutions to purchase 4-way military style beef and sets up additional prices for commercial and utility grades of this beef. As a safeguard for the governmental agencies who intend to procure 4-way beef this amendment provides for the inspection of the processing operations by official U. S. D. A. graders and for certification by these graders that the meat has been prepared in accordance with specifications.

(17) This amendment authorizes an addition of 50 cents per cwt. for sales of primal cuts to defense procurement agencies to cover the costs of the special trimming required by these buyers.

(18) Most of the better grades of cattle are produced in the mid-west. Most of these cattle are slaughtered in the mid-west and some of the beef is shipped to the east coast. In some cases, however, the live animals are shipped to the northeast and slaughtered locally. A special zone 4A addition was provided to cover the cost of tissue shrink in transporting these animals to the northeast. In this area the bulk of the animals are slaughtered kosher and for that reason the special addition was limited to the kosher forequarter and kosher cuts derived from the forequarter. However, there are certain plants in the northeast which do not normally produce kosher meat and which import some of the better grades of cattle from the midwest. These slaughterers incur the same tissue shrink as is incurred by kosher slaughterers in bringing these animals to their slaughtering plants. For the most part, the slaughterers of kosher animals import practically all of their cattle from the midwest and, therefore, the amount of the mark-up on the kosher meat reflects the total tissue shrink on all of these animals. The non-kosher northeastern slaughterers derive a large portion of the animals they slaughter from local markets and only part of their slaughter is of cattle brought in from the midwest feedlots. Accordingly, this amendment provides a smaller mark-up for northeastern slaughterers of non-kosher beef than is authorized for slaughterers of kosher beef.

(19) CPR 24 provides a wholesaler's addition of $2.25 per cwt. on sales to retailers and purveyors of meals, 75¢ per cwt. on sales to other wholesalers and of $1.25 per cwt. on sales to all other buyers. Many wholesalers have been using a mark-up of $2.25 per cwt. on sales to the Armed Forces on the theory that the Armed Forces are purveyors of meals. It is clear that the armed forces have been included in the category of defense procurement agencies and are not included in the category of purveyors of meals and, therefore, that these wholesalers have been overcharging the military services by the amount of $1.00 per cwt. To remove any possible question about the classification of defense procurement agencies and to reaffirm that wholesalers may not charge the military services more than the $1.25 addition, this amendment specifically provides that a defense procurement agency is not a purveyor of meals.

(20) CPR 24 requires official U. S. D. A. graders to certify that ground boneless chucks have been approved for wholesomeness. It is not the function of the U. S. D. A. grader to pass on the wholesomeness of the product; the grader merely certifies that the meat was in fact derived from chucks and was prepared in accordance with the specifications prescribed in the regulation. The definition of ground boneless chuck is therefore revised to eliminate the requirement of certification of wholesomeness.

(21) The definition of "short ribs" heretofore included that portion of the 7 ribs which was severed from the rib in the preparation of the oven prepared rib. However, the last 3 ribs have very little value and, accordingly, the term "short ribs" is redefined to limit this cut to the first 4 ribs.

CONCLUSION

The prices established by this amendment are not below the lower of the prices prevailing just before the issuance date of this regulation or the prices prevailing during the period January 25, 1951 to February 24, 1951, inclusive.

In formulating this amendment the Director of Price Stabilization has consulted extensively with industry representatives and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

All standards prescribed in this amendment were, prior to the issuance of Ceiling Price Regulation 24, in general use in the meat industry. Such standards as are prescribed herein are indispensable to price control of beef since no practicable alternative to such standardization exists for securing effective price control of beef. It is not believed that this amendment will cause any substantial changes in business practices; however, to the extent that such changes may be compelled, they are necessary to prevent circumvention or evasion of Ceiling Price Regulation 24.

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

AMENDATORY PROVISIONS

Ceiling Price Regulation 24 is amended in the following respects:

(1) Section 3 (e) is amended by deleting from the fifth line thereof the symbol "JAN–B–617" and substituting therefor "JAN–B–617 and JAN–B–723."

(2) Section 3 (e) is further amended by deleting the last sentence thereof and substituting therefor the following: "You may not include any of the additions specified in Article IV, except the addition specified in section 41, if applicable."

(3) Appendix 5 (b) is amended by deleting from the second and sixth lines thereof the symbols "JAN-B-617" and substituting therefor, in each instance, "JAN-B-617 and JAN-B-723".

(4) Section 4 (b) (1) is amended by deleting from the fifth line thereof the phrase "the General Ceiling Price Regulation" and substituting therefor "Supplementary Regulation 61 to the General Ceiling Price Regulation".

(5) Section 8 (b) is amended by adding at the end thereof a new subparagraph (8) to read as follows:

(8) Selling to a buyer a carcass or wholesale cut of beef and buying back from that same buyer a portion of any carcass or wholesale cut at a price below the ceiling price for that portion.

(6) Section 8 (b) is further amended by adding at the end thereof a new subparagraph (9) to read as follows:

(9) Selling any fresh ground meat which contains beef and does not consist entirely of ground beef as defined in any of the following subparagraphs of Appendix 4 (a) paragraphs (33) through (36), inclusive, or paragraphs (38) or (39).

(7) Section 8 (c) (3) is amended by deleting the period following the phrase "if such payment appears on the seller's invoice" and adding the following: "as a separate item."

(8) Section 9 (a) is amended by substituting a semi-colon for the period at the end of the sentence "(4) the price charged, received, or paid therefor" and adding a new clause (5) to read as follows:

(5) The class of buyer and seller, i. e., retailer (R), purveyor of meals (PM), wholesaler (W), combination distributor (CD), hotel supply house (HSH), defense procurement agency (DPA), peddler truck seller (P), ship supplier (SS), slaughterer (S), or any other buyer (OB).

(9) Section 20 is deleted in its entirety and the following new section 20 is substituted therefor:

SEC. 20. *Schedule I—Beef carcasses and wholesale cuts.* (All prices are on a dollars per cwt. basis; the price for any fraction of a cwt. shall be reduced proportionately).

	Prices by grade						
	Prime	Choice	Good	Commercial	Utility	Cutter and canner	Bulls (all grades)
1. Carcass	$57.20	$55.20	$53.20	$48.20	$46.20	$41.70	$47.70
2. Hindquarter	64.10	61.10	58.40	52.30	50.10	42.20	47.70
3. Forequarter	50.70	49.60	48.30	44.30	42.50	41.00	47.70
4. Round	60.20	60.20	60.20	57.20	53.70		
5. Trimmed full loin	89.70	81.70	73.70	60.60	59.90		
6. Flank	29.20	29.20	29.20	29.20	29.20		
7. Cross cut chuck	49.60	49.60	49.60	45.60	44.40		
8. Regular chuck	54.20	54.20	54.20	50.20	49.20		
9. Foreshank	31.20	31.20	31.20	31.20	31.20		
10. Brisket	42.20	42.20	42.20	35.20	32.20		
11. Rib	74.20	67.20	60.20	52.20	47.20		
12. Short plate	31.20	31.20	31.20	31.20	31.20		
13. Back	59.50	57.60	55.80	50.70	48.70		
14. Triangle	46.30	46.30	46.30	43.00	42.10		
15. Arm chuck	51.00	51.00	51.00	47.60	46.70		
16. Untrimmed loin	68.70	63.20	57.70	48.70	48.20		

SPECIAL ADJUSTMENTS

(1) If any beef carcass or wholesale cut is not cut in accordance with the specifications prescribed in Appendix 2, you may not sell such cut above the ceiling price prescribed for flanks.

(2) If any beef carcass or wholesale cut does not clearly bear a correct grade mark, you shall not sell the cut above the ceiling price prescribed for the corresponding wholesale cut of the lowest grade.

(3) If you are a hotel supply house, you may add $1.50 per cwt. to the prices listed above.

(4) If you are a combination distributor not affiliated with a slaughterer you may add $2.00 per cwt. to the prices listed above, and if you are a combination distributor affiliated with a slaughterer you may add $2.00 per cwt. to the prices listed above on sales to purveyors of meals only.

(5) If a buyer sends you a written request in duplicate for tender-ray processing of any beef carcass or wholesale cut, stating therein that he will absorb the expense of the tender-ray processing, you may add an amount not exceeding two percent of the appropriate price listed above to that price. A copy of the buyer's written request must be forwarded to the Office of Price Stabilization, Washington, D. C., before such addition may be taken.

(6) On sales to defense procurement agencies you may add $0.50 to the prices listed above.

(10) Section 21 is deleted in its entirety and the following new section 21 consisting of four schedules, Schedules II (a), II (b), II (c) and II (d), is substituted therefor.

SEC. 21. *Schedule II—Fabricated cuts.*

Schedule II (a). *Sales of fabricated beef cuts by a hotel supply house or ship supplier to purveyors of meals.* No hotel supply house shall make sales to purveyors of meals until such selling establishment shall have filed a statement, in duplicate, with the appropriate Regional Office of the Office of Price Stabilization showing: (1) The total volume by weight of all meats, including sausage, variety meats and edible by-products, sold or delivered by it during 1950, excluding sales to defense procurement agencies; (2) The total volume by weight of all meats, including sausage, variety meats and edible by-products, sold or delivered by it during 1950 to purveyors of meals; (3) The percentage obtained by dividing the figure derived in (2) by the figure derived in (1).

[All prices are on a dollars per cwt. basis. The price for any fraction of a cwt. shall be reduced proportionately. The prices set forth herein include the cost of packaging, boxing, and freezing. You may not add the additions set forth in sections 42 through 48, inclusive]

Fabricated beef cuts	Prices by grade				
	Prime	Choice	Good	Commercial	Utility
1. Round (rump and shank off)	$81.20	$81.20	$81.20	$76.90	$71.10
2. Boneless rump (butt)	92.30	92.30	92.30	86.80	79.50
3. Hind shank	31.20	31.20	31.20	31.20	31.20
4. Boneless round	91.50	91.50	91.50	86.70	80.10
5. Inside (top round)	93.10	93.10	93.10	88.10	81.30
6. Outside (bottom round)	93.10	93.10	93.10	88.10	81.30
7. Knuckle (face)	93.10	93.10	93.10	88.10	81.30
8. Gooseneck boneless round	89.40	89.40	89.40	84.70	78.40
9. Strip loin (bone in)	161.20	138.90	116.50	87.30	86.40
10. Strip loin (boneless)	203.60	175.30	147.10	110.10	109.00
11. Beef tenderloin	167.20	158.40	149.60	128.60	126.90
12. Boneless sirloin (butt)	102.10	96.70	91.30	78.40	77.40
13. Top sirloin (butt)	131.30	124.40	117.50	101.00	99.60
14. Bottom sirloin (butt)	81.30	77.00	72.70	62.50	61.60
15. Boneless chuck	75.30	75.30	75.30	69.60	68.20
16. Boneless chuck (shoulder clod out)	71.90	71.90	71.90	66.60	65.20
17. Shoulder clod	86.20	86.20	86.20	79.80	78.20
18. Boneless brisket (deckle off)	81.70	81.70	81.70	65.60	58.70
19. Oven prepared rib	108.10	97.50	86.90	74.80	67.30
20. Short ribs	25.00	25.00	25.00	25.00	25.00
21. Rib—boned rolled & tied	124.00	111.80	99.60	85.70	77.00
22. Short loin (bone in)	126.30	111.30	96.40	75.60	74.80
23. Sirloin (bone in)	82.90	78.80	74.70	64.70	63.90
24. Boneless short plate	43.60	43.60	43.60	43.60	43.60
25. Cube steaks	106.20	106.20	106.20	106.20	106.20
26. Flank steaks	74.00	74.00	74.00	74.00	74.00
27. Club steaks (bone in)	161.30	141.60	121.90	94.50	93.50
28. T-bone steaks (bone in)	161.30	141.60	121.90	94.50	93.50
29. Porterhouse steaks (bone in)	161.30	141.60	121.90	94.50	93.50
30. Boneless strip steaks	213.80	184.20	154.50	115.70	114.50
31. Boneless sirloin steaks	107.20	101.60	95.90	82.40	81.30
32. Top sirloin steaks	137.90	130.70	123.40	106.00	104.60
33. Ground beef (bulk)	60.50	60.50	60.50	60.50	60.50
34. Lean ground beef (bulk)[1]	70.50	70.50	70.50	70.50	70.50
35. Ground beef patties	65.50	65.50	65.50	65.50	65.50
36. Lean ground beef patties [1]	75.50	75.50	75.50	75.50	75.50
37. Ground boneless chuck	71.70	71.70	71.70	71.70	71.70
38. Stewing beef	72.70	72.70	72.70	72.70	72.70

[1] If, at any time, a purchaser requests you to sell him ground beef (bulk) or ground beef patties and you are unable to supply his demand, you may not sell him lean ground beef or lean ground beef patties at a price in excess of the ceiling prices for ground beef (bulk) or ground beef patties.

SPECIAL ADJUSTMENTS

(1) If you sell to a ship supplier, you must sell at or below the prices specified in section 21(c). If you sell to a hotel supply house or a combination distributor, you must sell at or below the prices specified in section 21(d).

(2) If your place of business is located in Zone 4b you may add $2.00 per cwt. to the prices listed above on all fabricated cuts derived from prime and choice grade beef.

(3) You may add to the prices listed above the actual cost of dry icing, if performed, but in no event more than $1.00 per cwt.

Schedule II (b). Sales of fabricated beef cuts by a combination distributor or a peddler truck seller to purveyors of meals.

No combination distributor shall make sales to purveyors of meals until such selling establishment shall have filed a statement, in duplicate, with the appropriate Regional Office of the Office of Price Stabilization showing: (1) the total volume by weight of all meats including sausage, variety meats and edible by-products, sold or delivered by it during 1950, excluding sales to defense procurement agencies; (2) the total volume by weight of all meats, including sausage, variety meats and edible by-products, sold or delivered by it during 1950 to purveyors of meals; (3) the percentage obtained by dividing the figure derived in (2) by the figure derived in (1).

No peddler truck seller shall make sales to purveyor of meals until such seller shall have filed the report specified in section 46 of this regulation.

[All prices are on a dollars per cwt. basis. The price for any fraction of a cwt. shall be reduced proportionately. The prices set forth herein include the cost of packaging, boxing, and freezing. You may not add the additions set forth in sections 42 through 48, inclusive.]

Fabricated beef cuts	Prices by grade				
	Prime	Choice	Good	Commercial	Utility
1. Round (rump and shank off)	$78.90	$78.90	$78.90	$74.70	$69.10
2. Boneless rump (butt)	89.40	89.40	89.40	84.00	76.90
3. Hind shank	31.20	31.20	31.20	31.20	31.20
4. Boneless round	89.00	89.00	89.00	84.20	77.80
5. Inside (top round)	90.40	90.40	90.40	85.50	78.90
6. Outside (bottom round)	90.40	90.40	90.40	85.50	78.90
7. Knuckle (face)	90.40	90.40	90.40	85.50	78.90
8. Gooseneck boneless round	86.90	86.90	86.90	82.30	76.20
9. Strip loin—bone in	156.90	135.20	113.40	85.00	84.10
10. Strip loin—boneless	198.20	170.70	143.10	107.20	106.00
11. Tenderloin	162.60	154.00	145.40	125.00	121.30
12. Boneless sirloin (butt)	99.20	94.00	88.70	76.20	75.20
13. Top sirloin (butt)	127.70	120.90	114.20	98.10	96.80
14. Bottom sirloin (butt)	79.10	74.90	70.70	60.70	59.90
15. Boneless chuck	73.20	73.20	73.20	67.80	66.40
16. Boneless chuck—clod out	70.00	70.00	70.00	64.80	63.50
17. Clod	83.90	83.90	83.90	77.60	76.10
18. Boneless brisket—deckle off	79.10	79.10	79.10	63.40	56.70
19. Oven prepared rib	105.20	94.80	84.50	72.70	65.40
20. Short rib	23.90	23.90	23.90	23.90	23.90
21. Rib—boned rolled and tied	120.60	108.70	96.80	83.30	74.80
22. Short loin—bone in	123.00	108.40	93.80	78.60	72.80
23. Sirloin—bone in	80.70	76.70	72.70	63.00	62.20
24. Boneless short plate	42.40	42.40	42.40	42.40	42.40
25. Cube steaks	102.80	102.80	102.80	102.80	102.80
26. Flank steaks	72.00	72.00	72.00	72.00	72.00
27. Club steaks—bone in	157.10	137.90	118.70	92.00	91.00
28. T bone steaks—bone in	157.10	137.90	118.70	92.00	91.00
29. Porterhouse steaks—bone in	157.10	137.90	118.70	92.00	91.00
30. Boneless strip steaks	208.10	179.20	150.30	112.60	111.40
31. Boneless sirloin steaks	104.20	98.70	93.20	80.10	79.00
32. Top sirloin steaks	134.10	127.00	119.90	103.10	101.70
33. Ground beef—bulk	58.70	58.70	58.70	58.70	58.70
34. Lean ground beef—bulk [1]	68.70	68.70	68.70	68.70	68.70
35. Ground beef patties	63.70	63.70	63.70	63.70	63.70
36. Lean ground beef patties [1]	73.70	73.70	73.70	73.70	73.70
37. Ground boneless chuck	69.80	69.80	69.80	69.80	69.80
38. Stewing beef	70.80	70.80	70.80	70.80	70.80

[1] If, at any time, a purchaser requests you to sell him ground beef (bulk) or ground beef patties and you are unable to supply his demand, you may not sell him lean ground beef or lean ground beef patties at a price in excess of the ceiling prices for ground beef (bulk) or ground beef patties.

SPECIAL ADJUSTMENTS

(1) If you sell to a ship supplier, you must sell at or below the prices specified in section 21 (c) of this regulation. If you sell to a hotel supply house or a combination distributor, you must sell at or below the prices specified in section 21 (d).

(2) If your place of business is located in Zone 4b you may add $2.00 per cwt. to the prices listed above on sales of all fabricated cuts derived from prime and choice grade beef.

(3) You may add to the prices listed above the actual cost of dry icing, if performed, but in no event more than $1.00 per cwt.

Schedule II (c). Sales of fabricated cuts by all other sellers to purveyors of meals and sales of fabricated cuts to ship suppliers.

[All prices are on a dollars per cwt. basis. The price for any fraction of a cwt. shall be reduced proportionately. The prices set forth herein include the cost of packaging, boxing, and freezing. You may not add the additions set forth in sections 42 through 48, inclusive]

Fabricated beef cuts	Prices by grade				
	Prime	Choice	Good	Commercial	Utility
1. Round (rump and shank off)	$76.60	$76.60	$76.60	$72.50	$67.10
2. Boneless rump (butt)	86.40	86.40	86.40	81.20	74.30
3. Hind shank	31.20	31.20	31.20	31.20	31.20
4. Boneless round	86.40	86.40	86.40	81.70	75.50
5. Inside (top round)	87.70	87.70	87.70	82.90	76.50
6. Outside (bottom round)	87.70	87.70	87.70	82.90	76.50
7. Knuckle (face)	87.70	87.70	87.70	82.90	76.50
8. Gooseneck boneless round	84.40	84.40	84.40	79.90	74.00
9. Strip loin—bone in	152.60	131.50	110.30	82.60	81.70
10. Strip loin—boneless	192.70	166.00	139.20	104.20	103.10
11. Tenderloin	157.90	149.60	141.30	121.30	119.70
12. Boneless sirloin (butt)	96.40	91.30	86.20	74.00	73.00
13. Top sirloin (butt)	124.00	117.50	110.90	95.20	94.00
14. Bottom sirloin (butt)	76.80	72.70	68.60	58.90	58.10
15. Boneless chuck	71.20	71.20	71.20	65.90	64.60
16. Boneless chuck—clod cut	68.10	68.10	68.10	63.00	62.00
17. Clod	81.60	81.60	81.60	75.50	74.00
18. Boneless brisket—deckle off	76.50	76.50	76.50	61.30	54.70
19. Oven-prepared rib	102.20	92.20	82.10	70.60	63.50
20. Short rib	22.80	22.80	22.80	22.80	22.80
21. Rib-boned rolled and tied	117.20	105.60	94.10	80.90	72.60
22. Short loin—bone in	119.60	105.50	91.30	71.60	70.80
23. Sirloin—bone in	78.50	74.60	70.90	61.30	60.50
24. Boneless short plate	41.20	41.20	41.20	41.20	41.20
25. Cube steaks	99.50	99.50	99.50	99.50	99.50
26. Flank steaks	70.00	70.00	70.00	70.00	70.00
27. Club steaks—bone in	152.90	134.20	115.50	89.50	88.50
28. T-bone steaks—bone in	152.90	134.20	115.50	89.50	88.50
29. Porterhouse steak—bone in	152.90	134.20	115.50	89.50	88.50
30. Boneless strip steaks	202.40	174.30	146.20	109.40	108.30
31. Boneless sirloin steaks	101.20	95.90	90.50	77.70	76.70
32. Top sirloin steaks	130.20	123.40	116.50	100.00	98.70
33. Ground beef—bulk	57.00	57.00	57.00	57.00	57.00
34. Lean ground beef—bulk [1]	67.00	67.00	67.00	67.00	67.00
35. Ground beef patties	62.00	62.00	62.00	62.00	62.00
36. Lean ground beef patties [1]	72.00	72.00	72.00	72.00	72.00
37. Ground boneless chuck	67.80	67.80	67.80	67.80	67.80
38. Stewing beef	68.80	68.80	68.80	68.80	68.80

[1] If, at any time, a purchaser requests you to sell him ground beef (bulk) or ground beef patties and you are unable to supply his demand, you may not sell him lean ground beef or lean ground beef patties at a price in excess of the ceiling prices for ground beef (bulk) or ground beef patties.

SPECIAL ADJUSTMENTS

(1) If your place of business is located in Zone 4b you may add $2.00 per cwt. to the price listed above on all fabricated cuts derived from prime and choice grade beef.

(2) You may add to the prices listed above the actual cost of dry icing, if performed, but in no event more than $1.00 per cwt.

Schedule II (d) (1) Sales of fabricated cuts to hotel supply houses or combination distributors; and

(2) Sales of fabricated cuts to peddler truck sellers; and

(3) Sales of fabricated cuts of utility grade only to hotel supply houses and combination distributors by packing or slaughtering plants and packer branch houses.

[All prices are on a dollars per cwt. basis. The price for any fraction of a cwt. shall be reduced proportionately. The prices set forth herein include the cost of packaging, boxing, and freezing. You may not add the additions set forth in sections 42 through 48, inclusive.]

Fabricated beef cuts	Prices by grade				
	Prime	Choice	Good	Commercial	Utility
1. Round (rump and shank off)	$73.60	$73.60	$73.60	$69.60	$64.20
2. Boneless rump (butt)	82.50	82.50	82.50	77.50	70.90
3. Hind shank	31.20	31.20	31.20	31.20	31.20
4. Boneless round	82.90	82.90	82.90	78.40	72.50

Fabricated beef cuts	Prices by grade				
	Prime	Choice	Good	Commercial	Utility
5. Inside (top round)	$84.20	$84.20	$84.20	$79.50	$74.00
6. Outside (bottom round)	84.20	84.20	84.20	79.50	72.00
7. Knuckle (face)	84.20	84.20	84.20	79.50	74.00
8. Gooseneck boneless round	81.00	81.00	81.00	76.70	71.60
9. Strip loin—bone in	146.40	126.50	106.10	79.50	78.60
10. Strip loin—boneless	184.90	159.70	133.90	100.20	99.20
11. Tenderloin	151.70	143.70	135.70	116.50	114.90
12. Boneless sirloin (butt)	92.60	87.70	82.80	71.00	70.10
13. Top sirloin (butt)	119.20	112.80	106.50	91.40	90.20
14. Bottom sirloin (butt)	73.80	69.80	65.90	56.50	55.80
15. Boneless chuck	68.50	68.50	68.50	63.40	62.10
16. Boneless chuck (clod out)	65.50	65.50	65.50	62.00	62.00
17. Clod	78.50	78.50	78.50	72.60	72.00
18. Boneless brisket-deckle off	73.10	73.10	73.10	58.40	52.10
19. Oven-prepared rib	98.20	88.60	78.90	67.90	61.00
20. Short rib	21.30	21.30	21.30	21.30	21.30
21. Rib—boned rolled and tied	112.60	101.50	90.40	77.60	69.70
22. Short loin—bone in	115.20	101.60	87.90	68.90	68.20
23. Sirloin—bone in	75.60	71.80	68.10	59.00	58.30
24. Boneless short plate	39.70	39.70	39.70	39.70	39.70
25. Cube steaks	95.00	95.00	95.00	95.00	95.00
26. Flank steaks	67.50	67.50	67.50	67.50	67.50
27. Club steaks—bone in	147.30	129.30	111.30	86.10	85.20
28. T-bone steaks—bone in	147.30	129.30	111.30	86.10	85.20
29. Porterhouse steaks—bone in	147.30	129.30	111.30	86.10	85.20
30. Boneless strip steaks	194.20	167.70	140.60	105.30	104.20
31. Boneless sirloin steaks	97.30	92.10	86.90	74.60	73.60
32. Top sirloin steaks	125.20	118.50	111.90	96.00	94.80
33. Ground beef—bulk	55.00	55.00	55.00	55.00	55.00
34. Lean ground beef—bulk [1]	65.00	65.00	65.00	65.00	65.00
35. Ground beef patties	60.00	60.00	60.00	60.00	60.00
36. Lean ground beef patties [1]	70.00	70.00	70.00	70.00	70.00
37. Ground boneless chuck	65.30	65.30	65.30	65.30	65.30
38. Stewing beef	66.30	66.30	66.30	66.30	66.30

[1] If, at any time, a purchaser requests you to sell him ground beef (bulk) or ground beef patties and you are unable to supply his demand, you may not sell him lean ground beef or lean ground beef patties at a price in excess of the ceiling prices for ground beef (bulk) or ground beef patties.

(11) Section 22 is deleted in its entirety and the following new section 22 is substituted therefor:

SEC. 22. *Schedule III—Boneless beef cuts.*

[All prices are on a dollar per cwt. basis. The price for any fraction of a cwt. shall be reduced proportionately. You may not add the additions set forth in sections 40, 43, 44, 47 and 48.]

Boneless cuts	Zone 1, prices by grade		All other zones
	Utility	Cutter and canner	
(1)	(2)	(3)	(4)
1. Insides and knuckles	$74.00	$65.00	Compute the zone differential allowance as provided for in section 40. For the purpose of computing this amount in this instance you must use your boning plant, or if you do not bone, your selling establishment, as the distribution point. The price for each boneless beef cut (to which the applicable additions may be added) will be the Zone 1 price plus 1.4 times the zone differential allowance, adjusted to the nearest 10¢ per cwt. For example, if your selling establishment is located in New York City, the zone differential allowance is computed by taking 115 percent of the fresh meat carload freight rate from Omaha to New York City: $2.22 times 1.03 (the actual freight rate is $2.22 and the tax is 3 percent). On the basis of present railroad rates, this computed zone differential allowance would be $2.60 ($2.22 times 1.03 times 1.15 equals $2.63. This amount when rounded to the nearest 10 cents, is $2.60). If you wish to determine the price for utility rounds you refer to item 10, column (2) and you find the ceiling price is $72.00. To this amount you add 1.4 times $2.60, *i. e.*, $3.64, which is rounded to $3.60. Thus, the price for utility boneless rounds is $75.60 ($72.00 plus $3.60). To this amount you may add, either one of the special additions listed at the bottom of this schedule which applies to you and/or the additions in sections 41, 42, 45, or 46, which are applicable.
2. Clods	72.00	63.00	
3. Boneless strips	72.00	63.00	
4. Sirloin butts	72.00	63.00	
5. Regular rolls	100.00	76.00	
6. Tenders	110.00	85.00	
7. Flank steak	65.00	65.00	
8. Chucks (clod out)	62.00	57.00	
9. Rump	70.00	60.00	
10. Rounds	72.00	63.00	
11. Ground beef (bulk)	55.00	55.00	
12. Ground beef in casings	56.00	56.00	
13. Ground beef patties	60.00	60.00	
14. Stewing beef	61.00	61.00	
15. Trimmings	47.00	47.00	
16. Sterilized trimmings	40.00	40.00	
17. Shank meat	58.00	58.00	
18. Tenderloins (military specifications).	115.00	----------	
19. Lean ground beef (bulk) [1]	65.00	65.00	
20. Lean ground beef in casings	66.00	66.00	
21. Lean ground beef patties [1]	70.00	70.00	
22. Outsides	72.00	63.00	
23. Skirt steaks	65.00	65.00	

[1] If, at any time, a purchaser requests you to sell him ground beef (bulk) or ground beef patties and you are unable to supply his demand, you may not sell him lean ground beef (bulk) or lean ground beef patties at a price in excess of the ceiling price for ground beef (bulk) or ground beef patties.

SPECIAL ADDITIONS

(1) If you are a hotel supply house, you may add $1.50 per cwt. to the price listed above.

(2) If you are a combination distributor not affiliated with a slaughterer you may add $2.00 per cwt. to the prices listed above, and if you are a combination distributor affiliated with a slaughterer you may add $2.00 per cwt. to the prices listed above on sales to purveyors of meals only.

(12) Appendix 3 (a) (20) is renumbered 3 (a) (21) and a new paragraph, designated 3 (a) (20) is added, to read as follows:

(20) "Lean ground beef in casings" means lean ground beef as defined in Appendix 4 (a) (38) stuffed in natural or artificial casings, the total weight of each piece not to exceed 15 pounds.

(13) Appendix 3 (a) is further amended by adding at the end thereof two new paragraphs, designated 3 (a) (22) and 3 (a) (23), to read as follows:

(22) "Outsides": See Appendix 3 (a) (1) for applicable definition.

(23) "Skirt steaks" means the elongated diaphragm meat attached to the inside of the short plate with the outer tissue or membrane removed.

(14) Section 23 is deleted in its entirety and a new section 23 is substituted therefor, to read as follows:

SEC. 23. *Schedule IV—Boneless processing beef.* Your ceiling price for the following listed items of processing beef shall be determined by using the same method of computation as provided in section 22 of this regulation, but applying the conversion factors listed below:

Schedule IV

[All prices are on a dollars per cwt. basis. The price for any fraction of a cent shall be reduced proportionately. You may not add the additions set forth in sections 40, 42, 43, 44, 46, 47, and 48.]

Item	Zone 1 prices	Prices in all other zones
1. Fresh or frozen bull carcass—tenders out	$59.70	Zone 1 price plus 1.28 times zone differential (rounded to nearest 10 cents).
2. Fresh or frozen kosher boneless bull forequarter.[1]	61.70	Zone 1 price plus 1.25 times zone differential (rounded to nearest 10 cents).
3. Fresh or frozen boneless carcass other than bull—tenders out.	57.00	Zone 1 price plus 1.43 times zone differential (rounded to nearest 10 cents).
4. Fresh or frozen kosher boneless beef forequarter other than bull.[1]	60.00	Zone 1 price plus 1.42 times zone differential (rounded to nearest 10 cents).

[1] The prices designated for items 2 and 4 for kosher beef shall apply only on sales to bona fide processors of kosher products. If you sell to a person other than a bona fide processor of kosher products your ceiling price for kosher bull forequarters shall be the price of item 1 and your ceiling price for kosher boneless forequarters other than bull shall be the price of item 3, and, moreover, you must remove all stamps and designations which identify such meat as kosher.

SPECIAL ADDITIONS

(1) If you are not a slaughterer you may add $1.50 per cwt. to the prices listed above.

(2) To the prices designated in items 2 and 4 for kosher beef you may add $1.00 per cwt. where the beef is derived from cattle slaughtered in Zone 4a.

(15) Section 24 is deleted in its entirety and a new section 24 is substituted, to read as follows:

SEC. 24. *Schedule V—Frozen boneless beef (4-way military specifications).* (a) Your ceiling prices for frozen boneless beef (4-way military specifications) shall be determined by using the same method of computation as provided in section 22, but applying the conversion factor listed below. These are f. o. b. plant prices.

Schedule V

[All prices are on a dollars per cwt. basis, frozen and packaged. The price for any fraction of a cwt. shall be reduced proportionately. You may not add the additions set forth in Article IV, except the addition in section 41, if applicable]

	Choice	Good	Commercial	Utility
1. Prices for Zone 1	$82.70	$79.80	$72.60	$69.70
2. Prices for all other zones	Zone 1 price plus 1.45 times zone differential, (rounded to nearest 10 cents)			

SPECIAL ADDITIONS

(1) If you are not a slaughterer you may add $1.50 per cwt. to the prices listed above if you made deliveries of 4-way beef to the armed forces prior to July 1, 1951. If you made no deliveries of 4-way beef prior to July 1, 1951, you may not add the $1.50 per cwt. unless you receive specific authorization to do so from the Office of Price Stabilization, Washington, D. C.

In order to receive such authorization you should file a written application, in duplicate, with the Director of Price Stabilization, Washington 25, D. C., containing the following information: (i) Your name and address, (ii) the location of your plant, and (iii) a statement from your nearest local quartermaster market center office, certifying that the boning facilities of your plant are essential to meet military requirements for 4-way military beef. You may not add the $1.50 per cwt. unless and until the Director of Price Stabilization notifies you, in writing, that authorization to do so has been granted.

(2) If you make a delivery to the buyer by common carrier and you pay the expense of such delivery, you may add the actual cost to you of such delivery provided such transportation cost is separately stated on the invoice.

(3) If you sell 4-way beef to a governmental agency or institution (other than the armed forces), you may add 10 cents per cwt. to the prices listed above. No beef may be sold as 4-way beef to such a governmental agency or institution (other than the armed forces) unless there is affixed to each package a certification by an official U. S. D. A. grader showing that such meat has been prepared in accordance with military specifications.

(16) Section 25 is deleted in its entirety and a new section 25 is substituted therefor, reading as follows:

SEC. 25. *Schedule VI—Beef, processing (Military specifications).* Your ceiling prices for beef, processing (military specifications—JAN–B–617 and JAN–B–723) shall be determined by using the same method of computation as provided in section 22, but applying the conversion factors listed below. These are f. o. b. plant prices.

[All prices are on a dollars per cwt. basis, frozen and packaged. The price for a fraction of a cwt. shall be reduced proportionately. You may not add the additions set forth in Article IV, except the addition in section 41, if applicable.]

Boneless processing beef for Army canned meats	Zone 1 prices	Prices in all other zones
1. Boneless carcass—tender out, utility grade	$65.90	Zone 1 price plus 1.47 times zone differential (rounded to nearest 10 cents).
2. Boneless carcass—tender out, cutter and canner grades.	60.00	Zone 1 price plus 1.47 times zone differential (rounded to nearest 10 cents).
3. Boneless beef from rounds, chucks, ribs and loins only—utility grade.	72.80	Zone 1 price plus 2.0 times differential (rounded to nearest 10 cents).
4. Boneless bull meat—tenders out	63.80	Zone 1 price plus 1.34 times zone differential (rounded to nearest 10 cents).

SPECIAL ADDITIONS

(1) If you are not a slaughterer you may add $1.50 per cwt. to the prices listed above.

SPECIAL DEDUCTIONS

(1) If the boneless beef has been rejected by a defense procurement agency or any of its authorized agents or representatives, you shall deduct $2.00 per cwt.

(2) If the boneless beef is delivered unfrozen, you shall deduct $0.50 per cwt.

(17) Sections 41 (a) and 41 (b) are amended by deleting therefrom the phrase "Schedules I, II, III, IV, and VII" wherever it appears therein and substituting therefor the following: "Schedules I through VII, inclusive."

(18) Section 50 (n) (3) is amended by substituting a comma for the semicolon at the end thereof, and by adding the following phrase between such comma and the word "or": "but in no event shall any defense procurement agency be considered a purveyor of meals;"

(19) Appendix 2 (a) is amended by deleting paragraphs (7) and (8) thereof and by renumbering the remaining paragraphs as follows: Paragraph (9) is renumbered paragraph (7), paragraph (10) is renumbered paragraph (8), paragraph (11) is renumbered paragraph (9), paragraph (12) is renumbered paragraph (10), paragraph (13) is renumbered paragraph (11), paragraph (14) is renumbered paragraph (12), paragraph (15) is renumbered paragraph (13), paragraph (16) is renumbered paragraph (14), and paragraph (17) is renumbered paragraph (15).

Appendix 2 (a) is further amended by adding, following paragraph (15), a new paragraph (16) to read as follows:

(16) *"Untrimmed loin"* means the portion of the hindquarter remaining after the severance of the round.

(20) Appendix 4 (a) (20) is deleted in its entirety and the following new paragraph (20) is substituted therefor:

(20) *Short ribs.* Short ribs means the portion of the rib cut off in fabricating oven prepared ribs, as described in this appendix 4 (a) (19) and shall include the rib sections of the 6th, 7th, 8th, and 9th ribs.

Plate short ribs means stripped pieces cut from the short plate up to and not beyond the point where the ribs join the costal cartilages (rib cartilages).

(21) Appendix 4 (a) (36) is amended by deleting from the last sentence thereof the words "and passed for wholesomeness."

(22) Appendix 4 (a) is amended by deleting Appendix 4 (a) (22) and 4 (a) (23) entirely and substituting therefor

the following new paragraphs (22) and (23):

(22) *"Short loin"* means that portion of the trimmed full loin remaining after the severance of the sirloin (loin end) from the trimmed full loin, which shall be obtained by a cut perpendicular to the contour of the outside or skin surface of the trimmed full loin begun at a point which is the juncture on the chine bone of the 5th and 6th lumbar vertebrae and continuing in a straight line perpendicular to the contour of the outside or skin surface of the trimmed full loin to and through a point flush against the end of the hip (pin) bone, but leaving no part of the hip (pin) bone in the short loin. The backbone of the short loin shall include five (5) lumbar vertebrae, one and one-half (1½) thoracic vertebrae and part of the 13th rib.

(23) "Sirloin" (loin end) means the thick portion of the trimmed full loin remaining after the severance of the short loin from the trimmed full loin. The backbone of the sirloin shall include one (1) lumbar vertebra, five (5) sacral vertebrae (the tip or rear corner of the fifth (5th) sacral vertebra shall have been sawed off in separating the round from the trimmed full loin and flank), and the entire hip bone (ilium).

(23) Section 48 is deleted in its entirety and the following new section 48 substituted therefor:

SEC. 48. *Addition 9—Beef from cattle slaughtered in Zone 4 (a).* (a) On sales to retailers or purveyors of meals, of non-kosher forequarters or of non-kosher wholesale cut derived from the forequarter obtained from prime, choice, good or commercial grade beef slaughtered in Zone 4 (a), you may add $1.00 per cwt. to the prices specified in Schedule I.

(b) For the following kosher beef cuts derived from cattle slaughtered in Zone 4 (a), you may add (in addition to the amount permitted in section 47 of this regulation) the following amounts:

Item	*Amount (per cwt.)*
Brisket	$4.00
Plate	3.00
Chuck	2.00
Foreshank	2.00
Forequarter and triangle	1.50

(You shall not add these amounts unless the meat is sold to a bona fide buyer of kosher meats and clearly shows the appropriate abattoir stamp.)

(24) Section 10 (a) is amended by deleting the word "kosher" wherever it appears therein.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on September 19, 1951.

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

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

SEPTEMBER 17, 1951.

[F. R. Doc. 51-11345; Filed, Sept. 17, 1951; 3:44 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation No. 1, Direction 3 as amended Sept. 17, 1951]

CMP REG. 1—BASIC RULES OF THE CONTROLLED MATERIALS PLAN

DIR. 3—RESTRICTIONS ON PLACING AUTHORIZED CONTROLLED MATERIAL ORDERS

This direction as amended under CMP Regulation No. 1 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of the amendment to this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

This amendment affects Dir. 3 to CMP Regulation No. 1 by substituting the figure 40 for the figure 35 in section 1. As so amended, section 1 of Dir. 3 to CMP Regulation No. 1 reads as follows:

SECTION 1. (a) Subject to the limitations of section 17 (a) of CMP Regulation No. 1 and unless previously authorized in writing by NPA, no prime consumer who has received an allotment of controlled materials shall place orders calling for delivery of more than 40 percent of the quantity of controlled materials stated in such allotment during any one month of the quarter for which the said allotment is valid: *Provided, however,* That any prime consumer who has received an advance allotment of controlled materials, as provided in section 10 of CMP Regulation No. 1, may place orders calling for delivery of not in excess of 50 percent of the quantity of controlled materials stated in such advance allotment during any one month of the quarter for which the said advance allotment is valid.

(b) Notwithstanding the provisions of this direction as amended, no person shall be required to reduce any delivery order below the minimum mill quantity specified in Schedule IV of CMP Regulation No. 1. Notwithstanding the provisions of this direction and of CMP Regulation No. 2, no person whose quarterly allotment or advance allotment of carbon steel is equal to or more than a carload lot shall be required to reduce his delivery order for such material below a carload lot.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.)

This direction as amended shall take effect on September 17, 1951.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 51-11363; Filed, Sept. 17, 1951; 4:49 p. m.]

[NPA Order M-53, as amended Sept. 17, 1951]

M-53—COTTON DUCK

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950, as amended. In the formulation of the amendment to this order, consultation with industry representatives, including trade association representatives, has been rendered impracticable due to the necessity for immediate action.

This amendment affects NPA Order M-53 by amending section 5 thereof to exempt certain looms from the provisions of that section.

Sec.
1. What this order does.
2. Definitions.
3. Required shipment dates.
4. Limitation for acceptance of rated orders.
5. Restrictions on operation of looms.
6. NPA assistance in placing rated orders.
7. Reports.
8. Records.
9. Audit and inspection.
10. Applications for adjustment or exception.
11. Communications.
12. Violations.

AUTHORITY: Sections 1 to 12 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order applies particularly to producers of cotton duck and provides rules for placing, accepting, and scheduling rated orders for cotton duck. Its purpose is to provide equitable distribution of rated orders among all producers of cotton duck in order to make possible maximum production of cotton duck and to reduce to a minimum disruption of its normal distribution. It also places restrictions upon the operation of looms. This order supplements NPA Reg. 2, as amended, but only those provisions of that regulation which are inconsistent with this order are superseded and all other provisions of NPA Reg. 2 continue to apply to the cotton duck industry.

SEC. 2. *Definitions.* As used in this order: (a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes agencies of the United States or of any other government.

(b) "Producer" means any person engaged in the business of producing cotton duck for sale.

(c) "Cotton duck" means any cotton fabric commonly known by that name, in any weight, 15 inches or wider (whether gray, bleached, dyed, printed, or otherwise treated and regardless of grade, quality, or length, except in lengths not exceeding 10 yards produced in the ordinary course of manufacture), including but not limited to the following types:

(1) Shelter tent duck.
(2) Numbered (wide or sail) duck.

(3) Narrow or naught duck.
(4) Hose or belting duck.
(5) Harvester duck.
(6) Filter duck or twills, plied yarn.
(7) Chafer duck (chafer fabric), single or plied yarn.
(8) Army duck (including woven awning stripe).
(9) Single or double filling flat duck.
(10) Shoe duck.
(11) Gem duck.
(12) Bootleg duck.
(13) Ounce duck.
(14) Enameling duck.
(15) Cover duck.
(16) Apron duck.

(d) "NPA" means National Production Authority.

SEC. 3. *Required shipment dates.* Every rated order for cotton duck must specify delivery on a particular date or dates, or in a particular month, which in no case may be earlier than required by the person placing the order. The producer of cotton duck must schedule the order for delivery within the requested month as close to the requested delivery date as is practicable considering the need for maximum production.

SEC. 4. *Limitation for acceptance of rated orders.* Unless otherwise directed by NPA, no producer shall be required to accept DO rated orders for cotton duck for shipment in the calendar quarter commencing April 1, 1951, or in any calendar quarter thereafter, in excess of 80 percent by weight of his scheduled production of cotton duck for such quarter.

SEC. 5. *Restrictions on operation of looms.* (a) Commencing April 8, 1951, no producer shall use any loom except in the manufacture of cotton duck if he used such loom in such manufacture during the week commencing January 14, 1951, nor shall he operate such looms during any calendar week for fewer hours in the aggregate than during the week commencing January 14, 1951, unless otherwise directed by NPA.

(b) Commencing September 17, 1951, the restrictions contained in paragraph (a) of this section shall not apply to any loom which was used during the week commencing January 14, 1951, in the manufacture of single or double filling flat duck.

SEC. 6. *NPA assistance in placing rated orders.* Any person who is unable to place a rated order for cotton duck due to the limitation imposed by section 4 of this order should apply to NPA, Ref: M–53, specifying the producers who refused to accept the order. NPA will arrange to assist him in locating sources of supply.

SEC. 7. *Reports.* (a) Every producer shall file with the Bureau of the Census on or before April 15, 1951, on Form NPAF–43, a report of his operations in the fourth calendar quarter of 1950, and in the calendar week beginning January 14, 1951, and such other information as may be required by such form.

(b) Every producer shall file with the Bureau of the Census within 20 days after the end of the calendar quarter ending March 31, 1951, and 20 days after the end of each calendar quarter thereafter, on Bureau of the Census Form M 15A–1, a report of his operations during such quarter, and such other information as may be required by such form.

(c) Persons subject to this order shall make such records and submit such other reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 8. *Records.* Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

SEC. 9. *Audit and inspection.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

SEC. 10. *Applications for adjustment or exception.* Any person affected by any provision of this order may file with NPA a request for adjustment or exception upon the ground that such provision works an undue and exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interests of national defense or in the public interest. In examining requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each such request shall be in writing and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 11. *Communications.* Except as otherwise specified in this order, all communications concerning this order shall be addressed to National Production Authority, Washington 25, D. C., Ref: Order M–53.

SEC. 12. *Violations.* Any person who wilfully violates any provision of this order, or any other order or regulation of NPA, or who wilfully conceals a material fact or furnishes false information in the course of operation under this order, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

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

This order as amended shall take effect, except as otherwise provided herein, on September 17, 1951.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 51–11364; Filed, Sept. 17, 1951; 4:49 p. m.]

[NPA Order M–65 as amended Sept. 17, 1951]

M–65—CONSERVATION OF METAL IN PRINTING PLATES

This amendment to NPA Order M–65, dated May 31, 1951, is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950, as amended. In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This amendment affects NPA Order M–65, making changes in sections 1, 2, 4, 5, and 6, and by adding magnesium to the group of restricted metals in paragraph (g) of section 2 of this order. As so amended, NPA Order M–65 reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Disposition of plates.
4. Notices.
5. Restrictions on receipt and use of metal.
6. Small quantity exemption.
7. Applications for adjustment or exception.
8. Records and reports.
9. Communications.
10. Violations.

AUTHORITY: Sections 1 to 10 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* The purpose of this order is to conserve the supply of copper, aluminum, zinc, and other scarce metals, and prevent the holding of these metals in printing plates for an undue length of time. It specifies when printing plates shall be deemed obsolete, sets forth provisions for notification of such obsolescence, determines methods whereby such plates should be disposed of, and provides certain penalties for noncompliance with this order. This order is not applicable to textile print rollers used in textile finishing plants.

SEC. 2. *Definitions.* For the purpose of this order:

(a) "Plate" means any kind or shape of metal printing or marking plate, cylinder, or other metal form, used in the printing process, except such as are composed only of lead, tin, and antimony, and except textile print rollers used in textile finishing plants.

(b) "Printing process" means the act or process of printing, impressing, or otherwise transferring on paper (or any paperlike substance), wood, fabric, metal, or other material, any ink, color, pigment, mark, character, or delinea-

tion, and includes any incidental or partial process required to prepare a plate for such use.

(c) A plate shall be deemed to be "obsolete" if, on April 1, 1951, or on the first day of any calendar quarter thereafter, it has been in existence for the period as specified below for the respective type of printing for which it is used and has not been used during such period:

(1) Newspaper printing: 1 year.

(2) Magazine and periodical printing: 1 year.

(3) Book printing: 4 years.

(4) Container printing: 1 year.

(5) All other categories of printing: 2½ years.

(d) The regraining or other preparation of a planographic or intaglio plate for reuse shall be deemed a "use" of such plate within the meaning of paragraph (c) of this section.

(e) Notwithstanding the provisions of paragraph (c) of this section, a plate shall not be deemed to be obsolete at any time when the person in possession thereof knows that there is a specific and assured future use for the same.

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

(g) "Restricted metal" means aluminum, magnesium, chromium, copper, nickel, zinc, or any alloy thereof.

SEC. 3. *Disposition of plates.* Any person owning or possessing obsolete plates shall (subject to the provisions of section 4 of this order), by the first day of the calendar quarter after the date upon which such plates have become obsolete, sell or deliver such plates to a scrap metal dealer, secondary smelter, or refiner, or shall melt and reuse them himself, subject to the provisions of any other order or regulation of the National Production Authority.

SEC. 4. *Notices.* (a) The person in possession of any obsolete plates, if not the owner thereof, shall, on or before June 15, 1951, and at least once every 3 months thereafter, notify the owner that such plates are deemed obsolete under this order, and shall identify such plates by title and subject matter. If the owner of such plates is not known, the person in possession shall notify the person from whom such plates were received or from whom an order to make such plates was received. Such notice shall be given by mailing a letter to the owner, or other persons as described above, addressed to the last known address of such person. If, within 30 days after the mailing of such notice, the person in possession of such plates receives an answer in which the owner states that he has a specific and assured future use for the plates and indicates what such use is, or if the owner requests that the plates be shipped to him, the person in possession need not treat them as obsolete. If, however, no such answer is received, or if the owner gives instructions to dispose of such plates, the person in possession shall dispose of such plates in accordance with the provisions of section 3 of this order.

(b) If a person, other than the person in possession or the owner, has a contractual right to purchase or otherwise acquire any obsolete plates, the owner shall, on or before June 15, 1951, and at least once every 3 months thereafter, notify such other person that he has such contractual right and that such plates are deemed obsolete under this order, and shall identify such plates by title and subject matter. Such notice shall be given as provided in paragraph (a) of this section, and, unless an answer shall be received as therein provided, the plates shall be disposed of as provided in section 3 of this order.

SEC. 5. *Restrictions on receipt and use of metal.* (a) If, on July 1, 1951, or on the first day of any succeeding calendar quarter, any person owns or is in possession of any obsolete plates which he has not disposed of as required by section 3 of this order, such person shall not, until he has disposed of such plates, acquire or take possession of any plates containing restricted metals or any restricted metals for conversion into plates.

(b) On and after July 1, 1951, each person who acquires any plates, or any restricted metal for conversion into plates, shall either:

(1) Endorse on each purchase or other order for such plates or metal a statement in the following form, signed as provided in section 8 of NPA Reg. 2:

> The undersigned certifies, subject to statutory penalties, that the acquisition by the undersigned of the plates or restricted metal herein ordered will not be in violation of NPA Order M-65.

or,

(2) File with his suppliers of plates or restricted metal on or before the first day on which he orders plates or restricted metal in each calendar quarter a statement in the following form signed as provided in section 8 of NPA Reg. 2:

> The undersigned certifies, subject to statutory penalties, that the acquisition by the undersigned of the plates or restricted metal ordered in the current calendar quarter will not be in violation of NPA Order M-65.

(c) No person shall sell, deliver, or otherwise transfer any plates, or restricted metal for conversion into plates, unless the purchase or other order shall contain thereon the endorsement required by paragraph (b) of this section, or unless such person shall have on file from the purchaser or recipient of such plates or restricted metal the quarterly certificate required by paragraph (b) of this section.

SEC. 6. *Small quantity exemption.* If a person has in his possession plates belonging to another person in which plates the total weight of metal is less than one pound, the person in possession is exempt from the provisions of this order with respect to such plates.

SEC. 7. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 8. *Records and reports.* All persons affected by this order shall keep and preserve, for as long as this or any successor order shall remain in effect and for 2 years thereafter, accurate and complete records of their inventory, production, transfer, and disposal of plates in sufficient detail to permit an audit that determines that the provisions of this order have been met. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who have or who may maintain such microfilm or other photographic records in the regular and usual course of business. All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the National Production Authority. All persons subject to this order shall keep such other records and file such reports as may be required subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

SEC. 9. *Communications.* All communications concerning this order shall be addressed to National Production Authority, Washington 25, D. C. Ref. Order M-65.

SEC. 10. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

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

This order as amended shall take effect on September 17, 1951.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 51-11365; Filed, Sept. 17, 1951; 4:49 p. m.]

[NPA Order M–80, Schedule A as amended Sept. 17, 1951]

M–80—Iron and Steel—Alloying Materials and Alloy Products

Schedule A—Nickel-Bearing Stainless Steel, High Nickel Alloy, and Nickel Silver

This schedule as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950, as amended. In the formulation of NPA Order M–80, on which this amended schedule is based, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. This amended schedule is issued under NPA Order M–80 and is made a part of that order. Schedule 1 of NPA Order M–80 subjects nickel to allocation and prohibits the use of nickel in nickel-plating in the manufacture and assembly of certain products.

This amendment affects Schedule A to M–80 by changing the reference in paragraph (a) of section 1 and by adding four items to List A III. As so amended, Schedule A to M–80 reads as follows:

Sec.
1. Definitions.
2. Products prohibited.
3. Exceptions.
4. Records.
5. Communications.

Authority: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

Section 1. *Definitions.* As used in this schedule:

(a) "Nickel-bearing stainless steel" means stainless steel as defined in section 2 (d) (2) of NPA Order M–80, wrought, cast, or sintered, containing 1 percent to 22 percent, inclusive, of nickel.

(b) "High nickel alloy" means ferrous and nonferrous alloys, wrought or cast, containing more than 22 percent nickel.

(c) "Nickel silver" means nonferrous alloys, wrought or cast, containing 8 percent or more nickel.

Sec. 2. *Products prohibited.* No person shall use any nickel-bearing stainless steel, high nickel alloy, or any component parts made therefrom in the production, manufacture, or assembly of any product (except products specifically excepted therein) contained in the list at the end of this schedule under the subheadings A–I, II; B–I, II. Commencing September 15, 1951, no person shall use any nickel-bearing stainless steel, or any component parts made therefrom, in the production, manufacture, or assembly of any product contained in that list under the subheading C–I. No person shall use any nickel silver, or any component parts made therefrom, in the production, manufacture, or assembly of any product other than those products contained in that list under subheading A–III. No person shall use nickel-bearing stainless steel, high nickel alloy, or nickel silver for decorative or ornamental purposes.

Sec. 3. *Exceptions.* (a) The prohibitions contained in section 2 of this schedule with respect to products included in subheadings A–I and A–II of the list at the end of this schedule shall not apply to the use of nickel-bearing stainless steel, high nickel alloy, or nickel silver, or component parts made therefrom, to the extent that any such materials were contained in a person's inventory on March 1, 1951, or had been ordered by that person and such order had been accepted by the producer for February 1951 production and received by that person in his inventory prior to June 1, 1951. This exception is applicable only to the extent that such materials are wholly unsuitable for use in the production, manufacture, or assembly by such person of any product not included in subheadings A–I and A–II of that list.

(b) The prohibitions contained in section 2 of this schedule with respect to products included in subheadings B–I and B–II of the list shall not apply to the use of nickel-bearing stainless steel, high nickel alloy, or nickel silver, or component parts made therefrom, to the extent that any such materials were contained in a person's inventory on April 15, 1951, or had been ordered by that person and such order had been accepted by the producer for March 1951 production and received by that person in his inventory prior to July 1, 1951. This exception is applicable only to the extent that such materials are wholly unsuitable for use in the production, manufacture, or assembly by such person of any product not prohibited.

(c) The prohibitions contained in section 2 of this schedule with respect to products included in subheading C–I of the list shall not apply to the use of nickel-bearing stainless steel, or any component parts made therefrom, if any such materials were contained in such person's inventory on September 15, 1951, or are on order and have been accepted by the producer for July 1951 production and are received in such person's inventory prior to November 15, 1951. This exception is applicable only to the extent that such materials are wholly unsuitable for use in the production, manufacture, or assembly by such person of any product not included in subheading C–I.

(d) Any unassembled component parts, produced prior to the issuance of, or in conformity with, this schedule, of products subject to the provisions of section 2 may be sold any time, and the purchaser thereof may assemble such component parts into products subject to the prohibitions of section 2 of this schedule at any time, provided such component parts are wholly unsuitable for use in the production, manufacture, or assembly of any product not prohibited.

(e) Notwithstanding that a product may be contained in the list under the subheadings A–I, B–I, and C–I, the prohibition contained in section 2 of this schedule shall not apply if any such product is manufactured exclusively for use on board vessels and aircraft operated by the Armed Forces of the United States, including the United States Coast Guard.

Sec. 4. *Records.* Every person who relies on the provisions of paragraphs (a), (b), or (c) of section 3 of this schedule shall prepare a detailed record showing: (a) the quantities of nickel-bearing stainless steel, high nickel alloy, and nickel silver, or component parts made therefrom, which were in his inventory on the first day of each month commencing with December 1950, and ending September 15, 1951, which were wholly unsuitable for use by him in the production, manufacture, or assembly of any product not prohibited by the list at the end of this schedule, and (b) the quantities of such materials wholly unsuitable for such use by him which were delivered to him on or after March 1, April 15, or September 15, 1951; the names and addresses of the suppliers thereof; and the dates of the orders and acceptances covering such materials, together with applicable mill schedules. Such records shall be retained for at least 2 years and shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

Sec. 5. *Communications.* All communications concerning this schedule shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M–80, Schedule A.

This schedule, as amended, shall take effect on September 17, 1951.

National Production Authority,
By John B. Olverson,
Recording Secretary.

Schedule A—List of Products

A

I—Nickel-Bearing Stainless Steel—Products Prohibited

Agriculture farm equipment:
- Barn cleaners.
- Ensilage cutters.
- Feeding troughs.
- Fertilizer spreading equipment.
- Grain bins and cribs.
- Implements, hand tools, etc.
- Silos.
- Spreaders.

Automotive:
- Bumpers, clad.
- Clad panels for buses.
- Grilles.
- Hardware.
- Horn rings.
- Hubcaps.
- Mufflers (except on heavy duty equipment).
- Steering wheel spoke wire.
- Trim.
- Wheel rings and wheel covers.

Construction:
- Curtain walls.
- Decorative trim.
- Doors.
- Down spouts.
- Elevator and escalator kick plates and panels.
- Flashings.
- Gutters.
- Moldings.
- Roofing.
- Screens (except in extra active or manufacturing industries where no other substitute is available).
- Sheathing.

Construction—Continued
Spandrels.
Storefronts.
Window frames.
Electrical machinery and equipment:
Pole line hardware.
Pole line guy wires.
Radio towers.
Transmission tower baskets.
General:
Automatic vending machines (except for food vending machines where public health specifications make such use mandatory).
Bar equipment.
Beer barrels.
Coal mine and coal hoppers (except in coal preparation plants).
Diesel grilles.
Jewelry (except watch cases and except functional springs).
Pens and pencils including caps and barrels (except fountan pen nibs, separate fountain pen inner caps, and other functional parts).
Radio antennae (except military).
Railings.
Soda fountain (except parts as permitted under part B of this list—"Refrigeration").
Water softener tanks.
Household appliances, electric, gas, and other fuel (except where used for functional parts where the properties supplied by stainless steel are essential and no satisfactory substitute is practicable):
Home and farm freezers, sheathing.
Range tops.
Refrigerator shelves and trim.
Toasters.
Other household appliances and utensils (except cooking ware):
Ash trays.
Cabinets.
Cake and pie dishes.
Cake servers.
Canisters.
Cooling racks.
Counter tops.
Drainboards.
Egg beaters.
Flatware.
Garbage cans.
Hardware.
Ironing boards.
Irons.
Ladles.
Mixing bowls.
Mixing spoons.
Picnic coolers.
Potato mashers.
Refrigerator dishes.
Sinks.
Spatulas.
Table tops.
Utility cans.
Washing machine tubs.
Railroad:
Trim and decorative parts in passenger cars.
Shipbuilding:
Pleasure craft galleys.
Pleasure craft decorative trim.
Pleasure craft rigging.
Pleasure craft stack and ventilating shafts.
Miscellaneous:
Band instrument valves.
Binders (index books).
Button parts.
Cheese slicers.
Cocktail shakers and accessories.
Cup holders.
Dairy equipment (except functional uses).
Deodorizers.
Diaper pins (except where launderability and noncorrosiveness are essential).
Dog leashes.
Fly screens.
Furniture.
Garden accessories.
Hardware parts, including builders' finishing hardware.
Miscellaneous—Continued
Humidifiers.
Lightning rods.
Mirror clips.
Musical instrument strings.
Organ springs.
Paint brush ferrules and rivets.
Permanent wave equipment.
Phonograph needles.
Pot cleaners.
Refuse cans.
Rulers.
Shovels (except food and chemical).
Teabag staples.
Tooth brushes.
Water reservoirs (gum tape machine).
Weather stripping.

II—HIGH NICKEL ALLOY—PRODUCTS PROHIBITED

Building materials:
All sheet metal building applications, including but not limited to:
Air ducts.
Downspouts.
Elevator cabs.
Flashings.
Garbage grinder parts.
Gutters.
Leaders.
Louvers.
Roofing.
Siding.
Sinks.
Sink bowls.
Skylight framing.
Brick anchors.
Hanger wire for suspended ceiling construction.
Ornamental and decorative applications.
Tie-wire for suspended ceiling construction.
Dry-cleaning (except for corrosion or abrasion resistance where no satisfactory substitute is practicable):
Condenser tubing.
Irons.
Lint traps.
Pads for dry-cleaning presses and tailors' presses.
Piping, valves, and fittings.
Solvent pressure filters, including filter cloth.
Spotting boards.
Sump tanks.
Truck tubs.
Utensils.
Water separators.
Food servicing and kitchen equipment:
All food service applications, including but not limited to:
Bar equipment.
Beverage tubing.
Cafeteria counters.
Dishwashing machines.
Electric food-warming cups.
Home and farm freezers.
Mobile food trucks.
Scullery and dishwashing sinks.
Soap dispensers.
Steam tables.
Work tables.
Hospital equipment:
Counter tops.
Furniture.
Instrument cabinets.
Instrument tables.
Kick and push plates.
Linen cabinets.
Medicine cabinets.
Operating tables.
Paneling and wainscoting, decorative.
Work tables.
Household appliances:
Element name plates.
Element pans on electric ranges.
Oven linings.
Radiant broilers on gas ranges.
Range crumb trays.
Range tops.
Range vents.
Refrigerator light shields.
Refrigerator shelf parts.
Household appliances—Continued
Steam iron casings.
Washing machine tubs.
Jewelry:
Ash trays.
Badges.
Cigarette lighters.
Collar buttons.
Comb trim.
Costume jewelry.
Cuff buttons.
Emblems.
Finger nail files.
Jewelry.
Key chains.
Knives (except blades).
Necklaces.
Novelties.
Pill containers.
Perfume flacons.
Watch bracelets.
Watch cases.
Watch chains.
Watch crowns.
Watch movement holders.
Watch strap pinions.
Laundry equipment:
Laundry chutes.
Net racks.
Plant truck tubs.
Rug pole pins.
Soap storage tanks.
Sorting tables.
Special washers for blankets and silks.
Ironers, rug cleaning machines, trim on flatwork.
Utensils.
Ventilating hoods and fans.
Water storage tanks.
Motor vehicles:
Battery cables.
Hubcaps.
Exhaust gaskets (except for military vehicles).
Exhaust manifolds.
Radio antennae.
Windshield wiper blades.
Refrigeration and air-conditioning machinery and equipment (commercial and industrial) (except the mechanical refrigeration cycle), including but not limited to:
Bottled beverage coolers.
Ice cream cabinets.
Refrigerated food display cases.
Soda fountains.
Water coolers.
Miscellaneous:
Barbecue grilles.
Bits and spurs.
Ferrules.
Outdoor stoves.
Pen and pencil parts.
Portable refrigerators.
Sporting goods, all applications.

III—NICKEL SILVER—PRODUCTS PERMITTED

Clock movements.
Communications equipment, functional parts.
Cutlery, including pocket knives (for rivets and lining assemblies), not over 10 percent nickel.
Dairy equipment.
Drafting instruments.
Electrical equipment, functional parts.
Engineering instruments.
Eyelets and rivets.
Flatware, not over 10 percent nickel.
Flute and piccolo bodies.
Fountain pen separate inner caps.
Hinge rods and tubing, posts and rings and keys, pad cups and arm castings—for woodwind instruments.
Holloware for hotel, restaurant, institution, or ecclesiastical use, not over 10 percent nickel.
Hospital equipment.
Keys, not over 10 percent nickel.
Meters and regulators for fluids or gas, where substitute materials are not suitable.
Optical goods, including camera shutters.

Orthopedic appliances.
Pins, catches, joints, and posts.
Pistons for all valve instruments.
Religious medallions and chains, not over 10 percent nickel.
Slide fasteners.
Springs, where required for functional purposes.
Tonsorial tools.
Trombone inside slides.
Valves for chemicals, where substitute materials are not suitable.
Watch cases, not over 10 percent nickel.
Watch movements.

B

I—NICKEL-BEARING STAINLESS STEEL PRODUCTS PROHIBITED

Automotive:
Bumpers.
Panels for buses.
Household appliances, electric, gas, and other fuel (except where used for functional parts where the properties supplied by stainless steel are essential, and no satisfactory substitute is practicable), including but not limited to:
Cooking stoves and ranges.
Electric housewares including:
Heating and cooking appliances.
Motor-driven appliances.
Personal appliances.
Fans.
Floor waxers and polishers.
Home and farm freezers.
Lamps, portable electric.
Laundry equipment, including:
Clothes driers.
Ironing machines.
Washing machines.
Refrigerators.
Sewing machines.
Vacuum cleaners.
Other household appliances and utensils:
Food-serving trays, including compartment mess trays.
Ice refrigerators.
Salt shakers.
Refrigeration and air-conditioning machinery and equipment (commercial and industrial) (except the mechanical refrigeration cycle), including but not limited to:
Air-conditioning systems, self-contained or remote.
Bottled beverage coolers.
Carbonated water and carbonated beverage dispensing systems including connecting and interconnecting lines (except for carbonators, carbonated water cooling units, fittings and operational parts for carbonated water or combination syrup, and water flow control valves where no substitute material is practicable).
Dough retarders.
Florists' refrigerators.
Fountainettes.
Frozen food cabinets.
Ice cube makers.
Malt beverage dispensing systems.
Mortuary refrigerators.
Noncarbonated beverage dispensing systems (except for parts where public health specifications make such use mandatory).
Reach-in refrigerators.
Refrigeration systems, self-contained or remote.
Sandwich units.
Walk-in refrigerators.
Miscellaneous:
Boats.
Buttons and button parts (except where launderability, noncorrosiveness, and strength are essential, as in uniforms for police, firemen, and guards, and similar uniforms, and in work clothing and safety clothing).
Cleaning and scouring sponges.
Collars, leashes, harnesses, and tags for pets.

II—HIGH NICKEL ALLOY—PRODUCTS PROHIBITED

Food servicing and kitchen equipment:
Food-serving trays, including compartment mess trays.
Salt shakers.
Household appliances:
Home and farm freezers.
Irons (except heating elements and controls).
Jewelry:
Knives.
Motor vehicles:
Windshield wipers.
Refrigeration and air-conditioning machinery and equipment (commercial and industrial) (except the mechanical refrigeration cycle), including but not limited to:
Air-conditioning systems, self-contained or remote.
Carbonated beverage dispensing systems.
Dough retarders.
Florists' refrigerators.
Fountainettes.
Frozen food cabinets.
Ice cube makers.
Malt beverage dispensing systems.
Mortuary refrigerators.
Noncarbonated beverage dispensing systems.
Reach-in refrigerators.
Refrigeration systems, self-contained or remote.
Sandwich units.
Walk-in refrigerators.
Shipbuilding:
Pleasure craft galleys.
Pleasure craft decorative trim.
Pleasure craft propellor shafts.
Pleasure craft rigging.
Pleasure craft stack and ventilating shafts.
Miscellaneous:
Boats.
Buttons and button parts (except where launderability, noncorrosiveness, and strength are essential, as in uniforms for police, firemen, and guards, and similar uniforms, and in work clothing and safety clothing).
Cleaning and scouring sponges.
Diaper pins (except where launderability and noncorrosiveness are essential).
Fountain pens, ball point pens, and mechanical pencils.

C

I—NICKEL-BEARING STAINLESS STEEL—PRODUCTS PROHIBITED

Automotive:
Truck and trailer bodies or tanks (except those parts in actual contact with food or other products where noncorrosive and noncontaminating properties are essential and no satisfactory substitute is practicable).
Windshield wiper assemblies, including blades (except rubber holding element for curved-glass windshield blades).
Food servicing and kitchen equipment:
Commercial cooking, food preparing, serving, and conveying equipment (except food containers for conveyor equipment and steam tables, steam-jacketed kettles, and those parts of coffee urns in actual contact with the coffee).
Cooking stoves and ranges (except electric heating element assemblies).
Scullery and dishwashing sinks.
General:
Cabinets, including hospital, medical, and dental.
Chart carriers, desks, racks, and holders.
Drafting instruments.
Drinking fountain fixtures.
Refrigerator evaporators.
Refrigerator shelves and trim.
Water pitchers and drinking cups.
Window frames, including channels or guides.
Hospital equipment:
Wheel stretchers.
Household appliances and utensils:
Noncommercial cooking utensils and other allied equipment.
Refrigeration equipment (except where used for functional parts where the properties supplied by stainless steel are essential and no satisfactory substitute is practicable):
Biological refrigerators.
Railroad:
Railroad passenger cars.
Miscellaneous:
Counter tops.
Erasing shields.
Ice-shaver blades.
Kick and push plates.

[F. R. Doc. 51-11366; Filed, Sept. 17, 1951; 4:49 p. m.]

Chapter XI—Defense Electric Power Administration, Department of the Interior

[DEPA Order EO-4]

EO-4—Limitation of Consumption and Deliveries of Electric Energy in Pacific Northwest

This order is found necessary and appropriate to promote the national defense in that increased power requirements for national defense, essential civilian and other uses in the Pacific Northwest region of the United States, and seasonal changes in water conditions threaten shortages of electric energy in that area which will impair the deliveries of electric energy to defense industries and for essential civilian uses. This order is issued pursuant to the authority granted by the Defense Production Act of 1950, as amended, and in its formulation there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

ARTICLE I—GENERAL PROVISIONS

Sec.
1. What this order does.
2. Definitions.
3. Applications for adjustment or exception.
4. Communications to DEPA.
5. Violations.
6. Records.
7. Termination.

ARTICLE II—OPERATION AND INTEGRATION

21. Operation of electric utility facilities and equipment.
22. Operation of non-utility electric facilities and equipment.
23. Integration of power system operation.
24. Specific directions by DEPA.

ARTICLE III—LIMITATIONS ON USE, CONSUMPTION AND DELIVERIES OF ELECTRIC ENERGY

31. Curtailment of use during designated periods.
32. Limitations to become effective upon issuance of supplement to this order.
33. Preferred deliveries.
34. Exemptions.

ARTICLE IV—ACTIONS, NOTICES AND REPORTS BY ELECTRIC UTILITIES AND CONSUMERS

41. Notice to consumers.
42. Reports and information.

ARTICLE V—ADMINISTRATION OF ORDER

51. Northwest area representative.
52. Advisory Committee.
53. Appeals.

AUTHORITY: Sections 1 to 53 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *What this order does.* This order provides for orderly steps to be taken in the Pacific Northwest region of the United States to meet varying degrees of power shortage in that area and to achieve maximum power supply in the interest of national defense. It provides for the maintenance and operation of electric utility equipment and of non-utility electric generating facilities, and for the integration of power system operation. It contains provisions to become effective upon further order of DEPA, for the prohibition of designated non-essential uses of electric energy, and for reduction of deliveries and curtailment of consumption of electric energy generally.

SEC. 2. *Definitions.* For the purpose of this order:

(a) "DEPA" means the Administrator of Defense Electric Power Administration.

(b) "Person" means any individual, partnership, corporation, association, governmental agency, subdivision or other form of enterprise.

(c) "Pacific Northwest shortage area" means all of the State of Washington and those portions of Northern and Western Oregon, Northern Idaho and Western Montana within the service areas of the electric utilities named in Appendix A to this order.

(d) "Electric utility" means any person as designated in Appendix A, and any person located in the Pacific Northwest shortage area, supplying, or having facilities built for supplying, electric energy directly or indirectly for general use by the public or, in the case of a cooperative, for use by its members.

(e) "Non-utility power producer" means any person in the Pacific Northwest shortage area who has electric generating facilities with a rated capacity of 100 kw or more and who is not included in the definition of an electric utility.

(f) "Consumer" means any person who is an ultimate user in the Pacific Northwest shortage area of electric energy self-generated or purchased or otherwise acquired from any non-utility power producer or from any electric utility as defined in this order.

(g) "Base period" means the period July 1, 1950, to June 30, 1951, inclusive.

(h) "Base billing period" for any consumer means the corresponding billing period occurring in the base period.

(i) "Base period consumption" for any consumer means the consumption in kilowatt-hours of electric energy during the base billing period, as adjusted by the electric utility serving the consumer on the basis of changes in such consumer's method of operation during or since the base period which result in changes in consumption. DEPA may at any time specify the base period consumption for any consumer.

(j) "Weekly energy base" for any consumer means seven times the average daily consumption of electric energy in kilowatt-hours by such consumer during the base billing period.

(k) "Weekly energy quota" for any consumer means whichever is greater of the following amounts of electric energy delivered to such consumer at any single location:

(1) 4,000 kilowatt-hours, or

(2) The weekly energy base multiplied by the applicable percentage specified from time to time by supplemental order or direction of DEPA.

(l) "Base peak demand" for any consumer means the maximum measured demand, or if not measured the maximum estimated demand for electric energy after eliminating all abnormal non-recurring demands, by such consumer at any location occurring within the base period; as adjusted by the electric utility serving the consumer on the basis of changes in such consumer's method of operation during or since the base period which result in load changes. DEPA may at any time specify the base peak demand for any consumer.

SEC. 3. *Applications for adjustment or exception.* Any person affected by this order who considers that its application would work an exceptional and unreasonable hardship on him or would interfere with military needs, defense production or essential civilian services may appeal for relief to DEPA, who may grant such special exemptions or take such other action as may be consistent with the purposes of this order.

SEC. 4. *Communications to DEPA.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to Defense Electric Power Administration, Ref: EO–4.

SEC. 5. *Violations.* Any person who wilfully violates any provision of this order or direction relating thereto or any other order or direction of DEPA, or who wilfully conceals a material fact or furnishes false information in the course of operation under this order, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials (including electric energy) or of using facilities under priority or allocation control and to deprive him of further priorities assistance.

SEC. 6. *Records.* Each electric utility and non-utility power producer affected by this order shall keep and preserve for not less than two years complete records concerning deliveries of electric energy to consumers. Such records shall be subject to inspection by duly authorized representatives of DEPA.

SEC. 7. *Termination.* Unless earlier revoked, this order shall terminate at 12 p. m., P. s. t., March 31, 1952.

ARTICLE II—OPERATION AND INTEGRATION

SEC. 21. *Operation of electric utility facilities and equipment.* No electric utility shall take any power plant equipment out of service for routine maintenance or overhaul when the capacity or operation of such equipment is needed in the Pacific Northwest shortage area, and no electric utility shall abandon any electric generating facilities except upon specific authorization from DEPA.

SEC. 22. *Operation of non-utility electric facilities and equipment.* Each non-utility power producer shall operate its electric facilities and interchange electric energy with any electric utility or utilities with which it is interconnected so as to achieve maximum power supply, *Provided,* That such interchange is consistent with an agreement entered into between such utility and non-utility power producer.

SEC. 23. *Integration of power system operation.* (a) Each electric utility shall continue to operate its reservoirs, generating plants, substations, transmission lines and other facilities and to interchange electric energy with other electric utilities so as to achieve the maximum coordination of power supply.

(b) Each electric utility shall as soon as practicable report to DEPA the type, amount and availability of any electric generating facilities with rated capacity of 100 kw. or more owned by any non-utility power producer located in its operating area (whether or not connected with such utility) if such utility knows that such non-utility power plant has not entered into an arrangement (including an arrangement for interchange, if feasible) under which such generating facilities would be operated in the manner which would provide maximum power supply in the shortage area.

SEC. 24. *Specific directions by DEPA.* From time to time DEPA will issue specific directions to electric utilities and non-utility power producers as to the maintenance, operation and integration of electric facilities.

ARTICLE III—LIMITATIONS ON USE, CONSUMPTION AND DELIVERIES OF ELECTRIC ENERGY

SEC. 31. *Curtailment of use during designated periods.* When necessary, DEPA will issue directions restricting or prohibiting the delivery and use of electric energy:

(a) During designated hours or days of the week by any consumer or class of consumers, so as to reduce or eliminate their energy consumption;

(b) During peak periods by any consumer or class of consumers, so as to reduce or eliminate their demand during such peak periods;

and thereafter no electric utility shall make and no consumer shall take deliveries of electric energy except in accordance with such directions.

SEC. 32. *Limitations to become effective upon issuance of supplement to this order.* Each of the following paragraphs of this section shall become operative on the date and in the manner specified in supplements to be issued as needed to this order.

(a) *Limitation on increases of deliveries of electric energy.* During any pe-

riod in which this paragraph is operative, no electric utility or non-utility power producer shall increase the rate of deliveries of electric energy to any consumer with a base peak demand in excess of 100 kw. at any single location over the base peak demand of such consumer, and no consumer shall take deliveries of energy at such increased rate unless:

(1) The amount of such increase in rate of delivery for any consumer is less than 25 kilowatts or 5 percent of base peak demand, whichever is greater; or

(2) Such increase has been specifically authorized in advance by DEPA.

No electric utility or non-utility power producer shall serve a new consumer or shall serve an existing consumer at a new location without prior approval from DEPA if such additional service will involve more than 100 kw peak demand or more than 4,000 kilowatt hours a week.

(b) *Prohibition of designated non-essential uses of electric energy.* During any period in which this paragraph is operative, no consumer shall use electric energy for any purpose or use specified in Appendix B of this order as the same may be amended from time to time; and no electric utility shall deliver electric energy to any consumer if such utility knows or has reason to believe that any part thereof will be used by such consumer for any prohibited purpose or at any prohibited time.

(c) *Quota limitations on consumption and deliveries of electric energy.* During any period in which this paragraph is operative, DEPA will issue directions limiting deliveries to partcular consumers or classes of consumers in specified amounts of kilowatts or kilowatt hours or through energy quotas in kilowatt hours, or both. The curtailments so directed will be carried out as nearly as possible in the manner provided in List I of Appendix C to this order. Upon the issuance of such directions, electric utilities shall notify each of their consumers affected by such curtailment, and from the effective date of any such direction, no electric utility shall make and no consumer shall take deliveries of electric energy in excess of quantities permitted by the direction.

(d) *Reduction of deliveries to consumers with electric generating facilities.* During any period in which this paragraph is operative, each electric utility shall reduce deliveries to non-utility consumers who have electric generating facilities with rated capacity of 100 kw or more, to the extent that the operation of such facilities is feasible and can help relieve the power shortage in the Pacific Northwest shortage area, provided arrangements exist to pay the additional cost of energy generated by such consumer's facilities to replace firm power deliveries required by contract.

SEC. 33. *Preferred deliveries.* No electric utility shall reduce its deliveries of electric energy to any consumer or class of consumers below quantities specified in List II of Appendix C to this order, without order or direction from DEPA, provided arrangements exist for the payment for electric energy delivered in excess of quantities required by contract.

SEC. 34. *Exemptions.* (a) Except as provided in paragraph (b) of this section, the mandatory provisions of this Article III relating to the prohibition or limitation of deliveries and consumption of electric energy shall not apply to any consumer whose operations come within the classifications listed in Appendix D to this order or to any consumer specifically exempted by direction of DEPA. Questions as to the classification of any consumer shall be referred to DEPA.

(b) Because of the shortage which makes this limitation order necessary, all consumers exempted by this section shall comply with the provisions of section 32 (b) of this order and shall immediately undertake steps to reduce their energy consumption to the fullest practicable extent, consistent with the continued operation of their essential services, functions or activities, during any period in which any of the provisions of section 32 of this order are operative, and each such consumer using in excess of 4,000 kw hours per week shall notify the electric utility from which he obtains power of the steps taken and of his estimate of the savings in energy involved.

ARTICLE IV—ACTIONS, NOTICES AND REPORTS BY ELECTRIC UTILITIES AND CONSUMERS

SEC. 41. *Notice to consumers.* (a) Each electric utility shall as soon as practicable notify its affected consumers of the provisions of this order, or any supplement to this order or direction of DEPA relating to this order, applicable to such consumers. Such notification shall be made in a manner to be prescribed by DEPA.

(b) Within fourteen days after the effective date of this order, each electric utility shall notify its consumers:

(1) Of the base period consumption and of the weekly energy base of such consumer for each billing period in the base period in each case where the base period consumption of such consumer exceeds 17,200 kilowatt hours a month; and

(2) Of the base peak demand of any consumer whose peak demand exceeds 100 kilowatts.

(c) Each electric utility shall take all possible steps to secure voluntary reductions in consumption of electric energy by its consumers, during any period in which any of the provisions of section 32 of this order are operative.

SEC. 42. *Reports and information.* (a) Each consumer who uses more than 4,000 kilowatt hours in the first week or any succeeding week, during which the provisions of section 32 (c) are in effect as to such consumer, shall report to DEPA at the end of such week the kilowatt hours of electric energy consumed by him during such week. Such report shall be filed with the electric utility supplying electric energy to such consumer on forms prescribed by DEPA and distributed by the electric utility, and each such electric utility shall keep custody thereof for and subject to the direction of DEPA.

(b) At the end of the first week and of each succeeding week during which any of the provisions of section 32 (c) of this order are operative with respect to any of its consumers, each electric utility affected by the provisions of Section 32 (c) of this order shall report to DEPA the name and address of any consumer who such utility knows or has reason to believe has consumed during such week more electric energy than his weekly energy quota, and shall include in such report the weekly energy quota of such consumer and the amount of such excess.

(c) At the end of the first week and of each succeeding week during which any of the provisions of Section 32 (a) of this order are operative, each electric utility shall report to DEPA weekly the name and address of any consumer who such utility knows or has reason to believe has exceeded his base peak demand during such week, and shall include in such report the base peak demand of such consumer and the extent of such excess.

ARTICLE V—ADMINISTRATION OF ORDER

SEC. 51 *Northwest Area Representative.* This order shall be administered by the Northwest Area Representative, Utilization Conservation Branch of Defense Electric Power Administration, who is hereby authorized to exercise all powers and functions of DEPA necessary to carry out the provisions of this order including, but not limited to, authority:

(a) To classify consumers and to grant adjustments, exceptions and exemptions.

(b) To issue orders and directions concerning the operation of electric utility and nonutility power producing facilities and equipment.

(c) To direct the curtailment of delivery and use of electric energy during designated periods, to limit deliveries of electric energy to particular consumers or classes of consumers in specified amounts of kilowatts or kilowatt hours, and to establish and adjust energy quotas in kilowatt hours for such consumers in amounts or percentages varying between individual consumers and between classes of consumers in the same or different areas.

(d) To prescribe the form and content of notices to consumers and reports from consumers; to examine reports from consumers and utilities regarding consumption of electric energy.

SEC. 52. *Advisory committee.* The Northwest Area Representative shall consult with an advisory committee of three members selected by DEPA with the advice of the electric utilities. One member shall be selected from the privately owned, one from the non-Federal publicly owned and one from the Federal electric utilities.

SEC. 53. *Appeals.* Any person aggrieved by any decision of the Northwest Area Representative may appeal to the Administrator of Defense Electric Power Administration.

This order shall take effect on September 17, 1951.

JAMES F. FAIRMAN,
Administrator,
Defense Electric
Power Administration.

APPENDIX A—ELECTRIC UTILITIES WHICH GENERATE OR PURCHASE POWER AT WHOLESALE WITHIN THE PACIFIC NORTHWEST SHORTAGE AREA

Bonneville Power Administration:
- Municipalities:
  - Bendon, Oreg.
  - Canby, Oreg.
  - Cascade Locks, Oreg.
  - Centralia, Wash.
  - Cheney, Wash.
  - Drain, Oreg.
  - Ellensburg, Wash.
  - Eugene, Oreg.
  - Forest Grove, Oreg.
  - Grand Coulee, Wash.
  - McCleary, Wash.
  - McMinnville, Oreg.
  - Milton-Freewater, Oreg.
  - Monmouth, Oreg.
  - Salem, Oreg.
  - Springfield, Oreg.
- Cooperatives and Public Utility Districts:
  - Benton County Public Utility District No. 1.
  - Benton Lincoln Electric Cooperative, Inc.
  - Benton Rural Electric Association.
  - Big Bend Electric Cooperative, Inc.
  - Blachly-Lane County Electric Cooperative, Inc.
  - Central Electric Cooperative, Inc.
  - Central Lincoln Public Utility District No. 1.
  - Chelan County Electric Cooperative, Inc.
  - Chelan County Public Utility District No. 1.
  - Clallam County Public Utility District No. 1.
  - Clark County Public Utility District No. 1.
  - Clatskanie People's Utility District.
  - Clearwater Valley Light & Power Association.
  - Columbia Basin Electric Cooperative, Inc.
  - Columbia County Rural Electric Association, Inc.
  - Coos-Curry Electric Cooperative, Inc.
  - Cowlitz County Public Utility District No. 1.
  - Douglas County Public Utility District No. 1.
  - Douglas Electric Cooperative, Inc.
  - Eastern Oregon Electric Cooperative, Inc.
  - Ferry County Public Utility District No. 1.
  - Franklin County Public Utility District No. 1.
  - Grant County Public Utility District No. 2.
  - Grays Harbor Public Utility District No. 1.
  - Hood River Electric Cooperative, Inc.
  - Idaho County Light & Power Cooperative, Inc.
  - Inland Empire Rural Electric, Inc.
  - Kittitas County Public Utility District No. 1.
  - Klickitat County Public Utility District No. 1.
  - Kootenai Rural Electric Association, Inc.
  - Lane County Electric Cooperative, Inc.
  - Lewis County Public Utility District No. 1.
  - Lincoln Electric Cooperative, Inc., Montana.
  - Lincoln Electric Cooperative, Inc., Washington.
  - Mason County Public Utility District No. 3.
  - Missoula Electric Cooperative, Inc.
  - Nespelem Valley Electric Cooperative, Inc.
  - Northeast Clakamas County Cooperative, Inc.
  - Northern Lights, Inc.
  - Northern Wasco County Public Utility District No. 1.

Bonneville Power Administration—Con.
- Cooperatives and Public Utility Districts—Continued
  - Okanogan County Cooperative, Inc.
  - Okanogan County Public Utility District No. 1.
  - Pacific County Public Utility District No. 2.
  - Pend Oreille County Public Utility District No. 1.
  - Pend Oreille Electric Cooperative, Inc.
  - Ravalli County Electric Cooperative, Inc.
  - Salem Electric Cooperative, Inc.
  - Skamania County Public Utility District No. 1.
  - Snohomish County Public Utility District No. 1.
  - Stevens County Electric Cooperative, Inc.
  - Tanner Mutual Power & Light Association.
  - Tillamook Public Utility District No. 1.
  - Umatilla Electric Cooperative, Inc.
  - Wahkiakum County Public Utility District No. 1.
  - Wasco Electric Cooperative, Inc.
  - West Oregon Electric Cooperative, Inc.
- Other:
  - Vera Irrigation District.

Mountain States Power Company—Willamette Valley System.

Mountain States Power Company—Sandpoint System.

Mountain States Power Company—Tillamook System.

Montana Power Company—Northern Idaho System.

Pacific Power & Light Company—Main System:
- Burbank Irrigation District.
- Crook County Imperial Irrigation District.
- Franklin County Irrigation District.
- Kennewick Irrigation District.

Pacific Power & Light Company—Astoria-Seaside System:
- West Oregon Electric Cooperative, Inc.

Portland General Electric Company.

Puget Sound Power & Light Company—Main System:
- Private utilities:
  - Northwestern Improvement Company.
- Municipalities:
  - Blaine, Wash.
  - Pacific, Wash.
  - South Cle Elum, Wash.
  - Sumas, Wash.
- Cooperatives:
  - Guemes Island Cooperative Association.

Seattle—Department of Lighting:
- Mutual Power & Light Association of Tanner.

Tacoma—Department of Public Utilities—Light Division.
- Municipalities:
  - Eatonville, Wash.
  - Fircrest, Wash.
  - Milton, Wash.
  - Steilacoon, Wash.
- Cooperatives:
  - Alder Mutual Light Company.
  - Elmhurst Mutual Company.
  - Lakeview Light & Power Company, Inc.
  - Loveland Mutual Company.
  - Mason County Public Utility District No. 1.
  - Ohop Valley Mutual Light Company.
  - Parkland Light & Water Company.
  - Peninsula Light Company, Inc.

Washington Water Power Company
- Private utilities:
  - Bunker Hill Lighthouse.
  - Citizens Utilities Company.
- Municipalities:
  - Chewelah, Wash.
  - Plummer, Idaho.
- Cooperatives:
  - Modern Electric Water Company.

Other Interconnected Utilities:
- Municipalities:
  - Cashmere, Wash.
  - Springfield, Oreg.
  - Waterville, Wash.

APPENDIX B

Prohibited uses pursuant to section 32 (b):

A. Prohibited uses:

1. Lighting or electrically operated equipment and installation for:

(a) Interior or exterior signs.

(b) Interior or exterior show-window and show-case lighting.

(c) Interior or exterior outline and ornamental lighting.

(d) Interior or exterior lighting for decorating or advertising purposes.

(e) Outdoor and flood lighting including but not limited to field lighting for amusements or sports, and whiteway lighting above minimum requirements for safety.

2. Heating cars used on urban and suburban systems above 50°.

3. Space heating except for equipment connected prior to January 1, 1952.

B. Exceptions: The foregoing prohibited uses do not include:

1. Ordinary street or traffic lighting.

2. Signal or other lighting required by police, fire, or other public safety departments.

3. Lighting for defense property protection required by defense regulations.

4. Lighting for airports and airfields, or for military training or other military purposes, including construction of dams.

5. Theatre marquee lighting not to exceed 100 watts and gasoline filling station lighting not to exceed 40 watts per pump, when open for business from sunset to the hour of closing.

6. Lighting, for protection of property, in doorways, not to exceed 60 watts.

7. Lighting for entrances or signs of commercial establishments other than theatres and filling stations open to the public during evening hours, not to exceed 75 watts, between sunset and the hour of closing.

APPENDIX C

The following order or curtailments in deliveries and consumption of electric energy and the following preferred deliveries have been designated by the Defense Production Administration for implementation by DEPA.

LIST I. *Curtailments in deliveries and consumption.* Curtailments in deliveries of electric energy which shall be ordered or directed from time to time by DEPA shall be applied, insofar as possible, to the reduction of consumption by the following consumers or classes of consumers in the quantities and in the sequence set out below:

Curtailment block No.	Quantity in kilowatt-hours per week	Consumers or classes of consumers curtailed
1	8,000,000	Reduction of alumina to aluminum (interruptible).
2	8,000,000	Do.
3	8,000,000	Do.
4	8,000,000	Reduction of alumina to aluminum (including balance of interruptible).
5	8,000,000	5,760,000 kilowatt-hours—reduction of alumina to aluminum; 1,600,000 kilowatt-hours—pulp and paper; 640,000 kilowatt-hours—wood and lumber.
6	8,000,000	To be determined.
7	8,000,000	Do.
8	8,000,000	Do.
9	8,000,000	Do.
10	8,000,000	Do.
11	8,000,000	Do.
12	8,000,000	Do.
13	8,000,000	Do.
14	8,000,000	Do.
15	8,000,000	Do.
16	8,000,000	Do.

The foregoing sequence of curtailments relates to mandatory cutbacks which may be ordered by DEPA, and unless prohibited by section 33 and List II of this Appendix C electric utilities are not prevented by this

order from making any curtailments in accordance with their operating practice or contractual arrangements.

List II. *Preferred deliveries, subject to the provisions of section 33 of this order.* Unless specifically provided by order or direction of DEPA, no curtailment in deliveries of electric energy shall be applied to the following consumers or classes of consumers below quantities specified.

(Initial list)

Consumer or class of consumers	*Amount of preferred deliveries*
Atomic Energy Plants	Total demand and energy.
Spokane Magnesium Plant	42,000 kw demand and associated energy.
Pennsylvania Salt Company	Demand and energy required for the production of chlorine, chlorates and caustic soda.

APPENDIX D

Consumers falling within the following classifications are exempt from certain mandatory curtailment provisions of this order, as provided in section 34, but shall undertake the reduction of their electric energy consumption to the fullest practicable extent, consistent with their continued operation of the services, functions or activities set out below.

1. The following Federal, State, County and Municipal services: fire, police, prisons, and essential street and highway lighting.
2. The following essential community services: churches, hospitals, schools, refrigeration and food preservation plants and newspapers.
3. Transportation services:
(a) Urban, suburban and interurban common or contract carriers of passengers or freight, including terminals.
(b) Railways, terminals and related facilities.
(c) Shipping locks and terminals.
(d) Military, municipal and licensed commercial airports and airfields.
(e) Oil and gas pipe lines and pumping stations.
(f) Maintenance and repair yards or shops used exclusively for the maintenance or repair of the above transportation services.
4. Communication services including:
(a) Post offices.
(b) Radio communication.
(c) Telegraph and telephone systems.
(d) Traffic control and signal services.
5. Water supply and sanitation systems including waterworks, pumping stations, and sewage disposal plants and equipment.
6. Military establishments, including cantonments, ports, depots and fortification or the construction thereof.
7. Manufacture, by-product, natural and mixed gas systems, including manufacturing plants, pipe lines, pumping stations and facilities for the maintenance and repair thereof.
8. Construction of dams, and of plants and facilities which will be exclusively engaged in the production of munitions, atomic energy or products, ordnance items, aluminum, bauxite and magnesium.
9. Electric energy needed for operation of electric utilities.

[F. R. Doc. 51-11370; Filed, Sept. 17, 1951; 5:15 p. m.]

Chapter XVIII — National Shipping Authority, Maritime Administration, Department of Commerce

[NSA Order 39 (AGE-3, Amdt. 1)]

AGE-3—Bonding of Ship's Personnel

POSTING AND FORM OF BOND

Effective as of the date of publication of this order in the FEDERAL REGISTER, sections 4 and 6 of NSA Order No. 39 (AGE-3), published in the FEDERAL REGISTER issue of July 12, 1951 (16 F. R. 6751), are amended as follows:

1. Section 4. *Posting of bond,* is hereby deleted and the following shall be inserted in lieu thereof:

SEC. 4. *Posting of bond.* The General Agent shall retain an executed copy of each such bond in its principal office for examination by the National Shipping Authority at any time.

2. Section 6. *Form of bond,* is hereby amended by striking out the words "SEC. 6. *Form of bond.* The form of bond required by the National Shipping Authority to be used by the General Agents shall be as follows:" immediately preceding the form of bond set forth in this section and inserting in lieu thereof the following:

SEC. 6. *Surety and form of bond.* Each bond provided for by this order shall be duly executed by an authorized surety appearing on the current approved list of companies acceptable as sureties on Federal bonds published by the U. S. Treasury Department. The form of bond required by the National Shipping Authority to be used by the General Agents shall be as follows:

* * * * *

(Sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114)

[SEAL] C. H. McGUIRE,
Director,
National Shipping Authority.

[F. R. Doc. 51-11296; Filed, Sept. 18, 1951; 8:54 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 9913]

PART 4—EXPERIMENTAL AND AUXILIARY BROADCAST SERVICES

REMOTE PICKUP BROADCAST STATIONS

1. The Commission's rules presently provide for the use of STL (studio-transmitter link) stations by the licensees of standard, FM and television broadcast stations. However, under the provisions of § 4.432 (e) of the Commission's rules only the licensee of an FM broadcast station who is also the licensee of an associated FM broadcast STL station may utilize remote pickup broadcast base stations to provide communications between the FM broadcast station's studio and transmitter. Suitable wire-line circuits are not always available to the relatively remote transmitter locations of such FM stations and the above rule was designed to relieve such situations.

2. The Commission is of the opinion that provision for the licensing of remote pickup broadcast stations for studio-transmitter communication purposes should be extended to include the licensees of standard broadcast and television broadcast stations which utilize an STL station for program transmission, upon the same basis as the licensing of remote pickup stations for other uses. Accordingly, on February 28, 1951, the Commission issued a notice of proposed rule making herein (FCC 51-210) proposing to amend § 4.432 (e) of its rules to permit licensees of standard broadcast STL and television STL stations to utilize remote pickup broadcast base stations to provide communication between the studio and transmitter in the same manner as FM broadcast licensees. Said notice was duly published in the FEDERAL REGISTER on March 8, 1951 (16 F. R. 2161) and provided that interested persons could file comments with respect to the proposed amendment by April 2, 1951, and that replies to such comments might be filed on or before April 12, 1951.

3. Comments were filed in these proceedings by five interested parties, all of whom supported the proposed amendment.[1] In the comment filed by Federal Telecommunication Laboratories, Inc., it was further proposed that § 4.601 (a), (b), and (c) of the Commission's rules concerning television pickup, television STL, and television intercity relay stations be similarly amended to permit their use for communication purposes related to program origination. Section 4.601 (a) defines a television pickup station as a station "used for the transmission of program material and related communications—". Similarly, the definitions of television STL and television intercity relay stations in § 4.601 (b) and (c), respectively, include the term "related communications". Furthermore, § 4.631 of the Commission's rules which states the "Purpose of television auxiliary stations" provides that television pickup, television STL, and television intercity relay stations are authorized to transmit program material, orders concerning such program material, and related communications necessary to the accomplishment of such transmissions. It appears, therefore, that the suggested further amendment is unnecessary inasmuch as the present rules provide for the type of operation proposed.

4. In the Commission's further consideration of the proposed amendment, is has appeared desirable to define the words "broadcast STL station" which are used therein. For this purpose, wording has been added as follows: "The term 'broadcast STL station' as used in this section includes 'FM broadcast STL', 'standard broadcast STL' and 'television STL' stations". The added wording makes no change in the meaning which

[1] Davenport Broadcasting Company, Davenport, Iowa; Federal Telecommunication Laboratories, Inc., Nutley, New Jersey; Jefferson Standard Broadcasting Company, Charlotte, North Carolina; All-Oklahoma Broadcasting Company, Tulsa, Oklahoma; KECC, Pittsburg, California.

was expressed in the notice of proposed rule making herein.

5. The amendment proposed to be adopted herein is designed to relieve an existing restriction and may be made effective immediately pursuant to section 4 (c) of the Administrative Procedure Act.

6. *Accordingly, it is ordered,* That, effective immediately, § 4.432 (e) of the Commission's rules and regulations is amended to read as follows:

(e) Remote pickup broadcast base stations will be licensed for the purpose of providing communication between the studio and the transmitter of broadcast stations which utilize a broadcast STL station for program transmission, provided that such operation shall not be conducted on frequencies other than those listed in § 4.402 (a) (3). The term "broadcast STL station" as used in this section includes "FM broadcast STL", "standard broadcast STL", and "television STL" stations.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Adopted: September 12, 1951.
Released: September 12, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-11244; Filed, Sept. 18, 1951; 8:47 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commerce

PART 10—UNIFORM SYSTEM OF ACCOUNTS FOR STEAM ROADS

MISCELLANEOUS AMENDMENTS

Correction

In F. R. Doc. 51-11009, appearing at page 9287 of the issue for Thursday, September 13, 1951, "§ 10.383" in item 4 should be changed to "§ 10.393" so that item 4 reads as follows:

4. In § 10.393 *Train motormen,* cancel the title, text, and note of this account.

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

PART 34—SOUTHEASTERN REGION

SUBPART—CAROLINA SANDHILLS NATIONAL WILDLIFE REFUGE, SOUTH CAROLINA

HUNTING

Basis and purpose. It has been determined from observations and reports of field representatives of the Fish and Wildlife Service that a further relaxation of restrictions should be made with respect to the areas of the Carolina Sandhills National Wildlife Refuge open to controlled public hunting in order to utilize fully seasonal surpluses of squirrels, raccoons, opossums, bobcats, and foxes on the Refuge.

Inasmuch as the following regulation is a relaxation of the present restrictions governing hunting on the Refuge, publication prior to the effective date is not required (60 Stat. 237, 5 U. S. C. 1001 et seq.)

Effective immediately upon publication in the FEDERAL REGISTER, § 34.38 is revised to read as follows:

§ 34.38 *Area open to hunting.* All of the lands of the United States within the Carolina Sandhills National Wildlife Refuge are open to the controlled hunting of squirrels, raccoons, opossums, bobcats, and foxes. The hunting of quail is restricted to that part of the Refuge that is bounded on the northwest and west by South Carolina State Highway No. 85, on the south and southeast by U. S. Highway No. 1, on the southeast by Scott's Road, and on the east and northeast by the Ruby-Hartsville Road.

(Sec. 10, 45 Stat. 1224; 16 U. S. C. 715i)

Dated: September 12, 1951.

O. H. JOHNSON,
Acting Director.

[F. R. Doc. 51-11237; Filed, Sept. 18, 1951; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 905]

[Docket Nos. AO-209-A2, AO-209-A2 RO1]

HANDLING OF MILK IN OKLAHOMA CITY, OKLAHOMA, MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Oklahoma City, Oklahoma, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business the 5th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. Public hearings, on the record of which the proposed amendment to the tentative marketing agreement and to the order, as amended, was formulated, were conducted at Oklahoma City, Oklahoma, on July 11, and August 30, 1951, pursuant to notices thereof which were issued on June 22, 1951 (16 F. R. 5977) and August 22, 1951 (16 F. R. 8603).

A recommended decision was issued August 8, 1951 (16 F. R. 7946), on the basis of the record of the hearing held on July 11, 1951. Subsequently, the hearing was reopened August 30, 1951, to receive additional evidence with respect to a proposal to expand the marketing area upon which evidence was received at the hearing of July 11, 1951. The only material issues dealt with in this decision relates to such proposal. The findings and conclusions of the recommended decision of August 8, 1951, with respect to all other issues are reaffirmed.

Findings and conclusions. The following findings and conclusions on these issues are based upon the evidence introduced at the hearing and the record pertaining thereto:

1. The marketing area should be expanded by the addition of Edmond, Lincoln and Elk townships and four sections of land in Choctaw township all in Oklahoma County, and Dale, Davis, Dent, Bock, Brinton, Forest and Earlsboro townships, Pottawatomie County, Oklahoma.

The marketing area now comprises 14 townships (less four sections of land) of the 20 townships in Oklahoma County and the six townships in Cleveland County. It was proposed by producers that the area in Oklahoma County be expanded to include the entire county and that Pottawatomie County be included. No change was proposed with respect to the area in Cleveland County.

Five of the six townships in Oklahoma County not now included in the marketing area constitute the northern tier of townships in the county. The city of Edmond with a population of approximately 5,000 is situated at the boundary line of Edmond and Lincoln townships and is also adjacent to the boundary of the present marketing area. A handler with a plant in Edmond operates routes in the present marketing area and is subject to the order. Oklahoma City handlers sell milk in Edmond. Health requirements for milk to be sold in Edmond and these two townships are now similar to those of the marketing area. It is concluded that the townships of Edmond and Lincoln should be included in the marketing area. There is no evidence that any additional milk will be brought under regulation by this change

and no opposition to the addition of these two townships was made at the hearing. With respect to Deer Creek, Deep Fork and Luther townships it appears that the total volume of milk sold is relatively small and that a handler from Guthrie sells a larger volume than do Oklahoma City handlers. The proposal to include these townships was not supported by the proponents at the hearing, and on the basis of the record should not be adopted.

The proposal to include in the marketing area Elk township and four sections of land in Choctaw township, Oklahoma County, is associated with the proposal to include Pottawatomie County. This area was originally excluded in order not to bring under regulation a handler whose principal business is in Pottawatomie County. The principal urban center of population in Pottawatomie County is Shawnee, a city of 22,000 population about 38 miles from Oklahoma City.

The health requirements for the production of milk to be sold as fluid milk in Shawnee are identical with those that apply for Oklahoma City and Norman, the principal cities of the marketing area as presently constituted. These same requirements also apply for milk to be sold as Grade A milk in the rural areas and the smaller towns of Pottawatomie, Oklahoma, and Cleveland counties.

Producers supplying plants in Shawnee are intermingled to a marked degree with those supplying Oklahoma City. Of the total of 127 producers approved for Shawnee, 103 were shown to receive mail from the same post offices as 114 Oklahoma City producers. Producers readily shift their marketings of milk from Oklahoma City to Shawnee and vice versa. Since the issuance of an order for the Oklahoma City market in May 1950, there has been an increased tendency for producers to shift from the Shawnee market to the Oklahoma City market. Shawnee producers have not had the assurance that they will be paid for their milk in accordance with its use that Oklahoma City producers have had.

The common interests of these intermingled producers have recently been recognized by the cooperative associations which previously had sought to represent Oklahoma City and Shawnee producers separately. A local association of producers supplying the Shawnee market has amalgamated with the cooperative association representing a majority of Oklahoma City producers. Thus, one cooperative association now accepts responsibility for supplying Oklahoma City, Norman and Shawnee from a common supply area. The ability of producers to supply handlers with milk in accordance with their needs will be enhanced if all the affected producers are included in one pool to which a single uniform producer price applies. This may best be achieved by defining the marketing area to include all three cities.

Oklahoma City handlers now sell very little milk in Pottawatomie County. In part this may be due to a requirement, now no longer effective, that all milk sold in Shawnee be pasteurized within 25 miles of that city. Oklahoma City handlers do, however, compete for sales with a Shawnee handler in Elk and Choctaw townships, Oklahoma County, and with another Shawnee handler in other areas not proposed for inclusion in the marketing area. The operator of the largest milk distributing plant in Shawnee also operates an Oklahoma City plant. Sales in certain outside areas are at some times made from the Shawnee plant and at other times from the Oklahoma City plant, so that the producer milk used for such sales varies in accordance with the choice of a single handler of milk. On the basis of lack of evidence of competition for fluid milk sales in the area proposed for expansion the first recommended decision in these proceedings did not recommend the addition of any territory in Pottawatomie County. Upon further consideration of the producer relationships involved and the additional evidence relating thereto presented at the August 30 hearing, it is concluded that stability of marketing conditions in this area will be increased if the producers supplying Shawnee are included in one market-wide pool with those supplying the present Oklahoma City marketing area.

To include all of Pottawatomie County in the marketing area, as proposed, would include under regulation several handlers whose principal markets are in other areas. Handlers supplying Shawnee appear to supply substantially all the milk in the seven townships that comprise the northern part of the county. Their sales are less substantial in the five townships in the southern part of the county and handlers from other areas have for a long time maintained distribution there. It is concluded that only the seven northern townships surrounding the city of Shawnee should be included in the area. Elk township and the four sections of land in Choctaw township, Oklahoma County, should also be added. All milk sold in that area is by Oklahoma City handlers and by a Shawnee handler.

The addition of a substantial number of producers through expansion of the marketing area after the beginning of the base-forming period (September 1 through December 31) established in the order raises the question as to how the bases to be applicable in 1951 for such producers should be established. The record indicates complete agreement of producers and handlers that the deliveries of such producers during the regularly established period should determine their bases, and the willingness of handlers who will become subject to the order to report the necessary data for periods before the effective date of any amendment expanding the area. Such treatment will result in complete equity between producers supplying the present marketing area and those added by the proposed addition to the area. Accordingly provision is made that the 1952 bases of producers whose milk will be priced as a result of the expansion of the marketing area shall be computed by securing reports from handlers affected by the amendment for such producers' deliveries from September 1 to the effective date of such amendment.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk, in the marketing area and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

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

Rulings on proposed findings and conclusions. Briefs were filed on behalf of the Central Oklahoma Milk Producers Association and handlers subject to the order.

The briefs contained statements of fact, proposed findings and conclusions, and arguments with respect to the provisions of the proposed amendments. Every point covered in the briefs was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the findings and conclusions proposed in the briefs are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions is denied on the basis of the facts found and stated in connection with the conclusions in this recommended decision.

Recommended marketing agreement and amendment to the order. The following amendments to the order are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be identical with those contained in the order as hereby proposed to be amended.

1. Delete § 905.6 and substitute therefor the following:

§ 905.6 *Oklahoma City, Oklahoma, marketing area.* "Oklahoma City, Oklahoma, marketing area", hereinafter called the marketing area means all territory within the boundaries of Oklahoma County, except Deer Creek, Deep Fork, and Luther townships, within the townships of Moore, Taylor, Case, Liberty, Norman and Noble in Cleveland County, and within the townships of Dale, Davis, Dent, Bock, Brinton, Forest and Earlsboro in Pottawatomie County, all in the State of Oklahoma.

2. Add the following proviso to § 905.65 (a): "*Provided,* That for any such producer supplying a handler who becomes subject to this order through an amendment to § 905.6 effective subsequent to September 1, 1951, the daily average base for the months of April through June 1952 shall be so computed from the total pounds of milk received by such handler from such producer during the months of September through December 1951, and such handler shall report to the market administrator with respect to each such producer the information required in § 905.31 (a) for each month from September 1, 1951, to the effective date of such amendment."

This decision filed at Washington, D. C., this 14th day of September 1951.

[SEAL] GEORGE A. DICE,
Deputy Assistant Administrator.

[F. R. Doc. 51-11321; Filed, Sept. 18, 1951; 8:48 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 18, 24, 43]

MECHANICAL WORK PERFORMED ON U. S. REGISTERED AIRCRAFT BY CERTAIN CANADIAN MECHANICS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Civil Aeronautics Board has under consideration the proposed adoption of a Special Civil Air Regulation which would have the effect of permitting maintenance, repair, and alteration operations on aircraft of United States registry to be performed in Canada by or under the direct supervision of mechanics holding certificates of competency and appropriate ratings issued by the Canadian Government.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received by October 18, 1951, will be considered by the Board before taking further action on the proposed rule. Copies of such communications will be available after October 23, 1951, for examination by interested persons in the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

Under the Civil Aeronautics Act of 1938 no individual who is directly in charge of the inspection, maintenance, overhaul, or repair of aircraft, aircraft engines, propellers or appliances may serve in connection with any civil aircraft of United States registry used in air commerce unless he holds an appropriate airman certificate issued by the Administrator. This prohibition applies not only within the United States but in foreign countries as well. Consequently, at the present time a Canadian mechanic who is fully authorized by the Canadian Department of Transport to serve as such in connection with transport aircraft would nevertheless be required to possess a United States mechanic certificate if he were to be in charge of maintenance, repair, or alteration operations on United States aircraft. The Canadian Government, on the other hand, recognizes the validity of United States airman certificates issued to a mechanic for work performed in the United States on Canadian aircraft.

Although the Board is not empowered to exempt Canadian mechanics directly from the provisions of Title VI, it is empowered under section 1 (6) of the act to alter the definition of "airman" so as to relieve in effect such persons from the obligation of holding United States airman certificates.

The Board has been advised by the Administrator of Civil Aeronautics that the Canadian Department of Transport is desirous of having a reciprocal arrangement on the part of the United States. The Administrator further states that from a safety point of view there appears to be no valid objection to such an arrangement, since Canadian standards regarding maintenance, alteration, and repairs are of a high calibre and compare favorably with those in force in the United States.

It is, therefore, proposed to issue a Special Civil Air Regulation effective November 1, 1951, providing substantially as follows:

1. Individuals holding valid mechanic certificates of competency and appropriate ratings issued by the Canadian Government shall not be deemed airmen within the meaning of section 1 (6) of the Civil Aeronautics Act with respect to maintenance, repair, and alteration operations conducted in Canada on aircraft of United States registry, and such individuals, notwithstanding any contrary provisions of the Civil Air Regulations, may perform such operations on United States aircraft in Canada: *Provided,* That each repair, alteration, and maintenance operation performed is listed and certified to by him in a manner and on a form prescribed by the Administrator: *And provided further,* That all such repairs, alterations, and maintenance operations shall be performed in conformance with the requirements of Part 18 of the Civil Air Regulations.

2. An aircraft or aircraft engine on which any major repair or major alteration has been performed as authorized herein shall not be flown in air commerce until examined, inspected, and approved by a Canadian Department of Transport Inspector. Such approval shall be indicated in a manner and on a form prescribed by the Administrator.

3. This regulation shall terminate November 1, 1956 unless sooner superseded or rescinded.

This regulation is proposed under the authority of section 1 (6) and Title VI of the Civil Aeronautics Act of 1938, as amended. The proposed Special Civil Air Regulation may be changed in view of comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 1, 601-610, 52 Stat. 977, 1007-1012; 49 U. S. C. 401, 551-560)

Dated: September 13, 1951, at Washington, D. C.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-11298; Filed, Sept. 18, 1951; 8:54 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Fiscal Service, Bureau of the Public Debt

[1951 Dept. Circ. 893]

1⅞ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES D-1952

OFFERING OF CERTIFICATES

SEPTEMBER 18, 1951.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated 1⅞ percent Treasury Certificates of Indebtedness of Series D-1952, in exchange for Treasury Notes of Series A-1951, maturing October 1, 1951.

II. *Description of certificates.* 1. The certificates will be dated October 1, 1951, and will bear interest from that date at the rate of 1⅞ percent per annum, payable with the principal at maturity on September 1, 1952. They will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all taxes, now or hereafter imposed under the Internal Revenue Code, or laws amendatory or supplementary thereto. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates will be issued in denominations of $1,000, $5,000, $10,000, $100,000, and $1,000,000. The certifi-

cates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before October 1, 1951, or on later allotment, and may be made only in Treasury Notes of Series A–1951, maturing October 1, 1951, which will be accepted at par, and should accompany the subscription.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 51–11295; Filed, Sept. 18, 1951; 8:53 a. m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order 2605, Amdt. 5]

DEFENSE ADMINISTRATIONS FOR MINERALS, POWER, SOLID FUELS, AND FISHERIES

SEPTEMBER 13, 1951.

The citation which appears after the words "Executive Order 10161, as amended" in section 3 of Order 2605, as amended (16 F. R. 5024), is revised to read as follows: "(15 F. R. 6105, 16 F. R. 61, 8789)".

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 51–11238; Filed, Sept. 18, 1951; 8:45 a. m.]

No. 182——5

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 7955, 8045]

PALO ALTO RADIO STATION, INC. (KYA) AND SAN MATEO COUNTY BROADCASTERS (KVSM)

ORDER CONTINUING HEARING

In re applications of Palo Alto Radio Station, Inc. (KYA), San Francisco, California, Docket No. 7955, File No. BP–4452; Edmond Scott, Gordon D. France, Hugh Smith and Merwyn F. Planting, a partnership, d/b as San Mateo County Broadcasters (KVSM), San Mateo, California, Docket No. 8045, File No. BP–5536; for construction permits.

The Commission having under consideration a petition in behalf of Palo Alto Radio Station, Inc. (KYA), filed September 11, 1951, requesting that the further hearing upon the above-entitled applications, presently scheduled for September 18, 1951, be continued for sixty days;

It appearing, that, during the past two months, counsel for petitioner have been engaged continuously in the preparation and review of numerous pleadings, statements, exhibits and other material filed in connection with the recent orders of the Commission in the pending television allocation proceeding and have been unable to make proper preparation for hearing in the above-entitled matter;

It appearing further, that counsel for the Commission and for San Mateo County Broadcasters (KVSM) do not interpose objection to the instant petition and agree to a waiver of the provisions of § 1.745 of the Commission's rules to permit immediate consideration thereof;

It appearing further, that the continuance herein sought is warranted under the circumstances recited herein and is in the public interest;

It is ordered, This 12th day of September 1951, that the petition under consideration be, and it is hereby, granted; and that the hearing upon the above-entitled applications is continued to November 27, 1951, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51–11249; Filed, Sept. 18, 1951; 8:47 a. m.]

[Docket No. 9712]

CECIL W. ROBERTS (KREI)

ORDER CONTINUING HEARING

In re application of Cecil W. Roberts (KREI), Farmington, Missouri, for construction permit; Docket No. 9712, File No. BP–7572.

The Commission having under consideration a petition filed September 10, 1951, by Cecil W. Roberts, licensee of Station KREI, and applicant herein, requesting indefinite continuance of the hearing in the above-entitled proceeding presently scheduled for September 14, 1951, in order that additional measurements which are now being made, may be submitted to the Commission; and

It appearing, that counsel for The Johnson County Broadcasting Corporation, respondent in the above-entitled proceeding, and Commission counsel have informally consented to a waiver of § 1.745 of the Commission's rules to permit the early consideration and grant of the petition for continuance;

It is ordered, This 11th day of September 1951, that the petition be, and it is hereby, granted; and the hearing in the above-entitled application be, and it is hereby, continued until further order.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE.
Secretary.

[F. R. Doc. 51–11246; Filed, Sept. 18, 1951; 8:47 a. m.]

[Docket No. 9946]

GEORGIA-ALABAMA BROADCASTING CORP. (WGBA)

ORDER CONTINUING HEARING

In re application of Georgia-Alabama Broadcasting Corporation (WGBA), Columbus, Georgia, for construction permit; Docket No. 9946, File No. BP–7674.

The Commission having under consideration a petition filed on September 7, 1951, by the Chief of its Broadcast Bureau, requesting that the hearing on the above-entitled application, which is now scheduled to be held in Columbus, Georgia on September 17, 1951, be continued until November 5, 1951; and

It appearing, that all of the parties to the proceeding have consented to a grant of the petition under consideration and to a waiver of § 1.745 of the Commission's rules relating to the timely filing of motions;

It is ordered, This 10th day of September 1951, that the said petition be, and it is hereby, granted; and that the hearing on the above-entitled application at Columbus, Georgia, is hereby continued until 10:00 a. m., Monday, November 5, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51–11245; Filed, Sept. 18, 1951; 8:47 a. m.]

[Docket Nos. 10017, 10018]

K9 PATROL BY KENNEDY DETECTIVE AGENCY AND ROLFE ARMORED TRUCK SERVICE, INC.

ORDER CONTINUING HEARING

In re applications of Bennett Thornton Kennedy, d/b as K9 Patrol by Kennedy Detective Agency, for construction permit in the Domestic Public Land Mobile Radio Service at Miami, Florida, Docket No. 10017, File No. 179–C2–P–51; Rolfe Armored Truck Service, Inc., for renewal of license in the Domestic Public Land Mobile Radio Service at Miami, Florida, Docket No. 10018, File No. 971–C2–R–51.

The Commission having under consideration the motion of its Chief, Common Carrier Bureau, filed September 7, 1951, that the hearing upon the above-entitled applications, presently scheduled for September 24, 1951, be continued to October 29, 1951;

It appearing, that the above applications are mutually exclusive, both requesting the same facilities (152.15 mc and 158.61 mc) for use in the Domestic Public Land Mobile Radio Service in the Miami-Ft. Lauderdale area, and that on July 18, 1951 when they were designated for hearing, three of the four frequencies available for assignment in this Service for the area here involved were assigned to existing licensees therein, one of such licensees being Rolfe Armored Truck Service, Inc.;

It appearing further, that on August 17, 1951, a new party made application for construction permit in the Domestic Public Land Mobile Radio Service in the area aforementioned, with the result that the number of applications presently pending herein exceeds the number of frequencies available for assignment;

It appearing further, that the Commission is expected to designate all of such applications for hearing in a consolidated proceeding to determine which, if any, may be granted;

It appearing further, that, within the next several days, the matter of this consolidation will be presented to the Commission for formal consideration, and, in view of the proximity of the date on which the two applications above listed are scheduled for hearing, such date would not afford sufficient time for all interested parties to make the necessary preparation for the consolidated hearing, should the Commission see fit to order same;

It appearing further, that there is no opposition to the instant motion and that the continuance sought therein would be in the public interest;

It is ordered, This 12th day of September 1951, that the motion under consideration, be, and it is hereby, granted; and that the hearing in the above-entitled matter, presently scheduled for September 24, 1951, is continued to October 29, 2951, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-11248; Filed, Sept. 18, 1951; 8:47 a. m.]

[Docket No. 10024]

JOHNNIE WESTON CRABTREE

ORDER CONTINUING HEARING

In re application of Johnnie Weston Crabtree, Oklahoma City, Oklahoma, for construction permit; Docket No. 10024, File No. BP-8007.

The Commission having received telegrams dated September 10, 1951, from the above-entitled applicant in which he states that it will be impossible for him to appear at the above-entitled hearing scheduled for September 11, the reason being that he is ill and will be under the care of a physician for the next two weeks, but that he can appear any time after September 24; and

It appearing that because of the facts above stated, in lieu of opening the hearing on the above application a conference was held this date at which was present the counsel for Station KWHP and the Commission at which time the telegrams were discussed; and

It appearing that the telegrams state facts sufficient to warrant that they be construed to be a request for continuance and for immediate action; and

Good cause having been shown that the hearing in the above-entitled application should be continued;

It is ordered, This the 11th day of September 1951, that the hearing in the above-entitled proceeding be continued to October 1, 1951, beginning at 10:00 a. m., in the offices of the Commission at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-11247; Filed, Sept. 18, 1951; 8:47 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4882, et al.]

PAN AMERICAN AIRLINES INC. ET AL.; NEW YORK-BALBOA THROUGH SERVICE PROCEEDING

NOTICE OF HEARING

In the matter of the consolidated proceeding known as the New York-Balboa Through Service Proceeding, Docket No. 4882.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 1001 of that act, that a hearing in the above-entitled proceeding is assigned to be held on October 1, 1951, at 10:00 a. m. e. s. t. in Conference Room B, Departmental Auditorium, between 12th and 14th Streets on Constitution Avenue, N. W., Washington, D. C., before Examiner Thomas L. Wrenn.

Without limiting the scope of the issues presented by this proceeding, particular attention will be directed to:

1. Whether a through one-plane service between New York and Balboa and points south by means of an interchange operation between (a) Pan American, Panagra, and National Airlines, Inc.; (b) between National Airlines and Panagra; (c) between Pan American and Eastern Air Lines, Inc.; (d) between Pan American, Eastern, and Panagra; (e) between Braniff Airways, Inc., and Eastern, and (f) between Braniff and National, is required by the public convenience and necessity;

2. Whether the certificate of Eastern Air Lines for route No. 6 or the certificate of Braniff Airways authorizing service between Houston and Buenos Aires to provide for an extension of Eastern's route from Miami to Havana or Braniff's route from Havana to Miami is required by the public convenience and necessity;

3. Whether modification and extension of the Through Flight Agreement between Pan American and Panagra as requested in Docket No. 3787 and the companion agreement between Pan American and W. R. Grace and Company is in the public interest;

Notice is further given that any person not a party to the record desiring to be heard in opposition to the matters set forth in this consolidated proceeding must file with the Board on or before October 1, 1951, a statement setting forth issues of fact or law which he desires to contest. Any person filing such a statement may appear and participate at the hearing in accordance with § 302.6 (a) of the procedural regulations under Title IV of the Civil Aeronautics Act, as amended.

For further details of the proceeding and issues involved interested persons are referred to the applications in Docket Nos. 3785, 4846, 3787, 5030, and 5086, Board Orders Serial Nos. E-5205, E-5389, E-5642, and to the reports of prehearing conference on file with the Civil Aeronautics Board.

Dated at Washington, D. C., September 14, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-11297; Filed, Sept. 18, 1951; 8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1116, G-1152, G-1240, G-1317, G-1344, G-1379, G-1415, G-1417, G-1457, G-1509, G-1616, G-1625, G-1659]

PANHANDLE EASTERN PIPE LINE CO. ET AL.

ORDER EXTENDING PERIOD OF ADJOURNMENT AS ALLOWED BY PRESIDING EXAMINER

SEPTEMBER 11, 1951.

In the matters of Panhandle Eastern Pipe Line Company, Docket Nos. G-1116, G-1240, G-1317, G-1344 and G-1417; City of Port Huron, City of Marysville, City of St. Clair, Michigan, municipal corporations, Docket No. G-1152; Southeastern Michigan Gas Company, Docket No. G-1415; Michigan Consolidated Gas Company, complainant, v. Panhandle Eastern Pipe Line Company, defendant, Docket No. G-1379; Northern Indiana Fuel and Light Company, Docket No. G-1457; Missouri Central Natural Gas Company, Docket No. G-1509; The Central West Utility Company, Docket No. G-1616; National Utilities Company of Michigan, Docket No. G-1625; City of Auburn, Illinois, Docket No. G-1659.

On September 6, 1951, the Presiding Examiner adjourned the hearing in the above-entitled proceedings to reconvene on September 25, 1951.

Prior to such adjournment, Staff Counsel had moved on the record that such hearing be adjourned for a period of at least two months from September 10, 1951. The ruling of the Presiding Examiner adjourning the hearing until September 25, 1951, therefore, in effect, denied the motion of Staff Counsel.

An appeal from the ruling of the Presiding Examiner was filed with the Commission by Staff Counsel on September 10, 1951.

Upon consideration of the appeal of Staff Counsel, the Commission finds that good cause exists for changing the clos-

ing date of the recess in these proceedings from September 25, 1951, to October 29, 1951.

The Commission orders: The ruling of the Presiding Examiner made on September 6, 1951, adjourning the hearing in the above-entitled proceedings be and the same hereby is vacated, and the hearing shall reconvene on October 29, 1951, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: September 13, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-11243; Filed, Sept. 18, 1951; 8:47 a. m.]

[Docket No. G-1708]

EL PASO NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

SEPTEMBER 11, 1951.

On June 11, 1951, El Paso Natural Gas Company (Applicant), a Delaware corporation having its principal place of business at El Paso, Texas, filed an application as supplemented on August 10, 1951, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities and the sale of natural gas, subject to the jurisdiction of the Commission, as described 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 noncontested 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 June 28, 1951 (16 F. R. 6260).

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 September 27, 1951, at 9:45 a. m., 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 noncontested 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: September 13, 1951.

By the Commision.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-11241; Filed, Sept. 18, 1951; 8:46 a. m.]

[Docket Nos. G-1740, G-1746]

MISSISSIPPI POWER AND LIGHT CO.

ORDER FIXING DATE OF HEARING AND CONSOLIDATING PROCEEDINGS

SEPTEMBER 11, 1951.

On July 11, 1951, Mississippi Power and Light Company filed an application in Docket No. G-1740 for a disclaimer of jurisdiction, or, in the alternative, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the leasing and operation of certain natural-gas facilities in Mississippi, owned by the Delta Natural Gas District.

On July 16, 1951, Mississippi Power and Light Company filed a similar application in Docket No. G-1746 for a disclaimer of jurisdiction, or, in the alternative, for authorization to lease and operate the Deer Creek National Gas District transmission line.

The two applications involve similar questions and may appropriately be heard together.

The Commission finds:

(1) The proceedings are proper ones 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 applications be heard under the shortened procedure provided by the aforesaid rule for noncontested 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 applications, including publication in the FEDERAL REGISTER on August 2, 1951 (16 F. R. 7574-7575).

(2) The applications in Docket Nos. G-1740 and G-1746 should be consolidated for purpose of hearing.

The Commission orders:

(A) The proceedings in Docket Nos. G-1740 and G-1746 be and they hereby are consolidated for purpose of hearing.

(B) 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 September 27, 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 applications: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(C) 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: September 13, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-11242; Filed, Sept. 18, 1951; 8:46 a. m.]

[Docket No. G-1789]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF APPLICATION

SEPTEMBER 13, 1951.

Take notice that Consolidated Gas Utilities Corporation (Applicant), a Delaware corporation having its principal place of business in the Braniff Building, Oklahoma City, Oklahoma, filed on September 10, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 (b) of the Natural Gas Act, as amended, authorizing the abandonment and removal of certain natural-gas facilities, to wit: approximately 17½ miles of 6-inch gas transmission pipeline extending from a point of connection with Applicant's 14-inch line near the Northeast corner of section 23, Township 13 North, Range 19 West, Custer County, Oklahoma, thence in a Southerly direction to a point in or near the Southwest corner of section 11, Township 10 North, Range 19 West, Washita County, Oklahoma, the aforementioned facilities being more fully described in said application.

Applicant states that said pipeline was installed in 1942 for the purpose of supplying natural gas to the Clinton Naval Air Base (also known as Burns Flats) near Clinton, Oklahoma, but that effective as of June 1, 1946, the United States Navy discontinued the use of said base, terminated its contract pursuant to which Applicant had been supplying natural gas to said naval base, and has purchased no gas from Applicant since said date; that said lateral pipeline is now unused except for small quantities of gas used by Lamar Aero Supply Corporation; that butane is available in large quantities in close proximity to said naval base and may be substituted for the limited natural-gas service now being rendered by Applicant to said naval base.

Applicant further states that said pipeline will be reinstalled and utilized to maintain vitally needed gas service at other locations, and that said lateral pipeline in its present location is depreciating and deteriorating with practically no use being made thereof.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 3d day of October 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-11253; Filed, Sept. 18, 1951; 8:48 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 52, Amdt. 1]

ARCHER MILLS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 52, under section 43 of Ceiling Price Regulation 7, established ceiling prices for sales at retail of women's full-fashioned nylon hosiery manufactured by Archer Mills, Inc., having the brand name "Archer."

Thereafter, Archer Mills, Inc., filed an application to amend the special order by substituting new selling prices for its own selling prices and new ceiling prices at retail corresponding to these new selling prices. It appears that under Ceiling Price Regulation 45 the applicant may legally sell the items covered by the special order at the selling prices for which it has applied and that the new ceiling prices at retail requested are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 52 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 and substitute therefor the following:

1. The following ceiling prices are established for sales after the effective date of this amendment by any seller at retail of women's full-fashioned nylon hosiery manufactured by Archer Mills, Inc., having the brand name "Archer," and described in the manufacturer's application for amendment dated June 22, 1951. Sales may, of course, be made at less than these ceiling prices. The manufacturer's prices listed below are subject to terms of 30 days net.

NYLON HOSIERY

Manufacturer's selling price (per dozen pairs)	*Ceiling price at retail (per pair)*
$10.75	$1.50
$11.75	1.65
$12.50	1.75

Effective date. This amendment shall become effective September 12, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11057; Filed, Sept. 11, 1951; 3:14 p. m.]

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

GOTHAM HOSIERY CO., INC.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 88 under section 43, Ceiling Price Regulation 7, effective June 26, 1951, issued to Gotham Hosiery Company, Inc., 200 Madison Avenue, New York 16, New York, covering women's nylon hosiery having the brand name(s) "Gotham Gold Stripe" lists the manufacturer's selling prices and ceiling prices at retail established by the special order.

Appendix. The manufacturer's selling prices are subject to the following terms: Net 30 days from date of invoice.

Manufacturer's selling price (per dozen pairs)	*Ceiling prices at retail (per pair)*
$9.35	$1.25
$9.75	1.35
$10.80	1.50
$11.85	1.65
$13.25	1.85
$14.00	1.95
$18.00	2.50

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11050; Filed, Sept. 11, 1951; 3:12 p. m.]

[Ceiling Price Regulation 7, Section 43 Appendix to Special Order 105]

COBLENTZ BAG CO., INC.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 105 under section 43, Ceiling Price Regulation 7, effective June 29, 1951, issued to Coblentz Bag Company, Inc., 30 East 33d Street, New York 16, N. Y., covering women's handbags having the brand name(s) "Coblentz" lists the manufacturer's selling prices and ceiling prices at retail established by the special order.

Appendix. The manufacturer's selling prices are subject to the following terms: Trade discount of 3/10 E. O. M.

Manufacturer's selling price, east of Denver (per unit)	*Ceiling prices at retail, east of Denver (per unit)*
$4.75	$7.95
$6.25	10.95
$7.50	12.95
$8.50	15.00
$9.50	16.50
$10.50 through $10.75	18.50
$11.50	20.00
$12.75	22.50
$14.25 through $15.00	25.00
$15.75 through $16.25	28.50
$17.50 through $18.00	32.50
$19.50 through $20.00	35.00
$21.50 through $22.00	39.50
$23.50	42.50
$25.00	45.00
$28 through $28.50	49.50
$31.50	55.00
$33.50	59.50
$36.50	65.00
$39.50	69.50
$43.50	75.00
$45.50	79.50
$49.50	85.00
$52.50	89.50
$55.50	95.00
$58.50	99.50
$62.50	110.00
$74.50	125.00
$79.50	135.00
$87.50	150.00
$102.50	175.00

Manufacturer's selling price, west of Denver (per unit)	*Ceiling prices at retail, west of Denver (per unit)*
$4.75	$8.50
$6.25	10.95
$7.50	12.95
$8.50	15.95
$9.50	16.95
$10.50 through $10.75	18.95
$11.50	20.95
$12.75	22.95
$14.25 through $15.00	25.95
$15.75 through $16.25	28.95
$17.50 through $18.00	32.95
$19.50 through $20.00	35.95
$21.50 through $22.00	39.95
$23.50	42.95
$25.00	45.95
$28.00 through $28.50	49.95
$31.50	55.95
$33.50	59.95
$36.50	65.95
$39.50	69.95
$43.50	75.00
$45.50	79.95
$49.50	85.00
$52.50	89.95
$55.50	95.95
$58.50	99.95
$62.50	110.00
$74.50	125.00
$79.50	135.00
$87.50	150.00
$102.50	175.00

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11052; Filed, Sept. 11, 1951; 3:13 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 106]

TRIFARI, KRUSEMAN & FISBEL, INC.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 106 under section 43, Ceiling Price Regulation 7, effective June 29, 1951, issued to Trifari Kruseman & Fisbel, Inc., 16 East 40th Street, New York 16, New York, covering costume jewelry having the brand name(s) "Trifari" lists the manufacturer's selling prices and ceiling prices at retail established by the special order.

Appendix. The manufacturer's selling prices are subject to the following terms: 3 percent 10 days E. O. M.

Manufacturer's selling price (per unit)	*Ceiling prices at retail (per unit)*
$1.00	$2.00
$1.50	3.00
$2.00	4.00
$2.50	5.00
$2.75	5.50
$3.00	6.00
$3.75	7.50
$4.50	9.00
$5.00	10.00
$6.25	12.50
$7.50	15.00
$8.75	17.50
$10.00	20.00
$12.50	25.00
$15.00	30.00
$17.50	35.00
$20.00	40.00
$22.50	45.00
$25.00	50.00
$27.50	55.00

Manufacturer's selling price (per unit)	Ceiling prices at retail (per unit)
$30.00	$60.00
$37.50	75.00
$50.00	100.00

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11053; Filed, Sept. 11, 1951; 3:13 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 121]

JNO. W. HENSON & SONS

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 121 under section 43, Ceiling Price Regulation 7, effective July 16, 1951, issued to Jno. W. Henson & Sons, Greenville, Texas, covering lingerie having the brand name(s) "Henson" lists the manufacturer's selling prices and ceiling prices at retail established by the special order.

Appendix. The manufacturer's selling prices are subject to the following terms: lowest transportation cost allowed to the customers, 1/10 E. O. M.

Manufacturer's selling price (per dozen)	Ceiling prices at retail (per unit)
$7.00	$1.00
$8.75	1.25
$9.50	1.35
$10.50	1.50
$12.25	1.75
$14.00	1.95
$17.50	2.50
$21.00	2.95
$24.50	3.50
$28.00	3.95
$35.00	4.95
$42.00	5.95
$49.00	6.95
$56.00	7.95
$63.00	8.95
$70.00	9.95
$77.00	10.95
$91.00	12.95
$105.00	14.95
$119.00	16.95
$133.00	18.95
$140.00	19.95
$210.00	29.95
$245.00	35.00

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11054; Filed, Sept. 11, 1951; 3:13 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 135]

MIRIAM GATES INC.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 135 under section 43, Ceiling Price Regulation 7, effective July 17, 1951, issued to Miriam Gates Incorporated, 64 South Division Street, Buffalo, New York, covering bust pads, surgical pads and bras having the brand name(s) "Compliments" lists the manufacturer's selling prices and ceiling prices at retail established by the special order.

Appendix. The manufacturer's selling prices are subject to the following terms: 8/10 E. O. M.

Manufacturer's selling price (per dozen)	Ceiling prices at retail (per unit)
$7.50	$1.00
$12.00	1.50
$15.00	2.00
$18.00	2.50
$20.00	3.00
$24.00	3.50
$28.50	4.00
$36.00	5.00
$48.00	7.50

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11055; Filed, Sept. 11, 1951; 3:14 p. m.]

[Ceiling Price Regulation 7, Section 43 Appendix to Special Order 140]

BENJAMIN & JOHNES, INC.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 140 under section 43, Ceiling Price Regulation 7, effective July 17, 1951, issued to Benjamin & Johnes, Inc., 42 Warren Street, Newark 2, New Jersey, covering foundation garments having the brand name(s) "Bien Jolie" lists the manufacturer's selling prices and ceiling prices at retail established by the special order.

Appendix. The manufacturer's selling prices are subject to the following terms: 8 percent 10 days E. O. M.: 6 percent 10 days 60 Extra: Net 71 days.

Manufacturer's selling price (per dozen)	Ceiling prices at retail (per unit)
$12.75	$1.75
$15.00	2.00
$18.00	2.50
$21.00	2.95
$24.00	3.50
$27.00 through $30.00	3.95
$36.00	5.00
$42.00	5.95
$48.00	7.50
$54.00	8.50
$57.00	8.95
$66.00	10.00
$72.00	10.95
$78.00 through $84.00	12.50
$90.00	13.95
$96.00	15.00
$108.00 through $114.00	16.50
$120.00 through $126.00	18.50
$132.00 through $138.00	22.50
$144.00 through $156.00	25.00
$168.00	27.50
$186.00	29.50
$192.00	32.50
$216.00	35.00
$228.00	37.50
$240.00	39.50

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11056; Filed, Sept. 11, 1951; 3:14 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 604]

SWAN RUBBER 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, Swan Rubber Company, Bucyrus, 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 and intermediate distributors are required to send purchasers of the article 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 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. *Ceiling prices.* The ceiling prices for sales at retail of garden hose sold through wholesalers and retailers and having the brand name(s) "Swan" shall be the proposed retail ceiling prices listed by Swan Rubber Company, Bucyrus, Ohio, hereinafter referred to as the "applicant" in its application dated July 20, 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 November 12, 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 be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after November 12, 1951, Swan Rubber 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 December 11, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to December 11, 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 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 pre-ticketing 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 must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* 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 applicant shall file with the Distribution Branch, Consumer Soft Goods Division, 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.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sale 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.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective September 12, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11058; Filed, Sept. 11, 1951; 3:15 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 605]

MYSTIC FOAM 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, The Mystic Foam Corporation, 2003-07 St. Clair Avenue, Cleveland 14, 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 and intermediate distributors are required to send purchasers of the article 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 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. *Ceiling prices.* The ceiling prices for sales at retail of household cleaner, rug and fabric cleaner, and dry cleaner sold through wholesalers and retailers and having the brand name(s) "Mystic Foam", "Mystic Zip", and "Mystic Driquick", shall be the proposed retail ceiling prices listed by The Mystic Foam Corporation, 2003-07 St. Clair Avenue, Cleveland 14, Ohio, hereinafter referred to as the "applicant" in its application dated April 23, 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 November 12, 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 be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after November 12, 1951, The Mystic Foam 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 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 December 11, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to December 11, 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 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 must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* 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 applicant shall file with the Distribution Branch, Consumer Soft Goods Division, 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.

5. *Other regulations affected.* 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.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective September 12, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11059; Filed, Sept. 11, 1951; 3:15 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 606]

MERCOY TACKLE 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, Mercoy Tackle Co., 1359 Hollywood Avenue, Grosse Pointe Woods 30, Michigan, 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 and intermediate distributors are required to send purchasers of the article 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 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. *Ceiling prices.* The ceiling prices for sales at retail of artificial fish lures sold through wholesalers and retailers and having the brand name(s) "Mercury Minnow" shall be the proposed retail ceiling prices listed by Mercoy Tackle Co., 1359 Hollywood Avenue, Grosse Pointe Woods 30, Michigan, hereinafter referred to as the "applicant" in its application dated August 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 November 12, 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 be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after November 12, 1951, Mercoy Tackle 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 December 11, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to December 11, 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 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 must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* 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 applicant shall file with the Distribution Branch, Consumer Soft Goods Division, 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.

5. *Other regulations affected.* 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.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective September 12, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11060; Filed, Sept. 11, 1951; 3:15 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 607]

PAUL BONHOP, 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, Paul BonHop, Inc., 4132 Park Avenue, New York 57, 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 and intermediate distributors are required to send purchasers of the article 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 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. *Ceiling prices.* The ceiling prices for sales at retail of children's toys sold through wholesalers and retailers and having the brand name(s) "BonHop" shall be the proposed retail ceiling prices listed by Paul BonHop, Inc., 4132 Park Avenue, New York 57, N. Y., hereinafter referred to as the "applicant" in its application dated July 27, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than November 12, 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 be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after November 12, 1951, Paul BonHop 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 December 11, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to December 11, 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 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 must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* 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 applicant shall file with the Distribution Branch, Consumer Soft Goods Division, 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.

5. *Other regulations affected.* 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.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective September 12, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11061; Filed, Sept. 11, 1951; 3:15 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 608]

FISHER-PRICE TOYS, 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, Fisher-Price Toys, Inc., 70 Church Street, East Aurora, 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 and intermediate distributors are required to send purchasers of the article 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 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. *Ceiling prices.* The ceiling prices for sales at retail of children's toys sold through wholesalers and retailers and having the brand name(s) "Fisher-Price Toys" shall be the proposed retail ceiling prices listed by Fisher-Price Toys, Inc. 70 Church Street, East Aurora, New York, hereinafter referred to as the "applicant" in its application dated July 31, 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 November 12, 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 be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after November 12, 1951, Fisher-Price

Toys, 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 December 11, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to December 11, 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 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 pre-ticketing 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 must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* 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 applicant shall file with the Distribution Branch, Consumer Soft Goods Division, 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.

5. *Other regulations affected.* 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.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective September 12, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11062; Filed, Sept. 11, 1951; 3:16 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 609]

AMERICAN CERAMIC PRODUCTS, 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, American Ceramic Products, Inc., 1825 Stanford Street, Santa Monica, 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.

This special order, designed to meet the particular requirements of the chinaware industry, accomplishes the objective of notifying consumers of the uniform prices fixed under the order. The pre-ticketing method established by this special order is necessary because the articles covered by the special order are characteristically not adaptable to the usual pre-ticketing method.

The special order contains provisions requiring each article on display 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 china dinnerware manufactured by American Ceramic Products, Inc., 1825 Stanford Street, Santa Monica, California, having the brand name "Winfield", shall be the proposed retail ceiling prices listed by American Ceramic Products, Inc., in its application dated April 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated August 29, 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 November 12, 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 November 12, 1951, American Ceramic Products, Inc., must furnish each purchaser for resale to whom within two months immediately prior to the effective date the manufacturer had delivered any article covered by paragraph 1 of this special order, with a sign 8 inches wide and 10 inches high, a price book and a supply of tags and stickers. Such a sign, a price book and a supply of tags and stickers shall also be sent, on or before the date of the first delivery of an article covered by paragraph 1 of this special order, subsequent to the effective date of this special order. The sign must contain the following legend:

> The retail ceiling prices for the American Ceramic Products, Inc., china dinnerware have been approved by OPS and are shown in a price book we have available for your inspection.

The price book must contain an accurate description of each article covered by paragraph 1 of this special order and the retail ceiling price fixed for each article. The front cover of the price book must contain the following legend:

> The retail ceiling prices in this American Ceramic Products, Inc., price book have been approved by OPS under Section 43, CPR 7.

The tags and stickers must be in the following form:

American Ceramic Products, Inc.
OPS—Sec. 43—CPR 7
Price $_____

On and after December 11, 1951, no retailer may offer or sell any article covered by this order unless he has the sign described above displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection. Prior to December 11, 1951, unless the retailer has received the sign described above and has it displayed so that it may be easily seen, and a copy of the price book described above available for immediate inspection, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order. In addition, the retailer must affix to each article covered by the order and which is on open display a tag or sticker described above. The tag or sticker must contain the retail ceiling price established by this special order for the article to which it is affixed. This retail ceiling price must be written on the tag or sticker by the retailer.

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 within 30 days after the effective date of the amendment, as to each such article, send an insertion stating the required addition or change for the price book described above to each seller for resale to whom a price book has been under the provisions of this special order. After 60 days from the effective date of the amendment, no retailer may offer or sell the article, unless he has received the insertion described above and inserted it in the price book. Prior to the expiration of the 60-day period, unless the retailer has received and placed the insertion in the price book, 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 delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}

$_____;

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months' period following the effective date of this special order and within 45 days of the expiration of each successive 6 months' period, the manufacturers 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 September 12, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11063; Filed, Sept. 11, 1951; 3:16 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 610]

WADSWORTH WATCH CASE CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: The Wadsworth Watch Case Company, Inc., Dayton, Kentucky.

Brand name: "Wadsworth".

Articles: Compacts, cigarette cases, ashtrays, carryall cases, combination compact and cigarette case, and pill boxes.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $ ------

After 150 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. 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.} $--------

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 120 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution 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 you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on the 12th of September 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11064; Filed, Sept. 11, 1951; 3:16 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 611]

WILLIAM HOLLINS & 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, William Hollins & Company, Inc., 347 Madison Avenue, New York 17, 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 men's half hose and ankle socks sold at wholesale by William Hollins & Company, 347 Madison Avenue, New York 17, N. Y., having the brand name(s) "Viyella" shall be the proposed retail ceiling prices listed by William Hollins & Company in its application dated June 6, 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 November 12, 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 November 12, 1951, William Hollins & 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 December 11, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to December 11, 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) 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 the 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 two 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-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month 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-month 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 September 12, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11065; Filed, Sept. 11, 1951; 3:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 612]

SAN HYGENE UPHOLSTERY CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: The San Hygene Upholstery Co., 680–702 Miami Street, Akron 11, Ohio.

Brand names: "Prelude", "Park Lane", "Silhouette", "Sonata", "Foamex", "Serta Serta-foam", "Serta Perfect Sleeper Supreme", "Serta Perfect Sleeper Deluxe", "Serta Perfect Sleeper", "Serta Orthopedic", "Serta Sertarest", "Serta Theralator", and "Serta Tiny Perfect Sleeper."

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained

in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $------

After 60 days from the effective date of this order unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. 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. $_____

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution 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 you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on the 12th of September 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11066; Filed, Sept. 11, 1951; 3:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 613]

A. J. LOGAN CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: A. J. Logan Company, 2839 Liberty Avenue, Pittsburgh 22, Pa.

Brand names: "Spring Air #1500", "Spring Air #1200", "Spring Air #1700", "Spring Air #1400", "1000 Nights", "2000 Nights", and "Logan Body-Bracer".

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag, or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag

such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. 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.}	$_____

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag, or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution 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 you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on the 12th of September 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11067; Filed, Sept. 11, 1951; 3:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 614]

MOVADO WATCH AGENCY, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Movado Watch Agency, Inc., 610 Fifth Avenue, New York 20, N. Y.

Brand names: "Movado".

Articles: Men's and women's watches, watch bracelets and clasps and ring and lapel watches.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution 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 you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on the 12th of September 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 11, 1951.

[F. R. Doc. 51-11068; Filed, Sept. 11, 1951; 3:18 p. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26396]

VARIOUS COMMODITIES FROM SOUTHERN TERRITORY TO POINTS IN SOUTHERN AND OFFICIAL TERRITORIES

APPLICATION FOR RELIEF

SEPTEMBER 14, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1172 and other tariffs, pursuant to fourth-section order No. 9800.

Commodities involved: Various commodities, carloads.

From: Specified points in southern territory.

To: Specified points in southern and official territories.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a 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. 51-11262; Filed, Sept. 18, 1951; 8:50 a. m.]

[4th Sec. Application 26397]

GRAVEL FROM DICKASON PIT, IND., TO PAULINE AND ROYAL, ILL.

APPLICATION FOR RELIEF

SEPTEMBER 14, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for the Chicago & Eastern Illinois Railroad Company.

Commodities involved: Gravel, road surfacing, carloads.

From: Dickason Pit, Ind.

To: Pauline and Royal, Ill.

Grounds for relief: Competition with motor carriers and wayside pit competition.

Schedules filed containing proposed rates; C&EI RR tariff I. C. C. No. 144, Supp. 10.

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. 51-11261; Filed, Sept. 18, 1951; 8:50 a. m.]

[4th Sec. Application 26398]

WOODPULP FROM COOSA PINES, ALA., TO POINTS IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

SEPTEMBER 14, 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 Agent C. A. Spaninger's tariff I. C. C. No. 1051, pursuant to fourth-section order No. 16101.

Commodities involved: Woodpulp, carloads.

From: Coosa Pines, Ala.

To: Points in official territory.

Grounds for relief: Circuitous routes and operation through higher-rated territory.

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. 51-11259; Filed, Sept. 18, 1951; 8:49 a. m.]

[4th Sec. Application 26399]

LECITHIN BETWEEN BORDER TERRITORY AND THE EAST

APPLICATION FOR RELIEF

SEPTEMBER 14, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents, for carriers parties to Commodity Rates Between Border Territory and the East, 248 I. C. C. 37.

Commodities involved: Lecithin, oil concentrate (derived from vegetable oils), carloads.

Between points in trunk-line (including Buffalo-Pittsburgh zone) and New England territories, on the one hand, and points in North Carolina, southern Virginia, Kentucky, and northeastern Tennessee, on the other.

Grounds for relief: Rail and water-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: C. W. Boin's tariff I. C. C. No. A-726, Supp. 238.

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. 51-11260; Filed, Sept. 18, 1951; 8:50 a. m.]

[4th Sec. Application 26400]

CAUSTIC SODA FROM MICHIGAN TO CINCINNATI, OHIO

APPLICATION FOR RELIEF

SEPTEMBER 14, 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: L. C. Schuldt, Agent, for Norfolk and Western Railway Company and carriers parties to fourth-section applications Nos. 24918 and 25777.

Commodities involved: Caustic soda, in solution, in tank-car loads.

From: Detroit, Wyandotte, and Midland, Mich.

To: Cincinnati, Ohio.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a 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. 51-11258; Filed, Sept. 18, 1951; 8:49 a. m.]

[4th Sec. Application 26401]

MERCHANDISE IN MIXED CARLOADS FROM NEW YORK, N. Y., TO MONTGOMERY, ALA.

APPLICATION FOR RELIEF

SEPTEMBER 14, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to his tariff I. C. C. No. A-936.

Commodities involved: All commodities, in mixed carloads.

From: New York, N. Y., and other stations taking same rates.

To: Montgomery, Ala.

Grounds for relief: Competition with rail and motor carriers.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-936.

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. 51-11257; Filed, Sept. 18, 1951; 8:49 a. m.]

[4th Sec. Application 26402]

MALT LIQUORS FROM VARIOUS POINTS TO CHERRY POINT, N. C.

APPLICATION FOR RELIEF

SEPTEMBER 14, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent R. G. Raasch's tariff I. C. C. No. 667 and Agent C. A. Spaninger's tariff I. C. C. No. 1140.

Commodities involved: Malt liquors, carloads, and returned empty containers (in reverse direction).

From: Belleville, Chicago, and Peoria, Ill., Milwaukee and Waukesha, Wis., St. Louis, Mo., Cincinnati, Ohio, Louisville, Ky., and Evansville, Ind.

To: Cherry Point, N. C.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: R. G. Raasch's tariff I. C. C. No. 667, Supp. 25; C. A. Spaninger's tariff I. C. C. No. 1140, Supp. 25.

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. 51-11256; Filed, Sept. 18, 1951; 8:49 a. m.]

[4th Sec. Application 26403]

SODA ASH FROM VARIOUS POINTS TO MISSOURI RIVER POINTS

APPLICATION FOR RELIEF

SEPTEMBER 14, 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: L. C. Schuldt and C. W. Boin, Agents, for carriers parties to their respective tariffs I. C. C. Nos. 4238 and A-850.

Commodities involved: Soda ash, in bulk, carloads.

From: Detroit and Wyandotte, Mich., Saltville, Va., and specified points in Ohio and New York.

To: Kansas City and St. Joseph, Mo., and Leavenworth, Kans.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a 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. 51-11255; Filed, Sept. 18, 1951; 8:49 a. m.]

ACCOUNTING FOR AMORTIZATION OF DEFENSE PROJECTS

EXTENSION OF TIME FOR FILING ARGUMENTS

SEPTEMBER 13, 1951.

The Commission, by Division 1, having given further consideration to the accounting for amortization of defense projects, has extended until October 22, 1951, the period within which any interested person may file written views or arguments to be considered in that connection.

In all other respects the notices of August 20, 1951, in this matter, will remain in full force and effect pending consideration of representations so received.

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

[F. R. Doc. 51-11254; Filed, Sept. 19, 1951; 8:48 a. m.]

[Rev. S. O. 874, Amdt. 1 to General Permit 1]

EASTERN STATES FARMERS' EXCHANGE

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

General Permit No. 1 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE, *Permit Agent.*

[F. R. Doc. 51-11263; Filed, Sept. 18, 1951; 8:50 a. m.]

[Rev. S. O. 874, Amdt. 1 to General Permit 4]

GRAIN, GRAIN PRODUCTS AND BYPRODUCTS

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

General Permit No. 4 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE, *Permit Agent.*

[F. R. Doc. 51-11264; Filed, Sept. 18, 1951; 8:50 a. m.]

[Rev. S. O. 874, Amdt. 1 to General Permit 5]

WABASH RAILROAD CO. AND CENTRAL SOYA CO., INC.

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

General Permit No. 5 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE, *Permit Agent.*

[F. R. Doc. 51-11265; Filed, Sept. 18, 1951; 8:50 a. m.]

[Rev. S. O. 874, Amdt. 1 to General Permit 6]

COOPERATIVE G. L. F. EXCHANGE, INC., MILLS DIVISION

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

General Permit No. 6 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE, *Permit Agent.*

[F. R. Doc. 51-11266; Filed, Sept. 18, 1951; 8:50 a. m.]

[Rev. S. O. 874, Amdt. 1 to General Permit 11]

RALSTON PURINA CO.

EXTENSION EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

General Permit No. 11 is hereby amended by substituting the following

paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-11267; Filed, Sept. 18, 1951; 8:51 a. m.]

[Rev. S. O. 874, Amdt. 1 to General Permit 12]

BLATCHFORD CALF MEAL CO.

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

General Permit No. 12 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-11268; Filed, Sept. 18, 1951; 8:51 a. m.]

[Rev. S. O. 874, Amdt. 1 to General Permit 16]

H. K. WEBSTER CO.

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

General Permit No. 16 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-11269; Filed, Sept. 18, 1951; 8:52 a. m.]

[Rev. S. O. 874, Amdt. 1 to General Permit 17]

FISH MEAL, FISH ROE MEAL, AND/OR FISH SCRAP MEAL

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

General Permit No. 17 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-11270; Filed, Sept. 18, 1951; 8:52 a. m.]

[Rev. S. O. 874, Amdt. 1 to Corr. General Permit 18]

EVANS MILLING CO. AND DECATUR MILLING CO.

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

Corrected General Permit No. 18 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-11271; Filed, Sept. 18, 1951; 8:52 a. m.]

[Rev. S. O. 874, Amdt. 1 to 2d Rev. General Permit 2]

LIQUID STARCH, LIQUID DEXTRINE, CORN SYRUP, AND/OR GLUCOSE

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

Second Revised General Permit No. 2 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-11272; Filed, Sept. 18, 1951; 8:52 a. m.]

[Rev. S. O. 874, Amdt. 1 to Rev. General Permit 3]

CONDENSED BUTTERMILK FEEDS

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

Revised General Permit No. 3 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-11273; Filed, Sept. 18, 1951; 8:52 a. m.]

[Rev. S. O. 874, Amdt. 1 to Corr. Rev. General Permit 7]

RICE BRAN, RICE POLISH, AND RICE HULLS

EXTENTION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

Corrected Revised General Permit No. 7 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-11274; Filed, Sept. 18, 1951; 8:53 a. m.]

[Rev. S. O. 874, Amdt. 1 to Rev. General Permit 8]

LIVESTOCK FEED WITH HIGH MOLASSES CONTENT

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

Revised General Permit No. 8 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-11275; Filed, Sept. 18, 1951; 8:53 a. m.]

[Rev. S. O. 874, Amdt. 1 to 2d Rev. General Permit 9]

DISTILLERS DRIED FEED, DISTILLERS SOLUBLES, BREWERS DRIED GRAINS, AND/OR DRIED SPENT GRAIN MASH

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

Second Revised General Permit No. 9 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This General Permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-11276; Filed, Sept. 18, 1951; 8:53 a. m.]

[Rev. S. O. 874, 2d Rev. General Permit 15]

CORN GLUTEN FEED, AND/OR CORN GLUTEN MEAL

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

Second Revised General Permit No. 15 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., March 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., September 15, 1951; 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 amendment 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 12th day of September 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-11277; Filed, Sept. 18, 1951; 8:53 a. m.]