THE NATIONAL ARCHIVES

FEDERAL REGISTER

VOLUME 16 NUMBER 202

Washington, Wednesday, October 17, 1951

TITLE 3—THE PRESIDENT

PROCLAMATION 2948

MERCHANDISE IN GENERAL-ORDER AND BONDED WAREHOUSES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 491 of the Tariff Act of 1930, as amended (46 Stat. 726; 52 Stat. 1083; 19 U. S. C. 1491), provides in part as follows:

"Any entered or unentered merchandise (except merchandise entered under section 557 of this Act, but including merchandise entered for transportation in bond or for exportation) which shall remain in customs custody for one year from the date of importation thereof, without all estimated duties and storage or other charges thereon having been paid, shall be considered unclaimed and abandoned to the Government and shall be appraised by the appraiser of merchandise and sold by the collector at public auction under such regulations as the Secretary of the Treasury shall prescribe * * *";

WHEREAS section 557 of the said act, as amended (46 Stat. 744; 52 Stat. 1087 and 1088; 19 U. S. C. 1557), provides in part as follows:

"(a) Any merchandise subject to duty, with the exception of perishable articles and explosive substances other than firecrackers, may be entered for warehousing and be deposited in a bonded warehouse at the expense and risk of the owner, importer, or consignee. Such merchandise may be withdrawn, at any time within three years from the date of importation, for consumption upon payment of the duties and charges accruing thereon at the rate of duty imposed by law upon such merchandise at the date of withdrawal; or may be withdrawn for exportation or for transportation and exportation to a foreign country, * * * without the payment of duties thereon, or for transportation and rewarehousing at another port or elsewhere, or for transfer to another bonded warehouse at the same port: *Provided*, That the total period of time for which such merchandise may remain in bonded warehouse shall not exceed three years from the date of importation * * *";

WHEREAS section 559 of the said act, as amended (46 Stat. 744; 52 Stat. 1088; 19 U. S. C. 1559), provides in part as follows:

"Merchandise upon which any duties or charges are unpaid, remaining in bonded warehouse beyond three years from the date of importation, shall be regarded as abandoned to the Government and shall be sold under such regulations as the Secretary of the Treasury shall prescribe, * * *";

WHEREAS section 318 of the said act (46 Stat. 696; 19 U. S. C. 1318) provides in part as follows:

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * *";

AND WHEREAS by Proclamation No. 2914 of December 16, 1950, I declared the existence of a national emergency:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do hereby authorize the Secretary of the Treasury, until the termination of the national emergency proclaimed on December 16, 1950, or until it shall be determined by the President and declared by his proclamation that such action is no longer necessary, whichever is earlier:

(1) To extend the one-year period prescribed in section 491, *supra*, as amended, for not more than one year from and after the expiration of such one-year period in any case in which such period has already expired or shall hereafter expire during the continuance of the said national emergency;

(2) To extend the three-year period prescribed in sections 557 and 559, *supra*, as amended, for not more than one year from and after the expiration of such three-year period in any case in which such period has already expired or shall hereafter expire during the continuance of the said national emergency; and

(3) To extend further the one-year period prescribed in section 491, *supra*, as amended, and the three-year period prescribed in sections 557 and 559, *supra*, as amended, for additional periods of not more than one year each from and after the expiration of the immediately preceding extension in any case in which such extension shall expire during the continuance of the said national emergency:

Provided, however, that in each and every case under numbered paragraphs (1), (2), and (3) above in which the

(Continued on page 10591)

CONTENTS

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.

CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

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

CODIFICATION GUIDE—Con.

merchandise is charged against an entry bond the Secretary of the Treasury shall require that the principal on such bond, in order to obtain the benefit of any extension which may be granted under the authority of this proclamation, shall furnish to the collector of customs at the port where the bond is on file either the agreement of the sureties on the bond to remain bound under the terms and conditions of the bond to the same extent as if no extension had been granted, or an additional bond with acceptable sureties to cover the period of extension; and that, in each and every case in which the merchandise remains charged against a carrier's bond the Secretary of the Treasury shall require that the principal on such bond shall agree to the extension and shall furnish to the collector of customs at the port where the charge was made the agreement of the sureties on the bond to remain bound under the terms and conditions of the bond to the same extent as if no extension had been granted; and

Provided further, that as a condition to the granting of any extension or further extension of the periods prescribed in sections 491, 557, and 559 of the Tariff Act of 1930, *supra*, as amended, under numbered paragraphs (1), (2), or (3) above the Secretary of the Treasury may require that there shall be furnished to the collector of customs in the district in which the warehouse is located, in connection with the application for such extension, the consent of the warehouse proprietor to such extension or, in the alternative, proof of payment of all charges or amounts due or owing to such warehouse proprietor for the storage or handling of the imported merchandise; and

Provided further, that the extensions of one year authorized by this proclamation shall not apply to any case in which the period sought to be extended expired prior to December 16, 1950, or in which the merchandise in question has been sold by the Government as abandoned.

This proclamation supersedes Proclamation No. 2599 of November 4, 1943, as amended by Proclamation No. 2712 of December 3, 1946, but it shall not be construed (1) as invalidating any action heretofore taken under the provisions of the said Proclamation No. 2599 or under the provisions of that proclamation as amended by the said Proclamation No. 2712, or (2) as imposing the conditions set forth in the second proviso above upon the granting of extensions for which applications are pending on the date of this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 12th day of October in the year of our Lord nineteen hundred and [SEAL] fifty-one and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 51–12546; Filed, Oct. 16, 1951; 10:31 a. m.]

RULES AND REGULATIONS

TITLE 7—AGRICULTURE

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

PART 722—COTTON

PROCLAMATION RELATING TO NATIONAL MARKETING QUOTA AND NATIONAL ACREAGE ALLOTMENT FOR 1952 CROP

Sec.
- 722.301 Basis and purpose.
- 722.302 Findings and determinations with respect to a national marketing quota for the 1952 crop of cotton.
- 722.303 National acreage allotment for the 1952 crop of cotton.

AUTHORITY: §§ 722.301 to 722.303 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 342, 344, 347, 52 Stat. 38, as amended; 7 U. S. C. 1301, 1342, 1344, 1347.

§ 722.301 *Basis and purpose.* This proclamation is issued to announce findings made by the Secretary of Agriculture with respect to the total supply and the normal supply of cotton for the marketing year beginning August 1, 1951, and to proclaim whether, upon the basis of such findings, a national marketing quota and a national acreage allotment for the 1952 crop of cotton are required under the provisions of the Agricultural Adjustment Act of 1938, as amended. Section 342 of the said act provides, in part, that, whenever during any calendar year the Secretary determines that the total supply of cotton for the marketing year beginning in such calendar year will exceed the normal supply for such marketing year, the Secretary shall pro-

claim such fact and a national marketing quota shall be in effect for the crop of cotton produced in the next calendar year. Whenever a national marketing quota is proclaimed, the Secretary is required by section 344 (a) of the said act to determine and proclaim a national acreage allotment for the crop of cotton to be produced in the next calendar year. The act further provides that the proclamation with respect to a national marketing quota shall be made not later than October 15 of the calendar year in which the determinations relating thereto are made.

The term "cotton" and the data appearing in § 722.302 do not include long staple cotton covered by section 347 (a) of the said act or similar types of such cotton which are imported.

The terms "total supply", "carry-over", and "normal supply", as they relate to cotton, are defined in section 301 of the said act as follows:

"Total supply" of cotton for any marketing year shall be the carry-over at the beginning of such marketing year, plus the estimated production of cotton in the United States during the calendar year in which such marketing year begins and the estimated imports of cotton into the United States during such marketing year.

"Carry-over" of cotton for any marketing year shall be the quantity of cotton on hand in the United States at the beginning of such marketing year, not including any part of the crop which was produced in the United States during the calendar year then current.

"Normal supply" of cotton for any marketing year shall be the estimated domestic consumption of cotton for the marketing year for which such normal supply is being determined, plus the estimated exports of cotton for such marketing year, plus 30 per centum of the sum of such consumption and exports as an allowance for carry-over.

The findings and determinations made by the Secretary are contained in § 722.302 and have been made on the basis of the latest available statistics of the Federal Government. Prior to making such findings and determinations, notice was published in the FEDERAL REGISTER (16 F. R. 9045) that the Secretary was preparing to examine the supply situation to determine if quotas were required under the act and that any interested person might express his views in writing with respect thereto, postmarked not later than 20 days from the date of publication of the notice, which was September 6, 1951. All written expressions submitted pursuant to such notice have been duly considered in connection with making the findings and determinations.

§ 722.302 *Findings and determinations with respect to a national marketing quota for the 1952 crop of cotton*—(a) *Total supply.* The total supply of cotton for the marketing year beginning August 1, 1951 (in terms of running bales or the equivalent), is 18,953,240 bales, consisting of (1) a carry-over on August 1, 1951, of 2,106,240 bales, (2) estimated production from the 1951 crop of 16,737,000 bales, and (3) estimated imports into the United States during the marketing year beginning August 1, 1951, of 110,000 bales.

(b) *Normal supply.* The normal supply of cotton for the marketing year beginning August 1, 1951 (in terms of running bales or the equivalent), is 20,852,000 bales, consisting of (1) estimated domestic consumption for the marketing year beginning August 1, 1951, of 10,040,000 bales, (2) estimated exports during the marketing year beginning August 1, 1951, of 6,000,000 bales, and (3) 30 percent of the sum of subparagraphs (1) and (2) of this paragraph as an allowance for carry-over, or 4,812,000 bales.

(c) *National marketing quota.* It is hereby determined and proclaimed that the total supply of cotton for the marketing year beginning August 1, 1951, will not exceed the normal supply for such marketing year. Therefore, a national marketing quota shall not be in effect for the crop of cotton produced in the calendar year 1952.

§ 722.303 *National acreage allotment for the 1952 crop of cotton.* It is hereby determined and proclaimed that a national acreage allotment shall not be in effect for the crop of cotton produced in the calendar year 1952.

Done at Washington, D. C., this 15th day of October 1951. Witness my hand and the seal of the Department of Agriculture.

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

[F. R. Doc. 51-12485; Filed, Oct. 15, 1951; 1:48 p. m.]

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

PART 909—HANDLING OF ALMONDS GROWN IN CALIFORNIA

ORDER WITH RESPECT TO REPORTS

§ 909.400 *Reports by handlers of their receipts of almonds*—(a) *Findings.* (1) Upon the basis of the recommendation, together with the supporting information, of the Almond Control Board, established and functioning pursuant to Marketing Agreement No. 119 and Order No. 9 (7 CFR Part 909), regulating the handling of almonds grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, (7 U. S. C. 601 et seq.), and other available information, it is hereby found that the designation of reporting periods for the receipts of almonds by handlers as set forth hereinafter is reasonable and in accordance with the requirements and intent of § 909.81 of said order; and that it will tend to effectuate the declared policy of the act. Such reporting periods were unanimously recommended for adoption by the Almond Control Board after discussion at its meeting on July 30, 1951, and information in respect to its recommendation in this respect has already been disseminated among handlers.

(2) It is hereby found that it is impracticable and contrary to public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section later than five days after its publication in the FEDERAL REGISTER. This action prescribing reporting periods and the information which is to be reported for each such period is necessary for use in connection with the operation of this program. The information called for thereunder is needed by the Almond Control Board each crop year shortly after the marketing of almonds begins. Such marketing for the current crop year has already begun, and it is necessary that the reports for the first period be submitted as soon as is practicable in order to regulate the handling of almonds effectively. No preparation for compliance with this reporting requirement is necessary which cannot be made within the prescribed time. Therefore, good cause exists for not delaying the effective date of this section later than five days after the date of its publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.)

(b) *Order.* For each of the following periods during each crop year, each handler shall submit a report of the almonds which were received by him for his own account during such period, showing such receipts by varieties, separately, as prescribed in § 909.81: (1) July 1 through September 30; (2) October 1 through October 15; (3) October 16 through October 31; (4) November 1 through November 15; (5) November 16 through November 30; (6) December 1 through December 31; (7) January 1 through March 31; and (8) April 1 through June 30. Each of such reports shall be submitted to the Almond Control Board on or before the fifth day (exclusive of Saturdays, Sundays, and holidays) after the end of the particular reporting period, except that the report for the period July 1, 1951, through September 30, 1951, shall be submitted on or before the fifth day (exclusive of Saturdays, Sundays, and holidays) after the effective date of this section. Such reports shall be submitted on forms made available for that purpose by the Almond Control Board.

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

Issued at Washington, D. C., this 12th day of October 1951, to become effective on the fifth day after the date of the publication of this document in the FEDERAL REGISTER, and to continue in effect thereafter until it is amended or terminated, or during any period in which its operation is suspended.

[SEAL] C. J. MCCORMICK,
Acting Secretary.

[F. R. Doc. 51-12431; Filed, Oct. 16, 1951; 8:52 a. m.]

TITLE 14—AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

EDITORIAL NOTE: In F. R. Doc. 51-8644, appearing at page 7352 of the issue for Friday, July 27, 1951, paragraph 6, 7, 9,

and 11 have been corrected to read as follows:

6. Section 609.6 shall consist of § 60.46–4 published on November 10, 1950, in 15 F. R. 7548 and 7627, on December 12, 1950, in 15 F. R. 8766, on December 29, 1950, in 15 F. R. 9378, on January 9, 1951, in 16 F. R. 225, on February 1, 1951, in 16 F. R. 926, on March 7, 1951, in 16 F. R. 2122, on April 6, 1951, in 16 F. R. 3002, on May 5, 1951, in 16 F. R. 3979, and on June 8, 1951, in 16 F. R. 5435.

7. Section 609.7 shall consist of § 60.46–5 published on November 10, 1950, in 15 F. R. 7597, and amended on June 8, 1951, in 16 F. R. 5437.

9. Section 609.9 shall consist of § 60.46–7 published on November 10, 1950, in 15 F. R. 7600 and 7633, on December 12, 1950, in 15 F. R. 8768, on December 29, 1950, in 15 F. R. 9383, on January 9, 1951, in 16 F. R. 226, on February 1, 1951, in 16 F. R. 931, on April 6, 1951, in 16 F. R. 3003, on May 5, 1951, in 16 F. R. 3981, and on June 8, 1951, in 16 F. R. 5438.

11. Section 609.11 shall consist of § 60.46–9 published on November 10, 1950, in 15 F. R. 7613, on December 12, 1950, in 15 F. R. 8770, on December 29, 1950, in 15 F. R. 9383, on January 9, 1951, in 16 F. R. 227, on March 7, 1951, in 16 F. R. 2123, on May 5, 1951, in 16 F. R. 3983, and on June 8, 1951, in 16 F. R. 5441.

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

PART 56—EXTENSIONS OF TIME PURSUANT TO PROCLAMATION OF THE PRESIDENT UNDER SECTION 318, TARIFF ACT OF 1930

MERCHANDISE IN GENERAL-ORDER AND BONDED WAREHOUSES

EDITORIAL NOTE: See Proclamation 2948, *supra*, authorizing the Secretary of the Treasury to grant extension of further extension of the periods prescribed in sections 491, 557, and 559 of the Tariff Act of 1930, which proclamation supersedes Proclamation 2599 cited as authority for Part 56.

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357), the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR, 1950 Supp., 141; 16 F. R. 6999) and certification of batches of antibiotic and antibiotic-containing drugs (21 CFR, 1950 Supp., 146; 16 F. R. 1581) are amended as indicated below:

1a. Section 141.32 (a) and (b) (1) are changed to read as follows:

§ 141.32 *Procaine penicillin and buffered crystalline penicillin for aqueous injection*—(a) *Total potency (except in single-dose container), sterility, moisture, pyrogens, toxicity, pH.* Proceed as directed in § 141.29.

(b) *Buffered crystalline penicillin content*—(1) *Preparation of sample.* Add the indicated amount of distilled water to the contents of a vial of the sample and shake well. Withdraw 1.0 milliliter of the suspension with a hypodermic syringe and place in a 10-milliliter volumetric flask. Add 20 percent sodium sulfate solution almost to the mark, shake well, centrifuge sufficiently to see the meniscus, make to volume with 20 percent sodium sulfate solution, shake well, and centrifuge to obtain a clear or reasonably clear solution.

b. Section 141.32 (b) (2), second sentence, is amended by changing "§ 141.5 (d)" to read "§ 141.5 (d) (1)."

c. Section 141.32 (b) (3) (i), first sentence, is amended by placing a period after the word "flask" and deleting the remainder of the sentence.

d. In § 141.32 (b) (3) (ii) (*a*), the second sentence is changed to read: "Prepare fresh solution every week and store under refrigeration."

e. Section 141.32 (b) (3) (ii) (*b*) is changed to read:

(*b*) *Ammonium sulfamate solution.* Dissolve 0.5 gram of ammonium sulfamate in 100 milliliters of distilled water and store under refrigeration.

f. In § 141.32 (b) (3) (ii) (*c*) the second sentence is changed to read: "Prepare fresh solution every week and store under refrigeration."

g. In § 141.32 (b) (3) (iv), the first two sentences are changed to read: "To the 50-milliliter volumetric flask containing 2.0 milliliters of the solution prepared in subparagraph (2) of this paragraph, add 0.5 milliliter of 4N HCl, 1.0 milliliter of the sodium nitrite solution, 1.0 milliliter ammonium sulfamate solution, and 1.0 milliliter N-(1-naphthyl) ethylenediamine solution, with mixing after each addition.

h. In § 141.32 (c), the first sentence is changed to read: "The procaine penicillin content of the batch is the difference between the total potency determined by the method described in paragraph (a) or (d) of this section and the content of the buffered crystalline penicillin determined by the method described in paragraph (b) of this section.

i. Section 141.32 is amended by adding the following new paragraph:

(d) *Total potency of a one-dose container.* Wash into a 250-milliliter volumetric flask the material remaining in the 10-milliliter volumetric flask referred to in paragraph (b) (1) of this section, make to volume with 1-percent phosphate buffer *p*H 6.0, and assay by the iodometric method described in § 141.5 (d) (1). Obtain the total potency by adding the number of units found in the 250 milliliters of solution to 25 times the number of units found in the 2.0 milliliters of solution assayed in accordance with paragraph (b) (2) of this section.

2. Section 141.39 (a) is changed to read as follows:

§ 141.39 *Penicillin and streptomycin, penicillin and dihydrostreptomycin*—(a) *Potency*—(1) *Sodium or potassium penicillin content.* Proceed as directed in § 141.32 (b), except prepare the sample as follows: Add the indicated amount of distilled water to the contents of a vial of the sample and shake well. Withdraw one dose of the suspension or solution with a hypodermic syringe and place in a 10-milliliter volumetric flask. Also, with the further exception that in the iodometric assay, one drop of 1.2N HCl is added to the blank immediately before the addition of the 0.01N I_2. The sodium or potassium penicillin content is satisfactory if it is not less than 85 percent of that which it is represented to contain.

(2) *Total penicillin content.* Proceed as directed in § 141.29 (a) or § 141.32 (d), except that in the iodometric assay one drop of 1.2N HCl is added to the blank immediately before the addition of the 0.01N I_2.

(3) *Procaine penicillin content.* Proceed as directed in § 141.32 (c). The procaine penicillin content is satisfactory if it is not less than 85 percent of that which it is represented to contain.

(4) *Streptomycin content.* Proceed as directed in § 141.101 (j) and (k).

(5) *Dihydrostreptomycin content.* Proceed as directed in § 141.108 (a).

3. Part 141 is amended by adding the following new section.

§ 141.307 *Chloramphenicol solution*—(a) *Potency.* Proceed as directed in § 141.301 (a), except subparagraphs (8) and (9) of that paragraph, and in lieu of the directions in subparagraph (4) dilute the sample in sufficient 1-percent phosphate buffer *p*H 6.0 to make an appropriate stock solution. Its potency is satisfactory if it contains not less than 85 percent of the number of milligrams per milliliter that it is represented to contain.

(b) *Sterility.* Proceed as directed in § 141.108 (c).

(c) *Toxicity.* Proceed as directed in § 141.301 (c).

(d) *Pyrogens.* Proceed as directed in § 141.301 (d).

(e) *Histamine.* Proceed as directed in § 141.301 (e).

(f) *pH.* Proceed as directed in § 141.5 (b), using the undiluted solution.

4. Part 146 is amended by adding the following new section:

§ 146.307 *Chloramphenicol solution*—(a) *Standards of identity, strength, quality, and purity.* Chloramphenicol solution is chloramphenicol dissolved in one or more suitable and harmless solvents. Such solution is so purified that:

(1) Its potency is 250 milligrams per milliliter.

(2) It is sterile.

(3) It is nontoxic.

(4) It is nonpyrogenic.

(5) It contains no histamine nor histamine-like substances.

(6) Its *p*H is not less than 4.7 and not more than 5.0.

The chloramphenicol used conforms to the requirements of § 146.301 (a). Each solvent used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging.* In all cases the immediate container shall be a tight container as defined by the U. S. P., shall be sterile at the time of filling and closing, shall be so sealed that the contents cannot be used without destroying the seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. In case it is packaged for dispensing, it shall be in hermetically sealed, colorless, transparent glass ampuls, each of which shall contain 2.0 milliliters.

(c) *Labeling.* Each package shall bear on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark.

(ii) The number of milligrams in each milliliter in the immediate container.

(iii) The statement "Expiration date ----------," the blank being filled in with the date which is 12 months after the month during which the batch was certified.

(iv) The name of each solvent used.

(2) On the circular or other labeling within or attached to the package, if it is packaged for dispensing, adequate directions for use and warnings as required by section 502 (f) of the act, including:

(i) Clinical indications.

(ii) Dosage and administration.

(iii) Contraindications.

(iv) Untoward effects that may accompany administration, including sensitization.

If two or more immediate containers are in such package, the number of such circulars or other labeling shall not be less than the number of such containers.

(d) *Request for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages in the batch, the number of milligrams or grams dissolved in each of such packages, the date on which the latest assay of the drug comprising the batch was completed, the batch mark and (unless it was previously submitted) the date on which the latest assay of the chloramphenicol used in making such batch was completed, the quantity of each solvent used in making the batch, and a statement that each of such solvent conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request results of tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; potency, sterility, toxicity, pyrogens, histamine content, and *p*H.

(ii) The chloramphenicol used in making the batch; potency, specific rotation, melting point, and extinction coefficient.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one immediate container for each 5,000 immediate containers in such batch, but in no case shall such sample consist of less than 8 immediate containers or more than 15 immediate containers, collected by taking single immediate containers at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The chloramphenicol used in making the batch; two immediate containers containing approximately 300 milligrams each, packaged in accordance with the requirements of § 146.301 (b).

(iii) In case of an initial request for certification, each solvent (unless it is recognized by the U. S. P. or N. F.) used in making the batch; one package of each, containing approximately 5 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) $10.00 for each immediate container in the sample submitted in accordance with paragraph (d) (3) (i) of this section; $4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii) of this section.

(2) If the Commissioner considers that investigations, other than examination of such immediate containers, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

5. In § 146.408 *Bacitracin ophthalmic,* the fourth sentence of paragraph (a) *Standards of identity etc.* is amended by changing the figures "6.75,±0.25" to read "6.5±5."

This order, which provides for improved methods of assay for procaine penicillin and buffered crystalline penicillin for aqueous injection, penicillin and streptomycin and penicillin and dihydrostreptomycin; for tests and methods of assay and certification of a new antibiotic preparation, chloramphenicol solution; and for modification of the pH standard for bacitracin ophthalmic, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industries and since it would be against public interest to delay providing for the aforesaid amendments.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463, as amended; 21 U. S. C. and Sup. 357)

Dated: October 10, 1951.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 51-12418; Filed, Oct. 16, 1951; 8:51 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 83]

CPR 83—RETAIL AND WHOLESALE SALE OF NEW PASSENGER AUTOMOBILES

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 Ceiling Price Regulation 83 is hereby issued.

STATEMENT OF CONSIDERATIONS

As a temporary measure, Supplementary Regulation 5 to the General Ceiling Price Regulation was issued on March 2, 1951 establishing retail prices for new passenger automobiles (as well as for used automobiles). It was then essential to establish some uniform system of pricing immediately, since diverse practices and charges on delivery of new automobiles had developed during the base period established by the General Ceiling Price Regulation. As a result, there was a distortion of prices even in narrow geographic areas. Manufacturers' suggested list prices in effect prior to January 26, 1951, were therefore established as ceiling prices, and certain other charges that could be made by the retail dealer were specified. It was contemplated that a permanent industry regulation would thereafter be issued establishing ceiling prices, stating with certainty and precision a unified listing of prices, not dependent on any formula or price suggestion of an individual manufacturer. It was desirable too, to state more specifically the charges that could be made on the delivery of the new automobile.

This regulation supersedes the provisions of Supplementary Regulation 5 with respect to sales of new passenger automobiles, and establishes ceiling prices for resellers of new passenger automobiles on the basis of ceiling prices established for sales by the manufacturer. The ceiling price of the automobile is defined as the sum of several

elements, the first of which is called the "basic price" of the automobile. The "basic price" is the sum of the manufacturer's ceiling price f. o. b. factory, the dealer's markup over cost in effect on September 7, 1951, and the dealers' pre-Korea markup on the increase in his cost since the issuance of CPR 1, Revision 1. The other elements of the ceiling price are the charges for transportation costs, if any; a charge for Federal excise taxes and State and local taxes, a charge for preparing and conditioning the new automobile for delivery, and a charge for any other service requested by the customer. These charges are the same as those permitted by SR 5 to the General Ceiling Price Regulation and are, therefore, those which were in effect at the time of the issuance of this regulation. It is contemplated that, at a later date, dollars and cents or percentage rates for these charges will be established by the Director. The dealer may, if he uses both rail and truckaway as a mode of transportation for delivery to him of new automobiles and wishes to charge a uniform price for transportation, average the charge for rail and truckaway and charge the average of the two. This change from current requirements was requested by the Industry Advisory Committee.

The Industry Advisory Committee recommended a limitation on the charge for preparing and conditioning to be generally applicable to all dealers throughout the country. The recommended charge was 5 percent of the list price or $150, whichever was lower. Because in many areas this limit would result in charges much higher than the customary charge, the Director has determined to make surveys in the various geographical areas and hereafter to issue orders establishing the ceiling charges. Meanwhile this regulation adopts in part the Industry Advisory Committee's recommendation by establishing 5 percent as the limit of any charge that may be made pending issuance of these orders. Even with this limitation the general level of charges permitted by this regulation will be the same as the level of charges generally prevailing during the period January 26 to February 24, 1951.

The regulation provides that the Director of Price Stabilization will issue special orders giving in dollars and cents the basic price for the passenger automobiles of each manufacturer and establishing schedules of prices and charges for the sale by resellers for each body style and line or series of automobile manufactured and their extra, special and optional equipment. Until the Director establishes a schedule of prices and charges for any make of automobile, ceiling prices prevailing at the time of issuance of this regulation continue in effect.

Retail dealers must post their prices, including "basic prices" and other charges made on the delivery of the automobile. All dealers must furnish their customers with invoices setting forth certain items specified in the regulation. This has been required in order to give notice to purchasers of new automobiles of the prices and charges which may properly be made, and thus aid in compliance and enforcement.

In the judgment of the Director of Price Stabilization, the ceiling prices established by this regulation are generally fair and equitable to buyers and sellers alike, are in conformity with the requirements and are necessary to effectuate the purpose of Title 4 of the Defense Production Act of 1950 as amended.

Every effort has been made to conform this revised regulation to existing business practices, cost practices or methods, or means or aids to distribution. Insofar as any provisions of this regulation may operate to compel changes in the business practices, cost practices or methods, or means or aids to distribution, such provisions are found by the Director of Price Stabilization to be necessary to prevent circumvention or evasion of the regulation.

In the preparation of this regulation a conference was held with the Retail Motor Vehicle Industry Advisory Committee. Their recommendations with regard to specific prices and provisions and business practices have been given due consideration in the formulations of this regulation.

REGULATORY PROVISIONS

Sec.

AUTHORITY: Sections 1 to 18 issued under sec. 704, 64 Stat. 816, as 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. *Sellers and sales covered by this regulation.* (a) This regulation applies to you if you sell as a retail dealer, wholesale distributor or as an individual in the United States or District of Columbia, new passenger automobiles which are produced in the United States. The provisions of this regulation supersede, in their entirety, those provisions of General Ceiling Price Regulation, Supplementary Regulation 5, covering the sale of new passenger automobiles.

(b) In reading this regulation you should first become familiar with certain terms defined in section 18, particularly "new passenger automobile", "retail", "wholesale", "make", "line or series", "body style", "standard equipment", and "extra, special and optional equipment".

SEC. 2. *Ceiling price established by this regulation.* (a) The ceiling price for each new automobile you sell is the sum of several elements. These elements of the ceiling price are described in succeeding sections of this regulation and the conditions for their use set forth. The elements are:

(1) The "basic price" of the automobile with standard equipment. This will be established by the Director by special order under this regulation for each automobile of each make. To ascertain this price you will refer to that special order covering automobiles of that make and to the basic price set forth therein to the class of customer to whom you are selling.

(2) A charge for all items of extra, special or optional equipment for the automobile sold by the manufacturer of the automobile. The charge will be established by the Director by special order under this regulation for each make of automobile, or line or series thereof. To ascertain this charge you will refer to the special order covering automobiles of that make and to the charge for the item set forth therein to the class of customer to whom you are selling.

(3) The charge for the transportation cost, if any.

(4) A charge covering federal excise taxes on the new automobile and on any item of extra, special or optional equipment.

(5) A charge for your expense for any State and local taxes on the sale of a new automobile and of any item of extra, special or optional equipment.

(6) A charge for preparing and conditioning the new automobile for delivery; if any.

(7) A charge for any other service or item of equipment requested in writing by the customer.

(b) The "basic price" for automobiles, and charges for items of extra, special or optional equipment and all other charges and discounts set forth in the special order issued under this regulation by the Director for each make of passenger automobile will be called the "schedule of prices and charges." The schedule of prices and charges will be established for each class of purchaser or in the form of discounts for other classes of purchasers. If, however, the special order does not state prices and charges for more than one class of purchaser, or specific discounts for more than one class of purchaser, you must adjust the basic price of the automobile and charges for the extra equipment to reflect your customary discounts and allowances thereon prevailing during the period January 1, 1950 to June 24, 1950.

(c) Since the "basic price" of the automobile, and all other charges set forth in the schedule of prices and charges are elements of the ceiling price, and you may always sell below the ceiling price, you need not charge the full amount of the "basic price" or the full amount of any other charge.

(d) Until the Director establishes a schedule of prices and charges for any make of automobile, the ceiling price of each automobile of that make, and all charges for extra, special or optional equipment, charges for transportation, excise tax, local taxes, preparing and conditioning the new automobile for de-

livery and for other services requested by the customer in writing, shall be the price or charge that was your ceiling price or charge therefor on the date of issuance of this regulation.

(e) The ceiling price established by this section is the price for sales for cash. You may sell on terms other than cash when requested in writing by the purchaser, provided that such other terms do not result in a price higher than ceiling price. In this connection, you are referred to section 16 of this regulation.

SEC. 3. *The basic price of the automobile.* The basic price set forth in the schedule of prices and charges may be changed from time to time by the Director. The one last established by the Director shall be the one that governs your sales for any model or counterpart model of new automobile. If a manufacturer produces a new model not a counterpart of an existing model of automobile, the basic price therefor will be established by the Director in an amended schedule of prices and charges.

SEC. 4. *Extra, special, or optional equipment.* (a) The charge for extra, special, or optional equipment set forth in the schedule of prices and charges may be changed from time to time by the Director. The one last established by the Director shall be the one that governs your charge for any item of such equipment. If a manufacturer produces a new model, not a counterpart of an item of such equipment, the charge therefor will be established by the Director in an amended schedule of prices and charges.

(b) If you are required to install this equipment, you may make an additional charge for the installation of this equipment but this charge shall not be greater than the charge you made during the period January 26 to February 24, 1951 for the installation of the same or similar equipment.

(c) You may not make a charge for extra, special or optional equipment unless the request for such equipment is made to you by the customer in writing. A request in writing may be the order form customarily used by you and signed by the customer.

SEC. 5. *Transportation.* (a) You may use any one of the following methods in determining your charge for transportation charges as set forth in paragraph b, c and d of this section. You may not change your method once you have made the election permitted herein.

(b) You may use the actual cost incurred by you for transportation except that it shall not exceed the rail freight charge plus tax at carload rate by most direct route, for the transportation of the new automobile, and extra, special, or optional equipment from the factory to the receiving station nearest to the place at which delivery is made to the purchaser, or where the new automobile and extra, special or optional equipment is transported by truckaway, the charge shall not exceed the truckaway charge plus tax at truckload rate for the most direct route from the factory to the place to which delivery is made to the purchaser.

(c) If you use both rail freight and truckaway, and wish to charge a uniform price, you may determine the rail freight charge plus tax at carload rate by most direct route, for the transportation of the new automobile, and extra, special, or optional equipment from the factory to the receiving station nearest to the place at which delivery is made to the purchaser, and the truckaway charge plus tax at truckload rate for the most direct route from the factory to the place to which delivery is made to the purchaser and average these charges, and charge the average of the two.

(d) Where the transportation charge is prepaid by the manufacturer, you may include a charge equal to the amount paid to the manufacturer for transportation.

SEC. 6. *Taxes.*. (a) The charge for Federal excise tax on the new automobile and on extra, special, or optional equipment shall not exceed the amount invoiced to you by the manufacturer.

(b) You may charge to the customer an amount equal to the expense for any State and local taxes imposed on the sale of the new automobile, and of any item of extra, special, or optional equipment supplied with the automobile.

SEC. 7. *Charge for preparing and conditioning new automobiles for delivery.* (a) The charge for preparing and conditioning the new automobile for delivery shall be your charge for preparing and conditioning prevailing during the period January 26 to February 24, 1951, but not in excess of 5% of the basic price of the automobile until a specific preparation and conditioning charge is established by the Director in a special order. The preparing and conditioning charge must be directly related to services actually rendered in preparing the new automobile for delivery. If no services are rendered you can make no charge for preparing and conditioning. The preparing and conditioning charge does not include advertising charges or any other charge which represents an item not directly a part of the preparation for delivery.

(b) Within 60 days from the effective date of this regulation you must file with the District Office of the Office of Price Stabilization in the district in which your place of business is located, OPS Public Form No. 98 setting forth your preparation and conditioning charge in the detail specified in this form. After 60 days from the effective date of this regulation you may not sell any new automobile until you have filed the report required by this section.

SEC. 8. *Other services or items of equipment ordered by customer.* (a) You may charge for any other service, such as undercoating, glazing, polishing, etc., if requested in writing by the customer and customarily performed on new cars by you. The ceiling price therefor shall be the price prevailing during the period January 26, to February 24, 1951.

(b) You may charge for other items of extra equipment besides those sold by the manufacturer if ordered in writing by the customer. The price therefor may be no higher than the ceiling price established under the applicable regulation.

SEC. 9. *Notice to be posted.* (a) Every retail dealer shall keep posted in a conspicuous place on his premises where new passenger automobiles are offered for sale within 20 days after the effective date of this regulation, a notice not less than 18" x 24" in size, legibly stating for each make and body style in each line or series of each new automobile offered for sale the following information:

(1) An identification of the make, body style and line or series.

(2) The basic price.

(3) The charge for transportation, if any.

(4) The charge for Federal excise tax.

(5) The charge for State or local taxes on sale or delivery, if any.

(6) The charge for handling and delivery, if any.

(7) The ceiling price.

(b) Every retail dealer shall also keep posted, within 20 days after the effective date of this regulation, a copy of the special order of the Director of Price Stabilization establishing the charges for the extra, special or optional equipment, and shall also keep posted such charges for extra, special and optional equipment in case no special order has been issued, in which case the charges posted shall be those prevailing on the date of the issuance of this regulation.

SEC. 10. *Invoices.* Whenever you make any sale (whether at wholesale or retail), 20 days after the effective date of this regulation, you shall prepare an invoice in duplicate, one copy of which shall be given to the purchaser within 7 days and the other copy you shall retain in your records.

This invoice shall set forth the following information unless any item of the following is contained in any other document delivered to the purchaser within 7 days from the date of the sale:

(a) Date of sale.

(b) Make of automobile, model, year and body style, motor number and serial number.

(c) Basic price, transportation charge, preparation and conditioning, federal excise tax, charges for extra, special, or optional equipment.

(d) State and local taxes.

(e) Charge for other services or items of equipment requested (undercoating, glazing, etc.).

(f) Finance charges, name of finance company, method of payment and amount of cash received.

(g) If a used car is traded in as part payment for the new automobile, the invoice must show the following information with respect to the car traded in:

(1) Make of automobile traded in, model and body style and optional equipment thereon.

(2) Allowance made on the trade in.

(3) Motor number and serial number.

SEC. 11. *Adjustable pricing.* Nothing in this regulation shall be construed to prohibit your making a contract or offer to sell an automobile at the ceiling price

in effect at the time of delivery. You may not, however, deliver or agree to deliver a commodity at a price to be adjusted upward in accordance with any increase in the ceiling price after delivery.

SEC. 12. *Petition for amendment.* If you wish to have this regulation amended you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1.

SEC. 13. *Records.* (a) The provisions of the General Ceiling Price Regulation are hereby continued in effect insofar as they apply to the preparation and preservation of such "current records" as you were required to make covering sales between January 26, 1951, and the effective date of this regulation.

(b) You shall preserve for two years the invoices required to be retained in section 10 of this regulation and all other records showing your prices and charges for sales of commodities subject to this regulation.

SEC. 14. *Prohibition against dealing in new automobiles at prices above ceiling.* (a) After the date of this regulation, regardless of any contract or other obligation, no person shall sell or deliver any new automobile at a price higher than the ceiling price permitted by this regulation.

(b) No person in the course of trade or business shall buy or receive a new automobile at a price higher than the ceiling price permitted by this regulation.

(c) No person shall agree, offer, solicit, or attempt to do any of the acts prohibited in paragraphs (a) and (b) of this section.

SEC. 15. *Less than ceiling price.* Nothing in this regulation prevents the charging, offering or paying prices less than ceiling.

SEC. 16. *Evasion.* (a) No person subject to this regulation shall charge directly or indirectly a price above the applicable ceiling price in connection with any sale of a new automobile. Any device by which you increase your total realization on the sale of a new automobile over the ceiling price established by this regulation is an evasion of the regulation.

(b) *Specific practices.* The following practices are specifically, but not exclusively, among the practices prohibited by paragraph (a) of this section and are itemized here only to lessen the frequency of interpretative inquiries which experience indicates are likely to be raised under the general evasion provision.

(1) Requiring the purchaser as a condition of sale to make payment over a period of time, or to finance the purchase through any particular lending agency.

(2) Requiring the purchaser to purchase extra, special or optional equipment, accessories, parts or services or any other commodity in order to receive delivery of a new automobile.

(3) Requiring the purchaser or any other person to trade in or otherwise transfer to the seller or his designee an automobile in order to obtain delivery on a new automobile whether as part of the same transaction or as a separate transaction.

(4) Granting less than a reasonable allowance for automobiles received in trade.

(5) Renting or leasing a new automobile under a rental contract with an option to buy at an agreed valuation which, together with the amount paid for the rental, is higher than the applicable ceiling price of the new automobile plus any services rendered during the period of rental at the time the rental contract is entered into.

SEC. 17. *Violations.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Defense Production Act of 1950, as amended.

(b) The provision of the General Ceiling Price Regulation relating to penalties is hereby continued in effect insofar as it applies to violations of Supplementary Regulation 5 to the General Ceiling Price Regulation between January 26, 1951, and the effective date of this regulation.

SEC. 18. *Definitions*—(a) *Automobile.* (1) A "passenger automobile" is an automobile designed primarily for the carriage of passengers, whether intended for private, commercial or other use, including its standard equipment, manufactured in the United States and having a seating capacity of less than 11 persons, and propelled by an internal combustion engine.

(2) "New automobile" is an automobile that has never been sold at retail. A demonstrator or dealer-owned executive car, however, is new if the model is currently being sold by the manufacturer or was sold by the manufacturer within the preceding 4 months, and if the dealer sells the demonstrator or dealer-owned executive car with a new car guarantee.

(3) "Make" of an automobile indicates the manufacturer thereof, and bears the manufacturer's trade or brand name. A manufacturer may produce more than one "make," in which case different trade names are used to differentiate the several makes.

(4) "Line or series" refers to a subgroup of a make bearing a title, trade name, or other classificatory designation.

(5) "Body style" means one of the various body types used in any line or series of each make of automobile.

(6) "Model" refers to the year in which the automobile was produced or its year designation.

(7) "Counterpart model" or "counterpart" means a replacement of a body style or line or series in a make of automobile by the manufacturer, not deviating substantially from the specifications of the previous model of the automobile. It also refers to a replacement of an item of extra, special or optional equipment not deviating substantially from the specifications of the previous model of the item.

(b) *Basic price.* This term is defined in section 2 of this regulation.

(c) *Class of purchaser or purchaser of the same class.* This term refers to the practice adopted by the seller in setting different prices for sales to different purchasers or kinds of purchasers (for example wholesale distributor, retail dealer, Government agency, fleet owner) or for purchasers located in different areas or for purchasers of different quantities or under different terms or conditions of sale or delivery.

(d) *Dealer.* A dealer is any person other than the manufacturer who is generally engaged in the business of selling new automobiles.

(e) *Distributor or wholesale distributor.* A distributor or wholesale distributor is any person who is generally engaged in the business of selling new automobiles at wholesale to retail dealers (this includes master dealers).

(f) *Director of Price Stabilization or Director.* This term applies to any official (including officials of regional or district offices) to whom the Director of Price Stabilization by order delegates a function, power or authority referred to in this regulation.

(g) *Extra, special or optional equipment.* This term refers to any equipment which the manufacturer did not class as standard on the date of the issuance of this regulation and which is sold by the manufacturer of the automobile.

(h) *Factory wholesale branch or factory zone.* These terms mean any sales establishment maintained in the field by a manufacturer selling new automobiles at wholesale.

(i) *Reasonable allowance.* This term means an allowance for a used automobile which is traded in on a new automobile that is fairly related to the current market value of the used automobile.

(j) *Sales.* (1) A sale at retail means any sale to an ultimate user.

(2) A sale at wholesale means any sale to a reseller.

(3) Sale or sell: This term includes sell, supply, dispose, barter, exchange, transfer and deliver, and contracts and offers to do any of the foregoing. The term "buy" and purchase" shall be construed accordingly.

(k) *Standard equipment.* This term refers to any equipment which the manufacturer classes as standard on the date of the issuance of this regulation.

(l) *You.* "You", means the person subject to this regulation. "Your" and "yours" are construed accordingly.

Effective date. This regulation shall become effective October 15, 1951.

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

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 15, 1951.

[F. R. Doc. 51-12527; Filed, Oct. 15, 1951; 4:56 p. m.]

[Ceiling Price Regulation 5, Amdt. 4]

CPR 5—IRON AND STEEL SCRAP

MISCELLANEOUS AMENDMENTS

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 4 to Ceiling Price Regulation 5 (16 F. R. 1061) is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment provides ceiling prices for certain new grades of iron and steel scrap, makes the ceiling price established for certain detinned scrap applicable to deliveries made between February 7, 1951 and April 23, 1951, inclusive, excludes tool steel scrap from Ceiling Price Regulation 5 and makes several clarifying changes in the regulation.

A ceiling price for an additional grade of steel scrap of dealer and industrial origin has been incorporated in the regulation by this amendment in order to enable gray iron foundries requiring hard automotive steel in their operations to obtain such scrap. Foundries requiring this type scrap find scrap prepared in accordance with the specifications set forth in the regulation for foundry and electric furnace grades unsuited to their operations and they have had difficulty in obtaining material to meet their needs because dealers are unwilling to undertake the special preparation involved. The new grade and the ceiling prices established therefor will correct this situation. In order to insure that such material will be sold to the gray iron foundries whose operations require it, an appropriate restriction on the use of the new ceiling price has been incorporated in the regulation.

Tin and terne plated steel scrap is classified as an inferior grade of scrap with a differential of minus $15 under the base grade. It is customary, however, to compress hydraulically or mechanically such material to charging box size for direct use by the consumer. To compensate both dealers and industrial producers and governmental agencies who prepare their tin cans and other tin and terne plated materials in this form, this amendment provides a grade for such bundles with a differential of minus $10 under the base grade.

A ceiling price for a new grade of iron and steel scrap of railroad origin consisting of car, locomotive, and track scrap has also been added to the regulation because a number of railroads sell such unsegregated material. This action will avoid the administrative burden involved in the filing and processing of individual applications for the establishment of ceiling prices by the railroads concerned.

Prior to this amendment, CPR 5 provided, with certain exceptions, that settlement for all iron and steel scrap should be made on the basis of weights at the point of delivery. Since governmental sales of iron and steel scrap are ordinarily consummated at the point of shipment with no provision for subsequent adjustment, the foregoing requirements of the regulation were inappropriate for such sales. This difficulty has been removed by permitting settlement in connection with governmental sales to be made on the basis of shipping point weights when such weights are determined in the manner prescribed.

CPR 5 as originally issued provided that detinned scrap could not be classified as No. 1 bundles even though it otherwise met the specifications of that grade. This had the effect of classifying bundles of detinned scrap as No. 2 bundles at a ceiling price $3.00 per gross ton below that applicable to No. 1 bundles. Shortly after the issuance of the regulation the companies engaged in the business of preparing and selling detinned scrap brought to the attention of OPS officials the fact that the classifications of bundles of detinned scrap did not correspond to industry practice and that the ceiling price established did not reflect the true value of the material. In order to avoid interruption in the movement of vitally needed scrap, these companies were urged to continue the shipment of detinned scrap bundles and were assured that the error would be corrected promptly. Unfortunately, however, the mistake was not remedied until April 24, 1951 (the effective date of Amendment 2 to CPR 5), and the producers concerned filed petitions for amendment requesting that the relief thus afforded be made applicable to deliveries between that date and February 7, 1951 (the effective date of CPR 5).

After careful consideration, it was determined that the relief requested should be granted. It appears that the original specifications for No. 1 bundles were adopted without particular consideration from the provisions of Maximum Price Regulation No. 4, issued by the Office of Price Administration, and that no recognition was given to the fact that in that regulation No. 1 and No. 2 bundles commanded the same ceiling price. Furthermore, producers of detinned scrap bundles ordinarily pay the suppliers of the scrap from which they process such material on the basis of the prevailing price for detinned scrap less a processing charge; and, in reliance upon the assurance of OPS officials, they made payments on the basis of the ceiling price applicable to No. 1 bundles for material received between February 7, 1951, and April 24, 1951. Since only four producers are involved and consumers have expressed their willingness to pay the higher price, the action will not result in any inequity or undue burden.

Several clarifying amendments have been made. The use of the word "consumer" in the definitions of "point of delivery" and "shipping point" has lead to some confusion concerning sales by industrial producers, railroads or governmental agencies of unprepared scrap to persons other than consumers, and sales by any person of prepared scrap to persons other than consumers. Since the seller in such transactions has the same shipping point price regardless of whether he sells to a dealer or consumer, the term "consumer" has been removed from the above definitions. Since ceiling prices for all steel scrap of dealer or industrial origin and all cast iron scrap are f. o. b. or f. a. s. vessel prices, the seller is required to deduct the cost to the purchaser of loading such material when it is sold on the ground. Because of the inability of competing purchasers to realize a reasonable and uniform loading charge, this has often resulted in only a token deduction in many instances. To correct this situation and to establish uniform pricing standards this amendment incorporates provisions requiring a flat $1.50 per gross ton deduction be made from the ceiling shipping point prices whenever the purchaser is required to load the scrap on the transporting vehicle or place it f. a. s. vessel.

The provisions for determining ceiling on-line prices for a railroad not operating in a basing point have been modified to state clearly that such prices are to be determined by use of the lowest foreign line proportion of any through rate from any point on the railroad to the most favorable basing point via the nearest junction point.

Finally, the definition of iron and steel scrap has been amended to specifically exclude tool steel scrap and stainless steel scrap. Although the definition of "iron and steel scrap" set forth in Section 28 (b) prior to the issuance of this amendment was broad enough to bring both tool steel and stainless steel scrap within the coverage of Ceiling Price Regulation 5, the term has never been considered by the trade as including such materials. This ambiguity has been corrected in this amendment and henceforth sales of tool steel scrap will be covered by the General Ceiling Price Regulation until a tailored regulation is issued. Ceiling prices for stainless steel scrap are established by Ceiling Price Regulation 29.

In the judgment of the Director of Price Stabilization the ceiling prices established by 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.

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

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

AMENDATORY PROVISIONS

1. Section 3 (a) (2) is amended by adding the following grades (30) and (31):

30. Hard steel cut 2 feet and under	+ 5.00
31. Old tin and terne plate bundles	−10.00

2. Section 3 (b) is amended by adding the following subparagraph (6):

(6) The price established for Grade 30, (hard steel, cut 2 feet and under) may be charged only when sold and shipped to a gray iron foundry requiring such material in its operations; otherwise, the price may not exceed the price established for Grade 20 (foundry steel, 2 feet and under).

3. Section 3 (c) is amended by adding the following subparagraph (4):

(4) Notwithstanding any other provisions of this regulation, any person may charge, and any person may pay, the ceiling price established herein for No. 1 bundles for detinned scrap otherwise qualifying as a No. 1 bundle and delivered during the period from February 7, 1951 to April 23, 1951, inclusive.

4. Section 4 is amended by adding the following paragraph (h):

(h) Where scrap is sold on terms which require the purchaser to load the scrap on the transporting vehicle or place it f. a. s. vessel a deduction of not less than $1.50 per gross ton must be deducted for loading from the applicable ceiling price determined in accordance with this section.

5. Section 7 (a) (2) is amended by adding the following grade (35):

35. Unassorted iron and steel scrap__ —6.00

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

(b) *On-line prices for operating railroads not operating in a basing point.* The ceiling on-line price of any grade of steel scrap originating from an operating railroad not operating in a basing point named in Section 7 hereof shall be the price established for the scrap at the most favorable basing point named in that section minus the lowest established foreign line proportion of any through rate for transporting scrap by rail from any point on the railroad to such basing point via the nearest junction point.

The "most favorable basing point" is the basing point named in Section 7 hereof which will yield the highest ceiling on-line price. The "nearest junction point" means such point on the originating railroad nearest to the most favorable basing point in terms of transportation charges. The ceiling on-line price of No. 1 railroad heavy melting steel need not fall below $34.00 per gross ton (with differentials established in section 7 hereof for all other grades).

On and after the effective date of this regulation, as amended, no railroad covered by this paragraph (b) may sell or offer to sell steel scrap to a consumer or his broker until it has filed with the Office of Price Stabilization, Washington 25, D. C., a statement in writing setting forth its ceiling on-line price for No. 1 railroad heavy melting steel and describing the method by which the said ceiling on-line price was calculated. The statement shall include the most favorable basing point selected, the price at such basing point, the point on the originating line from which the through rate to the named basing point is determined, the lowest established charge for transporting scrap by rail from such point on the originating railroad to the named basing point, and the foreign line proportion of such lowest established charge.

7. Section 11 (b) is amended by adding the following sub-paragraph (3):

(3) Where cast iron scrap is sold on terms which require the purchaser to load the scrap on the transporting vehicle or place it f. a. s. vessel a deduction of not less than $1.50 per gross ton must be deducted for loading from the applicable ceiling price determined in accordance with this section.

8. Section 22 is amended by adding the following paragraph (d):

(d) *Sales by government agencies.* Governmental agencies may at their option use either the weights at point of delivery as otherwise provided in this paragraph, or the weights at point of shipment. Where weights at point of shipment are used, such weights shall be determined at the expense of the seller and in the following manner:

(1) *Removal by rail.* In the case of scrap removed by rail, the actual tare weight of the railroad car shall be used instead of the marked tare in determining the net weight. The actual tare weight shall be determined by weighing the empty car, cleaned of all foreign material, before loading.

(2) *Removal by vessel.* In the case of removal by vessel, weights at the dock prior to vessel movement shall govern.

(3) *Removal by truck.* In the case of removal by truck, weighing shall be at the option of the seller on (i) government scales, or (ii) certified scales in the vicinity of the location of the property.

9. Section 23 is amended by adding the following grade specifications:

(30) *Hard steel cut 2 feet and under* Automotive steel consisting of rear ends, crankshafts, driveshafts, front axles, springs and gears prepared 2 feet and under. May not include miscellaneous small shoveling steel or any pieces too bulky for gray iron foundry use.

(31) *Old tin and terne plate bundles.* Old tin plated and terne plated steel scrap hydraulically or mechanically compressed to charging box size.

10. Section 24 is amended by adding the following grade specification:

(35) *Unassorted Iron and Steel Scrap.* Unassorted iron and steel scrap consisting of car, locomotive and track scrap free of cable, sheet iron and turnings, drillings or borings.

11. Section 28 (b) "Iron and steel scrap" is amended by adding the following sentence: "It does not include tool steel scrap containing 1% or more of tungsten or molybdenum nor does it include stainless steel scrap for which ceiling prices have been established under Ceiling Price Regulation 29."

12. Section 28 (i) is amended to read as follows:

(i) "Shipping point". Scrap is at its shipping point in the case of all rail, rail-vessel, rail-truck, or truck-rail movement when it has been placed f. o. b. railroad cars for shipment to the destination designated by the purchaser; in case of all vessel, vessel-rail, vessel-truck, or truck-vessel, scrap is at its shipping point when it has been placed f. a. s. vessel for shipment to the destination designated by the purchaser; and in the case of all-truck movement, scrap is at its shipping point when it has been placed f. o. b. truck for shipment to the destination designated by the purchaser.

13. Section 28 (j) is amended to read as follows:

(j) "Point of delivery" shall mean that point at which scrap has arrived for unloading at the purchaser's receiving point.

14. Section 33 is amended to read as follows:

SEC. 33. *Petitions for amendment.* Any person seeking an amendment of this regulation may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1, Revised.

Effective date. This amendment shall become effective October 22, 1951.

NOTE: All 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.

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

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 16, 1951.

[F. R. Doc. 51-12554; Filed, Oct. 16, 1951; 4:00 p. m.]

[Ceiling Price Regulation 17, Supplementary Regulation 2]

CPR 17—GASOLINES, NAPHTHAS, FUEL OILS AND LIQUEFIED PETROLEUM PRODUCTS, NATURAL GAS, PETROLEUM GAS, CASINGHEAD GAS AND REFINERY GAS

SR 2—PRICE ADJUSTMENTS FOR CYCLOHEXANE

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 2 to Ceiling Price Regulation 17 (16 F. R. 3033), is hereby issued.

STATEMENT OF CONSIDERATIONS

Cyclohexane is a petroleum hydrocarbon which can be obtained from natural gasoline and various refinery gasoline streams by a careful treating operation and elaborate fractionating equipment. It is normally manufactured by only a few refiners, who obtain low yields and consequently produce relatively small quantities. Cyclohexane prices in the past and during the base period have reflected both cost of production and the prices of competitive hydrocarbons. The price of cyclohexane has not been sufficiently high to permit building and operating the additional fractionating equipment needed to secure higher recoveries out of the gasoline streams.

Cyclohexane and benzene are chemically similar in composition and are alternative raw materials for the manufacture of nylon, although cyclohexane is preferable since the first step in manufacturing nylon from benzene is to convert it to cyclohexane. Heretofore benzene, rather than cyclohexane, has been the principal raw material (because of its availability) at a price at which cyclohexane could not compete for nylon manufacture.

Under the impact of the mobilization program the demands for benzene and nylon have been increasing very rapidly. A greatly expanded production of benzene is needed not only for the manufacture of nylon, but also because benzene is an important raw material in many chemical industries, including the manufacture of synthetic rubber. The amount of benzene normally produced from petroleum is insignificant as compared with the quantities produced by the coke industry as a by-product. However, production from petroleum can be substantially expanded. Consequently, in order to insure an expansion in production, and at the request of the Petroleum Administrator for Defense, benzene from petroleum was exempted from ceiling prices in Ceiling Price Regulation 17.

Incremental supplies of cyclohexane to serve as a substitute for scarce benzene can be produced by petroleum refiners only by use of new and additional plant facilities and fractionation equipment, not now in existence, which can recover a substantially larger percentage of cyclohexane than the normal fractionation process. Such additional facilities and equipment will involve substantial new capital expenditures and increased production costs, in turn requiring higher prices than the present ceiling prices of cyclohexane. It is not considered necessary to exempt cyclohexane from price ceilings, because it will be administratively feasible to make appropriate individual price adjustments for the few producers who can expand their production of cyclohexane.

Manufacturers of nylon have expressed their desire for incremental supplies of cyclohexane for use in the manufacture of nylon essential for defense purposes. Even at the higher prices which may be granted under this supplementary regulation, cyclohexane will provide them with a lower cost raw material than if they purchased additional benezene at the level of prices currently prevailing on incremental benzene from petroleum and on imported benzene. Thus, price adjustments which result in additional supplies of cyclohexane will contribute to the stabilization program by relieving the critical shortage of benzene and by providing nylon manufacturers with an alternative lower cost raw material.

This supplementary regulation provides that where it is in the interest of the National Defense effort, upon the proper showing of estimated capital expenditures and anticipated production costs, a petroleum refiner may be granted an adjusted ceiling price for incremental supplies in order to enable him to increase his production of cyclohexane.

Prior to the issuance of this supplementary regulation the Director of Price Stabilization has consulted with industry representatives who might be affected by this regulation.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the adjustment provision established in this supplementary regulation is necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Applicability of this supplementary regulation.
2. Adjustment of ceiling prices of cyclohexane.
3. Applicability of Ceiling Price Regulation 17.
4. Reports.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as 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. *Applicability of this supplementary regulation.* This supplementary regulation is applicable to sales of cyclohexane produced from petroleum.

SEC. 2. *Adjustment of ceiling prices of cyclohexane.* (a) Whenever in the opinion of the Director of Price Stabilization it is essential to the defense effort to bring out incremental supplies of cyclohexane, he may adjust a producer's ceiling price for cyclohexane to reflect actual or anticipated increases in operating costs and capital expenditures for new or improved producing facilities made after January 25, 1951. Consideration shall also be given to the price necessary to secure adequate production and to the effect of increased prices on the prices of finished products.

At the discretion of the Director of Price Stabilization, he may adjust the ceiling price only on sales of the incremental production of cyclohexane, or he may grant a proportionately smaller ceiling price adjustment applicable to the producer's entire output of cyclohexane.

(b) A producer of cyclohexane desiring an adjustment of his ceiling price for cyclohexane shall file a request for such adjustment with the Petroleum Branch, Office of Price Stabilization. This request shall set forth (1) a description of his present and proposed operation; (2) an estimate of capital expenditures for the equipment necessary to produce the incremental supply of cyclohexane, broken down into major types of equipment; (3) present unit cost of production, showing in detail material and labor costs, operating overhead, depreciation, and sales and administrative expenses; (4) an estimate of the unit cost of his incremental products showing the same detail as subparagraph (3) of this paragraph and the rates and amounts of amortization; (5) his present and proposed ceiling prices for cyclohexane; and (6) any other such information deemed pertinent by the applicant.

(c) The Director may at any time revise ceiling prices established by order under the provisions of this supplementary regulation when such ceiling prices appear to be inconsistent with the basis upon which the adjustment was made.

SEC. 3. *Applicability of Ceiling Price Regulation 17.* Sellers subject to this supplementary regulation shall be subject to all the provisions of Ceiling Price Regulation 17 not inconsistent herewith.

SEC. 4. *Reports.* Producers of cyclohexane whose ceiling prices have been adjusted under the provisions of this supplementary regulation shall be required upon the request of the Director to file a report of actual detailed cost data on incremental supplies of cyclohexane.

Effective date. This supplementary regulation is effective October 22, 1951.

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

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

OCTOBER 16, 1951.

[F. R. Doc. 51–12552; Filed, Oct. 16, 1951; 4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 73]

GCPR, SR 73—RAIL FREIGHT RATE INCREASES FOR GRAIN, GRAIN PRODUCTS, GRAIN BY-PRODUCTS AND ARTICLES TAKING SAME RAIL FREIGHT RATE

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 73 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to the General Ceiling Price Regulation permits certain sellers of grain, grain products, grain by-products and other articles of the same class which are shipped on the same railroad freight rate to reflect in their ceiling prices the increases in rail freight rates authorized by the Interstate Commerce Commission on August 2, 1951 in Ex Parte 175.

Under the General Ceiling Price Regulation, as explained in more detail in Interpretation 1, issued on April 9, 1951, a seller may pass on to his buyers increases in outbound transportation charges in general only if he sold on an f. o. b. basis during the base period, or added to his mill price only the actual transportation cost incurred. Increases in inbound transportation costs, incurred by the seller in obtaining delivery from his supplier, must be absorbed by the seller. This supplementary regulation provides an exception for certain sellers from this general rule.

The need for the relief granted by this supplementary regulation is the result of several factors. Grains and the products processed therefrom must move over long distances from the producing areas to the processors and then to the consuming markets. The transportation costs involved in this movement represent a large percentage of the costs incurred in producing the finished product. Outbound transportation charges alone on grain products constitute from ten to thirty percent of the grain processors' costs. Moreover, processors and other handlers of grain customarily op-

erate on a very low unit margin of profit over costs. For these reasons sellers of grains and grain products have historically reflected in their selling prices the cost to them both of inbound freight on the raw material and outbound freight on their finished products. To require absorption of increased freight costs would greatly reduce, and in some cases eliminate, the historically low unit margin of profit over costs.

The absorption of increases in inbound freight charges as required by the GCPR operates very unevenly over large segments of the grain industry. For example, a flour miller in Buffalo must pay a much higher inbound freight charge on wheat shipped from Kansas than does the Kansas miller and, therefore, his margin is reduced relative to the margin obtained by the Kansas miller.

Because of the rail freight rate structure peculiar to shipments of grain and grain products and because of the manner in which the grain industry determined the transportation charge applicable to a particular shipment, processors and other sellers of grain are unable to pass on to their buyers increases in outbound transportation charges under the GCPR. Grains and grain products are generally shipped on a "transit" rail freight rate. Simply stated, this is an arrangement whereby grain is shipped from the producing area and stopped en route for milling or other processing, and the finished product is shipped to the final destination on the basis of the through rate from the point of origin of the grain to the destination of the product rather than on the sum of the local freight rates to and from the transit point. Grain is shipped to the transit point at the local rate for the movement. The "transit balance" on the outbound shipment of the product is determined by subtracting the inbound freight charge on the raw grain from point of origin to transit point from the through freight rate from point of origin to the destination of the product. Since transit balance rates are not published as such but are determined in the manner described above, there is a wide variation, depending on the origin of the grain, in the balances available from a transit point at which the grain is processed for use for a particular shipment of the product to a destination.

"Proportional" freight rates, lower than the local rates, are also available to shippers of grain and grain products but only from recognized gateways and markets to particular destinations. Such rates may, in some cases, constitute part of a "balance" rate. In some instances, the proportional rate applicable to a shipment between two given points will itself vary according to the point or territory of origin of the grain. For example, there are three different proportional rates available to a Chicago miller on a shipment from Chicago to Cleveland depending on the origin of the grain he buys.

Inherent in this rate structure is the fact that it is impossible for the processor to know at the time of sale of his product what his exact outbound transportation costs will be since he cannot know what transit billing will be available to him for use on a particular shipment. In order to be able to set firm prices, processors have obviated this problem by computing average freight charges on their products to different points. This permits them to sell either on a delivered basis at a price which includes their average freight to a particular destination or on an f. o. b. mill basis plus a freight factor representing the average freight to the particular destination.

Since a processor does not know at the time of sale which grain from which points of origin will be used to produce a particular shipment of his product, he computes his f. o. b. mill price on a similar basis by averaging the inbound freight cost to him of the raw grain rather than by using the actual inbound freight charge applicable from any particular origin points.

This supplementary regulation applies to commodities whose ceiling prices are established by the General Ceiling Price Regulation and which are shipped on the rail freight rate applicable to grain and grain products. Sellers of these commodities are entitled to the relief granted by this supplementary regulation only if they ship on a transit balance or proportional rail freight rate and if the selling price is customarily calculated by adding a transportation charge, not exactly equal to the freight rate cost on the particular shipment, but based upon average freight rate costs.

Section 3 of this supplementary regulation requires that the increase in the ceiling price to reflect the increased freight rates be computed on the basis of the charge used during the General Ceiling Price Regulation base period (December 19, 1950–January 25, 1951) as representing the average of inbound and outbound rail freight rate costs. The charge for transportation used in quoting prices or making deliveries during the base period may be used in making the calculation. It must, however, be the figure shown on the shipper's records as the figure used during the General Ceiling Price Regulation base period to represent the railroad transportation charge on a shipment of the particular commodity to the destination involved.

Under this supplementary regulation, of course, no adjustment of the f. o. b. price for inbound freight may be made in connection with inbound shipments of the commodity received on the rail freight rate in effect prior to the effective date of the rate increase. Section 4 (a) also provides that no adjustment for outbound freight may be made on shipments made after the effective date of the increase when the rate in effect prior to the increase applies to such outbound shipment. Thus, for example, there may be no adjustment in the ceiling price for outbound freight on a shipment of flour if the flour is shipped on transit billing the rate for which is based on an inbound shipment of an equal amount of wheat received on the old rate.

This supplementary regulation does not apply to processors of soybean chips, soybean oil cake, soybean flakes, or 41 or 44 percent soybean oil meal. Processors of these products price under section 1 (c) of Supplementary Regulation 3 to the General Ceiling Price Regulation. Supplementary Regulation 3 fixes a ceiling price for these products f. o. b. cars at Decatur, Illinois.

Special circumstances have prevented consultation with formal industry advisory committees. However, the Director of Price Stabilization has consulted extensively with trade association representatives and members of the industry affected by this supplementary regulation and consideration has been given to information and suggestions received from them. In the judgment of the Director of Price Stabilization, the provisions of this supplementary regulation are fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Applicability.
3. How to calculate increases in ceiling prices.
4. Limitations on permitted increases.
5. Relation of this supplementary regulation to the General Ceiling Price Regulation.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816 as 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. *What this supplementary regulation does.* This supplementary regulation permits increases in the ceiling prices of commodities taking the rail freight rate applicable to grain, grain products, grain by-products and articles in the same rail freight rate class (such commodities being collectively called "grain products" in this supplementary regulation), provided that these ceiling prices are now fixed by the General Ceiling Price Regulation, its amendments and its supplementary regulations, and are either delivered prices which include average freight to a particular destination, or are f. o. b. mill priced to which is added a freight factor representing average freight to a particular destination. The permitted increases in ceiling prices are intended to reflect increases in the rail transportation costs of grain products resulting from the general increase in rail freight rates authorized by the Interstate Commerce Commission on August 2, 1951.

SEC. 2. *Applicability*—(a) *Geographical applicability.* This regulation is applicable throughout the 48 states of the United States and the District of Columbia.

(b) *Persons and products covered.* This regulation applies to you if:

(1) You ship a grain product (as defined in section 1); and

(2) The ceiling price of your product is fixed by the General Ceiling Price Regulation or any of its amendments or its supplementary regulations; and

(3) You customarily ship your product on a transit balance or proportional rail freight rate; and

(4) You customarily calculate your selling price by adding a transportation

charge which does not exactly equal the actual cost of inbound and outbound freight on each sale but is based on average freight rate costs to you.

(c) *Products not covered.* This supplementary regulation does not apply to you if you are a processor and you sell soybean chips, soybean oil meal, soybean flakes, 41 or 44 percent soybean oil meal.

SEC. 3. *How to calculate increases in ceiling delivered prices*—(a) *Cwt. units.* To find your new ceiling price for a grain product (as defined in section 1) delivered at a particular destination, do the following:

Step 1. Ascertain the figure you used (as shown by your records) during the General Ceiling Price Regulation base period (December 19, 1950–January 25, 1951) as representing your average inbound rail freight rate cost per cwt. of the commodity you receive.

Step 2. Ascertain the figure you used (as shown by quotation cards, salesmen's price books or lists, or other records) during the same period as representing your average outbound rail freight rate cost per cwt. of your product shipped to that destination.

Neither of these figures shall include the transportation tax (for which an adjustment is made in the calculation of ceiling prices under this regulation) or any trucking charges. They need not be the figures you used on an actual sale in the base period. It is sufficient for the purposes of this calculation if your records show that you used the figures in quoting prices or making deliveries in the base period.

Step 3. Add the figures obtained in Steps 1 and 2, and then subtract the sum from your present ceiling price of your product delivered to that destination.

Step 4. Multiply the figure ascertained under Step 1 above by 106 percent.

Step 5. Multiply the figure obtained under Step 4 above by 103 percent, except where the commodity you receive is shipped to you on an export freight rate on which no transportation tax is paid or on which you can obtain a refund of any transportation tax paid.

Step 6. Multiply the figure ascertained under Step 2 above by 106 percent.

Step 7. Multiply the figure obtained under Step 6 above by 103 percent, except where you ship your product on an export rate on which no transportation tax is paid or on which you can obtain a refund of any transportation tax paid.

Step 8. Add the figures obtained under Steps 5 and 7 to the figure obtained in Step 3.

The result is your new ceiling price for the sale of your grain product delivered at the particular destination, including transportation charges and transportation tax, if applicable.

(b) *Sales in units other than cwt.* If you sell your product in units other than a cwt., determine the increase in your ceiling price per unit under this supplementary regulation in the following manner:

Step 1. Divide the increase in your ceiling price per cwt., as determined under paragraph (a) above, by 100. The result is the permitted increase in your ceiling price per pound of your product.

Step 2. Multiply the result obtained under Step 1 of this paragraph by the number of pounds in each unit in which you sell your product (for example, carloads, bushels, tons). The result is the permitted increase in your ceiling price of the unit in which you sell your product.

SEC. 4. *Limitations on permitted increases.* (a) You may not take the increase in your ceiling price permitted by this supplementary regulation on any sale of a grain product which you ship on the rail freight rate in effect prior to the effective date of any rail freight rate increase permitted under the Interstate Commerce Commission order of August 2, 1951, even though you ship your grain product after the effective date of the increase. For example: If, prior to such effective date, 1,000 cwt. of wheat is shipped to you, you may not increase your ceiling price on 1,000 cwt. of flour or mill feed which is shipped by you on a transit balance rate based upon the rail freight rates in effect prior to the date of the increase, even though you ship your flour or mill feed after the effective date of the freight rate increase.

(b) You may not increase your ceiling price on a grain product to reflect any rail freight rate increase granted by any regulatory body other than the Interstate Commerce Commission.

SEC. 5. *Relation of this supplementary regulation to the General Ceiling Price Regulation.* All provisions of the General Ceiling Price Regulation not inconsistent with the provisions of this supplementary regulation shall remain in effect.

Effective date. This supplementary regulation shall become effective October 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 16, 1951.

[F. R. Doc. 51-12553; Filed, Oct. 16, 1951; 4:00 p. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter B—Wage Stabilization Board

[General Wage Regulation 11, Area Ceiling Determination No. 2]

GWR 11—AGRICULTURAL LABOR

ACD 2—COTTON PICKING IN DESIGNATED COUNTIES IN CALIFORNIA

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), E. O. 10161 (15 F. R. 6105), E. O. 10233 (16 F. R. 3503), General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), General Wage Regulation No. 11 (16 F. R. 4938), and Wage Stabilization Board Resolution 37 (16 F. R. 8954) this Area Ceiling Determination No. 2 to GWR 11 is hereby issued.

STATEMENT OF CONSIDERATIONS

General Wage Regulation 11 authorizes employers of agricultural labor to increase their base wage rates without Board approval up to certain specified levels, or by 10 percent. By Board Resolution 37, the National Wage Stabilization Board has authorized the Regional Boards of certain specified regions to establish maximum wage ceilings for specific agricultural operations in defined areas. Upon the basis of requests from interested parties for the establishment of an area ceiling rate for cotton picking, public hearings were held on October 3 and 4, 1951, at Fresno and Bakersfield, California, respectively, to assist the Regional Board in determining whether an area ceiling for cotton picking should be established. Agricultural employers, employees, and other interested persons in the area and in nearby areas were given an opportunity to appear and testify or to submit written information. Based upon information and data obtained at these hearings and from information and data available from other sources, the Regional Board has determined that an area ceiling establishing maximum permissible wage rates which would be applicable to all employers, labor contractors, and employees engaged in that operation in designated counties in California will serve to stabilize agricultural wages. In the judgment of the Regional Board the following determination is generally fair and equitable and will effectuate the purposes of Title IV and Title VII of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. Areas, operations and classes of employees covered.
2. Area ceiling wage rates.
3. Administration.

AUTHORITY: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, as 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., E. O. 10233, Apr. 21, 1951, 16 F. R. 3503.

SECTION 1. *Areas, operations and classes of employees covered.* This area ceiling determination shall be applicable to all persons engaged in the picking of Upland cotton in Kern, Kings, Tulare, Fresno, Madera and Merced Counties, State of California.

SEC. 2. *Area ceiling wage rates.* An employer covered by this area ceiling determination may, without further approval, pay at any rate up to but not exceeding the following:

(a) No increases in the wages paid pickers of Upland cotton in the counties mentioned in section 1 of this determination shall be made above the rate of $4.00 per hundred pounds of seed cotton without the approval of the Wage Stabilization Board.

(b) No employer covered by this area ceiling determination shall pay any employee engaged in cotton picking at a rate in excess of the applicable maximum wage rate designated in paragraph (a) of this section, except;

(1) That he may not be required to pay less than the rate he paid for the operations covered herein during the

most recent crop season occurring before June 25, 1950; and

(2) That he may pay more than the rate specified in paragraph (a) of this section if he has been granted an adjustment pursuant to section 3 (b) of this determination.

SEC. 3. *Administration.* (a) This area ceiling determination will be administered by the Wage Stabilization Board, Region 12, 1217 Flood Building, 870 Market Street, San Francisco, Calif.

(b) An employer whose agricultural operations are covered by this area ceiling determination may request the Regional Board for individual adjustments in the area ceiling rates designated in section 2 of this determination. The employer must establish that the proposed adjustment is needed because of special conditions which may prevent his employees from earning amounts which are fairly comparable to their earning capacity under normal circumstances in the area. The Regional Board may grant such adjustment as it feels warranted from the information submitted by the applicant and from any investigation it may make. The employer may be required to post a notice of any individual adjustment in the area ceiling rate which may be granted him.

(c) Any violation of this area ceiling determination constitutes a violation of the Defense Production Act of 1950, as amended, and may subject the violator to the penalties prescribed therein, and to the Board's Enforcement Resolution, adopted June 13, 1951 (16 F. R. 6028).

SEC. 4. *Effective date.* This determination shall become effective on October 18, 1951, and shall continue until such time as modified by the Wage Stabilization Board.

Issued: October 11, 1951.

ARTHUR M. ROSS,
Chairman, 12th Regional Wage Stabilization Board, San Francisco, Calif.

[F. R. Doc. 51-12508; Filed, Oct. 16, 1951; 8:54 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-36, as Amended Oct. 15, 1951]

M-36—GOVERNMENT ORDERS FOR PAPER

This order 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 this amended order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

NPA Order M-36 is hereby amended in the following respects: Sections 1, 2 (e), 6, and 12, and List B have been changed; a part of section 3 (a) has been deleted; sections 8, 9, 10, 11, and 12 have been redesignated as sections 10, 11, 12, 13, and 14, respectively; a new phrase has been added to section 5; and new sections 8 and 9 have been inserted. As so amended, NPA Order M-36 reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Reserve production.
4. Directives.
5. Release of reserve production.
6. Reports.
7. Rated orders.
8. Government orders.
9. Relation to other NPA orders and regulations.
10. Applications for adjustment or exception.
11. Communications.
12. Records.
13. Audit and inspection.
14. Violations.

AUTHORITY: Sections 1 to 14 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 provides rules for placing, accepting, and scheduling Government and rated orders for paper. It applies to paper manufacturers, distributors, and any person placing a Government or rated order for paper. Its purpose is to facilitate the procurement of paper by Government agencies and by private contractors to fill Government and rated orders without unnecessarily disrupting the normal distribution of paper or interfering with maximum production.

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

(a) "Paper" means any kind of primary paper, including, but not limited to, the grades listed on Census Form M-14A, and also those grades of paperboard designated in list "B" of this order.

(b) "Grade", as hereinafter used, means any category of paper as listed in Census Form M-14A, or any subtype of such category although not specifically mentioned in such form.

(c) "Produce" and "manufacture" mean and include all making and finishing operations necessary to the production of primary paper prior to packing or packaging.

(d) "Schedule" means the completion of all steps ordinarily taken by the manufacturer preliminary to actual manufacture, including acknowledgment to buyer, establishment of detailed specifications, and determination of the time when the order will be manufactured and shipment made.

(e) "Government order" means (1) any DO rated order and (2) any order, whether rated or not, for direct or indirect delivery to any activity on list A except those orders for paper intended for resale at retail, such as civilian type items for resale in military exchanges.

SEC. 3. *Reserve production.* (a) Each manufacturer shall reserve for the month of February 1951, and for each calendar month thereafter, machine time, material, and supplies, sufficient to produce and deliver within such month a total amount of paper to be calculated by applying the percentage specified for each grade in list B of this order to his average monthly production of such grade during the most recent calendar quarter, as reported on Form M-14-A as revised.

(b) The National Production Authority may from time to time increase or decrease manufacturers' reserve production by changing the percentages in list B of this order or applying the same or different percentages to other types, grades, or combinations of grades.

SEC. 4. *Directives.* On or before the tenth day of any month, the National Production Authority may direct any manufacturer to produce during such month any grade of paper which such manufacturer is qualified to produce, in total tonnage not exceeding the amount of his reserve production for such month less the Government orders he has already scheduled for that month. The National Production Authority may direct a manufacturer to sell and deliver such tonnage to fill any Government order or orders that it may designate.

SEC. 5. *Release of reserve production.* If, on or before the tenth day of any month, a manufacturer has not received from the National Production Authority directives as to the disposition of all production reserved for such month, in excess of the Government orders he has already scheduled for such month, he may, after the tenth day of such month, apply that production for which no directives have been received as he may desire, subject to the provisions of this order and other orders and regulations of the National Production Authority.

SEC. 6. *Reports.* (a) Each manufacturer of paper and paperboard shall report each month his production of paper and paperboard on Census Form M 14-A, Part II.

(b) Each paper manufacturer shall file in Washington by the last day of each month two reports on Form NPAF-27 (using instructions below which supersede instructions printed on Form NPAF-27, dated July 13, 1951) showing Government orders he has scheduled for production, as follows:

(1) One such report shall include all his Government orders scheduled for the next following month.

(2) The other such report shall include all such orders scheduled for the second succeeding month.

In addition, any paper manufacturer may report, on Form NPAF-27, a revised schedule of Government orders at any time during the month preceding that in which they are scheduled, but not oftener than once a week. Having once reported a qualified order as scheduled for production, the manufacturer shall produce such order as reported. He may report the same order as scheduled for a different month only if requested by the buyer to reschedule such order, and the change is indicated on Form NPAF-27.

Example: Manufacturer X shall file by October 31 a preliminary report of his Government orders scheduled for production in December and a revised report of his November schedule. His revised November production report will replace the preliminary report filed on September 30. He may file

revisions of his December schedule weekly during November.

(c) The paper manufacturer's reserve tonnage position as shown on his NPAF–27 forms will be taken into consideration by the National Production Authority in issuing such directives as may be found necessary under this order.

SEC. 7. *Rated orders.* (a) No manufacturer shall be required to accept DO rated orders for paper for shipment in any one month in excess of his reserve production for that month less his tonnage of Government orders already scheduled for that month.

(b) Unless specifically directed by the National Production Authority, no manufacturer need accept a DO rated order which is received less than 40 days prior to the first day of the month in which shipment is requested.

SEC. 8. *Government orders.* No person shall knowingly represent to a paper manufacturer that such person's order for paper is a "Government order", which such manufacturer may credit against his reserve production, unless such order actually qualifies as such and he is entitled to do so. No person shall apply or extend a rating, or claim the benefits of this order, for paper after he has received the paper to fill such Government order, nor shall he order any greater amount of paper than actually required to fill a rated order, or to fill a direct or indirect order of any activity on List A of this order. This does not prohibit a person from using a rating or claiming the benefits of this order to replace in his inventory paper used to fill a Government order, subject to the restrictions of paragraph (b) of section 5 of NPA Reg. 2.

SEC. 9. *Relation to other NPA orders and regulations.* This order supplements NPA Reg. 2, as amended, which sets forth the basic rules of the priorities system, and only those provisions of that regulation which are contradictory to this order are superseded. All other provisions of NPA Reg. 2 and all other NPA orders and regulations not in conflict with this order continue to apply to the paper industry.

SEC. 10. *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 considering 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. 11. *Communications.* All communications concerning this order shall be addressed to National Production Authority, Washington 25, D. C., Ref: M–36.

SEC. 12. *Records.* Each person participating in any operation or transaction covered 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 receipts, deliveries, inventories, orders placed, and use, in sufficient detail to permit an audit that determines for each operation or transaction that the provisions of this order have been met. This requirement 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 by those persons who have or who may maintain such microfilm or other photographic records in the regular and usual course of business.

SEC. 13. *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 the National Production Authority.

SEC. 14. *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 Oct. 15, 1951.

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

LIST A

1. United States Department of Defense, including all groups and subgroups.
2. Atomic Energy Commission.
3. United States Coast Guard.
4. National Advisory Committee for Aeronautics.
5. Civil Aeronautics Administration.
6. Tennessee Valley Authority.
7. U. S. Department of Justice, Bureau of Prisons.
8. United States Government Printing Office.
9. United States Bureau of Engraving and Printing.
10. General Services Administration.
11. United States Post Office.
12. Reconstruction Finance Corporation, Office of Rubber Reserve.
13. The Secretary of the Senate and the Clerk of the House of Representatives.
14. Producers of products or parts thereof for any of the activities listed above to the extent that the primary paper is to be used exclusively as a component part of the product to be delivered on a contract or purchase order issued by such activity.
15. Any activity of the United States Government not listed above normally required to obtain paper and printed matter through or from the United States Government Printing Office if and when the GPO grants a waiver of such requirement, and manufacturers of products using paper for any such activity, to the extent that the primary paper is to be used exclusively as a component part of the product to be delivered, on a contract or purchase order issued by such activity if and when such a waiver is granted. Any such waiver must have been granted for the specific contract or purchase order concerned and an adequate identification of the waiver number and date of issuance thereof must be endorsed upon the contract or purchase order.

LIST B

Grade	M–14–A (Part II) code Nos.	Percent
Newsprint	10000–10200	5
Groundwood paper, uncoated	11000–11990	10
Paper-machine coated papers, book papers, and fine papers (except rag writing papers)	12000–13990 14201–14690	10
Rag writing papers	14101–14119	15
Coarse papers (unbleached kraft grades only).	15111, 15112, 15211, 15212, 15311, 15319, 15911–15919.	10
Coarse papers (other than unbleached kraft grades).	15120, 15191–15194, 15220, 15290, 15320, 15330, 15920, 15991–15999.	5
Special industrial papers	16000–16900	15
Sanitary tissue stock	17000–17900	5
Crepe wadding for packing	18700	25
Tissue papers (except sanitary and crepe wadding for packing).	18100–18600, 18900.	5
Absorbent papers	19000–19900	5
Special food boards	22951–22969	5
Cardboard	25000–25900	10

[F. R. Doc. 51–12498; Filed, Oct. 15, 1951; 3:26 p. m.]

[NPA Order M–46, Direction 1]

M–46—PRIORITIES ASSISTANCE FOR PETROLEUM AND GAS INDUSTRIES IN THE UNITED STATES AND CANADA

DIR. 1—AUTHORIZATIONS FOR OIL COUNTRY TUBULAR GOODS

This direction is found necessary and appropriate to promote the national defense and is issued pursuant to section 101 of the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action.

Sec.
1. What this direction does.
2. The direction.

AUTHORITY: Sections 1 and 2 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 direction does.* The production and allocation of oil

country tubular goods is a completely scheduled program, operating within only the petroleum and gas industries. Accordingly, the general need for revalidation of allotments of oil country tubular goods does not exist. This direction excludes shipments of oil country tubular goods from those provisions of CMP Regulation No. 1 and its directions which require that shipments of controlled material made later than 7 days after the end of the quarter for which originally scheduled must be charged against a consumer's allotment for the succeeding quarter.

SEC. 2. *The direction.* Notwithstanding the provisions of CMP Regulation No. 1, as amended, or any direction thereto, whenever the date for shipment by a supplier of oil well tubing, oil well casing, or oil well drill pipe falls after the first 7 days of the quarter following that indicated on the originally accepted delivery order of the operator, the operator need not charge the shipment against an allotment for such following quarter nor make any adjustment in his outstanding delivery orders placed for such following quarter.

This direction shall take effect on October 15, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-12495; Filed, Oct. 15, 1951; 3.:25 p. m.]

[NPA Order M-46A, Direction 1]

M-46A—PRIORITY ASSISTANCE FOR FOREIGN PETROLEUM OPERATIONS

DIR. 1—AUTHORIZATIONS FOR OIL COUNTRY TUBULAR GOODS

This direction is found necessary and appropriate to promote the national defense and is issued pursuant to section 101 of the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action.

Sec.
1. What this direction does.
2. The direction.

AUTHORITY: Sections 1 and 2 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 direction does.* The production and allocation of oil country tubular goods is a completely scheduled program, operating within only the petroleum and gas industries. Accordingly, the general need for revalidation of allotments of oil country tubular goods does not exist. This direction excludes shipments of oil country tubular goods from those provisions of CMP Regulation No. 1 and its directions which require that shipments of controlled material made later than 7 days after the end of the quarter for which originally scheduled must be charged against a consumer's allotment for the succeeding quarter.

SEC. 2. *The direction.* Notwithstanding the provisions of CMP Regulation No. 1, as amended, or any direction thereto, whenever the date for shipment by a supplier of oil well tubing, oil well casing, or oil well drill pipe falls after the first 7 days of the quarter following that indicated on the originally accepted delivery order of the operator, the operator need not charge the shipment against an allotment for such following quarter nor make any adjustment in his outstanding delivery orders placed for such following quarter.

This direction shall take effect on October 15, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-12496; Filed, Oct. 15, 1951; 3:26 p. m.]

[CMP Regulation No. 1, Direction 8]

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

DIR. 8—CONVERSION STEEL

This direction under CMP Regulation No. 1 is found necessary and appropriate to promote the national defense and is issued pursuant to section 101 of the Defense Production Act of 1950, as amended. In the formulation of this direction there has been consultation with industry representatives and consideration has been given to their recommendations.

Sec.
1. Definition.
2. Orders for conversion steel.
3. Conversion agreements prior to October 1, 1951.

AUTHORITY: Sections 1 to 3 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. *Definition.* "Finished conversion steel" means steel in the forms and shapes indicated in Schedule I of CMP Regulation No. 1, which has been obtained by a consumer in consequence of such consumer's or some other person's having furnished, directly or indirectly, to one or more steel producers or converters, semifinished conversion steel (which is steel in a less-finished form such as, but not limited to, ingots, blooms, billets, slabs, rods, skelp, and hot-rolled sheets in coils) for the express purpose of having such semifinished conversion steel processed into another form indicated in Schedule I of CMP Regulation No. 1.

SEC. 2. *Orders for conversion steel.* Any consumer who has received an allotment of steel may order finished conversion steel to be used in fulfilling his related authorized production schedule. Such consumer shall place an authorized controlled material order for such finished conversion steel with the finished conversion steel producer, but the consumer ordering such steel shall make his own arrangements for obtaining the semifinished conversion steel with the original ingot producer, the intermediate producer, or the finished conversion steel producer. In no event, however, shall a consumer order a greater quantity of semifinished conversion steel than needed for processing into finished conversion steel for which such consumer has a valid allotment. In arranging to purchase the semifinished conversion steel from an original ingot producer or an intermediate producer, the consumer shall furnish to such original ingot producer or intermediate producer a certification in the following form:

Certified under Direction 8 to CMP Regulation No. 1

which shall be signed as provided in section 8 of NPA Reg. 2. This certification shall constitute a representation to the producer of the semifinished conversion steel and to NPA that the consumer is authorized to place such order under the provisions of this direction to obtain the quantity of finished conversion steel covered by the delivery order, and that he will furnish an authorized controlled material order to the finished conversion steel producer. Notwithstanding the provisions of any NPA regulation or order, a producer of semifinished conversion steel may deliver semifinished conversion steel pursuant to such a certification: *Provided, however,* That such delivery shall not interfere with production and other directives which may be issued from time to time to such steel producer by NPA, or with delivery on orders which such steel producer is required to accept pursuant to any regulation or order of NPA.

SEC. 3. *Conversion agreements prior to October 1, 1951.* (a) The provisions of section 2 of this direction shall not apply to semifinished or finished conversion steel which was produced prior to October 1, 1951, and which a consumer purchased or acquired prior to October 1, 1951. Notwithstanding the provisions of any NPA regulation or order, a steel producer may deliver, and a consumer may accept delivery of, such steel in any form indicated in Schedule I of CMP Regulation No. 1 after September 30, 1951, without charging his allotment for the fourth calendar quarter of 1951, or any subsequent calendar quarter, upon the consumer's certification, in the form provided in paragraph (b) of this section, to the steel producer that such steel was purchased or acquired by the consumer prior to October 1, 1951: *Provided, however,* That such steel may not be used by a consumer whose authorized production schedule is stated in terms of a specific number of units, to produce more than the number of units stated in such schedule: *And provided further,* That such delivery shall not interfere with production and other directives which may be issued from time to time to such steel producer by NPA, or with delivery on orders which such steel producer is required to accept pursuant to any regulation or order of NPA.

(b) The certification provided for in paragraph (a) of this section shall be in the following form:

Certified under section 8 of Direction 8 to CMP Regulation No. 1

which shall be signed as provided in section 8 of NPA Reg. 2. This certification shall constitute a representation to the producer of the conversion steel and to NPA that the consumer purchased or acquired such steel prior to October 1, 1951.

This direction, issued October 15, 1951, shall be effective as of October 1, 1951.

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

[F. R. Doc. 51-12497; Filed, Oct. 15, 1951; 3:26 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

[Circular 1800]

PART 259—DISPOSAL OF MATERIALS

APPLICATION FOR PERMIT

OCTOBER 4, 1951.

Section 259.22 is hereby amended to read as follows:

§ 259.22 *Application for permit.* An application for permit, in duplicate, must be made on Form 4–056 and filed in any office or with any employee of the Bureau of Land Management authorized to issue such permit. However, a free use permit on Form 4–1192 may be granted for the removal of not more than three Christmas trees upon oral or written request.

(Sec. 1, 61 Stat. 681; 43 U. S. C. Sup. 1185)

OSCAR L. CHAPMAN,
Secretary of the Interior.

OCTOBER 4, 1951.

[F. R. Doc. 51-12399; Filed, Oct. 16, 1951; 8:45 a. m.]

Appendix—Public Land Orders

[Public Land Order 756]

COLORADO

TRANSFERRING JURISDICTION OVER THE MINERALS RESERVED TO THE UNITED STATES IN CERTAIN LANDS TO THE DEPARTMENT OF THE ARMY

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the minerals reserved to the United States in the following-described patented lands are hereby withdrawn from appropriation under the mining laws, and from leasing under the mineral-leasing laws, and jurisdiction over such minerals is transferred to the Department of the Army for the purpose of effectuating an exchange under the provisions of section 2 of the act of June 20, 1938 (52 Stat. 802, 804; 33 U. S. C. 558b) in connection with the construction of the Caddoa (now John Martin) Dam and Reservoir on the Arkansas River, as authorized by the act of June 22, 1936 (49 Stat. 1570, 1577):

SIXTH PRINCIPAL MERIDIAN

T. 23 S., R. 49 W.,
Sec. 10, SW¼NW¼, S½;
Sec. 11, SW¼;
Sec. 15, N½NW¼;
Sec. 18, SW¼NE¼, W½SE¼, NE¼SE¼:
Sec. 18, SE¼NE¼, that part described as follows:
Beginning at the northwest corner of the SE¼NE¼, thence by metes and bounds:
South, 1,343.7 feet;
East, 1,320.0 feet, along the east-west center line sec. 18;
North, 272.8 feet, along the east line sec. 18;
Southwesterly, 737.0 feet, on a curve to the right with a radius of 11,359.2 feet;
N. 10°34'50" W., 1,276.4 feet;
West, 313.8 feet, along the north line of the SE¼NE¼ to point of beginning.

T. 23 S., R. 50 W.,
Sec. 7, NE¼NE¼, that part described as follows:
Beginning at a point on the east line of sec. 7, from which the corner common to secs. 5, 6, 7, and 8 bears North, 1,148.8 feet, thence by metes and bounds:
N. 70°10'20" W., 1,437.05 feet;
South, 318.9 feet;
S. 70°10'20" E., 1,012.47 feet;
East, 399.43 feet;
North, 174.87 feet, along the east line of sec. 7 to point of beginning.
Sec. 8, NW¼NW¼, that part described as follows:
Beginning at a point on the west line of sec. 8 from which the corner common to secs. 5, 6, 7, and 8 bears North, 1,148.8 feet, thence by metes and bounds:
S. 70°10'20" E., 468.98 feet;
S. 19°49'40" W., 15.42 feet;
West, 448.0 feet, along the south line of the NW¼NW¼ sec. 8;
North, 174.87 feet, along the west line of sec. 8 to point of beginning.
Sec. 8, S½NE¼, that part described as follows:
Beginning at a point on the east boundary of sec. 8 from which corner common to secs. 8, 9, 17, and 17 bears South, 2634.9 feet, thence by metes and bounds:
North, 190.09 feet;
N. 70°10'20" W., 2,578.00 feet;
S. 64°49'40" W., 254.50 feet;
South, 935.50 feet; along the north-south center line of sec. 8;
East, 2,638.40 feet, along the east-west center line of sec. 8 to point of beginning.
Sec. 8, NE¼SW¼, that part described as follows:
Beginning at the center of sec. 8, thence by metes and bounds:
West, 373.0 feet, along the east-west center line;
S. 22°18' E., 308.0 feet;
S. 70°10'20" E., 260.0 feet;
North, 361.4 feet, along the north-south center line to point of beginning.
Sec. 13, S½, S½NW¼;
Sec. 14, S½NE¼, SE¼NW¼, NE¼SW¼, S½SW¼, SE¼;
Sec. 15, SW¼NE¼, SW¼NW¼, NW¼SW¼, SE¼SW¼, S½SE¼.

OSCAR L. CHAPMAN,
Secretary of the Interior.

OCTOBER 10, 1951.

[F. R. Doc. 51-12398; Filed, Oct. 16, 1951; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—PRACTICE AND PROCEDURE

APPLICATION FOR AMATEUR STATION LICENSE

In the matter of revision of FCC Form 602, Application for Amateur Station License (under special exception of Commission's regulations),[1] and the amendment of Part 1 of the Commission's rules.

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 10th day of October 1951;

The Commission having under consideration the revision of FCC Form 602, Application for Amateur Station License (under special exception of Commission's regulations), and the amendment of § 1.318 (b) (11) of the Commission's rules and the "Table showing forms currently in effect and where they are referred to in Part 1 of the rules and regulations"; and

It appearing, that questions, which result in the submission of information which is no longer of value to the Commission, have been deleted, and certain editorial changes have been made for the purpose of clarification and standardization; and

It further appearing, that it is necessary to amend § 1.318 (b) (11) to conform with the title of the form as revised; and

It further appearing, that certain editorial changes in the "Table showing forms currently in effect and where they are referred to in Part 1 of the rules and regulations" are necessary to conform with previous amendments to §§ 1.318 (b) and 1.320 (c); and

It further appearing, that the changes herein contained are editorial in nature, involving no substantive change requiring general notice of proposed rule-making under section 4 (a) of the Administrative Procedure Act; and

It further appearing, that authority for the ordered revisions and amendments is contained in sections 4 (i), 303 (r), and 308 (b) of the Communications Act of 1934, as amended:

It is ordered, That effective October 30, 1951, FCC Form 602, Application for Amateur Station License (under special exception of Commission's regulations), is revised as set forth below; and

It is further ordered, That effective October 30, 1951, Part 1 of the Commis-

[1] Filed as part of the regional document.

sion's rules is amended as set forth below:

1. Section 1.318 (b) (11) is amended to read:

(11) FCC Form 602, "Application for Amateur Station License (under special provisions of § 12.61 of the Commission's rules)"—to be used for a station of amateurs in the armed forces when located in approved public quarters but not operated by the United States Government.

2. The "Table showing forms currently in effect and where they are referred to in Part 1 of the rules and regulations" is amended as follows:

a. Change "602------1.318 (b) (10)" to read "602----1.318 (b) (11)"; and "1.320 (c) (7)" to read "1.320 (c) (6)."

b. Change "610------1.318 (b) (9)" to read "610------1.318 (b) (10)"; and "1.320 (c) (7)" to read "1.320 (c) (6)."

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 308, 48 Stat. 1082, 1084, as amended; 47 U. S. C. 308)

Released: October 12, 1951.

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

[F. R. Doc. 51-12429; Filed, Oct. 16, 1951; 8:53 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR Part 301]

WHITE-PINE BLISTER RUST

ADMINISTRATIVE INSTRUCTIONS DESIGNATING CONTROL AREAS UNDER PROVISIONS OF WHITE-PINE BLISTER RUST QUARANTINE

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that the Chief of the Bureau of Entomology and Plant Quarantine, pursuant to the authority conferred upon him by § 301.63-3 of the regulations supplemental to the White-Pine Blister Rust Quarantine (7 CFR 301.63-3), under section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), is considering amending the administrative instructions designating control areas (7 CFR, Supp., 301.63-3a) by deleting the portion therein relating to the State of Maryland and substituting therefor the following:

§ 301.63-3a *Administrative instructions designating the control-area States or parts thereof into which the movement of gooseberry and currant plants is regulated or prohibited.* * * *

Maryland. European black currant plants may not be moved interstate to any destination in Maryland.

Gooseberry and currant plants, other than European black currants, may not be moved interstate to any destination in Maryland unless accompanied by control-area permits secured from the State Plant Pathologist, University of Maryland, College Park, Md. Control-area permits will not be issued for planting within infective distances of protected pine.

The purpose of the proposed amendment is to give greater protection to white-pine plantings throughout the State of Maryland, as recommended and requested by officials of the State Horticultural Department, Maryland Board of Agriculture.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Chief of the Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 15 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Sec. 8, 37 Stat. 318; 7 U. S. C. 161; 7 CFR 301.63-3)

Done at Washington, D. C., this 28th day of September 1951.

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

[F. R. Doc. 51-12430; Filed, Oct. 16, 1951; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 2]

[Docket No. 10071]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of § 2.1 of Subpart A, §§ 2.101 and 2.104 (a) of Subpart B of Part 2, rules governing Frequency Allocations and Radio Treaty Matters.

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. It is proposed to amend Subpart A and Subpart B of Part 2, rules governing Frequency Allocations and Radio Treaty Matters to provide nomenclature and definitions for stations in the Radiolocation Service which are used for purposes other than radionavigation. These amendments make no change in the bands of frequencies which may be authorized to the non-safety category of radiolocation devices such as speedmeters and radar used for purposes other than radionavigation.

3. The proposed amendments are set forth below.

4. Any outstanding station authorizations for such devices which may not have been classified as being in the radiolocation service will be reclassified so as to be consistent with the proposed amendments at such time as renewals of such authorizations are made.

5. Authority for the issuance of the amendments is vested in the Commission by virtue of sections 4 (i) and 303 (c), (e), (f), (g), and (r) of the Communications Act of 1934, as amended.

6. Any interested person who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the form set forth, may file with the Commission, on or before November 20, 1951, a written statement or brief setting forth his comments. At the same time, persons favoring the amendment as proposed may file statements in support thereof. The Commission will consider all such comments that are received before taking final action in the matter.

7. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: October 10, 1951.

Released: October 10, 1951.

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

It is proposed to amend Subparts A and B of Part 2, rules governing frequency allocation and treaty matters as follows:

1. Subpart A, § 2.1, add:

Land radiopositioning station (PL). A station in the radiolocation service, other than a radionavigation station, not intended for operation while in motion.

Mobile radiopositioning station (PO). A station in the radiolocation service, other than a radionavigation station, intended to be used while in motion or during halts at unspecified points.

2. Subpart B, § 2.101, add:

PL--------- Land radiopositioning station.
PO--------- Mobile radiopositioning station.

3. Subpart B, § 2.104 (a), in the band 2450-2500 Mc, footnote NG17, change to read:

NG17 Land radiopositioning stations and mobile radiopositioning stations, including speed measuring devices, may be authorized to use frequencies in the band 2450-2500 Mc on the condition that harmful interference will not be caused to the fixed and mobile services.

4. Subpart B, § 2.104 (a), in the bands 2900-3246, 3266-3300, 5250-5440, 5460-5650, 9000-9300, and 9320-9500 Mc, footnote NG18, change to read:

NG18 Land radiopositioning stations and mobile radiopositioning stations, excluding speed measuring devices, may be authorized to use frequencies in this band on the condition that harmful interference will not be caused to the radionavigation service.

[F. R. Doc. 51-12428; Filed, Oct. 16, 1951; 8:53 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 52367, 1511956]

WYOMING

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM KENDRICK PROJECT

Correction

In F. R. Doc. 51-12187, appearing at page 10388 of the issue for Thursday, October 11, 1951, Sec. 15 of T. 31 N., R. 82 W. should read "Sec. 15, NE¼, E½NW¼;".

ALASKA

NOTICE OF OPENING OF LAND TO ENTRY UNDER THE SMALL TRACT ACT

OCTOBER 10, 1951.

Pursuant to the authority delegated to the Regional Administrator, Region VII, by the Director, Bureau of Land Management under section 2.21 of Order No. 427, approved by the Secretary of the Interior August 16, 1950 (15 F. R. 5641), the following described public lands in the Anchorage, Alaska land district were classified by Alaska Small Tract Classification Order No. 40, dated April 30, 1951, as chiefly valuable for lease and sale as cabin sites under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, to become effective for filing under the Act after due notice by publication:

For lease and sale:

KENAI RIVER AREA

For cabin sites:

SEWARD MERIDIAN

T. 5 N., R. 10 W.,
Sec. 33: Lots 2, 4.

Aggregating 7 small tracts containing approximately 31.22 acres.

2. Located along the south bank of the Kenai River approximately 14 miles southeast of the village of Kenai, Alaska, the lands are accessible by auto to within 1 mile via the Sterling Highway. Access by motorboat may be obtained from the Kenai River Bridge, about one mile downstream from the subject lands. Adequate water for domestic purposes may be obtained from the river or from wells, and sewage disposal may be made by the use of cesspools. No public facilities are obtainable in the area at the present time. The climate is a favorable combination of the temperate coastal climate of south central Alaska and the extreme continental climate of the interior of Alaska.

3. Therefore, in accordance with the authority delegated to me under Section 2.21 of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625, 8627), notice is hereby given, that at 10:00 a. m. on October 30, 1951, the lands shall, subject to valid existing rights and the provisions of existing withdrawals become subject to application, location, petition, or selection as follows:

(a) *Ninety-day period for preference right filings.* For a period of 90 days from 10:00 a. m., on October 30, 1951, to close of business on January 28, 1952, inclusive, to (1) application under the Small Tract Act of June 1, 1938, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279, 282) as amended, and by other qualified persons entitled to credit for service under the said act, subject to the requirements of applicable law, and (2) application under any applicable public law, based on prior existing valid settlement and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans and by other persons entitled to credit for service shall be subject to claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed on October 10, 1951, or thereafter, up to and including 10:00 a. m., on October 30, 1951, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public land laws.* Commencing at 10:00 a. m., on January 29, 1952, any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally.

(d) *Advance period for simultaneous non-preference right filings.* Applications under the Small Tract Act by the general public filed on January 9, 1952, or thereafter, up to and including 10:00 a. m., on January 29, 1952, shall be treated as simultaneously filed.

4. A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claim. Persons asserting preference rights, through settlement or otherwise, and those having equitable claim, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

5. All applications for these lands which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent that such regulations are applicable. Applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

6. Lessees under the Small Tract Act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, in the circumstances, are presentable, substantial and appropriate for the use for which the lease is issued. Leases will be for a period of not more than three years, at an annual rental of $5.00, payable in advance for the entire lease period. Every lease will contain an option to purchase clause and every lessee may file an application to purchase at the sale price as provided in the lease.

7. All of the land will be leased in tracts varying in size from approximately 3.9 acres to approximately 4.6 acres, in accordance with the classification map on file in the Land Office, Anchorage, Alaska. The tracts where possible are made to conform in description with the rectangular system of survey, in compact units.

8. All sewage disposal facilities will be located not less than 75 feet from the exterior boundaries of the tract described in the lease, provided, however, that if said tract abuts upon any stream, lake or other body of fresh water, no sewage disposal facility shall be placed within 100 feet of any such water. If the tract described in the lease is located upon sloping lands, lessee should locate any well or sewage disposal facility according to the recommendations of the Alaska Territorial Department of Health.

9. The leases will be made subject to rights-of-way for road purposes and public utilities, of 33 feet in width, on each side of the tracts contiguous to the section and/or quarter section lines, or as shown on the classification maps on file in the Land Office, Anchorage, Alaska. Such rights-of-way may be utilized by the Federal Government, or the State or Territory, county or municipality, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

10. All inquiries relating to these lands shall be addressed to the Manager, Land Office, Anchorage, Alaska.

HAROLD T. JORGENSON,
Chief, Division of Land Planning.

[F. R. Doc. 51-12423; Filed, Oct. 16, 1951; 8:51 a. m.]

ALASKA

SMALL TRACT CLASSIFICATION ORDER NO. 44

OCTOBER 10, 1951.

Pursuant to the authority delegated to me under section 2.21 of Order No. 1, Bureau of Land Management, Region

VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625, 8627), I hereby classify as hereinafter indicated under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C., 682a), as amended, the following described public lands in the Fairbanks, Alaska Land District, comprising 7 tracts embracing approximately 24.43 acres, for lease and sale:

FAIRBANKS AREA

FAIRBANKS' UNIT NO. 6

For cabin sites:

FAIRBANKS MERIDIAN

T. 1 S., R. 2 E.,
Section 5: Lot 4

2. The lands are located on the left limit of the Chena River, approximately nine miles east of the City of Fairbanks. All of the tracts front on the Chena River. Access to the area by automobile is presently unobtainable. However, the lands may be reached by outboard motorboat via the river. The lands comprise a portion of the Chena River flood plain and are topographically level. Adequate water for domestic purposes can be obtained from wells or from the river and sewage disposal may be made by the use of cesspools. No public facilities are obtainable in the area at the present time. The climate is of the subarctic continental type with extremely cold winters and moderately warm summers. The average January temperature is minus 11.2 degrees, and the average July temperature is 60.1 degrees.

3. This classification order shall not become effective to change the status of the land or to permit the leasing thereof under the Small Tract Act of June 1, 1938, cited above, until 10:00 a. m., on October 30, 1951. At that time the land shall, subject to valid existing rights, become subject to application, petition, location, or selection, as follows:

(a) *Ninety-day period for other preference right filings.* For a period of 90 days from 10:00 a. m., on October 30, 1951, to close of business on January 28, 1952, inclusive, to (1) application under the Small Tract Act of June 1, 1938, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279, 282) as amended, and by other qualified persons entitled to credit for service under the said act, subject to the requirements of applicable law, and (2) application under any applicable public law, based on prior existing valid settlement and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans and by other persons entitled to credit for service shall be subject to claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed on October 10, 1951, or thereafter, up to and including 10:00 a. m., on October 30, 1951, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public land laws.* Commencing at 10:00 a. m., on January 29, 1952, any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally.

(d) *Advance period for simultaneous non-preference right filings.* Applications under the Small Tract Act by the general public filed on January 9, 1952, or thereafter, up to and including 10:00 a. m., on January 29, 1952, shall be treated as simultaneously filed.

4. A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claim. Persons asserting preference rights, through settlement or otherwise, and those having equitable claim, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

5. All applications for these lands, which shall be filed in the Land Office at Fairbanks, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent that such regulations are applicable. Applications under the Small Tract Act of June 1, 1938 shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

6. Lessees under the Small Tract Act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, in the circumstances, are presentable, substantial and appropriate for the use for which the lease is issued. Leases will be for a period of not more than three years, at an annual rental of $5.00, payable in advance for the entire lease period. Every lease will contain an option to purchase clause and every lessee may file an application to purchase at the sale price as provided in the lease.

7. All of the land will be leased in tracts varying in size from approximately 1.25 acres to approximately 6 acres, in accordance with the classification map on file in the Land Office, Fairbanks, Alaska. The tracts where possible are made to conform in description with the rectangular system of survey, in compact units.

8. All sewage disposal facilities will be located not less than 75 feet from the exterior boundaries of the tract described in the lease, provided, however, that if said tract abuts upon any stream, lake or other body of fresh water, no sewage disposal facility shall be placed within 100 feet of any such water. If the tract described in the lease is located upon sloping lands, lessee should locate any well or sewage disposal facility according to the recommendations of the Alaska Territorial Department of Health.

9. The leases will be made subject to rights-of-way for road purposes and public utilities, of 33 feet in width, on each side of the tracts contiguous to the section and/or quarter section lines, or as shown on the classification maps on file in the Land Office, Fairbanks, Alaska. Such rights-of-way may be utilized by the Federal Government, or the State or Territory, county or municipality, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

10. All inquiries relating to these lands shall be addressed to the Manager, Land Office, Fairbanks, Alaska.

HAROLD T. JORGENSON,
Chief, Division of Land Planning.

[F. R. Doc. 51-12424; Filed, Oct. 16, 1951; 8:51 a. m.]

ALASKA

SMALL TRACT CLASSIFICATION NO. 45

OCTOBER 10, 1951.

Pursuant to the authority delegated to me under Sec. 2.21 of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625, 8627), I hereby classify as hereinafter indicated under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, the following described public lands in the Anchorage, Alaska Land District:

For leasing and sale; for home sites:
U. S. Survey 2305: Containing approximately 23.37 acres.

The land above described is included in the homestead entry of John Sargent, Anchorage 08305.

This order shall not become effective to change the status of such land or to permit the leasing thereof under the Small Tract Act of June 1, 1938, cited above, except upon the failure of the homestead entry Anchorage 08305 mentioned above. In the event of the failure of said entry, the land will then become available for filings under the Small Tract Act, after due notice to be given by publication, subject to the preference right of veterans of World War II, accorded by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279) and other qualified persons entitled to credit for service under the said act.

HAROLD T. JORGENSON,
Chief, Division of Land Planning.

[F. R. Doc. 51-12425; Filed, Oct. 16, 1951; 8:51 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[No. S-30]

MISSISSIPPI SHIPPING CO., INC.

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held before Chief Examiner G. O. Basham, in Room 4823, Commerce Building, Washington, D. C., on November 13, 1951, at 10 o'clock a. m., under Title VI of the Merchant Marine Act, 1936, as amended, concerning review by the Board, on its own motion, of the Operating-Differential Subsidy Agreement of Mississippi Shipping Company, Inc. (contract No. MCc-62433) with respect to vessels operated by the company on Trade Route No. 14, Service No. 2, between United States Gulf ports and the West Coast of Africa.

The purpose of the hearing is to receive evidence to determine under the applicable provisions of Title VI of the Merchant Marine Act, 1936, as amended, (a) whether the vessels operated by Mississippi Shipping Company, Inc., on Trade Route 14, Service 2, encountered substantial competition from foreign-flag vessels during the period January 1, 1948, to date; and (b) whether, and to what extent, adjustment in subsidy payments is required.

The hearing will be conducted pursuant to the Board's rules of procedure (12 F. R. 6076), and a recommended decision will be issued by the examiner.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) desiring to intervene in this proceeding should notify the Board accordingly on or before November 5, 1951, and should file petitions promptly for leave to intervene in accordance with § 201.81 of the Board's rules of procedure.

Dated: October 12, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-12450; Filed, Oct. 16, 1951; 8:52 a. m.]

[No. M-38]

MOORE-MCCORMACK LINES, INC.

NOTICE OF HEARING ON APPLICATION TO BAREBOAT CHARTER GOVERNMENT-OWNED, WAR-BUILT, DRY-CARGO VESSELS FOR USE ON TRADE ROUTES NOS. 1 AND 6

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that an informal public hearing will be held at Washington, D. C., on October 23, 1951, at 10 o'clock a. m., in Room 4823, Commerce Building, before Examiner F. J. Horan, upon the application of Moore-McCormack Lines, Inc., to bareboat charter two Government-owned, war-built, dry-cargo vessels of Victory type (or satisfactory substitutes) for operation on Trade Route No. 1 (U. S. Atlantic ports-East Coast of South America) and Trade Route No. 6 (U. S. North Atlantic ports-Scandinavian and Baltic ports).

The purpose of the hearing is to receive evidence with respect to whether the services for which such vessels are proposed to be chartered are required in the public interest and are not adequately served, and with respect to the availability of privately owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such services. Evidence offered with respect to any restrictions or conditions that may under the statute be included in the charter if the application should be granted also will be received.

All persons having an interest in the application will be given an opportunity to be heard if present.

The parties may have oral argument before the examiner immediately following the close of the hearing, in lieu of briefs, and the examiner will issue a recommended decision. Parties may have seven (7) days or such shorter time as may be agreed to at the hearing within which to file exceptions to, or memoranda in support of, the examiner's recommended decision, but the Board reserves the right to determine whether oral argument on exceptions will be granted and whether briefs in connection therewith will be received.

Dated: October 15, 1951.

By order of the Federal Maritime Board.

[SEAL] R. L. MCDONALD,
Assistant Secretary.

[F. R. Doc. 51-12490; Filed, Oct. 16, 1951; 8:54 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

NEW HAMPSHIRE SOCIETY FOR CRIPPLED CHILDREN AND HANDICAPPED PERSONS

ORDER GRANTING EXCEPTION FROM RECORD-KEEPING REQUIREMENTS

Pursuant to section 11 (c) of the Fair Labor Standards Act of 1938, as amended (sec. 11 (c), 52 Stat. 1066; 29 U. S. C. 211 (c)), and § 516.9 of the regulations governing records to be kept by employers under that act, as amended, effective June 19, 1950 (29 CFR, 1950 Supp., 516.9), the following exception from the requirements of § 516.21 (c) of such regulations is hereby granted to the New Hampshire Society for Crippled Children and Handicapped Persons, Manchester, New Hampshire.

Said Society is hereby relieved from the requirement that homework handbooks be kept for each industrial homeworker: *Provided*, That the Society shall maintain the records required under § 516.21 (b) of the regulations and in addition shall require each employee to maintain records containing the following with respect to each workday: (1) Date, (2) starting and stopping time of each period worked, (3) total hours worked, and (4) total number of units produced. Such records shall, upon completion, be returned to the Society and be preserved for a period of not less than two years from the date of final entry in accordance with § 516.6 of the regulations.

This exception is granted on the representations of the petioner and is subject to revocation for cause.

Signed at Washington, D. C., this 11th day of October 1951.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 51-12419; Filed, Oct. 16, 1951; 8:51 a. m.]

EXECUTIVE OFFICE OF THE PRESIDENT

Office of Defense Mobilization

[Docket No. A]

CAMP PICKETT, VIRGINIA, AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

OCTOBER 4, 1951.

Upon specific data which have been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Camp Pickett, Virginia, Area: This area is comprised of Nottaway and Lunenburg Counties; in Brunswick County the magisterial districts of Red Oak, Sturgeon and Totaro; and in Dinwiddie County the magisterial district of Darvills.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

WILLIAM C. FOSTER,
Acting Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-12480; Filed, Oct. 16, 1951; 8:53 a. m.]

[Docket No. B]

FORT DIX, NEW JERSEY, AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

OCTOBER 8, 1951.

Upon specific data which have been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Fort Dix, New Jersey, Area: This area includes portions of two counties, namely, Burlington and Ocean. In Burlington County the townships of Bordentown, Burlington, Chester, Chesterfield, Cinnaminson, Delanco, Delran, East Hampton, Edgewater

Park, Evesham, Florence, Hainesport, Luberton, Mansfield, Medford, Moorestown, Mount Holly, Mount Laurel, New Hanover, North Hanover, Pemberton, Riverside, South Hampton, Springfield, Westampton and Willingboro; the cities of Beverly, Bordentown and Burlington; and the boroughs of Fieldsboro, Medford Lakes, Palmyra, Pemberton, Rivertown, Wrightstown; and in Ocean County the townships of Plumsted, Jackson, Lakewood, Brick, Manchester, Berkeley, Dover and the boroughs of Lakehurst, South Toms River, Beachwood, Pine Beach, Ocean Gate and Island Heights.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

ROBERT A. LOVETT,
Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-12481; Filed, Oct. 16, 1951; 8:54 a. m.]

[Docket No. 22]

SOLANO COUNTY, CALIFORNIA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

OCTOBER 9, 1951.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Solano County, California.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

ROBERT A. LOVETT,
Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-12476; Filed, Oct. 16, 1951; 8:53 a. m.]

[Docket No. 58]

BRISTOL-MORRISVILLE, PENNSYLVANIA, AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

OCTOBER 9, 1951.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947 as amended exist in the area designated as

Bristol-Morrisville, Pennsylvania, Area: This area is comprised of the following portions of Bucks County: Townships of Bensalem, Bristol, Falls, Middletown, Lower Makefield, Upper Makefield, Newton, Wrightstown, and Northampton; Boroughs of Bristol, Hulmeville, Langhorne, Langhorne Manor, Morrisville, Newton, Penndel, South Langhorne, Tullytown, and Yardley.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

ROBERT A. LOVETT,
Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-12475; Filed, Oct. 16, 1951; 8:53 a. m.]

[Docket No. 49]

HANFORD-KENNEWICK-PASCO, WASHINGTON, AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

OCTOBER 9, 1951.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Hanford - Kennewick - Pasco, Washington, Area: This area includes Benton County; part of Franklin County, viz., Precincts of Pasco, Eltopia, Fishhook, Riverview and Ringold; part of Walla Walla County, viz., Precincts of Attalia, Burbank, Wallula; part of Yakima County, viz., Precincts of Belma, Byron, Cascade, Mabton, Mabton Rural, North Grandview, South Grandview, Sunnyside 1, Sunnyside 2, Sunnyside 3, Wanita and Wendell Phillips.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

ROBERT A. LOVETT,
Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-12478; Filed, Oct. 16, 1951; 8:53 a. m.]

[Docket No. 78-A]

NEWPORT NEWS, VIRGINIA, AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

SEPTEMBER 27, 1951.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Newport News, Virginia, Area: (includes the independent cities of Newport News and Hampton and the counties of Warwick, Elizabeth City and York).

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

WILLIAM C. FOSTER,
Acting Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-12483; Filed, Oct. 16, 1951; 8:54 a. m.]

[Docket No. 84]

FLORENCE-KILLEEN, TEXAS, AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

OCTOBER 8, 1951.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Florence-Killeen, Texas, Area: This area is comprised of Bell and Coryell Counties and Precincts 4 and 5 in Williamson County.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

ROBERT A. LOVETT,
Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-12484; Filed, Oct. 16, 1951; 8:54 a. m.]

[Docket No. 188]

INDIANAPOLIS, INDIANA, AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

OCTOBER 9, 1951.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Indianapolis, Indiana, Area: This area is comprised of Marion, Hamilton and Hancock Counties.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

ROBERT A. LOVETT,
Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-12477; Filed, Oct. 16, 1951; 8:53 a. m.]

[Docket No. 109]

PRESQUE ISLE-LIMESTONE, MAINE, AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

OCTOBER 11, 1951.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Presque Isle-Limestone, Maine, Area: This area is located in Aroostock County and consists of the City of Presque Isle, the Towns of Caribou, Castlehill, Easton, Fort Fairfield, Limestone, Mapleton, Mars Hill, VanBuren, Washburn and Westfield, and the Plantations of Caswell and Hamlin.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

WILLIAM C. FOSTER,
Acting Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-12479; Filed, Oct. 16, 1951; 8:53 a. m.]

[Docket No. 215]

CAMP POLK, LOUISIANA, AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

OCTOBER 9, 1951.

Upon specific data which have been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Camp Polk, Louisiana, Area: This area is comprised of the Parish of Vernon and, in Beauregard Parish, Wards 2, 3, 4, 5, 7, and 8 including the Town of Merryville and the City of DeRidder.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

WILLIAM C. FOSTER,
Acting Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-12482; Filed, Oct. 16, 1951; 8:54 a. m.]

[Docket No. 276]

CAMP BRECKENRIDGE, KENTUCKY, AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

OCTOBER 11, 1951.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Camp Breckenridge, Kentucky, Area: This area includes the Counties of Union and Henderson, Kentucky.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

WILLIAM C. FOSTER,
Acting Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-12474; Filed, Oct. 16, 1951; 8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9696, 9875]

RADIO SUMTER AND RADIO STATION WSOC, INC. (WSOC)

ORDER SCHEDULING HEARING

In re applications of J. A. Gallimore and Hugh H. Wells, d/b as Radio Sumter, Sumter, South Carolina, Docket No. 9696, File No. BP-7617: Radio Station WSOC, Incorporated (WSOC), Charlotte, North Carolina, Docket No. 9875, File No. BP-7726; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of October 1951;

The Commission having under consideration a petition filed on behalf of both of the above-entitled applicants, requesting a reconsideration and grant without hearing of their respective applications;

It appearing, that these two applications were designated for hearing in a consolidated proceeding on December 27, 1950, with one of the hearing issues being to determine whether there would be objectionable interference involved with the operation of the station WKDK, Newberry, South Carolina; and

It further appearing, that Newberry Broadcasting Company, which is licensee of station WKDK, formerly had pending an application to change antenna system and during the pendency of such application such licensee expressed its consent to a grant of the aforementioned joint petition but, meantime, having dismissed its application on September 21, 1951, Newberry Broadcasting Company now objects to a grant of the petition because it appears that a grant of the applications for new or changed facilities at Sumter and Charlotte, respectively, would cause interference to the existing operation of station WKDK; and

It further appearing, that the above-entitled proposals would involve interference to station WKDK;

It is ordered, That the petition of J. A. Gallimore and Hugh H. Wells, d/b as Radio Sumter and Radio Station WSOC, Incorporated, is denied; and

It is further ordered, That the hearing in this proceeding will be held at 10:00 a. m., in Washington, D. C., on November 26, 1951.

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

[F. R. Doc. 51-12427; Filed, Oct. 16, 1951; 8:52 a. m.]

[Docket Nos. 10031-10034, 10046-10047]

PARAMOUNT PICTURES, INC., ET AL.

ORDER SCHEDULING HEARING

In re applications of Paramount Pictures, Inc., et al., for renewal of licenses, licenses, modification of construction permits and transfer of control, Docket Nos. 10031-10034; American Broadcasting Company et al., for consent to assignment of licenses and transfer of control, Docket Nos. 10046-10047.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of October 1951;

The Commission having under consideration its orders of August 8, 1951, and August 27, 1951, herein, designating the respective applications in the above-entitled proceeding for consolidated hearing at a time to be set by further order of the Commission, on issues specified in the said orders;

It is ordered, That the hearing in the above-entitled proceeding shall commence at 10:00 a. m., on January 15, 1952, at the Commission's offices in Washington, D. C., before a Hearing Examiner to be designated by further order of the Commission.

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

[F. R. Doc. 51-12426; Filed, Oct. 16, 1951; 8:52 a. m.]

GENERAL SERVICES ADMINISTRATION

ATTORNEY GENERAL

DELEGATION OF AUTHORITY TO NEGOTIATE CERTAIN CONTRACTS AND PURCHASES WITHOUT ADVERTISING

1. Pursuant to the authority vested in me by section 302 (a) of the Federal Property and Administrative Services Act of 1949, as amended (Pub. Laws 152 and 754, 81st Congress), hereinafter called the act, authority is hereby delegated to the Attorney General to negotiate contracts and purchases, in accord with section 302 (c) (12) of the act, without advertising, for the purchase of twenty Motorola Handie Talkies (radio sets), Model #FHTR-1DH, at a cost of approximately $289.00 each, provided that the Attorney General shall determine such material to be technical equipment, that such procurement without advertising is necessary in order to assure standardization of equipment and interchangeability of parts and that such standardization and interchangeability are necessary in the public interest.

2. This authority shall be exercised strictly in accordance with the act, particularly section 307 requiring written findings and preservation of data, and reports to the General Accounting Office.

3. The authority herein delegated may not be redelegated to any other person.

This delegation of authority shall be effective as of the date hereof.

Date: October 12, 1951.

JESS LARSON,
Administrator.

[F. R. Doc. 51-12500; Filed, Oct. 16, 1951; 9:41 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1783]

TRANSCONTINENTAL GAS PIPE LINE CORP.

ORDER DENYING REQUEST FOR SHORTENED PROCEDURE AND FIXING DATE OF HEARING

OCTOBER 10, 1951.

On August 31, 1951, Transcontinental Gas Pipe Line Corporation (Applicant), a Delaware corporation having its principal place of business in Houston, Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act authorizing the construction and operation of a sales-meter station at the end of a proposed lateral to be constructed by Duke Power Company in the vicinity of Williamston, in Anderson County, South Carolina, all as more fully described in its application on file with the Commission and open to public inspection.

Due notice of the filing of such application has been given, including publication in the FEDERAL REGISTER on September 18, 1951 (16 F. R. 9492).

Applicant has requested that its application be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)) for noncontested proceedings.

The Commission finds: Good cause has not been shown for granting Applicant's request that its application in Docket No. G-1783 be heard under the shortened procedure as provided by the Commission's rules of practice and procedure, and said request should be denied as hereinafter ordered.

The Commission orders:

(A) Transcontinental Gas Pipe Line Corporation's request that its application in Docket No. G-1783 be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)) be and the same is hereby denied.

(B) Pursuant to authority contained in and by virtue of the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a public hearing be held commencing on November 7, 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., concerning the matters involved and the issues presented by the application.

(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 Commission's rules of practice and procedure.

Date of issuance: October 11, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-12400; Filed, Oct. 16, 1951; 8:46 a. m.]

[Docket Nos. G-1741, G-1764]

TENNESSEE GAS TRANSMISSION CO.

ORDER FIXING DATE OF HEARING AND SPECIFYING PROCEDURE

OCTOBER 9, 1951.

On July 12, 1951, at Docket Nos. G-962, G-1070, G-1248, G-1290, and G-1741, the Commission by order rejected and suspended certain rate schedules filed by Tennessee Gas Transmission Company (Tennessee). By said order, the Commission ordered a hearing to be held at a time and place to be fixed by further order of the Commission.

On August 14, 1951, at Docket Nos. G-962, G-1070, G-1248, and G-1290, the Commission by order accepted for filing certain rate schedules filed by Tennessee, as constituting satisfactory compliance with the rate conditions in the orders issuing certificates of public convenience and necessity in said dockets.

On August 14, 1951, at Docket No. G-1764, the Commission by order suspended certain rate schedules filed by Tennessee. In addition, said order of August 14, 1951, consolidated the proceeding at Docket No. G-1764 with that at Docket No. G-1741, and ordered a hearing to be held on such consolidated proceedings at a time and place to be fixed by further order of the Commission.

The Commission finds:

(1) The public hearing on the above-entitled consolidated proceedings should be held at the time and place hereinafter designated.

(2) It is necessary and appropriate to carry out the provisions of the Natural Gas Act, and it is in the public interest, that the procedure hereinafter prescribed shall be followed at such hearing in order to conduct this proceeding with reasonable dispatch.

The Commission orders:

(A) The public hearing on the above-entitled consolidated proceedings shall commence on November 27, 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.

(B) Pursuant to the provisions of section 4 (e) of the Natural Gas Act, Tennessee shall go forward with the burden of proof imposed upon it, presenting its justification with respect to the issues raised by paragraph (C) of the order of July 12, 1951, at Docket No. G-1741, and by paragraph (A) of the order of August 14, 1951, at Docket No. G-1764.

(C) After Tennessee has so presented its justification, other parties, including Commission Staff Counsel, shall conduct as much of their cross-examination with respect to Tennessee's justification as they are then prepared to undertake. Thereupon, the Presiding Examiner shall recess the hearing to a date to be fixed by further order of the Commission, in order to permit such preparation for the remainder of such cross-examination as the facts and circumstances may warrant, to expedite the proceeding.

(D) 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: October 11, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-12402; Filed, Oct. 16, 1951; 8:48 a. m.]

[Project Nos. 82, 618]

ALABAMA POWER CO.

ORDER INSTITUTING AN INVESTIGATION

OCTOBER 9, 1951.

Alabama Power Company owns and operates three hydroelectric projects on the Coosa River downstream from the Allatoona multiple-purpose project constructed by the United States between 1946 and 1950 on the Etowah River, a tributary of the Coosa River. The Lay Project of the Company is maintained and operated under a permit authorized by the act of March 4, 1907 (34 Stat. 1288). Its Mitchell Project No. 82 and Jordan Project No. 618 are maintained and operated under licenses issued under the Federal Power Act.

Pursuant to the provisions of section 10 (f) of the Federal Power Act, we are required to determine and assess headwater improvement benefit charges against the owner of any project directly benefited by headwater improvements constructed by the United States. A preliminary study by the Commission's staff indicates that the above-designated

projects of the Alabama Power Company on the Coosa River may be directly benefited by reason of the construction and operation by the United States of its upstream Allatoona project. Further study and investigation will be required before it can be determined whether any of the projects of the Company is directly benefited by the upstream Allatoona project, and, if so, the amount to be paid to the United States for the benefits so provided.

The Commission finds: It is appropriate and in the public interest that an investigation be instituted by the Commission as hereinafter provided.

The Commission orders: An investigation is hereby instituted pursuant to the provisions of the Federal Power Act, particularly section 10 (f) thereof, for the purpose of enabling the Commission to determine whether any of the above-designated projects of Alabama Power Company on the Coosa River is directly benefited by the construction and operation of the upstream Allatoona project of the United States and, if it so finds, to assess against Alabama Power Company the equitable proportion of the annual charges for interest, maintenance and depreciation on the Allatoona headwater improvement.

Date of issuance: October 11, 1951.

By the Commission.

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

[F. R. Doc. 51-12401; Filed, Oct. 16, 1951; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2711]

SOUTHWESTERN DEVELOPMENT CO. ET AL.

ORDER GRANTING AUTHORITY TO ISSUE AND SELL FIVE YEAR NOTES

OCTOBER 11, 1951.

In the matter of Southwestern Development Company, Amarillo Gas Company, West Texas Gas Company; File No. 70-2711.

Southwestern Development Company ("Southwestern"), a registered holding company, and two of its wholly-owned susbidiaries, Amarillo Gas Company ("Amarillo Gas") and West Texas Gas Company ("West Texas"), having filed a joint application-declaration and amendments thereto, pursuant to sections 7, 10, and 12 (b) of the Public Utility Holding Company Act of 1935 ("act"), with respect to the following proposed transactions:

Southwestern proposes to borrow $1,000,000 from Guaranty Trust Company of New York ("Bank") under a supplemental loan agreement dated September 12, 1951, and to issue and sell to Bank, as evidence of said loan, its five year 3 percent notes due in annual installments of $150,000 each to and including July 1, 1955, and $400,000 on July 1, 1956.

Southwestern proposes to loan the total proceeds ($1,000,000) to Amarillo Gas and West Texas in the principal sums of $300,000 and $700,000, respectively. The subsidiary companies propose to issue and sell to Southwestern and it proposes to acquire five year unsecured notes in the foregoing respective amounts, bearing interest at 3 percent and payable in annual installments to and including July 1, 1956. The funds are to be used by the subsidiary companies to provide working capital and to pay the cost of additional natural gas facilities.

It is represented that no other Federal Commission and no State Commission has jurisdiction over the proposed transactions, and that the fees and expenses to be incurred in connection with such transactions will not exceed $1,000. Applicants-declarants request that the Commission's order herein become effective upon its issuance.

Due notice having been given of the filing of the application-declaration, and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration, as amended, be, and it hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-12405; Filed, Oct. 16, 1951; 8:49 a. m.]

[File No. 70-2719]

COLUMBIA GAS SYSTEM, INC. AND MANUFACTURERS LIGHT AND HEAT CO.

NOTICE REGARDING AN OPEN-ACCOUNT ADVANCE BY PARENT COMPANY TO SUBSIDIARY COMPANY

OCTOBER 11, 1951.

Notice is hereby given that the Columbia Gas System, Inc. ("Columbia"), a registered holding company, and the Manufacturers Light and Heat Company ("Manufacturers"), a subsidiary company of Columbia, have filed a joint declaration with the Commission, pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 promulgated thereunder, with respect to the following transaction:

Columbia proposes, prior to December 31, 1951, to make open-account advances to Manufacturers in an aggregate amount not to exceed $8,000,000. Such advances will bear interest at the rate of 2¾ percent per annum and will be repayable on or before June 1, 1952. On or before that date Columbia expects to complete its own long-term debt financing and upon consummation thereof will fund Manufacturers' 2¾ percent open-account advances into long-term debt. Columbia states that the interest rate to be charged Manufacturers on its long-term debt will depend upon the cost of money to Columbia.

The joint declaration states that such funds are required to finance the balance of Manufacturers' 1951 construction program. In that connection, it is represented that the completion of Manufacturers' construction program is dependent upon the availability of material and therefore it is proposed that the open-account advances will be made when and as funds are required by Manufacturers.

Notice is further given that any interested person may, not later than October 24, 1951, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said joint declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after October 24, 1951, said joint declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-12404; Filed, Oct. 16, 1951; 8:48 a. m.]

[File No. 70-2723]

COLUMBIA GAS SYSTEM, INC., AND OHIO FUEL GAS CO.

NOTICE REGARDING AN OPEN-ACCOUNT ADVANCE BY PARENT TO SUBSIDIARY COMPANY

OCTOBER 11, 1951.

Notice is hereby given that the Columbia Gas System, Inc. ("Columbia"), a registered holding company, and the Ohio Fuel Gas Company ("Ohio Fuel"), a wholly-owned subsidiary of Columbia, have filed a joint declaration with the Commission pursuant to Section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 promulgated thereunder with respect to the following transaction:

Columbia proposes, prior to December 31, 1951, to make open-account advances to Ohio Fuel in an aggregate amount not to exceed $8,500,000. Such advances will bear interest at the rate of 2¾ percent per annum and will be repayable on or before June 1, 1952. On or before that date Columbia expects to complete its own long-term debt financing and upon consumation thereof will fund Ohio Fuel's 2¾ percent open-account advances into long-term debt. Columbia states that the interest rate on its long-term debt will depend upon the cost of money to Columbia.

The joint declaration states that such funds are required to finance the completion of Ohio Fuel's 1951 construction and gas storage program. In that connection, it is represented that the completion of Ohio Fuel's construction and gas storage program is dependent upon the avaliability of materials and therefore it is proposed that the open-account advances will be made when and as funds are required by Ohio Fuel.

Notice is further given that any interested person may, not later than October 24, 1951, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request, the nature of his interest and the issues of fact or law raised by such joint declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after October 24, 1951, said joint declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-12403; Filed, Oct. 16, 1951; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26465]

NEWSPRINT PAPER FROM BEAUMONT TO DALLAS, TEX.

APPLICATION FOR RELIEF

OCTOBER 12, 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: Lee Douglas, Agent, for The Beaumont, Sour Lake & Western Railway Company and other carriers.

Commodities involved: Paper, Newsprint, carloads.

From: Beaumont, Tex. (applicable on import and coastwise traffic).

To: Dallas, Tex.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: Lee Douglas' tariff I. C. C. No. 796, Supp. 3.

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. 51-12411; Filed, Oct. 16, 1951; 8:49 a. m.]

[4th Sec. Application 26466]

AUTOMOBILES AND PARTS FROM ST. LOUIS, MO., TO NEW MEXICO

APPLICATION FOR RELIEF

OCTOBER 12, 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 the Missouri-Kansas-Texas Railroad Company and other carriers.

Commodities involved: Automobiles, automobile parts, chassis, and trailers, carloads.

From: St. Louis, Mo.

To: Carrizozo, Duran, Roy, and Vaughn, N. Mex.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3765, Supp. 36.

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. 51-12412; Filed, Oct. 16, 1951; 8:49 a. m.]

[4th Sec. Application 26467]

GROUND LIMESTONE FROM BUCHANAN, VA., TO DOVER AND KINSTON, N. C.

APPLICATION FOR RELIEF

OCTOBER 12, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Atlantic and East Carolina Railway Company and other carriers.

Commodities involved: Ground limestone and related articles, carloads.

From: Buchanan, Va.

To: Dover and Kinston, N. C.

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. 51-12413; Filed, Oct. 16, 1951; 8:50 a. m.]

[4th Sec. Application 26468]

BLACKSTRAP MOLASSES FROM LOUISIANA TO FORT WORTH AND DALLAS, TEX.

APPLICATION FOR RELIEF

OCTOBER 12, 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 The Beaumont, Sour Lake & Western Railway Company and other carriers.

Commodities involved: Blackstrap molasses, carloads.

From: New Orleans, La., and points grouped therewith.

To: Fort Worth and Dallas, Tex.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3857, Supp. 21.

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. 51-12414; Filed, Oct. 16, 1951; 8:50 a. m.]

[4th Sec. Application 26469]

HAY AND STRAW FROM OKLAHOMA TO ARKANSAS

APPLICATION FOR RELIEF

OCTOBER 12, 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 The Atchison, Topeka and Santa Fe Railway Company and other carriers.

Commodities involved: Hay, straw, and related articles, carloads.

From: Points in Oklahoma.

To: Points in Arkansas.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3795, Supp. 2.

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. 51-12415; Filed, Oct. 16, 1951; 8:50 a. m.]

[4th Sec. Application 26470]

AUTOMOBILES FROM KANSAS CITY, MO.-KANS., AND ST. LOUIS, MO., TO THE SOUTHWEST

APPLICATION FOR RELIEF

OCTOBER 12, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3765.

Commodities involved: Automobiles, passenger, carloads.

From: Kansas City, Mo.-Kans., and St. Louis, Mo.

To: Arkansas, Missouri, and Oklahoma, and DeKalb, Maude, and New Boston, Tex.

Grounds for relief: Rail competition, circuity, grouping, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

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. 51-12416; Filed, Oct. 16, 1951; 8:50 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 148]

DUBLIFE COLLAR CO.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 148 under section 43, Ceiling Price Regulation 7, effective July 17, 1951, issued to The Dublife Collar Co., 200 Worth Street, New York 13, New York, covering replaceable collars, cuffs, neckbands, pockets, collar stays and waistband pads having the brand name(s) "Dublife" and "Klings" 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: 2 percent 10 days E. O. M., f. o. b. New York City.

Manufacturer's selling price:	*Ceiling prices at retail*
$0.75 doz. cds	$0.10 cd
$1.75 doz	.25 ea.
$3.50 doz. pr	.49 pr.
$3.50 doz. pr	.50 pr.
$3.50 doz	.50 ea.
$4.00 doz	.60 ea.
$4.50 doz	.65 ea.
$5.00 doz. pr	$0.75 pr.
$8.50 gr. cds	.10 cd.

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

OCTOBER 11, 1951.

[F. R. Doc. 51-12380; Filed, Oct. 11, 1951; 4:48 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 154]

KAY DUNHILL, INC.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 154 under section 43, Ceiling Price Regulation 7, effective July 17, 1951, issued to Kay Dunhill, Inc., Long Branch, New Jersey, covering women's and misses' dresses having the brand name(s) "Kay Dunhill" 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 E. O. M.

Manufacturer's selling price (per unit):	*Ceiling prices at retail (per unit)*
$5.75	$8.95
$6.75	10.95
$7.75	12.95
$8.75	15.00

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

OCTOBER 11, 1951.

[F. R. Doc. 51-12381; Filed, Oct. 11, 1951; 4:48 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 225]

FORSTMANN WOOLEN CO.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 225 under section 43, Ceiling Price Regulation 7, effective August 4, 1951, issued to Forstmann Woolen Co., Passaic, New Jersey, covering men's hosiery and sweaters having the brand name(s) "Forstmann" 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: 1/10—Net 60.

HOSIERY

Manufacturer's selling price (dozen):	*Ceiling prices at retail (pair)*
$12.50	$1.75
$14.25	2.00
$16.25	2.25
$21.50	3.00
$24.00 through $25.00	3.50
$27.00	3.75
$31.25	4.25
$32.00	4.50
$39.25	5.50
$51.00	7.25

SWEATERS

Manufacturer's selling price (each):	Ceiling prices at retail (each)
$10.50	$17.50
$10.75	18.00
$13.50	22.50
$14.75	25.00
$19.00	32.00

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 11, 1951.

[F. R. Doc. 51-12382; Filed, Oct. 11, 1951; 4:49 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 238]

PENDLETON WOOLEN MILLS

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 238 under section 43, Ceiling Price Regulation 7, effective August 4, 1951, issued to Pendleton Woolen Mills, 218 S. W. Jefferson Street, Portland 4, Oregon, covering men's shirts and lounging robes, women's jackets, skirts and slacks, weskits and shorts having the brand name(s) "Pendleton" 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: Men's wear—2 percent, 30 days, net, 60 days; women's wear—8 percent, 10 days EOM.

MEN'S WEAR

Manufacturer's selling price (per unit):	Ceiling prices at retail (per unit)
$7.80	$12.95
$8.25	13.75
$9.20	15.35
$9.90	16.50
$11.25	18.75
$11.35	18.95
$11.85 through $12.00	19.95
$15.00	24.95
$17.40	29.00

WOMEN'S WEAR

Manufacturer's selling price (per unit):	Ceiling prices at retail (per unit)
$6.50	$10.95
$8.75	14.95
$9.35	15.95
$9.75	16.95
$10.30 through $10.75	17.95
$11.10 through $11.25	18.95
$11.50 through $11.95	19.95
$12.75	21.95
$13.75	22.95
$14.75	25.00
$17.75	29.95
$20.75	35.00

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 11, 1951.

[F. R. Doc. 51-12383; Filed, Oct. 11, 1951; 4:49 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 250]

SOUTHERN SPRING BED CO.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 250 under section 43, Ceiling Price Regulation 7, effective August 4, 1951, issued to Southern Spring Bed Company, 290 Hunter Street SE., Atlanta 1, Georgia, covering mattresses and box springs having the brand name(s) "Red Cross", "Southern Cross", "Southern Cross Firm-O-Matt", "Southern Cross Resstar", Southern Cross Quilted", "Southern Cross Supreme", "Southern Cross Tuftless", "Southern Cross Rubberair", "Southern Cross King Size", "Blue Ribbon Tuftless" 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: 2 percent 30 days, net 60 days.

Manufacturer's selling price (per unit):	Ceiling prices at retail (per unit)
$28.50	$49.50
$32.75	59.50
$38.25	69.50

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 11, 1951.

[F. R. Doc. 51-12384; Filed, Oct. 11, 1951; 4:49 p. m.]

[Ceiling Price Regulation 7, Section 43 Appendix to Special Order 264]

GORDON CO.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 264 under section 43, Ceiling Price Regulation 7, effective August 7, 1951, issued to The Gordon Company, 1913 Arch Street, Philadelphia 3, Pennsylvania, covering denim sport coats having the brand name(s) "Tailored Softone Denim" 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: 2/10 net 30 days, F. O. B. Philadelphia.

Manufacturer's selling price (per unit):	Ceiling prices at retail (per unit)
$8.25	$15.00

MICHAEL V. DISALLE,
Office of Price Stabilization.

OCTOBER 11, 1951.

[F. R. Doc. 51-12385; Filed, Oct. 11, 1951; 4:49 p. m.]

[Ceiling Price Regulation 7, Section 43 Appendix to Special Order 267]

STYLEPART HATS, INC.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 267 under section 43, Ceiling Price Regulation 7, effective August 7, 1951, issued to Stylepart Hats, Inc., 2550 Reed Street, Philadelphia 46, Pennsylvania, covering men's trimmed fur felt hats having the brand name(s) "Stylepart Templeform Hats" and "Glen Royal Headline Hats" 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: 6 percent 10 days E. O. M., 3 percent 60 days, net 70 days.

Manufacturer's selling price (per dozen):	Ceiling prices at retail (per unit)
$54.00	$7.50
$72.00	10.00
$87.00	12.50
$105.00	15.00
$132.00	20.00
$216.00	35.00

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 11, 1951.

[F. R. Doc. 51-12386; Filed, Oct. 11, 1951; 4:49 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 283]

ADAM WUEST, INC.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 283 under section 43, Ceiling Price Regulation 7, effective August 7, 1951, issued to Adam Wuest, Inc., 911-933 Evans Street, Cincinnati 4, Ohio, covering mattresses and box springs having the brand names "Serta Foam", "Serta Perfect Sleeper Supreme", "Serta Perfect Sleeper Imperial", "Serta Perfect Sleeper De-Luxe", "Serta Perfect Sleeper Orthopedic", "Serta Perfect Sleeper", "Serta Restal Knight", "Serta Sertarest", "Fairyland", "Serta Tiny Sleeper" 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: 2 percent—10 Prox net 60 (Metropolitan District of Cincinnati).

Manufacturer's selling price (per unit):	Ceiling prices at retail (per unit)
$9.50	$16.95
$27.00	49.50
$32.50	59.50
$38.00	69.50
$42.75	79.75
$44.50	79.50
$49.00	89.50
$52.00	89.75

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 11, 1951.

[F. R. Doc. 51-12387; Filed, Oct. 11, 1951; 4:50 p. m.]

[Ceiling Price Regulation 7, Section 43 Appendix to Special Order 292]

FASHIONCRAFT PRODUCTS

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 292 under section 43, Ceiling Price Regulation 7, effective August 8, 1951, issued to Fashioncraft Products, 4814 Fourth Avenue, Brooklyn 20, N. Y., covering bottle holder and formula bag having the brand name(s) "Thermo-Craft" and "Thermotainer" lists the manufacturer's

selling prices and ceiling prices at retail established by the special order.

Appendix. The manufacturer's sell- prices are subject to the following terms: 2 percent 10 days EOM.

Manufacturer's selling price:	*Ceiling prices at retail (per unit)*
$11.25 [1] per dozen for 1 dozen or more	$1.59
$25.20 per dozen	3.50

[1] Sells at $12.50 per dozen for less than one dozen packing.

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 11, 1951.

[F. R. Doc. 51-12388; Filed, Oct. 11, 1951; 4:50 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 295]

PYRAMID RUBBER CO.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 295 under section 43, Ceiling Price Regulation 7, effective August 8, 1951, issued to The Pyramid Rubber Company, 226 South Prospect Street, Ravenna, Ohio, covering nursery units, nipples, bottles, caps and discs, cleanser, combination layette packages having the brand name(s) "Evenflo" lists the manufacturer's selling prices and ceiling prices at retail established by the special order.

Appendix.

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
44	$0.05
42 (Flint) 43, 341, 42-H	.10
40, 40-H, 460, 42-HD-42 (Pyrex)	.25
40-D, 40-HD	.40
461	.59
462	.98
409-B	2.25

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 11, 1951.

[F. R. Doc. 51-12389; Filed, Oct. 11, 1951; 4:50 p. m.]

[Region I, Redelegation of Authority 14]

DIRECTORS OF DISTRICT OFFICES, REGION I

REDELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED CEILING PRICES FOR SALES AT RETAIL BY RESELLERS PURSUANT TO SECTION 5 OF CPR 67

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, No. I, pursuant to delegation of authority No. 22 (16 F. R. 10010) this redelegation of authority is hereby issued.

1. Authority to act under section 5 of CPR 67. Authority is hereby redelegated to the Directors of the Portland, Maine, Montpelier, Vermont, Boston, Massachusetts, Springfield, Massachusetts, Providence, Rhode Island, Manchester, New Hampshire, and Hartford, Connecticut, District Offices of the Office of Price Stabilization to approve, pursuant to section 5, CPR 67, a ceiling price for sales at retail proposed by a reseller under CPR 67, disapprove such a proposed ceiling price, establish a different ceiling price by order, or request further information concerning such a ceiling price.

This redelegation of authority is effective as of October 8, 1951.

JOSEPH M. MCDONOUGH,
Acting Director,
Regional Office No. 1.

OCTOBER 15, 1951.

[F. R. Doc. 51-12531; Filed, Oct. 15, 1951; 4:57 p. m.]

[Region XI, Redelegation of Authority 1]

DIRECTOR OF DENVER, COLORADO DISTRICT OFFICE, DIRECTOR OF SALT LAKE CITY, UTAH DISTRICT OFFICE, REGION XI

REDELEGATION OF AUTHORITY TO AUTHORIZE MARKUPS IN EXCESS OF APPENDIX E OF CPR 7 AND TO PERMIT PRICING METHODS FOR SETS (GROUPS OF ARTICLES) TO WHICH SERVICES HAVE BEEN ADDED AND FOR REPAIRED OR RECONDITIONED ARTICLES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority No. 5 (16 F. R. 3672) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Denver, Colorado and Salt Lake City, Utah District Offices of the Office of Price Stabilization to authorize, by order in accordance with section 39 (b) (3) of CPR 7, markups higher than those listed in Appendix E of that regulation.

2. Authority is hereby redelegated to the Directors of the Denver, Colorado and Salt Lake City, Utah District Offices of the Office of Price Stabilization to permit, by order in accordance with section 39 (c) (2) of CPR 7, sellers to add to the total net costs of the constituent articles of assembled sets (groups of articles) to which services have been added, the costs of the services provided and a markup in line with the level of prices established by that regulation.

3. Authority is hereby redelegated to the Directors of the Denver, Colorado and Salt Lake City, Utah District Offices of the Office of Price Stabilization to permit, by order in accordance with section 39 (d) of CPR 7, sellers to add to the ceiling price established under that regulation the actual net cost of reconditioning or repairing the articles to be sold.

This redelegation of authority is effective October 15, 1951.

GEORGE F. ROCK,
Director of Regional Office No. XI.

OCTOBER 15, 1951.

[F. R. Doc. 51-12528; Filed, Oct. 15, 1951; 4:56 p. m.]

[Region XI, Redelegation of Authority 2]

DIRECTOR OF DENVER, COLORADO DISTRICT OFFICE, DIRECTOR OF SALT LAKE CITY, UTAH DISTRICT OFFICE, REGION XI

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority No. 8, dated June 13, 1951 (16 F. R. 5659) and pursuant to Delegation of Authority No. 8, Amendment No. 1 (16 F. R. 6640), this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the Denver, Colorado, and Salt Lake City, Utah District Offices of the Office of Price Stabilization to act on all applications for price action and adjustment under the provisions of sections 15 (c), 26a, 28a, and 28b of CPR 14, sections 21a, 26a, 27, and 30 (b) of CPR 15, and sections 22 (b), 24, 24a, and 26 (b) of CPR 16.

This redelegation of authority is effective October 15, 1951.

GEORGE F. ROCK,
Director of Regional Office No. XI.

OCTOBER 15, 1951.

[F. R. Doc. 51-12529; Filed, Oct. 15, 1951; 4:56 p. m.]

[Region XI, Redelegation of Authority 3]

DIRECTOR OF DENVER, COLORADO DISTRICT OFFICE, DIRECTOR OF SALT LAKE CITY, UTAH DISTRICT OFFICE, REGION XI

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority No. 13 (16 F. R. 6806) and pursuant to Delegation of Authority No. 17 (16 F. R. 8158), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Denver, Colorado and Salt Lake City, Utah District Offices of the Office of Price Stabilization to act on all applications for price action and adjustment under the provisions of section 13 of CPR 11.

2. Authority is hereby redelegated to the Directors of the Denver, Colorado and Salt Lake City, Utah District Offices of the Office of Price Stabilization to process the initial reports filed under section 6 of CPR 11 and to revise food cost per dollar of sale ratio referred to in section 4 thereof.

This redelegation of authority is effective October 15, 1951.

GEORGE F. ROCK,
Director of Regional Office No. XI.

OCTOBER 15, 1951.

[F. R. Doc. 51-12530; Filed, Oct. 15, 1951; 4:56 p. m.]