

THE NATIONAL ARCHIVES  
LITTERA SCRIPTA MANET  
OF THE UNITED STATES

# FEDERAL REGISTER

1934

VOLUME 17 NUMBER 24

Washington, Saturday, February 2, 1952

### TITLE 3—THE PRESIDENT PROCLAMATION 2962

INTER-AMERICAN CULTURAL AND TRADE  
CENTER

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA  
A PROCLAMATION

WHEREAS by a joint resolution approved September 27, 1950 (Public Law 853, 81st Congress), the Congress has expressed its endorsement of the establishment of the Inter-American Cultural and Trade Center in Miami, Florida, as a permanent, nonprofit, self-sustaining enterprise for the development of improved relations and increased trade with the republics of Latin America; and

WHEREAS the joint resolution recites that Miami is suitable for the location of such a Center because it is a natural gateway of the United States to Latin America and possesses certain additional advantages; and

WHEREAS the joint resolution also recites that the State of Florida and the city of Miami will donate lands and money for the construction of this Center; and

WHEREAS the effective functioning of the Center will encourage the mutually beneficial exchange of goods and services between the nations of the Western Hemisphere, thereby fostering the solidarity of the American republics; and

WHEREAS the aforesaid joint resolution authorizes and requests the President, by proclamation or in such other manner as he may deem proper, to grant recognition to the Inter-American Cultural and Trade Center in Miami:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in consonance with the joint resolution, do hereby call upon officials and agencies of the Government to assist and cooperate with the Inter-American Cultural and Trade Center in Miami, Florida, and I invite the participation of all the nations of the Western Hemisphere therein.

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 thirtieth day of January in the year of our Lord nineteen hundred and [SEAL] fifty-two, 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. 52-1446; Filed, Jan. 31, 1952;  
4:59 p. m.]

### TITLE 7—AGRICULTURE

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

##### PART 729—PEANUTS

##### COUNTY ACREAGE ALLOTMENTS FOR THE 1952 CROP OF PEANUTS

*Basis and purpose.* Section 358 (e) of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1358 (e)), provides that the Secretary of Agriculture may, if the State Production and Marketing Administration Committee recommends such action and the Secretary determines that such action will facilitate the effective administration of the provisions of the act, provide for the apportionment of the State acreage allotment among the counties in the State on the basis of the past acreage of peanuts harvested for nuts (excluding acreage in excess of farm allotments) in the county during the five years immediately preceding the year in which such apportionment is made, with such adjustments as are deemed necessary for abnormal conditions affecting acreage, for trends in acreage, and for additional allotments for types of peanuts in short supply un-

(Continued on p. 985)

### CONTENTS THE PRESIDENT

|  | Page |
|--|------|
| Proclamation Inter-American Cultural and Trade Center..... | 983  |

### EXECUTIVE AGENCIES

|   |      |
|---|------|
| <b>Agriculture Department</b>   |      |
| <i>See</i> Production and Marketing Administration.   |      |
| <b>Air Force Department</b>   |      |
| Delegation of authority to the Secretary to eliminate excessive profits under Renegotiation Act of 1948 ( <i>see</i> Defense Department). |      |
| <b>Army Department</b>  |      |
| Delegation of authority to the Secretary to eliminate excessive profits under Renegotiation Act of 1948 ( <i>see</i> Defense Department). |      |
| <b>Civil Aeronautics Administration</b>   |      |
| Rules and regulations:  |      |
| Minimum en route instrument altitudes.....  | 1060 |
| Standard instrument approach procedures; alterations.....   | 1057 |
| <b>Commerce Department</b>  |      |
| <i>See</i> Civil Aeronautics Administration; National Production Authority.   |      |
| <b>Defense Department</b>   |      |
| Notices:  |      |
| Secretaries of the Army, Navy and Air Force; delegation of authority to eliminate excessive profits under Renegotiation Act of 1948.....  | 1065 |
| <b>Defense Production Administration</b>  |      |
| Notices:  |      |
| Engineering & Research Corp.; withdrawal as a contractor-member.....  | 1066 |
| <b>Economic Stabilization Agency</b>  |      |
| <i>See</i> Price Stabilization, Office of; Rent Stabilization, Office of.   |      |

**RULES AND REGULATIONS**



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.

**Now Available**

**HANDBOOK OF EMERGENCY DEFENSE ACTIVITIES**

OCTOBER 1951—MARCH 1952 EDITION

Published by the Federal Register Division, the National Archives and Records Service, General Services Administration

125 PAGES—30 CENTS

Order from Superintendent of Documents, United States Government Printing Office, Washington 25, D. C.

**CONTENTS—Continued**

|  |      |
|--|------|
| <b>Federal Power Commission</b>  | Page |
| Notices:   |      |
| Hearings, etc.:  |      |
| Compania Electrica Matamoras, S. A., and Central Power and Light Co.....   | 1067 |
| La Junta Federal de Mejoras Materiales and Central Power and Light Co..... | 1067 |
| Northwest Natural Gas Co. et al.....                                       | 1066 |
| Pacific American Fisheries, Inc.....                                       | 1068 |
| Pacific Gas and Electric Co.....   | 1068 |
| Southern Natural Gas Co.....   | 1067 |
| Susquehanna Power Co. and Philadelphia Electric Power Co.....              | 1068 |
| Wisconsin Michigan Power Co.....   | 1068 |
| <b>Federal Security Agency</b>   |      |
| See Old Age and Survivors Insurance Bureau.                                |      |

**CONTENTS—Continued**

|   |      |
|---|------|
| <b>Interior Department</b>  | Page |
| See also Land Management, Bureau of; Reclamation Bureau.  |      |
| Notices:  |      |
| Cheyenne River Reservation, S. Dak.....   | 1065 |
| <b>Interstate Commerce Commission</b>   |      |
| Notices:  |      |
| Applications for relief:  |      |
| Acid, sulphuric, from Mobile, Ala., to Georgetown, S. C.....  | 1077 |
| Iron and steel articles from West Point, Miss.:<br>To certain points.....   | 1077 |
| To North Carolina and southern Virginia.....  | 1076 |
| Liquid caustic soda from McIntosh, Ala., to southern territory.....   | 1076 |
| Molasses, blackstrap, from Jacksonville and South Jacksonville, Fla., to Columbus, Ga.....  | 1077 |
| Proportional grain rates from Iowa and Nebraska to Texas.....   | 1076 |
| Rubber, crude, from Texas and Louisiana to Athens, Ga.....  | 1076 |
| Sand, gravel and crushed stone from Beloit, Wis., and South Beloit, Ill., to Milwaukee, Wis.....                                  | 1077 |
| Railroads serving Pennsylvania, Ohio, and West Virginia; re-routing or diversion of traffic.....                                  | 1075 |
| <b>Land Management, Bureau of</b>   |      |
| Notices:  |      |
| Nevada; air-navigation site withdrawal.....   | 1065 |
| <b>National Production Authority</b>  |      |
| Rules and regulations:  |      |
| Iron and steel (M-1).....   | 1051 |
| Authorized controlled materials orders during third quarter, 1951, et al. (M-1, Dir. 1, 2, 3, 4).....                             | 1055 |
| <b>Navy Department</b>  |      |
| Delegation of authority to the Secretary to eliminate excessive profits under Renegotiation Act of 1948 (see Defense Department). |      |
| <b>Old Age and Survivors Insurance Bureau</b>   |      |
| Rules and regulations:  |      |
| Federal old-age and survivors insurance (1950 —); correction.....   | 989  |
| <b>Price Stabilization, Office of</b>   |      |
| Notices:  |      |
| Ceiling prices at retail:   |      |
| Benner Leather Goods Co.....  | 1072 |
| Dazey Corp.....   | 1074 |
| John Dritz & Sons.....  | 1073 |
| Pendleton Woolen Mills.....   | 1072 |
| Directors of District Offices, re-delegation of authority:  |      |
| Region II; act under GOR 24.....  | 1070 |
| Region V; process reports of proposed price-determination methods.....  | 1070 |

**CONTENTS—Continued**

|   |      |
|---|------|
| <b>Price Stabilization, Office of—Continued</b>   | Page |
| Notices—Continued   |      |
| Directors of District Offices, re-delegation of authority—Continued   |      |
| Region XI, all District Offices: Adjust ceiling prices under CPR 34.....  | 1071 |
| Establish or adjust ceiling prices etc., construction and related services and sales of installed materials.....  | 1071 |
| Issue orders establishing ceiling prices, used passenger automobiles.....   | 1071 |
| Region XII; adjust ceiling prices, CPR 34.....  | 1071 |
| Region XIII:  |      |
| Accept reports correcting purely arithmetical errors, etc.....  | 1071 |
| Act on applications pertaining to certain food and restaurant commodities.....  | 1071 |
| <b>Rules and regulations:</b>   |      |
| Adjustment of cigarette "loss-leader" prices covered by Arkansas statute; revocation (GCPR, SR 53).....   | 1049 |
| Adjustment of ceiling prices for retail sales of pork products; miscellaneous amendments (GCPR, SR 65).....   | 1049 |
| Area milk price adjustments, California:  |      |
| Fresno District (GCPR, SR 63, AMPR 15).....   | 1002 |
| Reno District (Nevada and certain eastern California counties) (GCPR, SR 63, AMPR 13).....  | 997  |
| Sacramento District (GCPR, SR 63, AMPR 14).....   | 999  |
| San Francisco District (GCPR, SR 63, AMPR 12).....  | 991  |
| Basic alcoholic beverage regulation; distributors of imported and domestic packaged distilled spirits and wines, extension of effective date for retailers and "on-premise licensees" (CPR 78, SR 2)..... | 1048 |
| <b>Ceiling prices:</b>  |      |
| Beef sold at wholesale; zone differential in the south-eastern States (CPR 24).....   | 990  |
| Certain foods sold at retail, perishables:  |      |
| Group 1 and Group 2 stores (CPR 16).....  | 989  |
| Group 3 and Group 4 stores (CPR 15).....  | 989  |
| Certain processed vegetables of 1951 pack; canned pumpkin adjustment, optional pricing for canned pumpkin (including squash) (CPR 55, SR 6).....  | 1012 |
| Untreated eastern railroad ties (CPR 123).....  | 1007 |
| Veal sold at wholesale; miscellaneous amendments (CPR 101).....   | 1005 |

**CONTENTS—Continued**

**Price Stabilization, Office of—Continued**

Rules and regulations—Continued

Increased packaging costs due to postal regulations limiting size and weight of parcel post packages (Gen. Int. 6)..... 1043

Manufacturers' general ceiling price regulation:

Pricing method for custom molded and custom fabricated plastic products (CPR 22, SR 14)..... 1043

Sterile canned meat and dry sausage; exemption of sterile canned horsemeat (CPR 22, SR 15)..... 991

Retail ceiling prices for certain consumer goods (CPR 7, Coll. 2)..... 1013

**Production and Marketing Administration**

Rules and regulations:

Domestic beet, mainland cane, Hawaii, Virgin Islands sugar producing areas; 1952 crop— Limitations of shipments:

Lemons grown in California and Arizona..... 987

Oranges grown in California or in Arizona..... 987

Peanuts; county acreage allotments for 1952 crop..... 983

**Reclamation Bureau**

Notices:

Payette Division, Boise Project, Idaho:

Filing objections to order withdrawing public lands... 1065

First form withdrawal..... 1065

Regional Directors, Chief of Supply Field Division, and Director of Supply..... 1065

**Rent Stabilization, Office of**

Rules and regulations:

Arizona:

Hotels..... 1056

Housing..... 1055

Rooms..... 1055

Housing and rooms; miscellaneous amendments..... 1056

Indiana:

Hotels..... 1056

Housing..... 1056

Rooms..... 1056

**Securities and Exchange Commission**

Notices:

Hearings, etc.:

Chippewa and Flambeau Improvement Co. et al..... 1069

General Public Utilities Corp. and Metropolitan Edison Co..... 1068

United States & Foreign Securities Corp. and United States & International Securities Corp..... 1069

Rules and regulations:

Financial connections of officers and directors of registered companies; general rules and regulations, Public Utility Holding Company Act of 1935... 983

**Social Security Administration**

See Old Age and Survivors Insurance Bureau.

**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.

**Title 3**

Chapter I (Proclamations):

2962..... 983

**Title 7**

Chapter VII:

Part 729..... 983

Chapter VIII:

Part 850..... 986

Chapter IX:

Part 953..... 987

Part 966..... 987

**Title 14**

Chapter II:

Part 609..... 1057

Part 610..... 1060

**Title 17**

Chapter II:

Part 250..... 988

**Title 20**

Chapter III:

Part 404..... 989

**Title 32A**

Chapter III (OPS):

CPR 7..... 1013

CPR 15..... 989

CPR 16..... 989

CPR 22, SR 14..... 1043

CPR 22, SR 15..... 991

CPR 24..... 990

CPR 55, SR 6..... 1012

CPR 78, SR 2..... 1048

CPR 101..... 1005

CPR 123..... 1007

GCPR, CR 53..... 1049

GCPR, SR 63, AMPR 12..... 991

GCPR, SR 63, AMPR 13..... 997

GCPR, SR 63, AMPR 14..... 999

GCPR, SR 63, AMPR 15..... 1002

GCPR, SR 65..... 1049

Gen. Int. 6..... 1043

Chapter VI (NPA):

M-1..... 1051

M-1, Dirs. 1-4..... 1055

Chapter XXI (ORS):

RR 1 (3 documents)..... 1055, 1056

RR 2 (3 documents)..... 1055, 1056

RR 3 (2 documents)..... 1056

der the provisions of section 358 (c) of the act. The State Production and Marketing Administration Committee for the State of Alabama has recommended that the 1952 State peanut acreage allotment heretofore established (16 F. R. 11991) be apportioned among the peanut-producing counties in the State pursuant to the provisions of section 358 (e) of the act. It is hereby determined that apportionment of the 1952 Alabama peanut acreage allotment among the counties in the State will facilitate the effective administration of the provisions of the act, and the purpose of this document is to announce such apportionment.

The recommendation of the Alabama State Production and Marketing Administration Committee to apportion the 1952 State peanut acreage allotment among the counties was made after due consideration of such data, views, and recommendations as were received pursuant to public notice (16 F. R. 10897)

given in accordance with the Administrative Procedure Act (5 U. S. C. 1003), and the determinations made herein were made on the basis of the latest available statistics of the Federal Government. Peanut farmers in Alabama are now making plans for the production of peanuts in 1952. In order that the State and county Production and Marketing Administration committees may establish farm acreage allotments and issues notices thereof to farm operators at the earliest possible date, it is essential that county acreage allotments for the counties in Alabama be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date provision of the Administrative Procedure Act is impracticable and contrary to the public interest, and the county acreage allotments contained herein shall be effective upon filing of the document with the Director, Division of the Federal Register.

Section 729.304 of the proclamation of 1952 county peanut acreage allotments, issued January 3, 1952 (17 F. R. 110) is amended by adding the following:

| ALABAMA   |   |            |   |
|-----------|---|------------|---|
| County    | 1952<br>county<br>acreage<br>allot-<br>ment | County     | 1952<br>county<br>acreage<br>allot-<br>ment |
| Autauga   | 716   | Jackson    |   |
| Baldwin   | 7   | Jefferson  |   |
| Barbour   | 24,578                                      | Lamar      | 31  |
| Bibb      | 9   | Lauderdale | 10  |
| Blount    | 342   | Lawrence   |   |
| Bullock   | 4,201                                       | Lee        | 41  |
| Butler    | 3,990                                       | Limestone  | 11  |
| Calhoun   | 16  | Lowndes    | 116   |
| Chambers  | 1   | Macon      | 218   |
| Cherokee  | 6   | Madison    | 7   |
| Chilton   | 47  | Marengo    | 20  |
| Choctaw   |   | Marion     | 72  |
| Clarke    |   | Marshall   |   |
| Clay      | 53  | Mobile     | 119   |
| Cleburne  | 6   | Monroe     | 587   |
| Coffee    | 29,065                                      | Montgomery | 1,326                                       |
| Colbert   |   | Morgan     |   |
| Conecuh   | 3,434                                       | Perry      | 397   |
| Cosa      | 9   | Pickens    | 18  |
| Covington | 12,242                                      | Pike       | 27,430                                      |
| Crenshaw  | 11,273                                      | Randolph   |   |
| Cullman   | 10  | Russell    | 2,066                                       |
| Dale      | 17,513                                      | St. Clair  |   |
| Dallas    | 564   | Shelby     | 4   |
| De Kalb   | 22  | Sumter     | 95  |
| Elmore    | 88  | Talladega  |   |
| Escambia  | 1,148                                       | Tallapoosa | 12  |
| Etowah    | 5   | Tuscaloosa | 46  |
| Fayette   | 52  | Walker     |   |
| Franklin  | 27  | Washington |   |
| Geneva    | 17,680                                      | Wilcox     | 210   |
| Greene    |   | Winston    | 8   |
| Hale      | 51  |            |   |
| Henry     | 33,606                                      | Total      | 225,258                                     |
| Houston   | 31,632                                      |            |   |

Acreage reserved for small farm allotments and corrections..... 1,250

Total, Alabama..... 226,508

(Sec. 375, 52 Stat. 66; 7 U. S. C. 1375. Interprets or applies sec. 358, 65 Stat. 29; 7 U. S. C. 1358)

Issued at Washington, D. C., this 28th day of January 1952. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,  
Secretary of Agriculture.  
[F. R. Doc. 52-1359; Filed, Feb. 1, 1952; 8:50 a. m.]

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

**Subchapter G—Determination of Proportionate Shares**

[Sugar Determination 850.5]

**PART 850—DOMESTIC BEET, MAINLAND CANE, HAWAII, VIRGIN ISLANDS SUGAR PRODUCING AREAS**

**1952 CROP**

Pursuant to the provisions of section 302 of the Sugar Act of 1948 (herein referred to as "act"), the following determination is hereby issued:

§ 850.5 *Proportionate shares for farms in the domestic beet, mainland cane, Hawaiian and Virgin Islands areas—(a) Farm proportionate shares.* The proportionate share for the 1952 crop for each farm shall be as follows:

(1) In the domestic beet sugar area, the number of acres of sugar beets planted thereon for the production of sugar beets to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1952 crop season;

(2) In the mainland cane sugar area, the number of acres planted thereon for the production of sugarcane to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1952 crop season;

(3) In Hawaii, the amount of sugar, raw value, commercially recoverable from sugarcane grown thereon and marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the calendar year 1952; and

(4) In the Virgin Islands, the amount of sugar, raw value, commercially recoverable from sugarcane grown thereon and marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1952 crop season.

(b) *Share tenant, cash tenant, share cropper and adherent planter protection.* Notwithstanding the establishment of a proportionate share for any farm under paragraph (a) of this section, eligibility for payment of any producer of sugarcane shall be subject to the following conditions:

(1) In the Virgin Islands and the mainland cane sugar areas, the number of share tenants or share croppers on any sugarcane farm shall not be reduced below the number on such farm during the previous crop year, unless such reduction is approved by the respective State Committee or Director of the Area Office of the Production and Marketing Administration;

(2) In Hawaii the number of adherent planters on any sugarcane farm shall not be reduced below the number on such farm during the previous crop year unless such reduction is approved by the Area Office of PMA, nor shall the total acreage of sugarcane land leased to cash tenants by any producer be reduced below such acreage leased during the previous crop year unless such reduction is approved by the Area Office of the Production and Marketing Administration; and

(3) That such producer shall not have entered into any leasing or cropping agreement for the purpose of diverting to himself or other producer any payment to which share tenants, share croppers, or adherent planters would be entitled if their leasing or cropping agreements for the previous crop year were in effect.

**STATEMENT OF BASES AND CONSIDERATIONS**

*Requirements of the Sugar Act.* As a condition for payment with respect to any crop of sugar beets or sugarcane, section 301 (b) of the act requires compliance with the proportionate share established for the farm. Such proportionate share shall be the farm's share of the quantity of sugar beets or sugarcane required to be processed to enable the producing area to meet its quota (and provide a normal carryover inventory) as estimated by the Secretary for the calendar year during which the larger part of the sugar from such crop normally would be marketed. Section 302 (a) of the act provides that the amount of sugar with respect to which payment may be made shall be the amount of sugar, raw value, commercially recoverable from the sugar beets or sugarcane grown on a farm and marketed (or processed) for sugar or liquid sugar not in excess of the proportionate share established for the farm. Section 302 (b) provides that in determining the proportionate share for a farm the Secretary may take into consideration the past production on the farm of sugar beets or sugarcane marketed (or processed) for the extraction of sugar or liquid sugar and the ability to produce such sugar beets or sugarcane, and that the Secretary shall, insofar as practicable, protect the interests of new producers and small producers, and the interests of producers who are cash tenants, share tenants, adherent planters, or share croppers.

*General.* The term "sugar" as used herein means sugar, raw value, and all amounts are expressed in short tons. "Effective inventory" as used herein means the stocks of sugar actually on hand plus the sugar to be produced from the remainder of a crop.

*Beet sugar area.* The sugar extracted from each crop in this area is normally marketed during two calendar years. The major portion of such sugar is marketed in the year following the beginning of the harvest. Thus, the carryover of sugar from any crop into the following calendar year may be a relatively high proportion of the quota for the area and still not be regarded as excessive.

The effective beet sugar inventory on January 1, 1951, was about 1,500,000 tons. On the basis of the December crop report of the Bureau of Agricultural Economics, as adjusted for estimated production of sugar beets in the Imperial Valley, California, the 1951 crop of sugar beets should yield approximately 1,600,000 tons of sugar. Thus the total of the effective January 1, 1951 inventory and the 1951-crop outturn will be about 3,100,000 tons. With 1951 marketings totaling slightly over 1,700,000 tons, the January 1, 1952 effective inven-

tory will be about 1,400,000 tons. Although it is too early to forecast with accuracy the size of the 1952 crop, it is unlikely that it will exceed the statutory quota of 1,800,000 tons. Therefore, the effective inventory at the end of 1952 should be no larger than at the beginning of the year.

*Mainland cane sugar area.* The effective inventory on January 1, 1951, was approximately 197,000 tons. The production of sugar from 1951-crop sugarcane in this area will amount to approximately 400,000 tons. Adverse weather during the growing season and the freeze damage to the Louisiana crop in November, reduced the production to about 65 percent of the preceding crop. The total of the effective January 1, 1951 inventory and the 1951-crop outturn will be about 600,000 tons. Total marketings in 1951 for this area amounted to about 450,000 tons, resulting in an effective inventory on January 1, 1952, of approximately 150,000 tons. Although the full extent of freeze damage to plant and ratoon cane to be harvested in Louisiana in 1952 cannot be appraised at this time, it is unlikely that production will exceed the statutory quota by an appreciable amount. Accordingly, the effective inventory on January 1, 1953, is not likely to be excessive.

*Hawaii.* The production of sugar in Hawaii during 1951 was less than the area's quota for the mainland and the stocks on January 1, 1952, were negligible. It is not anticipated that the production this year will be in excess of the quotas.

*Virgin Islands.* The 1951-crop production in this area was 7,568 tons and the adjusted quota was 6,306 tons, leaving a carryover on January 1, 1952, of 1,262 tons. Even if the 1952-crop production should be as large as the record 1950 outturn of 10,353 tons, the carryover on January 1, 1953, would not create a problem since a recent amendment to the Sugar Act increased the basic quota from 6,000 to 12,000 tons, effective in 1953.

*Determination.* In view of the foregoing, it is deemed appropriate to establish proportionate shares for the 1952 crop for farms in those areas at the level of actual marketings of sugar beets or sugarcane, as the case may be.

The provisions of this determination relating to the protection of share tenants, share croppers and adherent planters are the same as those applicable to the 1951 crop. However, since many producers in Hawaii who were formerly adherent planters are now leasing land from the plantations for cash and have established independent farms, a new provision has been included to protect, insofar as practicable, the independent status of these growers. Since the marketing of sugar beets and sugarcane is not limited under this determination, special protection for new producers, small producers and cash tenants, except as indicated, is unnecessary.

Accordingly, I hereby find and conclude that the foregoing determination, will effectuate the purposes of section 302 of the act.

(Sec. 403, 61 Stat. 932, 7 U. S. C. Sup. 1153, Interprets or applies sec. 302, 61 Stat. 930; 7 U. S. C. Sup. 1132)

Issued this 30th day of January 1952.

[SEAL] C. J. McCORMICK,  
Acting Secretary of Agriculture.

[F. R. Doc. 52-1360; Filed, Feb. 1, 1952;  
8:50 a. m.]

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

[Lemon Reg. 420]

#### PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

##### LIMITATION OF SHIPMENTS

§ 953.527 *Lemon Regulation 420*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on January 30, 1952; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such

provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., February 3, 1952, and ending at 12:01 a. m., P. s. t., February 10, 1952, is hereby fixed as follows:

- (i) District 1: 18 carloads;
- (ii) District 2: 207 carloads;
- (iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 419 (17 F. R. 759) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

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

Done at Washington, D. C., this 31st day of January 1952.

[SEAL] FLOYD F. HEDLUND,  
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-1449; Filed, Feb. 1, 1952;  
8:54 a. m.]

[Orange Reg. 409]

#### PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

##### LIMITATION OF SHIPMENTS

§ 966.555 *Orange Regulation 409*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the

time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on January 31, 1952; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) Subject to the size requirements in Orange Regulation 406 (7 CFR 966.552; 17 F. R. 385), the quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., P. s. t., February 3, 1952, and ending at 12:01 a. m., P. s. t., February 10, 1952, is hereby fixed as follows:

(i) *Valencia oranges.* (a) Prorate District No. 1: No movement;

(b) Prorate District No. 2: Unlimited movement;

(c) Prorate District No. 3: No movement;

(d) Prorate District No. 4: No movement.

(ii) *Oranges other than Valencia oranges.* (a) Prorate District No. 1: Unlimited movement;

(b) Prorate District No. 2: 850 carloads;

(c) Prorate District No. 3: Unlimited movement;

(d) Prorate District No. 4: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate

RULES AND REGULATIONS

District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

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

Done at Washington, D. C., this 1st day of February 1952.

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

PRORATE BASE SCHEDULE

[12:01 a. m., P. s. t., Feb. 3, 1952, to 12:01 a. m., P. s. t., Feb. 10, 1952]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 2

| Handler                                  | Prorate base (percent) |
|--|------------------------|
| Total                                    | 100.0000               |
| A. F. G. Alta Loma                       | .2116                  |
| A. F. G. Corona                          | .2356                  |
| A. F. G. Fullerton                       | .0291                  |
| A. F. G. Orange                          | .0418                  |
| A. F. G. Riverside                       | .4540                  |
| A. F. G. Santa Paula                     | .0144                  |
| Eadington Fruit Co., Inc.                | .7290                  |
| Hazeltine Packing Co.                    | .0788                  |
| Placentia Cooperative Orange Association | .6043                  |
| Signal Fruit Association                 | 1.0118                 |
| Azusa Citrus Association                 | 1.2418                 |
| Covina Citrus Association                | 1.8116                 |
| Covina Orange Growers Association        | .5092                  |
| Damerel-Allison Association              | 1.0376                 |
| Glendora Citrus Association              | 1.2748                 |
| Glendora Mutual Orange Association       | .5851                  |
| Valencia Heights Orchard Association     | .3298                  |
| Gold Buckle Association                  | 2.9063                 |
| La Verne Orange Association              | 4.1430                 |
| Anaheim Valencia Orange Association      | .0153                  |
| Fullerton Mutual Orange Association      | .4368                  |
| La Habra Citrus Association              | .1714                  |
| Yorba Linda Citrus Association, The      | .0619                  |
| El Cajon Valley Citrus Association       | .2173                  |
| Escondido Orange Association             | .5605                  |
| Alta Loma Heights Citrus Association     | .4194                  |
| Citrus Fruit Growers                     | .8040                  |
| Etiwanda Citrus Fruit Association        | .1433                  |
| Mountain View Fruit Association          | .1193                  |
| Old Baldy Citrus Association             | .4071                  |
| Rialto Heights Orange Growers            | .3294                  |
| Upland Citrus Association                | 2.4514                 |
| Upland Heights Orange Association        | 1.2703                 |
| Consolidated Orange Growers              | .0269                  |
| Garden Grove Citrus Association          | .0290                  |
| Goldenwest Citrus Association, The       | .1875                  |
| Olive Heights Citrus Association         | .0463                  |
| Santiago Orange Growers Association      | .1495                  |
| Villa Park Orchard Association, The      | .0369                  |
| Bradford Bros., Inc.                     | .2245                  |
| Placentia Mutual Orange Association      | .2108                  |
| Placentia Orange Growers Association     | .2623                  |
| Yorba Orange Growers Association         | .0621                  |
| Corona Citrus Association                | 1.0282                 |
| Jameson Co.                              | .5721                  |

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

|  |        |
|--|--------|
| Orange Heights Orange Association            | 3.2509 |
| Crafton Orange Growers Association           | 1.1083 |
| East Highlands Citrus Association            | .4016  |
| Redlands Heights Groves                      | .7959  |
| Redlands Orangedale Association              | 1.0791 |
| Rialto-Fontana Citrus Association            | .4950  |
| Break & Son, Allen                           | .2870  |
| Bryn Mawr Fruit Growers Association          | 1.1146 |
| Mission Citrus Association                   | 1.1349 |
| Redlands Cooperative Fruit Association       | 1.5677 |
| Redlands Orange Growers Association          | .9790  |
| Redlands Select Groves                       | .5229  |
| Rialto Orange Co.                            | .5342  |
| Southern Citrus Association                  | .9178  |
| United Citrus Growers                        | .7750  |
| Zillen Citrus Co.                            | .4491  |
| Arlington Heights Citrus Co.                 | 1.2421 |
| Brown Estate, L. V. W.                       | 1.9179 |
| Gavilan Citrus Association                   | 2.1305 |
| Highgrove Fruit Association                  | .5461  |
| Krinard Packing Co.                          | 1.9774 |
| McDermont Fruit Co.                          | 1.7194 |
| Monte Vista Citrus Association               | 1.4698 |
| National Orange Co.                          | 1.3121 |
| Riverside Citrus Association                 | .1584  |
| Riverside Heights Orange Growers Association | 1.1461 |
| Sierra Vista Packing Association             | .7673  |
| Victoria Avenue Citrus Association           | 3.5269 |
| Claremont Citrus Association                 | .8573  |
| College Heights Orange & Lemon Association   | 1.6298 |
| Indian Hill Citrus Association               | 1.2872 |
| Pomona Fruit Growers Exchange                | 1.7491 |
| Walnut Fruit Growers Association             | .6398  |
| West Ontario Citrus Association              | 1.0783 |
| Escondido Cooperative Citrus Association     | .0476  |
| San Dimas Orange Growers Association         | 1.0751 |
| Canoga Citrus Association                    | .0974  |
| North Whittier Heights Citrus Association    | .1659  |
| San Fernando Heights Orange Association      | .4939  |
| Sierra Madre-Lamanda Citrus Association      | .1348  |
| Camarillo Citrus Association                 | .0053  |
| Fillmore Citrus Association                  | .9455  |
| Ojal Orange Association                      | .7472  |
| Piru Citrus Association                      | 1.1310 |
| Rancho Sespe                                 | .0011  |
| Santa Paula Orange Association               | .0000  |
| Tapo Citrus Association                      | .0101  |
| Ventura County Citrus Association            | .1574  |
| East Whittier Citrus Association             | .0031  |
| Murphy Ranch Co.                             | .0617  |
| Bryn Mawr Mutual Orange Association          | .5514  |
| Chula Vista Mutual Lemon Association         | .0864  |
| Euclid Ave. Orange Association               | 2.6873 |
| Foothill Citrus Union, Inc.                  | .4744  |
| Golden Orange Groves, Inc.                   | .1757  |
| Index Mutual Association                     | .0081  |
| La Verne Cooperative Citrus Association      | 3.4847 |
| Mentone Heights Association                  | .5878  |
| Olive Hillside Groves                        | .0085  |
| Redlands Foothill Groves                     | 2.4609 |
| Redlands Mutual Orange Association           | 1.1716 |
| Ventura County Orange & Lemon Association    | .3191  |
| Whittier Mutual Orange & Lemon Association   | .0185  |
| Allec Bros.                                  | .0030  |
| Babjuice Corp. of California                 | .3633  |

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

|  |        |
|--|--------|
| Banks, L. M.                                   | 0.0084 |
| Becker, Samuel Eugene                          | .0100  |
| Book, Maynard C.                               | .0004  |
| Borden Fruit Co.                               | .0059  |
| Cherokee Citrus Co., Inc.                      | .9357  |
| Chess Co., Meyer W.                            | .4034  |
| Dunning Ranch                                  | .2090  |
| Evans Bros. Packing Co.                        | .7504  |
| Gold Banner Association                        | 1.6518 |
| Granada Packing House                          | .2147  |
| Highgrove Citrus Co.                           | .1197  |
| Hill Packing House, Fred A.                    | .8072  |
| Holland, M. J.                                 | .0157  |
| Knapp Packing Co., John C.                     | .0328  |
| Lima & Son, Joe                                | .0509  |
| Orange Belt Fruit Distributors                 | 1.7109 |
| Orange Hill Groves                             | .2019  |
| Panno Fruit Co., Carlo                         | .0299  |
| Paramount Citrus Association                   | .1018  |
| Placentia Orchard Co.                          | .0803  |
| Placentia Pioneer Valencia Growers Association | .0090  |
| Prescott, John A.                              | .0072  |
| Ronald, P. W.                                  | .0409  |
| San Antonio Orchards Co.                       | 1.4504 |
| Stephens & Cain                                | .2075  |
| Wall, E. T., Grower-Shipper                    | 2.0138 |
| Western Fruit Growers, Inc.                    | 3.3502 |

[F. R. Doc. 52-1476; Filed, Feb. 1, 1952; 11:35 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 250—GENERAL RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

FINANCIAL CONNECTIONS OF OFFICERS AND DIRECTORS OF REGISTERED COMPANIES

The Securities and Exchange Commission today announced the amendment of § 250.70 (Rule U-70) of the general rules and regulations under the Public Utility Holding Company Act of 1935, governing the connections with financial institutions of officers and directors of registered holding companies and subsidiary companies. Rule U-70 defines the persons or situations to which the Commission has granted exemption from section 17 (c) of the act. Paragraph (a) (4) (iii) of the section provides for an exemption in the case of operating companies and holding companies which are primarily operating companies for persons whose only financial connection is with a commercial banking institution having its principal offices within the territory in which the utility company, or its wholly owned subsidiaries, furnish public services. The amendment will add a new paragraph (a) (4) (iv) providing a similar exemption, limited to persons who are directors but not officers of commercial banking institutions, for companies which are wholly or primarily holding companies.

The text of the Commission's action follows:

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Public Utility

Holding Company Act of 1935, particularly sections 17 (c) and 20 (a) thereof, and deeming such action as not adversely affecting the public interest or the interest of investors or consumers, hereby amends § 250.70 (Rule U-70) of the general rules and regulations under the Public Utility Holding Company Act of 1935, by changing the period at the end of subdivision (iii) of paragraph (a) (4) to a semi-colon and by adding to said subdivision (iii) the word "or", and by adding to said paragraph (a) (4) a new subdivision (iv) which shall read as follows:

(iv) One or more commercial banking institutions, as a director but not as an officer, having their principal offices within the service area of any of the company's principal public utility subsidiaries.

Notice having been given by the Commission on December 10, 1951, in accordance with the provisions of section 4 (a) and (b) of the Administrative Procedure Act, of its intention to amend Rule U-70; and comments and criticisms having been received and considered; and the proposed amendment of the rule having been modified in the light of such comments and criticisms, the Commission hereby declares the amendment of Rule U-70 effective forthwith pursuant to section 4 (c) of the Administrative Procedure Act.

(Sec. 20, 49 Stat. 833; 15 U. S. C. 79t. Interprets or applies sec. 17, 49 Stat. 830, 15 U. S. C. 79q)

Effective January 25, 1952.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

JANUARY 25, 1952.

[F. R. Doc. 52-1327; Filed, Feb. 1, 1952; 8:47 a. m.]

**TITLE 20—EMPLOYEES' BENEFITS**

**Chapter III—Bureau of Old Age and Survivors Insurance, Social Security Administration, Federal Security Agency**

[Regulations 4]

**PART 404—FEDERAL OLD-AGE AND SURVIVORS INSURANCE (1950 —)**

**Correction**

In F. R. Doc. 51-15191, appearing at page 13038 of the issue for Friday, December 28, 1951, the following changes should be made:

1. In the fiftieth line of the first column of the table on page 13042, the figure "\$24.41" should read "\$12.41".
2. In the sixtieth line of the seventh column of the table on page 13042, the figure "\$23.20" should read "\$25.20".
3. In § 404.212 (a), the word "benefits" in the seventh sentence of the example should read "benefit".
4. The section designation "\$ 404.236" on page 13047 should read "\$ 404.326".
5. In § 404.330, "deceased" should read "deceded".
6. In the first sentence of § 404.704 (b), the word "paragraphs" should read

"paragraph" and the letter "(b)" should be deleted.

7. In § 404.806 (1), "205 (c)" should read "205 (o)".

8. In § 404.1004 (d) (3) (iii), the comma in the seventh line should be deleted.

9. In the first sentence of § 404.1008 (c), the words "This section," should be inserted before "Section 404.1007", and "Section 404.1007" should be changed to "\$ 404.1007", so that the sentence now reads:

(c) This section, § 404.1007 (relating to included and excluded services), and §§ 404.1008 to 404.1025, inclusive (relating to the several classes of excepted services), apply with respect only to services performed on or after January 1, 1952. \* \* \*

10. In § 404.1008 (c) (8), the comma following the word "quarter" in the fourth line of the second paragraph of the example should be a period.

11. In the last sentence of § 404.1012 (b), the word "employee" should read "employ".

12. In the last sentence of § 404.1023 (a), "evample" should read "example".

13. In the ninth line of § 404.1051 (c), the word "business" should read "businesses".

14. The fifth sentence of § 404.1052 (b) (1) should be changed to read as follows: "In every case the time spent in performing the services will be computed by adding the time spent in the trade or business during the taxable year by every individual (including the individual carrying on such trade or business and the members of his family) in performing such services."

15. In the tenth line of § 404.1111 (c), the word "by" should read "any".

16. In § 404.1250 (a) (1), the parenthesis preceding "Every" should be deleted.

17. In the first sentence of § 404.1253 (b) the word "States" should read "State".

18. In § 404.1261, a closing parenthesis should be added at the end of paragraph (b).

19. In the headnote of § 404.1263, the word "overpayment" should read "overpayments".

20. In the headnote of § 404.1265, the word "underpayment" should read "underpayments".

**TITLE 32A—NATIONAL DEFENSE, APPENDIX**

**Chapter III—Office of Price Stabilization, Economic Stabilization Agency**

[Ceiling Price Regulation 15, Amdt. 11]

**CPR 15—CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES**

**PERISHABLES**

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 11 to Ceiling Price Regulation 15 is hereby issued.

**STATEMENT OF CONSIDERATIONS**

Ceiling Price Regulation 15 generally provides that the "net cost" of an item priced under that regulation must be figured on the basis of the largest delivery received in the seven days preceding the date of calculation. Section 16 (a) of the regulation further provides that, if a retailer has an item in stock when it is brought under the regulation but has not received a delivery in the prescribed seven day period, the "net cost" must be figured on the basis of his most recent delivery. However, through an oversight, that section was made applicable to Table A items (dry groceries) only. This amendment makes it equally applicable to items in Table B (perishables).

Due to the nature of this amendment the Director has found it impracticable to consult with members of the industry. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

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

**AMENDATORY PROVISIONS**

Ceiling Price Regulation 15 is amended in the following respect:

1. Section 16 (a) is amended to read as follows:

(a) Whenever an amendment adds any food product to the list of items covered in Tables A or B, you must figure your ceiling price for that food product in accordance with sections 3, 4 and 5 or sections 8 and 9 according to whether the food product is a "dry grocery" item or "perishable" item. However, in doing so, you shall substitute the effective date of such amendment for the date May 14, 1951, wherever it appears in the applicable sections.

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

Effective date. This amendment shall become effective January 31, 1952.

MICHAEL V. DiSALLE,  
Director of Price Stabilization.

JANUARY 31, 1952.

[F. R. Doc. 52-1433; Filed, Jan. 31, 1952; 4:14 p. m.]

[Ceiling Price Regulation 16, Amdt. 11]

**CPR 16—CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 1 AND GROUP 2 STORES**

**PERISHABLES**

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 11 to

Ceiling Price Regulation 16 is hereby issued.

#### STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 16 generally provides that the "net cost" of an item priced under that regulation must be figured on the basis of the largest delivery received in the seven days preceding the date of calculation. Section 16 (a) of the regulation further provides that, if a retailer has an item in stock when it is brought under the regulation but has not received a delivery in the prescribed seven day period, the "net cost" must be figured on the basis of his most recent delivery. However, through an oversight, that section was made applicable to Table A items (dry groceries) only. This amendment makes it equally applicable to items in Table B (perishables).

Due to the nature of this amendment the Director has found it impracticable to consult with members of the industry. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

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

#### AMENDATORY PROVISIONS

Ceiling Price Regulation 16 is amended in the following respect:

1. Section 16 (a) is amended to read as follows:

(a) Whenever an amendment adds any food product to the list of items covered in Tables A or B, you must figure your ceiling price for that food product in accordance with sections 3, 4 and 5 or sections 8 and 9 according to whether the food product is a "dry grocery" item or "perishable" item. However, in doing so, you shall substitute the effective date of such amendment for the date May 14, 1951, wherever it appears in the applicable sections.

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

*Effective date.* This amendment shall become effective January 31, 1952.

MICHAEL V. DiSALLE,  
Director of Price Stabilization.

JANUARY 31, 1952.

[F. R. Doc. 52-1434; Filed, Jan. 31, 1952; 4:14 p. m.]

[Ceiling Price Regulation 24, Amdt. 8]

CPR 24—CEILING PRICES OF BEEF SOLD AT WHOLESALE

ZONE DIFFERENTIAL IN THE SOUTHEASTERN STATES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), Economic

Stabilization Agency General Order 2 (16 F. R. 738), Delegation of Authority by the Secretary of Agriculture to the Economic Stabilization Agency with respect to meat as amended (16 F. R. 11620) and Economic Stabilization Agency General Order 5, Revision (16 F. R. 11875), this Amendment 8 to Ceiling Price Regulation 24 is hereby issued.

#### STATEMENT OF CONSIDERATIONS

This amendment permits a seller of beef whose distribution point for a particular sale is located in the area in the Southeastern part of the country which was affected by the recent reduction in fresh meat railroad freight rates to compute the zone differential on sales of prime, choice, and good grades of beef on the basis of the rates which were in effect on October 27, 1951. This change is designed to prevent hardship to those slaughterers in this Southeastern area who bring in live cattle from other areas.

The recent reduction in fresh meat railroad freight rates in the Southeastern region of the United States was not accompanied by a corresponding reduction in the live cattle freight rates. Therefore, slaughterers in this area had to reduce their ceiling prices for beef without obtaining corresponding savings in their costs of bringing in cattle. A large proportion of the better grades of cattle slaughtered in the Southeastern area are shipped into that area from points outside. The allowance of the old rates, where made applicable by this amendment, is limited to sales of beef of prime or choice grades in Zone 2 and prime, choice and good grades in Zones 4 and 4b, since these are the predominant grades of cattle which are shipped into the affected area. This amendment is an interim measure and further study of the problem will be made.

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

#### AMENDATORY PROVISIONS

Ceiling Price Regulation 24 is amended in the following respects:

1. Section 40 (b) is amended by adding a new paragraph after the first paragraph and by numbering the paragraphs, so that section 40 (b) as amended, now reads as follows:

(b) *Zone 2.* (1) For beef graded prime or choice and for beef variety meats and byproducts listed in section 26 of this regulation, the amount to be added as a zone differential where the distribution point is located in Zone 2 shall be the fresh meat railroad carload freight rate from Omaha, Nebraska, to the distribution point, or from Denver, Colorado, to the distribution point, whichever is lower, adjusted to the nearest 10 cents per hundredweight.

(2) However, where the distribution point is located in Zone 2 and the fresh meat railroad carload freight rate to that point was affected by a reduction in rates which became effective after October 27, 1951, and before January 31, 1952, the amount to be added as a zone differential for beef graded prime or choice, and for beef variety meats and byproducts listed in section 26 of this regulation shall be the fresh meat carload freight rate, which was in effect on October 27, 1951, from Omaha, Nebraska, to the distribution point adjusted to the nearest 10 cents per hundredweight.

(3) For beef graded good, commercial, utility, cutter or canner, no amount may be added as a zone differential where the distribution point is located in Zone 2.

2. Section 40 (e) is amended to read as follows:

(e) *Zone 4, Zone 4a, and Zone 4b.*

(1) The amount to be added as a zone differential where the distribution point is located in Zone 4, Zone 4a, or Zone 4b shall be determined by multiplying by 115 percent the fresh meat railroad carload freight rate from Omaha, Nebraska, to the distribution point, adjusted to the nearest 10 cents per hundredweight.

(2) However, where the distribution point is located in Zone 4 or Zone 4b and the fresh meat railroad carload freight rate to that point was affected by a reduction in rates which became effective after October 27, 1951, and before January 31, 1952, the amount to be added as a zone differential for beef graded prime, choice or good shall be determined by multiplying by 115 percent the fresh meat railroad carload freight rate, which was in effect on October 27, 1951, from Omaha, Nebraska, to the distribution point adjusted to the nearest 10¢ per hundredweight.

(3) Where the distribution point is in La Porte County, Indiana, the amount to be added as a zone differential for delivery of any beef or beef product, except fabricated cuts of beef, is \$1.20 per hundredweight and not the amount as calculated in section 40 (e) (1). For fabricated beef cuts the amount to be added is \$1.50 per hundredweight and not the amount as calculated above.

(4) Where the distribution point is in St. Joseph County, Indiana, the amount to be added as a zone differential for delivery of any beef or beef product, except fabricated cuts of beef, is \$1.30 per hundredweight and not the amount as calculated in section 40 (e) (1). For fabricated beef cuts the amount to be added is \$1.70 per hundredweight and not the amount as calculated above.

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

*Effective date.* This amendment shall become effective on February 5, 1952.

MICHAEL V. DiSALLE,  
Director of Price Stabilization.

JANUARY 31, 1952.

[F. R. Doc. 52-1436; Filed, Jan. 31, 1952; 4:15 p. m.]



[Ceiling Price Regulation 22, Supplementary Regulation 15, Revision 1, Amdt. 1]

**CPR 22—MANUFACTURER'S GENERAL CEILING PRICE REGULATION**

**SR 15—STERILE CANNED MEAT AND DRY SAUSAGE**

**EXEMPTION OF STERILE CANNED HORSEMEAT**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 15, Revision 1, to Ceiling Price Regulation 22 is hereby issued.

**STATEMENT OF CONSIDERATIONS**

This amendment excludes sterile canned horsemeat from the mandatory provisions of this supplementary regulation. The Office of Price Stabilization has in preparation, and plans to issue in the near future, a specific ceiling price regulation covering horsemeat, including sterile canned horsemeat. Accordingly, in order to avoid subjecting the trade to the burden of filing pursuant to the provisions of CPR 22 for the short period before the tailored regulation becomes effective, manufacturers of sterile canned horsemeat are restored by this amendment to coverage by the General Ceiling Price Regulation. At the same time, they are given the option of retaining ceiling prices established under Ceiling Price Regulation 22, if they have already put them into effect. Ceiling prices established under the General Ceiling Price Regulation or Ceiling Price Regulation 22 for sterile canned horsemeat will be superseded by the tailored horsemeat regulation when it becomes effective. This amendment also adds a new section defining the meaning of the terms "sterile canned meat," and "sterile canned horsemeat", as used in this regulation. It also corrects some minor errors contained in Revision 1 of SR 15.

In the formulation of this amendment, representatives of industry have been consulted to the extent practicable under the circumstances and full consideration has been given to their recommendations.

In the judgment of the Director, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of that act.

**AMENDATORY PROVISIONS**

Supplementary Regulation 15, Revision 1, to Ceiling Price Regulation 22 is amended in the following respects:

(1) Section 1 is amended to read as follows:

**SECTION 1. What this revised supplementary regulation does.** (a) This revised regulation applies to you if you are a manufacturer of sterile canned meat (except sterile canned horsemeat as defined in section 3) or dry sausage. It revokes the provisions of Supplementary

No. 24—2

Regulation 15 heretofore in effect with respect to these commodities and provides that all manufacturers of sterile canned meat (except sterile canned horsemeat) or dry sausage must determine and report their adjusted ceiling prices under the provisions of CPR 22, as amended. If you heretofore calculated your ceiling prices under the provisions of SR 15, you must re-file in accordance with CPR 22, except that the mandatory filing date provided in that regulation is being extended by this revised regulation, insofar as sterile canned meat and dry sausage are concerned. If you have heretofore filed for these commodities under the provisions of CPR 22 you need not file again. However, if under the provisions of CPR 22 you are eligible to elect to remain under the General Ceiling Price Regulation, you may elect to do so for all your commodities, including sterile canned meat and dry sausage.

(b) If you are a manufacturer of sterile canned horsemeat as defined in section 3, you are subject to the provisions of the General Ceiling Price Regulation, notwithstanding any contrary provisions of CPR 22, which is hereby superseded to that extent, and regardless of whether or not you have heretofore filed under the provisions of CPR 22, or any supplementary regulation thereto. However, if prior to the issuance date of this amendment you have put into effect any ceiling prices for sterile canned horsemeat determined under the provisions of CPR 22, or any supplementary regulation thereto, you may elect to continue subject to such ceiling prices, until such time as a specific ceiling price regulation covering horsemeat, including sterile canned horsemeat, becomes effective.

(2) Section 2 is amended to read as follows:

**SEC. 2. How to determine your adjusted ceiling prices for sterile canned meat (except sterile canned horsemeat) or dry sausage.** If you are a manufacturer of sterile canned meat (except sterile canned horsemeat) or dry sausage, you must comply with all the provisions and requirements of CPR 22, as amended, except that you may make the required report of your adjusted ceiling prices at any time before January 31, 1952. You may not use any other method contained in any other supplementary regulation to CPR 22. You may, however, apply for a ceiling price adjustment under the provisions of General Overriding Regulation 21.

(3) A new section 3 is added, to read as follows:

**SEC. 3. Definitions.** When used in this supplementary regulation the term: "Sterile canned meat" means meat or any product consisting in substantial part of meat, sterilized in a hermetically sealed container.

"Sterile canned horsemeat" means "sterile canned meat" containing five or more percent of horsemeat.

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

**Effective date.** This amendment shall become effective January 31, 1952.

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

JANUARY 31, 1952.

[F. R. Doc. 52-1435; Filed, Jan. 31, 1952; 4:15 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 63, Area Milk Price Regulation 12]

**GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS**

**AMPR 12—SAN FRANCISCO DISTRICT, CALIFORNIA**

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 Area Milk Price Regulation pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation (16 F. R. 9559) is hereby issued.

**STATEMENT OF CONSIDERATIONS**

The General Ceiling Price Regulation issued on January 26, 1951, pointed out that the general freeze which it imposed on prices at all levels of production and distribution was an emergency measure made imperative by the urgency of bringing the inflationary spiral to a halt.

Under the provisions of Supplementary Regulation 16 to the General Ceiling Price Regulation, prices were adjusted by the Office of Price Stabilization in several marketing areas in the State of California by two orders issued in June and August, 1951, pursuant to petitions filed by the State of California Bureau of Milk Control. The San Francisco, Alameda-Contra Costa, San Mateo County, Santa Clara County, Monterey-Santa Cruz, Marin County, Napa-Sonoma, Mendocino-Lake, San Joaquin and Stanislaus Marketing Areas were among those in which prices were so adjusted. The adjustments were based on findings by the Board that there had been increased processing and distribution costs incurred by the processors and distributors in affected marketing areas, and that there had been an increase in minimum prices required to be paid to producers. On January 3 and January 4, 1952, the California State Bureau of Milk Control held hearings in Oakland and Fresno, California, for the purpose of considering amendments to the State's Stabilization and Marketing Plan for Fluid Milk for several Central and Northern California marketing areas, including the ten areas listed above. On the basis of testimony presented by milk producers at this hearing with respect to increased costs of production, particularly of alfalfa and other dairy feeds, it appeared that a further increase in the State minimum price to producers would be necessary. Under current provisions of the General Ceiling Price Regulation, any such increased producer cost may be passed on by processors and distributors after specified rounding provisions

are employed, but such a pass-through may be applied only to the individual seller's base period price under the General Ceiling Price Regulation, and not to an adjusted price such as was effected by the orders issued pursuant to Supplementary Regulation 16 in June and August of 1951. However, on September 24, 1951, Supplementary Regulation 63 became effective permitting adjustments of ceiling prices for fluid milk products in individual areas upon petition or upon the initiative of the appropriate District or Regional Director. Under the provisions of Supplementary Regulation 63, marketing areas as established by any state milk control agency may be adopted by the Office of Price Stabilization as areas to be treated separately under area milk price regulations. Pursuant to such authority, this area milk price regulation is being issued adjusting ceiling prices for the Marketing Areas of San Francisco, Alameda-Contra Costa, San Mateo County, Santa Clara County, Monterey-Santa Cruz, Marin County, Napa-Sonoma, Mendocino-Lake, San Joaquin County and Stanislaus County. A separate appendix is provided for each of these areas. Sales of milk products not covered by this regulation remain subject to the provisions of the General Ceiling Price Regulation.

The applicable laws of the State of California require that the Chief of the Bureau of Milk Control issue his findings and revised minimum prices for all sellers subject to the law within thirty days after each hearing. It is the desire of the District Director that, insofar as possible, conflicts between State minimum price laws and Office of Price Stabilization maximum prices be avoided where it appears that upward adjustments of OPS maximum prices may be proper under the criteria of Supplementary Regulation 63. In order to make needed adjustments in OPS prices effective coincident with the State's new minimum prices, the District Director has elected, in the interest of time, to issue the accompanying regulation upon his own initiative rather than to await petition. The Director has examined the detailed cost studies of the State Bureau of Milk Control and has independently conducted an examination of the increased costs as set forth in section 6 of Supplementary Regulation 63. He has, therefore, taken into account the actual increased cost of milk purchased from producers, and has based his conclusions on a consideration of the combined effect of the product cost increases and the processing and delivery cost increases. This analysis of the data makes it evident that the adjustments made in the margins for home delivered sales, effected by a previously issued order under Supplementary Regulation 16, are proper and necessary under the criteria of Supplementary Regulation 63. Accordingly, these increases in processors' and distributors' base period margins on home delivered sales are retained in the present order for all ten marketing areas.

With regard to the marginal adjustments affecting processors and distributors on their wholesale sales, the data collected from the various marketing

areas are such that no uniform pattern is shown. In the case of the Alameda-Contra Costa Marketing Area and the Santa Clara County Marketing Area, the impact of cost increases has been so markedly different between home delivery operations and wholesale operations that the marginal adjustment is no longer warranted under the criteria of Supplementary Regulation 63. The margin adjustments previously effected under Supplementary Regulation 16 are, therefore, not continued in the accompanying area regulation for these two marketing areas.

The adjustments in wholesale margin previously effected under Supplementary Regulation 16 for the San Francisco, San Mateo County, Monterey-Santa Cruz, Marin County, Napa-Sonoma, Mendocino-Lake, San Joaquin County and the Stanislaus County Marketing Areas, are retained for these areas.

Amendment 1 to Supplementary Regulation 63 provides that area milk regulations issued under Supplementary Regulation 63 may include provisions covering ceiling prices on sales by retail stores. These margins are to be established at the same amount in dollars and cents that accrued to retail stores immediately preceding the issuance of an applicable area milk price regulation.

With respect to the eight marketing areas for which no changes in the wholesale margins are incorporated in the applicable Appendix, the margin for retail stores which was in effect preceding the issuance of the Area Milk Price Regulation has been retained.

In the cases of the Alameda-Contra Costa and the Santa Clara Marketing Areas, the retail store margin in effect immediately preceding the issuance of this regulation was 2½ cents per quart. The margins for retail stores have historically remained constant on a dollars and cents basis and were affected primarily by fractional cent pricing for sales to such stores. Since August, 1951 the margin for retail stores has been 2½ cents per quart but for several years preceding that time the margin was 2¼ cents per quart. The accompanying order establishes a price of 19¼ cents per quart to retail stores in both Marketing Areas, and the addition of the retail store margin produces a price of 21½ cents per quart when customary practices of rounding fractional cents are followed. The margin for the retail store is, therefore, 2¼ cents per quart and is in line with historical margins.

In the accompanying regulation the ceiling prices which it establishes have been placed in an appendix. For most sales of milk products covered by this regulation, the ceiling prices will be found in the appendix where such price is stated either in dollars-and-cents or in terms of a price differential to be added to each seller's existing ceiling prices. In a few cases resort will have to be made to other pricing provisions which will be found in the body of the order; thus, for types of sales not described in the appendix, a seller will find the price for the most nearly similar sale for which a price is provided and then apply the dollars-and-cents price differential which in his own selling

practice he has historically applied between the two kinds of sales, this differential being the difference between his former ceiling prices for those sales. Finally, for those instances, thought to be quite infrequent, in which the price can be determined in no other way, the ceiling price will be a price which is that of the seller's closest competitor or, lacking such competitor, a price in line with those otherwise provided. These last-named prices become effective only after they have been reported to the OPS District Office for review.

Every effort has been made to conform this 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 District Director of the Office of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation.

In the judgment of the District Director of the Office of Price Stabilization, the provisions of this Area Milk Regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951.

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

The Director has consulted the industry to the extent practicable and has given due consideration to its recommendations.

#### REGULATORY PROVISIONS

##### Sec.

1. Ceiling prices.
2. Parity adjustments.
3. Reports.
4. Special considerations.
5. Definitions.

**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. Ceiling prices.** (a) The ceiling price of a milk product sold for delivery to a purchaser located in an area described in an appendix to this regulation shall be the first of the following which is applicable:

(1) When the appendix prescribes a price for such sale: The price so prescribed.

(2) When the sale differs by type of purchaser from those sales for which such appendix prescribes a price: The price prescribed by such appendix for a sale to the most nearly similar-kind of purchaser, adjusted by the dollars-and-cents difference between the seller's base period prices (as defined in section 5 of this regulation) for the kind of sale being made and the kind of sale priced by the appendix. The ceiling prices so

determined shall be reported in accordance with the provisions of section 3 (a) of this regulation.

(3) When the sale cannot be priced under the foregoing: The ceiling price of the seller's most closely competitive seller of the same class (as defined in section 22 of the General Ceiling Price Regulation) for the same kind of sale, and reported by the seller (except an operator of a retail store) to the San Francisco District Office in accordance with the provisions of section 3 (b) of this regulation.

(4) When the seller is unable otherwise to determine a price: A price in line with the foregoing, reported by the seller to the San Francisco District Office in accordance with the provisions of section 3 (c) of this regulation. The price so determined may not be charged unless prior to the sale it has been reported by registered mail, return receipt requested, to the San Francisco District Office.

(b) If a sale is for delivery to a purchaser located outside of the areas described in the appendices to this regulation or if the milk product sold is not covered by the applicable appendix, then this regulation shall not apply to such sale.

**Sec. 2. Parity adjustments.** The prices herein provided are based upon the producer price for raw milk specified in the applicable appendix, which price shall be used in applying the parity-adjustment provisions of section 8 of Supplementary Regulation 63. Any such adjustment shall be subject to the rounding provisions of that section.

**Sec. 3. Reports—(a) Reporting of differentials and prices resulting therefrom.** You shall report (1) the ceiling prices computed pursuant to section 1 (a) (2) of this regulation and section 3 of the applicable appendix to this regulation, and (2) the differentials used in determining these ceiling prices to the San Francisco District Office by registered mail, return receipt requested, within ten days after the effective date of this regulation. (The "San Francisco District Office," as used in this regulation, means the San Francisco District Office of the Office of Price Stabilization located at 870 Market Street, San Francisco, California.) This report shall be filed on OPS Public Form 123, which may be obtained from the aforementioned office. Your price lists in effect during any part or all of the GCPR base period, including the time during which they were in effect, must accompany the report unless you have previously mailed such price lists by registered mail to the San Francisco District Office. You shall not sell at the ceiling prices computed pursuant to section 1 (a) (2) of this regulation and section 3 of the applicable appendix until you have thus sent the report to the San Francisco District Office. This requirement shall not apply to operators of retail stores nor to sales for which specific dollars-and-cents prices have been stated in the applicable appendix.

(b) **Report required when you use your competitor's ceiling price.** When you determine your ceiling price in accordance with section 1 (a) (3), you shall not sell until you have sent the report required below, by registered mail, return receipt requested, to the San Francisco District Office. You may sell the product at your proposed ceiling price unless you are notified by the Director of the San Francisco District Office that your proposed ceiling price has been disapproved or that more information is required. Your report shall state the name and address of your company; the name, address, and type of business of your most closely competitive seller of the same class; your reason for selecting him as your most closely competitive seller; and, if you are starting a new business, a statement indicating whether you or the principal owner of your business has been engaged in any part of the past 12 months in any capacity in the same or similar business at any other establishment and, if so, the trade name and address of each such establishment. Your report should also include the following:

(1) If you are a processor: A description of the product you are pricing; the processing involved in the production of that product; the classes of purchasers to whom you will be selling; the ceiling price of your nearest competitor, and your proposed ceiling price to each class of purchaser.

(2) If you are a distributor: A description of the product you are pricing; your net invoice cost of the commodity being priced; the names and addresses of your sources of supply; the function performed by them (e. g., processing, distributing, etc.), and the classes of purchasers to whom they customarily sell; the classes of purchasers to whom you plan to sell; the ceiling price of your most closely competitive seller; your proposed ceiling price to each class of purchaser; and a statement that your proposed ceiling prices will not exceed the ceiling price your customers paid to their customary sources of supply.

A report under this section may be filed on OPS Public Form 122, which may be obtained from the San Francisco District Office.

(c) **Report of sellers who price under section 1 (a) (4) of this regulation.** A report under the provisions of section 1 (a) (4) of this regulation must con-

tain the following information: An explanation of why you are unable to determine your ceiling price under any other provision of this regulation; all pertinent information describing the product and the nature of your business as described in section 3 (b) (1) and 3 (b) (2); a description of the product, its butterfat content, the type and size of container in which it will be sold, and the class of purchaser to whom you intend to sell; your proposed ceiling price and the method used by you to determine it, including the producer price upon which it is based; and the reason you believe the proposed ceiling price is in line with the level of ceiling prices otherwise established by this regulation.

(d) **Modification of ceiling prices reported under this section.** The Director of the San Francisco District Office may at any time disapprove or revise downward ceiling prices reported under this section so as to bring them in line with the level of ceiling prices otherwise established under this regulation.

**Sec. 4. Special conditions.** Each seller must maintain the conditions and terms of sale he had in effect during the period December 19, 1950, through January 25, 1951, and observe the following provisions of the General Ceiling Price Regulation:

- Section 2 (c): Prohibitions.
- Section 16: Records.
- Section 17: Sales slips and receipts.
- Section 18: Evasion.
- Section 19: Transfers of business or stock in trade.
- Section 21: Penalties.

**Sec. 5. Definitions.** When used in this order or an appendix thereto "Base period price" means the seller's ceiling price, as determined under section 3 of the General Ceiling Price Regulation, excluding any increases attributable to section 11 of that regulation (parity increases) or orders issued under Supplementary Regulation 16.

**Effective date.** This regulation is effective on February 1, 1952.

**Note:** The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

HOMER F. POTTER,  
Director,  
San Francisco District Office.

JANUARY 31, 1952.

APPENDIX I—SAN FRANCISCO MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the San Francisco Marketing Area, which comprises San Francisco County, Calif.

1. For standard milk (including homogenized) ceiling prices are as follows:

| Size of container   | Wholesale, f. o. b. purchaser's business location | Retail store, carry-out | Retail, home-delivered |
|---|---|-------------------------|------------------------|
| 2 gallons or more, bulk, per gallon.....                          | \$.68   |                         |                        |
| Gallon bottle.....  | .76   |                         |                        |
| Half-gallon container (fiber or glass).....                       | .38   | \$.85                   | \$.90                  |
| Quart container (fiber or glass).....                             | .19   | .45                     | .45                    |
| Pint container (fiber or glass).....                              | .11   | .215                    | .225                   |
| Third-quart or three-quarter-pint container (fiber or glass)..... | .074  | .125                    | .135                   |
| Half-pint container (fiber or glass).....                         | .0625   |                         |                        |

RULES AND REGULATIONS

APPENDIX III—SAN MATEO COUNTY MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the San Mateo County Marketing Area.  
1. For standard milk (including homogenized) ceiling prices are as follows:

| Type of sale  | Container size  |          |        |        |
|---|-----------------|----------|--------|--------|
|   | Per gallon bulk | ½ gallon | Quart  | ½ pint |
| Half and half   | \$0.16          | \$0.08   | \$0.04 | \$0.02 |
| Table cream   | .24             | .12      | .06    | .03    |
| All-purpose cream   | .40             | .20      | .10    | .05    |
| Whipping cream  | .40             | .20      | .10    | .05    |
| Other retail sales of standardized milk (including homogenized) | .40             | .20      | .10    | .05    |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch price in excess of 19 cents per quart or the retail home-delivered base period price in excess of 20 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standardized milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between the seller's base period prices for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$5.80 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of San Francisco Order No. 35 issued by the State of California Bureau of Milk Control effective Feb. 1, 1932.

APPENDIX II—ALAMEDA-CONTRA COSTA MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Alameda-Contra Costa Marketing Area, which comprises Alameda and Contra Costa Counties, Calif.

1. For standard milk (including homogenized) ceiling prices are as follows:

| Type of sale  | Container size  |          |        |        |
|---|-----------------|----------|--------|--------|
|   | Per gallon bulk | ½ gallon | Quart  | ½ pint |
| Half and half   | \$0.16          | \$0.08   | \$0.04 | \$0.02 |
| Table cream   | .24             | .12      | .06    | .03    |
| All-purpose cream   | .40             | .20      | .10    | .05    |
| Whipping cream  | .40             | .20      | .10    | .05    |
| Other retail sales of standardized milk (including homogenized) | .40             | .20      | .10    | .05    |

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale   | Container size  |          |        |        |
|--|-----------------|----------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | ½ pint |
| 2 gallons or more, bulk, per gallon                          | \$0.08          | \$0.04   | \$0.02 | \$0.01 |
| Gallon bottle  | .12             | .06      | .03    | .015   |
| Half-gallon container (fiber or glass)                       | .20             | .10      | .05    | .025   |
| Quart container (fiber or glass)                             | .20             | .10      | .05    | .025   |
| First container (fiber or glass)                             | .20             | .10      | .05    | .025   |
| Three-quart or three-quarter-pint container (fiber or glass) | .20             | .10      | .05    | .025   |
| Half-pint container (fiber or glass)                         | .20             | .10      | .05    | .025   |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. 3. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19.5 cents per quart or the retail home-delivered base period price in excess of 20.5 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standardized milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between the seller's base period prices for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$5.80 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of Alameda-Contra Costa Order No. 32 issued by the State of California Bureau of Milk Control effective Feb. 1, 1932.

APPENDIX I—SAN FRANCISCO MARKETING AREA—Continued

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale  | Container size  |          |        |        |
|---|-----------------|----------|--------|--------|
|   | Per gallon bulk | ½ gallon | Quart  | ½ pint |
| Half and half   | \$0.16          | \$0.08   | \$0.04 | \$0.02 |
| Table cream   | .24             | .12      | .06    | .03    |
| All-purpose cream   | .40             | .20      | .10    | .05    |
| Whipping cream  | .40             | .20      | .10    | .05    |
| Other retail sales of standardized milk (including homogenized) | .40             | .20      | .10    | .05    |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch price in excess of 19 cents per quart or the retail home-delivered base period price in excess of 20 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standardized milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between the seller's base period prices for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$5.80 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of San Francisco Order No. 35 issued by the State of California Bureau of Milk Control effective Feb. 1, 1932.

APPENDIX II—ALAMEDA-CONTRA COSTA MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Alameda-Contra Costa Marketing Area, which comprises Alameda and Contra Costa Counties, Calif.

1. For standard milk (including homogenized) ceiling prices are as follows:

| Type of sale  | Container size  |          |        |        |
|---|-----------------|----------|--------|--------|
|   | Per gallon bulk | ½ gallon | Quart  | ½ pint |
| Half and half   | \$0.16          | \$0.08   | \$0.04 | \$0.02 |
| Table cream   | .24             | .12      | .06    | .03    |
| All-purpose cream   | .40             | .20      | .10    | .05    |
| Whipping cream  | .40             | .20      | .10    | .05    |
| Other retail sales of standardized milk (including homogenized) | .40             | .20      | .10    | .05    |

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale   | Container size  |          |        |        |
|--|-----------------|----------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | ½ pint |
| 2 gallons or more, bulk, per gallon                          | \$0.08          | \$0.04   | \$0.02 | \$0.01 |
| Gallon bottle  | .12             | .06      | .03    | .015   |
| Half-gallon container (fiber or glass)                       | .20             | .10      | .05    | .025   |
| Quart container (fiber or glass)                             | .20             | .10      | .05    | .025   |
| First container (fiber or glass)                             | .20             | .10      | .05    | .025   |
| Three-quart or three-quarter-pint container (fiber or glass) | .20             | .10      | .05    | .025   |
| Half-pint container (fiber or glass)                         | .20             | .10      | .05    | .025   |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. 3. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19.5 cents per quart or the retail home-delivered base period price in excess of 20.5 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standardized milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between the seller's base period prices for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$5.80 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of Alameda-Contra Costa Order No. 32 issued by the State of California Bureau of Milk Control effective Feb. 1, 1932.

APPENDIX III—SAN MATEO COUNTY MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the San Mateo County Marketing Area.  
1. For standard milk (including homogenized) ceiling prices are as follows:

| Type of sale  | Container size  |          |        |        |
|---|-----------------|----------|--------|--------|
|   | Per gallon bulk | ½ gallon | Quart  | ½ pint |
| Half and half   | \$0.16          | \$0.08   | \$0.04 | \$0.02 |
| Table cream   | .24             | .12      | .06    | .03    |
| All-purpose cream   | .40             | .20      | .10    | .05    |
| Whipping cream  | .40             | .20      | .10    | .05    |
| Other retail sales of standardized milk (including homogenized) | .40             | .20      | .10    | .05    |

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale  | Container size  |          |        |        |
|---|-----------------|----------|--------|--------|
|   | Per gallon bulk | ½ gallon | Quart  | ½ pint |
| Half and half   | \$0.16          | \$0.08   | \$0.04 | \$0.02 |
| Table cream   | .24             | .12      | .06    | .03    |
| All-purpose cream   | .40             | .20      | .10    | .05    |
| Whipping cream  | .40             | .20      | .10    | .05    |
| Other retail sales of standardized milk (including homogenized) | .40             | .20      | .10    | .05    |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. 3. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19 cents per quart or the retail home-delivered base period price in excess of 20 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standardized milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between the seller's base period prices for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$3.77 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of San Mateo County Order No. 27 issued by the State of California Bureau of Milk Control effective Feb. 1, 1932.

APPENDIX IV—SANTA CLARA COUNTY MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Santa Clara County Marketing Area.  
1. For standard milk (including homogenized) ceiling prices are as follows:

| Type of sale  | Container size  |          |        |        |
|---|-----------------|----------|--------|--------|
|   | Per gallon bulk | ½ gallon | Quart  | ½ pint |
| Half and half   | \$0.16          | \$0.08   | \$0.04 | \$0.02 |
| Table cream   | .24             | .12      | .06    | .03    |
| All-purpose cream   | .40             | .20      | .10    | .05    |
| Whipping cream  | .40             | .20      | .10    | .05    |
| Other retail sales of standardized milk (including homogenized) | .40             | .20      | .10    | .05    |

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale   | Container size  |          |        |        |
|--|-----------------|----------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | ½ pint |
| 2 gallons or more, bulk, per gallon                          | \$0.04          | \$0.02   | \$0.01 | \$0.01 |
| 2 gallons and less than 10 gallons, bulk, per gallon         | .06             | .03      | .015   | .015   |
| Gallon bottle  | .12             | .06      | .03    | .015   |
| Half-gallon container (fiber or glass)                       | .20             | .10      | .05    | .025   |
| Quart container (fiber or glass)                             | .20             | .10      | .05    | .025   |
| First container (fiber or glass)                             | .20             | .10      | .05    | .025   |
| Three-quart or three-quarter-pint container (fiber or glass) | .20             | .10      | .05    | .025   |
| Half-pint container (fiber or glass)                         | .20             | .10      | .05    | .025   |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. 3. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19.5 cents per quart or the retail home-delivered base period price in excess of 20.5 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standardized milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between the seller's base period prices for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$5.80 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of Santa Clara County Order No. 31 issued by the State of California Bureau of Milk Control effective Feb. 1, 1932.

APPENDIX IV—SANTA CLARA COUNTY MARKETING AREA—Continued

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale   | Container size  |          |        |        |        |
|--|-----------------|----------|--------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | Pint   | ½ pint |
| Half and half.....   | \$0.16          | \$0.08   | \$0.04 | \$0.02 | \$0.01 |
| Table cream.....   | .24             | .12      | .06    | .03    | .015   |
| All-purpose cream.....   | .40             | .20      | .10    | .05    | .025   |
| Whipping cream.....  | .40             | .20      | .10    | .05    | .025   |
| Other retail sales of standard milk (including homogenized)..... |                 | .04      | .02    |        |        |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19.5 cents per quart or the retail home-delivered base period price was in excess of 20 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollar-and-cents difference between the seller's base period price for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$3.00 per hundredweight of milk containing 3.5 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article 1, of Santa Clara County Order No. 24 issued by the State of California Bureau of Milk Control, effective Feb. 1, 1952.

A. "Santa Clara County Marketing Area" means that area as defined in said Santa Clara County Order No. 24.

APPENDIX V—MONTEREY-SANTA CRUZ MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Monterey-Santa Cruz Marketing Area, comprising the counties of Monterey, Santa Cruz and San Benito, Calif.

1. For standard milk (including homogenized) ceiling prices are as follows:

| Size of container   | Wholesale, f. o. b. purchaser's business location | Retail store, carry-out |          |        | Retail, home-delivered |
|---|---|-------------------------|----------|--------|------------------------|
|   |   | Per gallon bulk         | ½ gallon | Quart  |                        |
| 2 gallons or more, bulk, per gallon.....                            | \$0.07  | \$0.08                  | \$0.04   | \$0.02 | \$0.01                 |
| Gallon bottle.....  | .77   | .69                     | .34      | .17    | .08                    |
| Half-gallon container (fiber or glass).....                         | .39   | .44                     | .22      | .11    | .05                    |
| Quart container (fiber or glass).....                               | .195  | .22                     | .11      | .05    | .025                   |
| Pint container (fiber or glass).....                                | .1125   | .13                     | .065     | .03    | .015                   |
| Third-quarter or three-quarter-pint container (fiber or glass)..... | .078  | .09                     | .045     | .025   | .01                    |
| Half-pint container (fiber or glass).....                           | .065  |                         |          |        |                        |

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale   | Container size  |          |        |        |        |
|--|-----------------|----------|--------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | Pint   | ½ pint |
| Half and half.....   | \$0.16          | \$0.08   | \$0.04 | \$0.02 | \$0.01 |
| Table cream.....   | .24             | .12      | .06    | .03    | .015   |
| All-purpose cream.....   | .40             | .20      | .10    | .05    | .025   |
| Whipping cream.....  | .40             | .20      | .10    | .05    | .025   |
| Other retail sales of standard milk (including homogenized)..... |                 | .06      | .03    |        |        |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19.5 cents per quart or the retail home-delivered base period price was in excess of 20 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollar-and-cents difference between the seller's base period price for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$3.58 per hundredweight of milk containing 3.5 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article 1, of Monterey-Santa Cruz Order No. 21 issued by the State of California Bureau of Milk Control effective Feb. 1, 1952.

APPENDIX VI—MARIN COUNTY MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Marin County Marketing Area, which comprises Marin County, California.

1. For standard milk (including homogenized) ceiling prices are as follows:

| Size of container   | Wholesale, f. o. b. purchaser's business location | Retail store, carry-out |          |        | Retail, home-delivered |
|---|---|-------------------------|----------|--------|------------------------|
|   |   | Per gallon bulk         | ½ gallon | Quart  |                        |
| 2 gallons or more, bulk, per gallon.....                            | \$0.07  | \$0.04                  | \$0.02   | \$0.01 |                        |
| Gallon bottle.....  | .78   | .69                     | .34      | .17    |                        |
| Half-gallon container (fiber or glass).....                         | .39   | .44                     | .22      | .11    |                        |
| Quart container (fiber or glass).....                               | .195  | .22                     | .11      | .05    |                        |
| Pint container (fiber or glass).....                                | .1125   | .13                     | .065     | .03    |                        |
| Third-quarter or three-quarter-pint container (fiber or glass)..... | .078  | .09                     | .045     | .025   |                        |
| Half-pint container (fiber or glass).....                           | .065  |                         |          |        |                        |

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale   | Container size  |          |        |        |        |
|--|-----------------|----------|--------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | Pint   | ½ pint |
| Half and half.....   | \$0.16          | \$0.08   | \$0.04 | \$0.02 | \$0.01 |
| Table cream.....   | .24             | .12      | .06    | .03    | .015   |
| All-purpose cream.....   | .40             | .20      | .10    | .05    | .025   |
| Whipping cream.....  | .40             | .20      | .10    | .05    | .025   |
| Other retail sales of standard milk (including homogenized)..... |                 | .06      | .03    |        |        |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19.5 cents per quart or the retail home-delivered base period price was in excess of 20 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollar-and-cents difference between the seller's base period price for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$3.57 per hundredweight of milk containing 3.5 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article 2, of Marin County Order No. 26 issued by the State of California Bureau of Milk Control effective Feb. 1, 1952.

APPENDIX VII—NAPA-SOLANO MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Napa-Solano Marketing Area, which comprises Napa and Solano Counties, California.

1. For standard milk (including homogenized) ceiling prices are as follows:

| Size of container   | Wholesale, f. o. b. purchaser's business location | Retail store, carry-out |          |        | Retail, home-delivered |
|---|---|-------------------------|----------|--------|------------------------|
|   |   | Per gallon bulk         | ½ gallon | Quart  |                        |
| 2 gallons or more, bulk, per gallon.....                            | \$0.06  | \$0.04                  | \$0.02   | \$0.01 |                        |
| Gallon bottle.....  | .78   | .69                     | .34      | .17    |                        |
| Half-gallon container (fiber or glass).....                         | .39   | .44                     | .22      | .11    |                        |
| Quart container (fiber or glass).....                               | .195  | .22                     | .11      | .05    |                        |
| Pint container (fiber or glass).....                                | .1125   | .13                     | .065     | .03    |                        |
| Third-quarter or three-quarter-pint container (fiber or glass)..... | .078  | .09                     | .045     | .025   |                        |
| Half-pint container (fiber or glass).....                           | .065  |                         |          |        |                        |

**RULES AND REGULATIONS**

**APPENDIX IX—SAN JOAQUIN COUNTY MARKETING AREA**

This appendix covers milk and cream (excluding sour cream) in the San Joaquin County Marketing Area, which comprises San Joaquin County, Calif.

1. For standard milk (including homogenized) ceiling prices are as follows:

| Type of sale   | Container size  |          |        |        |
|--|-----------------|----------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | Pint   |
| Half and half.....   | \$0.16          | \$0.08   | \$0.04 | \$0.02 |
| Table cream.....   | .24             | .12      | .06    | .03    |
| All-purpose cream.....   | .40             | .20      | .10    | .05    |
| Whipping cream.....  | .40             | .20      | .10    | .05    |
| Other retail sales of standard milk (including homogenized)..... | .05             | .05      | .025   | .015   |

  

| Size of container   | Wholesale, l. o. b. purchaser's business location |          | Retail store, carry-out |      | Retail, home-delivered |        |
|---|---|----------|-------------------------|------|------------------------|--------|
|   | Per gallon bulk                                   | ½ gallon | Quart                   | Pint | ½ gallon               | ¼ pint |
| Bulk milk, per gallon.....  | \$0.06  |          |                         |      | \$0.84                 | \$0.88 |
| Gallon bottle.....  | .75   |          |                         |      | .42                    | .43    |
| Half-gallon container (fiber or glass).....                         | .375  |          |                         |      | .21                    | .215   |
| Quart container (fiber or glass).....                               | .1875   |          |                         |      | .125                   | .13    |
| Pint container (fiber or glass).....                                | .1875   |          |                         |      |                        |        |
| Three-quarter or three-quarter-pint container (fiber or glass)..... | .081  |          |                         |      |                        |        |
| Half-pint container (fiber or glass).....                           | .063  |          |                         |      |                        |        |

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale   | Container size  |          |        |        |
|--|-----------------|----------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | Pint   |
| Half and half.....   | \$0.16          | \$0.08   | \$0.04 | \$0.02 |
| Table cream.....   | .24             | .12      | .06    | .03    |
| All-purpose cream.....   | .40             | .20      | .10    | .05    |
| Whipping cream.....  | .40             | .20      | .10    | .05    |
| Other retail sales of standard milk (including homogenized)..... | .04             | .04      | .02    | .015   |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19.5 cents per quart or the retail home-delivered base period price was in excess of 19.5 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollar-and-cents difference between the seller's base period price for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$3.71 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article 1 of San Joaquin County Order No. 36 issued by the State of California Bureau of Milk Control effective Feb. 1, 1952.

**APPENDIX X—STANISLAUS COUNTY MARKETING AREA**

This appendix covers milk and cream (excluding sour cream) in the Stanislaus County Marketing Area, which comprises Stanislaus County, California.

1. For standard milk (including homogenized) ceiling prices are as follows:

| Type of sale   | Container size  |          |        |        |
|--|-----------------|----------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | Pint   |
| Half and half.....   | \$0.16          | \$0.08   | \$0.04 | \$0.02 |
| Table cream.....   | .24             | .12      | .06    | .03    |
| All-purpose cream.....   | .40             | .20      | .10    | .05    |
| Whipping cream.....  | .40             | .20      | .10    | .05    |
| Other retail sales of standard milk (including homogenized)..... | .04             | .04      | .02    | .015   |

  

| Size of container   | Wholesale, l. o. b. purchaser's business location |          | Retail store, carry-out |      | Retail, home-delivered |        |
|---|---|----------|-------------------------|------|------------------------|--------|
|   | Per gallon bulk                                   | ½ gallon | Quart                   | Pint | ½ gallon               | ¼ pint |
| Bulk milk, per gallon.....  | \$0.07  |          |                         |      | \$0.84                 | \$0.84 |
| Gallon bottle.....  | .74   |          |                         |      | .42                    | .42    |
| Half-gallon container (fiber or glass).....                         | .37   |          |                         |      | .21                    | .21    |
| Quart container (fiber or glass).....                               | .185  |          |                         |      | .13                    | .13    |
| Pint container (fiber or glass).....                                | .185  |          |                         |      |                        |        |
| Three-quarter or three-quarter-pint container (fiber or glass)..... | .083  |          |                         |      |                        |        |
| Half-pint container (fiber or glass).....                           | .063  |          |                         |      |                        |        |

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale   | Container size  |          |        |        |
|--|-----------------|----------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | Pint   |
| Half and half.....   | \$0.16          | \$0.08   | \$0.04 | \$0.02 |
| Table cream.....   | .24             | .12      | .06    | .03    |
| All-purpose cream.....   | .40             | .20      | .10    | .05    |
| Whipping cream.....  | .40             | .20      | .10    | .05    |
| Other retail sales of standard milk (including homogenized)..... | .05             | .05      | .025   | .015   |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19.5 cents per quart or the retail home-delivered base period price was in excess of 20 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollar-and-cents difference between the seller's base period price for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$3.71 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article 1 of Mendocino-Lake Order No. 17 issued by the State of California Bureau of Milk Control effective Feb. 1, 1952.

**APPENDIX VII—NAPA-SONOMA MARKETING AREA—Continued**

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale   | Container size  |          |        |        |
|--|-----------------|----------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | Pint   |
| Half and half.....   | \$0.16          | \$0.08   | \$0.04 | \$0.02 |
| Table cream.....   | .24             | .12      | .06    | .03    |
| All-purpose cream.....   | .40             | .20      | .10    | .05    |
| Whipping cream.....  | .40             | .20      | .10    | .05    |
| Other retail sales of standard milk (including homogenized)..... | .05             | .05      | .025   | .015   |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19.5 cents per quart or the retail home-delivered base period price was in excess of 20 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollar-and-cents difference between the seller's base period price for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$3.71 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article 1 of Napa-Sonoma Order No. 21 issued by the State of California Bureau of Milk Control effective Feb. 1, 1952.

**APPENDIX VIII—MENDOCINO-LAKE MARKETING AREA**

This appendix covers milk and cream (excluding sour cream) in the Mendocino-Lake Marketing Area.

1. For standard milk (including homogenized) ceiling prices are as follows:

| Size of container   | Wholesale, l. o. b. purchaser's business location |          | Retail store, carry-out |      | Retail, home-delivered |        |
|---|---|----------|-------------------------|------|------------------------|--------|
|   | Per gallon bulk                                   | ½ gallon | Quart                   | Pint | ½ gallon               | ¼ pint |
| 2 gallons or more, bulk, per gallon.....                            | \$0.08  |          |                         |      | \$0.90                 | \$0.90 |
| Gallon bottle.....  | .78   |          |                         |      | .44                    | .45    |
| Half-gallon container (fiber or glass).....                         | .39   |          |                         |      | .22                    | .225   |
| Quart container (fiber or glass).....                               | .195  |          |                         |      | .13                    | .135   |
| Pint container (fiber or glass).....                                | .195  |          |                         |      |                        |        |
| Three-quarter or three-quarter-pint container (fiber or glass)..... | .078  |          |                         |      |                        |        |
| Half-pint container (fiber or glass).....                           | .063  |          |                         |      |                        |        |

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale   | Container size  |          |        |        |
|--|-----------------|----------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | Pint   |
| Half and half.....   | \$0.16          | \$0.08   | \$0.04 | \$0.02 |
| Table cream.....   | .24             | .12      | .06    | .03    |
| All-purpose cream.....   | .40             | .20      | .10    | .05    |
| Whipping cream.....  | .40             | .20      | .10    | .05    |
| Other retail sales of standard milk (including homogenized)..... | .05             | .05      | .025   | .015   |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19.5 cents per quart or the retail home-delivered base period price was in excess of 20 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollar-and-cents difference between the seller's base period price for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$3.71 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article 1 of Mendocino-Lake Order No. 17 issued by the State of California Bureau of Milk Control effective Feb. 1, 1952.

5. "Mendocino-Lake Marketing Area" means that area as defined in said Mendocino-Lake Order No. 17.

APPENDIX X—STANISLAUS COUNTY MARKETING AREA—Continued

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale   | Container size  |          |        |        |        |
|--|-----------------|----------|--------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | Pint   | ½ pint |
| Half and half.....   | \$0.16          | \$0.08   | \$0.04 | \$0.02 | \$0.01 |
| Table cream.....   | .24             | .12      | .06    | .03    | .015   |
| All-purpose cream.....   | .40             | .20      | .10    | .05    | .025   |
| Whipping cream.....  | .40             | .20      | .10    | .05    | .025   |
| Other retail sales of standard milk (including homogenized)..... |                 | .05      | .025   |        |        |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch.  
 3. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 18.5 cents per quart or the retail home-delivered base period price was in excess of 18.5 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between the seller's base period prices for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.  
 4. The prices herein provided are based upon a producer paying price of \$3.47 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of Stanislaus County Order No. 27 issued by the State of California Bureau of Milk Control effective Feb. 1, 1952.

[F. R. Doc. 52-1438; Filed, Jan. 31, 1952; 4:16 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 63, Area Milk Price Regulation 13]

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 13—RENO DISTRICT (NEVADA AND CERTAIN EASTERN CALIFORNIA COUNTIES)

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 Area Milk Price Regulation pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation (16 F. R. 9559) is hereby issued.

STATEMENT OF CONSIDERATIONS

The General Ceiling Price Regulation issued on January 26, 1951, pointed out that the general freeze which it imposed on prices at all levels of production and distribution was an emergency measure made imperative by the urgency of bringing the inflationary spiral to a halt.

Under the provisions of Supplementary Regulation 16 to the General Ceiling Price Regulation, prices were adjusted by the Office of Price Stabilization in several marketing areas in the State of California by two orders issued in June and August, 1951, pursuant to petitions filed by the State of California Bureau of Milk Control. The Modoc County Marketing Area was among those in which prices were so adjusted. The adjustments were based on findings by the Board that there had been increased processing and distribution costs incurred by the processors and distributors in affected marketing areas, and that there had been an increase in minimum prices required to be paid to producers. On January 9, 1952, the California State Bureau of Milk Control held a hearing in Redding, California for the purpose of considering amendments to the State's Stabilization and Marketing Plan for Fluid Milk for several marketing areas, including the Modoc County Marketing Area. On the basis of testi-

mony presented by milk producers at this hearing with respect to increased cost of production, particularly of alfalfa and other dairy feeds, it appeared that a further increase in the State minimum price to producers would be necessary. Under current provisions of the General Ceiling Price Regulation, any such increased producer cost may be passed on by processors and distributors after specified rounding provisions are employed, but such a pass-through may be applied only to the individual seller's base period price under the General Ceiling Price Regulation, and not to an adjusted price such as was effected by the Letter Orders issued pursuant to Supplementary Regulation 16 in June and August of 1951. However, on September 24, 1951, Supplementary Regulation 63 became effective permitting adjustments of ceiling prices for fluid milk products in individual areas upon petition or upon the initiative of the appropriate District or Regional Director. Under the provisions of Supplementary Regulation 63, marketing areas as established by any state milk control agency may be adopted by the Office of Price Stabilization as areas to be treated separately under area milk price regulations. Pursuant to such authority, this area milk price regulation is being issued adjusting ceiling prices for the Modoc County Marketing Area. Sales of milk products not covered by this regulation remain subject to the provisions of the General Ceiling Price Regulation.

The applicable laws of the State of California require that the Chief of the Bureau of Milk Control issue his findings and revised minimum prices for all sellers subject to the law within thirty days of each hearing. It is the desire of the District Director that, insofar as possible, conflicts between state minimum price laws and OPS maximum prices be avoided where it appears that upward adjustments of OPS maximum prices may be proper under the criteria of Supplementary Regulation 63. In order to make needed adjustments in OPS prices effective coincident with the

state's new minimum prices, the District Director has elected, in the interest of time, to issue the accompanying regulation upon his own initiative rather than to await petition. The Director has examined the detailed cost studies of the State Bureau of Milk Control and has independently conducted an examination of the increased costs as set forth in section 6 of Supplementary Regulation 63.

The facts available to the Office of Price Stabilization make it apparent that the adjustments made in margin for all types of sales in the Modoc County Marketing Area effected by previously issued orders under Supplementary Regulation 16, are proper and necessary under the criteria of Supplementary Regulation 63. Accordingly, these increases in margin are retained for the Modoc County Marketing Area in the accompanying regulation.

Amendment 1 to Supplementary Regulation 63 provides that area milk regulations issued under Supplementary Regulation 63 may include provisions covering ceiling prices on sales by retail stores. These margins are to be established at the same amount in dollars and cents that accrued to retail stores immediately preceding the issuance of an applicable area milk price regulation; therefore, the historical margin for retail stores which was in effect preceding the issuance of this area milk price regulation has been retained.

In the accompanying regulation the ceiling prices which it establishes have been placed in an appendix, with the expectation that as provision is made for additional milk marketing areas, the prices applicable to each can be added to the regulation by use of additional appendices, each relating to but a single area. For most sales of milk products covered by this regulation, the ceiling price will be found in the appendix relating to that area, where such price is stated either in dollars-and-cents or in terms of a price differential to be added to each seller's existing ceiling prices. In a few cases resort will have to be made to other pricing provisions which will be found in the body of the order; thus, for sales to purchasers not named in an appendix a seller will find the price for the most nearly similar sale for which a price is provided and then apply the dollars-and-cents price differential which in his own selling practice he has historically applied between the two kinds of sales, this differential being the difference between his former ceiling prices for these sales. Finally, for those instances, thought to be quite infrequent, in which the price can be determined in no other way, the ceiling price will be a price which is that of the seller's closest competitor or, lacking such competitor, a price in line with those otherwise provided. These last-named prices, become effective only after they have been reported to the OPS District Office for review.

Every effort has been made to conform this regulation to existing business practices, cost practice or methods, or means or aids to distribution. Insofar as any provisions of this regulation may operate to compel changes in the business

## RULES AND REGULATIONS

practices, cost practices or methods, or means or aids to distribution, such provisions are found by the District Director of the Office of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation.

In the judgment of the District Director of the Office of Price Stabilization, the provisions of this area milk regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951.

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

### REGULATORY PROVISIONS

#### Sec.

1. Ceiling prices.
2. Parity adjustments.
3. Reports.
4. Special considerations.
5. Definitions.

**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. Ceiling prices.** (a) The ceiling price of a milk product sold for delivery to a purchaser located in an area described in an appendix to this regulation shall be the first of the following which is applicable:

(1) When the appendix prescribes a price for such sale: The price so prescribed.

(2) When the sale differs by type of purchaser from these sales for which such appendix prescribes a price: The price prescribed by such appendix for a sale to the most nearly similar kind of purchaser, adjusted by the dollars-and-cents difference between the seller's base period prices (as defined in section 5 of this regulation) for the kind of sale being made and the kind of sale priced by the appendix. The ceiling prices so determined shall be reported in accordance with the provisions of section 3 (a) of this regulation.

(3) When the sale cannot be priced under the foregoing: The ceiling price of the seller's most closely competitive seller of the same class (as defined in section 22 of the General Ceiling Price Regulation) for the same kind of sale, and reported by the seller (except an operator of a retail store) to the Reno District Office in accordance with the provisions of section 3 (b) of this regulation.

(4) When the seller is unable otherwise to determine a price: A price in line with the foregoing, reported by the seller to the Reno District Office in accordance with the provisions of section 3 (c) of this regulation. The price so determined may not be charged unless prior to the sale it has been reported

by registered mail, return receipt requested, to the Reno District Office.

(b) If a sale is for delivery to a purchaser located outside of the areas described in the appendices to this regulation or if the milk product sold is not covered by the applicable appendix, then this regulation shall not apply to such sale.

**SEC. 2. Parity adjustments.** The prices herein provided are based upon the producer price for raw milk specified in the applicable appendix, which price shall be used in applying the parity-adjustment provisions of section 8 of Supplementary Regulation 63. Any such adjustment shall be subject to the rounding provisions of that section.

**SEC. 3. Reports.** (a) *Reporting of differentials and prices resulting therefrom.* You shall report (1) the ceiling prices computed pursuant to section 1 (a) (2) of this regulation and section 3 of the applicable appendix to this regulation, and (2) the differentials used in determining these ceiling prices to the Reno District Office by registered mail, return receipt requested, within ten days after the effective date of this regulation. (The "Reno District Office", as used in this regulation, means the Reno District Office of the Office of Price Stabilization located at 1475 Wells Avenue, Reno, Nevada.) This report shall be filed on OPS Public Form 123, which may be obtained from the aforementioned office. Your price lists in effect during any part or all of the OCPR base period, including the time during which they were in effect, must accompany the report unless you have previously mailed such price lists by registered mail to the Reno District Office. You shall not sell at the ceiling prices computed pursuant to section 1 (a) (2) of this regulation and section 3 of the applicable appendix until you have thus sent the report to the Reno District Office. This requirement shall not apply to operators of retail stores nor to sales for which specific dollars-and-cents prices have been stated in the applicable appendix.

(b) *Report required when you use your competitor's ceiling price.* When you determine your ceiling price in accordance with section 1 (a) (3), you shall not sell until you have sent the report required below, by registered mail, return receipt requested, to the Reno District Office. You may sell the product at your proposed ceiling price unless you are notified by the Director of the Reno District Office that your proposed ceiling price has been disapproved or that more information is required. Your report shall state the name and address of your company; the name, address, and type of business of your most closely competitive seller of the same class; your reason for selecting him as your most closely competitive seller; and, if you are starting a new business, a statement indicating whether you or the principal owner of your business has been engaged in any part of the past 12 months in any capacity in the same or similar business at any other establishment and, if so, the

trade name and address of each such establishment. Your report should also include the following:

(1) If you are a processor: A description of the product you are pricing; the processing involved in the production of that product; the classes of purchasers to whom you will be selling; the ceiling price of your nearest competitor; and your proposed ceiling price to each class of purchaser.

(2) If you are a distributor: A description of the product you are pricing; your net invoice cost of the commodity being priced; the names and addresses of your sources of supply; the function performed by them (e. g., processing, distributing, etc.), and the classes of purchasers to whom they customarily sell; the classes of purchasers to whom you plan to sell; the ceiling price of your most closely competitive seller; your proposed ceiling price to each class of purchaser; and a statement that your proposed ceiling prices will not exceed the ceiling price your customers paid to their customary sources of supply.

A report under this section may be filed on OPS Public Form 122, which may be obtained from the Reno District Office.

(c) *Report of sellers who price under section 1 (a) (4) of this regulation.* A report under the provisions of section 1 (a) (4) of this regulation must contain the following information: an explanation of why you are unable to determine your ceiling price under any other provision of this regulation; all pertinent information describing the product and the nature of your business as described in section 3 (b) (1) and 3 (b) (2); a description of the product, its butterfat content, the type and size of container in which it will be sold, and the class of purchaser to whom you intend to sell; your proposed ceiling price and the method used by you to determine it, including the producer price upon which it is based; and the reason you believe the proposed ceiling price is in line with the level of ceiling prices otherwise established by this regulation.

(d) *Modification of ceiling prices reported under this section.* The Director of the Reno District Office may at any time disapprove or revise downward ceiling prices reported under this section so as to bring them in line with the level of ceiling prices otherwise established under this regulation.

**SEC. 4. Special conditions.** Each seller must maintain the conditions and terms of sale he had in effect during the period December 19, 1950, through January 25, 1951, and observe the following provisions of the General Ceiling Price Regulation:

- Section 2 (c): Prohibitions.
- Section 16: Records.
- Section 17: Sales slips and receipts.
- Section 18: Evasion.
- Section 19: Transfers of business or stock in trade.
- Section 21: Penalties.

**SEC. 5. Definitions.** When used in this order or an appendix thereto "Base period price" means the seller's ceiling



price, as determined under section 3 of the General Ceiling Price Regulation, excluding any increases attributable to section 11 of that regulation (parity increases) or orders issued under Supplementary Regulation 16.

**Effective date.** This regulation is effective on February 1, 1952.

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

FRED C. HORLACHER,  
Director,  
Reno District Office.

JANUARY 31, 1952.

APPENDIX I—MODOC COUNTY MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Modoc County Marketing Area, which comprises Modoc County, Calif.

1. For standard milk (including homogenized) ceiling prices are as follows:

| Size of container  | Wholesale, f. o. b. purchaser's business location | Retail store, carry-out | Retail, home-delivered |
|--|---|-------------------------|------------------------|
| Bulk, per gallon   | \$0.79  |                         |                        |
| Gallon bottle  | .84   | \$0.92                  | \$0.92                 |
| Half-gallon container (fiber or glass)                       | .42   | .46                     | .46                    |
| Quart container (fiber or glass)                             | .21   | .23                     | .23                    |
| Pint container (fiber or glass)                              | .13   | .15                     | .15                    |
| Third-quart or three-quarter-pint container (fiber or glass) | .087  |                         |                        |
| Half-pint container (fiber or glass)                         | .066  |                         |                        |

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale  | Container size  |          |        |        |        |
|---|-----------------|----------|--------|--------|--------|
|   | Per gallon bulk | ½ gallon | Quart  | Pint   | ½ pint |
| Half and half   | \$0.16          | \$0.08   | \$0.04 | \$0.02 | \$0.01 |
| Table cream   | .24             | .12      | .06    | .03    | .015   |
| All-purpose cream   | .40             | .20      | .10    | .05    | .025   |
| Whipping cream  | .40             | .20      | .10    | .05    | .025   |
| Other retail sales of standard milk (including homogenized) | .12             | .06      | .03    | .015   |        |

The "other retail sales" referred to above are retail sales f.o.b. distributor's processing plant or producer's ranch.  
 3. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 20 cents per quart or the retail home-delivered base period price was in excess of 21 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between the seller's base period prices for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.  
 4. The prices herein provided are based upon a producer paying price of \$0.02 per hundredweight of milk containing 3.5 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of Modoc County Order No. 11 issued by the State of California Bureau of Milk Control, effective Feb. 1, 1952.

[F. R. Doc. 52-1439; Filed, Jan. 31, 1952; 4:17 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 63, Area Milk Price Regulation 14]

G CPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 14 SACRAMENTO DISTRICT, CALIFORNIA

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 Area Milk Price Regulation pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation (16 F. R. 9559) is hereby issued.

STATEMENT OF CONSIDERATIONS

The General Ceiling Price Regulation issued on January 26, 1951, pointed out that the general freeze which it imposed on prices at all levels of production and distribution was an emergency measure made imperative by the urgency of bringing the inflationary spiral to a halt.

Under the provisions of Supplementary Regulation 16 to General Ceiling Price Regulation, prices were adjusted by the Office of Price Stabilization in several marketing areas in the State of California by two orders issued in June and August, 1951, pursuant to petitions filed by the State of California Bureau

of Milk Control. The Sacramento, Sutter-Yuba, Placer-Nevada, and Butte County Marketing Areas, were among those in which prices were so adjusted. The adjustments were based on findings by the Board that there had been increased processing and distribution costs incurred by the processors and distributors in affected marketing areas, and that there had been an increase in minimum prices required to be paid to producers. On January 7, 1952, the California State Bureau of Milk Control held a joint hearing in Sacramento, California for the purpose of considering amendments to the State's Stabilization and Marketing Plan for Fluid Milk for several marketing areas including the Sacramento, Sutter-Yuba, Placer-Nevada, and Butte County Marketing Areas. On the basis of testimony presented by milk producers at this hearing with respect to increased cost of production, particularly of alfalfa and other dairy feeds, it appeared that a further increase in the State minimum price to producers would be necessary. Under current provisions of the General Ceiling Price Regulation, any such increased producer cost may be passed on by processors and distributors after specified rounding provisions are employed, but such a pass-through may be applied

only to the individual seller's base period price under the General Ceiling Price Regulation, and not to an adjusted price such as was effected by the Letter Orders issued pursuant to Supplementary Regulation 16 in June and August of 1951. However, on September 24, 1951, Supplementary Regulation 63 became effective permitting adjustments of ceiling prices for fluid milk products in individual areas upon petition or upon the initiative of the appropriate District or Regional Director. Under the provisions of Supplementary Regulation 63, marketing areas as established by any state milk control agency may be adopted by the Office of Price Stabilization as areas to be treated separately under area milk price regulations. Pursuant to such authority, this area milk price regulation is being issued adjusting ceiling prices for the Sacramento, Sutter-Yuba, Placer-Nevada, and Butte County Marketing Areas. A separate appendix is provided for each of these areas. Sales of milk products not covered by this regulation remain subject to the provisions of the General Ceiling Price Regulation.

The applicable laws of the State of California require that the Chief of the Bureau of Milk Control issue his findings and revised minimum prices for all sellers subject to the law within thirty days after each hearing.

It is the desire of the District Director that, insofar as possible, conflicts between state minimum price laws and OPS maximum prices be avoided where it appears that upward adjustments of OPS maximum prices may be proper under the criteria of Supplementary Regulation 63. In order to make needed adjustments in OPS prices effective coincident with the state's new minimum prices, the District Director has elected, in the interest of time, to issue the accompanying regulation upon his own initiative rather than to await petition.

The Director has examined the detailed cost studies of the State Bureau of Milk Control and has independently conducted an examination of the increased costs as set forth in section 6 of Supplementary Regulation 63. He has, therefore, taken into account the actual increased cost of milk purchased from producers, and has based his conclusions on a consideration of the combined effect of the product cost increases and the processing and delivery cost increases. This analysis of the data makes it evident that the adjustments made in margin for home delivered sales, effected by a previously issued order under Supplementary Regulation 16, are proper and necessary under the criteria of Supplementary Regulation 63. Accordingly, these increases in processors' and distributors' margin for home delivered sales are retained for the Marketing Areas of Sacramento, Sutter-Yuba, Placer-Nevada, and Butte County in the accompanying regulation.

With regard to the marginal adjustments affecting processors and distributors on their wholesale sales, the data collected from a representative group of processors and distributors in the Sacramento Marketing Area indicate that the increase in the margin previously authorized under Supplementary Regulation 16 is no longer proper or necessary

under the criteria of Supplementary Regulation 63. The margin adjustments previously effected under Supplementary Regulation 16 for wholesale sales in this marketing area are therefore not continued in the accompanying area regulation.

The adjustments in wholesale margins previously effected under Supplementary Regulation 16 for the Sutter-Yuba, Placer-Nevada, and Butte County Marketing Areas are retained for these areas.

In the case of the Placer-Nevada Marketing Area, an additional adjustment of one-cent per quart, as contemplated by the State Minimum Price Order for that area, is reflected in the applicable appendix. This increase is required in order to reflect actual increases in raw product costs for processors and distributors whose sales account for over sixty percent of the milk sold in that area. This additional raw product cost is occasioned by a ruling enforced by the State Bureau of Milk Control which requires processors to pay producers on the basis of the area of ultimate consumption even though the delivery to the sub-distributor may be made in a marketing area for which a lower price is in effect.

Amendment 1 to Supplementary Regulation 63 provides that area milk regulations issued under Supplementary Regulation 63 may include provisions covering ceiling prices on sales by retail stores. These margins are to be established at the same amount in dollars and cents that accrued to retail stores immediately preceding the issuance of an applicable area milk price regulation; therefore, the historical margin for retail stores which was in effect preceding the issuance of this area milk price regulation has been retained for the Sutter-Yuba, Placer-Nevada, and Butte County Marketing Areas.

In the case of the Sacramento Marketing Area, the retail store margin in effect immediately preceding the issuance of this Area Milk Price Regulation was 2½ cents. The margins for retail stores have historically remained constant on a dollars and cents basis and were affected primarily by fractional cent pricing for sales to such stores. Since September 1951 the margin for retail stores has been 2½ cents per quart but for many years preceding that time the margin was 2 cents per quart. The accompanying order establishes a price of 18 cents per quart to retail stores and the addition of the retail store margin produces a price of 20 cents per quart when customary practices of rounding fractional cents are followed. The margin for the retail store is, therefore 2 cents per quart and is in line with historical margins.

In the accompanying regulation the ceiling prices which it establishes have been placed in appendices, with the expectation that as provision is made for additional milk marketing areas, the prices applicable to each can be added to the regulation by use of additional appendices, each relating to but a single area. For most sales of milk products covered by this regulation, the ceiling price will be found in the appendix relating to that area, where such price is stated either in dollars-and-cents or in terms of a price differential to be added

to each seller's existing ceiling prices. In a few cases resort will have to be made to other pricing provisions which will be found in the body of the order; thus, for sales to purchasers not named in an appendix a seller will find the price for the most nearly similar sale for which a price is provided and then apply the dollars-and-cents price differential which in his own selling practice he has historically applied between the two kinds of sales, this differential being the difference between his former ceiling prices for these sales. Finally, for those instances, thought to be quite infrequent, in which the price can be determined in no other way, the ceiling price will be a price which is that of the seller's closest competitor or, lacking such competitor, a price in line with those otherwise provided. These last-named prices, become effective only after they have been reported to the OPS District Office for review.

Every effort has been made to conform this 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 District Director of the Office of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation.

In the judgment of the District Director of the Office of Price Stabilization, the provisions of this area milk regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951.

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

#### REGULATORY PROVISIONS

- Sec.
1. Ceiling prices.
  2. Parity adjustments.
  3. Reports.
  4. Special considerations.
  5. Definitions.

**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. Ceiling prices.** (a) The ceiling price of a milk product sold for delivery to a purchaser located in an area described in an appendix to this regulation shall be the first of the following which is applicable:

- (1) When the appendix prescribes a price for such sale: The price so prescribed.
- (2) When the sale differs by type of purchaser from those sales for which such appendix prescribes a price: The price prescribed by such appendix for a sale to the most nearly similar kind of purchaser, adjusted by the dollars-and-

cents difference between the seller's base period prices (as defined in section 5 of this regulation) for the kind of sale being made and the kind of sale priced by the appendix. The ceiling prices so determined shall be reported in accordance with the provisions of section 3 (a) of this regulation.

(3) When the sale cannot be priced under the foregoing: The ceiling price of the seller's most closely competitive seller of the same class (as defined in section 22 of the General Ceiling Price Regulation) for the same kind of sale, and reported by the seller (except an operator of a retail store) to the Sacramento District Office in accordance with the provisions of section 3 (b) of this regulation.

(4) When the seller is unable otherwise to determine a price: A price in line with the foregoing, reported by the seller to the Sacramento District Office in accordance with the provisions of section 3 (c) of this regulation. The price so determined may not be charged unless prior to the sale it has been reported by registered mail, return receipt requested, to the Sacramento District Office.

(b) If a sale is for delivery to a purchaser located outside of the areas described in the appendices to this regulation or if the milk product sold is not covered by the applicable appendix, then this regulation shall not apply to such sale.

**SEC. 2. Parity adjustments.** The prices herein provided are based upon the producer price for raw milk specified in the applicable appendix, which price shall be used in applying the parity-adjustment provisions of section 8 of Supplementary Regulation 63. Any such adjustment shall be subject to the rounding provisions of that section.

**SEC. 3. Reports.**—(a) *Reporting of differentials and prices resulting therefrom.* You shall report (1) the ceiling prices computed pursuant to section 1 (a) (2) of this regulation and section 3 of the applicable appendix to this regulation, and (2) the differentials used in determining these ceiling prices to the Sacramento District Office by registered mail, return receipt requested, within ten days after the effective date of this regulation. (The "Sacramento District Office," as used in this regulation, means the Sacramento District Office of the Office of Price Stabilization located at 1330 Jay Street, Sacramento, California.) This report shall be filed on OPS Public Form 123, which may be obtained from the aforementioned office. Your price lists in effect during any part or all of the GCPR base period, including the time during which they were in effect, must accompany the report unless you have previously mailed such price lists by registered mail to the Sacramento District Office. You shall not sell at the ceiling prices computed pursuant to section 1 (a) (2) of this regulation and section 3 of the applicable appendix until you have thus sent the report to the Sacramento District Office. This requirement shall not apply to operators of retail stores nor to sales for which specific dollars-and-cents prices have been stated in the applicable appendix.

(b) Report required when you use your competitor's ceiling price. When you determine your ceiling price in accordance with section 1 (a) (3), you shall not sell until you have sent the report required below, by registered mail, return receipt requested, to the Sacramento District Office. You may sell the product at your proposed ceiling price unless you are notified by the Director of the Sacramento District Office that your proposed ceiling price has been disapproved or that more information is required. Your report shall state the name and address of your company; the name, address, and type of business of your most closely competitive seller of the same class; your reason for selecting him as your most closely competitive seller; and, if you are starting a new business, a statement indicating whether you or the principal owner of your business has been engaged in any part of the past 12 months in any capacity in the same or similar business at any other establishment and, if so, the trade name and address of each such establishment. Your report should also include the following:

(1) If you are a processor: A description of the product you are pricing; the processing involved in the production of that product; the classes of purchasers to whom you will be selling; the ceiling price of your nearest competitor, and your proposed ceiling price to each class of purchaser.

(2) If you are a distributor: A description of the product you are pricing; your net invoice cost of the commodity being priced; the names and addresses of your sources of supply; the function performed by them (e. g., processing, distributing, etc.), and the classes of purchasers to whom they customarily sell; the classes of purchasers to whom you plan to sell; the ceiling price of your most closely competitive seller; your proposed ceiling price to each class of purchaser; and a statement that your proposed ceiling prices will not exceed the ceiling price your customers paid to their customary sources of supply.

A report under this section may be filed on OPS Public Form 122, which may be obtained from the Sacramento District Office.

(c) Report of sellers who price under section 1 (a) (4) of this regulation. A report under the provisions of section 1 (a) (4) of this regulation must contain the following information: an explanation of why you are unable to determine your ceiling price under any other provision of this regulation; all pertinent information describing the product and the nature of your business as described in section 3 (b) (1) and 3 (b) (2); a description of the product, its butterfat content, the type and size of container in which it will be sold, and the class of purchaser to whom you intend to sell; your proposed ceiling price and the method used by you to determine it, including the producer price upon which it is based; and the reason you believe the

proposed ceiling prices is in line with the level of ceiling prices otherwise established by this regulation.

(d) Modification of ceiling prices reported under this section. The Director of the Sacramento District Office may at any time disapprove or revise downward ceiling prices reported under this section so as to bring them in line with the level of ceiling prices otherwise established under this regulation.

SEC. 4. Special conditions. Each seller must maintain the conditions and terms of sale he had in effect during the period December 19, 1950, through January 25, 1951, and observe the following provisions of the General Ceiling Price Regulation:

- Section 2 (c): Prohibitions.
- Section 16: Records.
- Section 17: Sales slips and receipts.
- Section 18: Evaston.

Section 19: Transfers of business or stock in trade.

Section 21: Penalties.

SEC. 5. Definitions. When used in this order or an appendix thereto "Base period price" means the seller's ceiling price, as determined under section 3 of the General Ceiling Price Regulation, excluding any increases attributable to section 11 of that regulation (parity increases) or orders issued under Supplementary Regulation 16.

Effective date. This regulation is effective on February 1, 1952.

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

FRANK E. JUDY,  
Director,  
Sacramento District Office.

JANUARY 31, 1952.

APPENDIX I—SACRAMENTO MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Sacramento Marketing Area. 1. For standard milk (including homogenized) ceiling prices are as follows:

| Size of container   | Wholesale, f. o. b. purchaser's business location | Retail store, carry-out | Retail, home-delivered |
|---|---|-------------------------|------------------------|
| Bulk milk, per gallon.....  | \$0.65  |                         |                        |
| Gallon bottle.....  | .72   | \$0.80                  | \$0.85                 |
| Half-gallon container (fiber or glass).....                       | .36   | .40                     | .43                    |
| Quart container (fiber or glass).....                             | .18   | .20                     | .215                   |
| Pint container (fiber or glass).....                              | .107  | .13                     | .14                    |
| Third-quart or three-quarter-pint container (fiber or glass)..... | .08   |                         |                        |
| Half-pint container (fiber or glass).....                         | .062  |                         |                        |

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale   | Container size  |          |        |        |        |
|--|-----------------|----------|--------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | Pint   | ¼ pint |
| Half and half.....   | \$0.16          | \$0.08   | \$0.04 | \$0.02 | \$0.01 |
| Table cream.....   | .24             | .12      | .06    | .03    | .015   |
| All-purpose cream.....   | .40             | .20      | .10    | .05    | .025   |
| Whipping cream.....  | .40             | .20      | .10    | .05    | .025   |
| Other retail sales of standard milk (including homogenized)..... | .40             | .20      | .10    | .05    | .025   |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch.

3. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 18 cents per quart or the retail home-delivered base period price was in excess of 19 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between the seller's base period prices for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$5.47 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I of Sacramento Order No. 31, issued by the State of California Bureau of Milk Control effective Feb. 1, 1952.

5. "Sacramento Marketing Area" means that area as defined in said Sacramento Order No. 31.

APPENDIX II—SUTTER-YUBA MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Sutter-Yuba Marketing Area, comprising the counties of Sutter and Yuba, Calif.

1. For standard milk (including homogenized) ceiling prices are as follows:

| Size of container   | Wholesale, f. o. b. purchaser's business location | Retail store, carry-out | Retail, home-delivered |
|---|---|-------------------------|------------------------|
| Bulk milk, per gallon.....  | \$0.70  |                         |                        |
| Gallon bottle.....  | .75   | \$0.84                  | \$0.84                 |
| Half-gallon container (fiber or glass).....                       | .375  | .42                     | .42                    |
| Quart container (fiber or glass).....                             | .1875   | .21                     | .21                    |
| Pint container (fiber or glass).....                              | .11   | .13                     | .13                    |
| Third-quart or three-quarter-pint container (fiber or glass)..... | .083  |                         |                        |
| Half-pint container (fiber or glass).....                         | .064  |                         |                        |

RULES AND REGULATIONS

APPENDIX IV—PLACER-NEVADA MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Placer-Nevada Marketing Area. For standardized milk (including homogenized), ceiling prices are as follows:

| Size of container  | Wholesale, f. o. b. purchaser's business location |           | Retail store, carry-out | Retail, home-delivered |
|--|---|-----------|-------------------------|------------------------|
|  | Per gallon bulk                                   | Per quart |                         |                        |
| 10 gallons or more, bulk, per gallon                         | \$0.66  |           |                         |                        |
| 2 gallons and less than 10 gallons, bulk, per gallon         | .69   |           |                         |                        |
| Gallon container   | .77   |           | \$0.86                  | \$0.90                 |
| Half-gallon container (fiber or glass)                       | .85   |           | .43                     | .43                    |
| Quart container (fiber or glass)                             | .92   |           | .21                     | .21                    |
| Half-pint container (fiber or glass)                         | 1.11  |           | .13                     | .13                    |
| Third-quart or three-quarter-pint container (fiber or glass) | .88   |           |                         |                        |
| Half-pint container (fiber or glass)                         | .65   |           |                         |                        |

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale  | Container size  |            |        |          |
|---|-----------------|------------|--------|----------|
|   | Per gallon bulk | 1/2 gallon | Quart  | 1/2 pint |
| Half and half   | \$0.16          | \$0.06     | \$0.04 | \$0.01   |
| Table cream   | .24             | .12        | .06    | .03      |
| All-purpose cream   | .40             | .20        | .10    | .05      |
| Whipping cream  | .40             | .20        | .10    | .05      |
| Other retail sales of standardized milk (including homogenized) | .40             | .20        | .10    | .05      |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. For standardized milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19 cents per quart or the retail home-delivered base period price was in excess of 19 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount, proportional to container size to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standardized milk in the same sized container plus or minus, as the case may be, the dollar-and-cents difference between the seller's base period price for such kind of milk and standardized milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation. 4. The prices herein provided are based upon a producer paying price of \$0.47 per hundredweight of milk containing 3.5 percent milk fat for Class I fluid milk purchased f. o. b. processor plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of Placer-Nevada Order No. 29 issued by the State of California Bureau of Milk Control effective Feb. 1, 1952. 5. "Placer-Nevada Marketing Area" means that area as defined in said Placer-Nevada Order No. 29.

[F. R. Doc. 52-1440; Filed, Jan. 31, 1952; 4:17 P. M.]

General Ceiling Price Regulation, Supplementary Regulation 63, Area Milk Price Regulation 15)

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 15—FRESNO DISTRICT, CALIFORNIA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 8105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Area Milk Price Regulation pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation (16 F. R. 9559) is hereby issued.

STATEMENT OF CONSIDERATIONS

The General Ceiling Price Regulation issued on January 26, 1951, pointed out that the general freeze which it imposed on prices at all levels of production and distribution was an emergency measure made imperative by the urgency of bringing the inflationary spiral to a halt. Under the provisions of Supplementary Regulation 16 to General Ceiling Price Regulation, prices were adjusted by the Office of Price Stabilization in several marketing areas in the State of California by two orders issued in June and August 1951, pursuant to petitions filed by the State of California Bureau

APPENDIX II—SUTTER-YUBA MARKETING AREA—Continued

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale  | Container size  |            |        |          |
|---|-----------------|------------|--------|----------|
|   | Per gallon bulk | 1/2 gallon | Quart  | 1/2 pint |
| Half and half   | \$0.16          | \$0.08     | \$0.04 | \$0.01   |
| Table cream   | .24             | .12        | .06    | .03      |
| All-purpose cream   | .40             | .20        | .10    | .05      |
| Whipping cream  | .40             | .20        | .10    | .05      |
| Other retail sales of standardized milk (including homogenized) | .40             | .20        | .10    | .05      |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. For standardized milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 18.5 cents per quart or the retail home-delivered base period price was in excess of 18.5 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount, proportional to container size to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standardized milk in the same sized container plus or minus, as the case may be, the dollar-and-cents difference between the seller's base period price for such kind of milk and standardized milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation. 4. The prices herein provided are based upon a producer paying price of \$0.45 per hundredweight of milk containing 3.5 percent milk fat for Class I fluid milk purchased f. o. b. processor plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of Sutter-Yuba Order No. 15, issued by the State of California Bureau of Milk Control, effective Feb. 1, 1952.

APPENDIX III—BUTTE COUNTY MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Butte County Marketing Area, which comprises Butte County, California.

1. For standardized milk (including homogenized), ceiling prices are as follows:

| Size of container  | Wholesale, f. o. b. purchaser's business location |           | Retail store, carry-out | Retail, home-delivered |
|--|---|-----------|-------------------------|------------------------|
|  | Per gallon bulk                                   | Per quart |                         |                        |
| 10 gallons or more, bulk, per gallon                         | \$0.71  |           |                         |                        |
| 2 gallons and less than 10 gallons, bulk, per gallon         | .74   |           |                         |                        |
| Gallon container   | .82   |           | \$0.86                  | \$0.86                 |
| Half-gallon container (fiber or glass)                       | .89   |           | .43                     | .43                    |
| Quart container (fiber or glass)                             | .96   |           | .21                     | .21                    |
| Half-pint container (fiber or glass)                         | 1.12  |           | .13                     | .13                    |
| Third-quart or three-quarter-pint container (fiber or glass) | .88   |           |                         |                        |
| Half-pint container (fiber or glass)                         | .65   |           |                         |                        |

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale  | Container size  |            |        |          |
|---|-----------------|------------|--------|----------|
|   | Per gallon bulk | 1/2 gallon | Quart  | 1/2 pint |
| Half and half   | \$0.16          | \$0.08     | \$0.04 | \$0.01   |
| Table cream   | .24             | .12        | .06    | .03      |
| All-purpose cream   | .40             | .20        | .10    | .05      |
| Whipping cream  | .40             | .20        | .10    | .05      |
| Other retail sales of standardized milk (including homogenized) | .40             | .20        | .10    | .05      |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch. For standardized milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19 cents per quart or the retail home-delivered base period price was in excess of 19 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount, proportional to container size to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standardized milk in the same sized container plus or minus, as the case may be, the dollar-and-cents difference between the seller's base period price for such kind of milk and standardized milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation. 4. The prices herein provided are based upon a producer paying price of \$0.47 per hundredweight of milk containing 3.5 percent milk fat for Class I fluid milk purchased f. o. b. processor plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of Butte County Order No. 26 issued by the State of California Bureau of Milk Control effective Feb. 1, 1952.

of Milk Control. The Madera-Merced Marketing Area was among those in which prices were so adjusted. The adjustments were based on findings by the Board that there had been increased processing and distribution costs incurred by the processors and distributors in affected marketing areas, and that there had been an increase in minimum prices required to be paid to producers. On January 4, 1952, the California State Bureau of Milk Control held a hearing in Fresno, California, for the purpose of considering amendments to the State's Stabilization and Marketing Plan for Fluid Milk for several marketing areas including the Madera-Merced Marketing Area. On the basis of testimony presented by milk producers at this hearing with respect to increased costs of production, particularly of alfalfa and other dairy feeds, it appeared that a further increase in the State minimum prices to producers would be necessary. Under current provisions of the General Ceiling Price Regulation, any such increased producer cost may be passed on by processors and distributors after specified rounding provisions are employed, but such a pass-through may be applied only to the individual seller's base period price under the General Ceiling Price Regulation, and not an adjusted price such as was effected by the orders issued pursuant to Supplementary Regulation 16 in June and August of 1951. However, on September 24, 1951, Supplementary Regulation 63 became effective permitting adjustments of ceiling prices for fluid milk products in individual areas upon petition or upon the initiative of the appropriate District or Regional Director. Under the provisions of Supplementary Regulation 63, marketing areas as established by any state milk control agency may be adopted by the Office of Price Stabilization as areas to be treated separately under area milk price regulations. Pursuant to such authority, this area milk price regulation is being issued adjusting ceiling prices for the Madera-Merced Marketing Area. Sales of milk products not covered by this regulation remain subject to the provisions of the General Ceiling Price Regulation.

The applicable laws of the State of California require that the Chief of the Bureau of Milk Control issue his findings and revised minimum prices for all sellers subject to the law within thirty days of each hearing. The District Director determined that in order to act upon his own initiative, it would be necessary to obtain data relative to cost increases as described in section 4 of Supplementary Regulation 63 from a representative sample of processors and distributors, and that, insofar as possible, conflicts between State minimum price laws and the Office of Price Stabilization maximum prices should be avoided where it appeared that adjustments in maximum prices were proper and necessary pursuant to the provisions of Supplementary Regulation 63. The District Director has elected, therefore, to issue the accompanying regulation upon his own initiative. The Director has examined the detailed cost studies of the State Bureau of Milk Control and has reviewed the data on

processing and delivery costs submitted by the industry in accordance with section 4 of Supplementary Regulation 63. He has also taken into account the actual increased cost of milk purchased from producers, and has based his conclusions on a consideration of the combined effect of the product cost increases and the processing and delivery cost increases.

This analysis of the data makes it apparent that the adjustment made in the margin for home delivered sales, effected by a previously issued order under Supplementary Regulation 16, is proper and necessary under the criteria of Supplementary Regulation 63. Accordingly, this increase in processor's and distributor's base period margins on home delivered sales is retained in the present order for the Madera-Merced Marketing Area.

With regard to the marginal adjustments affecting processors and distributors on their wholesale sales, all data submitted by the industry and otherwise available to the Office of Price Stabilization indicate that the increase is no longer proper or necessary under the criteria of Supplementary Regulation 63 for the processors and distributors located in the Madera-Merced Marketing Area. The margin adjustments previously effected under Supplementary Regulation 16 for wholesale sales are, therefore, not continued in the accompanying area regulation.

Amendment 1 to Supplementary Regulation 63 provides that area milk regulations issued under Supplementary Regulation 63 may include provisions covering ceiling prices on sales by retail stores. These margins are to be established at the same amount in dollars and cents that accrued to retail stores immediately preceding the issuance of an applicable area milk price regulation. The margins for retail stores have historically remained constant on a dollars and cents basis and were affected primarily by fractional cent pricing for sales to such stores. Since August, 1951, the margin for retail stores has been 2½ cents per quart, but for approximately three years preceding that time the margin was 2¼ cents per quart. The accompanying order establishes a price of 18¾ cents per quart to retail stores and the addition of the retail store margin produces a price of 21 cents per quart when customary practices of rounding fractional cents are followed. The margin for the retail store is, therefore, 2¼ cents per quart and is in line with historical margins.

In the accompanying regulation the ceiling prices which it establishes have been placed in an appendix. For most sales of milk products covered by this regulation, the ceiling prices will be found in the appendix where such price is stated either in dollars-and-cents or in terms of a price differential to be added to each seller's existing ceiling prices. In a few cases resort will have to be made to other pricing provisions which will be found in the body of the order; thus, for types of sales not described in the appendix a seller will find the price for the most nearly similar sale for which a price is provided and

then apply the dollars-and-cents price differential which in his own selling practice he has historically applied between the two kinds of sales, this differential being the difference between his former ceiling prices for these sales. Finally, for those instances, thought to be quite infrequent, in which the price can be determined in no other way, the ceiling price will be a price which is that of the seller's closest competitor or, lacking such competitor, a price in line with those otherwise provided. These last-named prices become effective only after they have been reported to the OPS District Office for review.

Every effort has been made to conform this 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 District Director of the Office of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation.

In the judgment of the District Director of the Office of Price Stabilization, the provisions of this Area Milk Regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951.

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

The Director has consulted the industry to the extent practicable and has given due consideration to its recommendations.

#### REGULATORY PROVISIONS

- Sec.
1. Ceiling prices.
  2. Parity adjustments.
  3. Reports.
  4. Special considerations.
  5. Definitions.

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. *Ceiling prices.* (a) The ceiling price of a milk product sold for delivery to a purchaser located in an area described in an appendix to this regulation shall be the first of the following which is applicable:

(1) When the appendix prescribes a price for such sale: The price so prescribed.

(2) When the sale differs by type of purchaser from those sales for which such appendix prescribes a price: The price prescribed by such appendix for a sale to the most nearly similar kind of purchaser, adjusted by the dollars-and-cents difference between the seller's base period prices (as defined in section 5 of this regulation) for the kind of sale be-

ing made and the kind of sale priced by the Appendix. The ceiling prices so determined shall be reported in accordance with the provisions of section 3 (a) of this regulation.

(3) When the sale cannot be priced under the foregoing: The ceiling price of the seller's most closely competitive seller of the same class (as defined in section 22 of the General Ceiling Price Regulation) for the same kind of sale, and reported by the seller (except an operator of a retail store) to the Fresno District Office in accordance with the provisions of section 3 (b) of this regulation.

(4) When the seller is unable otherwise to determine a price: A price in line with the foregoing, reported by the seller to the Fresno District Office in accordance with the provisions of section 3 (c) of this regulation. The price so determined may not be charged unless prior to the sale it has been reported by registered mail, return receipt requested, to the Fresno District Office.

(b) If a sale is for delivery to a purchaser located outside of the areas described in the appendices to this regulation or if the milk product sold is not covered by the applicable appendix, then this regulation shall not apply to such sale.

**SEC. 2. Parity adjustments.** The prices herein provided are based upon the producer price for raw milk specified in the applicable appendix, which price shall be used in applying the parity-adjustment provisions of section 8 of Supplementary Regulation 63. Any such adjustment shall be subject to the rounding provisions of that section.

**SEC. 3. Reports—(a) Reporting of differentials and prices resulting therefrom.** You shall report (1) the ceiling prices computed pursuant to section 1 (a) (2) of this regulation and section 3 of the applicable appendix to this regulation, and (2) the differentials used in determining these ceiling prices to the Fresno District Office by registered mail, return receipt requested, within ten days after the effective date of this regulation. (The "Fresno District Office", as used in this regulation, means the Fresno District Office of the Office of Price Stabilization located at 1550 Van Ness Avenue, Fresno 21, California.) This report shall be filed on OPS Public Form 123, which may be obtained from the aforementioned office. Your price lists in effect during any part or all of the GCPR base period, including the time during which they were in effect, must accompany the report unless you have previously mailed such price lists by registered mail to the Fresno District Office. You shall not sell at the ceiling prices computed pursuant to section 1 (a) (2) of this regulation and section 3 of the applicable appendix until you have sent the report to the Fresno District Office. This requirement shall not apply to operators of retail stores nor to sales for which specific dollars-and-cents prices have

been stated in the applicable appendix.

(b) *Report required when you use your competitor's ceiling price.* When you determine your ceiling price in accordance with section 1 (a) (3), you shall not sell until you have sent the report required below, by registered mail, return receipt requested, to the Fresno District Office. You may sell the product at your proposed ceiling price unless you are notified by the Director of the Fresno District Office that your proposed ceiling price has been disapproved or that more information is required. Your report shall state the name and address of your company; the name, address, and type of business of your most closely competitive seller of the same class; your reason for selecting him as your most closely competitive seller; and, if you are starting a new business, a statement indicating whether you or the principal owner of your business has been engaged in any part of the past 12 months in any capacity in the same or similar business at any other establishment and, if so, the trade name and address of each such establishment. Your report should also include the following:

(1) If you are a processor: A description of the product you are pricing; the processing involved in the production of that product; the classes of purchasers to whom you will be selling; the ceiling price of your nearest competitor, and your proposed ceiling price to each class of purchaser.

(2) If you are a distributor: A description of the product you are pricing; your net invoice cost of the commodity being priced; the names and addresses of your sources of supply; the function performed by them (e. g., processing, distributing, etc.), and the classes of purchasers to whom they customarily sell; the classes of purchasers to whom you plan to sell; the ceiling price of your most closely competitive seller; your proposed ceiling price to each class of purchaser; and a statement that your proposed ceiling prices will not exceed the ceiling price your customers paid to their customary sources of supply.

A report under this section may be filed on OPS Public Form 122, which may be obtained from the Fresno District Office.

(c) *Report of sellers who price under section 1 (a) (4) of this regulation.* A report under the provisions of section 1 (a) (4) of this regulation must con-

tain the following information: an explanation of why you are unable to determine your ceiling price under any other provision of this regulation; all pertinent information describing the product and the nature of your business as described in section 3 (b) (1) and 3 (b) (2); a description of the product, its butterfat content, the type and size of container in which it will be sold, and the class of purchaser to whom you intend to sell; your proposed ceiling price and the method used by you to determine it, including the producer price upon which it is based; and the reason you believed the proposed ceiling price is in line with the level of ceiling prices otherwise established by this regulation.

(d) *Modification of ceiling prices reported under this section.* The Director of the Fresno District Office may at any time disapprove or revise downward ceiling prices reported under this section so as to bring them in line with the level of ceiling prices otherwise established under this regulation.

**SEC. 4. Special conditions.** Each seller must maintain the conditions and terms of sale he had in effect during the period December 19, 1950, through January 25, 1951, and observe the following provisions of the General Ceiling Price Regulation:

Section 2 (c): Prohibitions.  
Section 16: Records.  
Section 17: Sales slips and receipts.  
Section 18: Evasion.  
Section 19: Transfers of business or stock in trade.  
Section 21: Penalties.

**SEC. 5. Definitions.** When used in this order or an appendix thereto "Base period price" means the seller's ceiling price, as determined under section 3 of the General Ceiling Price Regulation, excluding any increases attributable to section 11 of that regulation (parity increases) or orders issued under Supplementary Regulation 16.

**Effective date.** This regulation is effective on February 1, 1952.

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

JOSEPH L. MCKENNA,  
Acting Director,  
Fresno District Office.

JANUARY 31, 1952.

APPENDIX I—MADERA-MERCED MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Madera-Merced Marketing Area, which comprises the counties of Madera and Merced, California.

1. For standard milk (including homogenized) ceiling prices are as follows:

| Size of container  | Wholesale, f. o. b. purchaser's business location | Retail store, carry-out | Retail, home-delivered |
|--|---|-------------------------|------------------------|
| Bulk milk, per gallon  | \$0.68  |                         |                        |
| Gallon bottle  | .75   | \$0.84                  | \$0.86                 |
| Half-gallon container (fiber or glass)                       | .375  | .42                     | .43                    |
| Quart container (fiber or glass)                             | .1875   | .21                     | .215                   |
| Pint container (fiber or glass)                              | .11   | .13                     | .13                    |
| Third-quart or three-quarter-pint container (fiber or glass) | .081  |                         |                        |
| Half-pint container (fiber or glass)                         | .063  |                         |                        |

APPENDIX I—MADERA-MERCED MARKETING AREA—Continued

2. For the following items the ceiling price is the base period price plus the following additions:

| Type of sale   | Container size  |          |        |        |        |
|--|-----------------|----------|--------|--------|--------|
|  | Per gallon bulk | ½ gallon | Quart  | Pint   | ½ pint |
| Half and half.....   | \$0.16          | \$0.08   | \$0.04 | \$0.02 | \$0.01 |
| Table cream.....   | .24             | .12      | .06    | .03    | .015   |
| All-purpose cream.....   | .40             | .20      | .10    | .05    | .025   |
| Whipping cream.....  | .40             | .20      | .10    | .05    | .025   |
| Other retail sales of standard milk (including homogenized)..... |                 | .04      | .02    |        |        |

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch.  
 3. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 19 cents per quart or the retail home-delivered base period price was in excess of 19 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses. For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between the seller's base period prices for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.  
 4. The prices herein provided are based upon a producer paying price of \$5.45 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of Madera-Merced Order No. 16 issued by the State of California Bureau of Milk Control effective Feb. 1, 1952.

[F. R. Doc. 52-1441; Filed, Jan. 31, 1952; 4:18 p. m.]

[Ceiling Price Regulation 101, Amdt. 1]

CPR 101—CEILING PRICES OF VEAL SOLD AT WHOLESALE

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), Economic Stabilization Agency General Order 2 (16 F. R. 738), Delegation of Authority by the Secretary of Agriculture to the Economic Stabilization Agency with respect to meat, as amended, (16 F. R. 11620) and Economic Stabilization General Order 5, Revision 1 (16 F. R. 11875), this Amendment 1 to Ceiling Price Regulation 101 is hereby issued.

STATEMENT OF CONSIDERATIONS

1. This amendment modifies the provisions of section 20 of Ceiling Price Regulation 101, insofar as they prohibit the sale of hide-on veal carcasses to retailers. Instead of the outright prohibition of such sales heretofore provided in the regulation, hide-on carcasses within a limited weight class may now be sold to retailers who historically purchased a substantial percentage of their total volume in this manner and who have received written authorization from the Office of Price Stabilization to continue this practice. The prohibition of hide-on sales to purveyors of meals continues in effect.

The consideration for incorporating the prohibition on sales of hide-on carcasses in Ceiling Price Regulation 101 was that this was a means of providing ultimate consumers with an opportunity to make certain that they were getting the correct grade of veal. In order to make sure that veal carcasses would bear the appropriate grademarking on all of the principal cuts, it was considered desirable to have an official U. S. Department of Agriculture grader roll the grade-mark with indelible marking fluid. It is impractical to have graders go to retail stores to perform this service, because there are not enough official graders available to visit the retail stores which sell veal, and because the cost of performing the service at the retail store

would be prohibitive, particularly in those cases where the retailer has only a small number of veal carcasses to be graded. Accordingly, by requiring sellers at wholesale to sell veal carcasses skin-off, provision was made for proper official grading at the wholesale establishment, the only practical place where this can be done.

However, although the sale of hide-off veal is the practice prevailing in most of the veal consuming areas of this country, it has come to the attention of the Office of Price Stabilization that as a result of the prohibition contained in Ceiling Price Regulation 101, some hardship may have been caused to some sellers in some important veal consuming centers. This appears to be the case in Chicago, New York City and parts of the Pacific West Coast.

In order to permit continuance of this local practice pending a further study of the problem and consultations with the trade immediately affected, this amendment provides an interim relaxation of the ban on hide-on carcass sales. The prohibition of sales to purveyors of meals is continued, because the considerations applicable to retailers are not controlling in the case of such purveyors.

Since the wholesaler's addition permitted under section 42 of Ceiling Price Regulation 101 was based upon the cost to wholesalers of selling hide-off veal carcasses, a corresponding provision is made by this amendment for a separate wholesaler's addition on sales of hide-on carcasses, which will more nearly reflect the difference in cost occasioned by the change in the method of sale. Since the greater shrink incurred in selling hide-off carcasses, the expense of having grades rolled on carcasses after skinning, the cost of maintaining a larger cooler in order to have available space in which the skinners may perform their function, and other additional expenses incurred in handling hide-off veal and in the skinning operation were considered in establishing the amount of the wholesaler's addition in Ceiling Price Regulation 101, an appropriate reduction of the wholesaler's addition has

been made in the amount of the addition to hide-on carcass sales to reflect the savings occasioned through the sale of hide-on carcasses. Accordingly, section 42 has been amended so as to permit a wholesaler to add \$2.00 per cwt. to the prices specified in Schedule I (a), on sales of hide-on veal carcasses to retailers.

2. In addition, this amendment makes several minor changes in Ceiling Price Regulation 101. First, it corrects an error whereby rennets, which have been sold customarily by the piece, were inadvertently listed in section 24 at ceiling prices on a per hundredweight basis. Accordingly, section 24 has been amended to provide for a ceiling price on a per piece rather than a per hundredweight basis. However, since all the permitted additions to the ceiling prices specified in Article IV are on a per hundredweight basis, it was clearly impractical to allow any of these additions to be made on sales of rennets and, accordingly, these additions have been disallowed for such sales.

Second, the section dealing with the packer's branch house addition is changed to provide that this addition may not be taken where the veal sold is obtained from a slaughtering establishment located within less than 75 miles from the branch house. This is because the packer's branch house addition was designed primarily to compensate for the tissue shrink which occurs in the course of long distance shipping. A like change will soon be made in CPR 92, the Wholesale Lamb, Yearling, and Mutton regulation.

At the same time, this amendment broadens the definition of a packer's branch house to permit qualification of such selling establishments which were in operation prior to the issuance date of CPR 101, even though they were not in operation in 1950 as originally required. Provision is also made for those instances where a packer or slaughterer did not operate a branch house prior to such issuance date, but made a substantial investment in plant or equipment.

Finally, the Municipality of St. Louis was inadvertently omitted from Appendix I, which contains the zone definitions. This resulted in placing the Municipality of St. Louis in Zone 4 instead of in Zone 5, where it properly belongs. Appendix I is therefore amended to correct this error.

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

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

## AMENDATORY PROVISIONS

Ceiling Price Regulation 101 is amended in the following respects:

1. Section 20, *Special Adjustments for Schedule I*, Item 1, is amended to read as follows:

Hide-on veal carcasses may not be sold to purveyors of meals. Also hide-on veal carcasses may not be sold to retailers except as provided in section 12 of this regulation. All hide-on veal carcasses must be grademarked in accordance with the provisions of Distribution Regulation 2, as amended.

2. A new section 12 is added to read as follows:

SEC. 12. *Limitation on sales of hide-on veal carcasses to retailers.* (a) You may not sell or deliver a hide-on veal carcass which weighs more than 150 pounds to a retailer, nor may any retailer, purchase or receive a hide-on veal carcass which weighs more than 150 pounds.

(b) After March 15, 1952, you may not sell or deliver a hide-on veal carcass weighing 150 pounds or less to any retailer, nor may any retailer purchase or receive a hide-on veal carcass weighing 150 pounds or less unless such retailer has in his possession a written permission from the Office of Price Stabilization authorizing him to purchase hide-on veal carcasses weighing 150 pounds or less, each, and unless such written permission has not been previously revoked.

(c) If you are a retailer and you desire to obtain the written permission referred to in section 12 (b), you must file on or before March 1, 1952, with the District Office of the Office of Price Stabilization for the area where your selling establishment is located, a written application showing the following:

(1) Your name and address and the name and address of your retail store;  
 (2) A statement that you customarily bought, with the hide on, all or a substantial percentage of the total number of veal carcasses you purchased in any consecutive three-month period during 1951; a substantial percentage, as used in this section 12, means, generally, 25 percent or more;

(3) The actual number, or your best estimate of the number, of veal carcasses you purchased with the hide on and the total number, or your best estimate of the total number, of veal carcasses, including both hide-on and hide-off veal carcasses, that you purchased in any consecutive three-month period during 1951 and the beginning and ending dates of this period; you may use your records of hide sales in making these estimates;

(4) The name or names of the persons or firms from whom you have customarily bought hide-on veal carcasses;

(5) The names and addresses of the persons or firms to whom you have customarily sold skins taken from the hide-on veal carcasses you purchased;

(6) A statement that you have facilities for grade-marking veal carcasses after skinning, as required by Distribution Regulation 2;

(7) The signature and title of the owner, or of a responsible officer of the retail store.

(d) Upon receipt of a properly filed application and upon a finding that you customarily bought with the hide on all or a substantial percentage of the total number of veal carcasses you purchased during the 3-month period you used under (2) and (3) above and that you have facilities for grademarking veal carcasses after skinning, as required by Distribution Regulation 2, the Office of Price Stabilization will issue a written permission to you authorizing you to buy hide-on veal carcasses weighing 150 pounds or less, each. Such written permission will be denied or revoked if, at any time, it appears that:

(1) You made any false or misleading statements in your application filed under section 12 (c);

(2) At any time after the effective date of this amendment you purchased hide-on veal carcasses weighing more than 150 pounds each;

(3) After March 15, 1952, you purchased any hide-on veal carcasses without the written permission required by this section;

(4) You do not have facilities for grademarking hide-on veal carcasses after skinning, as required by Distribution Regulation 2;

(5) You violated any of the grademarking requirements of Distribution Regulation 2.

(e) If you desire permission to buy hide-on veal carcasses, as provided in this section, you must mail your application to the District Office not later than March 1, 1952. Applications postmarked after March 1, 1952, will not be acted on by the District Office. You may not buy hide-on veal carcasses unless you receive such written permission. Also, you may not buy such hide-on veal carcasses after you have received a notice in writing from the District Office that such permission has been revoked.

3. Section 24, *Schedule V*, is amended by deleting the statement in parentheses at the head of the table and substituting the following:

(All prices, except those for rennets on lines 24 and 25, are on a dollars per cwt. basis. The price for any fraction of a cwt. shall be reduced proportionately. You may add the additions set forth in sections 40, 41, 45, and 49 to the per cwt. prices, except on the sale of rennets. The price for rennets on lines 24 and 25 is on a per piece basis and none of the additions in Article IV may be added.)

4. Section 24, *Schedule V*, is amended by deleting lines 24 and 25 and substituting the following:

|                         |      |      |
|-------------------------|------|------|
| 24. Rennets (each)..... | 0.23 | ---- |
| 25. Rennets, cleaned    |      |      |
| (each).....             | 0.25 | ---- |

5. Section 42 (a) (3) is redesignated section 42 (a) (4); section 42 (a) (4) is redesignated section 42 (a) (5); and section 42 (a) is amended by adding a

new section 42 (a) (3) to read as follows:

(3) To retailers, you may add \$2.00 per cwt. to the prices specified in Schedule I (a), or  
 so that section 42 (a), as amended, now reads as follows:

SEC. 42. *Wholesaler's addition.* (a) On the sale of any veal (not obtained through custom slaughtering):

(1) To retailers and purveyors of meals, you may add \$2.50 per cwt. to the prices specified in Schedules I (b) and III, or

(2) To another wholesaler, you may add \$1.00 per cwt. to the prices specified in Schedules I (a), I (b), and III or

(3) To retailers, you may add \$2.00 per cwt. to the prices specified in Schedule I (a), or

(4) To other buyers, you may add \$1.25 per cwt. to the prices specified in Schedules I (b) and III.

(5) You may not add this wholesaler's selling addition unless you are a wholesaler as defined in section 50, and unless you have filed with the appropriate Regional Office of the Office of Price Stabilization a signed statement containing the following:

(i) Your name;  
 (ii) The address of your selling establishment;

(iii) The date that you began doing business as a wholesaler;

(iv) The type or types of customers to whom you regularly and customarily sell your product.

6. Section 49 (b) is amended by substituting a new last sentence, so that section 49 (b), as amended, now reads as follows:

(b) *Packer's branch house addition.* If you are a packer's branch house not physically attached to a slaughtering plant, you may add \$0.60 per cwt. to the prices listed in Schedules I (b) and III to retailers and purveyors of meals only, and in columns 2 and 3 of Schedule V on sales to retailers only. You may not make this addition, if the veal sold:

(1) Was obtained from a slaughtering plant located within less than 75 miles from the branch house; or

(2) Was not physically within the branch house cooler prior to the sale.

7. Section 50 (j) (2) is amended to read as follows:

(2) Which operated as a selling establishment for the affiliated packing or slaughtering plant at any time prior to December 4, 1951, or in which a substantial investment in plant or equipment was made by the affiliated packer or slaughterer prior to December 4, 1951.

8. Appendix 1 (d) is amended by deleting the sixth paragraph thereof, beginning with, "the State of Missouri \* \* \*" and ending with the word "Bolinger," and substituting therefor the following: "The State of Missouri with the exception of the Municipality of St. Louis and the following counties: St. Louis, Jefferson, Ste. Genevieve, Perry, Cape Girardeau, Scott, Mississippi, New



Madrid, Pemiscot, Dunklin, Stoddard and Bollinger."

9. Appendix 1 (e) is amended by deleting the fifth paragraph thereof which reads "The portion of the State of Missouri included in the county of St. Louis." and substituting the following new paragraph: "The portion of the State of Missouri included in the county of St. Louis and the Municipality of St. Louis."

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

**Effective date.** This regulation shall become effective on February 6, 1952.

**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.

FEBRUARY 1, 1952.

[F. R. Doc. 52-1465; Filed, Feb. 1, 1952; 4:00 p. m.]

#### CPR 123—CEILING PRICES FOR UNTREATED EASTERN RAILROAD TIES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (15 F. R. 738), this Ceiling Price Regulation 123 is hereby issued.

##### STATEMENT OF CONSIDERATIONS

This regulation establishes dollar and cents ceiling prices for producers' sales of untreated railroad cross ties and switch ties produced from any species in the part of the United States east of the one-hundredth meridian, except North Dakota and South Dakota. It also provides a method for determining ceiling prices for tie contractors' sales of these items.

**Nature of the industry.** The production of Eastern railroad ties is an important segment of the hardwood lumber industry. Approximately 84 percent of all railroad ties produced in the United States is produced east of the one-hundredth meridian. Of this amount, approximately 90 percent is produced from hardwoods (oak, gum, maple, elm, and birch); the balance is produced mainly from Southern pine, cypress, hemlock, tamarack and spruce. Ties are generally produced as close to the right-of-way of a railroad as the availability of timber permits. Producers are generally farmers and small sawmill lumber mills. Farmers produce, for the most part, hewn ties, which comprise only a small portion of the total tie production. The bulk of all the railroad ties produced is manufactured by small lumber mills. These mills are usually financed by tie contractors, who purchase most of the ties produced. Railroads use the majority of Eastern railroad ties; a small number are used by industrial concerns.

Eastern railroad ties are not priced uniformly throughout the area in which

they are produced. Because of depleted timber stands in the North and Northeast, and because of the greater concentration of railroad lines, prices for ties are generally higher in those sections than they are in the South. Southern tie-producers normally produce more ties than are required to satisfy local needs, and consequently ship a large number to other sections of the country.

**The impact of the General Ceiling Price Regulation.** From the summer of 1949 to the fall of 1950, the railroads bought an extremely small number of ties. Those that were bought were procured at near, or less than, break-even prices for the producers. During the same period, there was a sustained demand for lumber at increasingly higher prices. As a result of these factors, a great number of small tie producers diverted their operations to the manufacture of lumber.

The resumption of tie purchases by some of the railroads during the fourth quarter of 1950 resulted in an upward movement of tie prices in the majority of the production areas. However, prices were not adjusted proportionately throughout all areas. As a result, the General Ceiling Price Regulation freeze created some inequities, which caused another curtailment of production.

The need to stimulate the production of railroad ties was recognized at an earlier date by the OPS when, in October 1951, it issued Supplementary Regulation 68 to the General Ceiling Price Regulation, and thereby temporarily suspended sales of untreated Eastern railroad ties from price controls. SR 68 was issued instead of a tailored regulation because of the information necessary to formulate a tailored regulation was not then available.

The temporary suspension of Eastern railroad ties from price control has not materially affected the general level of prices for ties that prevailed before SR 68 was issued. The primary effect of the suspension has been an adjustment of prices in certain distressed production areas.

**Nature of this regulation.** Because the ties covered by this regulation traditionally sell at different prices in the various localities within the production area covered, the entire area has been divided into twelve production zones, and specific dollar-and-cent ceiling prices have been set for each zone.

The basic prices set forth in the regulation are producers' ceiling prices. However, the regulation recognizes the traditional role of tie contractors as the railroads' principal tie supplier. It therefore provides a method whereby tie contractors may ascertain their ceilings by applying a representative markup to the producers' ceiling prices established by the regulation.

The level of producers' ceiling prices established by this regulation is approximately the same as the level of prices that prevailed during the period of December 19, 1950, through January 25, 1951, the base period of the General Ceiling Price Regulation. This was the level of prices that prevailed during the period from January 25th to February 24, 1951.

#### FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

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 has given due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, to June 24, 1950 inclusive; to prices prevailing January 25th through February 24, 1951, as well as to the level of prices prevailing just before the issuance of this regulation; and to all relevant factors of general applicability.

In the formulation of this regulation there has been consultation with industry representatives, including trade association representatives and consideration has been given to their recommendations. This consultation included two meetings with the Eastern Railroad Tie Industry Advisory Committee.

Every effort has been made to conform this regulation to business practices with respect to the production, sale, and distribution of ties produced by the Eastern railroad tie industry. Insofar as any provision of this regulation may operate to compel changes in those business practices, such provisions are found necessary by the Director of Price Stabilization to prevent circumvention or evasion of this regulation.

#### REGULATORY PROVISIONS

##### Sec.

1. What this regulation does.
2. Geographical applicability.
3. Explanation of zones.
4. Producers' normal loading out points.
5. Producers' ceiling prices.
6. Additions to listed ceiling prices.
7. Odd sizes.
8. Reduction for non-finished ties.
9. Reduction in ceiling prices for non-delivery at normal loading out point, or for non-loading.
10. Additions for delivery beyond normal loading out point.
11. Selling on an averaging out basis.
12. Tie contractors' markup to producers' ceiling prices.
13. Ceiling prices for special items.
14. Modification of proposed ceiling prices by the Director of Price Stabilization.
15. Petitions for amendment.
16. Adjustable pricing.
17. Records.
18. Interpretations.
19. Prohibitions.
20. Evasions.
21. Definitions.

**AUTHORITY:** Sections 1 to 21 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 regulation does.** This regulation supersedes Supplementary Regulation 68 to the General Ceiling Price Regulation as well as the General Ceiling Price Regulation and establishes dollar-and-cent ceiling prices for

producers' sales of untreated railroad cross ties and switch ties produced from any species in the part of the United States east of the one-hundredth meridian except North Dakota and South Dakota. It also provides a method for determining ceiling prices for these items when they are sold by tie contractors. The regulation divides the production area covered into 12 different zones, and for each zone it sets specific ceiling prices.

**SEC. 2. Geographical applicability.** The provisions of this regulation are applicable in the United States, the District of Columbia, Alaska, Guam, Hawaii, Puerto Rico, and the Virgin Islands.

**SEC. 3. Explanation of zones.** (a) The production zones within the coverage of this regulation are:

(1) Zone A which includes Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut and New York.

(2) Zone B which includes Pennsylvania and New Jersey; the portion of Ohio lying north of the south boundaries of the following counties: Columbiana, Stark, Ashland, Wayne, Richland, Morrow, Marion, Hardin, Allen, Van Wert; the portion of Indiana lying north of the south boundaries of the following counties: Adams, Wells, Huntington, Wabash, Fulton, Pulaski, Jasper and Newton; the portion of Michigan lying between Lake Michigan, the Straits of Mackinac, and Lake Huron (known as the Lower Peninsula); and the following counties in Maryland: Garrett, Allegany, Washington, Frederick, Carroll, Baltimore, Harford, and Cecil.

(3) Zone C which includes Delaware, and the District of Columbia; the portion of Maryland lying south of the south boundaries of the following counties: Cecil, Harford, Baltimore, Carroll and Frederick; the following counties in Virginia: Loudoun, Clarke, Warren, Frederick, Shenandoah, Page, Rockingham, Augusta, Highland and Bath; all of West Virginia except the counties of Wayne and Mingo; and the portion of Ohio lying south of the south boundaries of the following counties: Columbiana, Stark, Wayne, Ashland, Richland, Morrow, Marion, Hardin, Allen, and Van Wert.

(4) Zone D which includes the portion of Indiana lying south of the south boundaries of the following counties: Adams, Wells, Huntington, Wabash, Fulton, Pulaski, Jasper and Newton; the portion of Kentucky lying east of the east boundary of Wayne county and north of the south boundaries of the following counties: Union, Webster, McLean, Ohio, Grayson, Hardin, LaRue, Green, Taylor, Casey, Pulaski; and Wayne and Mingo counties in West Virginia.

(5) Zone E which includes Virginia, except the portion lying north of the south boundaries of the following counties: Bath, Augusta, Rockingham, Page, Warren, Clarke and Loudoun; and North Carolina except the portion lying west of the east line of the following counties: Madison, Buncombe, Henderson, and Polk.

(6) Zone F which includes the portion of North Carolina lying west of the east

line of the following counties: Madison, Buncombe, Henderson and Polk; South Carolina and Georgia; and Florida, except the portion lying west of the east boundaries of the following counties: Jackson, Calhoun, and Gulf.

(7) Zone G which includes Nebraska; the portion of Missouri lying north of the Missouri River; the portion of Illinois lying south of the south boundaries of the counties of Iroquois, Ford, Livingston, Woodford, Peoria, Knox, Warren, and Henderson; the portion of Illinois lying north of the south boundaries of the following counties: St. Clair, Washington, Jefferson; and the portion of the State of Illinois lying east of the east boundaries of the following counties: Franklin, Williamson, Johnson, and Pulaski.

(8) Zone H which includes Minnesota, Wisconsin and Iowa; the portion of Michigan known as the "Upper Peninsula"; and the portion of Illinois lying north of the south boundaries of the following counties: Iroquois, Ford, Livingston, Woodford, Peoria, Knox, Warren, and Henderson.

(9) Zone I which includes Kansas; the portion of Missouri lying south of the Missouri River; the portion of northeast Oklahoma north and east of the Arkansas River; and the portion of Arkansas lying north of the Arkansas River.

(10) Zone J which includes Tennessee; the portion of Illinois lying south of the south boundaries of the following counties: St. Clair, Washington, Jefferson; the portion of Illinois lying west of the east boundaries of the following counties: Franklin, Williamson, Johnson and Pulaski; the portion of Kentucky lying south of the south boundaries of the following counties: Union, Webster, McLean, Ohio, Grayson, Hardin, La Rue, Green, Taylor, Casey, and Pulaski; the portion of Kentucky lying west of the east boundary of Wayne county; the portion of Alabama lying north of the south boundaries of the following counties: Chambers, Tallapoosa, Coosa, Chilton, Bibb, Tuscaloosa, Fayette, and Lamar; and the portion of Mississippi lying north of the south boundaries of the following counties: Lowndes, Monroe, Chickasaw, Calhoun, Grenada, Tallahatchie, and Coahoma.

(11) Zone K which includes the portion of Louisiana east of the Mississippi River; the portion of Florida lying west of the east boundaries of the following counties: Jackson, Calhoun and Gulf; the portion of Alabama lying south of the south boundaries of the following counties: Chambers, Tallapoosa, Coosa, Chilton, Bibb, Tuscaloosa, Fayette and Lamar; and the portion of Mississippi lying south of the south boundaries of the following counties: Lowndes, Monroe, Chickasaw, Calhoun, Grenada, Tallahatchie, and Coahoma.

(12) Zone L which includes Texas; the portion of Louisiana west of the Mississippi River; the portion of Oklahoma lying south and west of the Arkansas River; and the portion of Arkansas lying southwest of the Arkansas River.

**SEC. 4. Producers' normal loading out points.** (a) The ceiling prices set forth in section 5 are producers' ceilings at the following specific points, which are referred to in this regulation as normal loading out points.

(1) For ties produced in zones A, B, and H, the normal loading out point is f. o. b. railroad car at the common carrier railroad shipping point nearest the place of production in the normal direction of delivery to the point of destination.

(2) For ties produced in zones C, D, E, F, G, I, J, K, and L, the normal loading out point is the tie yard at a railroad shipping point or at a barge landing nearest the place of production where untreated ties are normally sold.

**SEC. 5. Producers' ceiling prices—(a) Ties covered.** The ceiling prices set forth in this section apply to unseasoned and untreated Eastern railroad cross ties and switch ties conforming to the specifications of the American Railway Engineering Association and delivered at a normal loading out point.

(b) **Price tables.** (The symbols TA, TB, TC, TD, used in the tables below are explained in section 21.)

(1) **Zone A.**

TABLE 1—CEILING PRICE PER CROSS TIE, F. O. B. CARS

| Size    | Group and length |             |             |          |          |          |          |  |
|---------|------------------|-------------|-------------|----------|----------|----------|----------|--|
|         | TA<br>8' 6"      | TC<br>8' 6" | TD<br>8' 6" | TA<br>8' | TC<br>8' | TD<br>8' | TB<br>8' |  |
| 5.....  | \$2.70           | \$2.70      | \$2.55      | \$2.60   | \$2.60   | \$2.45   | -----    |  |
| 4.....  | 2.55             | 2.55        | 2.40        | 2.45     | 2.45     | 2.30     | -----    |  |
| 3A..... | 2.30             | 2.30        | 2.15        | 2.20     | 2.20     | 2.05     | -----    |  |
| 3.....  | 2.10             | 2.10        | 1.95        | 2.00     | 2.00     | 1.85     | \$2.10   |  |
| 2.....  | 1.85             | 1.85        | 1.70        | 1.75     | 1.75     | 1.60     | 1.85     |  |
| 1.....  | 1.50             | 1.50        | 1.35        | 1.40     | 1.40     | 1.25     | 1.55     |  |
| SR..... | .75              | .75         | .60         | .70      | .70      | .50      | .90      |  |

TABLE 1A—CEILING PRICE PER MFBM FOR SWITCH TIES, 7" x 9", F. O. B. CARS

| Length                        | TA      | TB      | TC      |
|-------------------------------|---------|---------|---------|
| 9' to 12' 6", inclusive.....  | \$70.00 | \$85.00 | \$55.00 |
| 13' to 14' 6", inclusive..... | 75.00   | 90.00   | 70.00   |
| 15' to 16', inclusive.....    | 75.00   | 90.00   | 70.00   |

(2) **Zone B.**

TABLE 2—CEILING PRICE PER CROSS TIE, F. O. B. CARS

| Size    | Group and length |                         |          |                      |
|---------|------------------|-------------------------|----------|----------------------|
|         | TA<br>8' 6"      | TB<br>TC<br>TD<br>8' 6" | TA<br>8' | TB<br>TC<br>TD<br>8' |
| 5.....  | \$2.60           | \$2.45                  | \$2.50   | \$2.35               |
| 4.....  | 2.45             | 2.30                    | 2.35     | 2.20                 |
| 3A..... | 2.20             | 2.05                    | 2.10     | 1.95                 |
| 3.....  | 2.00             | 1.85                    | 1.90     | 1.75                 |
| 2.....  | 1.75             | 1.60                    | 1.65     | 1.50                 |
| 1.....  | 1.40             | 1.25                    | 1.30     | 1.15                 |
| SR..... | .70              | .55                     | .60      | .45                  |

TABLE 2A—CEILING PRICE PER MFBM FOR SWITCH TIES, 7" x 9", F. O. B. CARS

| Length                        | TA      | TB      | TC      |
|-------------------------------|---------|---------|---------|
| 9' to 12' 6", inclusive.....  | \$60.00 | \$75.00 | \$55.00 |
| 13' to 14' 6", inclusive..... | 70.00   | 85.00   | 65.00   |
| 15' to 16', inclusive.....    | 75.00   | 90.00   | 70.00   |



## (12) Zone L.

TABLE 12—CEILING PRICE PER CROSS TIE DELIVERED TO TIE YARD

| Size    | Group and length |             |             |          |          |          |
|---------|------------------|-------------|-------------|----------|----------|----------|
|         | TA<br>8' 6"      | TB<br>8' 6" | TD<br>8' 6" | TA<br>8' | TB<br>8' | TD<br>8' |
| 5.....  | \$1.80           | \$1.80      | \$1.70      | \$1.70   | \$1.70   | \$1.60   |
| 4.....  | 1.65             | 1.65        | 1.55        | 1.55     | 1.55     | 1.45     |
| 3A..... | 1.45             | 1.45        | 1.35        | 1.45     | 1.45     | 1.35     |
| 3.....  | 1.45             | 1.45        | 1.35        | 1.45     | 1.45     | 1.35     |
| 2.....  | 1.20             | 1.20        | 1.10        | 1.20     | 1.20     | 1.10     |
| 1.....  | .90              | .90         | .80         | .90      | .90      | .80      |
| SR..... | .45              | .45         | .45         | .45      | .45      | .45      |

TABLE 12A—CEILING PRICE PER MFMB FOR SWITCH TIES 7' x 9', DELIVERED TO TIE YARD

| Length                        | TA      | TB      | TC      |
|-------------------------------|---------|---------|---------|
| 9' to 12' 6", inclusive.....  | \$45.00 | \$60.00 | \$45.00 |
| 13' to 14' 6", inclusive..... | 55.00   | 70.00   | 55.00   |
| 15' to 16', inclusive.....    | 60.00   | 75.00   | 60.00   |

SEC. 6. *Additions to listed ceiling prices.* Under the circumstances indicated below, you may make the following additions to the ceiling prices set forth in section 5:

(a) For a 9-foot cross tie you may add as much as 10 cents per tie to the ceiling price of an 8-foot-6-inch cross tie of the same size and species.

(b) For seasoning cross ties or switch ties in preparation for preservative treatment, you may add as much as the indicated percentage of the listed ceiling prices.

|  | TA         | TB      | TC and TD |
|--|------------|---------|-----------|
| More than 150 days.....                        | Percent 12 | Percent | Percent   |
| More than 120 days but less than 150 days..... | 8          |         |           |
| More than 120 days.....                        |            |         | 10        |
| More than 90 days.....                         |            | 6       |           |

(c) For switch ties longer than 16 feet you may add to the 16-foot ceiling prices of the same species as much as the following:

|                       |                 |
|-----------------------|-----------------|
| 16' 6" to 17'.....    | \$4.00 per MFMB |
| 17' 6" to 18' 6"..... | 8.00 per MFMB   |
| 19' to 19' 6".....    | 12.00 per MFMB  |
| 20' to 20' 6".....    | 16.00 per MFMB  |
| 21' to 21' 6".....    | 20.00 per MFMB  |
| 22' to 22' 6".....    | 24.00 per MFMB  |

(d) For loading on cars all lengths and species of switch ties produced in zones where the normal loading out point is a tie yard, you may add as much as \$3.00 per MFMB, and for stacking you may add as much as \$2.00 MFMB.

(e) For switch ties sold in sets at the buyer's request, you may add as much as \$5.00 per MFMB.

(f) For loading switch ties with a limit of four lengths or less per car at the buyer's request, you may add as much as \$2.50 per MFMB.

(g) For loading all sizes and species of cross ties on cars in zones where the normal loading out point is a tie yard, you may add as much as \$0.08 per cross tie; for stacking or separating cross ties, or doing both, you may add as much as \$0.05 per cross tie.

(h) For handling and stowing cross ties on barges in Virginia, you may add as much as \$0.12 per cross tie.

(i) For delivering ties by truck to a treating plant within the zone of production, or to a tie yard located within a radius of five miles of such treating plant, you may add as much as \$0.10 per cross tie, and as much as \$3.00 per MFMB for switch ties.

(NOTE: The addition permitted by this subparagraph includes transportation cost to such treating plant or tie yard.)

(j) For separating white oak cross ties when shipped in separate cars, you may add as much as \$0.10 per cross tie, and as much as \$3.00 per MFMB for switch ties, to group TA ceiling prices.

SEC. 7. *Odd sizes.* The ceiling prices for narrow gauge ties are the ceiling prices, on a per-thousand-board-foot basis, for the corresponding size of eight foot ties.

The ceiling prices for switch ties smaller than 7' x 9' are the ceiling prices, on a per-thousand-board-foot measure, for 7' x 9' switch ties.

SEC. 8. *Reduction for nonfinished ties.* When cross ties are not completely finished in accordance with specifications of the American Railway Engineering Association and require, for example, barking, cutting spurs, end-trimming, or cutting to proper length, the producers' ceiling prices set forth in section 5 are reduced 10 cents per tie.

SEC. 9. *Reduction in ceiling prices for non-delivery at normal loading out point, or for non-loading.* (a) If you do not deliver your ties to a normal loading out point as described in section 4, the established ceiling prices are reduced by an amount equal to the actual cost of transporting the ties from the place of actual delivery to the normal loading out point.

(b) If you deliver ties in zones A, B, and H, and do not load the ties on railroad cars, the ceiling prices are reduced \$0.08 per cross tie, and \$3.00 per MFMB for switch ties.

(NOTE: In zones A, B, and H, both paragraphs (a) and (b) of this section apply when you neither deliver your ties at a normal loading point nor load your ties on railroad cars.)

SEC. 10. *Additions for delivery beyond normal loading out point.* (a) Rail, barge, and towing charges paid by you for transportation beyond a normal loading out point may be added to ceiling prices.

(b) *Computation of additions.* Transportation additions made under this section shall be computed as indicated below:

(1) *Private truck.* When shipment is by truck owned or controlled by you, the maximum permissible addition shall not exceed the published commercial transportation rates. If there is no published rate, then the actual cost of trucking may be added, that is, your out-of-pocket expense in making delivery.

(2) *Common or contract carrier.* For delivery by common or contract carrier the appropriate published rate times the appropriate established weight is the

proper transportation charge. The charge for transportation shall be evened out to the nearest quarter dollar per MFMB or quarter cent per piece whichever is appropriate. The established weights for untreated cross ties and switch ties are as follows:

CROSS TIE WEIGHTS  
(Pounds per tie)

| Size      | Group |       |     |       |           |       |
|-----------|-------|-------|-----|-------|-----------|-------|
|           | TA    |       | TB  |       | TC and TD |       |
|           | 8'    | 8' 6" | 8'  | 8' 6" | 8'        | 8' 6" |
| 5.....    | 240   | 255   | 195 | 205   | 220       | 235   |
| 4.....    | 220   | 235   | 175 | 185   | 205       | 215   |
| 3A.....   | 200   | 215   | 160 | 170   | 185       | 200   |
| 3.....    | 180   | 195   | 145 | 155   | 170       | 180   |
| 2.....    | 175   | 190   | 140 | 150   | 160       | 175   |
| 1.....    | 170   | 180   | 135 | 145   | 155       | 170   |
| SR-7..... | 200   | 215   | 160 | 170   | 185       | 200   |
| SR-6..... | 175   | 190   | 140 | 150   | 160       | 175   |

SWITCH TIE WEIGHTS  
(Pounds per MFMB)

|                      |       |
|----------------------|-------|
| Group TA.....        | 6,000 |
| Group TB.....        | 4,800 |
| Group TC and TD..... | 5,550 |

SEC. 11. *Selling on an averaging-out basis.* When a buyer requests a single flat delivered price for ties of the same size and species, and the request involves shipments, from two or more normal loading out points, with different ceiling prices, or different freight rates, or both, you may charge a weighted-average delivered price. For example, the average price per tie for an order of 10,000—Size 5—8' 6" TA cross ties to be shipped from normal loading out points in three different zones is computed as follows:

|                               |             |
|-------------------------------|-------------|
| 5,000, at \$2.70 per tie..... | \$13,500.00 |
| 3,000, at \$2.60 per tie..... | 7,800.00    |
| 2,000, at \$2.50 per tie..... | 5,000.00    |
| 10,000                        | 26,300.00   |

Average price \$2.63 per tie.

If you sell on an averaging-out basis, you must prepare a recapitulation showing the individual prices separately, the amount shipped from each normal loading out point, the freight charge for each shipment, and the reconciliation of the total amount so computed with the ceiling prices permitted by this regulation, and have available such data for inspection by the Office of Price Stabilization.

SEC. 12. *Tie contractors' ceilings.*—(a) *Markup.* If you are a tie contractor, you determine your ceiling prices for sales of ties subject to this regulation in the following manner:

Add to your current cost of the tie not more than the highest dollar and cents markup, or percentage markup, or a combination of both, as computed in your customary manner, which you made on a representative sale of that item during the base period from January 1, 1950, to October 2, 1951, inclusive. The current cost to which a markup is applied in determining your ceiling price may not include cost elements other than those included in the base period cost on the basis of which you computed the markup. Only one tie contractor's markup may be made under this section.

(b) *Tie contractor defined.* The term tie contractor means any person who acquires title to ties directly from a producer, and who is engaged in the business of supplying ties to persons purchasing ties for resale, or to ultimate users, such as railroads, street railways, industrial plants maintaining track facilities, switching and terminal companies, persons engaged in building or maintaining tracks for defense projects. In addition, a tie contractor must maintain a concentration yard and employ supervisory and other employees.

(c) *Application for establishment of a ceiling markup.* If you cannot ascertain your ceiling markup under paragraph (a) of this section, you must apply by registered mail, return receipt requested, to the Office of Price Stabilization, Forest Products Division, Washington 25, D. C., for the establishment of your ceiling markup. Your application must set forth all relevant facts, including the following: (1) your proposed markup; (2) the location of your concentration yard; (3) the number of your supervisory and other employees; and (4) a statement explaining why you believe your proposed markup is in line with markups allowed in paragraph (a) of this section. If you cannot price under paragraph (a) of this section and file an application for the establishment of your ceiling markup, you may not sell ties subject to this regulation until the Director of Price Stabilization establishes a ceiling markup for you. If, however, the Director of Price Stabilization does not notify you to the contrary or request further information from you within 20 days after the receipt of your application, or within 20 days after the receipt of requested further information, your proposed ceiling markup shall be deemed to have been approved, subject to non-retroactive disapproval or modification at a later time.

**Sec. 13. Ceiling prices for special items—(a) Application.** If you cannot ascertain a ceiling price for railroad ties subject to this regulation under any other provision of this regulation, as, for example, should you wish to sell ties with special specifications or other extras not specifically mentioned in this regulation, you must file an application with the Office of Price Stabilization, Forest Products Division, Washington 25, D. C., for approval of a special ceiling price. Your application must be made by registered letter, return receipt requested, and must set forth all relevant facts including the following:

- (a) The proposed ceiling price;
- (b) As complete a description as possible of the item for which ceiling price approval is desired;
- (c) The differential between your proposed ceiling price and the ceiling price of the most comparable item under this regulation, together with the name of such comparable item; or, if that differential cannot be ascertained, a statement of the reason therefor.
- (d) A statement setting forth why you believe your proposed ceiling price is in line with the level of ceiling prices established by this regulation.

After an application has been filed under this section, and before action by the Director of Price Stabilization, you may make quotations and deliveries at a price not higher than your proposed ceiling price. However, you must notify each purchaser in writing that your price is subject to refund where necessary to conform to the ceiling price which is established by the Director of Price Stabilization. If the ceiling price which is established by the Director of Price Stabilization is lower than the ceiling price which you have proposed, you must refund the difference to the buyer. If the Director of Price Stabilization does not notify you to the contrary or request additional information from you within 20 days after the receipt of your application, or within 15 days after the receipt of such additional information as may be requested, your proposed ceiling price shall be deemed to have been approved, subject to non-retroactive disapproval or modification at a later time.

A ceiling price approved pursuant to an application made under this section shall be the ceiling price for all like future transactions between you and the same buyer, unless a specific ceiling price for the ties in question shall be established by changes in this regulation, or unless such approval is subsequently revoked or modified by the Director of Price Stabilization.

**Sec. 14. Modification of proposed ceiling prices by the Director of Price Stabilization.** The Director of Price Stabilization at any time may disapprove or reduce ceiling prices reported or proposed under sections 12 and 13 of this regulation so as to bring them into line with the level of ceiling prices otherwise established by this regulation.

**Sec. 15. Petitions 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, Revised (16 F. R. 4974).

**Sec. 16. Adjustable pricing.** Nothing in this regulation prohibits you from making a contract or offer to sell at (a) the ceiling price in effect at time of delivery, or (b) the lower of a fixed price or the ceiling price in effect at the time of delivery. You may not, however, deliver or agree to deliver at a price to be adjusted upward in accordance with any increase in ceiling prices after delivery.

**Sec. 17. Records.** After the effective date of this regulation, every person who sells and every person who in the regular course of business buys ties subject to this regulation shall make and keep for inspection by the Director of Price Stabilization, for a period of two years, accurate records of each sale or purchase made in any month in which, respectively, the seller sold, or the buyer bought, at least \$1,000 worth of ties subject to this regulation. The records must show the date of sales, or purchases, the name and addresses of the sellers and purchasers, a complete description of the ties sold or bought, the place of their delivery by the seller, and the prices charged or paid. The reten-

tion by a purchaser of an invoice furnished by a seller, which includes the factual information required to be made a matter of record by this section, shall be considered as compliance with the provisions of this section.

**Sec. 18. Interpretations.** If you want an official interpretation of this regulation, you should write to the District Counsel of your local OPS District Office. Any action taken by you in reliance upon and in conformity with a written official interpretation will constitute action in good faith pursuant to this regulation. Further information on obtaining interpretations is contained in Price Procedural Regulation 1, Revised (16 F. R. 4974).

**Sec. 19. Prohibitions.** (a) You shall not do any act prohibited or omit to do any act required by this regulation, nor shall you offer, solicit, attempt, or agree to do or omit to do any such acts. Specifically, but not in limitation of the above, you shall not, regardless of any contract or other obligation, sell, and no person in the regular course of trade or business shall buy from you at a price higher than the ceiling price established by this regulation, and you shall keep, make and preserve true and accurate records and reports, required by this regulation. If you violate any provisions of this regulation, you are subject to criminal penalties, enforcement action, and action for damages.

(b) If any person subject to this regulation fails to prepare or keep any record or file any report required by this regulation in connection with the establishment of his ceiling price, or if any person subject to this regulation fails to establish a ceiling price or apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so, the Director of Price Stabilization may issue an order fixing his ceiling prices. Any ceiling price fixed in this manner will be in line with ceiling prices generally established by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of his obligation to comply with the requirements of this regulation or of the various penalties for failure to do so.

**Sec. 20. Evasions.** Any means or device which results in obtaining indirectly a higher price than is permitted by this regulation, or in concealing or falsely representing information as to which this regulation requires records to be kept, is a violation of this regulation. This prohibition includes, but is not limited to, means or devices making use of services, cross sales, transportation arrangements, premiums, discounts, special privileges, up-grading, tie-in agreements, and trade understandings, as well as the omission from records of true data and the inclusion in records of false data.

**Sec. 21. Definitions.** The terms used in this regulation shall be construed as follows:

(a) *Class T cross ties and switch ties.* This term includes the following species:

(1) *Group TA:* Ash, Hickory, "Sap" Black Locust, Honey Locust, Oak, and "Sap" Black Walnut.

(2) *Group TB:* "Sap" Cedar, "Sap" Cypress, Hemlock, "Sap" Larch, "Sap" Pine, and Spruce.

(3) *Group TC:* Beech, Birch, Cherry, Gum, and Hard Maple.

(4) *Group TD:* "Sap" Catalpa, "Sap" Sassafras, Sycamore, and White Walnut.

(b) *Cross ties.* This term means a hewn or sawn forest product of specified dimensions suitable for use in supporting the rails of railroad tracks.

(c) *Director of Price Stabilization.* This term extends to any official, including officials of Regional or local offices, to whom the Director of Price Stabilization, by order, delegates a function, power, or authority referred to in this regulation.

(d) *Normal loading out point.* This term is defined in section 4.

(e) *Person.* This term includes any individual, corporation, partnership, association, or any other organized group of persons, or the legal successor or representative of the foregoing, and the United States and any other Government or their political subdivisions or agencies.

(f) *Records.* This term includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(g) *Sell.* This term includes sell, supply, dispose, barter, trade, lease, exchange, transfer, deliver, and contracts and offers to do any of the foregoing. The terms "buy" and "purchase" shall be construed accordingly.

(h) *Size.* This term means the dimensions of a cross tie or switch tie as established by the American Railway Engineering Association. The following is a summary of the principal requirements of tie dimensions:

(1) *Length.* Standard gauge railroad ties shall be eight feet, eight feet and six inches, or nine feet long.

(2) *Width and thickness.* Ties shall conform to American Railway Engineering Association specifications.

(i) *SR.* This term means a serviceable reject tie or switch tie, hewn or sawn, which does not meet the tie specifications of the American Railway Engineering Association, and which, because of defects which are not such as to impair the strength of the tie for limited use, is not a first quality tie.

(j) *Switch ties.* This term means a hewn or sawn forest product of specified dimensions suitable for use in supporting a switch on a railroad track.

(k) *Tie contractor.* This term is defined in section 12.

(l) *You.* The pronoun "you" indicates any producer or tie contractor who sells ties subject to this regulation. "Your" and "yours" are construed accordingly.

*Effective date.* This ceiling price regulation is effective February 1, 1952.

*NOTE:* The reporting and record-keeping requirements of this regulation have been

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,  
Director of Price Stabilization.

JANUARY 31, 1952.

[F. R. Doc. 52-1437; Filed, Jan. 31, 1952; 4:16 p. m.]

[Ceiling Price Regulation 55, Amdt. 1 to Supplementary Regulation 6]

**CPR 55—CEILING PRICES FOR CERTAIN PROCESSED VEGETABLES OF THE 1951 PACK**

**SR 6—CANNED PUMPKIN ADJUSTMENT**  
OPTIONAL PRICING FOR CANNED PUMPKIN (INCLUDING SQUASH)

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 6 to Ceiling Price Regulation 55 is hereby issued.

**STATEMENT OF CONSIDERATIONS**

As set forth in the Statement of Considerations to Supplementary Regulation 6 to Ceiling Price Regulation 55, ceiling prices calculated under CPR 55, without modification, would be generally inequitable for canned pumpkin (including squash). Accordingly, the factor for cost increases other than raw material included in Amendment 6 to CPR 55 for canned pumpkin and the special method for computing the raw material adjustment as well as the "low-end" adjustment set forth in SR 6 to CPR 55 were designed to alleviate such inequities. However, these adjustments did not remove the inequities in the regulation.

This amendment, therefore, affords processors of canned pumpkin the option of establishing as their ceiling prices their selling prices in effect during the month of November immediately prior to the effective date of both Amendment 6 to CPR 55 and SR 6 to CPR 55. If a processor did not sell a particular item during this period, he uses his selling price during the month of October 1951. It is believed that this will enable all processors of pumpkin to price under this provision. In any event, a processor may continue to price under CPR 55 without reference to this supplementary regulation. If, however, a processor resorts to the provisions of this supplementary regulation to price one item of canned pumpkin, he must price all items of canned pumpkin under this supplementary regulation.

This pricing technique will produce prices which are generally fair and equitable. Prices charged during the fall of 1951 in some instances were the GCPR ceilings of the processors, particularly where the processors were not covered by section 3 and could use the "comparison commodity" method which referred them back to margins for other commodities which were not unduly depressed. These sellers in effect established the level of ceilings during the fall. Other sellers, whose GCPR ceilings would have

referred them back to depressed pumpkin prices were enabled by SR 51 to the GCPR to sell at the levels permitted to others by the GCPR. SR 51 permitted a processor to make sales at any price agreed upon between him and his buyer provided the processor agreed to refund to his buyer the difference between the contract price and the lower ceiling price first effective after the revocation of SR 51 with respect to canned pumpkin. SR 51 in these circumstances has resulted in a generally fair and equitable level of prices during the fall months.

Moreover, the Director is taking the unusual action of providing that these prices may, at the option of the seller, be treated as effective as of November 28, 1951. A processor's selling price prior to November 28, 1951, may be treated as his "first effective" ceiling price for the purposes of SR 51.

Otherwise, the sales of the bulk of the pack will be governed by inequitable ceilings. This would require that refunds be made by those sellers who priced under SR 51, although none would be required of those sellers who sold at the same levels, but priced under sections 3 and 4 of the GCPR.

No detriment is caused to distributors by this retroactive provision since their ceiling prices, under CPR 14-16, are based upon a mark-up over their costs. Moreover, it means no detriment to consumers, in view of the very special nature of the pumpkin market, since almost the entire sales are concluded in the brief fall season and there is little or virtually no remaining inventory in the hands of distributors. In short, this retroactive provision, in the circumstances of the marketing of this particular commodity, enables OPS to avoid an injustice to many processors without detriment to distributors or consumers.

This price action will not serve as a precedent for relieving canners generally who sell under SR 51 of their obligation to make refunds under the terms of that supplementary regulation. The action is being taken in this instance only because of the special circumstances set forth here.

The Director of Price Stabilization has consulted with representatives of the industry before issuing this amendment and has given consideration to their recommendations. It is his judgment that the ceiling prices and provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1951, as amended.

**AMENDATORY PROVISIONS**

Supplementary Regulation 6 to Ceiling Price Regulation 55 is hereby amended in the following respects:

1. By deleting the last sentence of section 3.

2. By adding the following new sections immediately after section 3:

Sec. 4. *Optional pricing for canned pumpkin.* You may establish as your ceiling price for each item of canned pumpkin (including squash) your weighted average sales price for each item during the period November 1-27,

1951, inclusive. However, the following sales and sales contracts shall be excluded, even though made during such period: Sales at retail (including sales to growers and employees) and at wholesale; sales to government procurement agencies, institutional, commercial and industrial users, state agencies and political subdivisions thereof; and sales of damaged goods, or of goods packed for experimental purposes. If you made no sales of a particular item of canned pumpkin (including squash) during this period, you may substitute for such period the period October 1-31, 1951, inclusive.

**Sec. 5. Sales under Ceiling Price Regulation 55 or Supplementary Regulation 6.** You may continue to sell items of canned pumpkin (including squash) at or below your ceiling prices established under CPR 55 without reference to this supplementary regulation. However, if you establish a ceiling price for any item of canned pumpkin (including squash) with reference to this supplementary regulation, you shall establish ceiling prices for all items of canned pumpkin (including squash) under this supplementary regulation.

All provisions of Ceiling Price Regulation 55 not inconsistent with this supplementary regulation remain in full force and effect.

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

**Effective date.** This amendment is effective as of November 28, 1951.

MICHAEL V. DISALLE,  
Director of Price Stabilization.

FEBRUARY 1, 1952.

[F. R. Doc. 52-1458; Filed, Feb. 1, 1952; 10:54 a. m.]

[Ceiling Price Regulation 7, Collation 2]

CPR 7—RETAIL CEILING PRICES FOR CERTAIN CONSUMER GOODS

COLL. 2—INCLUDING AMENDMENTS 1-13

Ceiling Price Regulation 7 is republished to incorporate the text of the Corrections issued February 27, 1951, and of Amdts. 1 through 13, inclusive. Ceiling Price Regulation 7 was issued February 26, 1951 (16 F. R. 1872). Statements of Consideration for Ceiling Price Regulation 7, and for Amdts. 1-13, inclusive, as previously published, are applicable to this republication. The effective dates of this regulation, and of the amendments are shown in a note preceding the first section of the regulation.

REGULATORY PROVISIONS

ARTICLE I—SCOPE OF REGULATION

Sec.

0. Introduction.
1. What commodities are covered.
2. What sales are covered.
3. What sellers are covered.
4. Where this regulation applies.
5. When to begin using pricing rules.

ARTICLE II—PRICING CHARTS

11. Filing of charts.
12. Failure to file charts.
13. Contents of charts: general.
14. Contents of charts: related general information.

Sec.

15. Column 1: List of categories offered for sale.
16. Column 2: List of net costs.
17. Column 3: Offering prices.
18. Category average percentage markup.
19. Circled price.
20. Column 4: Percentage markups.
21. Column 5: List of invoices.
22. Amendment of charts.

ARTICLE III—COMPUTING CEILING PRICES

30. How to compute ceiling prices.
- 30a. Permitted increase.
31. Net cost; OPS adjustment charge.
32. Rule 1: Articles belonging to a category on your chart and with a net cost listed on your chart.
33. Rule 2: Articles belonging to a category listed on your chart but having a net cost lower than the lowest cost listed for that category.
34. Rule 3: Articles belonging to a category listed on your chart, but having a net cost higher than the highest cost listed for that category.
35. Rule 4: Articles belonging to a category listed on your chart, but having a net cost between two net costs listed for that category.
36. Rule 5: Articles belonging to a category comparable to a category listed on your chart.
37. Rule 6: Articles belonging to a category where your chart has at least three categories in the same group of categories.
38. Rule 7: Pricing method for repaired or reconditioned items.
39. Ceiling prices for new sellers or for sellers who cannot price under other sections of the regulation.
- 39a. Adding a unit to a chain which prices centrally and uniformly.
- 39b. Adding a new unit to a chain which does not price centrally and uniformly.
- 39c. A seller with a single unit who wishes to open another unit and to establish prices for the new unit centrally and uniformly.
- 39d. A seller who has previous experience and wishes to open a new unit or to add a category.
- 39e. When to use Appendix E markups.
- 39f. Applications by certain sellers who sell exclusively in sets (groups of articles) to which services have been added.
- 39g. Applications by sellers who repair or recondition.

ARTICLE IV—CEILING PRICES IN SPECIAL CASES

40. "Upstream" and "cross stream" sales and sales of "cross stream" articles to ultimate consumers.
41. Pricing methods for certain chain stores, and mail order establishments.
42. Transfers of business.
43. Uniform dollar-and-cents prices for certain articles.

ARTICLE V—GENERAL PROVISIONS

50. How to treat taxes.
51. Marking, tagging, or posting.
52. Records.
53. Records and reports of initial markups or gross margins.
54. Sales slips.
55. What acts are prohibited by this regulation.
56. Enforcement.
57. Petitions to amend this regulation.
58. Supplementary regulation modifying this regulation.
59. Definitions.

**AUTHORITY:** Sections 0 to 59 issued under 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.

**DERIVATION:** Sections 0-59 contained in Ceiling Price Regulation 7, February 26, 1951 (16 F. R. 1871), except as otherwise noted in brackets following text affected.

**EFFECTIVE DATES:** CPR 7, February 27, 1951, 16 F. R. 1949. Correction, February 27, 1951, 16 F. R. 1949.

Amendment 1, March 19, 1951, 16 F. R. 2564.

Amendment 2, April 10, 1951, 16 F. R. 3006.

Amendment 3, April 26, 1951, 16 F. R. 3614.

Amendment 4, April 27, 1951, 16 F. R. 3649.

Amendment 5, May 28, 1951, 16 F. R. 5008.

Amendment 6, June 1, 1951, 16 F. R. 5253.

Amendment 7, June 18, 1951, 16 F. R. 5836.

Amendment 8, June 30, 1951, 16 F. R. 6372.

Amendment 9, June 30, 1951, 16 F. R. 6374.

Amendment 10, October 13, 1951, 16 F. R. 10257, 11109.

Amendment 11, December 17, 1951, 16 F. R. 12644.

Amendment 12, December 31, 1951, 16 F. R. 13127.

Amendment 13, January 22, 1952, 17 F. R. 599.

Article I—Scope of Regulation

**SECTION 0. Introduction.** This regulation fixes ceiling prices for sales by retailers of a wide range of commodities. The pricing chart method of determining applicable mark-ups or margins is used. Retailers are required to file with the Office of Price Stabilization (hereafter referred to as OPS) a "list date pricing chart" and to fix their ceiling prices by using this chart. (Sample charts are shown in Appendix "A.") The list date under this regulation is February 24, 1951, except where another list date is specified in section 13 (b).

[Last sentence above added by Amdt. 2]

Article I tells you the scope of this regulation.

Article II tells you how to prepare your charts.

Article III sets forth the rules for computing ceiling prices by reference to your charts. It also tells you how to fix your ceiling prices if you cannot use the pricing rules.

Article IV prescribes rules for pricing in special cases (for example, up-stream and cross stream sales, transfers of business, sales of branded articles, etc.).

Article V contains general provisions such as record-keeping requirements, marking or posting ceiling prices, how to treat taxes, sales slips, prohibitions, etc.

**SEC. 1. What commodities are covered.** This regulation applies only to sales at retail of the articles listed in Appendix B. This includes a wide variety of consumer goods. They are grouped into categories and each category is given a category number. For example, men's and boys' underwear and nightwear constitute category 116. From time to time articles not listed may be added by amendments to this regulation.

This regulation supersedes the General Ceiling Price Regulation for all articles listed in Appendix B. It does not apply, however: (1) to such articles listed in Appendix B for which ceiling prices for sales at retail are hereafter established by other regulations; nor (2) to any article for which sales at retail are hereafter exempted or suspended from price control by this or any other regulation; nor (3) to any imported article if it is sold by the one who imports it; nor (4) to antiques (any article made prior to 1850).

**SEC. 2. What sales are covered.** This regulation applies to sales at retail. It

applies to all sales to ultimate consumers of all kinds (including individual, commercial, and industrial users<sup>1</sup>) of articles which are "bought and sold in substantially the same form." (See definition in section 59.) It applies to sales to persons other than ultimate consumers (such as other retailers and wholesalers) if those sales customarily amount to less than 10 per cent of the retailer's total sales of articles covered by this regulation and the retailer's ceiling prices for those sales are fixed by Section 40.

**Sec. 3. What sellers are covered:** (a) This regulation applies to you if you are a seller whose sales to individual ultimate consumers of articles covered by this regulation constitute more than 10 percent of sales of the merchandise covered by this regulation which you buy and sell in substantially the same form. You may, however, elect to continue to fix your ceiling prices under the General Ceiling Price Regulation:

(1) For all articles covered by this regulation if all your sales to individual ultimate consumers are "accommodation sales" (see definition in section 59 of this regulation); or

(2) For articles in Categories 101 through 607; 610 through 620; 701 through 895; 920; and 1001 through 1030, if your annual net dollar volume of total sales of articles in those categories which you buy and sell in substantially the same form in all your departments taken together to individual ultimate consumers amounts to less than \$20,000; or

[Subparagraph (2) amended by Amdt. 8]

(3) For articles in Categories 901 through 908; 915 through 919; 921 through 924; 940 through 951; 970 through 985; 1050 through 1070.

[Subparagraph (3) amended by Amdt. 8]

(i) If your<sup>2a</sup> annual net dollar volume of total sales of articles in those categories which you buy and sell in substantially the same form in all your departments taken together to individual ultimate consumers amounts to less than \$60,000 or

(ii) If your<sup>2b</sup> annual net dollar volume of total sales in all departments taken together of all merchandise which you buy and sell in substantially the same form amounts to less than \$100,000.

An election in accordance with the provisions of this paragraph must, if made, apply without exception to all categories in the group as to which the particular election is permitted. You may not subsequently alter an election made under this paragraph, except that if you are a seller permitted to elect to price under the provisions of the General Ceiling Price Regulation pursuant to this paragraph, you may, if you have already filed your chart, exercise this election by requesting the return of your chart from your OPS office on or before July 2, 1951.

<sup>1</sup> Examples of ultimate consumers who are not individual ultimate consumers are hospitals, schools, and clubs.

<sup>2a</sup> For the purpose of exercising this election, insofar as chain food stores are concerned, each retail outlet (or each department in such outlet) of the chain may be considered a seller, even though the chain determines uniform prices centrally.

The election provided in this paragraph does not apply to new sellers. As used in this paragraph "annual" means your most recent calendar or fiscal year (or if you were in business less than one year the dollar volume for the period you were in business projected to cover a one year period.)

[Paragraph (a) amended by Amdt. 5]

(b) When used in this regulation, the word "seller" refers to each single separate seller covered by this regulation.

(1) If a seller makes sales at retail through more than one selling unit or department, each selling unit or department is considered to be a separate seller subject to all the provisions of this regulation. (2) A person who sells through salesmen making sales at uniform prices is a single seller. (3) All of the selling outlets of a chain, which are under common ownership or control and which are included in one group, zone, class or area to which immediately prior to January 26, 1951, the chain regularly sent invoices or statements showing the same selling prices for certain articles in a category (whether or not costs were shown), and which regularly sold those articles at such uniform prices, constitute, as to the categories in which those articles are included, a single seller.

[Paragraph (b) amended by Amdt. 3]

(c) Notwithstanding any other provisions of this regulation any seller at retail of an article for which a ceiling price has been established under section 43 (Uniform dollar and cents prices for certain articles) of this regulation or for which a ceiling price is established under a Supplementary Regulation to this regulation shall be permitted to sell the article at the price so established.

**Sec. 4. Where this regulation applies.** This regulation shall be applicable in the forty-eight states and the District of Columbia.

**Sec. 5. When to begin using pricing rules.** (a) (1) You may begin to use the applicable pricing rules after you file your chart, but you must begin to use the rules not later than May 30, 1951 (unless you are a mail order establishment subject to paragraph (b) of this section). Where under the provisions of section 11 you file a part of your chart separately, you may begin using the rules for pricing the categories in any such part after you have filed it.

[Paragraph (a) amended by Amdts. 1, 2 and 4; redesignated (1) by Amdt. 8]

(2) Whenever new categories are added to this regulation after June 30, 1951, you may begin to use the applicable pricing rules after you file your chart, but you must begin to use the applicable pricing rules not later than 3 months after the effective date of the amendment which adds the new categories (unless you are a mail order establishment subject to paragraph (b) of this section).

[Subparagraph (2) added by Amdt. 8]

(b) If you operate a mail order establishment as defined in section 59 of this regulation you are not required to observe the pricing rules of this regulation as to any mail order sales of articles

covered by any of your catalogs, booklets, circulars, flyers, or other forms of printed lists which were printed before the list date. Your ceiling prices for such sales continue to be established by the General Ceiling Price Regulation for so long as the printed price lists remain in effect or until you establish a price for an article pursuant to the pricing rules of this regulation. However, you are required to observe the other requirements of this regulation and to price new articles, new catalogs, booklets, circulars, flyers or other forms of printed price lists on the basis of the pricing rules in this regulation.

#### Article II—Pricing Charts

**Sec. 11. Filing of charts.** (a) If you are a seller subject to this regulation you must prepare two copies of a list date pricing chart. The chart must be dated and must be signed by one of your officers or owners. A chart for an outlet which is itself a separate seller under this regulation or a department in a departmentalized establishment may be signed by the store manager or department head. One copy of the chart must be kept for your use and for inspection by the Office of Price Stabilization and the other must be filed with your OPS office<sup>2</sup> on or before May 30, 1951.

[Paragraph (a) amended by Amdts. 1, 2 and 4]

(b) You may at your option prepare a separate list date chart for Categories 860-895; 901-924 and 940-985, and file that as a supplemental chart instead of including those categories as part of the initial list date chart prepared in accordance with this regulation. If you file a supplemental chart, you must prepare it in accordance with this regulation, numbering the pages as if they followed the last page of your original chart. One copy of this supplemental chart must be kept with your original list date chart for your use and for inspection by the OPS, and the other must be filed with your OPS office<sup>2</sup> on or before May 30, 1951.

[Paragraph (b) added by Amdt. 2; amended by Amdt. 4]

(c) If, by the addition to this regulation of Categories 860-895; 901-924; and 940-985 you are a seller subject to this regulation, you must prepare two copies of a list date pricing chart in accordance with this regulation. One copy of the chart must be kept for your use and for inspection by the OPS and the other must be filed with your OPS office<sup>2</sup> on or before May 30, 1951.

[Paragraph (c) added by Amdt. 2; amended by Amdt. 4]

(d) If you are a seller who has already filed a pricing chart, and by the addition of categories to this regulation you are required to file a chart for the new categories, you must prepare two

<sup>2</sup> Your OPS office is the District Office having jurisdiction over the area in which your store is located. If, however, you are a mail order establishment or the type of chain which under this regulation is a single seller, your OPS office is the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C.

[Footnote 2 amended by Amdt. 6]



copies of a supplemental chart for the new categories in accordance with this regulation, numbering the pages as if they followed the last page of the chart already filed. One copy of the supplemental chart must be kept for your use and for inspection by the OPS and the other must be filed with your OPS office<sup>2</sup> within 3 months after the effective date of the amendment which adds the categories.<sup>2a</sup>

[Paragraph (d) added by Amdt. 8]

(e) If by the addition of categories to this regulation you are for the first time a seller subject to this regulation, you must prepare two copies of a list date pricing chart for all categories in accordance with this regulation. One copy of the chart must be kept for your use and for inspection by the OPS and the other must be filed with your OPS office<sup>2</sup> within 3 months after the effective date of the amendment which adds the categories.<sup>2a</sup>

[Paragraph (e) added by Amdt. 8]

**Sec. 12. Failure to file charts.** (a) On and after May 30, 1951, you may not offer, sell, or deliver any article covered by this regulation unless you have filed the chart described above. On and after July 31, 1951, you may not offer, sell or deliver any article covered by this regulation until you have received from the OPS an acknowledgment of the filing of your chart.

[Paragraph (a) redesignated by Amdt. 8; amended by Amdts. 1, 4 and 9]

(b) If by the addition of new categories after June 30, 1951, you become subject to the regulation as to any categories, you may not offer, sell or deliver any article covered by any categories for which you are required to or elect to file a chart unless you file that chart within 3 months after the effective date of the amendment which adds the categories. On and after 30 days from the last date for filing that chart you may not offer, sell, or deliver any article in the categories covered by that chart unless you have received from the OPS an acknowledgment of the filing of that chart.

[Paragraph (b) added by Amdt. 8]

**Sec. 13. Contents of charts; general.** Put at the top of your chart the following general information:

(a) Your business name and address;  
(b) Your list date or list dates. Your list date is February 24, 1951, except:

(1) It is March 31, 1951 for Categories 860 to 895; 901 to 924; and 940 to 985, or for all categories (other than Categories 610 through 620 and 1050 through 1070) if you first became subject to or first elected to become subject to the regulation between April 10, 1951 and June 30, 1951;

(2) It is June 23, 1951 for Categories 610 through 620 or for all categories (except Categories 1050 through 1070) if you first become subject to or first elect

<sup>2a</sup> For Categories 1050 through 1070 a special method for preparing charts and determining what articles were offered on the list date is provided in section 7 of Supplementary Regulation 2.

[Footnote 2a added by Amdt. 8]

to become subject to the regulation on or after June 30, 1951.

(3) It is December 10, 1950 for Categories 1050 through 1070.<sup>2a</sup>

In the event you were not open for business on the appropriate list date, except where your list date is December 10, 1950, your list date is the most recent date in 1951 before that date on which you were open for business and offered for sale any article covered by the regulation.

[Paragraph (b) amended by Amdts. 2 and 8]

(c) Your type of store.<sup>3</sup> First, state whether it is a mail order establishment, a chain outlet, or an independent retail store; and second, state whether it is a men's and boys' clothing and furnishing store, a women's clothing store, an infants' and children's wear shop, a women's specialty shop, a millinery store, a shoe store, a department in a department store, a general merchandise store, a limited price variety store, a dry goods store, a furniture store, a home furnishings store, or other type of store. (A department in a departmentalized establishment must also state its department number or name; and a group of outlets which is a single seller under section 3 (b) must show the names and addresses of all retail outlets in the group.)

[Paragraph (c) amended by Amdt. 3]

(d) State which of the following brackets includes the approximate net dollar volume of your total retail sales of all commodities covered by this regulation in the calendar year 1950 or your most recent fiscal year:

| Over—      | Up to and including— |
|------------|----------------------|
| \$10,000   | 30,000               |
| 30,000     | 50,000               |
| 50,000     | 100,000              |
| 100,000    | 300,000              |
| 300,000    | 500,000              |
| 500,000    | 1,000,000            |
| 1,000,000  | 2,000,000            |
| 2,000,000  | 5,000,000            |
| 5,000,000  | 10,000,000           |
| 10,000,000 | 20,000,000           |
| 20,000,000 |                      |

(A department in a departmentalized establishment may omit the volume of its retail sales if the establishment files a statement of its approximate total net dollar volume of retail sales of all commodities in all departments, although each department is required to file a separate chart.)

[Paragraph (d) amended by Amdt. 6]

(e) Number each page of your chart.

**Sec. 14. Contents of charts; related general information.** This section tells what the chart must contain about the costs and offering prices of each category which you offered for sale on the list date. List the information in five (5) columns below the general information called for in the preceding section. List an article as "offered for sale on the list date" if it was in your store, unpacked, and available for sale on that date. (If you are a mail order establish-

<sup>3</sup> "Store" means a separate seller as defined in section 3(b), or the separate establishment or a department in the establishment at or from which you make sales to ultimate consumers. A mail order establishment is also called a store.

ment list an article as "offered for sale on the list date" if it was listed in one of your catalogs, booklets, circulars, flyers, or other printed price lists in effect on that date.)

If in the course of your business you regularly buy used or imperfect articles (including such articles when received as trade-ins) for the purpose of repairing and reconditioning them and selling them as reconditioned or repaired, in preparing your chart you shall omit every item which you repaired or reconditioned before sale. Note on the chart each category from which such items have been omitted.

If you offered for sale on the list date any article which you acquired by a transfer from another department or part of the same legal entity you must omit such article in preparing your chart.

When the phrase "you offered" is used in this regulation it means "you offered for sale on the list date." Before you begin to prepare your list date chart study the sample charts in Appendix A for the appropriate form. (The OPS will not supply chart forms.)

**Sec. 15. Column 1: List of categories offered for sale.** In the first column from the left, list by the number given for that category in Appendix B, each category which you offered. If you are including in a "general" category (as defined in Appendix B) any article not specifically listed for that category in Appendix B, list such article in parenthesis in column 1 immediately below the category number in which you are including it.

For the purpose of listing categories, you may list as a separate category or amend your chart to list as a separate category each of the separate descriptive classifications in Categories 908 and 919 (for example, 908-4—Cleaning Supplies; 919-2—Closet Shop Accessories). If you treat any descriptive classification in Category 908 or in Category 919 as a separate category, you must so treat each classification within the category.

[Above Paragraph added by Amdt. 8]

**Sec. 16. Column 2: List of net costs.** In the second column from the left, list opposite each category shown in column 1, the last "net cost" at which you bought each different article, style, model, or lot number in that category which you offered. Follow these directions for listing net costs:

(a) Find your "net cost" by deducting all discounts (including cash discounts)<sup>4a</sup> from the invoice cost on the last invoice you received<sup>4</sup> before the list date for a particular article, style, model or lot number which you have listed. In order that markups on your chart may as

<sup>4a</sup> An alternative method for preparing charts for and pricing Categories 940 through 943 and 970 through 985 which permits discounts for prompt payment (cash discounts) not to be deducted from net invoice cost and which permits the use of a cost record other than an invoice in certain instances is provided in Supplementary Regulation 2 to this regulation.

[Footnote 3a added by Amdt. 6]

<sup>4</sup> If you are an outlet of a chain not included in a group of outlets for which your central office is permitted to use the same pricing chart in accordance with section 3 (b) of this regulation, you may use the invoice furnished by your central office.

## RULES AND REGULATIONS

nearly as possible reflect your normal markups, if your last invoice was received after January 1, 1951 and your selling price on the list date was unchanged from your initial offering price based on the next to the last invoice which you had received for that article prior to February 24, 1951, you may list the net cost on the next to the last invoice received prior to February 24, 1951. Deduct discounts you could have taken whether you took them or not. No freight, handling charge, OPS adjustment charge, or other similar charge may be added.<sup>2</sup>

[Paragraph (a) amended by Amdts. 2, 4, and 6]

(b) List your net costs in order from the lowest to the highest.

(c) List each different net cost separately even though you bought other articles, styles, models, or lot numbers in the category for the same gross invoice cost. Thus, if you bought three different articles, styles, models, or lot numbers in a category at \$3.50, 8/10 EOM,<sup>3</sup> \$3.50, 3/10 EOM, or \$3.50 net, list each of these net costs separately as \$3.22, \$3.40, and \$3.50, respectively.

(d) List each different net cost only once in the category even though you offered more than one article, style, model, or lot number of that net cost in that category.

(e) If you offered a particular style, model, or lot number which you bought at more than one net cost, list only the net cost shown on the last invoice you received before the list date for that style, model, or lot number, unless you are permitted by paragraph (a) of this section to use an earlier invoice.

(f) List each net cost per unit. Thus, if you buy at "per dozen" prices divide the net cost per dozen by 12 and list the result as your net cost per unit. Similarly, if you buy at a price per gross or per hundred, divide your net cost per gross by 144, or per hundred by 100 to find your net unit cost.

(g) You may round your cost to the nearest cent. Thus, you may list \$1.735 as \$1.74 and \$1.734 as \$1.73.<sup>4</sup>

**Sec. 17. Column 3: Offering prices.** In the third column from the left, list opposite each net cost shown in column 2, each different price at which you offered to your most numerous class of purchaser<sup>5</sup> an article of that category having that net cost. Follow these directions for listing offering prices:

(a) Do not list offering prices which are higher than your ceiling price for

<sup>2</sup> An alternative method for preparing charts for and pricing categories 701 to 752, which permits freight to be reflected is provided in Supplementary Regulation 2 to this regulation.

<sup>3</sup> "8/10 EOM" means 8 percent discount if paid within 10 days after the end of the month.

<sup>4</sup> You may, if you wish, list your gross invoice cost per dozen, per gross, or per hundred, and your purchase discounts, in parenthesis, following the net unit cost. Thus, you might list \$1.29 (\$16.00, 3/10 EOM per doz.).

<sup>5</sup> This will be the class containing the greatest number of purchasers. If you have more than one class of purchaser, use a footnote to show the class of purchaser used in preparing your chart. Section 30 provides that other classes of purchasers must get their customary differentials.

the article on the list date. If your offering price was higher than your ceiling price on the list date you must list your ceiling price.

(b) To avoid the distortion caused by markdowns you may list as your offering price for an article either the price at which you actually offered it on the list date or the price at which you offered the article when you first offered it for sale. If you list your first offering price rather than your list date offering price, place the letter "M" after the price in this column.

(c) To avoid the distortion caused by your having re-marked an article prior to January 26, 1951, to a price greater than that at which you first offered it, you must list in column 3 the price at which you first offered it. If you list such a price you must place a letter "U" after the price in column 3.

(d) To avoid the distortion caused by your having initially marked an article since December 1, 1950, at a price greater than that at which you normally would have marked that article you must list in column 3 the price at which you normally would have marked that article (as, for example, if you had marked the article in anticipation of an increase in replacement cost). You must put the actual price at which you offered the article on the list date in parenthesis beside the net cost in column 2 and place a letter "R" after each such price listed in column 3.

(e) If your offering price includes a tax on a particular sale or delivery (such as a sales tax or a compensating use tax) which the law permits you to state separately from the price, you must deduct the full amount of such tax included in your offering price before you list it. You need not deduct from your offering price any tax which you stated separately from and in addition to your offering price.

(f) You will find that in some cases you have listed more than one offering price opposite a single net cost in a particular category. You must draw a circle around one of these prices; section 19 tells you which offering price to circle. To select your circled price you first have to find your average percentage markup for the category. Section 18 explains how to find a category average percentage markup.

**Sec. 18. Category average percentage markup.** Compute your average percentage markup for a category as follows:

**Step 1.** Add together all the net costs listed for that category in column 2. To find the correct average, you must, of course, add together an equal number of costs and offering prices. Therefore, just for purposes of this step (you should use a separate work sheet), you must add in each net cost as many times as you have listed different offering prices opposite it;

**Step 2.** Add together all the offering prices listed in column 3 for that category;

**Step 3.** Subtract the total of the net costs found in Step 1 from the total of the offering prices found in Step 2;

**Step 4.** Divide the remainder found in Step 3 by the total of the net costs found in Step 1. The result is your average percentage markup on cost.<sup>6</sup> When you

<sup>6</sup> You may, if you wish, figure your percentage markups as "margins on selling

have found your average percentage markup for a category, enter it in column 1 for that category.

**Example:** The way to compute average percentage markup for men's and boys' shirts, category 117, may be illustrated as follows:

| Total the net costs | Total the offering prices |
|---------------------|---------------------------|
| \$1.21              | \$1.98                    |
| 1.25                | 1.98                      |
| 1.38                | 2.25                      |
| (1.38)              | 2.50                      |
| 1.82                | 2.98                      |
| 1.94                | 3.50                      |
| 3.64                | 5.95                      |
| (3.64)              | 6.95                      |
| 5.34                | 7.95                      |
| (5.34)              | 8.95                      |
| <hr/>               | <hr/>                     |
| 26.94               | 44.99                     |

(Note that the costs in parentheses appear only on your work sheet. They do not appear on your chart.)

Subtract the total of the net costs from the total of the offering prices (\$44.99—\$26.94=\$18.05). Divide the remainder, \$18.05 by the total of the costs, \$26.94 (\$18.05÷\$26.94=67%). The result, 67 percent, is the average percentage markup on cost for category 117. Enter 67% in column 1.

**Sec. 19. Circled price.** Where you have listed more than one offering price opposite a single net cost in a particular category, you must draw a circle around the offering price which comes closest to reflecting the average percentage markup for the category. If the price you get is midway between two offering prices, draw a circle around the lower of the two.

**Example.** You have listed offering prices of \$2.88, \$3.00 and \$3.25 for a net cost of \$2.00 in category 202, and your average percentage markup for category 202 is 52%. To apply this rule multiply \$2.00 by 52% (\$2.00×0.52=\$1.04) and add \$2.00 to the result (\$2.00+\$1.04=\$3.04) resulting in a price of \$3.04. When you look at the three offering prices which you have listed for a \$2.00 net cost, you find that the offering price closest to \$3.04 is \$3.00. Therefore, \$3.00 is the "circled" price.

If your average percentage markup had been 47% you would have found a price of \$2.94 (\$2.00×0.47=\$0.94; \$2.00+\$0.94=\$2.94). Since \$2.94 is midway between your listed offering prices of \$2.88 and \$3.00, you would have selected the lower of the two, and \$2.88 would have been your circled price.

**Sec. 20. Column 4: Percentage markups.** In the fourth column from the left, list the percentage markup for each different net cost listed in column 2. If more than one offering price is listed opposite the same net cost in a category, you list the percentage markup for the circled price only. To figure a percentage markup, subtract the net cost listed in column 2 from the offering price listed opposite it in column 3, and divide the difference by the net cost. Round the result to one decimal place. For example, you should list 53.72 percent as 53.7 percent and 53.75 percent as 53.8 percent.

price" instead of on your net cost, but you must use the same method of figuring all percentage margins and average percentage margins. If you have chosen to list margins on selling price, you must state this on your chart, and must use margins on offerings (or selling) price wherever this regulation refers to a markup over net cost.

*Example.* If you have listed a net cost of \$3.22 and an offering price of \$4.95, you subtract \$3.22 from \$4.95 (\$4.95 - \$3.22 = \$1.73) and divide the difference, \$1.73, by the net cost, \$3.22 ( $\frac{\$1.73}{\$3.22} = 0.53773$ ). Your percentage markup over cost for your \$3.22 net cost is, therefore, 53.8%. Enter 53.8% in Column 4 opposite the \$3.22 net cost.

**Sec. 21. Column 5: List of invoices—**  
(a) *What invoices must be listed.* In the fifth column from the left, list one invoice for every offering price shown in column 3. The invoice you list must cover your purchase at the corresponding net cost listed in column 2 for an article of that category which you offered at that price. If pursuant to section 16 (a) you have listed in column 1 a net cost from an invoice other than the last invoice you got before the list date, you must place a letter "E" beside the invoice listed in column 5.

(b) *How to list an invoice.* State your supplier's name and the date and number of the invoice. In parenthesis following the listing of the invoice you must identify the article the purchase of which at the cost shown in column 2 is covered by the invoice. (An alternative method of listing invoices is provided in Supplementary Regulation 2 to this regulation.)

(c) *Inspection of invoices.* On request you must supply for examination to the OPS or its agent any invoice which you have listed in column 5.

**Sec. 22. Amendment of charts—(a) Amendment by seller.** (1) If you find that you have filed an incorrect chart you must file an amendment to your chart with the OPS office where you filed your original chart and you must attach to the amendment a statement explaining why the changes conform your chart to the requirements of the regulation.

*Example.* If you wish to amend an inaccurate offering price listed on your original chart, you must also recompute your average percentage markup for that category, and reexamine your circled prices for that category to see if the new category average percentage markup requires a change in any of them. If changes are required, the amendment to your chart must show all the corrections which were necessary.

You may not use the amendment to your chart in fixing ceiling prices until you have received acknowledgment from your OPS office of receipt of the amendment.

[Subparagraph (1) redesignated by Amdt. 8]

(2) Whenever under a provision of Ceiling Price Regulation 7 added to this regulation after May 30, 1951, you are required or permitted to amend your chart, you must file the amendment to your chart with your OPS office on or before the thirtieth day following the effective date of that provision. You must attach to the amendment a statement which will designate under what provision you are filing.

*Example of statement.* This amendment is filed pursuant to Amendment 8 to Ceiling Price Regulation 7, effective June 30, 1951. This amendment allows retailers to handle each classification in Category 908 and Category 919 as a separate category.

You must, when you amend your chart, pursuant to this subparagraph, use the amendment to your chart in fixing ceiling

prices after the date you file the amendment to your chart. You may not offer, sell, or deliver any article covered by the amendment to your chart after thirty days from the date you file your amendment unless you have received an acknowledgment from your OPS office of receipt of the amendment.

[Subparagraph (2) added by Amdt. 8]

(b) *Amendment by Office of Price Stabilization.* The OPS may at any time issue an order amending your chart to bring your mark-ups into line with mark-ups established by this regulation for sellers of the same class. Also, upon examination of your chart and any amendment thereto if the records necessary to substantiate information appearing on your chart or the amendment are inadequate the OPS may issue an order amending your chart to bring the mark-ups in line with the level of mark-ups established under this regulation.

#### Article III—Computing Ceiling Prices

**Sec. 30. How to compute ceiling prices.** To compute your ceiling price for the sale to an ultimate consumer, of an article covered by this regulation, refer to your chart and use the first applicable pricing rule found below in this Article III. (Note that sales covered by this regulation to persons other than ultimate consumers must be priced under section 40, "Upstream" and "Cross Stream" Sales and sales of "Cross Stream" articles to ultimate consumers.)

In applying these rules, you must compute your ceiling price for each article to the class of purchaser you used in preparing your chart and apply your customary differentials to that price to find your ceiling price to all other classes of purchasers. You may not change the terms, allowances, discounts, or differentials which you customarily gave to various classes of purchasers, if the change would result in a higher net price.

Wherever this regulation refers to a list date chart it means only a chart correctly prepared in accordance with sections 13 to 21 of this regulation. If your chart is improper or inaccurate, your ceiling prices shall be prices computed on the basis of a correct chart.

**Sec. 30a. "Permitted increase."** Various OPS regulations may provide for increases in your supplier's ceiling prices. Some of these regulations may require your supplier to break down his price to you into two parts, the first part being the basic price and the second part a "permitted increase" (that is, the portion of the increase granted your supplier which the regulation allows you to pass on to the consumer). You must use the basic price (without adding the "permitted increase") to find your net cost for determining your ceiling price under this regulation. Then you may add the amount designated as a "permitted increase" to your ceiling price as otherwise determined under this regulation.

[Sec. 30 (a) added by Amdt. 2]

**Sec. 31. Net cost: OPS adjustment charge.** "Net cost," in this regulation means net unit cost of an article after deducting all discounts you could have

taken," or your supplier's ceiling price" for the article, whichever is lower. (You may round your cost to the nearest cent.) You may not include in "net cost" any item on an invoice received by you labelled "OPS adjustment charge." Freight, handling charge, or other similar charges may not be added."

**Sec. 32. Rule 1: Articles belonging to a category on your chart and with a net cost listed on your chart.** If the article you are pricing is in a category listed in Column 1 of your chart, and if it has a net cost listed in column 2, its ceiling price is the offering price you listed in column 3 for that net cost and category. If you have a circled price for that net cost and category, the circled price is the ceiling price for the article.

*Example.* You wish to price a pair of men's pajamas which cost you \$1.29 net. On your chart you have listed offering prices of \$2.00 and \$2.24 for a \$1.29 net cost in category 116. You have circled \$2.00. Therefore, your ceiling price for these pajamas is \$2.00 per pair.

If you had listed only one price \$2.24 for a \$1.29 net cost, your ceiling price would be, of course, \$2.24.

**Sec. 33. Rule 2: Articles belonging to a category listed on your chart but having a net cost lower than the lowest cost listed for that category.** If the article you are pricing has a net cost lower than the lowest net cost listed for that category in column 2 of your chart, you compute your ceiling price by multiplying the net cost of the article by the average of the percentage markups in column 4 of the two lowest costs shown on the chart for that category, and adding the result to the net cost.

*Example.* You wish to price a girl's sweater having a \$1.94 net cost. The two lowest net costs on your chart for category 208 are \$2.07 and \$2.26. The percentage markups listed for the last two are 55.6% and 54% respectively. You average the last two ( $\frac{55.6 + 54}{2} = 54.8$ ) and find that 54.8% is the average. The ceiling price for the sweater is found by multiplying \$1.94 by 54.8 ( $1.94 \times 54.8 = 1.06$ ) and adding the result, \$1.06 to \$1.94 ( $1.94 + 1.06 = 3.00$ ). The total, \$3.00 is your ceiling price.

**Sec. 34. Rule 3. Articles belonging to a category listed on your chart, but having a net cost higher than the highest cost listed for that category.** If the article you are pricing has a net cost higher than the highest net cost listed for that category in column 2 of your chart, you

<sup>10</sup> An alternative method for pricing Categories 940 to 943 and 970 to 985 which permits discounts for prompt payment (cash discounts) not to be deducted is provided in Supplementary Regulation 2 to this regulation.

[Footnote 9a added by Amdt. 6]

<sup>11</sup> If you operate an outlet of a chain not included in a group of outlets for which your central office is permitted to use the same pricing chart in accordance with section 3(b), and if your chart was not prepared on the basis of net cost of articles to your central office, "your supplier's ceiling price" for articles shipped to you by your central office is the amount shown on your central office's invoice to you correctly prepared under Supplementary Regulation 1 to this Regulation.

<sup>12</sup> An alternative method for pricing categories 701-752 which permits freight to be reflected is provided in Supplementary Regulation 2 to this regulation.

compute your ceiling price by multiplying the net cost of the article by the lower of (a) the average of the percentage markups listed in column 4 for the two highest costs shown on the chart for that category, or (b) the average percentage markup for the category, and adding the result to the net cost.

*Example.* You wish to price a woman's slip having a \$7.95 net cost. The two highest net costs on your chart for category 211 are \$6.95 and \$5.95. The percentage markups listed for the last two are 67.6% and 63.5%, respectively. You average the last two ( $67.6+63.5=131.1\div 2=65.6$ ) and find 65.6%. The category average percentage markup for category 211 is 67%. Since the average of the percentages for the two highest cost lines (65.6%) is lower than the category average (67%), you use 65.6% to find the ceiling price of the slip. The ceiling price for the slip is found by multiplying \$7.95 by 65.6 ( $7.95 \times 65.6 = 5.22$ ) and add the result \$5.22 to the net cost, \$7.95 ( $7.95 + 5.22 = 13.17$ ). The total, \$13.17 is the ceiling price.

**Sec. 35. Rule 4; articles belonging to category listed on your chart but having a net cost between two net costs listed for that category.** If the article you are pricing has a net cost between two net costs listed for that category in Column 2 of your chart, you compute your ceiling price by multiplying the net cost of the article by the average of the percentage markups listed in Column 4 for the next higher net cost and the next lower net cost than the one you are pricing, and by adding the result to the net cost.

*Example.* You wish to price a woman's dress with a net cost of \$7.75 and you have not listed any net cost of \$7.75 for Category 1010. The next higher net cost on your chart for Category 1010 is \$8.75, and the next lower net cost is \$6.75. The percentage markups listed for the last two are 59.4% and 62.2%, respectively. You average the last two ( $59.4+62.2=121.6\div 2=60.8$ ) and find that 60.8% is the average. The ceiling price for the woman's dress is found by multiplying \$7.75 by 60.8% ( $7.75 \times .608 = 4.71$ ) and adding the result, \$4.71, to \$7.75 ( $7.75 + 4.71 = 12.46$ ). The total \$12.46 is your ceiling price.

Until July 31, 1951, you may, when pricing under Rule 4 is called for, use Rule 4 as it existed prior to June 18, 1951. [Section 35 amended by Amdts. 1 and 7]

**Sec. 36. Rule 5: Articles belonging to a category comparable to a category listed on your chart.** If the article you are pricing does not belong to a category which is listed in column 1 of your chart, look in Appendix C where you will find for each category a list of other categories which are "comparable" to that category. See whether column 1 of your chart contains the first comparable category listed in Appendix C for the category to which the article you are pricing belongs. If it does not contain the first comparable category, see whether you have listed in column 1 the second, then the third, and so on until you find a comparable category which is listed on your chart. Then compute your ceiling price by applying Rules 1, 2, 3, or 4, as if the article you are pricing belonged in that comparable category.

*Example.* You have not listed category 701 on your chart, but now purchase a bedroom suite at a net cost of \$85.00. You look in Appendix C and find that categories 706, 708, 714, 703, and 710 are listed as com-

parable to category 701. When you look in column 1 of your chart to see whether you have listed any of these categories. You have not listed category 706 on your chart, but you have listed category 708. Rule 5 requires you to figure your ceiling price for this bedroom suite as if it belonged to category 708. You find that you have listed a net cost of \$85.00 in column 2 for category 708, and an offering price of \$150.00 in column 3 for that net cost. You therefore apply Rule 1 and your ceiling price for the bedroom suite is \$150.00.

**Sec. 37. Rule 6. Articles belonging to a category where your chart has at least three categories in the same group of categories.** If the article you are pricing is not in a category on your chart and you have no comparable category but you do have on your chart at least three categories in the same group<sup>11</sup> of categories, you compute your ceiling price under this rule. (If you cannot price under this rule you determine your price under section 39 which provides for the use of a markup table or in special instances for application for a pricing method.)

(a) *Groups of categories.* All categories are divided into the following groups:

- Group I—Categories 101-607.
- Group II—Categories 701-752.
- Group III—Categories 801-854.
- Group IV—Categories 1001-1030.
- Group V—Categories 880-883, 890-891, 905, 915-916, 922-923.
- Group VI—Categories 871-876, 878, 884, 892, 894, 906, 908, 919-921, 924, 940, 942, 950, 984-985, 1050-1058, 1062-1064.
- Group VII—Categories 860-861, 877, 893, 895, 901-904, 907, 917-918, 941, 943-946, 951, 970-983, 1059-1061, 1070.

[Paragraph (a) amended by Amdt. 13]

(b) *Pricing method.* (1) *List the appropriate categories and category average percentages.* If you have at least three categories of the appropriate group<sup>11</sup> on your chart, you list as many of these categories as you have on your chart, setting forth opposite each, your average percentage markup<sup>12</sup> for each category. Note: You may not use this rule for a category in Group II (701-752) if your chart for these categories was prepared pursuant to the alternative method provided in Section 5 of Supplementary Regulation 2 to this regulation.

(2) *Compute the "group average" for these categories.* You do this by adding together all the average markups for the categories you have listed and dividing this sum by the number of categories which you have listed.

<sup>11</sup> "Group" as defined for this purpose includes any category which appears in the appropriate series of category numbers excluding categories 105A, 105B, 105C, 105D, 204, 214, 353, and 803D.

<sup>12</sup> Computations under this section are based on markups over cost. If you are on the "retail system," that is, if your chart markups are expressed as percentages of selling prices, you must convert your category markups to markups over cost. You do this by subtracting your average percentage margin on selling price for the category from 100%. You divide the result thus obtained into your percentage margin on selling price. After the percentage margin on selling price for all your categories have been converted to markups on cost you proceed as set forth above.

(3) *Apply table in Appendix D.* Turn to the table in Appendix D. The top row of the table is divided into a series of percentage brackets. In the first column to the left find the category number which includes the article you are pricing. Follow this category number across and find the markup which appears in the column under the percentage bracket which includes the "group average" which you computed under subparagraph (2). This is your percentage markup over cost for the new category.

(4) *Multiply the net cost of the article you are pricing by this percentage markup.* Add the result to the net cost of the article. This final result is your ceiling price for the article you are pricing.

*Example.* You wish to price a set of boy's ear muffs on which your net cost is 50 cents. Ear muffs belong to category 123 on the CPR 7 chart. You find, on examining your chart, that neither this category, nor any one of the "comparable" categories is listed on your chart.

Since category 123 belongs to the group of categories numbered from 101-607 inclusive, you look on your chart to find whether you have listed at least three categories in this group. If you do not have at least three such categories listed on your chart (excluding categories 105A, 105B, 105C, 105D, 204, 214 and 353), you cannot use this pricing rule and the ear muffs must be priced under section 39.

Let us assume that actually you have listed on your chart articles belonging to eight categories of this group of numbers. These categories have percentage markups over cost as follows:

| Category: | Average percentage markup | Category: | Average percentage markup |
|-----------|---------------------------|-----------|---------------------------|
| 102-----  | 63                        | 215-----  | 62                        |
| 105-----  | 63                        | 217-----  | 68                        |
| 110-----  | 63                        | 302-----  | 65                        |
| 116-----  | 65                        | 304-----  | 60                        |

You must compute your "group average" for all these categories by adding the average markups for these categories and dividing the result by the number of categories which you have listed above ( $509\div 8$ ). Your "group average" is 63.625%.

You next turn to the table in Appendix D. In the first column to the left you will find a series of category numbers. Follow this column downward until you reach category 123.

Follow this row across the table until you come to the percentage bracket appearing in the top row of the table which includes your "group average"—in this case the bracket designated "over 62 including 65." At this point you will find that the allowable percentage markup for category 123 is 65.7%. This is your percentage markup for this category and for the article you are pricing.

You next multiply the net cost of the article you are pricing by this percentage markup ( $50 \times .657 = 3.28$ ). Add this figure to your net cost of the article you are pricing ( $50 + .33 = 8.3$ ). The result, \$8.3, is your ceiling price for the article you are pricing.

(5) *Group averages above table in Appendix D.* If, in pricing a category included in Group I (101-607), your group average is over 101 percent; in Group II (701-752) over 127 percent; Group III (801-854) over 101 percent; Group IV (1001-1030) over 109 percent; Group V (880-883, 890-891, 905, 915-916, 922-923) over 72 percent; Group VI (871-876, 878, 884, 892, 894, 906, 908, 919-921, 924, 940, 942, 950, 984-985, 1050-1058, 1062-1064) over 101 percent; and, Group VII (860-861, 877, 893, 895, 901-904, 907, 917-918, 941, 943-946, 951, 970-983, 1059-1061).

1070) over 128 percent, you find your percentage markup over cost by multiplying your group average by the multiplier listed for that category in Appendix F.

[Subparagraph (5) amended by Amdt. 13]

*Example:* If you are a house to house seller and have a "group average" of 150% for your categories in the group 101 to 607, inclusive, and you now wish to sell handbags (category 218) which you find you must price under this rule, you determine your markup over net cost as follows: refer to the multiplier opposite category 218 in Appendix F. There you will find the figure 1.045. This means that your markup on cost for handbags is 156.8% ( $150 \times 1.045 = 156.75$ ).

(c) *Articles which cannot be priced under Rule 6.* If the article you are pricing is included in categories 204, 214, 353 and 803D; or if your chart for categories 701-752 was prepared pursuant to the alternative method provided in section 5 of Supplementary Regulation 2 to this regulation; or if you do not have three categories in the appropriate group on your chart, you price such article under section 39.

[Paragraph (c) amended by Amdt. 13]

**SEC. 38. Rule 7: Pricing method for repaired or reconditioned items.** If in the course of your business you regularly buy used or imperfect articles (including such articles when received as trade-ins) for the purpose of repairing and reconditioning them and selling them as reconditioned or repaired, and your chart as filed indicates that such articles have been omitted, you may compute a price for such a used or imperfect article which you have repaired or reconditioned in the following manner: (a) add to the net cost of the article the net cost of reconditioning or repairing the article) but not a cost greater than that required to restore the article to a factory standard article of the same type); (b) multiply the total thus obtained by the category average percentage markup for the category including the article you are pricing, and (c) add the result to the total found in (a). If your chart has no markup for that category you use the markup for the category in Appendix E.

[Sec. 38 amended by Amdt. 1]

**SEC. 38a. Rule 8: Pricing method for articles acquired before February 27, 1951, and for which seller has no cost record.** If the article you are pricing is one which you acquired prior to February 27, 1951, and for which you have no cost record, your ceiling price for that article is the ceiling price as determined under the General Ceiling Price Regulation. This pricing method may not be used for any article acquired after February 27, 1951.

[Section 38a added by Amdt. 6]

**SEC. 39. Ceiling prices for new sellers or for sellers who cannot price under other sections of the regulation.** You determine your ceiling prices under sections 39a-39g<sup>12a</sup> if you are a new seller;

<sup>12a</sup> Any seller to whom an order was issued under section 39 prior to December 31, 1951 denying his application in whole or in part, shall be afforded an opportunity to reapply in accordance with sections 39a through 39d.

or if you are unable to establish your ceiling prices pursuant to sections 30-38a; or if you elected to remain under the General Ceiling Price Regulation and thereafter you take on articles in a CPR 7 category and prior to taking on such articles you did not handle any articles in that category pursuant to the General Ceiling Price Regulation.

If you are a chain which prices centrally and uniformly and you are adding a new unit, you use section 39a. If you are a chain which does not price centrally and uniformly and you are adding a new unit, you use section 39b. If you are a seller with a single unit for which you have filed a chart and you wish to add another unit for which you will determine prices centrally and uniformly with your existing unit, you follow section 39c. If you are a seller who had previous experience in handling articles covered by CPR 7 at markups higher than those in Appendix E or related articles at prices which for those articles are higher than those received by the average seller and you wish to open a unit or to add a category handling CPR 7 articles at markups higher than Appendix E, you follow section 39d. In all other instances a seller uses section 39e.

All applications, notifications, and reports required by section 39a through 39g must be signed by the applicant or a duly authorized officer or agent.

[Section 39 amended by Amdts. 3, 6, 9 and 12]

**SEC. 39a. Adding a unit to a chain which prices centrally and uniformly.** A chain or group of stores which constitutes a single seller under section 3 (b) (3), or which has become a chain pursuant to section 39c or pursuant to section 7 of Supplementary Regulation 1 to this regulation, may include in the chain or group any new unit opened by it and may determine prices for sales from that unit pursuant to the chart filed for the chain or group if prior to opening the unit the chain or group sends a notification containing the information described below to the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., and receives an approval thereof from the OPS.

(a) *Notification.* The notification must include the following information:

- (1) The name of the chain or group and the address of its principal office;
- (2) The name and address of the new unit;
- (3) The date of opening the new unit; and
- (4) A statement:
  - (i) That central and uniform pricing with other members of the chain or group is to be maintained in the new unit;
  - (ii) That the new unit will be the same type of operation; will extend the same services; provide the same class of merchandise; and cater to the same class of purchaser, as the units comprising the chain or group immediately prior to January 26, 1951 (or the units comprising the chain created pursuant to section 39c or any unit in the chain created pursuant to section 7 of Supplementary Regulation 1).

(b) *Authorization.* The OPS will approve a notification containing the information set forth in paragraph (a) of this section. Two copies of the approval of notification will be sent to the applicant, one to be retained in the principal office of the chain and the other to be kept in the new unit for inspection by the OPS.

[Section 39a added by Amdt. 12]

**SEC. 39b. Adding a new unit to a chain which does not price centrally and uniformly.** A chain which does not constitute a single seller under section 3 (b) (3) (i. e., a chain which does not price centrally and uniformly), and which is opening a new unit may file an application to use the chart of another unit in the chain to determine ceiling prices for sales from that new unit.

(a) *Application.* The application must be filed with the District Office having jurisdiction over the area in which the unit to be opened will be located and must include:

- (1) The name and address of the principal office of the chain;
- (2) The name and address of the new unit and date of opening;
- (3) A list of the categories proposed to be handled in the new unit;
- (4) A statement of the type of supplier from whom merchandise is to be purchased (e. g., wholesalers, distributors, jobbers, manufacturers, etc.);
- (5) The name and address of the unit the chart of which is sought to be used and the address of the OPS District Office with which that chart was filed;
- (6) The names and addresses of the three (3) closest competitors (if three are available);
- (7) Information showing that the unit to be opened and the unit the chart of which is sought to be used will:
  - (i) Be the same type of operation;
  - (ii) Extend the same services and provide the same class of merchandise;
  - (iii) Cater to the same class of purchasers; and
  - (iv) Be located in similar trading areas and in comparable locations within those trading areas.

(b) *Authorization.* (1) The OPS may, by order, authorize the use of a chart already filed for another unit of the chain if the new unit and the one whose chart is sought to be used meet the requirements of paragraph (a) (7) above.

(2) If the new unit and the one whose chart is sought to be used do not meet the requirements of paragraph (a) (7) above, the OPS may, by order, authorize the use of the chart of the unit named under paragraph (a) (5) or of another unit of the chain if the chart results in markups in line with or lower than those of the closest competitors, (three (3), if available).

(3) If the new unit is to carry categories not on the chart sought to be used, or if any categories on the chart sought to be used under sub-paragraph (2) of this paragraph have markups in excess of those of competitors, then for such categories the OPS may authorize the use of the chart, if any, for that particular category of some other unit in the chain which would result in mark-

## RULES AND REGULATIONS

ups in line with or lower than those of competitors. The OPS in such case will give you an opportunity to produce such a chart for the particular categories, indicating the acceptable category average for each. Thereafter, if no chart for the particular category is produced, the OPS will authorize the use of a markup for the category in line with those of the competitors.

[Section 39b added by Amdt. 12]

**Sec. 39c. A seller with a single unit who wishes to open another unit and to establish prices for the new unit centrally and uniformly.** A seller who has a single unit and wishes to open a new unit and to establish prices for that new unit centrally and uniformly with the unit for which he has filed a chart may do so if prior to opening the new unit he sends a notification containing the information described below to the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. and receives an approval thereof from OPS.

(a) **Notification.** The notification must include the following information:

(1) His name and address and the name and address of the unit for which he has already filed a chart;

(2) The name and address of the unit to be opened;

(3) The proposed date of opening; and

(4) A statement:

(i) That central and uniform pricing is to be maintained in the two units;

(ii) That the new unit will be the same type of operation, will extend the same services, provide the same class of merchandise, and cater to the same class of purchaser as the existing unit.

(b) **Authorization.** The OPS may authorize a seller with one unit to become a chain, centrally and uniformly pricing, if the notification includes the information set forth in paragraph (a) of this section. Two copies of the approval of notification will be sent to the applicant, one to be retained in the principal office of the chain and the other to be kept in the new unit for inspection by the OPS.

[Section 39c added by Amdt. 12]

**Sec. 39d. A seller who has previous experience and wishes to open a new unit or to add a category.** If you are a seller not covered by sections 39a, 39b or 39c, who has the experience qualifications described in paragraph (a) below, you may use this section when opening a new unit or when adding a category which you are unable to price under prior sections of this regulation. If you are adding a category or opening a new unit under this section, you apply for authorization to use category markups in line with or lower than those of sellers carrying on business most nearly like that in which you propose to use the markups (i. e., with your closest competitors).

(a) **Eligibility.** You may apply for authorization under this section if:

(1) You already own one or more establishments selling articles covered by Ceiling Price Regulation 7 which have ceiling prices higher than those yielded by markups in Appendix E; or

(2) You already own one or more establishments selling articles related to those covered by Ceiling Price Regulation 7 which have ceiling prices which for such articles are higher than the average ceiling prices received by sellers of the articles in the trading area; or

(3) You (if you are an individually owned establishment) or any of the principal stockholders or partners actually engaged in the business or any of the managing officers had previous merchandising experience as owner, officer, principal, or employee in an executive or managerial capacity in a business handling articles covered by CPR 7 at prices higher than those yielded by Appendix E markups (or if handling related articles not covered by CPR 7, at prices which for such articles are higher than average) and have not operated at or below the prices permitted by Appendix E (or the average prices) since the appropriate list date. For the purpose of this subparagraph, experience for more than a year as a route salesman or door-to-door salesman shall be considered the equivalent of managerial experience in processing applications to establish markups for that type of seller.

(b) **Application to establish a new unit.** If you are opening a new unit pursuant to this section, your application must be filed with the District Office having jurisdiction over the area in which the unit to be opened will be located and must include:

(1) The name and address of the applicant and proposed name and address of the establishment; the names and addresses of all owners, stockholders, and officers of the business establishment. (Stockholders holding less than 10 percent of the total number of shares of corporations need not be listed.)

(2) Evidence to establish eligibility under paragraph (a) above. If the claim of eligibility is made under paragraph (a) (3), the statement must include the names of persons upon whose past experience the claim for eligibility rests and evidence of such qualifying experience, including the name and address of the store (or stores) in which the experience was gained (if that store is no longer in existence, the name and address of the store which was its closest competitor); and the dates of the periods in which such experience was acquired.

(3) The date or proposed date of opening of the new unit.

(4) A list of categories (identified by the appropriate Appendix B category number) intended to be handled, indicating as to each the category markup requested.

(5) The type of unit the applicant intends to operate (for example, dry goods, furniture, men's furnishings, specialty shop, department store, etc.).

(6) Customer services which will be offered (installment selling, charge accounts, free delivery service, free alterations, etc.).

(7) If applicant is a leased department, the name and address of the prior lessee; if the department was operated by the lessor this should be stated.

(8) The names and addresses of the three (3) closest competitors.

(9) A statement of the types of suppliers from whom merchandise is to be purchased (e.g., wholesalers, distributors, jobbers, manufacturers, etc.).

(c) **Application to add a new category.** If pursuant to this section, you are adding a category which you are unable to price under prior sections of the regulation, your application must be filed with your OPS District Office and must include:

(1) Your name and address and the name and address of the unit to which the category is to be added;

(2) The category number and description of the category to be added and the markup requested;

(3) A statement that the category cannot be priced pursuant to the prior sections of the regulation; and

(4) The names and addresses of the three (3) closest competitors handling the category.

(d) **Authorization.** Upon application made pursuant to paragraph (b) or (c) the OPS may, by order, authorize you to use markups for each category in line with (or, if requested, lower than) those of three (3) competitors (if three are available) not exceeding your own past experience as established under paragraph (b) (2) or (c) above.

(e) **Reports of changes in ownership.** Any seller who has received an order authorizing him to establish prices under this section must report to the District Office which granted the order any change in ownership or management occurring subsequent to the filing of the application involving persons named in the application under paragraph (b). However, if the seller is a corporation, only transfers of more than 10 percent of corporate stock to any individual need be reported. The report should include the name of any new owner, partner or principal stockholder or managing officer actually engaged in the business and, of that person replacing the person or persons upon whose experience eligibility was established under paragraph (b) (2) above, a statement of the previous business connections with respect to CPR 7 articles or related commodities which would qualify him.

[Section 39d added by Amdt. 12]

**Sec. 39e. When to use Appendix E markups.** If you cannot determine your ceiling prices under any previous section of this regulation or under section 39f or section 39g, you use Appendix E markups.

(a) **Pricing method.** You find your ceiling price for all articles which must be priced under this section as follows by using the table in Appendix E. On the left side is listed a column of category numbers; opposite each category number is a percentage markup. Find the percentage markup for the category to which the article you are pricing belongs. Multiply the net cost of the article you are pricing by this percentage markup. Add the result so obtained to the net cost of the article. The amount so arrived at is your ceiling price for the article you are pricing.

(b) *Reports.* You may not sell or deliver any article which you are required to price under this section until you have filed whichever of the following reports is applicable:

(1) You must file a statement that you have filed a list date pricing chart (if that is a fact) and a list of the categories you intend to price under paragraph (a) of this section; or

(2) If you have not filed a list date pricing chart, you must file a statement containing the following information:

(i) Your name and address or your proposed name and address and the names and addresses of all owners, stockholders, or officers of the business establishment. (Owners holding less than 10 percent of the total number of shares of corporations preparing this statement need not be listed.)

(ii) The date or the proposed date of the organization of the business establishment.

(iii) A list of the categories which you intend to price under this section.

(iv) The type of store you operate or intend to operate (dry goods, furniture, men's furnishings, specialty shop, etc.).

(v) Customer services which you offer or intend to offer (installment selling, charge accounts, free deliveries, etc.).

(vi) If you are a leased department, the name and address of the prior lessee; if the department was previously operated by the lessor, this should be stated.

(c) *Reduction of Appendix E markups.* If you use Appendix E markups, the OPS may, by order, reduce your markups to bring your markups into line with markups for sellers of the same class.

[Section 39e added by Amdt. 12]

**Sec. 39f. Applications by certain sellers who sell exclusively in sets (groups of articles) to which services have been added—**(1) *Eligibility.* If prior to your list date, you have been engaged in the business of assembling, packaging, and selling sets (groups of articles) to which you have added services the cost of which is more than 10 percent of the total of the net costs of the constituent articles of the assembled sets, you may apply to your OPS office for a pricing method for the sale of your assembled sets. You must file two (2) copies of an application containing the following information:

(i) Your name and address;

(ii) Date when you entered business;

(iii) Description of manner in which you conduct your business (indicating whether you are a department store, a leased department, a specialty store, or other; cash, installment or other terms; and class of merchandise you handle);

(iv) A list of all sets offered by you for sale on the list date, enumerating for each the articles included in each set, the cost of each set, the cost of each article, the cost of services added by you on each set, and the selling price of each set on the list date; and

(v) Substantiating evidence such as advertisements, catalogs, or prospectuses to show that you sold or offered for sale the sets (listed under (iv)) on the list date.

(2) *Authorization.* Upon application made pursuant to subparagraph (2), the

OPS may, by order, permit you to add to the total of the net costs of the constituent articles the cost of the services you provide (packaging, monogramming, etc.) and a markup in line with the level of prices established by this regulation.

[Section 39f amended by Amdt. 8; redesignated by Amdt. 12]

**Sec. 39g. Applications by sellers who repair or recondition.** If you do not have a list date pricing chart and you are in or propose to enter the business of regularly buying (or taking in as trade-ins) used or imperfect articles for the purpose of reconditioning them and selling them as reconditioned or repaired, you may apply to your OPS office for a pricing method which will reflect your costs of repairing or reconditioning the articles which you sell. In such a case the OPS may, by order, permit you to add to the ceiling price established under this regulation the actual net cost of reconditioning or repairing the articles which you sell. In no case shall the cost of reconditioning or repairing include a cost greater than that required to restore the article to a factory standard article of the same type.

[Section 39g redesignated by Amdt. 12]

#### Article IV—Ceiling Prices in Special Cases

**Sec. 40. "Up stream" and "cross stream" sales and sales of "cross stream" articles to ultimate consumers.** If your sales to persons other than ultimate consumers constitute less than 10% of your total sales of articles covered by this regulation you are governed by this regulation as to those sales and your ceiling prices for those sales are computed under this section.

(a) *Ceiling prices for "up stream" sales.* Your ceiling price for a sale of any article covered by this regulation to any person other than an individual ultimate consumer, another retailer, or an industrial, commercial, or institutional user, is the net cost of that article to you.

(b) *Ceiling prices for "cross stream" sales.* (1) Your ceiling price for a sale to another retailer of any article covered by this regulation shall be the sum of the following items:

(i) the net cost of the article to you (which, as defined in Section 31 excludes any freight, OPS adjustment charge or handling charge);

(ii) the incoming freight allocable to that article which you have paid in addition to the net cost;

(iii) the OPS adjustment charge, if any, shown on the invoice received by you;

(iv) the handling charge, if any, which you customarily made when selling articles covered by this regulation to another retailer immediately prior to January 26, 1951. In no event, however, may your handling charge exceed 10 percent of the net cost of the article to you.

You must give to the buyer an invoice which must state separately each item making up your costs as itemized in this subparagraph (1) and, in addition, must contain the following notice:

#### NOTICE

You must compute the price for resale of the above articles pursuant to section 40 (c) of Ceiling Price Regulation 7.

(2) If you customarily made sales of commodities covered by this regulation to other retailers immediately prior to January 26, 1951, on which you figured your price by granting a specific discount from your retail price, you may continue to make such sales (excepting sales of articles purchased by you from other retailers). On such sales you must furnish the buyer with an invoice, which, in addition to showing your retail price as established by this regulation and the discount you granted, must contain the following notice:

#### NOTICE OF CEILING PRICE

Under Section 40 of Ceiling Price Regulation 7 you may not sell the above articles to consumers at prices higher than our retail ceiling shown on this invoice.

(c) *Ceiling prices for sales to ultimate consumers of articles purchased from other retailers.* (1) If you purchase articles covered by this regulation from another retailer and pay the seller his costs permitted to him under paragraph (b) (1), you must determine your ceiling price for sales of these articles to ultimate consumers in accordance with the pricing rules of this regulation taking your net cost from your supplier's invoice and excluding all freight, OPS adjustment charge and handling charges.

(2) If you purchase articles covered by this regulation and pay the seller his retail price less a specified discount, you must use as your ceiling price for sales of those articles to ultimate consumers the seller's retail price as stated on his invoice to you.

(d) *Articles acquired by transfer from another seller in the same selling establishment.* If one department or part of the same legal entity acquired an article by a transfer from another part of the same legal entity, the transferee pricing such an article must use as his net cost the net cost determined from the invoice received by the transferor.

The document covering the transfer must show the original invoice cost and must be preserved for inspection by the OPS.

**Sec. 41. Pricing methods for certain chain stores and mail order establishments.** Special pricing methods for certain chain stores and mail order establishments are provided in Supplementary Regulation 1 to this Ceiling Price Regulation 7.

**Sec. 42. Transfers of business—**(a) *How a transferee fixes his ceiling prices.* This section applies to you if:

(1) After the list date, you purchase or otherwise acquire a substantial part of the business, assets, or stock in trade of any business which sells or sold any articles covered by this regulation at retail; and

(2) You carry on the business or continue to sell at retail articles in any category covered by this regulation and sold by your transferor before the transfer; and

(3) You carry on the business or continue to sell in a store separate from any other store previously owned or operated by you for the sale of such articles at retail. If this section applies to you, your ceiling prices are the same as those which your transferor would have had if the transfer had not taken place (except as provided in paragraph (c) of this section). Your obligation to keep rec-

## RULES AND REGULATIONS

ords sufficient to verify such prices shall be the same as if the transfer had not taken place. The transferor must either preserve and make available to you or turn over to you all records of transactions before the transfer which you need to comply with this regulation.

(b) *Filing charts.* If your transferor has not already filed a chart, you must prepare a chart based on his experience on the list date, using the list date which he would have used if no transfer had occurred. If your transferor has filed a chart, you must file a statement showing your business name and address and the date of the transfer. (You must attach a copy of this statement to the chart in your possession.) If the transferor's records are not available to you, you must fix your ceiling prices under section 39.

(c) *Mergers and combinations.* If, after the list date, two or more sellers merge, consolidate, or combine and continue operations as one seller, the seller who continues to operate shall fix his ceiling prices under this regulation on the same basis as that which the seller who had the largest dollar volume of sales of articles covered by this regulation during the 12 months immediately preceding the merger or combination would have had to follow.

**SEC. 43. Uniform dollar- and -cents prices for certain articles.** (a) *How prices are established.* The OPS may by order, upon application, establish dollar- and -cent retail ceiling prices for branded articles and ceiling prices for sales at wholesale for the same articles whenever it appears that:

(1) The article (or an article of the same type) was sold at retail at substantially uniform prices for a period immediately prior to January 26, 1951. The OPS may establish uniform retail ceiling prices for any article if the applicant has received or is eligible to receive an order under this section for any of his articles.

If the applicant had a policy of uniform retail prices for his branded merchandise and can show that the article was sold at substantially uniform prices except for a limited area, the OPS may establish uniform retail ceiling prices for the article. Uniform retail ceiling prices may be established for separate zones (not to exceed five zones) where the applicant can show that such differential was maintained as part of his uniform pricing policy immediately prior to January 26, 1951.

(2) The price requested for the article is no higher than the existing level of ceiling prices under this regulation.

Orders issued under this section will remain effective unless revoked or suspended by the Director. Orders may be revoked or suspended only if the Director is satisfied that such revocation or suspension is not inconsistent with the effective control of prices.

(3) If the applicant had a policy of uniform prices for sales at wholesale for his branded merchandise for a period immediately prior to January 26, 1951 and can establish that the merchandise when resold at wholesale was sold at substantially uniform prices, except for a limited area, the OPS in establishing

uniform retail ceiling prices for the merchandise may also establish uniform resale wholesale ceiling prices for the merchandise.

[Paragraph (a) amended by Amdt. 4. Subparagraph (3) added by Amdt 4]

(4) The application made pursuant to this section was filed on or before December 17, 1951. This subparagraph does not apply to applications under this section for amendments to orders for which applications were filed on or before that date.

[Subparagraph (4) added by Amdt. 11]

(b) *What the order may contain.* (1) An order may be issued under this section establishing uniform ceiling prices for all retail sales or sales at wholesale of an article covered by this regulation, although such sales may not otherwise be subject to this regulation.

[Subparagraph (1) amended by Amdt. 4]

(2) An order issued under this section generally will include a provision requiring the applicant to tag or ticket the article with the retail ceiling price and other specified information.

[Subparagraph (2) amended by Amdt. 4]

(3) An order issued under this section will require the applicant to send copies of the order and any subsequent amendments thereto to those purchasers for resale of the articles covered by the order.

(4) An order issued under this section will ordinarily be in the form of applicant's selling price and retail ceiling price relationships. Such an order will ordinarily require the applicant to submit, from time to time as specified in the order, a description of the articles which he is pricing pursuant to the terms of the order, changes in his prices to his customers, and any other information that may be required by the terms of the order. Such an order in appropriate instances may also establish wholesale ceiling prices.

[Subparagraph (4) amended by Amdt. 4]

(c) *Who may apply.* (1) A manufacturer or a wholesaler of a branded article may apply under this section if he can submit the information required by paragraph (d).

(2) A group of manufacturers selling the same article under the same brand name may apply as a group under this section if they can submit the information required by paragraph (d).

(d) *What the application must contain.* Two copies of each application must be filed with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C. The application must contain the following:

(1) Business name and address of the applicant.

(2) A complete identification of the article for which the price is sought including:

(i) The brand name identifying the article and its style or lot number.

(ii) Applicant's ceiling price.

(iii) An identification of the regulation and the section in that regulation

or the identification of the order issued by the OPS under which his ceiling price was established.

(iv) His invoice price and terms to various classes of retailers and wholesalers.

(v) His suggested retail price, if any, immediately prior to January 26, 1951. (If he had a suggested retail price prior to January 26, 1951 he should submit evidence to show his method of retail price maintenance, such as national advertising, catalogues sent to retailers, advertising mats furnished retailers, etc. If he had no suggested retail price prior to January 26, 1951, or did not attempt to enforce his suggested retail price, but can show that the article was sold at substantially uniform prices, he should submit a list of the names and addresses, giving their retail selling price of the article immediately prior to January 26, 1951 of all of his retail customers in fifteen cities representing a cross section of his customers.)

(vi) His suggested price for sales at wholesale, if any, immediately prior to January 26, 1951 (including evidence to show his method of price maintenance), or if he had no such suggested price prior to January 26, 1951, or did not attempt to enforce such suggested price but can show that the merchandise was sold at substantially uniform prices, he should submit evidence similar to that specified for retail prices in subdivision (v) of this subparagraph.

[Subparagraph (2) amended by Amdt. 4; subpart (vi) added by Amdt. 4]

(3) The uniform retail and wholesale ceiling prices requested for the article.

[Subparagraph (3) amended by Amdt. 4]

(4) In the case of wholesalers applying under this section, the name and address of the manufacturer of the article and the manufacturer's style or lot numbers.

(5) In the case of a group of manufacturers applying for a single order covering the articles manufactured in common by the group, the application must contain, in addition to the requirements of sub-paragraph (2) above, evidence to show that each manufacturer of the group, who sold the article, maintained the same retail prices on the same article with the same brand.

#### Article V—General Provisions

**Sec. 50. How to treat taxes.** The ceiling prices determined under the pricing rules in this regulation are your ceiling prices exclusive of tax. If a tax on a particular sale or delivery such as a sales tax or a compensating use tax is imposed and the tax law permits the tax to be separately stated, you may charge or collect the tax on the sale or delivery of the article in addition to the ceiling price fixed under the pricing rules.

[Section 50 amended by Amdt. 6]

**Sec. 51. Marking, tagging or posting.** On and after July 1, 1951, you may not offer or sell any article covered by this regulation unless it is marked or tagged with the selling price in a manner plainly visible to, and understandable by, the



purchasing public. If, however, you become subject to the regulation after June 30, 1951, as to particular categories, you may not offer or sell any article in those categories after the last date for filing your chart, unless it is marked or tagged in accordance with this section.

[Above paragraph amended by Amdt. 8]

(a) *Marking.* You may mark the selling price on the shelf, bin, rack, or other holder or container upon or in which the article is kept provided all the articles kept on, or in the shelf, bin, rack, holder or container have the same selling price.

(b) *Tagging.* If you do not wish to mark the prices as described in (a) you must mark the selling price on each article itself by writing the price directly on the article or by attaching to the article a tag or ticket stating the selling price.

(c) *Posting.* On and after July 1, 1951, you may not offer or sell any article covered by this regulation unless you post in a prominent and clearly visible position in your store, a sign stating the following:

NOTICE

The prices of merchandise in this store are no higher than the OPS ceiling prices of the articles.

(d) *Rule for mail order establishments.* Mail order establishments must mark their ceiling prices for articles listed in printed price lists which have been printed after the list date in either of the following ways:

(1) State the ceiling price for each article covered by this regulation and listed in the price list, at the place in the publication where the article is listed.

(2) Print on the front cover of each printed price list (or on the front page of any list that has no cover) the following statement:

NOTICE

No price for any article listed or described herein exceeds the ceiling price for that article, as determined under the applicable OPS ceiling price regulation.

SEC. 52. *Records.* The records required by this section must be kept for as long as the Defense Production Act of 1950 remains in effect and for two years thereafter. All such records must be kept at your store, except in the case of certain chain stores for which special record keeping requirements are provided in Supplementary Regulation 1 to this regulation.

(a) *List date records.* You must preserve for inspection by the OPS:

(1) All records which you were required to prepare and preserve pursuant to section 16 (a) (1) and (4) of the General Ceiling-Price Regulation<sup>14</sup> relating to articles covered by this regulation;

<sup>14</sup> The pertinent section of the General Ceiling Price Regulation is as follows:

"Sec. 16. *Records.* This section tells you what records you must preserve and what additional records you must prepare.

"(a) *Base period records.*

(1) You must preserve and keep available for examination by the Director of Price Stabilization those records in your

(2) All records relating to articles covered by this regulation which you were required to prepare and keep pursuant to section 16 (b) of the General Ceiling Price Regulation<sup>15</sup> from January 26, 1951, to the date you begin pricing under this regulation, not later than the date you are required to begin using the pricing rules under section 5 (a) of this regulation;

[Subparagraph (2) amended by Amdts. 1, 4 and 8]

(3) The last invoice which you received before the list date for each kind, style, model, or lot number of the articles offered for sale by you on the list date, and all other invoices which you used in preparing your list date chart; and

(4) All other records and data, such as sales slips, inventory records or work sheets, used by you in preparing your chart or showing your costs and offering prices on the list date.

(b) *Current records.*—(1) *Obtaining and preserving invoices.* On and after the effective date of the regulation or any amendment applicable to you, you must obtain a purchase invoice (or some other record of cost) and preserve the purchase invoices (or other cost record) which you received for all articles covered by this regulation. You must keep these invoices according to some recognized filing system, such as alphabetical, numerical, or chronological order. Upon request of any authorized agent of the OPS, you must let him examine your purchase invoices for any articles covered by this regulation.

[Subparagraph (1) amended by Amdt. 8]

(2) *"Retailing" invoices.* Before selling or offering for sale any article covered by this regulation which is delivered to you on or after the effective date of the regulation or any amendment applicable to you, you must "retail" the invoice, that is, you must mark your first selling price for each article on the in-

possession showing the prices charged by you for the commodities or services which you delivered or offered to deliver during the base period, and also sufficient records to establish the latest net cost incurred by you prior to the end of the base period in purchasing the commodities (if you are a wholesaler or retailer). \* \* \*

"(4) You must also prepare and preserve a statement of your customary price differentials for terms and conditions of sale and classes of purchasers, which you had in effect during the base period."

<sup>15</sup> The pertinent section follows: "(b)

*Current records.* If you sell commodities or services covered by this regulation you must prepare and keep available for examination by the Director of Price Stabilization for a period of two years, records of the kind which you customarily keep showing the prices which you charge for the commodities or services. In addition, you must prepare and preserve records indicating clearly, the basis upon which you have determined the ceiling price for any commodities or services not delivered by you or offered for delivery during the base period. If you are a retailer you are required to preserve your purchase invoices and to record thereon both your initial selling price and the section of this regulation under which you have determined your ceiling price."

voice covering your purchase of the article, and the number of the section or the pricing rules under this regulation, or the special order or other order under which you figured your ceiling price for the article. The pricing rule and method may be stated merely as "Rule 1" or "Rule 3" or "Rule 6."

If the invoice does not state the quantity of each article, style, model or lot number which it covers, you must also enter the quantity on each invoice.

[Subparagraph (2) amended by Amdt. 8]

(3) *Preserving sales slips.* If you customarily prepared your sales slips in more than one copy, you must preserve for at least six months after delivery a duplicate copy of each sales slip delivered by you pursuant to section 54.

(4) *Listing items in General Category not enumerated in category or on chart.* If you fix ceiling prices for articles in a "general" category (as described in Appendix B) not specifically listed in that category and not offered for sale by you on the list date, you must prepare and preserve with your chart a list of such articles designating as to each the general category in which you placed the item.

SEC. 53. *Records and reports of initial markups or gross margins.*—(a) *Records and reports of initial percentage markups.*—(1) *Records.*

(i) *Base period records of initial percentage markups.* If you use the so-called "retail method" of accounting, or if you have other records from which the following information can be readily computed, you must preserve for inspection the data showing for each of the smallest subdivisions of your business (such as department, subdepartment, or store) for which you have such records:

(a) Your initial percentage markup on total purchases (not including opening inventory) for the calendar quarter beginning July 1, 1949 (or if your fiscal quarter beginning nearest to July quarters begin on some other date, the 1, 1949); and

(b) The corresponding initial percentage markup for each of the subsequent three calendar or fiscal quarters.

(ii) *Current records of initial percentage markup.* You must continue to prepare and preserve such records for the same periods and on the same accounting basis as you used in maintaining the records upon which the reports required in paragraph (2) (1) below are based.

(2) *Reports.*

(i) *Base period reports of initial percentage markups.* If you have the records required by paragraph (a) (1) (i) above you must prepare two copies of a report labelled "Initial Percentage Markups Report," listing your name and address and the initial percentage markup for each subdivision of your business for which you have such records for the periods described in paragraph (a) (1) (i). You must file one copy of this report with your list date chart and keep the other available for inspection by the OPS.<sup>16</sup>

<sup>16</sup> This report may be filed on OPS Public Form No. 3, available at OPS local or regional Offices.

(i) *Current reports of initial percentage markups.* If you have filed a report of your initial percentage markup under paragraph (a) (2) (i) above for any subdivision of your business you must file a similar report for any succeeding period in which your initial percentage markup for that subdivision exceeds your base period markup for the comparable period. The report must also indicate the period which it covers, the current initial percentage markup, and the number of percentage points by which the current initial percentage markup exceeds the base period. All such reports must be filed with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., within 45 days from the close of the period.

(b) *Records and reports of gross margin.*—(1) *Records.*—(i) *Base period records of gross margin.* If you do not keep the records described in paragraph (a) (1) (i) above and your annual dollar volume of articles covered by this regulation exceeds \$50,000.00 for the calendar year 1949 or your fiscal year beginning nearest to June 1, 1949, you must preserve for inspection the data showing for each of the smallest subdivisions of your business (such as department, subdepartment or store) for which you have such records, as follows:

(a) Your quarterly percentage of gross margin for the calendar quarter beginning July 1, 1949 (or if your fiscal quarter begins on some other date, the fiscal quarter beginning nearest to July 1, 1949).

(b) The corresponding percent of gross margin for each of the subsequent three calendar or fiscal quarters.

(c) If you do not have monthly or quarterly records of gross margin your percentage of gross margin for the calendar year 1949 or your fiscal year beginning nearest to June 1, 1949.

"Gross margin" as used in this regulation is found as follows:

Step 1. Add the invoice cost of your beginning inventory for the reporting period and the invoice cost of your total purchases for the reporting period.

Step 2. Subtract the cost of your ending inventory from the total found in Step 1. The result is cost of goods sold.

Step 3. Subtract the cost of goods sold found in Step 2 from your total sales. The result is your dollar gross margin.

Step 4. Divide the dollar gross margin by your total sales. This is your percentage gross margin on sales.

Example: Period—January 1, 1949–December 31, 1949.

|   |           |                                   |
|---|-----------|-----------------------------------|
| Step 1:                                 |           |                                   |
| Beginning inventory.....                | \$100,000 |                                   |
| Total purchases.....                    | 250,000   |                                   |
|   | <hr/>     |                                   |
| Total.....                              | 350,000   |                                   |
| Step 2:                                 |           |                                   |
| Ending inventory.....                   | -90,000   |                                   |
|   | <hr/>     |                                   |
| Cost of goods sold.....                 | 260,000   |                                   |
| Step 3:                                 |           |                                   |
| Total sales.....                        | 395,000   |                                   |
| Cost of goods sold.....                 | -260,000  |                                   |
|   | <hr/>     |                                   |
| Gross dollar margin.....                | 135,000   |                                   |
| Step 4: $135,000 \div 395,000 = 34.2\%$ |           | Percentage gross margin on sales. |

(ii) *Current records of gross margin.* You must continue to prepare and preserve such records for the same periods, that is quarter-year or annual and on the same accounting basis as you used in maintaining the records upon which the reports required in paragraph (2) (i) below are based.

(2) *Reports.*—(i) *Base period reports of gross margin.* If you are covered by paragraph (b) (1) (i) above you must prepare two copies of a report labelled "Gross Margin Report," listing your name and address and the gross margin percentages for each of the subdivisions of your business for which you have such records for the periods described in that paragraph. You must file one copy of this report with your list date chart and keep the other available for inspection by the OPS.

(ii) *Current reports of gross margin.* If you have filed a report of your gross margin under (i) above for any subdivision of your business you must file a similar report for any succeeding period in which your gross margin percentage for that subdivision exceeds your base period gross margin percentage. This report must indicate the period which it covers, the current gross margin, and must also state the number of percentage points by which the current report exceeds the base period report. All such reports must be filed with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., within 75 days of the close of the period.

[Subpart 2 amended by Amdt. 1]

SEC. 54. *Sales slips.* If you customarily gave your customers a sales slip, receipt, or similar evidence of purchase you must continue to do so. Upon request from a customer, regardless of previous customer, you shall give the purchaser a receipt showing the date, your name and address, a description of each article sold and the price received for it.

SEC. 55. *What acts are prohibited by this regulation.* On and after February 27, 1951, regardless of any contract or other obligation, the following practices are forbidden:

(a) *Charging more than ceiling prices.* You are prohibited from selling or delivering any article at a price higher than the ceiling price permitted by this regulation. A lower price may, of course, be charged.

(b) *Buying for more than ceiling price.* You are prohibited from buying or receiving, in the course of trade or business, any article sold in violation of any of the provisions of this regulation.

(c) *Changing customary terms of sale.* You are prohibited from changing your customary terms, discounts, allowances, or price differentials on sales of articles, if the change results in a higher net price. This includes differentials allowed to cash purchasers by sellers who customarily extend credit.

\* This report may be filed on OPS Public Form No. 3, available at OPS local or regional offices.

(d) *Combination sales.* You are prohibited from requiring any purchaser to buy or agree to buy any other article, service, package, or wrapper in connection with the sale or delivery of any article covered by this regulation. Every person is likewise prohibited from making a sale of articles which is conditioned directly or indirectly on the purchase of any other commodity or service. (Sets of articles, however, if designed for sale at a unit price, and so purchased by you, may be sold at a unit price; matched groupings of furniture articles (covered by categories 701-752) may also be sold at a unit price as suites or sets, if all the articles in the groupings were produced by the same manufacturer; and sets priced pursuant to section 39 (c) may be sold at a unit price.)

[Paragraph (d) amended by Amdt. 13]

(e) *Indirect price increases.* You are prohibited from doing any other act which directly or indirectly increases, above the ceiling price, the consideration paid for any article or delivery of any article, or, for the purposes of evading the price limitations set forth in this regulation, to purchase, deliver, contract, deal or otherwise operate with or through any other person under common control with, controlled by, controlling, or otherwise affiliated with you. You shall not do any other act which directly or indirectly increases the consideration paid for any article. Any practice which is a device to secure the effect of a higher-than-ceiling price is as much a violation as an outright sale above the ceiling price.

(f) *Attempts to violate.* Every person is prohibited from agreeing, offering, soliciting, or attempting to do any of the acts prohibited by this regulation.

SEC. 56. *Enforcement.* Any person who violates any provision of this regulation is subject to the criminal penalties, civil enforcement actions and suits for damages, provided by the Defense Production Act of 1950.

SEC. 57. *Petitions to amend this regulation.* Any person may file a petition for an amendment of general applicability to any provision of this regulation in accordance with the provisions of Price Procedural Regulation No. 1.

SEC. 58. *Supplementary regulations modifying this regulation.* The provisions of this regulation, as applied to certain commodities or persons subject to this regulation, may be modified by Supplementary Regulations issued under this section.

SEC. 59. *Definitions:*

"Accommodation sale" means a sale made entirely without profit, solely for the benefit or convenience of the purchaser. For example, a sale by an employer to his employees, or by a school to its students—and not for the purpose of promoting trade is an accommodation sale. It does not include sales by cooperative, nonprofit, or other organizations which make sales initially above

cost, but later give refunds, bonuses, dividends, or other allowances to purchasers.

**"Buy and sell in substantially the same form."** An article is bought and sold in substantially the same form if the article which you sell belongs to the same category as the article you bought and, except as provided in section 38 and section 39 (d) (pricing of repaired or reconditioned articles) if, before offering it for sale you have not added to the article you sell, materials which cost you more than 10 percent of the net cost (as defined in section 31) of the original article.

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

**"Mail order establishment"** means a person who regularly makes deliveries by mail to individual ultimate consumers in response to orders received by mail on the basis of catalogs, booklets, circulars, flyers or other forms of printed price lists.

**"Office of Price Stabilization."** Whenever the Office of Price Stabilization (OPS) is referred to in connection with some action to be taken it means action by the Director of Price Stabilization.

**"Person."** A person includes an individual, corporation, partnership, association or other organized groups of persons, legal successor or representative of any of the foregoing and includes the United States, any agent thereof, any other government, or any of its subdivisions, and any agency of the foregoing.

**"Purchaser of the same class"** refers to the practice adopted by the seller in setting different prices for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution or individual consumer) or for purchasers located in different areas or for purchasers of different quantities or grades or under different conditions of sale.

**"Records"** includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

**"Sale at retail" or "retailer."** "Selling at retail" means a sale or selling to an ultimate consumer (including an industrial or commercial user) of an article which you buy and sell in substantially the same form. A seller who in the regular course of business makes sales at retail is a retailer.

**"Sell"** includes sell, supply, dispose, barter, exchange, lease, transfer, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly. Nothing in this regulation shall be construed to prohibit the making of a contract to sell an article at a price not to exceed the ceiling price at the time of delivery.

**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.

APPENDIX A

EXAMPLES OF A LIST DATE PRICING CHART

(a) Men's Furnishings Department List Date Pricing Chart

Men's Furnishings Department (Dept. No. 21) in Chain Store (Statement of Total Store Volume Filed Separately  
ABC Department Store, 123 Maine Street, New City, Kansas

| Category   | Net cost (per unit)                    | Offering price (per unit)* | Percentage markup on cost | Supporting invoice   |
|--|--|----------------------------|---------------------------|--|
| (1)  | (2)                                    | (3)                        | (4)                       | (5)  |
| Category 116, Underwear and Nightwear (Sleeping Shorts).       | \$0.32 (4.00, 3/10 EOM, per dozen)...  | \$0.49                     | 53.1                      | #12345 ABC Underwear Co., 2/1/51 (boy's undershirt).       |
|  | \$0.34 (4.25, 3/10 EOM, per dozen)...  | .59                        | 73.5                      | #21456 XYZ Underwear Co., 2/5/51 (MAN's undershirt).       |
|  | \$0.36 (4.50, 3/10 EOM, per dozen)...  | .59                        | 63.9                      | #34567 CBA Underwear Co., 12/15/50 (man's undershirt).     |
| Average percentage markup 70.9%.                               | \$0.44 (5.50, 3/10 EOM, per dozen)...  | .79M                       | 79.5                      | #45678 ZYX Underwear Co., 10/8/50 (man's undershirt).      |
|  | \$0.46 (5.75, 3/10 EOM, per dozen)...  | .79                        | 71.7                      | #56789 ABC Underwear Co., 11/10/50 (man's undershirt).     |
|  | \$0.49 (6.00, 3/10 EOM, per dozen)...  | .79                        | 61.2                      | #67890 XYZ Underwear Co., 1/18/51 (boy's undershirt).      |
|  | \$0.57 (7.00, 3/10 EOM, per dozen)...  | 1.00                       | 75.4                      | #54321 ABC Underwear Co., 1/15/51 (T Shirt).               |
|  | \$0.58 (7.00, net, per dozen).....     | 1.00                       | 72.4                      | #65432 ZYX Underwear Co., 2/6/51 (man's undershirt).       |
|  | \$0.77 (9.50, 3/10 EOM, per dozen)...  | 1.39                       | 80.5                      | #76543 ABC Underwear Co., 1/26/51 (man's union suit).      |
|  | \$0.85 (10.50, 3/10 EOM, per dozen)... | 1.49                       | 75.3                      | #87654 ABC Underwear Co., 12/19/50 (boy's union suit).     |
|  | \$1.01 (12.50, 3/10 EOM, per dozen)... | 1.69U                      | 67.3                      | #98765 XY Underwear Co., 2/14/51 (boy's union suit).       |
|  | \$1.82 (22.50, 3/10 EOM, per dozen)... | 2.98                       | 63.7                      | #13579 MNO Pajama Co., 1/17/51 (man's sleeping short).     |
|  | \$2.43 (30.00, 3/10 EOM, per dozen)... | 3.08R                      | 63.8                      | #35791 MNO Pajama Co., 12/19/50 (man's pajama).            |
|  | \$2.79 (34.50, 3/10 EOM per dozen)...  | 4.98                       | 78.5                      | #57913 MNO Pajama Co. 12/28/50 (man's pajama).             |
|  | \$2.88 (34.50 net, per dozen).....     | 4.98                       | 72.9                      | #79135 S. & L. Pajama Co., 2/7/51 (man's pajama).          |
|  | [Category 116 amended by Amdt. 1]      |                            |                           |  |
| Category 117, Shirts...  | \$1.21 (15.00, 3/10 EOM, per dozen)... | 1.98                       | 63.6                      | #91357 Ace Shirt Co., 1/17/51 (man's business shirt).      |
| Average percentage markup, 67%.                                | \$1.25 (15.50, 3/10 EOM, per dozen)... | 1.98                       | 58.4                      | #92581 Excellent Shirt Co., 1/6/51 (boy's business shirt). |
|  | \$1.38 (16.50 net, per dozen).....     | ( <del>2.55</del> )        | 63.0                      | #73319 Top Shirt Co. 12/20/50 (man's business shirt).      |
|  | \$1.82 (22.50, 3/10 EOM, per dozen)... | 2.50                       | 63.7                      | #53197 Ace Shirt Co., 1/4/51 (man's business shirt).       |
|  | \$1.94 (24.00, 3/10 EOM, per dozen)... | 2.98M                      | 63.7                      | #31975 Ace Shirt Co., 12/6/50 (man's business shirt).      |
|  | \$3.64 (3.75, 3/10 EOM).....           | ( <del>5.55</del> )        | 63.5                      | #19753 Top Shirt Co., 12/19/50 (man's business shirt).     |
|  | \$5.34 (5.50, 3/10 EOM).....           | 6.95                       | 63.5                      | #24680 Sportswear, Inc., 1/24/51 (Boy's sport shirt).      |
|  | [Category 117 amended by Amdt. 1]      | 7.95                       | 67.6                      | #46802 X Sport Shirts, Inc., 2/8/51 (man's sport shirt).   |
|  |  | ( <del>8.95</del> )        |                           | #68024 Sportswear, Inc., 2/5/51 (man's sport shirt).       |
|  |  |                            |                           | #80246 X Sport Shirts, Inc., 1/11/50 (man's sport shirt).  |
| Category 118, Hosiery.   | \$0.22 (2.75, 3/10 EOM, per dozen)...  | .35                        | 59.1                      | #23451 E. & F. Hosiery Co., 1/3/51 (anklets).              |
| Average percentage markup, 63.7%.                              | \$0.24 (3.00, 3/10 EOM, per dozen)...  | .39                        | 62.5                      | #34512 Stockings, Inc., 2/2/51 (boy's socks).              |
|  | \$0.25 (3.00, 2/10 EOM, per dozen)...  | .39                        | 56.0                      | #45123 G. & H. Hosiery Mills 2/5/51 (men's socks).         |
|  | \$0.30 (3.75, 3/10 EOM, per dozen)...  | .49                        | 63.3                      | #51234 E. & F. Hosiery Co., 12/11/50 (men's socks).        |
|  | \$0.34 (4.25, 3/10 EOM, per dozen)...  | .59                        | 73.5                      | #62125 Stockings, Inc. 12/20/50 (sweat socks).             |
| Category 119, Handkerchiefs, scarves, mufflers (neckerchiefs). | \$0.10 (1.25, 3/10 EOM, per dozen)...  | .15                        | 50.0                      | #94326 Handkerchiefs, Inc., 2/2/51 (handkerchief).         |
| Average percentage markup 83.5%.                               | \$0.12 (1.50, 3/10 EOM, per dozen)...  | .19M                       | 58.3                      | #45170 P. & Q. Handkerchief Co., 1/10/51 (handkerchiefs).  |
|  | \$0.14 (1.75, 3/10 EOM, per dozen)...  | .25                        | 78.0                      | #16301 Smith Handkerchief Co., 10/18/50 (handkerchiefs) E. |
|  | \$0.15 (1.85, 3/10 EOM, per dozen)...  | .25                        | 66.7                      | #24620 Handkerchief Inc., 11/14/50 (handkerchief).         |
|  | \$0.33 (6.50, 3/10 EOM, per dozen)...  | 1.00                       | 88.7                      | #18880 M & S Knitting Co., 2/2/51 (scarf).                 |
|  | \$0.55 (6.75, 3/10 EOM, per dozen)...  | 1.00                       | 81.8                      | #16641 T & U Mills, Inc., 2/3/51 (scarf).                  |
|  | \$0.57 (7.00, 3/10 EOM, per dozen)...  | 1.00                       | 75.4                      | #15642 Jones Company, 12/19/50 (neckerchief).              |
|  | \$1.09 (13.50, 3/10 EOM, per dozen)... | 2.00                       | 83.5                      | #17760 T & U Mills, Inc., 12/19/50 (scarf).                |
|  | \$1.21 (15.00, 3/10 EOM, per dozen)... | ( <del>2.00</del> )        | 65.3                      | #19143 R. & S. Knitting Co., 2/6/51 (scarf).               |
|  | \$1.25 (15.00 net, per dozen).....     | 2.50                       | 100.0                     | #18308 Jones Co., 2/6/51 (scarf).                          |
|  | [Category 119 amended by Amdt. 1]      | 2.50                       |                           | #18709 T & U Mills, Inc., 8/16/50 (scarf).                 |
| Category 120, Ties (Tie and handkerchief set).                 | \$0.82 (6.75, 7/10 EOM, per dozen)...  | 1.00                       | 92.3                      | #32154 JKL Neckwear Co., 12/12/50 (bow tie).               |
| Average percentage, markup 92.3%.                              | \$0.54 (7.00, 7/10 EOM, per dozen)...  | 1.00                       | 85.2                      | #21543 Ties, Inc., 1/16/51 (four-in-hand tie).             |
|  | \$0.75 (9.50, 7/10 EOM, per dozen)...  | 1.50U                      | 102.7                     | #15452 JKL Neckwear Co., 2/6/51 (bow tie).                 |
|  | \$0.81 (10.50, 7/10 EOM, per dozen)... | 1.50                       | 85.2                      | #34152 Fashion Neckwear, 2/7/51 (four-in-hand tie).        |
|  | \$1.05 (13.50, 7/10 EOM, per dozen)... | 2.00                       | 90.5                      | #78251 Ties, Inc., 12/18/50 (four-in-hand tie).            |
|  | \$1.16 (16.00, 7/10 EOM, per dozen)... | ( <del>2.00</del> )        | 72.4                      | #64790 JKL Neckwear Co., 1/6/51 (ascot tie).               |
|  |  | 2.50                       |                           | #72195 Ties Inc., 1/17/51 (tie and handkerchief set).      |

RULES AND REGULATIONS

APPENDIX A—Continued  
EXAMPLES OF A LIST DATE PRICING CHART

| Category                          | Net cost (per unit)                         | Offering price (per unit)* | Percentage markup on cost | Supporting invoice                                     |
|-----------------------------------|---|----------------------------|---------------------------|--|
| (1)                               | (2)   | (3)                        | (4)                       | (5)  |
| Category 122, Gloves and mittens. | \$1.70 (21.00, 3/10 EOM, per dozen).        | \$2.98                     | 75.3                      | #12660 Superior Gloves, 11/6/50 (leather glove).       |
| Average percentage markup, 71.2%. | \$1.82 (22.50, 3/10 EOM, per dozen) (S. 60) | 2.98R                      | 63.7                      | #10660 Brown Knitting Co., 2/2/51 (crocheted glove).   |
|                                   | \$2.18 (27.00, 3/10 EOM, per dozen).        | 3.98                       | 82.6                      | #18005 Green Mills Inc., 11/21/50 (wool lined gloves). |
|                                   | \$2.43 (30.00, 3/10 EOM, per dozen).        | 3.98                       | 63.8                      | #18031 Superior Gloves, 2/9/51 (leather glove).        |

\*Based on sales to cash customers.

Percentage markups on offering prices may be listed if so labeled in this column.

Signed: ABC DEPARTMENT STORE, DEPARTMENT 21,  
By: JOHN DOE, Dept. Head.

[Category 122 amended by Amdt. 1]

(b) Furniture Store—List Date Pricing Chart for Store including Freight in determining Markups  
LM Furniture Co., 1115 Massachusetts Ave., Barre, Vermont  
[Type of store—Independent furniture store. Total retail sales 100,000-299,000]

| Category                           | Net cost (per unit)                 | Offering price (per unit)* | Percentage markup on cost | Supporting invoices  |
|------------------------------------|-------------------------------------|----------------------------|---------------------------|--|
| (1)                                | (2) (Freight)                       | (3)                        | (4)                       | (5)  |
| Category 701, Wood bedroom suites. | \$32.34 (33.00, 2/10) 3.10          | \$56.85                    | 75.8                      | F. O. Mfg. Co., #1134, 1/2/51 (3 pc. maple).                 |
| F                                  | \$39.20 (40.00, 2/10) 3.50          | 66.45                      | 69.5                      | K. F. Furniture Co., #6910, 11/12/50 (5 pc. walnut veneer).  |
| Average percentage markup 76.1%.   | \$41.16 (42.00, 2/30) 3.90          | 70.60                      | 71.5                      | C. B. Furniture Co., #7315, 12/18/50 (3 pc. maple).          |
|                                    | \$47.04 (48.00, 2/10) 5.50          | 84.00                      | 78.6                      | K. F. Furniture Co., #6910, 1/14/51 (3 pc. walnut veneer).   |
|                                    | 6.00                                | 92.00                      |                           | T. H. Jones Co., #142, 11/17/50 (5 pc. maple).               |
|                                    | \$55.00 (net)                       | 95.00                      | 72.7                      | S. W. Mfg. Co., #23691, 1/25/51 (3 pc. mahogany).            |
|                                    | \$61.74 (63.00, 2/10) no freight    | 109.00                     | 76.6                      | T. Smith Industries Inc., #29, 1/5/51 (5 pc. walnut veneer). |
|                                    | \$63.70 (65.00, 2/10) 7.40 (119.60) | 111.60R                    | 75.2                      | A. B. Bedroom Co., #4210, 1/18/51 (3 pc. mahogany).          |
|                                    | \$98.00 (100.00, 2/30) 6.00         | 173.00                     | 76.5                      | XY Mfg. Co., #25498, 2/5/51.                                 |
|                                    | \$103.88 (106.00, 2/10) 7.50        | 151.50                     | 74.7                      | S. A. Mfg. Co., #44691, 10/12/50 (5 pc. mahogany).           |
|                                    | \$151.99 (159.90, 5/10) 11.15       | 267.85                     | 76.7                      | H. M. Co., #4569, 10/9/50 (7 pc. bleached mahogany).         |

Signed: L. M. FURNITURE COMPANY,  
By: CHARLES COE, President.

[Category 701 amended by Amdt. 1]

(c) Furniture Store—List Date Pricing Chart for Store not including Freight in determining Markups  
XY Furniture Co., 1010 Pennsylvania Ave., Rutland, Vermont  
[Type of store—Independent furniture store. Total retail sales 300,000-499,000]

| Category                                      | Net cost (per unit)   | Offering price (per unit)* | Percentage markup on cost | Supporting invoice                                       |
|---|-----------------------|----------------------------|---------------------------|--|
| (1)   | (2)                   | (3)                        | (4)                       | (5)  |
| Category 709, Upholstered chairs and rockers. | \$4.70 (net)          | \$7.95                     | 76.7                      | Brown Furniture Company #6789, 2/2/51 (occasional).      |
| Average percentage markup 82.9%.              | \$6.37 (6.50, 2/10)   | 10.95                      | 71.9                      | Smith Furniture Company #1234, 12/18/50 (occasional).    |
|   | \$8.33 (8.50, 2/10)   | 14.95                      | 79.5                      | Jones Mfg. Co., #2345, 9/13/50 (maple).                  |
|   | \$11.27 (11.50, 2/10) | 19.95M                     | 77.0                      | Brown Furniture Co., #6789, 10/24/50 (ounge).            |
|   | \$13.72 (14.00, 2/30) | 24.95                      | 81.9                      | Brown Furniture Co., #6789, 1/17/51 (ounge).             |
|   | \$16.17 (16.50, 2/15) | 29.50                      | 82.4                      | Northern Furniture Co., #10123, 12/6/50 (coagwell).      |
|   | \$17.15 (17.50, 2/10) | 29.50                      |                           | Smith Furniture Co., #9213, 10/14/50 (barrell).          |
|   | \$21.56 (22.00, 2/10) | 39.50                      | 89.5                      | L. & W. Chair Co., #3435, 1/12/51 (wing chair).          |
|   | \$24.01 (24.50, 2/10) | 44.50                      | 83.2                      | Brown Furniture Co., #5910, 1/30/51 (channel back).      |
|   | \$32.34 (33.00, 2/10) | 69.50U                     | 84.0                      | Northern Mfg. Co., #5724, 9/21/50 (platform rocker).     |
|   | \$37.24 (38.00, 2/10) | 69.50                      | 86.6                      | L. & W. Chair Company, #2478, 10/10/50 (club).           |
|   | \$38.00 net           | 69.50                      | 82.9                      | Smith Furniture Company, #6638, 2/7/51 (barrell).        |
|   | \$43.12 (44.00, 2/10) | 79.50                      | 84.4                      | Upholstered Furniture Co., 2/2/51, #4025 (channel back). |
|   |                       |                            |                           | W. K. Sales Company, #251, 10/11/50 (wing).              |

\*These prices are for sales to customers who pay cash. Credit sales made on basis of additional charge of 6% per annum of unpaid balance.

Percentage markups on offering prices may be listed if so labeled in this column.

Signed: X Y FURNITURE COMPANY,  
By: RICHARD ROE, President.

APPENDIX B

What Commodities Are Covered by This Regulation

This appendix describes the articles covered by this regulation. These articles are grouped into "categories," each of which is given a number in this appendix. Paragraph (A) lists some categories of apparel and apparel accessories. Paragraph (B) lists the categories of piece goods and certain household textile commodities covered. Paragraph (C) lists the categories of certain consumer durable goods covered. Paragraph (D) lists women's, misses', teens', girls' and toddlers' apparel.

Each category is intended to be a "general" category unless designated as "specific" category. A "specific" category is one which includes only the articles that are specifically listed for that category. A "general" category is one which includes not only the articles that are specifically listed for that category but also all other related articles that fall within the general category description and are not listed in any other category in this appendix. In making your chart you must include in a "general" category all the articles listed in that category; you must include in addition all other related articles that fall within the general description and are not listed in any other category.

If you buy together at a unit price two or more articles (unless the combination is listed in a particular category) place the combination in the category of the article which bears the greatest percentage of the cost price of the combination.

(A) Categories of Apparel and Apparel Accessories

(1) Masculine Apparel and Apparel Accessories.

Certain categories are for men only and certain ones for boys only. There are some categories that apply to both men and boys apparel, and some categories which apply to men, women and children. No categories include sizes commonly known as toddlers' or infants'.

Category 101—Men's Tailored Topcoats and Overcoats

This category does not include any military or civilian uniform overcoats, topcoats, raincoats or other coats covered by categories 105, 105A, 106, 107. Among the articles included are:

- Tailored topcoats and overcoats.
- Tailored fingertip-length coats, and tailored rain and reversible coats of all lengths.
- Detachable coat linings.

Category 102—Men's Suits and Sport Coats

This category does not include any garments covered by categories 104, 105, 105A, 106 and sport and utility heavy outerwear covered by Category 107. Among the garments included are:

- Tailored suits made of cotton, rayon, wool, or other fibres, or of mixtures.
- Separate tailored sport coats.

Category 103—Men's Trousers and Related Items

This category does not include any staple work clothing or any garments covered by categories 105, 105A, 106, 107. Among the garments included are:

- Separate trousers, pants, and slacks.
- Breeches, riding pants and jodhpurs.
- Knickers and walking shorts.
- Vests made of woven cloth.

Category 104—Men's Slack Suits

Category 105—Men's Civilian Uniforms

Among the garments included are: Uniform suits (such as conductors', chauffeurs', policemen's, firemen's, bands, military schools, etc.). Uniform overcoats and topcoats.

- Uniform jackets.  
Uniform trousers.  
Uniform hats and caps.
- Category 105A—Men's Overalls, including Bib and Dungarees, and Overall Jackets**
- Category 105B—Men's Work Shirts, Work Pants and Match Suits, including Work Uniforms**
- Category 105C—Men's Work Accessories, including gloves, bandannas, hosiery, caps and hats (including straw) which are used primarily as work or farm hats**
- Category 105D—Men's One-piece Work Suits and Men's Smocks**
- Category 106—Men's U. S. Regulation Military Uniforms**  
Suits, topcoats and overcoats.  
Fingertip length coats and rain and reversible coats of all lengths.  
Separate jackets, middles, and blouses made in the manner commonly used for jackets.  
Separate trousers, breeches, and tropical shorts.
- Category 107—Men's Sports and Utility Heavy Outerwear**  
Sport and loafer jackets and non-tailored coats except water repellent jackets and sleeveless styles.  
Leather coats and jackets.  
Combination leather and fabric coats and jackets.  
Wool coats and jackets made of woven cloth (such as mackinaws, parkas, loafer coats, swagger coats, melton jackets).  
Ski and skating jackets and pants.
- Category 107A—Hunting and Fishing Apparel (Men, Women and Children)**  
Cotton shell coats, jackets and vests (lined and unlined).  
Hunting and fishing coats, jackets, breeches, vests and caps.
- Category 107B—Men's Raincoats and Water Repellent Garments**  
Jackets, such as water repellent poplin.  
Non-tailored raincoats, rain caps and hats.  
Suits.  
Pants.  
Overalls.  
Aprons.  
Vests.  
Leggings.
- Category 108—Juvenile and Boy's Topcoats and Overcoats, sizes 3 to 10 and 6 to 16.**  
This category does not include uniform overcoats and topcoats covered by Categories 111, 112, 112A. Among the garments included are:  
Tailored topcoats and overcoats.  
Tailored fingertip-length coats and tailored rain and reversible coats of all lengths.  
Detachable coat linings.
- Category 108A—Topcoats and Overcoats, Cadets' sizes 10 to 20 and Students'**  
This category does not include uniform overcoats or topcoats covered by Categories 111, 112, 112A. Among the garments included are:  
Tailored topcoats and overcoats.  
Tailored fingertip-length coats and tailored rain and reversible coats of all lengths.  
Detachable coat linings.
- Category 109—Juvenile and Boys' Suits and Sport Coats Sizes 3 to 10 and 6 to 16**  
This category does not include any garments covered by Categories 111, 112, 112A. Among the garments included are:  
Tailored suits, including tailored sport suits made of cotton, rayon, wool, or other fibres or of mixtures.  
Separate tailored sport coats.
- Category 109A—Suits and Sport Coats, Cadets' sizes 10 to 20 and students'**  
This category does not include any garment covered by categories 111, 112, 112A. Among the garments included are:  
Tailored suits, including tailored sport suits made of cotton, rayon, wool or other fibres or of mixtures.  
Separate tailored sport coats.
- Category 110—Juvenile and Boys' Trousers and Related Items, Sizes 3 to 10 and 6 to 16**  
This category does not include any staple work clothing covered by category 111 or any garments covered by Categories 111, 112 and 112A. Among the garments included are:  
Separate trousers, pants, and slacks.  
Breeches, riding pants, and jodhpurs.  
Knickers and outer shorts.  
Vests made of woven cloth.
- Category 110A—Trousers and Related Items, Cadets' sizes 10 to 20 and Students**  
This category does not include any staple work clothing covered by 111A or any garment covered by Categories 111, 112, 112A.  
Separate trousers, pants and slacks.  
Breeches, riding pants, and jodhpurs.  
Knickers and outer shorts.  
Vests made of woven cloth.
- Category 111—Boys' Civilian Uniforms**  
Uniform suits (such as messenger boys', ushers', bellhops', busboys', boy scouts', etc.  
Uniform overcoats and topcoats.  
Uniform jackets.  
Uniform trousers.  
Uniform hats and caps.
- Category 111A—Boys' Work Clothes**  
This includes dungarees, coveralls, overalls and similar garments:  
Work suits.  
Work shirts.
- [Title of Category 111A amended by Amdt. 13]
- Category 112—Boys' Sport and Utility Heavy Outerwear**  
Leather coats and jackets.  
Combination leather and fabric coats and jackets.  
Wool coats and jackets made of woven cloth (such as mackinaws, parkas, loafer coats, swagger coats, melton jackets).  
Sport and loafer jackets and non-tailored sport coats except water repellent types.  
Ski and skating jackets and pants.  
Snow suits, legging sets and separate leggings.
- Category 112A—Boys' Raincoats and Water Repellent Garments**  
This category includes:  
Jackets such as water repellent poplin.  
Non-tailored raincoats.  
Caps, hats.  
Suits, jackets, pants, overalls, aprons, vests, and leggings.
- Category 113—Boy's Play Clothes**  
Slack suits.  
Play suits and play clothes.  
Wash suits.  
Cowboys', soldiers', sailors', firemen's, and related suits.
- [Title of Category 113 amended by Amdt. 13]
- Category 114—Men's and Boys' Bathing Wear**  
Bathing suits and trunks.
- Category 115—Men's and Boys' Sweaters**  
This category includes all knitted outerwear and garments combined of knitted and other fabrics. Among the garments included are:  
Sweaters.  
Sweater vests.  
Sweater coats.  
Knitted pull-overs.  
Knitted cardigans.
- Category 116—Men's and Boys' Underwear and Nightwear**  
This category includes all underwear and nightwear garments made of either knitted or woven fabrics. Among the garments included are:  
Union suits.  
Shorts, drawers, and briefs.  
Undershirts and T shirts.  
Pajamas.  
Nightshirts and sleeping coats.
- Category 117—Men's and Boys' Shirts**  
This category includes all types of shirts made from all fabrics, except that it does not include any staple work shirts which are covered by Categories 105B and 111A. It includes military shirts. Among the garments included are:  
Dress shirts.  
Neck-band shirts.  
Collar-attached shirts.  
Business shirts.  
Sport shirts.  
Polo and basque shirts.  
Boys' blouses.  
Sweat shirts.
- Category 118—Men's and Boys' Hosiery**  
This category includes:  
Regular length socks.  
Golf socks.  
Slack socks.  
Crew or sweat socks.  
Work socks.  
Anklets.  
Full length stockings.
- Category 119—Men's and Boys' Handkerchiefs, Scarves, and Mufflers**  
Among the articles included are:  
Pocket handkerchiefs.  
Sport handkerchiefs.  
Fancy handkerchiefs.  
Woolen mufflers and scarves.  
Knitted mufflers and scarves.
- Category 120—Men's and Boys' Neckties**  
Among the articles included are:  
Bow ties. Cravats.  
Four-in-hand ties. Ascot ties.
- Category 121—Men's and Boys' Sundries**  
The articles included are:  
Suspenders, garters, and arm bands.  
Belts.  
Separate collars.  
Spats.  
Men's Wallets.
- [Category 121 amended by Amdt. 1]
- Category 122—Men's and Boys' Gloves and Mittens**  
This category does not include any staple work gloves or athletic gloves covered by categories 105C and 351.  
Among the articles included are:  
Gloves. Mittens.
- Category 123—Men's and Boys' Hats (other than Straws)**  
This category does not include any military or civilian uniform hats and caps covered by Categories 105, 105C, 106 and 11, or hats and caps covered by Categories 107B and 112A. It includes:  
Hats and caps. Hoods.  
Helmets. Ear muffs.
- Category 123A—Men's and Boys' Straw Hats**  
This is a "specific" category. It covers all types of summer straw hats, except those

## RULES AND REGULATIONS

covered by Category 105C. It includes soft styles and stiff styles that are made of woven straw, grass fibres or any imitation thereof and any combination of these materials with any other material.

**Category 124—Men's and Boys' Lounging Wear**

Among the garments included are:

Bathrobes, beach robes, beach coats, and dressing gowns.  
Smoking jackets and coats.  
Cocktail and lounging jackets and coats.

**(2) Feminine Apparel and Apparel Accessories.**

**NOTE:** Categories 201 to 206 include apparel only in women's, misses', and juniors' size ranges. These are called "women's" categories.

Categories 207 to 209 include apparel only in teen age, girls', children's, and toddlers' size ranges. These are called "children's" categories.

Categories 210 to 218 include feminine apparel and accessories in all size ranges except infants' size ranges. These are called "women's and children's" categories:

|          |            |
|----------|------------|
| Coats.   | Skirts.    |
| Suits.   | Blouses.   |
| Dresses. | Slacks.    |
| Jackets. | Ski Suits. |

To price these articles refer to Group 4, Women's, Teen's, Children's and Toddlers' Ready to Wear Categories 1001 through 1030.

**Category 201—Women's Sportswear and Beachwear**

This category does not include items covered by Category 405—Women's and Growing Girls' Shoes.

Among the articles included are:  
Shorts, culottes and pedal pushers.  
Playsuits, sunsuits, and halters.  
Polo shirts and basque shirts.  
Bathing suits.  
Beach coats, robes, and capes.  
Beach pajamas.  
Beach bags.  
Bathing and shower caps.  
Sweat shirts.

[Category 201 amended by Amdt. 13]

**Category 202—Women's Knitted Outerwear**

This category does not include garments which are covered by Categories 1006, 1007, 1010, 1011, 1011A, 1014 and 1017.

Among the garments included are:

Sweaters, sweater coats, jackets, and cardigans.  
Jerkens and vestees.  
Dresses, skirts, and suits.

**Category 203—Women's Rainwear**

This category does not include uniform rainwear covered by Category 205 or any garment which does not have as its chief use protection against rain. (Excluded are garments covered by Categories 1001, 1002, 1003 and 1014.)

Among the garments included are:

|               |             |
|---------------|-------------|
| Raincoats.    | Rain hats.  |
| Raincapcs.    | Rain hoods. |
| Rain jackets. |             |

**Category 204—Women's Foundation Garments**

Among the articles included are:

Corsets, girdles, and corselettes.  
Brassieres.  
Garters and garter belts.  
Sanitary belts and aprons.  
Combinations or all-in-ones.  
Supports.  
Leg shields.  
Bust forms.

Bust developing and slenderizing appliances.

**Category 205—Women's Military Uniforms**

This is a "specific" category. It includes uniforms for all the armed services and the Red Cross. The articles covered are:

Coats, capes, and suits.  
Separate uniform jackets and skirts.  
Uniform blouses.  
Uniform dresses.  
Uniform hats and caps.  
Uniform slacks.  
Raincoats and capes and rain hats and hoods.

**Category 206—Women's and Girls' Civilian Uniforms and Washable Service Apparel**

Among the garments included are:

Uniforms (such as elevator operators', usherettes', nurses', waitresses', maids', messengers', beauticians', laundry workers', etc.) and separate parts of uniforms.  
Uniform coats and capes.  
Uniform dresses.  
Uniform blouses.  
Uniform hats and caps.  
Uniform slacks and overalls.  
Uniform aprons.

Separate uniform jackets and skirts.  
Work and shop aprons, frocks, dresses, brunch coats, smocks, gowns, jackets, coats, slacks, coveralls, hats, caps, work gloves, etc.

All other aprons and Hooverettes.

**Category 207—Children's Sportswear and Beachwear**

Among the articles included are:

Shorts and culottes and pedal pushers.  
Playsuits, sunsuits, and halters.  
Polo shirts and basque shirts.  
Beach coats, robes, and capes.  
Beach pajamas.  
Beach bags.  
Bathing caps.  
Sweat shirts.  
Bathing suits.

**Category 208—Children's Knitted Outerwear**

This category does not include garments which are covered in categories 1005, 1009, 1013, 1016, 1019. Among the garments included are:

Sweaters, sweater coats, jackets, and cardigans.  
Jerkens and vestees.  
Dresses, skirts, and suits.  
Knitted coats and legging sets.

**Category 209—Children's Rainwear**

This category excludes any garment which does not have as its chief use protection against rain. (Such garments are covered by categories 1005 and 1006.) Among the garments included are:

|               |             |
|---------------|-------------|
| Raincoats.    | Rain hats.  |
| Raincapcs.    | Rain hoods. |
| Rain jackets. |             |

**Category 210—Women's and Children's Riding Wear and Jackets**

Among the garments included are:

All riding breeches and jodhpurs.  
All plastic and all leather and imitation leather coats, windbreakers, jackets and vests.

**Category 211—Women's and Children's Woven Underwear and Nightwear**

Among the garments included are:

Union suits and combinations.  
Undershirts and vests.  
Bloomers, panties and briefs, drawers, and step-ins.  
Slips and petticoats.  
Chemises and camisoles.  
Dance sets.  
Sleeping pajamas and sleepers.  
Nightgowns.  
Bed jackets and shoulderettes.

**Category 211A—Women's and Children's Knitted Underwear and Nightwear**

Union suits and combinations.  
Undershirts and vests.  
Bloomers, panties and briefs, drawers, and step-ins.  
Slips and petticoats.  
Chemises and camisoles.  
Dance sets.  
Sleeping pajamas and sleepers.  
Nightgowns.  
Bed jackets and shoulderettes.

**Category 212—Women's and Children's Lounging Wear**

It includes garments made from both woven and knitted fabrics. Among the garments included are:

Housecoats.  
Negligees and bathrobes.  
Dressing gowns and lounging robes.  
Hostess gowns.  
Lounging or hostess tunics and slacks.  
Cocktail coats.  
Lounging pajamas.

**Category 213—Women's and Children's Hosiery**

Among the articles included are:

Full length stockings.  
Knee length stockings and socks.  
Other socks.  
Anklets.  
Peds and sockettes.  
Bed socks and foot warmers.

**Category 214—Women's and Children's Millinery**

Among the articles included are:

|         |               |
|---------|---------------|
| Hats.   | Bonnets.      |
| Berets. | Bridal veils. |

**Category 215—Women's and Children's Gloves and Mittens**

This category does not include any work gloves which are covered by category 208 or any athletic gloves covered by category 351. Among the articles included are:

Gloves.  
Mittens.  
Mitts.  
Appliances to hold gloves to handbags.

**Category 216—Women's and Children's Handkerchiefs and Related Items**

This category includes:

Pocket handkerchiefs.  
Fancy handkerchiefs.  
Evening handkerchiefs.  
Sport handkerchiefs.

**Category 217—Women's and Children's Neckwear and Related Items**

This category includes:

Artificial flowers or ornaments for hair, dresses or coats, scarves and kerchiefs.  
Dickies, vestees, gilets, and bigs.  
Collars, cuffs, and collar and cuff sets.  
Fascinators, parkas, and babushkas.  
Ties.  
Ruchings and edgings.  
Blousesettes.

**Category 218—Women's and Children's Handbags**

This category does not include items covered by Category 201—Women's Sportswear and Beachwear.

This category includes:

Handbags, purses, and pocketbooks.  
Muff bags.  
Belts.  
Wallets, keyholders, etc.  
Appliance to attach handbag to a table.

[Category 218 amended by Amdt. 13]

**(3) Infants' Apparel and Accessories**

NOTE: Categories 301-307 include apparel in infants' size ranges for both sexes and accessories designed for use by infants.

**Category 301—Infants' Coats, Snowsuits, and Leggings**

This category includes garments made of either knitted or woven fabric, or made of leather, plastic, or other materials. Among the articles included are:

Coats and coat sets.  
Snowsuits and snowsuit sets.  
Separate leggings.

**Category 302—Infants' Knitted and Crocheted Outerwear**

This category does not include any knitted coats, snowsuits, or leggings. Among the articles included are:

Sweaters, sweater sets, and knitted suits.  
Jackets. Shawls and scarves.  
Mittens and gloves. Booties.

**Category 303—Toddlers' Woven Outerwear**

This category does not include any coats, snowsuits, or leggings.

Among the articles included are:

Rompers, creepers, and crawlers.  
Sunsuits and playsuits.  
Dresses and wash suits.  
Overalls (long and short).  
Woven jackets.

**Category 304—Infants' Headwear**

This category includes all crocheted, knitted, and woven hats. Among the articles included are:

Hats. Caps.  
Bonnetas. Hoods.

**Category 305—Infants' Dresses, Underwear and Nightwear**

Among the articles included in this category are:

Panties.  
Gowns and sleepers.  
Kimonos, wrappers, and bath robes.  
Sacos.  
Dresses, slips and gertrudes.  
Training pants and training suits.  
Socks, stockings, and anklets.  
Bands.  
Soakers.  
Plastic or rubber lined diapers and diaper protectors.

[Category 305 amended by Amdt. 1]

**Category 306—Infants' Bedding and Related Items**

This category includes:

Tick or saten covered pillows.  
Crib sheets, pillow cases, and blankets.  
Other infants' blankets.  
Rubber sheets.  
Pads (including pads for cribs, high chairs, play pens, baskets, bassinets, and nursery floor pads).  
Diaper bags.

Buntings and carriage suits.  
Infants' towels and wash cloths.  
Mattress pads and similar quilted pads.

**Category 306A—Diapers**

This category includes diapers of birds eye, cheese cloth, and all other materials, including disposable types.

**Category 307—Miscellaneous Infants' Items**

This category does not include any article that can be priced under categories 308, 309 and 310. Among the articles included are:

Carriage covers.  
Blanket covers.  
Infants' quilts.  
Bibs.  
Crib and carriage spreads.  
Fancy pillows.  
Trimmed baskets and bassinets.

**Category 308—Infants' Metal and Wood Wheel Goods and Other Metal Goods**

Some of the items included in this category are:

Strollers.  
Walkers.  
Collapsible carriages.  
Swings.  
Automobile and carrying baskets.

[Category 308 corrected by Amdt. 13]

**Category 309—Infants' Staple Accessories**

Among the items included in this category are:

Staple notions.  
Infant toiletries.  
Bottles and nipples.  
Reed and metal hampers.  
Diaper pails.  
Untrimmed baskets (except metal covered by category 308).

**Category 310—Infants' Novelties**

Included in this category are such items usually designated as gifts. Some of the items included are:

Comb and brush sets.  
Record books.  
Baby scales.  
Bottle warmers.  
Bottle sterilizers.  
Food dishes.  
Rattles.  
Teethers.  
Ear conformers.  
Thumb guards.  
Safety straps.

**(4) Masculine and Feminine Apparel**

NOTE: Categories 351-353 include apparel and accessories for men and women and girls and boys in all size ranges except infants' size ranges.

**Category 351—Athletic Clothing and Accessories**

Among the articles included in this category are:

All athletic uniforms (such as baseball, softball, football, basketball, and related suits and separate parts of suits).  
Gym, track, and related suits.  
Colored warm-up suits.  
Tennis, boxing, track, and related shorts.  
Bloomers (for girls and women).  
Abdominal, athletic, ankle, and similar supporters.  
Special athletic hose (such as baseball and football hose).  
Knee, shoulder, chest, hip, and similar pads, guards, and protectors.  
Athletic gloves.

**Category 352—Umbrellas and Canes**

This is a "specific" category. The articles covered are:

Umbrellas.  
Parasols and sunshades.  
Umbrella cases and separate umbrella covers.  
Canes.

**Category 353—Miscellaneous Clothing**

Among the garments included in this category are:

Costumes.  
Regalia.  
Baptismal suits.  
Ecclesiastical vestments and habits.  
Academic gowns.  
All other related garments.

**(5) Footwear**

NOTE: Categories 401-410 include footwear of all descriptions and in all sizes for both sexes, including corrective footwear.

**Category 401—Men's Dress Shoes**

Street shoes.  
Sport shoes.  
Evening pumps and shoes.  
High top street shoes.  
Low-cut shoes or oxfords, other than work oxfords.  
Sandals, casuals, and moccasins for outdoor wear.

**Category 402—Men's Work Shoes**

This does not include shoes priced under category 402A, 402B and 410. Among the shoes included are:

High top work shoes.  
Low-cut oxford type work shoes.  
Logger boots, utility cowboy boots, and men's high-cut laced boots.  
Shearling or felt shoes (other than slippers).

**Category 402A—Overshoes for Men, Women and Children**

This category does not include any shoes in category 402B; it does include:

Rubbers.  
Rubber boots.  
Rubber overshoes.  
Similar articles made of plastic or other materials.

**Category 402B—Men's, Women's and Children's Rubber-Soled Canvas Shoes**

This category includes all shoes commonly known as tennis shoes or sneakers.

**Category 403—Little Gents', Youths' and Boys' Shoes**

Among the shoes included are:

Street shoes.  
Sport shoes.  
High top shoes.  
Low-cut shoes or oxfords.  
Sandals, casuals, and moccasins for outdoor wear.  
Work shoes.

**Category 405—Women's and Growing Girls' Shoes**

This category does not include any shoes covered by 402A, 402B or 409 or any safety shoes covered by category 410. Among the shoes included are:

Street shoes.  
Sport shoes.  
Evening slippers.  
Pumps and step-ins.  
Strap shoes.  
Ties and oxfords.  
High top shoes.  
Sandals, casuals, and moccasins for outdoor wear.  
Beach shoes, clogs, and sandals.  
Play shoes.  
Stadium boots.

**Category 406—Misses' and Children's Shoes**

This category does not include any shoes covered by Category 402A, 402B, 409 and 410. It includes shoes in sizes only up to and including size 3. Among the shoes included are:

Street shoes.  
Pumps and step-ins.  
Strap shoes.  
Ties and oxfords.  
High top shoes.  
Sandals, casuals, and moccasins for outdoor wear.  
Play shoes.

**Category 407—Infants' Shoes**

Among the shoes included are:

Soft-soled shoes.  
Hard-soled shoes.  
Sandals.  
High top shoes.  
Strap shoes.  
Ties or oxfords.

## RULES AND REGULATIONS

**Category 408—Men's, Women's and Children's and Infants' House Slippers**

This category includes house shoes and slippers made of all materials in all size ranges and for both sexes. Not included are footwarmers covered in Category 213. Among the shoes and slippers included are:

Bedroom slippers.  
House slippers.  
Mules.  
Scuffs.  
Hard-soled house shoes and slippers.  
Soft-soled house shoes and slippers.  
Romeos.  
Pullman slippers.  
Jullies.  
Lounging shoes and slippers for indoor wear.  
Moccasins for indoor wear.  
Leather and other fabric soles with knitted socks attached.

**Category 409—Men's, Women's and Children's Athletic Shoes**

This category includes shoes in all size ranges and for both sexes. Among the shoes included are:

Baseball, basketball, football, soccer, track, tennis, and related athletic shoes.  
Gym shoes.  
Spiked Golf shoes.  
Golfing shoes.  
Skating shoes.  
Boxing shoes.  
Ski boots.  
Riding boots and jodhpur boots.

**Category 410—Men's, Women's and Children's Safety Shoes**

This category includes safety shoes for both men and women. Among the shoes included are:

Shoes having steel box toes.  
Industrial protective footwear.

(B) *Categories of Household Textile Commodities, Drapery Hardware, Certain Yard Goods, Hand Knitting Yarn and Crochet Thread, Laces and Trimmings, and Ribbons.*

[Above title amended by Amdt. 8]

**(1) Certain Household Textile Commodities and Certain Yard Goods****Category 501—Bed Linens**

This is a "specific" category. It does not include any crib sheets, pillow cases, or rubber sheets, pillow cases covered by category 306, or rubber sheets covered by category 505. It includes articles made of all types of fabrics. The articles covered are:

Bed sheets.  
Pillow slips and cases.

**Category 502—Blankets and Electric Blankets**

This category does not include any infants' or crib blankets covered by categories 306 and 307. Among the articles included are:

Electric blankets.  
Blankets.  
Blanketing and blanket robe cloth.  
Auto robes.  
Steamer rugs.  
Afghans and throws.

**Category 502A—Quilts**

This category does not include any infants' or crib quilts covered by categories 306 and 307. Among the articles included are:

Comforts.  
Quilts.

**Category 502B—Spreads**

This category does not include any infants' or crib spreads covered by categories 306 and 307. Among the articles included are:

Chenille spreads.  
Woven spreads.  
Ready-made spreads of all fabrics.  
Matching ensembles of a spread and window drape.

**Category 502C—Bed Pillows**

This category includes all bed pillows regardless of cover and contents, except that it does not include any infants' or crib pillows covered by categories 306 and 307. Among the articles included are:

Feather pillows. Cotton pillows.  
Kapok pillows. Rubber pillows.

**Category 503—Bath and Kitchen Linens and Accessories**

This category does not include any infants' towels or wash cloths covered by category 306. It includes articles as listed below whose value has not been enhanced by printing, hemstitching, embroidery or other embellishment.

Turkish or terry cloth towels, towel sets, and toweling.  
Huck towels, towel sets, and toweling.  
Kitchen towels and toweling.  
All other towels and toweling.  
Wash cloths.  
Dish cloths.  
Bath mats, not covered by category 803A.

**Category 504—Fancy Table and Household Linens**

In this category are items made of woven materials, plastics, cork, etc., whose value has been enhanced by printing, embroidery, hemstitching, or other embellishments. Among the articles included are:

Table cloths.  
Woven table cloth material.  
Napkins.  
Table cloth and napkin sets.  
Table pads and padding.  
Bridge sets.  
Dollies and dolly sets.  
Place mats and luncheon sets.  
Fancy linens other than bed linens.  
Dresser sets.  
Scarves and runners.  
All towels not covered by category 503.

**Category 504A—Staple Table and Household Linens**

In this category are items made of woven materials, plastics, cork, etc., whose value has not been enhanced by printing, embroidery, hemstitching, or other embellishments. Among the articles included are:

Table cloths.  
Woven table cloth material.  
Napkins.  
Table cloth and napkin sets.  
Table pads and padding.  
Bridge sets.  
Dollies and dolly sets.  
Place mats and luncheon sets.  
Fancy linens other than bed linens.  
Dresser sets.  
Scarves and runners.

**Category 505—Domestics**

Among the articles covered are:  
Sheeting materials, bleached and unbleached, narrow and wide width.  
Pillow covers.  
Mattress covers.  
Ticks and ticking.

Batts and batting.  
Blanket covers and quilt covers.  
Waterproofed sheets and sheeting.  
Bed pads.  
Duck and khaki.

**Category 506—Curtains and Drapes**

Among the articles in this category are:  
Window and door curtains.  
Ready-made draperies.  
Kitchen curtains and cottage sets.

**Category 506A—Ready-Made Slip Covers (for Chairs, Sofas, Studio Couches, etc.)**

Among the articles in this category are:  
Slip covers of all fabrics.  
Knitted slip covers.  
Woven slip covers.  
Plastic slip covers.

**Category 506B—Shower Curtains and Drapes**

Included in this category are items made of all materials including plastics:

Shower curtains.  
Matching window drapes, not covered by Category 506.  
Sets or combinations of the above.

**Category 507—Curtain, Drapery, and Upholstery Fabrics**

Included in this category are the following:  
Curtain fabrics.  
Drapery fabrics.  
Upholstery fabrics.  
Slip-cover fabrics.  
Drapery lining and interlining.

**Category 508—Drapery Hardware**

This category includes all articles made of metal, plastic, or other hard materials designed to make possible the hanging of curtains or drapes, or to improve the appearance of the curtains or drapes or the opening to which the drapery or curtain is attached. Among the items included are:

|                           |                   |
|---------------------------|-------------------|
| Solid and extending rods. | Poles.            |
| Track.                    | Pulls.            |
| Hooks.                    | Traverse cords.   |
| Tie-backs.                | Chains.           |
| Cornices.                 | Traverse pulleys. |
|                           | Pleaters.         |

**Category 509—Window Shades and Venetian Blinds**

In this category are included:

Window shades of paper.  
Window shades of cloth.  
Window shades of other materials.  
Window shades of shade cloth.  
Shade rollers.  
All types of Venetian blinds (wood, metal, paperboard or any other material).

**Category 510—Outdoor Shades and Awnings**

In this category are included all types of rigid, roll-up and other styles used outside of windows and doors or on porches. Included are:

Canvas awnings and shades.  
Metal awnings.  
Bamboo shades.

**(2) Certain Yard Goods****Category 601—White and Solid Colored Cottons, Linens and Plastics**

This category covers all cotton yard goods, linens and plastic yard goods of all weaves and constructions that are either all white or a solid color unless otherwise covered by Categories 502, 503, 503A, 505, 507 and 607. This category also covers all yard goods that contain 50% or more by weight of cotton,



linen or plastic and less than 25% by weight of wool. Some of the items included are:

|                         |                                |
|-------------------------|--------------------------------|
| Cheesecloth.            | Terrycloth for apparel.        |
| Nainsooks.              | Denims.                        |
| Batistes.               | Linings.                       |
| Dimities.               | Sateens.                       |
| Lawns.                  | Handkerchief linens.           |
| Combed muslins.         | Dress linens.                  |
| Organdies.              | Jerseys.                       |
| Percales.               | Solid colored cotton suitings. |
| Broadcloths.            |                                |
| Flannellettes.          |                                |
| Corduroy and velveteen. |                                |

**Category 602—Fancy Yard Goods (Cottons, Linens, Plastics)**

This category includes all types of yard goods described in Category 601 but which have printed, embroidered or woven patterns in different colors or other embellishments. Some of the items included are:

|                         |                         |
|-------------------------|-------------------------|
| Nainsooks.              | Terrycloth for apparel. |
| Embroidered batiste.    | Denims.                 |
| Dimities.               | Linings, sateens.       |
| Lawns.                  | Handkerchief linens.    |
| Combed muslins.         | Dress linens.           |
| Organdies.              | Woven ginghams.         |
| Printed percales.       | Dotted Swisses.         |
| Striped flannellettes.  | Jacquards.              |
| Corduroy and velveteen. | Matelasses.             |

**Category 603—All Wool Yard Goods Costing Over \$2.45 Net Per Yard**

This category does not include any blanketing covered by category 502 or drapery or upholstery fabrics covered by category 507. It includes all woolen and worsted yard goods, woven or knitted of yarns containing 25 percent or more by weight of wool fibers. Any yard goods having less than 25 percent wool are to be priced in the category that governs the yarn which by weight forms the greatest percentage of the total contents. Among the fabrics included are:

Woven woolen and worsted yard goods.  
Knitted woolen and worsted yard goods.

**Category 603A—All Wool Yard Goods Costing \$2.45 Net or Less Per Yard**

This category does not include any blanketing covered by category 502 or drapery or upholstery fabrics covered by category 507. It includes all woolen and worsted yard goods, woven or knitted of yarns containing 25 percent or more by weight of wool fibers. Any yard goods having less than 25 percent wool are to be priced in the category that governs the yarn which by weight forms the greatest percentage of the total contents. Among the fabrics included are:

Woven woolen and worsted yard goods.  
Knitted woolen and worsted yard goods.

**Category 605—Solid Color Rayon, Silk, and Synthetic Fiber Yard Goods, Pile Fabrics and Mixtures**

This category includes all types and weaves of woven and knitted fabrics made of these yarns or mixtures of more than 50 percent of weight of these yarns combined with cottons, linens and plastics. Excluded are fabrics covered by categories 601, 603A, 605A and 606. Among the fabrics included are:

|                          |                               |
|--------------------------|-------------------------------|
| Flat crepes.             | Spun types and flannel.       |
| Surface interest crepes. | Butcher Rayon.                |
| Taffeta.                 | Shantung.                     |
| Bengaline.               | Gabardine.                    |
| Satin.                   | Suitings.                     |
| Faille.                  | Synthetic and silk corduroys. |
| Jersey.                  | Transparent velvet.           |
| Romain.                  |                               |
| Alpaca.                  |                               |

**Category 605A—Fancy Rayon, Silk, and Synthetic Fiber Goods, Pile Fabrics and Mixtures**

This category includes all types of yard goods described in category 605 but which have printed or embroidered patterns or patterns woven in different color or any other embellishment. Jacquards and matelasse are included.

**Category 606—Sheers, Lace, Net, and Miscellaneous Fancy Fabrics**

This category includes woven, knitted, and crocheted fabrics. Included are:

Marquisette, chiffon, georgette, nets, made of cotton, rayon, nylon, or other synthetic fiber.  
Burnt sheers made of rayon or nylon.  
Organdies made of rayon or nylon.  
Velvare made of rayon or nylon.  
Embroidered sheers of all above types.  
Laces (35" and wider).  
Tulle, maline, tarlatan.

**Category 607—Coated Fabrics**

Oil cloth.  
Rubberized fabrics.  
Pyroxylin coated fabrics.

(3) Hand Knitting Yarn and Crochet Thread, Laces and Trimmings, and Ribbons.

**Category 610—Hand Knitting Yarn and Crochet Thread.**

**Category 615—Laces and Trimmings.**  
Examples of articles included are:

Laces up to 35" wide (See Category 606 for width 35" or over).  
Val lace.  
Venice lace.  
Irish crochet.  
Alencon.  
Frogs, fringes, braids.  
Plumes and feather trimmings.  
Vells and velling.  
Fur fabric trimming.

[Category 615 amended by Amdt. 13]

**Category 620—Ribbons.**

The articles included are ribbons of all materials and all widths.

[Subparagraph (3) added by Amdt. 8]

(C) *Categories of Consumer Durable Goods and Related Articles*

[Headnote (C) amended by Amdt. 3]

(1) Household furniture.

**Category 701—Bedroom Suites and Open Stock Pieces**

Wood and metal bedroom suites and open stock bedroom pieces including:

|                   |                 |
|-------------------|-----------------|
| Beds.             | Vanities.       |
| Chest of drawers. | Vanity benches. |
| Dressers.         | Wardrobes.      |
| Night tables.     | Chiffoniers.    |

**Category 703—All Other Metal and Wood Beds and Bedroom Pieces That You Did Not Buy Matched with a Bed and At Least One Other Piece to Make a Three-Piece Ensemble Possible**

Among the pieces included are:

|                   |                 |
|-------------------|-----------------|
| Individual beds.  | Vanity benches. |
| Vanities.         | Night tables.   |
| Chest of drawers. | Chiffoniers.    |
| Dressers.         |                 |

**Category 704—Boudoir Chairs**

Furniture distinguished by its construction and coverings as intended for use in bedrooms including:

Boudoir chairs and rockers.  
Chaise longues.  
Ottomans.

**Category 705—Cedar Chests**

This category includes any wood finished cedar or cedar-lined chests.

**Category 706—Dining Room Suites and Open-Stock Pieces**

This category includes wood dining-room suites, dinette suites, and all open stock of dining room and dinette pieces:

|                            |                |
|----------------------------|----------------|
| Dining and dinette tables. |                |
| Buffets.                   | Servers.       |
| Credenzas.                 | China closets. |
| Chairs.                    | Cupboards.     |
| Cabinets.                  | Hutches.       |

**Category 706A—Metal Dinette Suites and Separate Pieces**

All metal tables or metal combined with any other material, for example, metal legs with wood tops and suites containing tables:

Chairs, all metal or metal combined with other materials. All metal dinette pieces including tables, buffets, credenzas, chairs, cabinets, servers, china closets, cupboards, hutches, and benches.

**Category 708—Individual Pieces of Dining-room Furniture**

Pieces not bought as matched sets (a table, chairs, and at least one other article) which are commonly offered as individual pieces:

|                 |            |
|-----------------|------------|
| Chairs.         | Cupboards. |
| China cabinets. | Cabinets.  |
| Buffets.        | Servers.   |
| Tables.         | Hutches.   |
| Benches.        |            |

**Category 709—Chairs and Rockers**

All wood chairs, all over-stuffed chairs, all upholstered or combination type including those known as pull-up, occasional, and desk chairs. This category includes chaise longues and ottomans. It does not include dining room and dinette chairs, boudoir chairs, kitchen or bathroom chairs or chairs in Categories 717 and 717A.

**Category 710—Upholstered Suites, Sofas and Love Seats**

This category includes suites containing a sofa or love seat and one or more matching chairs. Does not include any sofa or suite in Categories 717 and 717A.

**Category 712—Upholstered Dual Purpose Sleeping Equipment**

This category includes upholstered sofa-beds, single and double studio couches, love seats, chairs, davenport, etc., which open into beds and a suite of these articles with one or more chairs.

**Category 713—Living-Room Tables of All**

This category includes cocktail, end, coffee, gate-leg, lamp, drop-leaf, etc., tables made of wood, glass, plastic, etc., non-folding rigid bridge tables and complete rigid bridge sets.

**Category 714—Desks, Secretaries and Break-Fronts**

**Category 715—Living-Room Novelty Pieces**

This category includes smokers, cellarets, magazine racks, bookcases, record cabinets, sewing cabinets, telephone sets, costumers and stools, portable and stationary bars, bar stools and bar benches.

**Category 716—Kitchen and Utility Cabinets, Kitchen Tables, Chairs and Stools**

This category includes kitchen cabinets of all kinds, kitchen tables, kitchen chairs, kitchen stools, utility cabinets, kitchen step stools, electric roaster base cabinets, sink cabinet bases without plumbing, storage hampers, bath room stools and chairs.

## RULES AND REGULATIONS

**Category 717—Furniture for Outdoor Use and Bridge Tables**

Included in this category are all items that may be used outdoors.

This category includes porch and lawn furniture, whether made of wood, metal, reed fiber, rattan or any combination of these. Included here are chairs, rockers, tables, settees, garden and beach umbrellas, gliders, swings, garden umbrella sets, collapsible folding chairs, Adirondack chairs, rustic chairs, etc., all folding bridge tables, folding bridge chairs, and combinations of bridge tables and chairs.

**Category 717A—Sun-Parlor Furniture**

Suites and individual pieces made of wood, metal, reed, fiber, rattan or any combination of these whether upholstered or not but which can not remain outdoors without damage; also suites and pieces made of wood including oak, maple or other wood usually displayed with wood fronts. Included are:

|         |                 |
|---------|-----------------|
| Chairs. | Settees.        |
| Tables. | Chaise longues. |
| Sofas.  |                 |

**Category 718—Juvenile Furniture**

This category includes all articles of infants', nursery, and youths' furniture. Among these are:

|              |                  |
|--------------|------------------|
| Bassinets.   | High chairs.     |
| Cribs.       | Bathinettes.     |
| Play yards.  | Nursery seats.   |
| Porch gates. | Juvenile tables. |
| Chests.      | Chairs.          |
| Dressers.    | Rockers, etc.    |
| Chiffonobes. |                  |

**Category 719—Unfinished Furniture**

This category includes all unfinished furniture such as unfinished kitchen sets, tables and chairs, bookcases, chests, dressers, beds, magazine racks, record cabinets, etc. A coat of shellac, varnish or other surface covering material merely to prevent soiling of this furniture does not remove it from this category.

**Category 720—Pictures and Mirrors**

Included in this category are all framed and unframed pictures and mirrors.

**(2) Bedding**

These categories do not cover household textile commodities such as sheets, pillow cases, mattress protectors, blankets, comforters, etc., which are included in Paragraph (b) of this appendix, nor pillows.

**Category 751—Mattresses, Springs, Mattress Pads, and Headboards**

This category includes mattresses, springs, box springs, mattress pads, rubber mattresses, upholstered and non-upholstered headboards of all types and materials. It also includes box springs on legs, set combinations of a matching mattress and box spring on legs, headboard sets (consisting of a headboard and box spring with or without a mattress), etc.

**Category 752—Wood and Metal Cots**

This category includes folding and non-folding cots of all kinds and any combination set consisting of a cot and mattress or mattress pad.

**(3) Floor coverings and certain wall covering**

All floor coverings are included in these categories.

**[Category 752 amended by Amdt. 1]****Category 801—Soft Surface Carpeting by the Yard and Rugs Made of This Carpeting**

This category includes all kinds of carpeting made of cotton (except those covered in category 803A and 803C), wool, jute, rayon, or other fibers or any combination of these

materials, which is sold on the basis of the price per yard or square yard and is to be cut from the bolt. Also all rugs made of this carpeting cut from the bolt in all sizes.

**Category 802—Soft Surface Larger Rugs**

This category includes all kinds of rugs, 4' x 6' or larger, made of cotton (except those covered by category 803A or 803C), wool, jute, rayon, or other fibers or any combination of these materials, which you buy on the basis of the price per rug.

**Category 803—Soft Surface Smaller Rugs**

This category includes all kinds of rugs smaller than 4' x 6' or larger, made of cotton (except those covered by Category 803A or 803C), wool, jute, rayon, or other fibers or any combination of these materials, which are sold on the basis of the price per rug. This does not include any rug in Category 803A or 803C.

**Category 803A—String and Chenille Cotton Rugs**

All string rugs.  
Looped pile.  
Cut pile.  
Chenille rugs. Also bolt materials of the above descriptions.  
Rugs and toilet lid cover sets.  
Separate toilet lid covers.

**Category 803B—American, Chinese or Japanese Hooked Rugs of all Sizes (if not imported by seller)**

This category also includes numdah type rugs.  
Animal skin rugs.

**Category 803C—Miscellaneous Floor Covering and Linings**

This category includes all yard goods and rugs not covered by Categories 803, 803A, 803B. Included are: rugs made of rags, braid, waste, felted materials, cocoa and other door mats, stair pads, carpet pads, padding and carpet paper. Also included are rugs and tiles made of grass, fiber, etc., most frequently designated as summer rugs.

**Category 803D—Genuine Oriental Rugs**

Included are rugs of all sizes commonly known as Genuine or Real Orientals that are not imported by you.

**Category 804—Hard Surface Floor Covering**

This category includes all kinds of hard surface floor covering and wall covering, in-laid linoleum, felt base linoleum, rubber and plastic sold by square yard from bolts; also tiles of linoleum, rubber, asphalt, plastic, etc., sold by square foot, square yard or by tile.

**Category 805—Hard Surface Rugs**

This category includes all kinds of hard surface floor covering (linoleum, felt base, etc.), which is bought by you on the basis of the price per rug.

**(4) Lamps and Lamp Shades****Category 851—Floor Lamps**

This category includes floor lamps, reflector lamps, bridge lamps, etc., of all types and materials.

**Category 852—Table and Desk Lamps costing over \$2.94.**

The price of \$2.94 is net cost to you f. o. b. factory and includes packing charges. This category includes all lamps not priced under categories 851 and 852A.

**Category 852A—Table and Desk Lamps costing \$2.94 and under**

The price of \$2.94 is net cost f. o. b. factory and includes package charges. This category includes all lamps not priced under categories 851 and 852.

**Category 854—Lamp Shades and Covers**

This category covers lamp shades of all types, sizes and materials and all styles of lamp shade covers.

**(5) Categories of Musical Instruments****Category 860—Pianos, Electric Organs and Electronic Attachments for Pianos or Organs**

This is a "specific" category.

**Category 861—Other Musical Instruments**

This category includes all musical instruments other than those in Category 860. Including but not limited to the following:

|               |   |
|---------------|---|
| Strings       | Brasses—Con.  |
| Violins       | Trombones   |
| Violas        | Baritones   |
| 'Cellos       | Basses  |
| Double Basses | Sousaphones   |
| Mandolin      | French Horns  |
| Guitar        | Percussion  |
| Wood Winds    | Drums (kettle, bass, and snare)                           |
| Clarinets     | Drummers' accessories such as gourd, cymbals, and maracas |
| Saxophones    | Miscellaneous   |
| Oboes         | Harps   |
| Bassoons      | Marimbas  |
| English Horns | Xylophones  |
| Flutes        |   |
| Piccolos      |   |
| Brasses       |   |
| Trumpets      |   |
| Cornets       |   |

**(6) Radios**

Category 871—Table Radios  
Category 872—Portable Radios  
Category 873—Table Radio-Phonograph Combinations  
Category 874—Amateur or Communications Type Short-Wave Table Radios  
Category 875—Console and Console Radios  
Category 876—Console Radio-Phonograph Combinations, with a net cost of less than \$225  
Category 877—All types of radios and radio-phonograph combinations (custom cabinet, etc.) with a net cost of \$225 or more  
Category 878—Radio Replacement Parts

**(7) Television Sets and Television Accessories**

Category 880—Table Television Sets  
Category 881—Console Television Sets up to and including 16" Picture Tube  
Category 882—Console Television Sets, 17" Picture Tube and Larger  
Category 883—All Television Combinations  
Examples: Television-Radio Combinations  
Television-Radio-Phonograph Combinations  
Category 884—Television Antennae, Boosters, Accessories, Replacement Parts

**(8) Phonographs and Recorders**

Combinations are covered by categories 873, 876, 877, and 883.  
Category 890—Record Player Attachments with a net cost of less than \$17  
Category 891—Record Player Attachments with a net cost of \$17 and over  
Category 892—Portable Phonographs and Separate Phonographs  
Category 893—Magnetic Recorders, Tape or Wire (not including office equipment for recording correspondence)  
Category 894—Phonograph Records (all types)  
Category 895—Tape and Wire for Magnetic Recording

(9) *Housewares*

Categories 901 to 908 include certain houseware categories similar to those found in the housewares department of a department store or the housewares section of a hardware store. Kitchen furniture which is covered by categories 706 and 706A is not included in these categories. Category 908, a single category, covers 20 classifications of housewares.

## Category 901—Household Cleaning Brushes

This category includes all types of household cleaning brushes. Excluded are personal brushes such as toilet brushes, hair brushes, etc. Examples of the articles included are:

|                   |                 |
|-------------------|-----------------|
| Scrubbing brushes | Bathtub brushes |
| Vegetable brushes | Pastry brushes  |
| Sink brushes      | Tumbler brushes |
| Radiator brushes  |                 |

## Category 902—Fireplace Equipment

Examples of the articles included are:

|          |                       |
|----------|-----------------------|
| Mantels  | Fireplace shovels     |
| Screens  | Artificial fireplaces |
| Andirons | Electric logs, etc.   |
| Pokers   |                       |

## Category 903—Household Thermometers

This category includes all types of household thermometers. Excluded from this category are clinical thermometers. Examples of the articles included are:

- Oven thermometers
- Outdoor thermometers
- Room thermometers
- Meat thermometers
- Candy thermometers
- Deep fat thermometers, etc.

## Category 904—Kitchen Cutlery

This category includes all types of kitchen cutlery. Excluded from this category is silver cutlery which is covered by category 940. Examples of the articles included are:

|                               |                |
|-------------------------------|----------------|
| Kitchen forks                 | Steak sets     |
| Kitchen knives                | Kitchen shears |
| Slicers                       | Kitchen saws   |
| Carving sets and carving aids | Food choppers  |
| Knife and fork sets           | Poultry shears |
|                               | Boning shears  |

## Category 905—Power Lawn Mowers

This is a "specific category." Hand lawn mowers (not power driven) are covered by category 908.

## Category 906—Small Electrical (Houseware) Appliances

This category includes all types of small electrical houseware appliances. Excluded are large major appliances, such as refrigerators.

Examples of the articles included are:

|  |                           |
|--|---------------------------|
| Electric toasters                                      | Electric roasters         |
| Electric mixers  | Electric portable heaters |
| Electric grills  |                           |
| Electric waffle irons                                  | Electric bottle warmers   |
| Electric irons (including steam iron and travel irons) | Electric curling irons    |
| Electric heating pads                                  | Electric hair dryers      |
| Electric coffeemakers                                  | Electric casseroles       |
| Electric fans  | Electric chafing dishes   |
| Electric ventilators                                   | Electric corn poppers     |
| Electric juicers                                       | Electric egg cookers      |
| Electric sun lamps                                     | Electric teakettles, etc. |
| Electric broilers                                      |                           |
| Electric hot plates                                    |                           |

## Category 907—Utility Cabinets (Movable)

This category covers movable utility cabinets. Excluded are composition wardrobes which are covered by category 919. Examples of the articles included are:

- Steel wardrobes and chests
- Steel shelf cabinets
- Broom cabinets
- Wall cabinets
- Base cabinets, etc.

## Category 908—General Housewares

The following 20 classifications of housewares are all covered by this one category. Items not to be included in this category are noted following each classification. Each of the classifications may, at your option, be used as a separate category. If you elect to divide this category, you will list the categories on your chart by adding to the present category number a dash followed by the classification number and designation, for example, 908-4—Cleaning Supplies.

[Above paragraph amended by Amdt. 8]

## 1. Bathroom Accessories

Not included in Bathroom Accessories are: shower curtains and matching draperies covered by category 506B; bathroom rugs, toilet lid covers and lid cover sets covered by categories 803A and 803; and bathroom stools and chairs covered by category 716.

Examples of the articles included in Bathroom Accessories are:

|             |                   |
|-------------|-------------------|
| Shelves     | Glass rods        |
| Towel bars  | Bathroom tumblers |
| Soap dishes | Bathroom scales   |
| Racks       | Hampers, etc.     |

## 2. Door Chimes

## 3. Cleansing Equipment

Not included in Cleansing Equipment are: dish cloths covered by category 503; and household brushes covered by category 901.

Examples of the articles included in Cleansing Equipment are:

|           |                 |
|-----------|-----------------|
| Brooms    | Sponges         |
| Mops      | Carpet sweepers |
| Dust pans | Dusters, etc.   |

## 4. Cleaning Supplies

Examples of the articles included are:

|          |                       |
|----------|-----------------------|
| Waxes    | Deodorizers           |
| Polishes | Steel wool            |
| Cleaners | Cleansing cloth, etc. |

[Above list amended by Amdt. 6]

## 5. Cooking Utensils (pots and pans)

Examples of the articles included are:

- Aluminum ware cooking utensils
- Cast iron ware cooking utensils
- Tin ware cooking utensils
- Copper ware cooking utensils
- Glass ware cooking utensils
- Enamel ware cooking utensils
- Stainless steel cooking utensils
- Plastic cooking utensils, etc.

## 6. Food Bags and Covers

Examples of the articles included are:

|                 |                        |
|-----------------|------------------------|
| Bowl covers     | Food bags              |
| Bowl cover sets | Appliance covers, etc. |

[Subparagraph 7 deleted by Amdt. 13]

## 8. Food Preparation Devices—Kitchen Aids and Gadgets and Kitchen Tools

Examples of the articles included are:

|                  |                         |
|------------------|-------------------------|
| Cookie cutters   | Cheese knife            |
| Corks            | Ice picks               |
| Moulds           | Ice crushers            |
| Cake turner      | Beaters                 |
| Can opener       | Bottle openers          |
| Strainers        | Shredders               |
| Spatulas         | Salt and pepper shakers |
| Measuring cup    | Tea balls               |
| Basters          | Nut crackers            |
| Peelers          | Peppermills             |
| Mashers          | Knife sharpeners        |
| Cork screws      | Kitchen scales          |
| Ladies           | Ice-cream dippers       |
| Sifters          | Butter churns           |
| Slicers          | Food mills              |
| Choppers         | Kitchen tools, etc.     |
| Juicers          |                         |
| Grapefruit knife |                         |

[Subparagraph 8 amended by Amdt. 13]

## 9. Galvanized Ware

Examples of the articles included are:

|              |                    |
|--------------|--------------------|
| Ash cans     | Water pails        |
| Garbage cans | Wash boilers, etc. |
| Washtubs     |                    |

## 10. Garden Equipment

Not included in Garden Equipment are power lawn mowers which are covered by category 905.

Examples of the articles included in Garden Equipment are:

|                |                  |
|----------------|------------------|
| Weeders        | Pruning shears   |
| Rakes          | Hand lawn mowers |
| Spades         | Garden hose      |
| Garden shovels | Sprinklers, etc. |
| Garden hoes    |                  |

## 11. Grocery Carts

## 12. Miscellaneous Household Equipment, Window Ventilators, Radiator Shields

Examples of the articles included are:

|                    |                     |
|--------------------|---------------------|
| Humidifiers        | Ventilators         |
| Air Moistener pans | Trays               |
| Radiator shields   | Waste baskets, etc. |

## 13. Kitchen Glassware and Pottery (including plastics)

Examples of the articles included are:

|                  |                             |
|------------------|-----------------------------|
| Waterbottles     | Bowls and Bowl sets         |
| Butterdishes     | Coffeemakers (not electric) |
| Cocktail shakers | Refrigerator sets, etc.     |
| Range sets       |                             |
| Servers          |                             |
| Casseroles       |                             |

## 14. Miscellaneous Kitchen Utensils

Examples of the articles included are:

|                        |                           |
|------------------------|---------------------------|
| Basins                 | Percolators               |
| Double boilers         | Pitchers                  |
| Colanders              | Ovens                     |
| Teakettles and teapots | Canning accessories, etc. |

## 15. Kitchen Wooden Ware (plain)

Examples of the articles included are:

|                      |                               |
|----------------------|-------------------------------|
| Rolling pins         | Spoons                        |
| Knife and fork boxes | Potato mashers                |
| Knife racks          | Cutting or bread boards, etc. |
| Pastry boards        |                               |

## 16. Laundry Equipment

Examples of the articles included are:

|                    |                 |
|--------------------|-----------------|
| Outdoor dryers     | Washboards      |
| Indoor dryers      | Wringers        |
| Clothes baskets    | Laundry bags    |
| Clothes props      | Ironing boards  |
| Clothes pins       | Sleeve boards   |
| Clothes pin bags   | Pads and covers |
| Curtain stretchers | Ladders, etc.   |

## 17. Oilcloth and Paper Household Needs

This category does not include paper household needs covered by Category 915.

Examples of the articles included are:

|               |                    |
|---------------|--------------------|
| Chair pads    | Paper doilies      |
| Paper napkins | Paper drapes, etc. |
| Paper bags    |                    |

[Classification 17 amended by Amdt. 3]

## 18. Pantry Ware

Examples of the articles included are:

|               |                  |
|---------------|------------------|
| Cake box      | Cookie jars      |
| Canister sets | Vegetable bins   |
| Bread boxes   | Dust pans        |
| Step-on cans  | Stove mats, etc. |
| Floor cans    |                  |

## 19. Picnic Supplies

Examples of the articles included are:

|                          |                |
|--------------------------|----------------|
| Picnic jugs              | Paper plates   |
| Picnic grills            | Paper cups     |
| Picnic baskets           | Vacuum bottles |
| Fitted picnic suit cases |                |

**20. Rubber Kitchen Ware and Rubber Covered Wire Goods**

All kinds of rubber mats and rubber implements for sink and kitchen.  
Rubber covered wire goods.

*(10) Categories of Notions***Category 915—Sanitary napkins, tampons, toilet tissues and other paper items**

This category does not include paper household needs included in Category 908, Classification 17. Examples of the articles included are: Sanitary napkins, Tampons, Facial Tissue, Toilet Tissue, Paper Towels, Wax paper.

[Category 915 amended by Amdt. 3]

**Category 916—Threads and Similar Items**

Examples of articles included are:

|                    |                             |
|--------------------|-----------------------------|
| Mercerized threads | Mending and Darning Cottons |
| Sewing Silks       | Buttonhole Twists           |
| Cottons            | Carpet Threads              |
| Basting            |                             |

**Category 917—Hair Goods**

Examples of articles included are:

|                         |                        |
|-------------------------|------------------------|
| Make-up capes           | Slumber caps           |
| Shower caps             | Hair nets              |
| Curlers and clips       | Comb cleaners          |
| Curling irons           | Bobbie Pins            |
| Barrettes               | Metallic Braids        |
| Wire and bone hair pins | Wigs—Toupees           |
| Combs of all types      | Hair Rats and Switches |
| Wave caps               | Hair Braids            |

**Category 918—Staple and Novelty Buttons and Buckles**

This category includes all buttons and buckles.

**Category 919—General Notions**

The following 14 classifications of notions are covered by this one category. Items not to be included in this category are noted following each classification. Each of the classifications may, at your option, be used as a separate category. If you elect to divide this category, you will list the categories on your chart by adding to the present category number a dash followed by the classification number and designation, for example, 919-2—Closet Shop Accessories.

[Above paragraph amended by Amdt. 8]

**1. Bathing Accessories**

Examples of the articles included are:

Bathing belts  
Rubber flowers  
Rubber and wooden beach sandals  
Cosmetic cases

**2. Closet Shop Accessories**

Examples of the articles included are:

|  |  |
|--|--|
| Garment bags                                 | Glove boxes  |
| Shoe bags                                    | Jewelry boxes                                      |
| Laundry bags                                 | Handkerchief boxes                                 |
| Hat boxes                                    | Shelf edging                                       |
| Blanket boxes                                | Shoe, mittens, hat stands                          |
| Blanket bags                                 |  |
| Paper or plastic covered utility shoe chests | Pants, coat, suit, dress, skirt and blouse hangers |
| Composition wardrobes                        | Shoe racks   |
| Hose boxes                                   | Tie racks  |

**3. Elastics and garters**

Examples of the articles included are:

Elastic by yard (all widths)  
Round garters  
Girdle supporters  
Hank elastic

**4. Household Notions**

Examples of the articles included are:

Rubber gloves  
Mending cement and glue  
Pressure adhesive tapes  
Moth preventatives

**5. Identification Tapes**

This category includes all identification tapes, such as embroidered or printed name tape, tape with initials, etc.

**6. Notion Novelties**

Examples of articles included are:

|                  |                      |
|------------------|----------------------|
| Powder puffs     | Carry-alls           |
| Sachets          | Card table covers    |
| Wooden novelties | Plastic table covers |

**7. Sanitary Goods**

This category does not include the following items covered by Category 204: girdles, brassieres, garter belts, sanitary aprons, and sanitary belts and supports; nor the following items covered by Category 915: sanitary napkins, tampons, facial tissue.

Examples of articles included are:

|               |                     |
|---------------|---------------------|
| Dress shields | Rubber bloomers     |
| Back shields  | Sanitary petticoats |
| Chafe guards  | Sanitary step-ins   |

**8. Sewing Boxes and Stands**

Examples of articles included are:

Spool holders  
Knitting boxes and bags  
Sewing kits

**9. Sewing and gift cutlery sets**

This category does not include poultry, boning and other shears which are included in Category 904.

Examples of articles included are:

All scissors, shears  
Manicure scissors  
Pedicure scissors  
Baby scissors  
Scissor sets for sewing uses  
Scissor sets for manicure uses

**10. Replacement Sewing Needs**

Examples of articles included are:

|            |                        |
|------------|------------------------|
| Collars    | Leather patches        |
| Cuffs      | Knitted cuffs          |
| Neck bands | Press on mending tapes |
| Pockets    |                        |

**11. Sewing Supplies**

Examples of articles included are:

|   |                                      |
|---|--------------------------------------|
| Snaps   | Pins                                 |
| Fasteners by cards or yard; hook and eye tape | Darners                              |
| Carpet Binding                                | Tape measures                        |
| Blanket Binding                               | Press weights                        |
| Belting                                       | Collar supports                      |
| Bias tape                                     | Shoulder pads                        |
| Skirt markers                                 | Pin cushions                         |
| Featherboning                                 | Brassiere straps & replacement parts |
| Seam binding                                  | Other small sewing needs             |
| Thimbles                                      |                                      |
| Needles                                       |                                      |

**12. Shoe Findings and Accessories**

Examples of articles included are:

Shoelaces  
Polishes  
Dyes  
Suede Brushes  
Shoe trees (Men's and Women's)  
Shoe polishing brushes and cloths  
Shoe horns  
Boot calks

**13. Dryer forms**

This category includes all sweater, glove and hose dryers.

**14. Zippers and other slide fasteners***(11) Luggage and Sporting Goods***Category 920—Luggage and Related Items**

Included are men's and women's hard-side and soft-side luggage and other related articles made of plastic, canvas, leather, fiber, nylon, etc. Not included are golf bags included in category 921.

Examples of the articles included are:

|                            |                                      |
|----------------------------|--------------------------------------|
| Animal carriers            | Kit bags                             |
| Attache cases              | Laundry cases                        |
| Binocular and Camera cases | Lockers                              |
| Boston bags                | Nurses bags                          |
| Bottle cases               | One suiters                          |
| Brief bags and cases       | Overnight and weekend bags and cases |
| Club bags                  | Physicians' bags                     |
| Companion bags             | Pullman cases                        |
| Duffle bags and cases      | Sample cases                         |
| Fitted cases               | Tourists' cases                      |
| Fiber cases                | Traincases                           |
| Fishing rod cases          | Trunks                               |
| Gladstone bags             | Two-suiters                          |
| Gun cases                  | Wardrobe bags and cases              |
| Hat and shoe bags          | Zipper envelopes                     |
| Jackknife cases            |                                      |

**Category 921—Sporting Goods**

This sporting goods category does not include the following: golf and tennis balls, which are included in category 922; bicycles which are included in category 923; all athletic clothing, shoes, and accessories which are included in categories 351 and 409.

Examples of articles included are:

Archery equipment  
Badminton equipment  
Bags (caddy, golf, punching, etc.)  
Baseball equipment (bats, balls, masks, etc.)  
Basket balls  
Boxing, wrestling and striking bag equipment  
Croquet sets and equipment  
Fishing tackle  
Fishing rods  
Other fishing accessories  
Football equipment  
Golf clubs  
Handball equipment  
Helmets (athletic)  
Hockey equipment  
Lacrosse equipment  
Shuffle board equipment  
Shuttle cock  
Skates (ice and roller)  
Ski equipment (skis, poles, binding, etc.)  
Snowshoes  
Soccer balls  
Softball equipment (balls, bats and masks)  
Squash equipment  
Surf boards  
Table tennis equipment  
Tennis rackets  
Toboggans, bob-sleds and equipment  
Volley ball equipment

**Category 922—Golf and Tennis Balls**

This is a "specific" category.

**Category 923—Bicycles**

This is a "specific" category.

**Category 924—Bicycle Accessories**

Examples of articles included are:

Horns  
Bells  
Lights, etc.

*(12) Silverware, China and Glassware***Category 940—Sterling Flatware**

Examples of articles included are:

Cutlery (sets and separate pieces)  
Flatware (sets and individual pieces)  
Serving pieces

**Category 941—Plated Flatware**

Examples of articles included are:  
Flatware (individual pieces or sets)  
Serving pieces  
Cutlery with plated blades or handles (sets or separate pieces)

**Category 942—Sterling or Plated Hollowware**

This category includes articles of hollowware which are sterling silver, silver-plated, chromium plated, or plated with other materials.

Examples of articles included are:

- Butter dishes
- Vegetable dishes
- Water pitchers
- Cheese and cracker dishes
- Casseroles
- Ice buckets
- Cocktail shakers
- Salad sets
- Salt and pepper shakers
- Bowls
- Candle holders
- Candelabras
- Trays and platters
- Sugar and creamers

**Category 943—Silverware Accessory Items**

Examples of articles included are:

- Silverware chests
- Covered bags for silverware
- Silverware Polishing Cloths

**Category 944—China, Earthenware and Plastic Sets**

Examples of articles included are:

- China and earthenware and plastic sets for table use.

**Category 945—China, Earthenware and Plastic, Open Stock or Individual Pieces**

This category includes open stock and individual pieces of china, earthenware and plastic for table use.

**Category 946—China and Earthenware Giftware**

This category includes individual decorative items made of china and earthenware.

Examples of articles included are:

- Vases
- Figurines
- Cigarette sets
- Bowls
- Ash trays
- Artificial fruit
- Plaques

**Category 950—Machine-made Glassware Sets and Individual Glass Pieces**

This category does not include glass cooking ware which is covered by category 908.

Examples of articles included are:

- Tumblers
- Drinkware sets or separate pieces
- Salt and pepper sets
- Dinner, bridge and luncheon sets
- Console sets and individual pieces of these sets.

**Category 951—Handmade Glassware Sets and Individual Glass Pieces**

This category includes hand-pressed, hand-blown and hand-molded glassware sets and individual glass pieces; and hand-cut, hand-etched, hand-painted and engraved stemware, drinkware items and individual pieces.

*(13) Jewelry, Watches, and Clocks*

**NOTE.** Categories 970-985 do not include articles described here as "precious jewelry." "Precious jewelry" when the value of the "precious stone" (or "precious stones") exceeds the value of the total of the other component parts of the finished article, includes the following:

(1) Any article a component part of which is a "precious stone" (or "precious stones"); or

(2) A mounting into which a "precious stone" (or "precious stones") is set.

A "precious stone" for this purpose means a natural pearl, diamond, ruby, sapphire or emerald. The term "precious stone" also includes the following when the selling price for the item by the cutter, wholesale dealer or importer is \$25.00 or more:

(1) Any other genuine stone, including a semi-precious stone.

(2) Any synthetic stone.

(3) Any cultured pearl or group of cultured pearls (combined in a single article).

[Headnote to Categories 970-985 amended by Amdt. 3]

**Category 970—Precious Metal Jewelry (Gold, platinum, etc.)**

This precious metal jewelry category does not include sterling silver jewelry which is included in Category 971.

Examples of articles included are:

- Rings
- Bracelets
- Necklaces
- Earrings
- Locketts
- Pendants
- Brooches
- Lavalleres
- Charms
- Emblem Pins

[Category 970 amended by Amdt. 13]

**Category 971—Costume Jewelry**

This category includes articles which are gold filled or gold or silver plated, or are made of base metals.

Examples of articles which are included are:

- Rings
- Bracelets
- Necklaces
- Earrings
- Locketts
- Pendants
- Brooches
- Lavalleres
- Charms
- Emblem Pins
- Simulated pearl jewelry
- Bead jewelry
- Plastic jewelry

**Category 972—Ring Mountings and Mountings for Other Jewelry Items**

This category includes all mountings for jewelry made from gold, platinum, silver, or any other metal. (Note the exception in the headnote preceding section 970.)

**Category 973—Wedding Rings**

This category includes all wedding rings made of gold, platinum, silver, or any other metal.

**Category 974—Religious Jewelry**

**Category 975—Watch attachments (Precious Metal)**

This category includes articles made of gold, platinum and sterling silver.

Examples of articles included are:

- Watch Bands
- Watch Fobs
- Watch Charms

**Category 976—Watch Attachments (Other Than Precious Metal)**

This category includes gold-filled, gold-plated, silver-plated, base metal, leather, plastic and any other watch attachments. Not included are watch attachments made of precious metals which are included in Category 975.

Examples of articles included are:

- Watch Fobs
- Watch Charms
- Watch Bands

**Category 977—Precious Metal Unfitted Compacts, Cigarette Cases and Miscellaneous Cases**

This category includes unfitted compacts, cigarette cases and miscellaneous cases made of gold, sterling silver, platinum and other precious metals.

Examples of articles included are:

- Compacts (unfitted)
- Cigarette cases
- Cigar cases
- Match cases
- Pill boxes
- Snuff boxes

**Category 978—Unfitted Compacts, Cigarette Cases and Miscellaneous Cases (Other Than Precious Metal)**

This category includes gold-filled, gold-plated, silver-plated unfitted compacts, cigarette cases, and miscellaneous cases, and all such cases made of any base metal, plastic, wood or any other material. Excluded from this category are such cases made of precious metal which are included in Category 977.

Examples of articles included are:

- Compacts
- Unfitted)
- Cigarette cases
- Snuff boxes
- Match cases
- Pill boxes

**Category 979—Dresser Sets and Military Sets (Precious Metal)**

This category includes dresser sets and military sets made of gold, sterling silver and platinum. Excluded are infants' sets which are covered by Category 310.

**Category 980—Dresser Sets and Military Sets (Other Than Precious Metal)**

This category includes dresser sets and military sets made of any material other than precious metals. Excluded are the articles covered by Category 979; also excluded are infants' sets, which are covered by Category 310.

**Category 981—Watches**

This category includes all watches.

**Category 982—Men's Jewelry (Precious Metal)**

This category includes articles made of gold, sterling silver, platinum, or other precious metal.

Examples of articles included are:

- Cuff links
- Tie clips
- Tie holders
- Tie ornaments
- Pins
- Collar buttons

**Category 983—Men's Jewelry (Other Than Precious Metal)**

This category includes articles made of any material other than precious metals. Excluded are the articles made of precious metals which are included in Category 982.

Examples of articles included are:

- Cuff links
- Tie clips
- Tie holders
- Tie ornaments
- Pins
- Collar buttons

**Category 984—Clocks (Electric)**

This category includes all electric clocks.

Examples of articles included are:

- Desk and table clocks
- Kitchen clocks
- Alarm clocks
- Novelty clocks
- "Grandfather" clocks

**Category 985—Clocks (Non-Electric)**

This category includes all non-electric clocks.

Examples of articles included are:

- Desk and table clocks
- Kitchen clocks
- Alarm clocks
- Novelty clocks
- "Grandfather" clocks

[Categories 860-985, inclusive, added by Amdt. 2]

**(D) Women's, Teen's, Children's and Toddlers' Ready to Wear Group**

**NOTE:** For other items of apparel and accessories refer to categories 201 through 218.

**Category 1001—Women's Fur Trimmed and Fur Lined Coats**

Included are all coats not covered by categories 201, 203, 205, 206, 351, 353 and 1014. It includes coats for women, misses and jr. misses commonly bought in sizes 7 to 17 size range:

- Fur trimmed coats.
- Fur lined coats.
- Coats with removable fur linings.
- Removable fur linings.

**Category 1002—Women's Untrimmed Coats**

This includes all coats for women, misses and jr. misses usually bought in sizes 7 to 17, but does not include any coats covered by categories 201, 203, 206, 351, 353 and 1014.

**Category 1004—Teen Age and Girls' Coats**

This includes all coats in sizes 10 to 16 and 7 to 14 not covered by categories 206, 207, 209, 351, 353 and 1015.

**Category 1005—Girls' and Toddlers' Coats**

This includes all coats size 6x and smaller except those covered by Categories 303 and 1016. Also included are coat and leggings

sets, coat, hat and leggings sets other than those covered by Category 302.

#### (1) Women's and Girls' Suits

For this regulation a suit consists of a coat and skirt priced together, or a coat with two or more skirts, or a coat, vest and skirt or skirts, provided they are bought as a unit and priced as a unit. The intent is to separate clearly in your chart suits from two-piece dresses which are to be priced under categories 1010 to 1013. One definition of a suit is a two-piece garment, the skirt of which may be worn without the coat in combination with a blouse.

#### Category 1006—Women's Suits

Included are all women's suits usually brought in the size range of 32's, 34's, etc., women's half sizes, women's extra large or extra long suits. Not included are suits covered by categories 201, 205, 206, 351, 353, 1023 and 1026.

#### Category 1007—Misses' and Jr. Misses' Suits

Included in this category are all suits bought in sizes 10 to 20 and 7 to 17, but does not include any suit in categories 201, 205, 206, 351, 353, 1023 and 1026.

#### Category 1008—Teen Age and Girls' Suits

This includes all suits for girls in size 7 to 14 and 10 to 16 except those covered in categories 205, 206, 207, 351 and 353.

#### Category 1009—Girls' and Toddlers' Suits

This includes all suits for both boys and girls both in size ranges 3 to 6x but does not include boys' suits that are usually bought in size ranges from 3 to 8 or 3 to 12 which are priced under categories 109, 113 and 303.

#### (2) Dresses

These categories cover dresses for all ages and sizes for girls and women. All style dresses are covered including one- and two-piece models, the latter consisting of a skirt and a separate blouse or a separate unlined jacket sold at one unit price. The intent of this regulation is to price two-piece dresses under these categories and not under suit Categories 1006, 1007 and 1008. Excluded are all women's dresses covered by Categories 202, 205 and 206, and girls' dresses covered by Categories 202, 206 and 208, and toddlers' dresses covered by Category 303 and all infants' dresses. All other dresses of all materials are included, such as: Street dresses, afternoon dresses, party dresses, formals, house dresses, jumpers and pinafores.

#### Category 1009A—Wedding Dresses

Included are: All wedding dresses in women's, misses', and juniors' sizes. One characteristic of dresses in this category is long sleeves or a long-sleeved jacket that is sold with the dress. This category does not include formals which are covered by Categories 1010 and 1011.

#### Category 1010—Women's Dresses Costing Over \$2.53

All dresses in women's sizes, such as 36's, 38's, etc., all half-sizes, all extra sizes, with a cost at source of over \$2.53 after all discounts have been deducted.

[Category 1010 amended by Amdt. 1]

#### Category 1010A—Jr. Size Dresses costing over \$2.53

This category covers all dresses bought in jr. sizes (7 to 17), costing at source over \$2.53 after all discounts have been deducted.

[Category 1010A amended by Amdt. 1]

#### Category 1011—Misses' Dresses Costing Over \$2.53

Included are all dresses bought in misses' sizes (10 to 20) and costing at source, \$2.53 net after all discounts have been deducted.

#### Category 1011A—Dresses Costing \$2.53 and Less

Included in this category are dresses of all descriptions bought in women's sizes, misses'

sizes and jr. sizes (7 to 17) costing at the source \$2.53 and less after all discounts have been deducted.

#### Category 1012—Teen Age and Girls' Dresses

This category covers dresses of all descriptions for teen age girls usually bought in size scale 10 to 16 and girls' sizes 7 to 14.

#### Category 1013—Small Girls' and Toddlers' Dresses

This category includes all dresses for toddlers and girls in size 6x and smaller.

#### (3) Jackets, Vests and Ski Clothes

Separate jackets are garments which can be opened from neck to bottom, with or without sleeves, which ordinarily are not worn tucked into skirts, slacks or shorts. Included in these categories are ski jackets, ski pants, ski suits, snow suits, skating jackets and jackets of all types. These categories cover jackets made of all materials including leather, artificial leather, plastics and knitted yard goods. Not included are garments covered by Categories 202, 203, 1023, 1024 and 1025.

#### Category 1014—Women's Jackets

Included are jackets bought in sizes 36's, 38's, etc., misses' jackets bought in sizes 10 to 20 and jackets bought in jr. sizes 7 to 17.

#### Category 1015—Teen Age and Larger Girls' Jackets

This category covers jackets for girls usually bought in sizes 7 to 14 and in teen age sizes 10 to 16.

#### Category 1016—Girls' and Toddlers' Jackets

This includes jackets bought in size 6x and smaller. Excluded are all apparel for boys bought in 3 to 8 and 3 to 12 ranges which are covered by categories 112 and 112A.

[Category 1016 amended by Amdt. 13]

#### (4) Separate Skirts

Categories 1017 to 1019 cover separate skirts for women and girls, made of all materials except those covered by categories 202, 205, 206 and 208.

#### Category 1017—Women's and Misses' Skirts

This category includes skirts bought in women's sizes, misses' sizes and in jr. sizes, 7 to 17, also in waist sizes corresponding to these sizes.

#### Category 1018—Girls' and Teen Age Skirts

This category covers all skirts bought to fit teen age girls, sizes 10 to 16 and girls' sizes 7 to 14 and in waist band sizes to correspond to these sizes.

#### Category 1019—Girls' and Toddlers' Skirts

This covers all skirts bought for girls in size 6x and smaller.

#### (5) Blouses and Shirts

Categories 1020 through 1022 cover all types of blouses and shirt waists made of all materials except those garments covered by categories 201, 202, 205, 206, 207 and 208.

#### Category 1020—Women's and Misses' Blouses

This category covers blouses usually bought in sizes 34's, 36's, etc., sizes 10 to 20 and 7 to 17 and in any sizes that correspond to these.

#### Category 1021—Teen Age and Girls' Blouses

This category covers all blouses bought in sizes 10 to 16 and 7 to 14 and in any size range that corresponds to these sizes.

#### Category 1022—Girls' and Toddlers' Blouses

This category covers blouses bought in size 6x or smaller. Excluded are all boys' blouses and shirts bought in 3 to 12 year size range which are covered by category 117 and toddler garments that are covered by category 303.

#### (6) Slacks and Slack Suits

Categories 1023, 1024 and 1025 cover separate slacks, slack suits and slack sets made

of all materials in sizes for women, girls and children. A slack suit is a combination of a slack (covered by this category) and a separate jacket, separate blouse or attached blouse sold as a unit. Excluded are items covered by Category 206. Some of the garments included are overalls (other than work clothes), slacks, jodhpurs, slack suits, slack sets. Garments covered by this category are full-length garments and excludes all garments that are covered by categories 201, 205, 206 and 207.

#### Category 1023—Women's Slacks and Slack Suits

Included are garments in all sizes for women, misses and jr., sizes 7 to 17 and in waist sizes equivalent to these sizes.

#### Category 1024—Girls' and Teen Age Girls' Slacks

This category covers garments in girls' sizes 7 to 14 and teen age sizes 10 to 16 and garments bought in waist sizes equivalent to these.

#### Category 1025—Girls' and Toddlers' Slack Suits

This includes all garments bought in sizes 6x and smaller except toddler garments covered by category 303 and except boys' garments covered by categories 110, 111, 112 and 113.

#### (7) Ski and Snow Suits

Categories 1026 and 1027 cover ski and snow suits of all materials for women, misses, girls and teenage girls. All one-piece and two-piece snow suits and ski suits with separate or attached hood are included when sold at a unit price.

#### Category 1026—Women's Ski and Snow Suits

Included are garments in all sizes for women, misses and juniors, and in waist sizes equivalent to these sizes.

#### Category 1027—Girls' and Teen-Age Ski and Snow Suits

This category covers garments in girls' sizes 7 to 14 and teenage sizes 10 to 16 and garments bought in waist sizes equivalent to these.

#### (8) Legging Sets and Separate Leggings

The following category covers legging sets and separate leggings for girls, children and toddlers. Included are all sets consisting of coats or jackets with leggings, with or without hats, hoods, or caps sold at a unit price.

#### Category 1028—Legging Sets and Separate Leggings

This category includes legging sets for girls, children and toddlers (sizes 1-14) and separate leggings (sizes 1-14, inclusive).

#### (9) Separate Ski Pants for Women and Children

#### Category 1029—Women's, Misses' and Junior Misses' Separate Ski Pants

#### Category 1030—Toddler, Girls' and Teen-Age Separate Ski Pants

[Categories 1026-1030, inclusive, added by Correction]

#### (E) Toys, Games, and Christmas Decorations

#### Category 1050—Dolls

Examples of articles included are:

- Dolls.
- Doll accessories.
- Stuffed toys.

#### Category 1051—Toy Miniature Movie Projectors and Toy Cameras

Examples of articles included are:

- Toy slides.
- Toy movie projectors.
- Films for toy projectors.
- Toy cameras.

#### Category 1052—Box Goods

Examples of articles included are:

- Games.
- Kindergarten materials.

APPENDIX C

| Category you are pricing   | Comparable categories |        |       |        |       |       |         |        |       |
|--|-----------------------|--------|-------|--------|-------|-------|---------|--------|-------|
|  | First                 | Second | Third | Fourth | Fifth | Sixth | Seventh | Eighth | Ninth |
| Paint sets.  |                       |        |       |        |       |       |         |        |       |
| Crayons.   |                       |        |       |        |       |       |         |        |       |
| Coloring books.  |                       |        |       |        |       |       |         |        |       |
| Cut outs.  |                       |        |       |        |       |       |         |        |       |
| Clay.  |                       |        |       |        |       |       |         |        |       |
| Blocks.  |                       |        |       |        |       |       |         |        |       |
| <b>Category 1053—Toy Phonographs, Toy Musical Instruments, and Musical Toys.</b>       | 101                   | 102    | 107   | 108A   | 108   | 109A  | 109     | 112    | 117   |
| Examples of articles included are:   | 102                   | 101    | 109A  | 109    | 108A  | 108   | 107     | 112    | 117   |
| Toy phonographs.   | 103                   | 110A   | 110   | 107    | 112   | 115   | 117     | 102    | 107   |
| Toy drums.   | 104                   | 103    | 115   | 117    | 114   | 110   | 110     | 102    |       |
| Toy horns.   | 105                   | 107    | 112   | 103    | 110   | 206   |         |        |       |
| Musical tops.  | 105A                  |        |       |        |       |       |         |        |       |
| Musical toys.  | 105B                  |        |       |        |       |       |         |        |       |
| Category 1054—Electric Trains and Accessories.   | 105C                  |        |       |        |       |       |         |        |       |
| Examples of articles included are:   | 105D                  |        |       |        |       |       |         |        |       |
| Construction Toys and Scientific Toys.   | 106                   | 501    |       |        |       |       |         |        |       |
| Chemical sets.   | 106A                  | 109    |       |        |       |       | 109A    | 205    |       |
| Scientific toys.   | 107                   | 102    | 101   |        |       |       | 109     |        |       |
| Construction toys.   | 107A                  | 107    | 113   | 109    | 104   |       | 101     | 109    |       |
| Category 1055—Construction Toys and Scientific Toys.                                   | 107B                  | 112A   | 107A  | 112    | 102   | 101   | 108     | 109    |       |
| Examples of articles included are:   | 108                   | 109    | 108A  | 100A   | 101   | 102   | 109     | 107    | 100B  |
| Chemical sets.   | 108A                  | 109A   | 108A  | 109    | 108   | 101   | 102     |        |       |
| Scientific toys.   | 108B                  | 108    | 102   | 101    | 112   | 107B  |         |        |       |
| Construction toys.   | 109                   | 108A   | 109   | 108    |       |       |         |        |       |
| Category 1056—Toy Guns and Related Items.  | 110                   | 110A   | 103   | 112    | 107   | 115   | 101A    | 101B   |       |
| Examples of articles included are:   | 110A                  | 110    | 103   | 112    | 107A  | 115   | 101A    | 101B   |       |
| Toy guns.  | 111                   | 101    | 109   | 105    | 107A  | 112   |         |        |       |
| Toy pistols.   | 111A                  | 105B   |       |        |       |       |         |        |       |
| Toy holsters.  | 112                   | 107    | 108   | 109    | 102   | 101   |         |        |       |
| Category 1057—Masks and Masquerade Outfits.  | 112A                  | 107B   | 107A  | 112    | 109   | 107   | 107     |        |       |
| This category does not include costumes described in Category 113.                     | 113                   | 110    | 107A  | 117    | 202   | 111   |         |        |       |
| Examples of articles included are:   | 114                   | 115    | 113   | 201    | 292   | 117   |         |        |       |
| Toy guns.  | 115                   | 107    | 202   | 208    | 117   |       |         |        |       |
| Toy pistols.   | 116                   | 118    | 115   | 211    | 211A  | 117   |         |        |       |
| Toy holsters.  | 117                   | 115    | 201   | 110    |       |       |         |        |       |
| Category 1057—Masks and Masquerade Outfits.  | 118                   | 116    | 119   | 213    |       |       |         |        |       |
| Examples of articles included are:   | 119                   | 118    | 216   | 120    | 122   | 217   |         |        |       |
| Masks and masquerade outfits.  | 120                   | 119    | 122   | 217    | 216   |       |         |        |       |
| Category 1058—Plastic and Rubber Toys.   | 121                   | 119    | 120   | 216    | 218   |       |         |        |       |
| Examples of articles included are:   | 122                   | 215    | 119   | 120    | 121   |       |         |        |       |
| Plastic and rubber toys, other than those you listed under Category 310 on your chart. | 123                   | 109    | 107   | 112    |       |       |         |        |       |
| Category 1058—Plastic and Rubber Toys.   | 123A                  | 123    | 107A  | 112    |       |       |         |        |       |
| Examples of articles included are:   | 124                   | 212    | 107A  | 112    |       |       |         |        |       |
| Plastic and rubber toys, other than those you listed under Category 310 on your chart. | 201                   | 202    | 207   | 208    | 115   | 117   | 1020    | 1017   | 1023  |
| Category 1059—Large Juvenile Toys.   | 202                   | 201    | 208   | 207    | 115   | 1020  |         |        |       |
| Examples of articles included are:   | 203                   | 209    | 112A  | 107B   | 101A  |       |         |        |       |
| Large juvenile toys.   | 204                   | 206    | 203   |        |       |       |         |        |       |
| Category 1059—Large Juvenile Toys.   | 205                   | 1011   | 1014  |        |       |       |         |        |       |
| Examples of articles included are:   | 207                   | 208    | 201   | 202    | 114   | 209   | 213     | 1020   | 1017  |
| Large juvenile toys.   | 208                   | 207    | 202   | 201    | 115   | 114   |         |        |       |
| Category 1060—Wheel Toys and Sleds.  | 209                   | 207    | 203   | 112A   | 201   | 202   |         |        |       |
| Examples of articles included are:   | 211                   | 211A   | 201   | 212    | 207   | 116   |         |        |       |
| Wheel toys and sleds.  | 211A                  | 211    | 201   | 212    | 207   | 116   |         |        |       |
| Category 1060—Wheel Toys and Sleds.  | 212                   | 211    | 202   | 124    | 117   | 116   |         |        |       |
| Examples of articles included are:   | 213                   | 116    | 117   | 217    | 216   |       |         |        |       |
| Wheel toys and sleds.  | 214                   | 217    | 211   | 122    | 117   |       |         |        |       |
| Category 1060—Wheel Toys and Sleds.  | 216                   | 119    | 217   | 120    | 121   | 218   |         |        |       |
| Examples of articles included are:   | 217                   | 215    | 216   | 119    | 213   | 120   | 121     |        |       |
| Wheel toys and sleds.  | 218                   | 405    | 211   |        | 107   |       |         |        |       |
| Category 1061—Wood and Hobby Toys.   | 301                   | 208    | 302   | 303    | 202   | 1005  | 1028    | 108    |       |
| Examples of articles included are:   | 302                   | 208    | 202   | 115    | 301   | 1005  | 1028    | 112    |       |
| Wood and hobby toys.   | 303                   | 207    | 201   | 113    | 302   | 1005  | 1028    | 202    |       |
| Category 1061—Wood and Hobby Toys.   | 304                   | 123    | 218   | 214    | 204   |       |         |        |       |
| Examples of articles included are:   | 305                   | 211    | 116   | 1013   | 1022  | 201   | 202     |        |       |
| Wood and hobby toys.   | 306                   | 305    | 303   | 307    |       |       |         |        |       |
| Category 1061—Wood and Hobby Toys.   | 306A                  |        |       |        |       |       |         |        |       |
| Examples of articles included are:   | 307                   | 306    | 305   |        |       |       |         |        |       |
| Wood and hobby toys.   | 308                   |        |       |        |       |       |         |        |       |
| Category 1062—Small Metal Toys.  | 309                   |        |       |        |       |       |         |        |       |
| Examples of articles included are:   | 310                   |        |       |        |       |       |         |        |       |
| Small metal toys.  | 351                   |        |       |        |       |       |         |        |       |
| Category 1062—Small Metal Toys.  | 352                   | 215    | 122   | 218    | 1020  | 202   |         |        |       |
| Examples of articles included are:   | 353                   |        |       |        |       |       |         |        |       |
| Small metal toys.  | 401                   | 403    | 402   | 406    | 123   |       |         |        |       |
| Category 1061—Wood and Hobby Toys.   | 402                   | 410    | 403   | 401    | 123   |       |         |        |       |
| Examples of articles included are:   | 402A                  |        |       |        |       |       |         |        |       |
| Wood and hobby toys.   | 402B                  |        |       |        |       |       |         |        |       |
| Category 1061—Wood and Hobby Toys.   | 403                   | 406    | 401   | 113    |       |       |         |        |       |
| Examples of articles included are:   | 405                   | 406    | 407   | 408    |       |       |         |        |       |
| Wood and hobby toys.   | 406                   | 403    | 401   | 218    |       |       |         |        |       |
| Category 1061—Wood and Hobby Toys.   | 408                   | 406    | 407   | 403    | 202   | 1020  |         |        |       |
| Examples of articles included are:   | 409                   | 401    | 403   | 408    | 107   | 112   | 351     |        |       |
| Wood and hobby toys.   | 410                   | 111A   | 105   | 107    |       |       |         |        |       |
| Category 1062—Small Metal Toys.  | 501                   |        |       |        |       |       |         |        |       |
| Examples of articles included are:   | 502                   |        |       |        |       |       |         |        |       |
| Small metal toys.  | 502A                  | 502B   | 502C  | 504A   |       |       |         |        |       |
| Category 1062—Small Metal Toys.  | 502B                  | 502C   | 502A  | 504A   |       |       |         |        |       |
| Examples of articles included are:   | 502C                  | 502A   | 502B  |        |       |       |         |        |       |
| Small metal toys.  | 503                   | 505    |       |        |       |       |         |        |       |
| Category 1063—Athletic Toys.   | 504                   | 506    |       |        |       |       |         |        |       |
| Examples of articles included are:   | 504A                  | 502C   | 502B  | 502A   |       |       |         |        |       |
| Athletic toys.   | 505                   | 503    | 502A  | 502B   |       |       |         |        |       |
| Category 1063—Athletic Toys.   | 506                   | 504    | 506A  |        |       |       |         |        |       |
| Examples of articles included are:   | 506A                  | 506B   | 506   | 504    |       |       |         |        |       |
| Athletic toys.   | 506B                  | 506    | 507   | 506A   |       |       |         |        |       |
| Category 1063—Athletic Toys.   | 507                   | 506    | 500A  | 506B   |       |       |         |        |       |
| Examples of articles included are:   | 508                   | 507    |       |        |       |       |         |        |       |
| Athletic toys.   | 509                   | 508    |       |        |       |       |         |        |       |
| Category 1064—Toy Housewares.  | 510                   | 509    |       |        |       |       |         |        |       |
| Examples of articles included are:   | 601                   | 602    | 605   | 605A   | 606   |       |         |        |       |
| Toy housewares.  | 602                   | 601    | 605   | 605A   |       |       |         |        |       |
| Category 1064—Toy Housewares.  | 603                   | 605    | 605A  | 602    |       |       |         |        |       |
| Examples of articles included are:   | 603A                  |        |       |        |       |       |         |        |       |
| Toy housewares.  | 605                   | 605A   | 602   | 601    | 606   |       |         |        |       |
| Category 1064—Toy Housewares.  | 605A                  | 605    | 602   | 606    | 601   |       |         |        |       |
| Examples of articles included are:   | 606                   | 605A   | 605   | 602    | 601   |       |         |        |       |
| Toy housewares.  | 607                   | 602    | 605   | 605A   |       |       |         |        |       |
| Category 1070—Christmas Home Decorations.  | 701                   | 706    | 708   | 714    | 703   | 710   |         |        |       |
| Examples of articles included are:   |                       |        |       |        |       |       |         |        |       |
| Christmas home decorations.  |                       |        |       |        |       |       |         |        |       |

1 No comparable categories.

\* You establish a price for a straw hat (Category 123A) by pricing it as if it belonged to Category 123. After you have found the price under the appropriate pricing rule as if the straw hat belonged to Category 123, you may add 8% of that selling price to the selling price and the result is your ceiling price for the straw hat.

Example: If you are pricing a straw hat, Category 123A, having a net cost of \$3.00, you look at your chart for Category 123. Assume there is a net cost of \$3.00 and an offering price of \$5.00 on your chart for Category 123. Your ceiling price for the straw hat will be \$5.00 plus 8% of \$5.00 (5.00 + .40). Thus the ceiling price will be \$5.40.

[Paragraph (E) added by Amdt. 8]





APPENDIX D
TABLE FOR FIXING IN-LINE CATEGORY MARK-UPS UNDER RULE 6 (SECTION 37)

Table with 17 columns: Category Group I, Under and including 35, Over 35 including 38, Over 38 including 41, Over 41 including 44, Over 44 including 47, Over 47 including 50, Over 50 including 53, Over 53 including 56, Over 56 including 59, Over 59 including 62, Over 62 including 65, Over 65 including 68, Over 68 including 71, Over 71 including 74, Over 74 including 77, Over 77 including 80, Over 80 including 83, Over 83 including 86, Over 86 including 89, Over 89 including 92, Over 92 including 95, Over 95 including 98, Over 98 including 101.

\*For Category 123A Straw Hats. 8 percent must be added to retail price determined under Category 123.
[Category Group I amended by Amdts. 1, 3, 9 and 13]

RULES AND REGULATIONS

APPENDIX D—Continued

TABLE FOR FIXING IN-LINE CATEGORY MARK-UPS UNDER RULE 6 (SECTION 37)

Table with 17 columns for Category Group II\* (Under and including to Over 125) and 20 rows of numerical data.

\*These mark-ups are to be applied to net cost of item excluding freight charges.

Table with 17 columns for Category Group III (Under and including to Over 101) and 20 rows of numerical data.

[Category Group III amended by Amdt. 13]

Table with 17 columns for Category Group IV (Under and including to Over 109) and 20 rows of numerical data.

[Category Group IV amended by Amdts. 9, 10 and 13]

APPENDIX D-Continued
TABLE FOR FIXING IN-LINE CATEGORY MARKUPS UNDER RULE 6 (SEC. 37)

Table with 19 columns representing Category Group V (16 through 70) and rows of numerical data.

[Category Group V added by Amdt. 10]

Table with 19 columns representing Category Group VI (33 through 101) and rows of numerical data.

[Category Group VI added by Amdt. 10]

Table with 19 columns representing Category Group VII (72 through 126) and rows of numerical data.

[Category Group VII added by Amdt. 10]

APPENDIX E—TABLE FOR FIXING CATEGORY MARKUPS UNDER SECTION 39

| Category you are pricing | Percentage markup on cost | Category you are pricing | Percentage markup on cost |
|--------------------------|---------------------------|--------------------------|---------------------------|
| 101                      | 67.7                      | 502B                     | 61.1                      |
| 102                      | 64.1                      | 502C                     | 60.2                      |
| 103                      | 61.6                      | 503                      | 63.2                      |
| 104                      | 65.3                      | 504                      | 63.0                      |
| 105                      | 57.9                      | 504A                     | 59.2                      |
| 105A                     | 30.2                      | 505                      | 58.0                      |
| 105B                     | 45.0                      | 506                      | 66.3                      |
| 105C                     | 45.0                      | 506A                     | 65.9                      |
| 105D                     | 39.0                      | 506B                     | 65.9                      |
| 106                      | 63.0                      | 507                      | 69.4                      |
| 107                      | 60.1                      | 508                      | 65.9                      |
| 107A                     | 66.1                      | 509                      | 60.2                      |
| 107B                     | 66.1                      | 510                      | 61.0                      |
| 108                      | 64.9                      | 601                      | 66.7                      |
| 108A                     | 63.8                      | 602                      | 61.9                      |
| 109                      | 63.8                      | 603                      | 62.6                      |
| 109A                     | 64.9                      | 603A                     | 55.3                      |
| 110                      | 59.5                      | 605                      | 66.4                      |
| 110A                     | 60.2                      | 605A                     | 64.9                      |
| 111                      | 46.1                      | 606                      | 69.6                      |
| 111A                     | 51.4                      | 607                      | 58.9                      |
| 112                      | 60.2                      | 610                      | 69                        |
| 112A                     | 59.9                      | 615                      | 69                        |
| 113                      | 60.2                      | 620                      | 69                        |
| 114                      | 66.0                      | 701                      | 98.1                      |
| 115                      | 62.1                      | 703                      | 91.9                      |
| 116                      | 62.4                      | 704                      | 95.9                      |
| 117                      | 61.3                      | 705                      | 98.5                      |
| 118                      | 62.6                      | 706                      | 108.0                     |
| 119                      | 65.9                      | 706A                     | 90.5                      |
| 120                      | 72.1                      | 708                      | 95.9                      |
| 121                      | 69.2                      | 709                      | 89.6                      |
| 122                      | 66.5                      | 710                      | 99.4                      |
| 123                      | 66.6                      | 712                      | 93.9                      |
| 123A*                    |                           | 713                      | 89.3                      |
| 124                      | 66.9                      | 714                      | 98.2                      |
| 201                      | 72.3                      | 715                      | 87.3                      |
| 202                      | 67.0                      | 716                      | 79.7                      |
| 203                      | 72.2                      | 717                      | 79.7                      |
| 204                      | 72.5                      | 717A                     | 88.0                      |
| 205                      | 65.1                      | 718                      | 77.8                      |
| 206                      | 64.9                      | 719                      | 82.3                      |
| 207                      | 63.3                      | 720                      | 94.5                      |
| 208                      | 62.9                      | 751                      | 84.1                      |
| 209                      | 66.8                      | 752                      | 89.9                      |
| 210                      | 68.9                      | 801                      | 84.7                      |
| 211                      | 65.6                      | 802                      | 83.9                      |
| 211A                     | 69.5                      | 803                      | 83.9                      |
| 212                      | 70.0                      | 803A                     | 75.1                      |
| 213                      | 62.9                      | 803B                     | 82.5                      |
| 214                      | 82.6                      | 803C                     | 68.0                      |
| 215                      | 67.5                      | 803D                     | 78.0                      |
| 216                      | 67.1                      | 804                      | 86.8                      |
| 217                      | 67.8                      | 805                      | 74.2                      |
| 218                      | 66.2                      | 851                      | 84.6                      |
| 301                      | 67.8                      | 852                      | 84.6                      |
| 302                      | 62.9                      | 852A                     | 75.1                      |
| 303                      | 61.1                      | 854                      | 74.4                      |
| 304                      | 65.7                      | 860                      | 85                        |
| 305                      | 61.9                      | 861                      | 81                        |
| 306                      | 62.0                      | 871                      | 54                        |
| 306A                     | 47.8                      | 872                      | 56                        |
| 307                      | 62.8                      | 873                      | 56                        |
| 308                      | 69.1                      | 874                      | 58                        |
| 309                      | 62.3                      | 875                      | 51                        |
| 310                      | 67.9                      | 876                      | 58                        |
| 351                      | 63.7                      | 877                      | 75                        |
| 352                      | 63.5                      | 878                      | 58                        |
| 353                      | 74.2                      | 880                      | 39                        |
| 401                      | 63.7                      | 881                      | 39                        |
| 402                      | 58.2                      | 882                      | 39                        |
| 402A                     | 61.2                      | 883                      | 42                        |
| 402B                     | 58.2                      | 884                      | 58                        |
| 403                      | 58.2                      | 890                      | 25                        |
| 405                      | 63.4                      | 891                      | 49                        |
| 406                      | 62.2                      | 892                      | 51                        |
| 407                      | 62.2                      | 893                      | 81                        |
| 408                      | 60.2                      | 894                      | 66                        |
| 409                      | 60.7                      | 895                      | 81                        |
| 410                      | 54.0                      | 901                      | 72                        |
| 501                      | 47.8                      | 902                      | 75                        |
| 502                      | 57.3                      | 903                      | 72                        |
| 502A                     | 58.4                      | 904                      | 66                        |

\*Use mark-up for category 123 and add 8 percent to retail price thus obtained.

APPENDIX E—TABLE FOR FIXING CATEGORY MARKUPS UNDER SECTION 39—Continued

| Category you are pricing | Percentage markup on cost | Category you are pricing | Percentage markup on cost |
|--------------------------|---------------------------|--------------------------|---------------------------|
| 905                      | 47                        | 970                      | 75                        |
| 906                      | 50                        | 971                      | 75                        |
| 907                      | 88                        | 972                      | 85                        |
| 908                      | 61                        | 973                      | 78                        |
| 915                      | 22                        | 974                      | 81                        |
| 916                      | 22                        | 975                      | 81                        |
| 917                      | 66                        | 976                      | 92                        |
| 918                      | 81                        | 977                      | 72                        |
| 919                      | 63                        | 978                      | 81                        |
| 920                      | 66                        | 979                      | 81                        |
| 921                      | 61                        | 980                      | 81                        |
| 922                      | 49                        | 981                      | 72                        |
| 923                      | 49                        | 982                      | 72                        |
| 924                      | 61                        | 983                      | 72                        |
| 940                      | 63                        | 984                      | 58                        |
| 941                      | 75                        | 985                      | 58                        |
| 942                      | 63                        | 1001                     | 72.1                      |
| 943                      | 72                        | 1002                     | 72.8                      |
| 944                      | 78                        | 1004                     | 68.1                      |
| 945                      | 92                        | 1005                     | 68.6                      |
| 946                      | 78                        | 1006                     | 73.3                      |
| 950                      | 58                        | 1007                     | 72.8                      |
| 951                      | 81                        | 1008                     | 68.0                      |

APPENDIX E—TABLE FOR FIXING CATEGORY MARKUPS UNDER SECTION 39—Continued

| Category you are pricing | Percentage markup on cost | Category you are pricing | Percentage markup on cost |
|--------------------------|---------------------------|--------------------------|---------------------------|
| 1009                     | 68.5                      | 1027                     | 71.0                      |
| 1009A                    | 75.0                      | 1028                     | 65.7                      |
| 1010                     | 73.9                      | 1029                     | 71.0                      |
| 1010A                    | 70.2                      | 1030                     | 65.2                      |
| 1011                     | 73.1                      | 1050                     | 69                        |
| 1011A                    | 60.4                      | 1051                     | 72                        |
| 1012                     | 68.0                      | 1052                     | 69                        |
| 1013                     | 60.4                      | 1053                     | 69                        |
| 1014                     | 70.0                      | 1054                     | 69                        |
| 1015                     | 68.0                      | 1055                     | 72                        |
| 1016                     | 68.6                      | 1056                     | 69                        |
| 1017                     | 71.0                      | 1057                     | 66                        |
| 1018                     | 68.0                      | 1058                     | 69                        |
| 1019                     | 65.7                      | 1059                     | 78                        |
| 1020                     | 69.7                      | 1060                     | 78                        |
| 1021                     | 68.0                      | 1061                     | 78                        |
| 1022                     | 62.9                      | 1062                     | 75                        |
| 1023                     | 71.0                      | 1063                     | 75                        |
| 1024                     | 71.0                      | 1064                     | 69                        |
| 1025                     | 68.0                      | 1070                     | 81                        |
| 1026                     | 68.0                      |                          |                           |

[Appendix E amended by Amdts. 2, 3, 8, 9, and 13]

APPENDIX F

GROUP I

Multipliers for Group A averages over 101 for categories in Groups I and III; for Group A average over 127 for categories in Group II; for Group A average over 109 for Categories in Group IV of Appendix D)

| Category you are pricing | Multiplier | Category you are pricing | Multiplier | Category you are pricing | Multiplier | Category you are pricing | Multiplier | Category you are pricing | Multiplier |
|--------------------------|------------|--------------------------|------------|--------------------------|------------|--------------------------|------------|--------------------------|------------|
| 101                      | 1.078      | 111A                     | .809       | 207                      | .981       | 308                      | 1.090      | 502C                     | .948       |
| 102                      | 1.021      | 112                      | .928       | 208                      | .975       | 309                      | .981       | 503                      | .979       |
| 103                      | .976       | 112A                     | .943       | 209                      | 1.045      | 310                      | 1.059      | 504                      | .991       |
| 104                      | 1.041      | 113                      | .945       | 210                      | 1.084      | 351                      | 1.093      | 504A                     | .932       |
| 105                      | .896       | 114                      | 1.006      | 211                      | 1.030      | 352                      | 1.000      | 505                      | .900       |
| 105A                     | .475       | 115                      | .975       | 211A                     | 1.092      | 401                      | 1.005      | 506                      | 1.042      |
| 105B                     | .708       | 116                      | .984       | 212                      | 1.110      | 402                      | .916       | 506A                     | 1.038      |
| 105C                     | .768       | 117                      | .961       | 213                      | 1.006      | 402A                     | .964       | 506B                     | 1.038      |
| 105D                     | .614       | 118                      | .987       | 215                      | 1.032      | 402B                     | .916       | 507                      | 1.086      |
| 106                      | .993       | 119                      | 1.050      | 216                      | 1.054      | 403                      | .919       | 508                      | 1.038      |
| 107                      | .943       | 120                      | 1.164      | 217                      | 1.069      | 405                      | .999       | 509                      | .948       |
| 107A                     | 1.041      | 121                      | 1.111      | 218                      | 1.045      | 406                      | .964       | 510                      | .954       |
| 107B                     | 1.041      | 122                      | 1.065      | 301                      | 1.075      | 407                      | .979       | 601                      | 1.058      |
| 108                      | 1.021      | 123                      | 1.035      | 302                      | .962       | 408                      | .948       | 602                      | .967       |
| 108A                     | 1.006      | 124                      | 1.071      | 303                      | .964       | 409                      | .955       | 603                      | .982       |
| 109                      | 1.006      | 201                      | 1.122      | 304                      | 1.020      | 410                      | .850       | 603A                     | .902       |
| 109A                     | 1.021      | 202                      | 1.062      | 305                      | .967       | 501                      | .752       | 605                      | 1.039      |
| 110                      | .928       | 203                      | 1.142      | 306                      | .969       | 502                      | .962       | 605A                     | 1.023      |
| 110A                     | .948       | 205                      | 1.026      | 306A                     | .752       | 502A                     | .917       | 606                      | 1.095      |
| 111                      | .708       | 206                      | 1.021      | 307                      | .981       | 502B                     | .960       | 607                      | .928       |

[Group I amended by Amdts. 1, 3, and 9]

GROUP II

|     |       |      |       |     |       |      |       |     |      |
|-----|-------|------|-------|-----|-------|------|-------|-----|------|
| 701 | 1.072 | 706A | .990  | 713 | .976  | 717A | .963  | 752 | .982 |
| 703 | 1.005 | 708  | 1.048 | 714 | 1.074 | 718  | .850  |     |      |
| 704 | 1.048 | 709  | .979  | 715 | .954  | 719  | .869  |     |      |
| 705 | 1.077 | 710  | 1.086 | 716 | .871  | 720  | 1.033 |     |      |
| 706 | 1.181 | 712  | 1.026 | 717 | .871  | 751  | .919  |     |      |

GROUP III

|     |       |      |       |     |       |      |       |  |  |
|-----|-------|------|-------|-----|-------|------|-------|--|--|
| 801 | 1.057 | 803A | .937  | 804 | 1.064 | 852  | 1.056 |  |  |
| 802 | 1.048 | 803B | 1.030 | 805 | .926  | 852A | .937  |  |  |
| 803 | 1.048 | 803C | .850  | 851 | 1.050 |      |       |  |  |

[Group III amended by Amdt. 13]

GROUP IV

|      |       |       |       |      |      |      |      |      |      |
|------|-------|-------|-------|------|------|------|------|------|------|
| 1001 | 1.011 | 1009  | .961  | 1013 | .851 | 1020 | .976 | 1027 | .994 |
| 1002 | 1.018 | 1009A | 1.064 | 1014 | .981 | 1021 | .954 | 1028 | .920 |
| 1004 | .955  | 1010  | 1.035 | 1015 | .954 | 1022 | .880 | 1029 | .994 |
| 1005 | .961  | 1010A | 1.004 | 1016 | .961 | 1023 | .994 | 1030 | .916 |
| 1006 | 1.026 | 1011  | 1.023 | 1017 | .964 | 1024 | .994 |      |      |
| 1007 | 1.018 | 1011A | .974  | 1018 | .954 | 1025 | .954 |      |      |
| 1008 | .954  | 1012  | .954  | 1019 | .770 | 1026 | .954 |      |      |

[Group IV amended by Amdts. 9 and 13]

GROUP V

|     |       |     |       |     |       |     |       |  |  |
|-----|-------|-----|-------|-----|-------|-----|-------|--|--|
| 880 | 0.773 | 883 | 1.006 | 905 | 1.100 | 922 | 1.146 |  |  |
| 881 | .773  | 880 | .883  | 915 | .883  | 923 | 1.146 |  |  |
| 882 | .913  | 891 | 1.146 | 916 | .883  |     |       |  |  |

[Group V added by Amdt. 10 Correction]

GROUP VI

|     |       |     |       |     |       |      |       |      |       |
|-----|-------|-----|-------|-----|-------|------|-------|------|-------|
| 871 | 0.843 | 884 | 1.006 | 921 | 1.006 | 1050 | 1.040 | 1056 | 1.040 |
| 872 | 1.006 | 892 | .813  | 924 | 1.006 | 1051 | 1.110 | 1057 | .990  |
| 873 | 1.006 | 894 | 1.006 | 940 | 1.082 | 1052 | 1.040 | 1058 | 1.040 |
| 874 | 1.006 | 906 | .843  | 942 | 1.126 | 1053 | 1.040 | 1062 | 1.190 |
| 875 | .843  | 908 | 1.126 | 950 | 1.006 | 1054 | 1.040 | 1063 | 1.190 |
| 876 | 1.006 | 919 | 1.082 | 984 | 1.006 | 1055 | 1.110 | 1064 | 1.040 |
| 878 | 1.006 | 920 | 1.126 | 985 | 1.006 |      |       |      |       |

[Group VI added by Amdt. 10 Correction]

GROUP VII

|     |       |     |       |     |       |     |       |      |      |
|-----|-------|-----|-------|-----|-------|-----|-------|------|------|
| 860 | 1.030 | 904 | 0.946 | 946 | 1.030 | 976 | 1.423 | 1059 | .800 |
| 861 | 1.030 | 907 | 1.030 | 951 | 1.030 | 977 | .916  | 1060 | .800 |
| 877 | 1.030 | 917 | .843  | 970 | .946  | 978 | 1.030 | 1061 | .800 |
| 893 | 1.030 | 918 | 1.030 | 971 | 1.030 | 979 | 1.030 | 1070 | .833 |
| 895 | 1.030 | 941 | .946  | 972 | 1.163 | 980 | 1.030 |      |      |
| 901 | 1.030 | 943 | .916  | 973 | 1.030 | 981 | .916  |      |      |
| 902 | 1.030 | 944 | 1.030 | 974 | 1.030 | 982 | .946  |      |      |
| 903 | 1.030 | 945 | 1.200 | 975 | .946  | 983 | .946  |      |      |

[Group VII added by Amdt. 10 Correction]

[F. R. Doc. 52-1457; Filed, Feb. 1, 1952; 10:54 a. m.]

[General Interpretation 6]

**GEN. INT. 6—INCREASED PACKAGING COSTS DUE TO POSTAL REGULATIONS LIMITING SIZE AND WEIGHT OF PARCEL POST PACKAGES**

Apparel manufacturers state that because of recent postal regulations, effective January 1, 1952, which reduce the permitted size and weight of parcel post packages, they will be required to use additional cartons and incur additional handling costs in making parcel post shipments, and they ask whether they may impose a packaging charge so that they may be compensated for their increased costs. During the base periods of the GCPR and CPR 45, Rev. 1, these manufacturers made no separate charge for packaging, whether the orders were shipped via parcel post or any other means of transportation, and their base period prices for their articles included packaging for shipment.

If the manufacturer's current selling price for an article is below his ceiling price, he is at liberty to increase the former to any amount not in excess of his ceiling price, whether he wishes to do so to compensate for additional handling costs or for any other reason. However, he may not separately state a charge for handling in addition to a price for the article, since he did not do so in the base period. Any expense which he may incur in preparing articles for shipment must be covered by his selling price.

Packaging cost increases effective January 1, 1952 may not be reflected by an apparel manufacturer in computing his ceiling prices under either the GCPR or CPR 45, Rev. 1. The GCPR makes no provision for increasing a ceiling price to compensate for such cost increases since the base period. While CPR 45, Rev. 1 does permit adjustment of base period prices to reflect changes in indirect labor and material costs, these adjustments are confined to changes which occurred between the base period prescribed date and March 15, 1951 in the case of labor, and June 4, 1951 in the case of materials. A ceiling price for an article determined by a manufacturer under either of these regulations covers not only the article but any customary serv-

ices, including packaging for shipment, which were furnished by him in connection with sale of the article during the base period.

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

HAROLD LEVENTHAL,  
Chief Counsel,  
Office of Price Stabilization.

JANUARY 31, 1952.

[F. R. Doc. 52-1442; Filed, Jan. 31, 1952; 4:19 p. m.]

[Ceiling Price Regulation 22, Supplementary Regulation 14, Revision 1]

**CPR 22—MANUFACTURER'S GENERAL CEILING PRICE REGULATION**

**SR 14—PRICING METHOD FOR CUSTOM MOLDED AND CUSTOM FABRICATED PLASTIC PRODUCTS**

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 revision of Supplementary Regulation 14 (16 F. R. 7661) to Ceiling Price Regulation 22 (16 F. R. 3562) is hereby issued.

**STATEMENT OF CONSIDERATIONS**

Supplementary Regulation 14 to Ceiling Price Regulation 22 was issued to enable manufacturers of custom molded and custom fabricated plastic products to fix their ceiling prices both under the standards of CPR 22 and in accordance with the business practices, cost practices and pricing methods of the industry. It specifically permits such manufacturers to establish ceiling prices by means of the price determining formulas which they used during the base period April 1, 1950, to June 24, 1950, inclusive.

Subsequent to the issuance of Supplementary Regulation 14, the Plastic Products Industry Advisory Committee met and proposed certain changes. On the basis of the Committee's recommendations and further study of the problems of the industry it was felt desirable to make certain additions and clarifi-

cations as well as some minor alterations. None of these, however, effects any substantial change in the pricing methods or techniques, or produces a lower level of ceiling prices than under the original Supplementary Regulation 14.

This revision makes one addition to the coverage of SR 14. It adds sales of products in current production which were sold or offered for sale before July 1, 1949, but not during the period July 1, 1949, through June 24, 1950. Like the other products for which ceiling prices must be fixed under this supplementary regulation, ceiling prices for these products cannot be fixed under section 3 of CPR 22.

A change in the section governing pricing by "new sellers" appeared desirable to conform as much as possible to the general policy of "formula pricing" for the custom plastics industry. In the original Supplementary Regulation 14, manufacturers who did not have a price determining formula in effect during the base period were required to price by means of sections 32, 33 and 34 of CPR 22, sections which do not contain the "formula pricing" technique used in this supplementary regulation. In this revision, manufacturers who did not have a price determining formula in effect during the base period, are required to propose and adopt a pricing formula or formulas relating price to costs, and to price their custom plastic products thereafter by means of these formulas. Manufacturers who were in business prior to January 1, 1950, calculate base-period prices by use of their formula or formulas, and add labor and material cost adjustments to arrive at their ceiling prices. Manufacturers who were not in business prior to January 1, 1950, would not be able to calculate a labor cost adjustment under the methods provided for manufacturers who were in business before that time, and therefore would be unable to calculate a ceiling price in the same manner. Such a manufacturer must propose a formula relating price to costs which will produce "in-line" ceiling prices. He may not, however, use labor and materials costs as of a period or date later than July 26, 1951. A report of the proposed formula must be filed with OPS to allow a determination to be made of the "in-lineness" with industry levels of the ceiling prices it will produce. Particular attention will be paid to the mark-up factors, the period or date as of which labor and material costs are taken, and any provisions designed to produce ceiling prices "in-line" with those prevailing in the industry.

An additional provision requires that in pricing any product, the manufacturer must use the formula last in effect during the base period for pricing products of the same type. This was felt necessary to eliminate the possibility that a manufacturer might be led to believe that he had a choice from among several formulas successively in use during his base period.

This revision also provides in detail for the pricing of products which contain nonplastic inserts and components, and subcontracted parts and services. Where the manufacturer can determine

his base-period cost for the insert, he must use that cost in the determination of his base-period price. Where base-period costs cannot be determined, two methods of pricing are provided. If the manufacturer's base-period formula made no provision for the treatment of inserts, their current acquisition cost may be added to the ceiling price determined for the plastic article. If the manufacturer's base-period formula provided a different method for relating the cost of an insert to the total price charged, for example, if he added a "handling charge" as well as the cost of the insert, he is permitted to treat the insert in accordance with his base-period formula. Allowing the use of current rather than base period costs seems, in this case, to be warranted on administrative grounds. The cost of an insert, such as a metal washer or bushing, is usually a small amount as compared with the cost of the plastic article. The advantage of using in the formula a cost which can be determined conveniently and accurately outweighs the slight effect which the use of current insert costs might have upon the level of ceiling prices.

One problem inherent in the pricing of new products in the plastics industry is the problem of estimating costs, which includes estimating the amount of material in the product and the rate of production. A manufacturer, of course, must be able to compute his ceiling price for a product before he commences production. Therefore, this revision adds provisions allowing a price determination on an estimated cost basis, and provisions requiring the manufacturer to recompute his ceiling price on the basis of the actual amount of material in the product and the actual production rate. If the ceiling price so recomputed varies by less than 5 percent above or below his original ceiling price based on estimates of these items, that original ceiling price remains as his ceiling price. It is only when the ceiling price, based on the actual amount of material in the product and the actual production rate, varies by more than 5 percent above or below the original ceiling price based on estimates of these items, that a change in ceiling price is required.

Another addition in this revision is the requirement that reports be submitted on the base-period formulas and on the formulas proposed and adopted under this supplementary regulation. The purpose of those requirements is to enable OPS to determine whether the formulas used and the prices they will produce are in accord with the substantive requirements of this supplementary regulation.

This revision also permits manufacturers to apply to products covered by this supplementary regulation the adjustments provided by the so-called Capehart Amendment (section 402 (d) (4) of the Defense Production Act of 1950, as amended). The same options open to other manufacturers covered by CPR 22 are open to manufacturers under this supplementary regulation.

First, a manufacturer may choose not to make any "Capehart" adjustment. Second, he may make an SR 17-type adjustment for products under this supplementary regulation. In that case, to adjust his ceiling prices, he must do the following: (a) calculate a labor cost adjustment reflecting July 26, 1951, wage rates; (b) calculate a materials cost adjustment reflecting July 26, 1951, materials costs; (c) adjust his ceiling prices to reflect changes in overhead costs between the first half of 1950 and the first half of 1951. Third, where eligible, a manufacturer may use SR 18. In that case he calculates his labor and materials cost adjustments using July 26, 1951, costs.

In the judgment of the Director of Price Stabilization the ceiling prices established by this regulation are generally fair and equitable, meet the standards of both clauses (A) and (B) of section 402 (d) (4) of the Defense Production Act of 1950, as amended, and are necessary to effectuate the purposes of Title IV of that Act.

In formulating this regulation, the Director has consulted with representatives of the industry and has given consideration to their recommendations. Every effort has been made to conform this 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 this regulation.

#### REGULATORY PROVISIONS

##### Sec.

1. What this revised supplementary regulation does.
2. Products covered by this revised supplementary regulation.
3. Ceiling prices.
4. Base period.
5. Base-period prices.
6. Application of price determining formula.
7. Labor cost adjustment.
8. Materials cost adjustment.
9. How you calculate your overhead adjustment.
10. Computation of ceiling prices where you are unable to determine the net cost to you as of June 24, 1950, of non-plastic inserts or components, or sub-contracted parts or services.
11. Recomputation of ceiling prices after your initial production run.
12. Manufacturers who started in the business of molding or fabricating plastic products after January 1, 1950.
13. Ceiling prices established under this supplementary regulation as originally issued.
14. Report of price determining formula.
15. Ceiling prices for dies, molds, and special tools.
16. Modification of ceiling prices by the Director of Price Stabilization.
17. Evasion.
18. Records.
19. Definitions.

**AUTHORITY:** Section 1 to 19 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 revised supplementary regulation does.** This revised supplementary regulation provides a compulsory method for determining ceiling prices for custom molded and custom fabricated plastic products. This method must be used by all sellers whose ceiling prices for such products are established by CPR 22, SR 17 to CPR 22 or SR 18 to CPR 22. It must be used to price all custom molded and custom fabricated plastic products for which a base-period price cannot be determined under the applicable regulation. This means that you must use this regulation, if you are pricing under CPR 22, to establish ceiling prices for all products not sold or offered for sale between July 1, 1949, and June 24, 1950. If you are pricing under either SR 17 to CPR 22 or SR 18 to CPR 22, you must use this regulation to establish ceiling prices for all products not sold or offered for sale between January 1, 1950, and June 24, 1950. You do not use this regulation to establish ceiling prices for products for which you are able to determine a base-period price under the applicable regulation. This supplementary regulation supersedes CPR 22, SR 17 and SR 18 to the extent that it is inconsistent with them.

**SEC. 2. Products covered by this revised supplementary regulation.** A custom molded plastic product is one sold exclusively to one customer, made to his specifications and produced with tools or dies owned or controlled by him. A molded plastic product is one produced by any molding process, including injection molding, extrusion, compression molding, plunger molding, transfer molding, blow molding and casting. A custom fabricated plastic product is one which is fabricated from plastic rods, rigid sheets, tubes or laminates and is sold exclusively to one customer and made to his specifications. A plastic product is one made of any of the natural or synthetic organic materials which are derived from cellulose, proteins, hydrocarbons and resins (not including crude or synthetic rubber or balata) and which can be molded or fabricated into various shapes by the use of either heat or pressure or both. A plastic product, however, may contain metal or other non-plastic inserts or components. This revised supplementary regulation does not cover sales of proprietary plastic products. A proprietary plastic product is one which you manufacture for sale to more than one customer.

**SEC. 3. Ceiling prices.** Your ceiling prices under this supplementary regulation will depend upon what regulation you are using to establish ceiling prices for plastic products sold prior to June 24, 1950. If you are using CPR 22 to establish ceiling prices for products sold between July 1, 1949, and June 24, 1950, you are a "CPR 22 seller." If you are using SR 18 to establish your ceiling prices for products sold between January 1, 1950, and June 24, 1950, you are a "SR 18 seller." If you are a "CPR 22 seller" or a "SR 18 seller," your ceiling price for any plastic product covered by this revised supplementary regulation is your base-period price for the product plus the "labor cost adjustment"

and the "materials cost adjustment." If you are using SR 17 to CPR 22 to establish your ceiling prices for plastic products sold or offered for sale between January 1, 1950, and June 24, 1950, you are a "SR 17 seller." If you are a "SR 17 seller," your ceiling price for any plastic product covered by this supplementary regulation is your base-period price for the product plus the "labor cost adjustment," the "materials cost adjustment" and the "overhead adjustment." Sections 5 and 6 tell you how to obtain your base-period price. Section 7 tells you how to calculate the "labor cost adjustment." Section 8 tells you how to calculate the "materials cost adjustment." Section 9 tells you how to calculate the "overhead adjustment." Section 11 tells you when and how you must recompute your ceiling price where it is based upon estimated production costs. Section 12 tells you how to determine your ceiling price if you started in business after January 1, 1950. The ceiling price established under this supplementary regulation must be consistent in every respect with your base-period price; that is, it must carry all customary delivery terms, deductions, guarantees, and other terms and conditions of sale.

**SEC. 4. Base period.** The base period is April 1, 1950, through June 24, 1950.

**SEC. 5. Base-period prices—(a) Where you had a price determining formula in effect during the base period.** (1) You determine your base-period price for a plastic product by using the formula which you last had in effect during the base period for determining price by relation to costs for plastic products of the same or a similar type. This means that you must use the overhead rates, machine-hour rates, if any, rates for general administrative and selling expenses, profit mark-up, discounts and allowances, and any other bases of computing price by relation to costs that were last in use in your plant during the base period and are applicable to the plastic product whose ceiling price is being determined. In addition, you must apply your formula in the same manner as you did during the base period. For example, if it was your base-period practice to "pass through" the actual dollar costs of nonplastic inserts or components, or subcontracted parts or services, without any mark-up on them, you must continue to do so in determining your base-period price.

(2) If you had several price determining formulas in effect simultaneously during the base period, and used one or another of them for particular plastic products, depending on the size and type of equipment required, you must use the formula applicable to the size and type of equipment to be used in the production of the plastic product whose ceiling price is being determined.

(b) *Where you were in the business of molding or fabricating plastic products prior to January 1, 1950, but had no applicable price determining formula in effect during the base period.* If you were in the business of molding or fabricating plastic products prior to January 1, 1950, but you had no formula in effect during

the base period for determining price by relation to costs for plastic products of the same or a similar type as that whose ceiling price you are determining under this revised supplementary regulation, you must establish such a formula and calculate a base-period price by use of that formula. The formula may relate to overhead rates, machine-hour rates, rates for general administrative and selling expenses, profit mark-up, discounts and allowances, and any other appropriate basis of computing price by relation to costs. However, these factors must be in line with those you had in effect during the base period. The formula also must contain all terms and conditions that you expect to use in your sales, and these terms and conditions must be in line with industry practice.

(c) *Basis of base period price determination.* You determine your base-period price on the basis of your actual production experience during your "initial production run" (defined in section 19) for the plastic product, or if you have not completed this initial production run, you determine your base-period price for that plastic product on the basis of the estimated material and labor costs and the estimated production rates. If you determine your base-period price on estimated costs, you must recompute your ceiling price after your "initial production run" as required in section 11.

(d) *Report.* A report of the price determining formula you are using under this section must be filed in accordance with section 14.

**SEC. 6. Application of price determining formula.** In applying your price determining formula to determine your base-period price for a plastic product, you must follow the instructions contained in this section relating to direct labor costs, materials costs and subcontracted services.

(a) *Direct labor costs.* You determine your direct labor costs by multiplying the straight-time labor rate for each classification of labor by the estimated number of clock hours of that class of labor. This estimate of the number of clock hours shall be based on previous production experience. The rates used in determining allowable direct labor costs shall be the rate in your plant, for each classification of labor, that was last prevailing during the base period. If you require the use of labor of a classification not employed by you in your plant during the base period, you must use as the rate for that classification of labor, the rate last prevailing during the base period in the locality in which the manufacturing is to be performed. If labor of that classification was not employed in that locality during the base period, you must use the rate last prevailing during the base period in the most comparable locality, as accurately as you are able to determine that rate. In the event that you are unable to determine the appropriate labor rates during the base period, you may apply to the Office of Price Stabilization, Consumer Durable Goods Division, Washington 25, D. C., for such rates. If you make such an application, you must refer specifically to

this section, and show (1) the classifications of labor for which you are unable to determine the appropriate labor rates; (2) the reasons why you are unable to do so; (3) the labor rates you propose for such classifications for the base period; and (4) the reasons for proposing those rates. Although you need not await a reply, the Director of Price Stabilization may, at any time, disapprove the labor rates you propose, stipulate the rates which he will approve, or request additional information.

(b) *Materials costs.* (1) You determine the cost of any manufacturing material by multiplying its net cost per unit to you as of June 24, 1950, by the physical amount to be used per unit of the plastic product whose ceiling price you are determining. To determine the net cost to you as of June 24, 1950, per unit of the manufacturing material, you must use sections 18, 19, 20, 22 and 23 of CPR 22, substituting for the "prescribed date," referred to in these sections, the date June 24, 1950. This means that whenever the term "prescribed date" appears in these sections, you will use June 24, 1950, instead. The term "manufacturing material" is defined in section 19 of this supplementary regulation. This is the same definition as in section 10 of Ceiling Price Regulation 22. If you use section 18 (i) of CPR 22, instead of applying for an appropriate increase in the cost of a manufacturing material, you will apply for an appropriate net cost as of June 24, 1950.

(2) In the case, however, of non-plastic inserts or components, or of subcontracted parts or services, you shall use only paragraphs (a) through (h) of section 18 of CPR 22 and you may not use paragraph (i) of section 18 of that regulation.

(3) If during the base period you processed a material or produced a part in your own plant, you may not use, in applying your price determining formula, any cost for subcontracting of the processing of the material or the making of the part in excess of the cost to you as of June 24, 1950, of the processing of the material or the making of the part in your own plant. (In determining such cost to you as of June 24, 1950, you shall apply paragraphs (a), (b) (1) and (2) of this section.) In all other cases, if you have materials processed or parts made by a subcontractor, you shall use the net cost to you as of June 24, 1950, for such subcontracted services, determined in accordance with paragraphs (b) (1) and (2) of this section, whichever is applicable.

(4) If you are unable to determine the net cost to you as of June 24, 1950, for any non-plastic insert or component, or subcontracted part or service, in accordance with subparagraphs (1) through (3) of this paragraph, you must compute the ceiling price of the plastic product containing such non-plastic insert or component or subcontracted part or service, under section 10.

**SEC. 7. Labor cost adjustment—(a) CPR 22 sellers.** If you are a CPR 22 seller, you calculate the "labor cost adjustment" in accordance with section 8 or 9 of CPR 22. However, you must

use April 1, 1950, through June 24, 1950, as your base period.

(b) *SR 17 sellers.* If you are a SR 17 seller, you calculate the "labor cost adjustment" in accordance with sections 5 and 6 of SR 17 except that you ignore sections 5 (a) (2), 5 (a) (3) and 5 (a) (4). You must use April 1, 1950, through June 24, 1950, as your base period.

(c) *SR 18 sellers.* If you are a SR 18 seller, you calculate the "labor cost adjustment" in accordance with section 6 of SR 18. You must use April 1, 1950, through June 24, 1950, as your base period.

**Sec. 8. Materials cost adjustment—**

(a) *CPR 22 sellers.* If you are a CPR 22 seller, you calculate the "materials cost adjustment" as follows:

(1) Find the physical amount of each manufacturing material to be used per unit of the plastic product whose ceiling price you are determining. You must exclude, however, any non-plastic insert or component, or subcontracted part or service, whose net cost to you as of June 24, 1950, you are unable to determine under section 6 (b).

(2) Multiply this physical amount of each of these manufacturing materials by the change in its net cost per unit to you between June 24, 1950, and December 31, 1950, except that for any material listed in Appendices A or B of CPR 22, you may figure the change to March 15, 1951. You determine this change in net cost per unit to you between June 24, 1950, and December 31, 1950, or March 15, 1951, whichever date is applicable, in accordance with sections 18, 19, 20, 22 and 23 of CPR 22. In no event, however, are you required to use as the net cost per unit to you as of December 31, 1950, of any plastic molding material, a figure less than the published price, as of that date, of the supplier from whom you made your last purchase of that material before June 24, 1950. Such published list price shall be for the same quantity of plastic molding material as you used in determining its net cost as of June 24, 1950.

(3) Add together the resulting figures derived under subparagraph (2) of this paragraph which represent increases in net costs. Do the same with the resulting figures which represent decreases in net costs. The difference between these totals is the "materials cost adjustment" to be added to the base-period price.

(b) *SR 17 sellers.* If you are a SR 17 seller, you calculate the "materials cost adjustment" just as does a CPR 22 seller, except that your cut-off date for determining the changes in your costs is July 26, 1951, not December 31, 1950, or March 15, 1951. If any manufacturing material used by you is a transferred material, you calculate the change in its net cost under section 8 of SR 17 and not under section 23 of CPR 22.

(c) *SR 18 sellers.* If you are a SR 18 seller, you calculate the "materials cost adjustment" just as does a CPR 22 seller, except that your cut-off date for determining the changes in your costs is July 26, 1951, not December 31, 1950, or March 15, 1951.

**Sec. 9. How you calculate your overhead adjustment.** If you are a SR 17 seller, you must calculate an overhead adjustment in establishing your ceiling price for a plastic product. To do this, you will have to determine a "1950 overhead factor" and a "1951 overhead factor." Paragraphs (a) and (b) of this section tell you how you do this. You will use the same factors for all plastic products produced in the portion of your business to which the factors apply. Your factor will be based either upon your entire business or upon a part of your business. Section 12 and Section 13 of SR 17 to CPR 22 explain when you use your entire business or a part of your business to make this calculation. In making this calculation, you must follow the definitions and rules in sections 10, 11 and 14 of SR 17. If the factors are based upon your entire business, you will use them for all your products; if they are based on only part of your business, you will use them only for products produced by that part. Paragraph (c) of this section explains how you use these factors to find the overhead adjustment for the commodity you are pricing.

(a) *1950 overhead factor.* You find your 1950 overhead factor by dividing the overhead for the appropriate unit during the 1950 overhead period (January 1 through June 30, 1950) by the net sales for the same unit for the same period.

(b) *1951 overhead factor.* You find your 1951 overhead factor by dividing the overhead for the appropriate unit during the 1951 overhead period (January 1 through June 30, 1951) by the net sales for the same unit for the same period.

(c) *How to apply the overhead factors to the product you are pricing.* (1) Multiply the product's base-period price found under section 5 of this regulation by the 1950 overhead factor. This gives you the dollar-and-cents amount of your base-period price represented by overhead.

(2) Add the labor cost adjustment found under section 7 and the materials cost adjustment found under section 8 to the base-period price found under section 5.

(3) From the total found in (2) subtract the result under (1). This gives you your adjusted base-period price, excluding overhead.

(4) Subtract the 1951 overhead factor from 100 percent. This gives you the percentage of your adjusted ceiling price represented by all other factors except overhead.

(5) Divide the result under (3) by the percentage found in (4). The result is your ceiling price for the product you are pricing. This ceiling price includes your overhead adjustment.

*Example.* (a) During the 1950 overhead period (January 1 through June 30, 1950) the net sales of plant "X" were \$1,000,000. The overhead costs during the same period were \$300,000. Therefore, the 1950 overhead factor was 30 percent (overhead costs divided by net sales).

(b) During the 1951 overhead period (January 1 through June 30, 1951) the net sales

of plant "X" were \$1,600,000. The overhead costs during the same period were \$400,000. Therefore, the 1951 overhead factor was 25 percent (overhead costs divided by net sales).

(c) (1) The base-period price of product "A" was \$1.80. Multiplying this amount by the 1950 overhead factor (30 percent) gives 54 cents as the amount of the base-period price represented by overhead.

(2) The labor cost adjustment found under section 7 is 20 cents; the materials cost adjustment found under section 8 is 10 cents. Adding both of the adjustments to the base-period price of \$1.80 gives a total of \$2.10.

(3) Subtracting the amount of overhead included in the base-period price (54 cents) from the result in 2 (\$2.10) leaves \$1.56. This is the adjusted base-period price excluding overhead.

(4) Subtracting the 1951 overhead factor (25 percent) from 100 percent leaves 75 percent.

(5) Dividing the result under 3 (\$1.56) by 75 percent gives \$2.08. This is the ceiling price for product "A."

**Sec. 10. Computation of ceiling prices where you are unable to determine the net cost to you as of June 24, 1950, of non-plastic inserts or components, or subcontracted parts or services.** This section is applicable to you if the plastic product you are pricing contains a non-plastic insert or component, or subcontracted part or service, whose net cost to you as of June 24, 1950, you are unable to determine, under section 6 (b). Such an insert or component, or subcontracted part or service, will be referred to in this section as the "insert."

(a) If you had a base-period price determining formula containing provisions expressly relating to "inserts" you determine your ceiling price as follows:

(1) You compute the base-period price of the plastic product in accordance with your base-period price determining formula, but you disregard the cost of the "insert" in computing your base-period price.

(2) Using the figure you derive under subparagraph (1) as your base-period price, you compute your ceiling price under section 3.

(3) You determine the current cost of the "insert" and add to this the markup which it was your customary base-period practice to apply to "inserts."

(4) You add the totals found under subparagraphs (2) and (3). This is your ceiling price for the plastic product.

(b) If you did not have a base-period price determining formula containing provisions expressly relating to "inserts" you determine your ceiling price by applying subparagraphs (1) and (2) of paragraph (a) of this section and adding the current cost of the insert to the figure derived in subparagraph (2).

**Sec. 11. Recomputation of ceiling prices after your initial production run.** If your ceiling price for a plastic product was determined on the basis of estimated labor and materials costs and the estimated production rate, you must, within 10 days after the end of your initial production run, recompute your ceiling price on the basis of the actual costs and the actual production rate as determined during that initial production run. If the recomputed ceiling price



varies by more than 5 per cent above or below your initially determined ceiling price, it becomes your ceiling price immediately. If the recomputed ceiling price does not vary by more than 5 per cent above or below your initially determined ceiling price, your ceiling price shall continue to be that which you originally determined.

**SEC. 12. Manufacturers who started in the business of molding or fabricating plastic products after January 1, 1950—**

(a) *Applicability.* This section is applicable to you if, for any reason, you cannot determine your ceiling prices under section 3. You will have to use this section if you started in the business of molding or fabricating plastic products after January 1, 1950, unless you are subject to section 48 (a) of CPR 22, *Transfer of business or stock in trade.*

(b) *Formula.* (1) You must establish a price determining formula which will yield ceiling prices in line with those otherwise established by this revised supplementary regulation.

(2) The provisions of section 5 (b) relating to the establishment of a formula and terms and conditions of sale shall be applicable. You may not, however, in applying this formula, use costs for labor or materials (other than non-plastic inserts or components, or subcontracted parts or services) as of a period or date later than July 26, 1951. In addition, you may not change such period or date in subsequent applications of your formula.

(3) You must file a report of your price determining formula with the Office of Price Stabilization, Consumer Durable Goods Division, Washington 25, D. C., by registered mail in accordance with section 14; and in addition you may not, except as permitted by paragraph (d) of this section, sell any plastic product covered by this revised supplementary regulation, until 30 days after mailing your report; thereafter you may sell at the ceiling price determined and reported according to the provisions of this section. The report must contain, in addition, a statement of the period or date as of which costs are determined for use in applying your price determining formula.

(4) If within 30 days after mailing the report, the Director of Price Stabilization does not take some disapproving action, such as is set forth in section 14, you may deem your price determining formula to be approved. However, the Director of Price Stabilization may at any later date disapprove such formula.

(c) *Ceiling prices.* (1) A ceiling price determined under this section must be in line with ceiling prices otherwise established by this revised supplementary regulation. You determine your ceiling price on the basis of your production experience during your "initial production run" (defined in section 19) for the product. If you have not completed this initial production run, you determine your ceiling price on the basis of the estimated materials and labor costs, and the estimated production rate.

(2) The provisions of section 11 relating to recomputation of ceiling prices

shall be applicable to products covered by this section.

(d) *Interim pricing.* In the 30-day waiting period after mailing the report required by paragraph (b) (3) of this section, you may continue to sell, offer for sale, or deliver any product for which you have established a ceiling price under any other regulation, using the ceiling price so established. Thereafter you may not sell at prices exceeding the ceiling prices established under this section. In addition, during that 30-day period, you may make a contract or offer to sell a plastic product according to the provisions of section 40 of CPR 22, *Adjustable pricing.*

**SEC. 13. Ceiling prices established under this supplementary regulation as originally issued.** If prior to February 6, 1952, you have established a ceiling price for a plastic product under this supplementary regulation as originally issued, you may continue to use that ceiling price until March 15, 1952. On and after March 15, 1952, the provisions of this revised supplementary regulation shall apply to you as to any such plastic products.

**SEC. 14. Report of price determining formula.** Except as provided in sections 12 and 13 of this revised supplementary regulation, you may not sell, offer for sale, or deliver any plastic product covered by this revised supplementary regulation until after you have filed a report of your price determining formula (whether it was one used by you during the base period or is one you are required to establish) with the Office of Price Stabilization, Consumer Durable Goods Division, Washington 25, D. C. The Director of Price Stabilization may, at any time, disapprove or modify your price determining formula, request additional information concerning it, require you to file a revised price determining formula, or establish a different price determining formula for you, but such action will not be retroactive as to previous deliveries of any plastic products priced under that formula. In the event that the Director finds that your production experience does not yet warrant the establishment of a permanent price determining formula, he may either establish, or give temporary approval to, a price determining formula and require filing under this section at a later date. The report must be submitted by registered mail, and must include the following:

(a) The name and address of your company.

(b) A detailed itemization of the formula.

(c) A detailed explanation of all factors included in the formula, the manner in which they are determined, and the manner in which they are applied.

(d) Delivery terms, cash, trade and volume discounts, allowances, premiums and extras, deductions, guarantees, servicing terms and other terms and conditions of sale.

(e) If the formula was in effect during the base period, a report on the three plastic products having the largest gross

sales during the year 1950, which were priced under it during the base period, showing for each:

(1) The part name, number, and description of the plastic product.

(2) The manufacturing processes involved.

(3) Worksheets detailing your calculations in arriving at the base-period price.

(4) The actual selling price charged if the selling price differs from the price determined by use of the formula.

(f) A statement whether you are a "CPR 22 seller," "SR 17 seller," or a "SR 18 seller." These terms are defined in section 3. If you are now a "CPR 22 seller," and at a later date decide to become a SR 17 or SR 18 seller you must inform OPS by registered mail. You may make the change upon receiving the return receipt.

**SEC. 15. Ceiling prices for dies, molds, and special tools—(a) Purchase of dies, molds and special tools.** If you purchase a die, mold or special tool, and resell it in connection with the sale of a plastic product whose ceiling price is determined under this revised supplementary regulation, the ceiling price of the die, mold or special tool shall be the price you paid for it (but not in excess of the ceiling price under the applicable ceiling price regulation) plus any costs to you of engineering or design work necessary in connection with it.

(b) *Manufacture of dies, molds and special tools.* Where you produce the die, mold or special tool and sell it to the customer in connection with the sale of a product priced under this revised supplementary regulation, the ceiling price for the die, mold or special tool shall be determined in accordance with the provisions of CPR 22, CPR 30 or the GPCR, whichever is applicable.

**SEC. 16. Modification of ceiling prices by the Director of Price Stabilization.** The Director of Price Stabilization may at any time disapprove or revise downward ceiling prices proposed to be used or being used under this revised supplementary regulation so as to bring them into line with the level of ceiling prices otherwise established by this revised supplementary regulation.

**SEC. 17. Evasion.** Price limitations set forth in this revised supplementary regulation shall not be evaded by direct or indirect methods. The production of any article, the ceiling price for which is established under this supplementary regulation, must be consistent with the factors used in applying your price determining method.

*Example.* If you determine your price on the basis of a mold or die producing five units per hour, you may not use this price if you change the mold or die to produce ten units per hour, without reducing your price downward to reflect the decrease of cost per unit to you.

**SEC. 18. Records.** If you use this revised supplementary regulation, you must prepare and preserve all the records required under section 46(a) of CPR 22, and, in addition, keep complete and accurate records of the following:

(a) *Sales.* (1) The date the sale was made.

(2) The name and address of the buyer.

(3) The quantity of each class, type, condition and grade of product sold.

(4) The price per unit received.

(b) *Costs and calculations.* (1) The labor rates you had in effect on June 24, 1950, and on March 15, 1951, or July 26, 1951, and any other date used in your price determinations.

(2) Materials costs and factory overhead rates in effect during the base period.

(3) Materials costs on December 31, 1950, and March 15, 1951, or on July 26, 1951, or on any other date used in your price determinations.

(4) If you are a SR 17 seller, overhead rates in effect on June 24, 1950, and July 26, 1951, or on any other date used in your price determinations.

(5) Estimate sheets and other data showing your ceiling prices and how they were determined under this revised supplementary regulation.

**SEC. 19. Definitions—Base period.** This term means April 1, 1950, to June 24, 1950.

**GCPR:** This term refers to the General Ceiling Price Regulation.

**CPR 22:** This term refers to Ceiling Price Regulation 22.

**CPR 30:** This term refers to Ceiling Price Regulation 30.

**SR 17:** This term refers to Supplementary Regulation 17 to CPR 22.

**SR 18:** This term refers to Supplementary Regulation 18 to CPR 22.

**Initial production run:** This term means a production run of sufficient duration to give appropriate production figures, or thirty days from the time the mold is first put in production, or fabrication commenced if you are a fabricator, whichever time is shorter.

**Manufacturing material:** This term refers to a material entering directly into the plastic product being priced, or used directly in the manufacturing processes from which the plastic product results, together with packaging materials, containers (other than returnable containers), purchased fuel, steam or electric energy, and subcontracted industrial services which are directly related to the manufacture of the plastic product. The term does not include materials or subcontracted industrial services used in replacing, maintaining or expanding your plant and equipment, nor other materials or supplies the use of which is not directly dependent upon the rate at which you manufacture the plastic product being priced.

**Net cost or net price:** This term refers to the cost to you of a manufacturing material less any discount (other than a customary cash discount) or allowance you took or could have taken. It does not include separately stated charges such as freight, taxes, etc.

**Production rate:** This term refers to the number of units of the plastic product produced per hour of operation.

**Effective date.** The mandatory effective date of this revised supplementary regulation is March 15, 1952. You may,

however, elect to make this regulation effective as to you on any date between February 6, 1952, and March 15, 1952. If you elect an earlier effective date, this regulation becomes effective on that date for all your products covered by this regulation, except as provided in section 12.

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

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

FEBRUARY 1, 1952.

[F. R. Doc. 52-1461; Filed, Feb. 1, 1952;  
4:00 p. m.]

[Ceiling Price Regulation 78, Amtd. 4 to  
Supplementary Regulation 2]

#### CPR 78—BASIC ALCOHOLIC BEVERAGE REGULATION

#### SR 2—DISTRIBUTORS OF IMPORTED AND DOMESTIC PACKAGED DISTILLED SPIRITS AND WINES

#### EXTENSION OF EFFECTIVE DATE FOR RETAILERS AND "ON-PREMISE LICENSEES"

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 Supplementary Regulation 2 to Ceiling Price Regulation 78 is hereby issued.

#### STATEMENT OF CONSIDERATIONS

By Amendment 1 to Supplementary Regulation (SR) 2 to Ceiling Price Regulation (CFR) 78 the effective date of SR 2, for all sellers covered by that regulation was extended from January 1, 1952 to February 1, 1952. Similarly the date by which those sellers must complete the OPS Public Forms prescribed for their use under SR 2 was extended from January 15, 1952 to February 1, 1952.

Since the issuance of Amendment 1 reports have been received by the Office of Price Stabilization indicating that, in many cases, retailers and "on-premise licensees" are having difficulty applying the various formulae that SR 2 directs them to use in calculating their ceiling prices. In addition, a number of specific recommendations for amendment of the provisions applying to retailers and "on-premise licensees" have been received.

In order to afford time to study these reports and recommendations and, if found to be warranted, to amend the appropriate provisions of SR 2, the mandatory effective date of that supplementary regulation for retailers and "on-premise licensees", and the date for completion of the appropriate OPS Public Forms by those sellers is further extended to April 1, 1952. Retailers and "on-premise licensees" still, of course, have the option of putting SR 2 into effect for any or all of their items before April 1, 1952, if they comply with the appropriate provisions of that supplementary regulation. The effective date for all sellers other

than retailers and "on-premise licensees", and the date by which those sellers must complete their OPS Public Forms, remain February 1, 1952.

Before the issuance of this amendment consultation was had with various representatives of the industry and due consideration was given to their recommendations.

#### AMENDATORY PROVISIONS

Supplementary Regulation 2 to Ceiling Price Regulation 78 is amended in the following respects:

1. Sections 54, 55, 56, 57, 60 and 61 (and the Examples in those sections) are changed as follows:

(a) The date "February 1, 1952" (inserted in those sections and Examples by Amendment 1 to Supplementary Regulation 2 to Ceiling Price Regulation 78) is changed to "April 1, 1952."

(b) The date "January 31, 1952" (inserted in those sections and Examples by Amendment 1 to Supplementary Regulation 2 to Ceiling Price Regulation 78) is changed to "March 31, 1952."

2. Section 80 is amended to read as follows:

**SEC. 80. When this supplementary regulation becomes effective.** (a) If you are not a retailer or an "on-premise licensee" the effective date of this supplementary regulation for sales of all of your items covered by this supplementary regulation is February 1, 1952. You may, however, select any earlier effective date between October 31, 1951, and February 1, 1952, for any or all of your items, but you may not sell any item (covered by this supplementary regulation) on and after February 1, 1952, unless you have calculated your ceiling price for that item under this supplementary regulation.

(b) If you are a retailer or an "on-premise licensee" the effective date of this supplementary regulation for sales of all of your items covered by this supplementary regulation is April 1, 1952. You may, however, select any earlier effective date between October 31, 1951 and April 1, 1952, for any or all of your items, but you may not sell any item (covered by this supplementary regulation) on and after April 1, 1952, unless you have calculated your ceiling price for that item under this supplementary regulation.

(c) If you are a seller who is required (by the section under which the ceiling price for an item is determined) to have in your records by a specified date an appropriate OPS Public Form relating to that item, you may not sell that item on and after the specified date unless you have first filled out that Form and placed it in your files.

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

**Effective date.** This amendment is effective February 1, 1952.

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

FEBRUARY 1, 1952.

[F. R. Doc. 52-1463; Filed, Feb. 1, 1952;  
4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 53, Revocation]

**GCPR, SR 53—ADJUSTMENT OF CIGARETTE "LOSS-LEADER" PRICES COVERED BY ARKANSAS STATUTE**

**REVOCATION**

Supplementary Regulation (SR) 53 to the General Ceiling Price Regulation was issued to allow cigarette wholesalers and retailers to raise their ceiling prices to the levels required by the Arkansas "Loss-Leader" statute. The statement of considerations pointed out that it would be "obviously inconsistent with the purposes of the economic stabilization program for the Office of Price Stabilization to acquiesce in minimum prices established for whatever purpose by State or local legislative bodies." Nevertheless, SR 53 did permit sellers to raise their prices in Arkansas because, as the statement of considerations stated, (1) the Arkansas statute was of limited character, (2) only a small number of sellers would be affected and (3) only limited price adjustments would be necessary. It was believed that permitting prices to rise to the level prescribed by the Arkansas statute would have a negligible effect on the cost of living. Since the issuance of SR 53, a number of other States which have similar legislation have requested the Office of Price Stabilization to extend the principles embodied in SR 53 to them.

A re-examination of cigarette "Loss-Leader" statutes has shown that they have broader economic implications than were anticipated when SR 53 was issued. The effect of these statutes would be, it is now clear, to affect a large number of sellers and to raise prices substantially.

"Loss-Leader" legislation has the avowed purpose of preventing those who sell a variety of commodities from taking a loss on one in order to attract customers and thereby increase the sales of other commodities. They assure that each seller will sell at such a price that his return will represent his cost of acquisition plus at least part of the cost of doing business. The Arkansas statute and similar statutes of other States require wholesalers as well as retailers to apply a specified markup to the manufacturer's net invoice price, thus requiring sales at a minimum level above the cost of acquisition. The action taken by revoking SR 53 is not intended to require sellers to maintain ceiling prices below this cost level. On the other hand, it is normal business practice for wholesalers and retailers to sell various items, including cigarettes, at varying markups above the cost of acquisition. Sales at low markups are not necessarily loss leaders; rather, they frequently represent normal price competition designed to maintain or increase the volume of sales of the specific item. To encourage the prohibition of this practice and permit these sellers to raise their ceiling prices to levels which will give them wider than normal margins would be inflationary and contrary to the objectives of the economic stabilization program. Yet, to permit SR 53 to stand, or to extend it to other States with sim-

ilar laws, would, it is now clear, have just this inflationary effect.

It was thought when SR 53 was issued that the Arkansas statute was a special case. Since the issuance of the regulation, it has been ascertained that 26 other States have similar legislation. It would be, of course, unfairly discriminatory to allow increases to the level required under the Arkansas statute without allowing similar increases under the statutes of those other States. If such over-all price increases were to be permitted, however, the number of sellers affected would be far greater than was contemplated under SR 53. Taking into account this large number of sellers and the level of necessary price increases, the effect of an extension of SR 53 would be definitely inflationary. Under these circumstances, there is no alternative but to revoke SR 53.

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), Supplementary Regulation 53 to the General Ceiling Price Regulation (16 F. R. 808) is hereby revoked effective March 1, 1952.

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

MICHAEL V. DISALLE,  
Director of Price Stabilization.

FEBRUARY 1, 1952.

[F. R. Doc. 52-1459; Filed, Feb. 1, 1952; 10:55 a. m.]

[General Ceiling Price Regulation, Amdt. 1 to Supplementary Regulation 65]

**GCPR, SR 65—ADJUSTMENT OF CEILING PRICES FOR RETAIL SALES OF PORK PRODUCTS**

**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 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 65 to the General Ceiling Price Regulation (16 F. R. 809) is hereby issued.

**STATEMENT OF CONSIDERATIONS**

The accompanying amendment to Supplementary Regulation 65 is primarily a clarifying amendment applicable to sections 3, 4, 7, 9, 10, 11 and 12 of the regulation.

1-4 This amendment provides that retailers' ceiling prices for fat, feet, and neckbones are to be determined under Supplementary Regulation 65. Heretofore, section 3 (e) of this regulation specifically excluded the sale of fat, feet and neckbones and left such items subject to the provisions of the General Ceiling Price Regulation. These items, however, have in many cases increased in cost to the extent that GCPR prices are generally inadequate. Accordingly, in order to relieve the replacement squeeze resulting under the General Ceiling Price Regulation, as well as to provide a method for decreases in price where

costs may be less, this amendment removes the exception for fat, feet and neckbones provided in sections 3 (e), 6 and 7. Retailers thus will adjust their ceiling prices pursuant to the formula prescribed in Supplementary Regulation 65 for other pork products.

Supplementary Regulation 65 as originally issued made no provisions for mail order sales of pork items at retail. It has been brought to the attention of the Director that a substantial number of retailers customarily sell pork products in this manner. Such items are advertised months ahead of time in national magazines, papers and through catalogs which must be printed long before the actual time of sale. Obviously, therefore, the weekly computation of ceiling prices required by Supplementary Regulation 65 is impractical in the case of mail order sales. Accordingly, sections 3 and 4 of this regulation have been amended to exempt mail order retail sales of pork products from the coverage of this supplementary regulation and to permit retailers to sell at fixed ceiling prices established under the General Ceiling Price Regulation and applicable supplementary regulations.

Many slaughterers sell pork cuts or items directly to their employees but make no other sales of these products at retail. Such slaughterers have found it burdensome to compute their retail ceiling prices under this regulation. Furthermore, sales to employees have customarily been made at lower than retail prices. Section 3 has, therefore, been amended to allow slaughterers the alternative of using as their ceiling prices for sales to their employees the wholesale ceiling prices established for pork items by Ceiling Price Regulation 74.

5. In certain sections of the country a few sellers of pork items raise and slaughter their own hogs from which these items are derived and sold at retail. Section 7 has, therefore, been amended to provide that where a seller derives pork items entirely from live hogs which he raises and slaughters he shall determine ceiling prices for those items under the GCPR. Since such retailers are few in number and supply few consumers, the average price of retail pork products will not be affected.

6. This amendment further corrects two omissions in Supplementary Regulation 65. When first issued this regulation provided a method for new sellers of pork products to determine their base week cost on the basis of a seven-day period beginning with the first day on which hogs or wholesale pork cuts were delivered to such sellers. The regulation, however, failed to provide for the sale of pork products during this seven-day period, thus in effect requiring retailers to retain such meat for at least a week before sale. This amendment removes this hardship by permitting retailers to sell such pork products during this seven-day period at their ceiling price as established under the General Ceiling Price Regulation.

Supplementary Regulation 65 has heretofore not specifically provided for the computation of adjusted ceiling prices in the case of any seller who has not established a ceiling price prior to

July 29, 1951. Such sellers may now, under the provisions of section 9 (b), establish their ceiling prices under the applicable section of the General Ceiling Price Regulation and may use this ceiling price wherever the regulation requires sellers to use a pre-July 29, 1951, ceiling price.

7. Section 10 has been amended so as to change the optional computation date from Friday to Thursday. Many stores have had difficulty in computing their seven-day costs on Friday in time to put their adjusted ceiling prices into effect on Monday. In the case of chain stores, moreover, the central offices, from which pricing for all stores of the chain is established, are closed on Saturdays and Sundays. In order to make these computations, therefore, extra personnel on an overtime basis has been required.

Section 10 has also been amended to permit retail stores under common ownership the alternative of using computations based on purchase contracts rather than deliveries. Although many stores, which price from a central warehouse, make all their purchases through the central office, deliveries are made to the individual stores. Consequently, each individual store must submit its data of its seven-day purchases to the central office, which in many cases may be several hundred miles away. Accordingly, this amendment allows such stores to use confirmations of purchase orders in computing their seven-day costs.

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

#### AMENDATORY PROVISIONS

1. Section 3 (e) is deleted and a new section 3 (e) is added to read as follows:

(e) If you sell pork cuts or items which you deliver by mail to ultimate consumers in response to orders received by mail for such cuts or items selected from catalogs or other printed price lists, your ceiling prices for such cuts or items shall not be determined under this supplementary regulation but shall be determined under the General Ceiling Price Regulation and any other applicable supplementary regulations.

2. A new section 3 (f) is added to read as follows:

(f) If you are a slaughterer and sell pork items to your employees, you may use as your ceiling prices for such sales the ceiling prices prescribed by Ceiling Price Regulation 74, after notifying in writing the District Office of the Office of Price Stabilization for the area in which your slaughtering establishment is located.

3. Section 4 is amended by adding a new paragraph (g) to read as follows:

(g) Mail order retail sales.

4. Section 6 is amended by deleting the phrase "fat, feet and neckbones" from paragraphs (h) and (i) so that paragraphs (h) and (i) will read as follows:

(h) If your seven-day cost per pound for dressed hogs for the seven-day period preceding any Monday after the effective date of this regulation is more than your base week cost per pound for dressed hogs, your ceiling price for the seven-day period commencing with that Monday for pork items derived from dressed hogs delivered to you shall be your dollars-and-cents ceiling prices per pound for each computed prior to July 29, 1951, under the General Ceiling Price Regulation plus the "seven-day cost differential" for dressed hogs for the seven-day period preceding that Monday.

(i) If your seven-day cost per pound for dressed hogs for the seven-day period preceding any Monday after the effective date of this regulation is less than your base week cost per pound for dressed hogs, your ceiling price for the seven-day period commencing with that Monday for pork items derived from dressed hogs delivered to you shall be your dollars-and-cents ceiling price per pound for each computed prior to July 29, 1951, under the General Ceiling Price Regulation less the "seven-day cost differential" for dressed hogs for the seven-day period preceding that Monday.

5. Section 7 is amended by lettering the first paragraph thereof as paragraph (a), by numbering the subparagraphs designated (a) to (i), as (1) to (9), by deleting the words "except for fat, feet and neck bones" from subparagraphs (8) and (9) (former subparagraphs (h) and (i)) and by adding a new paragraph (b) so that section 7 reads as follows:

SEC. 7. *How to compute the ceiling prices of the pork items you derive from live hogs which you slaughter.* (a) If you buy live hogs which you slaughter and sell pork items derived from those live hogs, except as provided in section 11, you shall determine your ceiling price for those pork items as follows:

(1) Compute the total number of pounds of live hogs delivered to you between January 19 and January 25, 1951, inclusive. This period is referred to as the "base week."

(2) Compute the total cost of the live hogs delivered to you during the "base week." (See section 8 of this supplementary regulation.)

(3) Divide the figure computed under (1) into the figure computed under (2). The resulting quotient is your base week cost per pound for live hogs in dollars-and-cents. If live hogs were not delivered to you during the base week, see section 9 of this supplementary regulation.

(4) Compute the total number of pounds of live hogs delivered to you during the seven days preceding each Monday after the effective date of this regulation.

(5) Compute the total cost of live hogs delivered to you during the seven days preceding each Monday after the effective date of this regulation.

(6) Divide the figure computed under (4) into the figure computed under (5). The resulting quotient is your seven-day

cost per pound for live hogs in dollars-and-cents.

(7) Each Monday after the effective date of this regulation, compare your base week cost per pound for live hogs with your seven-day cost per pound for live hogs for the preceding seven days. Multiply the difference between those two cost figures by 2 and the resulting product is your "seven-day cost differential" for live hogs in dollars-and-cents per pound.

(8) If your seven-day cost per pound for live hogs for the seven-day period preceding any Monday after the effective date of this regulation is more than your base week cost per pound for live hogs, your ceiling price for the seven-day period commencing with that Monday for pork items derived from live hogs which you slaughtered shall be your dollars-and-cents ceiling prices per pound for each computed prior to July 29, 1951, under the General Ceiling Price Regulation plus the "seven-day cost differential" for live hogs for the seven-day period preceding that Monday.

(9) If your seven-day cost per pound for live hogs for the seven-day period preceding any Monday after the effective date of this regulation is less than your base week cost per pound for live hogs, your ceiling price for the seven-day period commencing with that Monday for pork items derived from live hogs which you slaughtered shall be your dollars-and-cents ceiling prices per pound for each computed prior to July 29, 1951, under the General Ceiling Price Regulation less the "seven-day cost differential" for live hogs for the seven-day period preceding that Monday.

(b) If you raise live hogs which you slaughter and sell pork items derived from those live hogs, except as provided in section 11, you shall determine your ceiling prices for those pork items under the General Ceiling Price Regulation.

6. Section 9 is amended to read as follows:

SEC. 9. *Sellers who cannot price under section 5, 6 or 7 of this regulation—*(a) *How to compute your base week cost for dressed hogs, live hogs or any wholesale pork cuts not delivered to you, or for any live hogs not slaughtered by you, during the base week.* For any dressed hogs, live hogs or wholesale pork cuts, respectively, which were not delivered to you during the base week, compute the total number of pounds of dressed hogs, live hogs, or that wholesale pork cut, respectively, delivered to you during the seven-day period beginning with the first day on which a dressed hog, a live hog or that wholesale pork cut, respectively, was delivered to you after January 25, 1951. Compute the total cost of dressed hogs, live hogs or that wholesale pork cut, respectively, delivered to you during that seven-day period. Divide the total number of pounds into the total cost. The resulting quotient is your base week cost per pound in dollars-and-cents for dressed hogs, live hogs or that wholesale pork cut, respectively.

(b) *How to determine your ceiling price for sales during seven-day period in which you are computing base week cost as provided in section 9 (a).* If, during

the seven-day period beginning on the first day after January 25, 1951, on which any dressed hog, wholesale pork cut, or live hog, respectively, was delivered to you, you wish to sell a pork cut or item, you may sell at your ceiling price as determined under the General Ceiling Price Regulation. At the expiration of this seven-day period, however, you must determine your ceiling price as provided in the applicable section of this supplementary regulation and must determine your base week cost as provided in section 9 (a).

(c) *How to determine the ceiling price for a pork cut or item for which you did not establish a GCPR ceiling price prior to July 29, 1951, under the General Ceiling Price Regulation.* If you sell a pork cut or item for which you did not, prior to July 29, 1951, establish a ceiling price under the General Ceiling Price Regulation, you must in determining your ceiling price for that cut or item under section 5, 6 or 7 of this supplementary regulation:

(1) Establish a ceiling price for that cut or item under the applicable section of the General Ceiling Price Regulation;

(2) Determine your base week cost as provided in section 9 (a) (1) using as your seven-day period the seven-day period beginning with the first day on which a dressed hog, live hog or wholesale pork cut was delivered to you, after the date on which you established your ceiling price under the General Ceiling Price Regulation for the pork cut or item you are selling.

(3) Use your ceiling price as determined under section 9 (c) (1) wherever section 5, 6 or 7 of this supplementary regulation requires you to use a ceiling price computed prior to July 29, 1951 under the General Ceiling Price Regulation.

7. Section 10 is amended to read as follows:

SEC. 10. *Alternative provisions for determining your "seven-day cost" per pound under section 5, 6, or 7 of this regulation—(a) Seven days preceding Thursday instead of Monday.* (1) If any individual store, or any group of stores under one ownership pricing from a central point, desires to do so, it may determine its "seven-day cost" per pound under section 5, 6, or 7 (a) of this supplementary regulation on the basis of deliveries received during the seven days preceding the Thursday prior to each Monday after the effective date of this supplementary regulation in lieu of the seven days preceding each Monday after the effective date of this supplementary regulation. Ceiling prices determined on the basis of costs determined in this manner shall be placed in effect on the Monday following that Thursday and not earlier.

(2) Once your seven-day cost per pound is determined as of Thursday pursuant to this section, you may not thereafter determine your seven-day cost as of any other day. Moreover, if you use this method of determining your ceiling prices under either section 5, 6,

or 7 (a), you must use this method in determining your ceiling prices for all pork cuts and items under all three sections.

(3) If this method of determining your ceiling prices is adopted, it must be used for all stores in any group of stores under one ownership.

(b) *Purchase contracts instead of deliveries.* A group of retail sellers under common ownership or control which:

(1) Had an established practice of centrally determining uniform prices during the GCPR base period for all their pork cuts and items,

(2) Has uniform GCPR ceilings for all sellers in the group, and

(3) During the GCPR base period kept and presently keeps records from which may be determined separately for that group of sellers the total costs and amounts of purchases of wholesale pork cuts, dressed hogs and live hogs may in determining ceiling prices for pork cuts or items, compute "base week cost" and "seven-day cost" on the basis of purchase contracts made during the relevant period instead of deliveries during that period. However, "base week cost" and "seven-day cost" may not be computed on the basis of purchase contracts if such purchase contracts provide for delivery to sellers not in the group. Once you determine your "base week cost" and "seven-day cost" on the basis of purchase contracts, it may not thereafter be determined on the basis of deliveries. When used in this section the term "purchase contracts" means firm orders by retailers that have been accepted by the shipper stating the date of delivery, the weight, and cost per pound of each item included in the order.

8. Section 11 is amended as follows:

a. The first paragraph of section 11 is amended by deleting the word "Friday" and substituting the word "Thursday" so that this paragraph will read as follows:

If in any seven-day period preceding a Monday or, in cases where the provisions of section 10 are applied, preceding a Thursday, you obtain a given pork cut or item in more than one way (e. g., by purchasing wholesale pork cuts and by cutting dressed hogs) you shall:

b. Section 11 is amended by adding a new section 11 (c) to read as follows:

(c) Determine your ceiling price for that pork cut or item under the provisions of section 7 (a) of this supplementary regulation if you obtained that pork cut or item from live hogs you purchased and slaughtered and from live hogs you raised and slaughtered. You shall not compute your ceiling price for that pork cut or item under the provisions of section 5, 6 or 7 (b).

9. Section 12 (a) (3) is amended to read as follows:

(3) Your ceiling prices established under the General Ceiling Price Regulation.

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

*Effective date.* This amendment shall become effective February 6, 1952.

NOTE: The record keeping requirements of this amendment 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.

FEBRUARY 1, 1952.

[F. R. Doc. 52-1460; Filed, Feb. 1, 1952; 10:55 a. m.]

## Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-1, as amended  
February 1, 1952]

### M-1—IRON AND STEEL

This order, as amended, is found necessary and appropriate to promote the national defense and is issued pursuant to authority granted by the Defense Production Act of 1950, as amended. In the formulation of this order as originally issued and in the formulation of certain of its amendments, there was consultation with industry representatives, including trade association representatives, and consideration was given to their recommendations. In the formulation of certain other amendments, consultation with industry representatives was impracticable due to the necessity for immediate action.

NPA Order M-1 as amended July 6, 1951, and as amended by Amendment 1 of August 2, 1951, is hereby completely revised. There have been incorporated herein those provisions of the directions to NPA Order M-1 which are pertinent and necessary. These directions are being revoked concurrently with the issuance of this amended order, as more fully set out in section 1 (b) hereof. As so revised, NPA Order M-1 reads as follows:

#### Sec.

1. What this order does.
2. Definitions.
3. Authorized production.
4. How producers apply for a production directive or a production schedule.
5. Applications by further converters.
6. Shipments to further converters.
7. Steel castings.
8. Acceptance or rejection of orders by producers.
9. NPA assistance in placing orders.
10. Lead times.
11. Minimum orders.
12. Producer's shipments to other producers.
13. Relation to other NPA orders and regulations.
14. Request for adjustment or exception.
15. Records and reports.
16. Communications.
17. Violations.

*AUTHORITY:* Sections 1 to 17 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 96, 82d Cong.; 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; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789.

**SECTION 1. What this order does.** (a) This order requires producers of controlled steel mill products to file monthly data and suggestions as to future pro-

duction. It requires authorization of production by the National Production Authority, and contemplates such authorization of production for shipments for further conversion, but makes provision for such shipments pending issuance of allocation directives for further conversion. It requires separate reports to be filed in connection with the production of steel castings (which are a controlled material). It contains certain provisions with respect to the acceptance of orders by producers and permits producers to deliver controlled steel mill products to other producers for resale without further conversion. It also provides for lead times and minimum orders.

(b) The directions to this order, namely, Directions 1, 2, 3, and 4, are being revoked concurrently with the issuance of this amended order. Such revocation will not relieve any person of any obligation or liability incurred thereunder, nor deprive any person of any rights received or accrued thereunder, prior to the effective date of such revocation.

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

(b) "Products" means those iron or steel products listed under column A of Table I of this order. This term includes clad and coated products when clad or coated by a producer.

(c) "Controlled steel mill products" means those steel products listed under part A of Table I of this order and which, except for non-nickel-bearing stainless steel, are listed in Schedule I of CMP Regulation No. 1. The term as used in this order does not include steel castings.

(d) "Producer" means a person who produces one or more products, as defined in paragraph (b) of this section. This term shall not include further converters, as defined in paragraph (n) of this section, located in the Dominion of Canada or any province thereof.

(e) "Carbon steel (including wrought iron)" means any steel customarily so classified and also includes: (1) All grades of electrical sheet and strip; (2) low-alloy, high-strength steels; and (3) clad and coated carbon steels not included with alloy steels, e. g., galvanized, tin, terne, copper (excluding copper wire mill products) or aluminum clad and/or coated carbon steels. "Low-alloy, high-strength steels" means only the proprietary grades promoted and sold for this purpose, and Navy high-tensile steel grade HT Specification Mil-S-16113 (Ships).

(f) "Alloy steel" means steel containing 50 percent or more of iron or steel and any one or more of the following elements in the following amounts: Manganese, maximum of range in excess of 1.65 percent; silicon, maximum of range in excess of 0.60 percent (excepting electrical sheet and strip); copper, maximum of range in excess of 0.60 percent; aluminum, boron, chromium, cobalt, columbium, molybdenum,

nickel, tantalum, titanium, tungsten, vanadium, zirconium, or any other alloying elements in any amount specified or known to have been added to obtain a desired alloying effect. For operations beginning with the second calendar quarter of 1952, clad steels which have an alloy-steel base or carbon steel for which nickel and/or chromium is contained in the coating or cladding material (e. g., inconel, monel, or stainless) are alloy steels.

(g) "Stainless steel" means heat- and corrosion-resisting steel containing 50 percent or more of iron or steel and 10 percent or more of chromium whether with or without nickel, molybdenum, or other elements.

(h) "Non-nickel-bearing stainless steel" means a stainless steel containing less than one percent of nickel.

(i) "Steel castings" means any steel, except ingots, which retains its shape by having the molten metal poured into a mold.

(j) "Stainless steel castings" means any steel casting which is heat-, corrosion-, or abrasion-resistant, containing 50 percent or more of iron and 8 percent or more of chromium with or without nickel, molybdenum, or other alloying elements.

(k) "Production directive" means a directive issued by NPA to a producer approving, or authorizing, the production by him of the tonnages of controlled steel mill products and steel castings mentioned therein.

(l) "Suggested production directive," as applied to controlled steel mill products in Form NPAF-100, means the tonnages of controlled steel mill products suggested to be shipped commencing with a given month, a statement of which is contained in column (n) of Form NPAF-100.

(m) "Further conversion" means the further processing of one controlled steel mill product into another controlled steel mill product for resale. This term does not include conversion steel handled pursuant to Direction 8 of CMP Regulation No. 1.

(n) "Further converter" means a producer who receives a controlled steel mill product from a producer supplier for further conversion and who, by further processing, converts such controlled steel mill product into another controlled steel mill product for resale. This term shall include any further converter domiciled in, or incorporated under the laws of, the Dominion of Canada or any province thereof.

(o) "Producer supplier" means a producer of a controlled steel mill product who ships the same to a further converter for further conversion.

(p) "Base period" means the period commencing January 1, 1950, and ending September 30, 1950.

(q) "Base tonnage" means the average monthly shipments of any one controlled steel mill product made by any one producer supplier during the base period to any one further converter customer.

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

**Sec. 3. Authorized production.** Producers shall produce controlled steel mill products for shipment only in accordance with (a) an NPA production directive, or (b) an authorized production schedule on an approved Form CMP-4B application.

**Sec. 4. How producers apply for a production directive or a production schedule.** (a) Not later than the fifteenth day of each calendar month, each producer of a controlled steel mill product (except those producers specifically instructed by NPA to file Form CMP-4B applications) is hereby required to file with NPA a Steel Producer's Monthly Production Directive Report on Form NPAF-100. NPA may make such changes, modifications, deletions, or additions in the tonnage specified by any suggested production directive heretofore or hereafter filed on Form NPAF-100 as in its discretion may seem necessary, advisable, or appropriate. February 1952 is the production month for reports on Form NPAF-100 filed by December 15, 1951. Each producer will receive a production directive from NPA on or before the fifth day of the month preceding the production month.

(b) Certain producers of controlled steel mill products, whose principal business is other than that of a steel mill, may be instructed by NPA to apply for steel, to be used for further conversion, on a Form CMP-4B, instead of on a Form NPAF-100. In any such case NPA will issue an authorized production schedule and a related allotment bearing the prefix symbol "FC," based on such Form CMP-4B. A producer who receives an allotment on Form CMP-4B shall not be considered to be a further converter for the purposes of sections 5 and 6 of this order.

(c) Not later than the fifteenth day of each calendar month, each producer of a controlled steel mill product is hereby also required to file with NPA a Steel Producer's Monthly Report of Shipments and Past Due Orders on Form NPAF-17 in the manner prescribed in that form.

**Sec. 5. Applications by further converters.** Any further converter who has heretofore filed Form NPAF-100 or who files that form by February 15, 1952, and the fifteenth day of each calendar month thereafter will be deemed to have filed an application with NPA for an allocation of controlled steel mill products required by him for further conversion. NPA may make such changes, modifications, or deletions in the tonnage applied for by such further converter as in its discretion may seem necessary, advisable, or appropriate. Upon completion of the review of the further converter's application, NPA may transmit a further converter allocation directive by mail or telegram to the producer supplier of the controlled steel mill products applied for and transmit a copy thereof to the further converter. The further converter allocation directive will require a producer supplier to make shipment to the further converter of the controlled steel mill products applied for and approved by NPA. Any producer supplier who receives a further converter allocation directive requiring him to allocate tonnage

to any one or more further converters shall make allocations pursuant to such converter allocation directive and shall cease to make shipments to such further converter pursuant to section 6 of this order. Any producer supplier who fails to receive a further converter allocation directive requiring him to allocate tonnage to any one or more further converter customers by the tenth day of the month preceding the production month shall continue to make shipments to such further converter customers under section 6 of this order. When allocations are made to all of his further converter customers by a producer supplier pursuant to further converter allocation directives, section 6 of this order will be no longer applicable to such producer supplier.

**Sec. 6. Shipments to further converters.** (a) Each producer supplier who is not subject to the provisions of section 5 of this order is hereby required to accept purchase orders from his further converter customers for shipments of controlled steel mill products to the extent provided in this section. Each producer supplier must accept purchase orders calling for shipments in any one month of any one or more of the controlled steel mill products, which were shipped by him to each further converter customer during the base period, up to a minimum of not less than:

(1) 100 percent of the base tonnage of controlled steel mill products required for the production of cold-finished carbon steel bars;

(2) 90 percent of the base tonnage of controlled steel mill products required for the production of each of the other carbon controlled steel mill products (except carbon plates for line pipe);

(3) 85 percent of the base tonnage of controlled steel mill products required for the production of stainless tubing (of which percentage a minimum of 80 percent shall be in the nickel grades, irrespective of the percentage of nickel grades of such tubing shipped during the base period);

(4) 85 percent of the base tonnage of controlled steel mill products required for the production of each other stainless product (of which percentage a minimum of 15 percent shall be in the nickel grades, irrespective of the percentage of nickel grades of such products shipped during the base period);

(5) 100 percent of the base tonnage of controlled steel mill products required for the production of alloy cold-drawn bars (of which percentage a minimum of 25 percent shall be in the nickel grades, irrespective of the percentage of nickel grades of cold-drawn bars shipped during the base period); and

(6) 100 percent of the base tonnage of controlled steel mill products required for the production of each other alloy product (of which percentage a minimum of 20 percent shall be in the nickel grades, irrespective of the percentage of nickel grades of such products shipped during the base period).

(b) All orders placed by a further converter with a producer supplier must be for substantially the same product as was supplied to each further converter cus-

tomers during the base period, except for minor variations in size and design. In determining the amount of the monthly allotments, adjustments may be made subject to NPA approval by a producer supplier, with the consent of the further converter customer involved, to provide for any abnormal situations which affect any products.

**Sec. 7. Steel castings.** (a) Not later than February 15, 1952, and the fifteenth day of each calendar month thereafter, each producer of steel castings is hereby required to file with NPA a report on Form NPAF-118 in the manner prescribed in that form.

(b) Not later than February 5, 1952, and the fifth day of each calendar month thereafter, each producer of armor castings is hereby also required to file with NPA a report of Shipments of Armor Castings on Form NPAF-141.

**Sec. 8. Acceptance or rejection of orders by producers.** (a) Each producer shall accept only the following classes of purchase orders for controlled steel mill products (including steel mill products for rerolling or redrawing purposes) and steel castings:

1. Orders pursuant to NPA directives;
2. Steel distributor orders under or in accordance with the provisions of NPA Order M-6A;
3. Further converter orders in accordance with the provisions of this order; and
4. Authorized controlled material orders.

Each producer shall accept the purchase orders mentioned in the preceding sentence for each product until his order books are filled for that product for a particular month, and pursuant to and in accordance with appropriate NPA orders or regulations. However, with respect to authorized controlled material orders, each producer shall have the option (subject to the provisions of subparagraph (1) of this paragraph) of determining which authorized controlled material orders or portions thereof he will accept and schedule for shipment without regard to dates of receipt of such orders: *Provided, however,* That no producer shall reject any authorized controlled material orders bearing allotment symbol A, B, C, or E, and a digit, or Z-2, unless his order books for a particular product are filled for that product for a particular month.

(1) Within the 15-day period immediately preceding the expiration of lead times, a producer shall accept and schedule for production all authorized controlled material orders offered to him until his order books for a particular product are filled for that product. During such 15-day period such orders shall be scheduled for production with precedence given to the orders received first.

(2) Each producer shall, within applicable lead times, accept orders for shipment of each controlled steel mill product in any month until such orders, together with all authorized controlled material orders already on hand for shipment during such month and all orders carried over from preceding months, plus (i) such orders as he has been directed by the NPA to ship, (ii) tonnages set aside for shipment to warehouses, and (iii) tonnages set aside for

shipment to further converters, total not less than 110 percent nor more than 115 percent of the tonnage of such product to be produced pursuant to his production directive. When a producer has complied with the provisions of this paragraph, his books shall be deemed filled for a particular month for the product involved. Each producer shall promptly notify the appropriate product section of the NPA Iron and Steel Division by telegram if, at the expiration of lead times, he has not received and accepted orders for at least 110 percent of his authorized production of any controlled steel mill product.

(b) Each producer shall, after receipt of purchase orders tendered to him, promptly accept or reject all such orders. Receipt of an order shall not be deemed to have occurred until the order is received at the place where the steel producer usually processes such order. Upon such acceptance or rejection, he shall immediately notify, in writing or by telegram, the person who tendered the order of such acceptance or rejection. For the purpose of the first sentence of this paragraph, the word "promptly" shall be deemed to mean as quickly as possible, but in no event later than 13 consecutive calendar days after receipt, unless circumstances beyond the control of the steel producer shall render it impracticable to give notice as aforesaid, in which event the notice shall be given as quickly as possible thereafter. This paragraph is intended to give those persons whose orders have been rejected an opportunity to place their orders with other producers or distributors.

(c) Each producer shall open his order books for the acceptance of purchase orders for steel products for the second calendar quarter of 1952 and for each calendar quarter thereafter not later than the number of days prior to the first day of the quarter as shown in the following schedule:

| For products with a lead time of (days) (see Table I of this order): | Books opened prior to first day of quarter, not later than (days) |
|--|---|
| 45.....  | 90  |
| 60.....  | 105   |
| 75.....  | 120   |
| 90.....  | 135   |
| 105.....   | 150   |
| 120.....   | 165   |

(d) A producer may open his order books for the purpose of accepting purchase orders for any calendar quarter as long in advance of such quarter as he may choose, but after his order books are opened he shall accept orders as provided for in this section.

(e) The provisions of this section shall not apply to non-nickel-bearing stainless steel.

**Sec. 9. NPA assistance in placing orders.** Any person who is unable to place an authorized controlled material order due to the provisions of section 8 of this order should apply to NPA on Form NPAF-148. NPA will arrange to assist him in locating other sources of supply.

**Sec. 10. Lead times.** A producer of products, as defined in section 2 (b) of this order shall not be required to accept an authorized controlled material order

for controlled steel mill products or steel castings or a DO rated order for forgings or iron products which is not received by him prior to the expiration of the lead time set out under column B of Table I of this order opposite each such product. The lead time for any product is the number of days in advance of the first day of the month of shipment prior to which such purchase order must be placed with a producer.

**Sec. 11. Minimum orders.** No producer shall be required to accept a purchase order for a smaller amount of any item of a product for shipment at any one time to any one destination than the amount indicated in column C of Table I of this order opposite each such product.

**Sec. 12. Producer's shipments to other producers.** (a) A producer may ship a controlled steel mill product to another producer for resale provided such product is sold by the producer to whom it is shipped in the form and shape received, and without being further converted or processed.

(b) Any delivery order placed pursuant to paragraph (a) of this section shall bear the symbol X-5 and shall contain a certification in the following form:

X-5—Certified under NPA Order M-1

This certification shall be signed as provided in section 8 of NPA Reg. 2 and shall constitute a representation to the producer and to NPA that the person placing the order is duly authorized to place the order under the provisions of this section and to obtain the product covered thereby.

(c) A producer with whom an X-5 order is placed may reject the same, but shall not discriminate between regular customers in so doing. Such orders shall not constitute authorized controlled material orders unless and until accepted by the producer, but if accepted by him such orders are hereby specifically designated as authorized controlled material orders pursuant to section 2 (q) of CMP Regulation No. 1.

(d) The resale of controlled steel mill products purchased pursuant to this section shall be subject to all applicable NPA regulations and orders.

**Sec. 13. Relation to other NPA orders and regulations.** (a) All provisions of any NPA regulation or order are superseded to the extent that they are inconsistent with this order, but in all other respects the provisions of such regulations and orders shall remain in full force and effect.

(b) Products covered by this order are subject to the inventory provisions of CMP Regulation No. 2 in the case of controlled materials, and of NPA Reg. 1 for other products.

**Sec. 14. Request 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 his business operation was commenced during or after the base period, that any provision otherwise 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 de-

fense or in the public interest. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the 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, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

**Sec. 15. Records and reports.** (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Author-

ity, at the usual place of business where maintained.

(c) Persons subject to this order shall make such records and submit such reports as are required by the provisions of this order, and such other reports, to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

**Sec. 16. Communications.** All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M-1.

**Sec. 17. Violations.** Any person who wilfully violates any provision of this order, or any other order or regulation of NPA, or who wilfully furnishes false information or conceals any material fact 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 shall take effect February 1, 1952.

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

TABLE I OF NPA ORDER M-1—IRON AND STEEL PRODUCTS TO WHICH THIS ORDER APPLIES

| Column A<br>Name of product.....  | Column B<br>Number of days in advance of first day of month in which shipment is required |                                |                  |              | Column C<br>Minimum quantity for each size and grade of any item for mill shipment at any one time to any one destination 1 |              |
|---|---|--------------------------------|------------------|--------------|---|--------------|
|   | Carbon<br>(1)   | Low-alloy high-strength<br>(2) | Stainless<br>(3) | Alloy<br>(4) | Carbon<br>(1)   | Alloy<br>(2) |
| <i>Part A</i>   |   |                                |                  |              |   |              |
| Controlled steel mill products (includes the following forms and shapes whether new, remelted, rerolled, or redrawn, including used and second quality materials, shearings, and material sorted or salvaged from scrap which are sold for other than remelting, rerolling, or redrawing purposes.) |   |                                |                  |              |   |              |
| Bar, bar shapes:  |   |                                |                  |              |   |              |
| Bar, hot-rolled, stock for projectile and shell bodies.....   | 45  | 75                             |                  | 75           | (1)   | (1)          |
| Bar, hot-rolled, other (including light shapes).....  | 45  | 75                             | 90               | 75           | (1)   | (1)          |
| Bar, reinforcing (straight lengths as rolled).....  | 45  |                                |                  |              | 5 net tons  |              |
| Bar, cold-finished.....   | 75  | 105                            | 105              | 105          | 5 net tons  | 5 net tons   |
| Sheet, strip (uncoated and coated):   |   |                                |                  |              |   |              |
| Sheet, hot-rolled.....  | 45  | 75                             | 90               | 75           | 5 net tons  | (1)          |
| Sheet, cold-rolled.....   | 45  | 75                             | 105              | 90           | 5 net tons  | (1)          |
| Sheet, galvanized.....  | 45  |                                |                  |              | (1)   | (1)          |
| Sheet, all other coated.....  | 45  |                                |                  |              | (1)   | (1)          |
| Sheet, enameling.....   | 45  |                                |                  |              | (1)   | (1)          |
| Roofing, galvanized, corrugated, V-crimped channel drains.....  | 45  |                                |                  |              | (1)   | (1)          |
| Ridge roll, valley, and flashing.....   | 45  |                                |                  |              | (1)   | (1)          |
| Siding, corrugated and brick.....   | 45  |                                |                  |              | (1)   | (1)          |
| Strip, hot-rolled.....  | 45  | 75                             | 90               | 75           | 3 net tons  | (1)          |
| Strip, cold-rolled.....   | 45  | 75                             | 105              | 90           | 3 net tons  | (1)          |
| Strip, galvanized.....  | 45  |                                |                  |              | (1)   | (1)          |
| Electrical sheet and strip.....   | (1)   |                                |                  |              | (1)   | (1)          |
| Tin mill black plate.....   | 45  |                                |                  |              | 5,000 pounds  |              |
| Tin plate, hot-dipped.....  | 45  |                                |                  |              | 5,000 pounds  |              |
| Ternex, special coated manufacturing.....   | 45  |                                |                  |              |   |              |
| Tin plate, electrolytic.....  | 45  |                                |                  |              | 5,000 pounds  |              |
| Plate:  |   |                                |                  |              |   |              |
| Rolled armor.....   | (1)   | (1)                            |                  | (1)          | (1)   | (1)          |
| Continuous strip mill.....  | 45  | 75                             | 90               | 75           | 10 net tons   | (1)          |
| Sheared, universal or bar mill.....   | 45  | 75                             | 90               | 75           | 3 net tons  | (1)          |



TABLE I OF NPA ORDER M-1—IRON AND STEEL PRODUCTS TO WHICH THIS ORDER APPLIES—Continued

[NPA Order M-1, Directions 1, 2, 3 and 4; Revocation]

M-1—IRON AND STEEL

DIR. 1—AUTHORIZED CONTROLLED MATERIALS ORDERS DURING THIRD QUARTER, 1951

DIR. 2—LEAD TIME; REQUIRED FILLING OF ORDERS; REQUIRED CONVERTER AND DISTRIBUTION ALLOTMENTS OF STAINLESS AND ALLOY; CARRYOVER

DIR. 3—ORDER ACCEPTANCE; SET-ASIDE CELLULATION

DIR. 4—TONNAGE RESERVATION

Directions 1 (16 F. R. 5841), 2 (16 F. R. 7676), 3 (16 F. R. 11180, 12511) and 4 (16 F. R. 9723) to NPA Order M-1 are hereby revoked. This revocation does not relieve any person of any obligation or liability incurred under Directions 1, 2, 3, or 4 to NPA Order M-1 as originally issued or as amended from time to time, nor deprive any person of any rights received or accrued under said directions as originally issued, or as amended from time to time, prior to the effective date of this revocation.

This revocation is effective February 1, 1952.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154)

NATIONAL PRODUCTION AUTHORITY,

By JOHN B. OLVERSON,  
Recording Secretary.

[F. R. Doc. 52-1468; Filed, Feb. 1, 1952; 11:17 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 19 to Schedule A]

[Rent Regulation 2, Amdt. 17 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE RENTAL AREA

ARIZONA

These amendments are issued as a result of joint certification pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective February 4, 1952, Rent Regulation 1 and Rent Regulation 2 are amended so that the item of Schedule A set forth below reads as follows:

| Column A<br>Name of product   | Column B<br>Number of days in advance of first day of month in which shipment is required |                                |                  |              | Column C<br>Minimum quantity for each size and grade of any item for mill shipment at any one time to any one destination <sup>1</sup> |                     |
|---|---|--------------------------------|------------------|--------------|--|---------------------|
|   | Carbon<br>(1)   | Low-alloy high strength<br>(2) | Stainless<br>(3) | Alloy<br>(4) | Carbon<br>(1)  | Alloy<br>(2)        |
| <b>Part A—Continued</b>   |   |                                |                  |              |  |                     |
| Structural shapes piling  | 45  | 75                             | 150              | 90           | (7)  | (7)                 |
| Pipe, tubing:   |   |                                |                  |              |  |                     |
| Standard pipe (including type of couplings furnished by mill)                   | 45  |                                | 120              |              | (7)  | (7)                 |
| Oil country goods (casings, tubular goods, type of couplings furnished by mill) | 45  |                                |                  | 60           | (7)  | (7)                 |
| Line pipe (including type of couplings furnished by mill)                       | 45  |                                |                  |              | (7)  | (7)                 |
| Pressure tubing—seamless and welded   | 60  |                                | 120              | 120          | (7)  | (7)                 |
| Mechanical tubing—seamless and welded   | 60  |                                | 120              | 120          | (7)  | (7)                 |
| Wire, wire products:  |   |                                |                  |              |  |                     |
| Wire, drawn   | 45  | 75                             | 90               | 75           | (7)  | (7)                 |
| Nails—bright steel wire, steel cut, galvanized, cement-coated, and painted      | 45  |                                |                  |              | 5 net tons <sup>11</sup>   |                     |
| Spikes and brads—steel wire galvanized and cement-coated                        | 45  |                                |                  |              | 5 net tons <sup>11</sup>   |                     |
| Staples, bright and galvanized (farm and poultry)                               | 45  |                                |                  |              | 5 net tons <sup>11</sup>   |                     |
| Wire rope and strand  | 45  |                                | 105              |              | (7)  |                     |
| Welded wire mesh  | 45  |                                | 105              |              | (7)  |                     |
| Woven wire netting  | 45  |                                | 105              |              | 5 net tons <sup>11</sup>   |                     |
| Barbed and twisted wire   | 45  |                                |                  |              | 5 net tons <sup>11</sup>   |                     |
| Wire fence, woven and welded (farm and poultry)                                 | 45  |                                |                  |              | 5 net tons <sup>11</sup>   |                     |
| Bale ties   | 45  |                                |                  |              | 5 net tons <sup>11</sup>   |                     |
| Coiled automatic baler wire   | 45  |                                |                  |              | 5 net tons <sup>11</sup>   |                     |
| Tool steel (including die blocks and tool steel forgings) <sup>5</sup>          | 60  |                                |                  | 90           | 500 pounds   | 500 pounds          |
| Other mill forms and products (not including forgings except for wheels):       |   |                                |                  |              |  |                     |
| Ingot   | 45  | 75                             | 75               | 75           | 25 net tons <sup>11</sup>  | Product of one heat |
| Billets, for projectile and shell bodies  | 45  | 75                             |                  | 75           | (7)  | (7)                 |
| Blooms, slabs, other billets, tube rounds, sheet bars                           | 45  | 75                             | 75               | 75           | 25 net tons <sup>11</sup>  | (7)                 |
| Skelp   | 45  |                                |                  |              | 25 net tons <sup>11</sup>  |                     |
| Wire rod  | 45  | 75                             | 90               | 75           | 5 net tons   | 5 net tons          |
| Rails and track accessories (joint bars, tie plates, and track spikes)          | 45  |                                |                  |              | (7)  |                     |
| Wheels, rolled or forged (railroad)   | 45  |                                |                  | 90           | (7)  | (7)                 |
| Axles, railroad   | 45  |                                |                  | 90           | (7)  | (7)                 |
| <b>Part B</b>   |   |                                |                  |              |  |                     |
| Castings, steel (rough as cast)   | 60  | 60                             | 60               | 60           | (7)  | (7)                 |
| <b>Part C</b>   |   |                                |                  |              |  |                     |
| Forgings, rough as forged   | 60  | 120                            | 120              | 120          | (7)  | (7)                 |
| <b>Part D</b>   |   |                                |                  |              |  |                     |
| Iron products:  |   |                                |                  |              |  |                     |
| Pig iron (not including iron with more than 6 percent silicon)                  | 45  |                                |                  |              | Carload  |                     |
| Malleable castings (rough as cast)  | 60  |                                |                  |              | (15)   |                     |
| Gray iron castings, rough as cast, excluding pressure pipe and fittings         | 60  | 90                             |                  | 90           | (15)   |                     |

<sup>1</sup> All stainless steel is by direct negotiation.  
<sup>2</sup> If annealed or heat-treated, add an additional 15 days.  
<sup>3</sup> By negotiation between mill and its customer. If no acceptable arrangements are worked out, NPA should be notified.  
<sup>4</sup> Round bars up to and including 3 inches, and squares, hexagons, half rounds, ovals, etc., of approximately equivalent section area—5 net tons. Round and square bars over 3 inches to, but not including, 8 inches—15 net tons. Bar size shapes (angles, tees, channels, and tees under 3 inches)—5 net tons.  
<sup>5</sup> For electrical sheet and strip, use this table:

| Grade  | Lead time | Definition                       |
|--------|-----------|----------------------------------|
| Low    | 45        | AISI M50, M43, M36.              |
| Medium | 45        | AISI M27, M22, M19.              |
| High   | 60        | AISI M17, M15, M14 and oriented. |

<sup>6</sup> Applies to special rolled shapes, including angles and channels.  
<sup>7</sup> Published carload minimum (mixed sizes and grades).  
<sup>8</sup> For welded tubing, 75 days.  
<sup>9</sup> By negotiation, excepting seamless cold-drawn, for which use this table (O. D. in inches):  
 Up to 3/4 inclusive..... 1,000 feet.  
 Over 3/4 to 1 1/4 inclusive..... 800 feet.  
 Over 1 1/4 to 3 inclusive..... 600 feet.  
 Over 3 to 6 inclusive..... 400 feet.  
 Over 6..... 250 feet.  
<sup>10</sup> Low carbon..... 1 net ton.  
 High carbon (0.40 carbon and higher):  
 Under 0.021 inch..... 500 pounds.  
 From 0.021 inch to 0.0475 inch..... 1,000 pounds.  
 0.0475 inch and heavier..... 1 net ton.  
<sup>11</sup> Quantity refers to any assortment of wire merchant trade products.  
<sup>12</sup> If cold-finished, add an additional 15 days.  
<sup>13</sup> For forging quality, product of one heat. ("Heat" means 1 batch of metal made in one furnace.)  
<sup>14</sup> Lead time applies to unmachined castings after approval of pattern for production.  
<sup>15</sup> 2,000 pounds or less from any one pattern or mold, or a minimum production run by the producing foundry.

| State and name of defense-rental area | Class | County or counties in defense-rental area under regulation  | Maximum rent date | Effective date of regulation |
|---------------------------------------|-------|---|-------------------|------------------------------|
| Arizona<br>(15) Flagstaff.....        | A     | In Coconino County, that part of supervisorial district 1, south of 36° latitude, and that part of supervisorial district 2, north of 35° latitude. | Sept. 1, 1950     | Feb. 4, 1952                 |

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

Issued this 30th day of January 1952.

WILLIAM G. BARR,  
Acting Director of Rent Stabilization.

[F. R. Doc. 52-1357; Filed, Feb. 1, 1952; 8:49 a. m.]

[Rent Regulation 1, Amdt. 20 to Schedule A]  
[Rent Regulation 2, Amdt. 18 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE RENTAL AREA  
INDIANA

Amendment 20 to Schedule A of Rent Regulation 1—Housing and Amendment 18 to Schedule A of Rent Regulation 2—Rooms in Rooming Houses and Other Establishments. Said regulations are amended in the following respect:

Schedule A, Item 97, is amended to describe the counties in the defense-rental area as follows:

- Bartholomew.
- Jackson.
- Bartholomew and Jackson.
- Brown, Johnson, and Shelby.

This decontrols the Townships of Clay, Washington, Jackson, Marion and Sand Creek in Decatur County, Indiana, portions of the Columbus, Indiana, Defense-Rental Area on the initiative of the Director of Rent Stabilization in accordance with section 204 (c) of said act.

| Name of defense-rental area | State      | County or counties in defense-rental area under regulation  | Maximum rent date | Effective date of regulation |
|-----------------------------|------------|---|-------------------|------------------------------|
| (15) Flagstaff.....         | Arizona... | In Coconino County, that part of supervisorial district 1, south of 36° latitude, and that part of supervisorial district 2, north of 35° latitude. | Sept. 1, 1950     | Feb. 4, 1952                 |

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

Issued this 30th day of January 1952.

WILLIAM G. BARR,  
Acting Director of Rent Stabilization.

[F. R. Doc. 52-1358; Filed, Feb. 1, 1952; 8:50 a. m.]

[Rent Regulation 3, Amdt. 38 to Schedule A]

RR 3—HOTELS

SCHEDULE A—DEFENSE RENTAL AREAS  
INDIANA

Amendment 38 to Schedule A of Rent Regulation 3—Hotels. Said regulation

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

These amendments shall be effective February 2, 1952.

Issued this 30th day of January 1952.

WILLIAM G. BARR,  
Acting Director of Rent Stabilization.

[F. R. Doc. 52-1355; Filed, Feb. 1, 1952; 8:49 a. m.]

[Rent Regulation 3, Amdt. 37 to Schedule A]

RR 3—HOTELS

SCHEDULE A—DEFENSE RENTAL AREAS  
ARIZONA

This amendment is issued as a result of joint certification pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective February 4, 1952, Rent Regulation 3 is amended so that the item of Schedule A set forth below reads as follows:

is amended in the following respect:

Schedule A, Item 97, is amended to describe the counties in the defense-rental area as follows:

- Bartholomew, Brown, Jackson, Johnson and Shelby.

This decontrols the Townships of Clay, Washington, Jackson, Marion and Sand Creek in Decatur County, Indiana, portions of the Columbus, Indiana, Defense-Rental Area on the initiative of the Director of Rent Stabilization in accordance with section 204 (c) of said act.

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

This amendment shall be effective February 2, 1952.

Issued this 30th day of January 1952.

WILLIAM G. BARR,  
Acting Director of Rent Stabilization.

[F. R. Doc. 52-1356; Filed, Feb. 1, 1952; 8:49 a. m.]

[Rent Regulation 1, Amdt. 2 to Schedule B]

[Rent Regulation 2, Amdt. 1 to Schedule B]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

MISCELLANEOUS AMENDMENTS

Amendment 2 to Schedule B of Rent Regulation 1—Housing and Amendment 1 to Schedule B of Rent Regulation 2—Rooms in Rooming Houses and Other Establishments. Said regulations are amended in the following respects:

A. Item 44 of Schedule B of Rent Regulation 1—Housing is amended as follows:

1. Paragraph (a) of said item 44 shall read as follows: "Sections 81 and those sections which follow relating to the establishment of maximum rents shall be inapplicable to housing accommodations in this defense-rental area."

2. The words "including any adjustments under sections 126 to 140 which may be applicable" appearing at the end of paragraph (b) of said item 44 are changed to read "including any adjustments under sections 126 and those sections which follow relating to adjustments increasing maximum rents which may be applicable."

B. Item 47 of Schedule B of Rent Regulation 2—Rooms in Rooming Houses and Other Establishments is amended as follows:

1. Paragraph (a) of said item 47 shall read as follows: "Sections 80 and those sections which follow relating to the establishment of maximum rents shall be inapplicable to housing accommodations in this defense-rental area."

2. The words "including any adjustments under sections 126 to 137 which may be applicable" appearing at the end of paragraph (b) of said item 47 are changed to read "including any adjustments under sections 126 and those sections which follow relating to adjustments increasing maximum rents which may be applicable."

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

These amendments shall be effective February 1, 1952.

Issued this 30th day of January 1952.

WILLIAM G. BARR,  
Acting Director of Rent Stabilization.

[F. R. Doc. 52-1354; Filed, Feb. 1, 1952; 8:49 a. m.]

TITLE 14—CIVIL AVIATION  
Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amndt. 12]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

ALTERATIONS

The standard instrument approach procedures appearing hereinafter are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Part 609 is amended as follows:

1. The low frequency range procedures prescribed in § 609.6 are amended to read in part:

LOW FREQUENCY RANGE PROCEDURES

| Station frequency; identification; class                             | Minimum initial approach altitude from the direction and route fix indicated   | Final approach course | Procedure turn minimum at distances from radio range station   | Minimum altitude over range—final approach (ft.) | Station to airport         |                | Ceiling and visibility minimums |                          |                          |                          | If visual contact not established over airport at authorized landing minimums, or if landing not recommended; remarks |  |
|--|--|-----------------------|--|--|----------------------------|----------------|---------------------------------|--------------------------|--------------------------|--------------------------|---|--|
|  |  |                       |  |  | Mag. north bearing (degs.) | Distance (mi.) | Day                             |                          | Night                    |                          |   |  |
|  |  |                       |  |  |                            |                | Ceiling (ft.)                   | Visibility (mi.)         | Ceiling (ft.)            | Visibility (mi.)         |   |  |
| (PROCEDURE CANCELED)   |  |                       |  |  |                            |                |                                 |                          |                          |                          |   |  |
| ACOMITA, N. MEX.<br>CAA Int. Fiedl                                   |  |                       |  | 1,300  | 337                        | 1.9            | 608                             | R<br>(E)<br>S<br>T       | 500<br>500<br>500<br>500 | 1.5<br>1.0<br>1.0<br>1.0 | 500<br>500<br>500<br>500  | Climb to 1,500' on N crs.<br>*Runway 26.   |
| BURLINGTON, IOWA<br>Burlington Airport<br>236 kc; BBL;<br>SBRAZ-DTV  | E—MEA (S crs Molitor)<br>S—Minimum en route altitude<br>SW—MEA (Kavanaugh LF Range)<br>N—MEA (W crs Molitor)   | S                     | 10 mi.—1,500' E side S crs<br>15 mi.—1,800' E side S crs<br>20 mi.—2,000' E side S crs<br>25 mi.—2,000' E side S crs     | 1,300  | 337                        | 1.9            | 608                             | R<br>(E)<br>S<br>T       | 500<br>500<br>500<br>500 | 1.5<br>1.0<br>1.0<br>1.0 | 500<br>500<br>500<br>500  | Climb to 1,500' on N crs within 25 mi.<br>CAUTION: 5,000' terrain, 5 miles SSW and W of airport.   |
| CASPER, WYO.<br>Nampa Co. Airport<br>260 kc; CPR;<br>SBRAZ-DTV       | N—MEA (SE crs Sheridan)<br>E—Minimum en route altitude<br>E—4,000' (Packer FM) (final)<br>S—MEA (E crs Stclair)<br>W—Minimum en route altitude         | E                     | 10 mi.—4,500' N side E crs<br>15 mi.—7,000' N side E crs<br>20 mi.—7,000' N side E crs<br>25 mi.—7,000' N side E crs     | 6,000  | 253                        | 7.7            | 5,347                           | R<br>A<br>T              | 500<br>800<br>500        | 2.0<br>2.0<br>1.0        | 500<br>800<br>500   | Climb to 1,500' on E crs, or alternate procedure (when directed by ATC), turn right and climb to 1,400' on SW crs.<br>*Runway 10.  |
| CHARLESTON, S. C.<br>Charleston Airport<br>229 kc; CHS;<br>SBRAZ-DTV | N—MEA (Ferguson LF Range)<br>E—Minimum en route altitude<br>SW—MEA (Savannah LF Range)<br>NW—MEA (NE crs Augusta)<br>NW—600' (Stammerville FM) (final) | NW                    | 10 mi.—1,200' S side NW crs<br>15 mi.—1,200' S side NW crs<br>20 mi.—1,500' S side NW crs<br>25 mi.—1,500' S side NW crs | 600  | 110                        | 2.0            | 45                              | R<br>(E)<br>S*<br>A<br>T | 500<br>500<br>500<br>800 | 1.5<br>1.0<br>1.0<br>2.0 | 500<br>500<br>500<br>800  | Maintain a heading of 212° climb to 2,000' and contact Fort Worth approach controller for further instructions.<br>NOTE: Instrument runway is ITR.   |
| FORT WORTH, TEX.<br>Cresswell AFB<br>365 kc; FTW;<br>SBRAZ-DTV       | N—MEA (S crs Oklahoma City LFR)<br>N—1,400' (Hasslett FM) (final)<br>E—MEA (N crs Dallas LFR)<br>S—MEA (NW crs Waco LFR)<br>W—MEA (Mineral Wells Ebn)  | N                     | 10 mi.—2,000' W side N crs<br>15 mi.—2,000' W side N crs<br>20 mi.—2,000' W side N crs<br>25 mi.—2,000' W side N crs     | 1,400  | 212                        | 7.4            | 624                             | R<br>A<br>T              | 800<br>800<br>300        | 1.5<br>2.0<br>1.0        | 800<br>800<br>300   | Climb to 1,500' on SE crs.<br>*Runway 14.  |
| MOBILE, ALA.<br>Brookley AFB<br>248 kc; MOB;<br>SBRAZ-DTV            | NE—MEA (N crs Pensacola LFR)<br>SE—MEA (W crs Pensacola LFR)<br>SW—MEA (SE crs Keesler LFR)<br>NW—MEA (NE crs Keesler LFR)                             | NW                    | 10 mi.—1,500' W side NW crs<br>15 mi.—1,500' W side NW crs<br>20 mi.—1,500' W side NW crs<br>25 mi.—1,500' W side NW crs | 1,000  | 145                        | 3.2            | 26                              | R<br>S*<br>A<br>T        | 500<br>500<br>800<br>500 | 2.0<br>1.0<br>2.0<br>1.0 | 500<br>500<br>800<br>500  | If not contact over range, climb to 2,000' on N crs.<br>*If unable to maintain contact at 800' msl, approach will be discontinued and climb made to 2,000' on N crs.<br>NOTE: 500' msl tower located 0.5 mi SW of range. Danger Area on W crs. |
| (PROCEDURE CANCELED)   |  |                       |  |  |                            |                |                                 |                          |                          |                          |   |  |
| (PROCEDURE CANCELED)   |  |                       |  |  |                            |                |                                 |                          |                          |                          |   |  |
| MOBILE, ILL.<br>Davenport Airport<br>(Davenport, Iowa)               |  |                       |  |  |                            |                |                                 |                          |                          |                          |   |  |
| POPE (Fort Bragg), N. C.<br>Pope AFB<br>335 kc; FTB; SBMRAZ          |  |                       |  |  |                            |                |                                 |                          |                          |                          |   |  |
| Greensboro Airport<br>(Fayetteville)                                 |  | S                     | 10 mi.—1,500' E side S crs<br>15 mi.—1,500' E side S crs<br>20 mi.—1,500' E side S crs<br>25 mi.—1,500' E side S crs     | *900   | 147                        | 11.2           | 188                             | R<br>A<br>T              | 800<br>1,000<br>300      | 2.0<br>2.0<br>1.0        | 800<br>1,000<br>300   | If not contact over range, climb to 2,000' on N crs.<br>*If unable to maintain contact at 800' msl, approach will be discontinued and climb made to 2,000' on N crs.<br>NOTE: 500' msl tower located 0.5 mi SW of range. Danger Area on W crs. |

Low Frequency Range Procedures—Continued

| Station; frequency; identification; class  | Minimum initial approach altitude from the direction and radio fit indicated  | Final approach course | Procedure turn minimum at distances from radio range station   | Minimum altitude over range—final approach (ft.) | Station to airport            |                | Field elevation (ft.) | Ceiling and visibility minimums |                                 |                                 |                                 | If visual contact not established over airport at authorized landing minimums, or if landing not accomplished, remarks |   |
|--|---|-----------------------|--|--|-------------------------------|----------------|-----------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|--|---|
|  |   |                       |  |  | Magnetic bearing (deg.)       | Distance (mi.) |                       | Day                             |                                 | Night                           |                                 |  |   |
|  |   |                       |  |  |                               |                |                       | Ceiling (ft.)                   | Visibility (mi.)                | Ceiling (ft.)                   | Visibility (mi.)                |  |   |
| (PROCEDURE CANCELED)   |   |                       |  |  |                               |                |                       |                                 |                                 |                                 |                                 |  |   |
| ROME, GA.<br>Russell Field   |   |                       |  |  |                               |                |                       |                                 |                                 |                                 |                                 |  |   |
| BELLINGHAM, WASH.<br>Bellingham Airport<br>392 kc; BLD;<br>SBRALZ-DTV            | NE—MEA (Princeton LF Range)<br>NE—5,000' (E crs Abbotsford)<br>S—MEA (Everett Range)<br>SW—MEA (E crs Patricia Bay)<br>NW—MEA (Vancouver Range)   | NW                    | 10 mi.—1,500' W side NW crs<br>15 mi.—1,500' W side NW crs<br>20 mi.—1,500' W side NW crs<br>25 mi.—1,500' W side NW crs | 1,000  | 114                           | 3.0            | 128                   | R<br>(R)<br>S*<br>A<br>T        | 600<br>600<br>500<br>800<br>300 | 1.5<br>1.0<br>1.0<br>2.0<br>1.0 | 700<br>700<br>500<br>800<br>300 | 2.0<br>1.0<br>1.0<br>2.0<br>1.0  | Turn right and climb to 1,500' on SW crs within 25 mi.<br>*For sect with stall speeds of 75 mph or less only.   |
| COLUMBUS, OHIO<br>Lockbourne AFB<br>356 kc; CMB;<br>SBRALZ-DTV                   | NE—2,000' (W crs Cleveland)<br>NE—2,000' (Mansfield River)<br>NE—2,500' (Mount Liberty FM)<br>SE—2,000' (E crs Cleveland)<br>W—2,000' (E crs Wright-Patterson)<br>W—2,500' (N crs Wright-Patterson)   | NE                    | 10 mi.—2,000' N side NE crs<br>15 mi.—2,000' N side NE crs<br>20 mi.—2,000' N side NE crs<br>25 mi.—2,000' N side NE crs | 2,000  | 183                           | 11.7           | 774                   | R<br>A<br>T                     | 800<br>800<br>200               | 1.0<br>2.0<br>1.0               | 800<br>800<br>300               | 2.0<br>2.0<br>2.0  | Climb to 2,400' on S crs.   |
| LAKEHURST, N. J.<br>Morris County Airt.<br>(Ashbury Park)<br>530 kc; NEL; SDBRLZ | NE—Minimum en route altitude<br>NE—1,500' (SE crs Newark)<br>NE—1,500' (S crs Matawan VAR)<br>(ft.)<br>SE—Minimum en route altitude<br>SE—1,500' (NE crs Millville)<br>SW—Not authorized<br>SW—Minimum en route altitude<br>NW—1,500' (NE crs Philadelphia) | NE                    | 10 mi.—1,500' E side NE crs<br>15 mi.—NA<br>20 mi.—NA<br>25 mi.—NA   | 1,000<br>(Over Ashbury Park FM)                  | 260<br>(From Ashbury Park FM) | 4.6            | 180                   | R<br>A<br>T*                    | 600<br>1,000<br>(BCOB)<br>300   | 2.0<br>2.0<br>1.0               | 600<br>1,000<br>(BCOB)<br>300   | 2.0<br>2.0<br>1.0  | If contact not established within 3 miles after passing Ashbury Park FM, turn left, climb to 1,500' on NE (containing) crs.<br>*Fly-off to SW—climb to 1,000' on heading of 170° before proceeding on course.<br>CAUTION: All delivery instrument approval below 2,500' within a 10 mi radius of Lakehurst NAS must be cleared with Lakehurst tower.<br>NOTE: Minimums are for sect with stall speeds of 75 mph or less only. |
| LUBBOCK, TEX.<br>Reese AFB<br>361 kc; LBB;<br>SDBRLZ-DTV                         | N—5,000' (S crs Amarillo)<br>E—Minimum en route altitude<br>S—4,500' (NW crs Big Spring)<br>W—6,000' (N crs Hobbes)   | N                     | 10 mi.—4,400' W side N crs<br>15 mi.—4,400' W side N crs<br>20 mi.—4,400' W side N crs<br>25 mi.—4,400' W side N crs     | 4,100  | 173                           | 3.7            | 3,323                 | R<br>A<br>T                     | 500<br>800<br>300               | 2.0<br>2.0<br>1.0               | 500<br>800<br>300               | 3.0<br>2.0<br>2.0  | Climb to 4,500' on S crs.<br>SDBRLZ: N crs to a point 3 min N of range.   |
| MILES CITY, MONT.<br>Miles City Airport<br>220 kc; MLS;<br>SDBRLZ-DTV            | N—Minimum en route altitude<br>E—MEA (Dickinson LF Range)<br>S—Minimum en route altitude<br>W—MEA (Billings LF Range)   | W                     | 10 mi.—4,500' S side W crs<br>15 mi.—4,500' S side W crs<br>20 mi.—4,500' S side W crs<br>25 mi.—4,500' S side W crs     | 3,500  | 25                            | 2.2            | 2,621                 | R<br>(R)<br>A<br>T              | 500<br>500<br>800<br>300        | 1.5<br>1.0<br>2.0<br>1.0        | 500<br>500<br>800<br>300        | 1.5<br>1.5<br>2.0<br>1.0   | Climb to 4,500' on E crs within 20 miles.   |
| (PROCEDURE CANCELED)   |   |                       |  |  |                               |                |                       |                                 |                                 |                                 |                                 |  |   |
| MILFORD, UTAH<br>Milford Airport   |   |                       |  |  |                               |                |                       |                                 |                                 |                                 |                                 |  |   |
| MILLVILLE, N. J.<br>Millville Airport<br>365 kc; MIV;<br>SBRALZ-DTV              | NE—1,500' (SE crs North Philadelphia)<br>SE—1,500' (SW crs Atlantic City VAR)<br>SW—1,500' (E crs Baltimore)<br>NW—1,500' (W crs Philadelphia)<br>NW—1,500' (E crs New Castle)  | NW                    | 10 mi.—1,000' W side NW crs<br>15 mi.—1,000' W side NW crs<br>20 mi.—1,000' W side NW crs<br>25 mi.—1,000' W side NW crs | 1,100  | 144                           | 4.3            | 88                    | R<br>(R)<br>A<br>T              | 500<br>500<br>800<br>300        | 1.5<br>1.0<br>2.0<br>1.0        | 500<br>500<br>800<br>300        | 3.5<br>1.0<br>2.0<br>1.0   | Climb to 1,500' on SE crs within 25 miles.<br>NOTE: Night take-offs and landings authorized on E/W and NW/SE runways only.  |
| MOBILE, ALA.<br>Bates Field<br>368 kc; MOB;<br>SBRALZ-DTV                        | NE—1,500' (N crs Pensacola)<br>SE—1,500' (W crs Pensacola)<br>SW—1,500' (SE crs Keesler)<br>NW—1,500' (NE crs Keesler)  | NE                    | 10 mi.—1,500' N side NE crs<br>15 mi.—1,500' N side NE crs<br>20 mi.—1,500' N side NE crs<br>25 mi.—1,500' N side NE crs | 1,200  | 271                           | 7.5            | 217                   | R<br>A<br>T                     | 500<br>800<br>300               | 2.0<br>2.0<br>1.0               | 500<br>800<br>300               | 2.0<br>2.0<br>1.0  | Climb to 1,500' on SW crs.  |

2. The automatic direction finding procedures prescribed in § 609.9 are amended to read in part:

AUTOMATIC DIRECTION FINDING PROCEDURES

| Station, frequency, identification, class  | Initial approach to station   |                          |                        | Final approach course, degrees inbound; outbound | Procedure turn minimum at distance from station | Minimum altitude over station on final approach (ft.)  | Distance from station to approach runway (mi.)   | Minimums                      |  | If visual contact not established at authorized landing minimums, or if landing not accomplished, remarks |
|--|---|--------------------------|------------------------|--|---|--|--|-------------------------------|--|---|
|  | From--  | To--                     | Magnetic course (Deg.) |  |   |  |  | Distance (mi.)                | Minimum altitude (ft.)                       |   |
| DEMING, N. MEX.<br>Deming Airport<br>269 kg; DMIN; HW                              | Columbus LF Range   | Ebn                      | 335                    | 33   | 9,400   | 77<br>257  | 4.1  | R<br>(R)<br>SA<br>A<br>T      | 500<br>500<br>500<br>*L,000<br>(BCOB)<br>300 | 1.5<br>1.0<br>1.0<br>2.0<br>1.0   |
| KNOXVILLE, TENN.<br>McGhee-Tyson Airtc<br>(Using Bonfield Rtg)<br>217 kg; BPH; MHW | Knoxville LF Range  | Ebn                      | 216                    | 30.1   | 2,800   | 45<br>225  | 4.6  | R<br>(R)<br>#<br>S*<br>A<br>T | 500<br>500<br>500<br>800<br>800<br>300       | 1.5<br>1.0<br>1.0<br>1.0<br>1.0   |
|  | Int. NE crs Knoxville & NE crs ILS<br>Tulasee FM<br>Int. W crs Knoxville & NE crs Chattanooga | Rbn<br>Rbn<br>Rbn<br>Rbn | 225<br>333<br>78       | 14.6<br>14.0<br>33.0                             | 4,500<br>3,500<br>MEA                           | 10 mi.—6,500' W side crs<br>15 mi.—6,500' S side crs<br>30 mi.—6,500' S side crs<br>45 mi.—6,500' S side crs | 10 mi.—2,500' W side crs<br>15 mi.—2,500' W side crs<br>20 mi.—2,500' W side crs<br>25 mi.—2,500' W side crs | 4.6                           |  |   |

3. The instrument landing system procedures prescribed in § 609.11 are amended to read in part:

INSTRUMENT LANDING SYSTEM PROCEDURES

| ILS location and range from which initial approach to ILS shall be made | Transition to ILS   |                              |                         |                | Final ILS approach course, degrees inbound; outbound | Procedure turn minimum on ILS | Minimum altitude at glide path interception (ft.) | Glide path altitudes over markers (ft.) | Dist. from markers to approach end of runway (mi.) | Field elevation (ft.) | Minimums                      |  | If visual contact not established at authorized landing minimums, or if landing not accomplished, remarks |   |
|---|---|------------------------------|-------------------------|----------------|--|-------------------------------|---|---|--|-----------------------|-------------------------------|--|---|---|
|   | From--  | To--                         | Magnetic course (Degs.) | Distance (mi.) |  |                               |   |   |  |                       | Minimum altitude (ft.)        | Ceiling (ft.)                          |   | Visibility (mi.)  |
| MERIDIAN, MISS.<br>Key Field<br>FREQ. 110.3 mc<br>Ident. MEI            | Meridian LF Range<br>Int. S. crs Meridian and ILS localiser | Outer marker<br>Outer marker | 169<br>175              | 5.5<br>6.0     | 1,700<br>1,700                                       | 1,400<br>E side<br>S crs      | 1,470<br>520                                      | Outer Middle                            | 4.89<br>0.71                                       | 297                   | R<br>(R)<br>#<br>S*<br>A<br>T | 500<br>500<br>500<br>400<br>800<br>300 | 1.5<br>1.5<br>1.5<br>3/4<br>2.0<br>1.0  | Climb to 2,000' on NE crs of Meridian range within 25 miles.<br>*Runway 36.<br>#Night minimums. |

4. The very high frequency omnirange procedures prescribed in § 609.15 are amended by adding:

VHF OMNIRANGE (VOR) PROCEDURES

| Station, frequency, identification, class  | Initial approach to VOR station  |                        |                |                        | Procedure turn minimum altitude | Distance from VOR station to approach end of runway (mi.) | Field elevation (ft.) | Minimums                       |                          | If visual contact not established at authorized landing minimums or if landing not accomplished, remarks  |
|--|----------------------------------|------------------------|----------------|------------------------|---------------------------------|---|-----------------------|--------------------------------|--------------------------|---|
|  | From--                           | Magnetic course (deg.) | Distance (mi.) | Minimum altitude (ft.) |                                 |   |                       | Ceiling (ft.)                  | Visibility (mi.)         |   |
| FORTUNA, CALIF.<br>Robersonville Airtc<br>14.1 mc; FOT;<br>BVOR-DV<br>(All other directions—<br>MEA) | Arcata LF Range<br>Red Bluff VOR | 179<br>271             | 19<br>112      | 2,000<br>10,500        | 1,400—W side crs                | 399   | R<br>A<br>T*          | 1,000<br>1,000<br>1,500<br>500 | 1.0<br>2.0<br>2.0<br>2.0 | If not contact over VOR, turn right, climb to 2,000' on crs of 388° within 25 mi of VOR.<br>*Night minimums.<br>#Runway 36.<br>Surrails: To 1,400' on crs of 388° inbound, 128° inbound within 10 mi.<br>Notes: Not approved for acct. with stall speeds greater than 75 mph.<br>#1,000-1 required for take-off on Runway 11, day or night. |

These procedures shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

F. B. LEE,  
Acting Administrator  
of Civil Aeronautics.

[F. R. Doc. 52-1204; Filed, Feb. 1, 1952; 8:45 a. m.]

[Amdt. 4]

**PART 610—MINIMUM EN ROUTE INSTRUMENT ALTITUDES**

**ALTERATIONS**

The minimum en route instrument altitude alterations appearing hereinafter are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and thereupon is not required.

Part 610 is amended as follows:

1. Section 610.12 *Green Civil Airway No. 2* is amended by adding:

| From—                                     | To—                                       | Minimum altitude |
|---|---|------------------|
| Buffalo, N. Y. (VOR) via direct radial.   | Syracuse, N. Y. (VOR), via direct radial. | 2,800            |
| Syracuse, N. Y. (VOR), via direct radial. | Albany, N. Y. (VOR), via direct radial.   | 3,000            |

2. Section 610.12 *Green Civil Airway No. 2* is amended to read in part:

| From—                               | To—                         | Minimum altitude |
|-------------------------------------|-----------------------------|------------------|
| Buffalo, N. Y. (LFR)...             | West Henrietta (INT), N. Y. | 2,100            |
| West Henrietta (INT), N. Y.         | Rochester, N. Y. (LFR).     | 2,000            |
| Woodstock (INT), Conn. <sup>1</sup> | North Scituate (INT), R. I. | 2,000            |

<sup>1</sup>2,400'—minimum crossing altitude at Woodstock (INT), west-bound.

3. Section 610.13 *Green Civil Airway No. 3* is amended to read in part:

| From—                               | To—  | Minimum altitude |
|-------------------------------------|--|------------------|
| Chappel (INT), Nebr..               | North Platte, Nebr. (LFR).   | 5,000            |
| Toledo, Ohio (VOR), via radial 121. | Int. Toledo, Ohio (VOR), radial 121 and W crs. Wellington, Ohio (VAR). | 1,900            |

4. Section 610.14 *Green Civil Airway No. 4* is amended by adding:

| From—  | To—   | Minimum altitude |
|--|---|------------------|
| Columbus, Ohio (VOR), via radial 85.   | Newark, Ohio (FM)...  | 2,300            |
| Newark, Ohio (FM), via Columbus, Ohio (VOR), radial 85.                      | Pittsburgh, Pa. (VOR), via radial 270.                                      | 2,600            |
| Columbus, Ohio (VOR), via radial 100.  | Newark, Ohio (FM)...  | 2,300            |
| Newark, Ohio (FM), via Columbus, Ohio (VOR) radial 100.                      | Int. Columbus, Ohio (VOR), Radial 100 and Pittsburgh, Pa. (VOR) radial 255. | 2,400            |
| Int. Columbus, Ohio (VOR), radial 100 and Pittsburgh, Pa. (VOR), radial 255. | Pittsburgh, Pa. (VOR), via radial 255.                                      | 2,600            |

<sup>1</sup>3,400'—minimum continuous VOR reception altitude.

5. Section 610.15 *Green Civil Airway No. 5* is amended to read in part:

| From—   | To—                                      | Minimum altitude |
|---|--|------------------|
| Int. Douglas, Ariz. (VOR), radial 50 and Columbus, N. Mex. (VOR), radial 263. | Columbus, N. Mex. (VOR), via radial 263. | 11,000           |

6. Section 610.15 *Green Civil Airway No. 5* is amended by adding:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Memphis, Tenn. (VOR), via direct or 15° S alt. rad.                          | Jackson, Tenn. (VOR), via direct or 15° S alt. rad.                          | 2,000            |
| Jackson, Tenn. (VOR), via direct or 15° S alt. rad.                          | Graham, Tenn. (VOR), via direct or 15° S alt. rad.                           | 2,000            |
| Graham, Tenn. (VOR), via direct radial.                                      | Nashville, Tenn. (VOR), via direct radial.                                   | 2,500            |
| Texarkana, Ark. (VOR):<br>Via direct radial.....<br>Via 15° S alt. rad.....  | Pine Bluff, Ark. (VOR):<br>Via direct radial.....<br>Via 15° S alt. rad..... | 1,600<br>1,700   |
| Pine Bluff, Ark. (VOR):<br>Via direct radial.....<br>Via 15° S alt. rad..... | Memphis, Tenn. (VOR):<br>Via direct radial.....<br>Via 15° S alt. rad.....   | 1,600<br>1,600   |

<sup>1</sup>2,500'—minimum continuous VOR reception altitude.

<sup>2</sup>3,000'—minimum continuous VOR reception altitude.

7. Section 610.5 *Green Civil Airway No. 5* is amended to eliminate:

| From—  | To—   | Minimum altitude |
|--|---|------------------|
| Texarkana, Ark. (VOR), via direct or 15° NW alt. rad. <sup>1</sup> | Little Rock, Ark. (VOR), via direct or 15° NW alt. rad. | 2,100            |

<sup>1</sup>This route is associated with this airway since the route lies within the control area established for this airway.

<sup>2</sup>2,500'—minimum continuous VOR reception altitude.

8. Section 610.16 *Green Civil Airway No. 6* is amended to read in part:

| From—                     | To—                      | Minimum altitude |
|---------------------------|--------------------------|------------------|
| Spartanburg, S. C. (LFR). | Mooresville (INT), N. C. | 2,800            |
| Mooresville (INT), N. C.  | Greensboro, N. C. (LFR). | 2,400            |

9. Section 610.16 *Green Civil Airway No. 6* is amended by adding:

| From—  | To—                                   | Minimum altitude |
|--|---------------------------------------|------------------|
| Corpus Christi, Tex. (VOR), via direct radial. | Palsacios, Tex. (VOR), direct radial. | 1,200            |

10. Section 610.103 *Amber Civil Airway No. 3* is amended by adding:

| From—  | To—   | Minimum altitude |
|--|---|------------------|
| Cheyenne, Wyo. (VOR):<br>Via direct radial.....<br>Via 15° E alt. rad..... | Douglas, Wyo. (VOR):<br>Via direct radial.....<br>Via 15° E alt. rad..... | 9,000<br>7,500   |

11. Section 610.103 *Amber Civil Airway No. 3* is amended to eliminate:

| From—   | To—  | Minimum altitude |
|---|--|------------------|
| Casper, Wyo. (VOR), via direct or 15° N alt. rad. | Douglas, Wyo. (VOR), via direct or 15° N alt. rad. | 7,500            |

12. Section 610.104 *Amber Civil Airway No. 4* is amended by adding:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Austin, Tex. (VOR):<br>Via direct radial.....<br>Via 15° E alt. rad..... | Waco, Tex. (VOR):<br>Via direct radial.....<br>Via 15° E alt. rad..... | 2,000<br>2,100   |
| Waco, Tex. (VOR), via direct radial.                                     | Fort Worth, Tex. (VOR), via direct radial.                             | 2,100            |

13. Section 610.105 *Amber Civil Airway No. 5* is amended to read in part:

| From—                 | To—                     | Minimum altitude |
|-----------------------|-------------------------|------------------|
| Advance, Mo. (LFR)... | Waterloo (INT), Mo.     | 2,000            |
| Waterloo (INT), Mo.   | St. Louis, Mo. (LFR)... | 2,100            |

14. Section 610.106 Amber Civil Airway No. 6 is amended by adding:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Cincinnati, Ohio (VOR), via radial 45.                                       | Int. Cincinnati, Ohio (VOR), radial 45 and Columbus, Ohio (VOR), radial 248. | 2,500            |
| Int. Cincinnati, Ohio (VOR), radial 45 and Columbus, Ohio (VOR), radial 248. | Columbus, Ohio (VOR), via radial 248.  | 2,300            |
| Jacksonville, Fla. (VOR), via direct or 15° SW alt. rad.                     | Alma, Ga. (VOR), via direct or 15° SW alt. rad.                              | 1,500            |
| Alma, Ga. (VOR), via direct or 15° NE alt. rad.                              | Macon, Ga. (VOR), via direct or 15° NE alt. rad.                             | 1,500            |

<sup>1</sup>1,500'—minimum continuous VOR reception altitude.

15. Section 610.107 Amber Civil Airway No. 7 is amended to read in part:

| From—   | To—   | Minimum altitude |
|---|---|------------------|
| Boston, Mass. ....  | Int. SE crs. Concord, N. H. (LFR), and N. crs. Boston, Mass. (LFR). | 1,300            |
| Int. SE crs. Concord, N. H. (LFR), and N. crs. Boston, Mass. (LFR). | Portland, Maine (LFR).  | 1,700            |

16. Section 610.107 Amber Civil Airway No. 7 is amended by adding:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Key West, Fla. (VOR), via direct or 15° SE alt. rad.       | Miami, Fla. (VOR), via direct or 15° SE alt. rad.        | 1,400            |
| West Palm Beach, Fla. (VOR), via direct or 15° E alt. rad. | Vero Beach, Fla. (VOR), via direct or 15° E alt. rad.    | 1,500            |
| Vero Beach, Fla. (VOR), via direct or 15° W alt. rad.      | Daytona Beach, Fla. (VOR), via direct or 15° W alt. rad. | 1,400            |
| Daytona Beach, Fla. (VOR), via direct or 15° E alt. rad.   | Jacksonville, Fla. (VOR), via direct or 15° E alt. rad.  | 1,400            |
| Jacksonville, Fla. (VOR), via direct radial.               | Brunswick, Ga. (VOR), via direct radial.                 | 1,300            |
| Brunswick, Ga. (VOR), via direct or 15° E alt. rad.        | Savannah, Ga. (VOR), via direct or 15° E alt. rad.       | 1,300            |
| Savannah, Ga. (VOR), via direct or 15° NW alt. rad.        | Charleston, S. C. (VOR), via direct or 15° NW alt. rad.  | 1,400            |
| Charleston, S. C. (VOR), via direct or 15° E alt. rad.     | Florence, S. C. (VOR), via direct or 15° E alt. rad.     | 1,300            |
| Florence, S. C. (VOR), via direct radial.                  | Lumberton, N. C. (VOR), via direct radial.               | 1,400            |
| Lumberton, N. C. (VOR), via direct or 15° E alt. rad.      | Raleigh, N. C. (VOR), via direct or 15° E alt. rad.      | 2,000            |

<sup>1</sup>1,900'—minimum continuous VOR reception altitude.

17. Section 610.201 Red Civil Airway No. 1 is amended to eliminate:

| From—                                   | To—                 | Minimum altitude |
|---|---------------------|------------------|
| Salina, Kans. (VOR), via direct radial. | Waldo, Kans. (VAR). | 3,600            |

18. Section 610.204 Red Civil Airway No. 4 is amended by adding:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Las Vegas, N. Mex. (VOR), via direct radial. | Tueameari, N. Mex. (VOR), via direct radial. | 9,500            |

19. Section 610.206 Red Civil Airway No. 6 is amended by adding:

| From—                   | To—                                    | Minimum altitude |
|-------------------------|--|------------------|
| Superior, Colo. (FM) .. | Denver, Colo. (VAR) (east-bound only). | 10,000           |

20. Section 610.210 Red Civil Airway No. 10 is amended by adding:

| From—  | To—   | Minimum altitude |
|--|---|------------------|
| Dalhart, Tex. (VOR), via radial 130.                                       | Int. Dalhart, Tex. (VOR), radial 130 and Amarillo, Tex. (VOR), radial 290.                      | 5,200            |
| Int. Dalhart, Tex. (VOR), radial 130 and Amarillo, Tex. (VOR), radial 290. | Amarillo, Tex. (VOR), via direct VOR radial.  | 5,200            |
| Int. NE crs. Augusta, Ga. (LFR), and NW crs. Charleston, S. C. (LFR).      | Clarendon, Tex. (LFR).  | 4,700            |
| Meridian, Miss. (VOR), via direct or 15° NW alt. rad.                      | Charleston, S. C. (LFR).  | 1,600            |
|  | Tuscaloosa, Ala. (VOR), via direct or 15° NW alt. rad.; Northeast-bound ... Southwest-bound ... | 2,500<br>2,000   |

21. Section 610.214 Red Civil Airway No. 14 is amended to read in part:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Lansing (INT), Ill. ....                               | Lafayette (INT), Ind.                            | 1,900            |
| Tallahassee, Fla. (VOR), via direct or 15° W alt. rad. | Albany, Ga. (VOR), via direct or 15° W alt. rad. | 1,400            |
| Albany, Ga. (VOR), via direct or 15° W alt. rad.       | Macon, Ga. (VOR), via direct or 15° W alt. rad.  | 1,600            |
| Augusta, Ga. (VOR), via direct radial.                 | Columbia, S. C. (VOR), via direct radial.        | 1,600            |
| Columbia, S. C. (VOR), via direct radial.              | Florence, S. C. (VOR), via direct radial.        | 1,700            |

22. Section 610.216 Red Civil Airway No. 16 is amended by adding:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Tallahassee, Fla. (VOR), via direct or 15° W alt. rad. | Albany, Ga. (VOR), via direct or 15° W alt. rad. | 1,400            |
| Albany, Ga. (VOR), via direct or 15° W alt. rad.       | Macon, Ga. (VOR), via direct or 15° W alt. rad.  | 1,600            |
| Augusta, Ga. (VOR), via direct radial.                 | Columbia, S. C. (VOR), via direct radial.        | 1,600            |
| Columbia, S. C. (VOR), via direct radial.              | Florence, S. C. (VOR), via direct radial.        | 1,700            |

23. Section 610.217 Red Civil Airway No. 17 is amended by adding:

| From—                 | To—   | Minimum altitude |
|-----------------------|---|------------------|
| Baltimore, Md. (LFR). | Int. E crs. Baltimore, Md. (LFR), and SW crs. Millville, N. J. (LFR). | 1,500            |

24. Section 610.219 Red Civil Airway No. 19 is amended by adding:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Detroit, Mich. (LFR).  | South Bass (INT), Ohio.  | 2,300            |
| South Bass (INT), Ohio.  | Sandusky (INT), Ohio.  | 1,900            |
| Sandusky (INT), Ohio.  | Wellington, Ohio (VAR).  | 2,300            |
| Detroit, Mich. (VOR), via radial 148.                                    | Int. Detroit, Mich. (VOR), radial 148 and Toledo, Ohio (VOR), radial 73. | 2,300            |
| Int. Detroit, Mich. (VOR), radial 148 and Toledo, Ohio (VOR), radial 73. | Int. Detroit, Mich. (VOR), radial 148 and W crs. Wellington, Ohio (VAR). | 1,900            |

<sup>1</sup>4,300'—minimum continuous VOR reception altitude.

25. Section 610.219 Red Civil Airway No. 19 is amended to eliminate:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Dayton, Ohio (VOR), via direct or 15° SW alt. rad. | Fort Wayne, Ind. (VOR), via direct or 15° SW alt. rad. | 2,200            |
| Fort Wayne, Ind. (VOR), via direct radial.         | Millersburg, Ind. (VOR), via direct radial.            | 2,300            |
| Goshen, Ind. (LFR) ...                             | Fort Wayne, Ind. (LFR).                                | 2,300            |
| Fort Wayne, Ind. (LFR).                            | Dayton, Ohio (LFR).                                    | 2,200            |

26. Section 610.220 Red Civil Airway No. 20 is amended by adding:

| From—   | To—   | Minimum altitude |
|---|---|------------------|
| Cleveland, Ohio (VOR), via radial 120.  | Int. Cleveland, Ohio (VOR), radial 120 and Pittsburgh, Pa. (VOR), radial 325. | 1,200            |
| Int. Cleveland, Ohio (VOR), radial 120 and Pittsburgh, Pa. (VOR), radial 325. | Pittsburgh, Pa. (VOR) via radial 325.   | 1,200            |

<sup>1</sup>4,400'—minimum continuous VOR reception altitude.

27. Section 610.225 Red Civil Airway No. 25 is amended by adding:

| From—   | To—  | Minimum altitude |
|---|--|------------------|
| Tallahassee, Fla. (VOR), via direct or 15° SW alt. rad. | Cross City, Fla. (VOR), via direct or 15° SW alt. rad. | 1,200            |
| Cross City, Fla. (VOR), via radial 122.                 | Tampa, Fla. (VOR), via radial 11.                      | 1,300            |
| Tampa, Fla. (VOR), via direct or 15° W alt. rad.        | Fort Meyers, Fla. (VOR), via direct or 15° W alt. rad. | 1,300            |
| Fort Meyers, Fla. (VOR), via direct or 15° S alt. rad.  | Miami, Fla. (VOR), via direct or 15° S alt. rad.       | 1,200            |

<sup>1</sup>1,400'—minimum continuous VOR reception altitude.

RULES AND REGULATIONS

28. Section 610.230 Red Civil Airway No. 30 is amended by adding:

| From--  | To--  | Minimum altitude |
|---|---|------------------|
| Mobile, Ala. (VOR), via radial 65.  | Int. Mobile, Ala. (VOR), radial 65 and Crestview, Fla. (VOR), radial 270. | 1,500            |
| Int. Mobile, Ala. (VOR), radial 65 and Crestview, Fla. (VOR), radial 270. | Crestview, Fla. (VOR), via radial 270.                                    | 1,300            |
| Crestview, Fla. (VOR), via direct or 15° N alt. rad.                      | Marianna, Fla. (VOR), via direct or 15° N alt. rad.                       | 1,400            |
| Marianna, Fla. (VOR), via direct radial.                                  | Tallahassee, Fla. (VOR), via direct radial.                               | 1,400            |

<sup>1</sup>1,500'—minimum continuous VOR reception altitude.

29. Section 610.231 Red Civil Airway No. 31 is amended to read in part:

| From--                    | To--                  | Minimum altitude |
|---------------------------|-----------------------|------------------|
| Minneapolis, Minn. (LFR). | Stanton, Minn. (RBN). | 2,200            |

30. Section 610.232 Red Civil Airway No. 32 is amended by adding:

| From--                                 | To--                                    | Minimum altitude |
|--|---|------------------|
| Laredo, Tex. (VOR), via direct radial. | Cotulla, Tex. (VOR), via direct radial. | 1,600            |

31. Section 610.235 Red Civil Airway No. 35 is amended to read in part:

| From--  | To--  | Minimum altitude |
|---|---|------------------|
| Lamar, Colo. (VOR), via direct or 15° N alt. rad. | Garden City, Kans. (VOR), via direct or 15° N alt. rad. | 5,500            |

32. Section 610.237 Red Civil Airway No. 37 is amended by adding:

| From--   | To--   | Minimum altitude   |
|--|--|--------------------|
| Texarkana, Ark. (VOR), via direct or 15° N alt. rad. | Little Rock, Ark. (VOR), via direct or 15° N alt. rad. | <sup>1</sup> 1,600 |

<sup>1</sup>2,500'—minimum continuous VOR reception altitude.

33. Section 610.252 Red Civil Airway No. 52 is amended by adding:

| From--  | To--   | Minimum altitude   |
|---|--|--------------------|
| Memphis, Tenn. (VOR), via direct or 15° S alt. rad. | Muscle Shoals, Ala. (VOR), via direct or 15° S alt. rad. | <sup>1</sup> 2,000 |

<sup>1</sup>2,400'—minimum continuous VOR reception altitude.

34. Section 610.261 Red Civil Airway No. 61 is amended to read in part:

| From--                     | To--                       | Minimum altitude |
|----------------------------|----------------------------|------------------|
| Butler, Pa. (RBN)...       | New Alexandria, Pa. (RBN). | 3,000            |
| New Alexandria, Pa. (RBN). | Johnstown, Pa. (RBN).      | 4,500            |

35. Section 610.262 Red Civil Airway No. 62 is amended to eliminate:

| From--                  | To--                    | Minimum altitude |
|-------------------------|-------------------------|------------------|
| Detroit, Mich. (LFR)... | South Bass (INT), Ohio. | 2,300            |
| South Bass (INT), Ohio. | Sandusky (INT), Ohio.   | 1,900            |
| Sandusky (INT), Ohio.   | Wellington, Ohio (VAR). | 2,300            |

36. Section 610.268 Red Civil Airway No. 68 is amended by adding:

| From--  | To--  | Minimum altitude   |
|---|---|--------------------|
| Culberson, Tex. (VOR), via radial 78.   | Int. Culberson, Tex. (VOR), radial 78 and Wink, Tex. (VOR), radial 223. | 6,100              |
| Int. Culberson, Tex. (VOR), radial 78 and Wink, Tex. (VOR), radial 223, via Culberson, Tex. | Midland, Tex. (VOR), via radial 223 (VOR), radial 78.                   | <sup>1</sup> 6,100 |

<sup>1</sup>8,000'—minimum continuous VOR reception altitude.

37. Section 610.269 Red Civil Airway No. 69 is amended by adding:

| From--  | To--                              | Minimum altitude   |
|---|-----------------------------------|--------------------|
| Int. Culberson, Tex. (VOR), radial 78 and Wink, Tex. (VOR), radial 223. | Wink, Tex. (VOR), via radial 223. | <sup>1</sup> 4,500 |

<sup>1</sup>4,800'—minimum continuous VOR reception altitude.

38. Section 610.270 Red Civil Airway No. 70 is amended by adding:

| From--   | To--                                    | Minimum altitude   |
|--|---|--------------------|
| Midland, Tex. (VOR), via direct radial.                                      | Lubbock, Tex. (VOR), via direct radial. | <sup>1</sup> 4,500 |
| Int. Big Spring, Tex. (VOR), radial 320 and Lubbock, Tex. (VOR), radial 168. | Lubbock, Tex. (VOR), via radial 168.    | <sup>2</sup> 4,500 |
| Int. Hobbs, N. Mex. (VOR), radial 74 and Lubbock, Tex. (VOR), radial 157.    | Lubbock, Tex. (VOR), via radial 157.    | <sup>1</sup> 4,500 |

<sup>1</sup>5,000'—minimum continuous VOR reception altitude.

<sup>2</sup>6,000'—minimum continuous VOR reception altitude.

39. Section 610.271 Red Civil Airway No. 71 is amended by adding:

| From--                                  | To--  | Minimum altitude |
|---|---|------------------|
| Lubbock, Tex. (VOR), via direct radial. | Guthrie, Tex. (VOR), via direct radial.       | 4,500            |
| Guthrie, Tex. (VOR), via direct radial. | Wichita Falls, Tex. (VOR), via direct radial. | 3,000            |

40. Section 610.274 Red Civil Airway No. 74 is amended by adding:

| From--                                 | To--                                    | Minimum altitude |
|--|---|------------------|
| Louisville, Ky. (VOR), via radial 255. | Cincinnati, Ohio (VOR), via radial 241. | 2,100            |

41. Section 610.281 Red Civil Airway No. 81 is amended by adding:

| From--   | To--   | Minimum altitude |
|--|--|------------------|
| Toledo, Ohio (VOR), via radial 164.  | Int. Toledo, Ohio (VOR), radial 164 and Cleveland, Ohio (VOR), radial 232 or Findlay, Ohio (VOR), radial 68. | 2,000            |
| Int. Toledo, Ohio (VOR), radial 164 and Cleveland, Ohio (VOR), radial 232 or Findlay, Ohio (VOR), radial 68, via Toledo, Ohio (VOR), radial 164. | Columbus, Ohio (VOR), via radial 344.  | 2,200            |

42. Section 610.283 Red Civil Airway No. 83 is amended to read in part:

| From--                               | To--  | Minimum altitude |
|--------------------------------------|---|------------------|
| Douglas, Ariz. (VOR), via radial 50. | Int. Douglas, Ariz. (VOR), radial 50 and Columbus, N. Mex. (VOR), radial 263. | 11,000           |

43. Section 610.284 Red Civil Airway No. 84 is amended to read in part:

| From--  | To--  | Minimum altitude |
|---|---|------------------|
| Meridian, Miss (LFR).   | Int. NW crs. Craig AFB (LFR) and W crs. Montgomery, Ala.-Maxwell AFB (LFR). | 1,900            |
| Int. NW crs. Craig AFB (LFR) and W crs. Montgomery, Ala.-Maxwell AFB (LFR). | Montgomery, Ala.-Maxwell AFB (LFR).   | 1,500            |

44. Section 610.285 Red Civil Airway No. 85 is amended to read in part:

| From--                 | To--                               | Minimum altitude |
|------------------------|------------------------------------|------------------|
| Butler, Pa. (RBN)....  | Armagh (INT), Pa.: East-bound..... | 4,500            |
|                        | West-bound.....                    | 3,500            |
| Armagh (INT), Pa. .... | Altoona, Pa. (LFR) ..              | 4,500            |



45. Section 610.288 Red Civil Airway No. 88 is amended by adding:

| From—                                | To—   | Minimum altitude |
|--------------------------------------|---|------------------|
| Hobbs, N. Mex. (VOR), via radial 74. | Int. Hobbs, N. Mex. (VOR), radial 74 and Lubbock, Tex. (VOR), radial 187. | 1,500            |

<sup>1</sup> 5,500'—minimum continuous VOR reception altitude

46. Section 610.298 Red Civil Airway No. 98 is amended to read in part:

| From—                 | To—   | Minimum altitude |
|-----------------------|---|------------------|
| Vichy, Mo. (LFR)..... | Int. 248-068 mag. bearing Vichy, Mo. (LFR) and 8 crs. St. Louis, Mo. (LFR). | 2,200            |

47. Section 610.303 Red Civil Airway No. 103 is amended by adding:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Findlay, Ohio (VOR), via radial 68.  | Int. Findlay, Ohio (VOR), radial 68 and Toledo, Ohio (VOR) radial 164 or Columbus, Ohio, radial 344. | 2,100            |
| Int. Findlay, Ohio (VOR), radial 68 and Toledo, Ohio (VOR), radial 164 or Columbus, Ohio, radial 344, via Findlay, Ohio (VOR) radial 68. | Cleveland, Ohio (VOR), via radial 232.   | 2,000            |

48. Section 610.304 Red Civil Airway No. 104 is amended by adding:

| From—                  | To—                                     | Minimum altitude |
|------------------------|---|------------------|
| Bradford, Pa. (RBN)... | Elmira, N. Y. (VOR), via direct radial. | 4,500            |

49. Section 610.603 Blue Civil Airway No. 3 is amended by adding:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Muscle Shoals, Ala. (VOR), via direct or 15° W alt. rad. | Graham, Tenn. (VOR), via direct or 15° W alt. rad. | 2,500            |

50. Section 610.604 Blue Civil Airway No. 4 is amended to read in part:

| From—  | To—                   | Minimum altitude |
|--|-----------------------|------------------|
| Int. N crs. Boston, Mass. (LFR), and SE crs. Concord, N. H. (LFR). | Concord, N. H. (LFR). | 2,000            |

51. Section 610.605 Blue Civil Airway No. 5 is amended to read in part:

| From—   | To—  | Minimum altitude |
|---|--|------------------|
| College Station, Tex. (VOR), via direct or 15° NE alt. rad. | Waco, Tex. (VOR), via direct or 15° NE alt. rad. | 2,000            |

52. Section 610.605 Blue Civil Airway No. 5 is amended by adding:

| From—                                  | To—                                      | Minimum altitude |
|--|--|------------------|
| Dallas, Tex. (VOR), via direct radial. | Ardmore, Okla. (VOR), via direct radial. | 2,000            |

53. Section 610.609 Blue Civil Airway No. 9 is amended to read in part:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Des Moines, Iowa (VOR), via direct or 15° E or W alt. rad. | Mason City, Iowa (VOR), via direct or 15° E or W alt. rad. | 2,600            |

54. Section 620.611 Blue Civil Airway No. 11 is amended to read in part:

| From—   | To—  | Minimum altitude |
|---|--|------------------|
| Cleveland, Ohio (VOR), via radial 54 and 66.  | Int. Cleveland, Ohio (VOR), radial 54 or 66 and Youngstown, Ohio (VOR) radial 325.                                     | 2,500            |
| Int. Cleveland Ohio (VOR), radial 54 or 66 and Youngstown, Ohio (VOR) radial 325, via Cleveland, Ohio (VOR), radial 66 or Erie, Pa. (VOR), radial 266 or 251. | Int. Erie, Pa. (VOR), radial 266 or 251 and Youngstown, Ohio (VOR) radial 006, via Erie, Pa. (VOR), radial 266 or 251. | 2,300            |
| Int. Erie, Pa. (VOR), radial 251 or 266 and Youngstown, Ohio (VOR), radial 006, Cleveland, Ohio (LFR), Perry, Ohio (RBN)....                                  | Erie, Pa. (VOR), via radial 251 or 266.  | 2,000            |
| Perry, Ohio (RBN)....   | Perry, Ohio (RBN)....  | 2,500            |
| Int. N crs. Youngstown, Ohio (LFR) and SW crs. Erie, Pa. (LFR).   | Int. N crs. Youngstown, Ohio (LFR) and SW crs. Erie, Pa. (LFR).  | 2,300            |
| Int. N crs. Youngstown, Ohio (LFR) and SW crs. Erie, Pa. (LFR).   | Erie, Pa. (LFR).....   | 2,000            |

55. Section 610.613 Blue Civil Airway No. 13 is amended to read in part:

| From—  | To—   | Minimum altitude |
|--|---|------------------|
| Fort Smith, Ark. (VOR):<br>Via direct radial.....<br>Via 15° W alt. rad..... | Neosho, Mo. (VOR):<br>Via direct radial.....<br>Via 15° W alt. rad..... | 3,100<br>3,100   |

<sup>1</sup> 3,700'—minimum continuous VOR reception altitude.

56. Section 610.613 Blue Civil Airway No. 13 is amended by adding:

| From—                            | To—                                | Minimum altitude |
|----------------------------------|------------------------------------|------------------|
| Houston, Tex. (VOR), via direct. | Lufkin, Tex. (VOR), via direct.    | 1,600            |
| Lufkin, Tex. (VOR), via direct.  | Shreveport, La. (VOR), via direct. | 1,700            |

<sup>1</sup> 2,400'—Minimum continuous VOR reception altitude.

57. Section 610.615 Blue Civil Airway No. 15 is amended to read in part:

| From—                 | To—                   | Minimum altitude |
|-----------------------|-----------------------|------------------|
| Etna (INT), Ohio..... | Akron, Ohio (LFR).... | 2,400            |

58. Section 610.615 Blue Civil Airway No. 15 is amended by adding:

| From—                                  | To—                                     | Minimum altitude |
|--|---|------------------|
| Columbus, Ohio (VOR), via radial 33.   | Youngstown, Ohio (VOR), via radial 236. | 2,500            |
| Youngstown, Ohio (VOR), via radial 28. | Erie, Pa. (VOR), via radial 208.        | 2,200            |

59. Section 610.618 Blue Civil Airway No. 18 is amended by adding:

| From—   | To—                                     | Minimum altitude |
|---|---|------------------|
| Poughkeepsie, N. Y. (VOR), via direct radial. | Albany, N. Y. (VOR), via direct radial. | 3,000            |

60. Section 610.621 Blue Civil Airway No. 21 is amended by adding:

| From—  | To—                                     | Minimum altitude |
|--|---|------------------|
| Int. Pittsburgh, Pa. (VOR), radial 325 and Youngstown, Ohio (VOR), radial 185. | Youngstown, Ohio (VOR), via radial 185. | 2,600            |

61. Section 610.622 Blue Civil Airway No. 22 is amended to read in part:

| From—                                       | To—  | Minimum altitude |
|---|--|------------------|
| Little Rock, Ark. (VOR), via direct radial. | Fort Smith, Ark. (VOR), via direct radial.                   | 4,000            |
| Tulsa, Okla. (VOR), via radial 271 or 286.  | Ponca City, Okla. (VOR) (RBN), via radial 105 or 120 or RBN. | 2,200            |
| Ponca City, Okla. (RBN).                    | Tulsa, Okla. (LFR)....                                       | 2,200            |

**RULES AND REGULATIONS**

62. Section 610.622 *Blue Civil Airway No. 22* is amended by adding:

| From—                                   | To—                                      | Minimum altitude |
|---|--|------------------|
| Pine Bluff, Ark. (VOR), via radial 300. | Little Rock, Ark. (VOR), via radial 134. | 1,400            |

63. Section 610.628 *Blue Civil Airway No. 28* is amended by adding:

| From—   | To—  | Minimum altitude |
|---|--|------------------|
| Charleston, S. C. (VOR), via direct or NE alt. rad.   | Columbia, S. C. (VOR), via direct or 15° NE alt. rad.    | 1,500            |
| Columbia, S. C. (VOR), via direct or 15° NE alt. rad. | Spartanburg, S. C. (VOR), via direct or 15° NE alt. rad. | 2,000            |

64. Section 610.630 *Blue Civil Airway No. 30* is amended by adding:

| From—                                   | To—  | Minimum altitude |
|---|--|------------------|
| Big Spring, Tex. (VOR), via radial 320. | Int. Big Spring, Tex. (VOR), radial 320 and Lubbock, Tex. (VOR), radial 168. | 1,400            |

<sup>1</sup> 6,000'—minimum continuous VOR reception altitude.

65. Section 610.637 *Blue Civil Airway No. 37* is amended to eliminate:

| From—   | To—   | Minimum altitude |
|---|---|------------------|
| Rock River, Wyo. (VOR), via direct or 15° E alt. rad. | Casper, Wyo. (VOR), via direct or 15° E alt. rad. | 11,000           |

66. Section 610.638 *Blue Civil Airway No. 38* is amended to read in part:

| From—                                      | To—                       | Minimum altitude |
|--|---------------------------|------------------|
| Annette Island, Alaska (LFR). <sup>1</sup> | Petersburg, Alaska (LFR). | 4,700            |

<sup>1</sup> 5,000'—minimum crossing altitude at Annette Island (LFR), northwest-bound.

67. Section 610.639 *Blue Civil Airway No. 39* is amended by adding:

| From—                                   | To—                                       | Minimum altitude |
|---|---|------------------|
| Elmira, N. Y. (VOR), via direct radial. | Syracuse, N. Y. (VOR), via direct radial. | 3,500            |
| Elmira, N. Y. (LFR).                    | Syracuse, N. Y. (LFR).                    | 3,500            |

68. Section 610.641 *Blue Civil Airway No. 41* is amended by adding:

| From—                   | To—                      | Minimum altitude |
|-------------------------|--------------------------|------------------|
| Topsfield (INT), Maine. | U. S. Canadian Boundary. | 2,400            |

69. Section 610.666 *Blue Civil Airway No. 66* is amended by adding:

| From—                                   | To—   | Minimum altitude |
|---|---|------------------|
| Wilton, Conn. (VOR), via direct radial. | Poughkeepsie, N. Y. (VOR), via direct radial. | 3,000            |

70. Section 610.686 *Blue Civil Airway No. 86* is amended by adding:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Dayton, Ohio (VOR), via direct or 15° SW alt. rad. | Fort Wayne, Ind. (VOR), via direct or 15° SW alt. rad. | 2,200            |
| Fort Wayne, Ind. (VOR), via direct radial.         | Millersburg, Ind. (VOR), via direct radial.            | 2,300            |
| Goshen, Ind. (LFR).                                | Fort Wayne, Ind. (LFR).                                | 2,300            |
| Fort Wayne, Ind. (LFR).                            | Dayton, Ohio (LFR).                                    | 2,200            |

71. Section 610.1001 *Direct routes; Northeast United States* is amended to read in part:

| From—                | To—   | Minimum altitude |
|----------------------|---|------------------|
| Dover, Del. (VAR)... | Int. SE crs. Dover (VAR), and NE crs. Salisbury, Md. (VAR), via SE crs. Dover, Del. (VAR). <sup>1</sup> | 1,500            |

<sup>1</sup> Daylight operation: During daylight, when weather is reported 5000-3 or better, the Millford danger area will be activated, and flights are not authorized.

72. Section 610.1001 *Direct routes; Northeast United States* is amended to eliminate:

| From—                                   | To—  | Minimum altitude |
|---|--|------------------|
| Elmira, N. Y. (VOR), Via direct radial. | Syracuse, N. Y. (VOR), via direct radial.                                      | 3,500            |
| Bradford, Pa. (RBN)...                  | Elmira, N. Y. (VOR), via direct radial.  | 4,500            |
| Utica, N. Y. ....                       | Int. NE crs. Elmira, N. Y., and S crs. Syracuse, N. Y.                         | 3,500            |
| Watertown, N. Y. (VAR).                 | Int. 14° mag. bearing from Watertown, N. Y. (VAR) and U. S.-Canadian boundary. | 2,000            |
| Massena, N. Y. (VAR).                   | Int. N crs. Massena, N. Y. (VAR), and U. S.-Canadian boundary.                 | 2,000            |

73. Section 610.1002 *Direct routes; Southeast United States* is amended to read in part:

| From—  | To—  | Minimum altitude |
|--|--|------------------|
| Savannah, Ga. (LFR).   | Int. NW crs. Savannah, Ga. (LFR), and S crs. Augusta, Ga. (LFR). | 1,400            |
| Int. NW crs. Savannah, Ga. (LFR), and S crs. Augusta, Ga. (LFR). | Augusta, Ga. (LFR)...  | 1,600            |

74. Section 610.1002 *Direct routes; Southeast United States* is amended by adding:

| From—  | To—   | Minimum altitude |
|--|---|------------------|
| Alexandria, La. (LFR).   | Int. direct line Alexandria, La. (LFR)-Gregg County, Tex. (RBN) and S crs. Shreveport, La. (LFR). | 1,500            |
| Int. direct line Alexandria, La. (LFR)-Gregg County, Tex. (RBN), and S crs. Shreveport, La. (LFR). | Gregg County, Tex. (RBN).   | 1,600            |
| Houston, Tex. (LFR)...   | Richmond, Tex. (LFR).   | 1,600            |
| Richmond, Tex. (LFR).  | Yoakum, Tex. (RBN).   | 1,500            |
| Shreveport, La. (LFR).   | Lufkin, Tex. (RBN)...   | 1,700            |

75. Section 610.1002 *Direct routes; Southeast United States* is amended to eliminate:

| From—   | To—                    | Minimum altitude |
|---|------------------------|------------------|
| Ponca City, Okla. (RBN).                                      | Tulsa, Okla. (LFR)...  | 2,400            |
| Joaquin, Tex. (VAR)...  | Tyler, Tex. (LFR)...   | 1,900            |
| Int. NW crs. Alexandria, La. and SE crs. Joaquin, Tex. (VAR). | Joaquin, Tex. (VAR).   | 1,500            |
| Houston, Tex. ....  | Yoakum, Tex. ....      | 1,800            |
| Do. ....  | Brownsville, Tex. .... | 1,500            |

76. Section 610.1003 *Direct routes; Southwest United States* is amended to eliminate:

| From—               | To—                 | Minimum altitude |
|---------------------|---------------------|------------------|
| Phoenix, Ariz. .... | Safford, Ariz. .... | 12,500           |

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

These rules shall become effective February 5, 1952.

[SEAL] **F. B. LEE,**  
Acting Administrator of  
Civil Aeronautics.

[F. R. Doc. 52-1144; Filed, Jan. 31, 1952; 8:45 a. m.]

**NOTICES**

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

SECRETARY OF THE ARMY, SECRETARY OF THE NAVY, AND SECRETARY OF THE AIR FORCE

DELEGATION OF AUTHORITY TO ELIMINATE EXCESSIVE PROFITS UNDER THE RENEGOTIATION ACT OF 1948

1. Pursuant to the "Delegation of Authority to Eliminate Excessive Profits under the Renegotiation Act of 1948", dated January 20, 1952, 17 F. R. 736, from the Renegotiation Board to the Secretary of Defense, I hereby delegate to each of the Secretaries of the Army, the Navy and the Air Force, respectively, the power, function, and duty of eliminating excessive profits under subsection (b) of the Renegotiation Act of 1948, as amended and extended, by any of the methods set forth in subsection (c) (2) of the Renegotiation Act of February 25, 1944, as amended.

2. The respective Secretaries of the Army, the Navy, and the Air Force are hereby authorized to redelegate in whole or in part the authority delegated in paragraph 1 hereof, and to authorize successive redelegations thereof.

3. This notice shall take effect on the 20th day of January 1952.

Dated: January 20, 1952.

ROBERT A. LOVETT,  
*Secretary of Defense.*

[F. R. Doc. 52-1314; Filed, Feb. 1, 1952; 8:45 a. m.]

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

NEVADA

AIR-NAVIGATION SITE WITHDRAWAL NEVADA NO. 1

JANUARY 18, 1952.

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U. S. C. 214), and pursuant to section 2.22 (a) (2) of Bureau Order No. 427 dated August 16, 1950 (15 F. R. 5641), it is ordered as follows:

Subject to valid existing rights, the following-described public land in Nevada is hereby withdrawn from all forms of appropriation under the public land laws including the mining and mineral leasing laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Nevada No. 1.

MOUNT DIABLO MERIDIAN

T. 13 S., R. 69 E.,  
Sec. 28, SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described contains approximately 40 acres.

This order shall take precedence over but not otherwise modify the order of the Secretary of the Interior of November 3, 1936, establishing Nevada Grazing

District No. 5, so far as it affects the above-described land.

It is intended that the above-described land shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

J. H. FAVORITE,  
*Acting Regional Administrator.*

[F. R. Doc. 52-1315; Filed, Feb. 1, 1952; 8:45 a. m.]

**Bureau of Reclamation**

[Commissioner's Order 9]

REGIONAL DIRECTORS, CHIEF OF SUPPLY FIELD DIVISION, AND DIRECTOR OF SUPPLY

REDELEGATION OF AUTHORITY TO DISPOSE OF AND TO TRANSFER PERSONAL PROPERTY

JANUARY 24, 1952.

Pursuant to the authority delegated by the Secretary of the Interior to bureau heads in Order No. 2642 (16 F. R. 6318), Regional Directors, the Chief of the Supply Field Division, and the Director of Supply are hereby authorized to dispose of and to transfer personal property excess to the needs of the Bureau of Reclamation, including the authority to donate and to execute transfers and deliveries of durable property, in accordance with the Federal Property and Administrative Services Act of 1949, as amended, and regulations issued thereunder by the Administrator of General Services, with respect to personal property under their jurisdictions, respectively.

MICHAEL W. STRAUS,  
*Commissioner of Reclamation.*

[F. R. Doc. 52-1316; Filed, Feb. 1, 1952; 8:45 a. m.]

PAYETTE DIVISION, BOISE PROJECT, IDAHO

FIRST FORM RECLAMATION WITHDRAWAL

JANUARY 5, 1952.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949, I hereby withdraw the following-described lands from public entry, under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (32 Stat. 388):

BOISE MERIDIAN, IDAHO

T. 5 N., R. 3 W.,  
Sec. 19, Lot 1.

The above area aggregates 44.48 acres.

WESLEY R. NELSON,  
*Assistant Commissioner.*

I concur. The records of the Bureau of Land Management will be noted accordingly.

WILLIAM PINCUS,  
*Assistant Director,*  
*Bureau of Land Management.*

JANUARY 18, 1952.

[F. R. Doc. 52-1328; Filed, Feb. 1, 1952; 8:47 a. m.]

NOTICE FOR FILING OBJECTIONS TO ORDER WITHDRAWING PUBLIC LANDS FOR THE PAYETTE DIVISION, BOISE PROJECT, IDAHO<sup>1</sup>

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order withdrawing certain public lands in the State of Idaho, for use in connection with the further development of the Payette Division, Boise Project, may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

WESLEY R. NELSON,  
*Assistant Commissioner.*

[F. R. Doc. 52-1329; Filed, Feb. 1, 1952; 8:47 a. m.]

**Office of the Secretary**

CHEYENNE RIVER RESERVATION,  
SOUTH DAKOTA

ORDER OF RESTORATION

Whereas, under authority contained in the act of Congress approved May 29, 1908 (35 Stat. 460), providing for the disposition of surplus unallotted lands in the Cheyenne River Reservation, South Dakota, certain surplus lands were opened to settlement and entry under the general provisions of the homestead and townsite laws of the United States, by Presidential Proclamation of August 19, 1909 (36 Stat. 2500), and

Whereas, there are now remaining undisposed of on the opened portion of the Cheyenne River Reservation a number of tracts of said surplus lands which, while of little value for the original purpose of settlement and entry, upon thorough investigation, have been found to be valuable to the Indians of said reservation in order properly to support and develop their rapidly expanding cattle industry, and

Whereas, by relinquishment and cancellation of homestead entries an additional area of similar lands may hereafter be added to the class of undisposed-of surplus lands, and

Whereas, the Superintendent of the Cheyenne River Reservation, the Area

<sup>1</sup> See F. R. Doc. 52-1328, *supra*.

Director and the Commissioner of Indian Affairs have recommended restoration to tribal ownership of all the undisposed-of surplus lands and interests in lands within the following described areas:

**BLACK HILLS MERIDIAN**

Township 11 North, Range 17 East, those parts of Sections 1, 12, 13, 24, 25, and 36 east of the former Cheyenne River Reservation boundary.

Township 12 North, Range 17 East, those parts of Sections 1, 12, 13, 24, 25, and 36 east of the former Cheyenne River Reservation boundary.

Township 13 North, Range 17 East, Sections 1, 12, 13, 24, 25, and 36 and those parts of Sections 2, 11, 14, 23, 26, and 35 east of the former Cheyenne River Reservation boundary.

Township 14 North, Range 17 East, Sections 24, 25, 36, and those parts of Sections 23, 26, and 35 east of the former Cheyenne River Reservation boundary.

Township 16 North, Range 17 East, Sections 1, 12, 13, 24, 25, and 36 and those parts of Sections 2, 11, 14, 23, 26, and 35 east of the former Cheyenne River Reservation boundary.

Township 17 North, Range 17 East, Sections 12, 13, 24, 25, 36, and those parts of Sections 2, 11, 14, 23, 26, and 35 east of the former Cheyenne River Reservation boundary. Part of Section 1 lying south of the former Cheyenne River Indian Reservation boundary.

Township 11 North, Range 18 East, Sections 2 to 11, Sections 14 to 23, Sections 26 to 34.

Township 12 North, Range 18 East, All.

Township 13 North, Range 18 East, Sections 3 to 36.

Township 14 North, Range 18 East, Sections 19 to 22, 27 to 34.

Township 16 North, Range 18 East, Section 1, N $\frac{1}{2}$ ; Sections 2 to 10; Section 11 NW $\frac{1}{4}$ ; Section 12, W $\frac{1}{2}$ ; Section 13, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ; Section 14, W $\frac{1}{2}$ , SE $\frac{1}{4}$ ; Sections 15 to 36.

Township 17 North, Range 18 East, Those parts of Sections 1 to 6 south of the former Cheyenne Reservation boundary, Sections 7 to 29; Section 30, Lots 1, 2, E $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ , Sections 31 to 36.

Township 12 North, Range 19 East, All.

Township 13 North, Range 19 East, Sections 7 to 36.

Township 16 North, Range 19 East, All.

Township 17 North, Range 19 East, All.

Township 10 North, Range 20 East, Sections 1 to 12.

Township 11 North, Range 20 East, All.

Township 12 North, Range 20 East, All.

Township 13 North, Range 20 East, Sections 1 to 3, Sections 7 to 36.

Township 14 North, Range 20 East, Sections 23 to 27; Sections 34 to 36.

Township 16 North, Range 20 East, Sections 1, 2; Section 3, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sections 4 to 9; Section 10, W $\frac{1}{2}$ , SE $\frac{1}{4}$ ; Sections 11 to 13; Section 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , SE $\frac{1}{4}$ ; Sections 15 to 36.

Township 17 North, Range 20 East, Those parts of Sections 1 and 2 south of the former Cheyenne River Reservation boundary. Section 3, Lots 5, 6, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; those parts of Sections 4, 5, and 6 south of the former Cheyenne River Reservation boundary. Sections 7, 8; Section 9, N $\frac{1}{2}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Section 10, N $\frac{1}{2}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ; Section 11, All; Section 12, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ ; Section 13, E $\frac{1}{2}$ , NW $\frac{1}{4}$ ; Section 14, N $\frac{1}{2}$ , SW $\frac{1}{4}$ ; Section 15, E $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , SE $\frac{1}{4}$ ; Section 16 to 21; Section 22, E $\frac{1}{2}$ ; Section 23, All; Section 24, NE $\frac{1}{4}$ , SW $\frac{1}{4}$ ; Section 25, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Section 26, N $\frac{1}{2}$ , SW $\frac{1}{4}$ ; Sections 27 to 36.

Township 10 North, Range 21 East, Sections 1 to 12.

Township 11 North, Range 21 East, All.

Township 12 North, Range 21 East, All.

Township 13 North, Range 21 East, Sections 1 to 30; Section 31, E $\frac{1}{2}$ , SW $\frac{1}{4}$ ; Sections 32 to 36.

Township 14 North, Range 21 East, Sections 19 to 36.

Township 15 North, Range 21 East, Sections 1, 2, 11, to 14, 23 and 24.

Township 16 North, Range 21 East, All.

Township 17 North, Range 21 East, All south of the former Cheyenne River Reservation boundary.

Township 10 North, Range 22 East, Sections 1 to 12.

Township 11 North, Range 22 East, All.

Township 12 North, Range 22 East, All.

Township 13 North, Range 22 East, Section 1, Sections 5 to 8, 12 and 13, 17 to 20, Section 24 and 25, Section 23, E $\frac{1}{2}$ , SW $\frac{1}{4}$ ; Section 21, S $\frac{1}{2}$ ; Section 22, S $\frac{1}{2}$ ; Sections 26 to 36.

Township 15 North, Range 22 East, Sections 1 to 24.

Township 16 North, Range 22 East, All.

Township 17 North, Range 22 East, All south of the former Cheyenne River Reservation boundary line.

Township 10 North, Range 23 East, All.

Township 11 North, Range 23 East, All.

Township 12 North, Range 23 East, All.

Township 13 North, Range 23 East, All.

Township 15 North, Range 23 East, Sections 1 to 24.

Township 16 North, Range 23 East, All.

Township 17 North, Range 23 East, All south of the former Cheyenne River Reservation boundary line.

Township 10 North, Range 24 East, Sections 1 to 12.

Township 11 North, Range 24 East, Sections 13 to 36.

Township 12 North, Range 24 East, Sections 12 to 18.

Township 13 North, Range 24 East, All.

Township 15 North, Range 24 East, Sections 4 to 9; 16 to 18.

Township 16 North, Range 24 East, All.

Township 17 North, Range 24 East, All south of the former Cheyenne River Reservation boundary line.

Township 16 North, Range 25 East, Sections 1 to 35.

Township 17 North, Range 25 East, That part of Sections 1 to 6 south of the former Cheyenne River Reservation boundary; Sections 7 to 16; Section 17, all except Lots 6 and 7; Sections 18 and 19; Section 20, E $\frac{1}{2}$ , SW $\frac{1}{4}$ ; Sections 21 to 36.

Township 16 North, Range 26 East, Sections 1 to 7; Section 8, N $\frac{1}{2}$ , SW $\frac{1}{4}$ ; N $\frac{1}{2}$  of Sections 9 and 10; Sections 18, 19 and 30.

Township 16 North, Range 27 East, Sections 1 to 6.

Township 17 North, Range 27 East, All south of the former Cheyenne River Reservation boundary line.

Township 17 North, Range 28 East, That part of Sections 1 to 6 south of the former Cheyenne River Reservation boundary line and Sections 7 to 30.

Township 17 North, Range 29 East, Sections 1 to 21; Section 22, W $\frac{1}{2}$ ; Section 27, W $\frac{1}{2}$ ; Sections 28 to 30.

Township 17 North, Range 30 East, Sections 1 to 18.

Now, therefore, by virtue of the authority vested in the Secretary of the Interior by sections 3 and 7 of the act of June 18, 1934 (48 Stat. 984), I hereby find that restoration to tribal ownership of all lands which are now, or may hereafter be, classified as undisposed-of surplus opened lands within the area above described, being within the boundaries of the former Cheyenne River Reservation, will be in the public interest, and they are hereby restored to tribal ownership for the use and benefit of the Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota, and

the same are added to and made a part of the existing Reservation, subject to any valid existing rights.

DALE E. DOTY,  
Assistant Secretary of the Interior.

JANUARY 21, 1952.

[P. R. Doc. 52-1317; Filed, Feb. 1, 1952;  
8:45 a. m.]

**DEFENSE PRODUCTION  
ADMINISTRATION**

[D. P. A. Request 18]

ENGINEERING & RESEARCH CORP.

WITHDRAWAL AS CONTRACTOR-MEMBER ON  
THE ORDNANCE CORPS M34 MODIFICATION  
KIT INTEGRATION COMMITTEE

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the name of the following company is herewith published which has withdrawn as a contractor-member on the Ordnance Corps M34 Modification Kit Integration Committee. The entire list of contractor-members was published on October 12, 1951, at 16 F. R. 10469.

Engineering & Research Corp.  
Riverdale, Maryland.

(Sec. 708, 64 Stat. 818, 50 U. S. C. App. Supp. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

Dated: February 1, 1952.

DEFENSE PRODUCTION  
ADMINISTRATION,  
MANLY FLEISCHMANN,  
Administrator.

[F. R. Doc. 52-1469; Filed, Feb. 1, 1952;  
11:18 a. m.]

**FEDERAL POWER COMMISSION**

[Docket Nos. G-996, G-1429, G-1526, G-1816,  
G-1817, G-1818]

NORTHWEST NATURAL GAS CO. ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND  
FIXING DATE OF HEARING

JANUARY 24, 1952.

In the matters of Northwest Natural Gas Company, Docket No. G-996; Pacific Northwest Pipeline Corporation, Docket No. G-1429; Westcoast Transmission Company, Inc., Docket No. G-1526; Glacier Gas Company, Docket No. G-1816, G-1817, G-1818.

On February 2, 1948, Northwest Natural Gas Company (Northwest), a Delaware corporation, having its principal place of business at 111 Broadway, New York 6, New York, filed an application in Docket No. G-996, which was amended on December 29, 1951, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities and the sale of natural gas, subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection. Such gas is to be imported at the boundary line between the Dominion of Canada and the United States by Applicant for markets in the States of Idaho, Washington and Oregon and exported at said interna-

tional-boundary line for markets in the Province of British Columbia, Canada. Due notice of the filing of such application and amendment has been given, including publication in the FEDERAL REGISTER on February 17, 1948 (13 F. R. 726, 727), and January 15, 1952 (17 F. R. 460), respectively.

On June 29, 1950, Pacific Northwest Pipeline Corporation (Pacific), a Delaware corporation, having its principal place of business at 752 M & M Building, Houston, Texas, filed an application in Docket No. G-1429 for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities and the sale of natural gas, subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection. Part of such gas is to be transported from the State of Texas and part imported at the boundary line between the Dominion of Canada and the United States by Applicant for markets in the States of Utah, Idaho, Washington and Oregon and exported at said international boundary line for markets in the Province of British Columbia, Canada. Due notice of the filing of such application has been given, including publication in the FEDERAL REGISTER on July 26, 1950 (15 F. R. 4774, 4775).

On November 3, 1950, Westcoast Transmission Company, Inc. (Westcoast), a Delaware corporation, having its principal place of business at 100 West Tenth Street, Wilmington, Delaware, filed an application in Docket No. G-1526 for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities and the sale of natural gas, subject to the jurisdiction of the Commission, as described in the application on file with the Commission, and open to public inspection. Such gas is to be imported at the boundary line between the Dominion of Canada and the United States by Applicant for markets in the States of Washington and Oregon. Due notice of the filing of such application has been given, including publication in the FEDERAL REGISTER on November 21, 1950 (15 F. R. 7958, 7959).

On October 15, 1951, Glacier Gas Company (Glacier), a Montana corporation, having its principal place of business at Butte, Montana, filed an application in Docket No. G-1818 for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities and the sale of natural gas, subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection. Such gas is to be imported at the boundary line between the Dominion of Canada and the United States by Applicant for markets in the States of Montana, Idaho and Washington and exported at said international boundary line for markets in the Province of British Columbia. Glacier also, on October

15, 1951, filed an application in Docket No. G-1816 for a permit, pursuant to section 3 of the Natural Gas Act, authorizing the importation of natural gas from the Dominion of Canada into the United States, and an application in Docket No. G-1817 for a Presidential Permit, pursuant to Executive Order No. 8202, dated July 13, 1939, authorizing the construction, operation, maintenance, and connection at the international boundary of facilities for the importation of natural gas from the Dominion of Canada into the United States. Due notice of the filing of such applications in Docket Nos. G-1816, G-1817, and G-1818 has been given, including publication in the FEDERAL REGISTER on October 25, 1951 (16 F. R. 10866 and 10867).

Although Executive Order No. 8202 does not require the Commission to hold a hearing or provide opportunity therefor, it appears that, in the circumstances of these cases, it would be in the public interest for a hearing to be held with respect to the application filed in Docket No. G-1817, as hereinafter ordered.

The Commission finds: Good cause exists for consolidating proceedings on the above applications for purpose of hearing.

The Commission orders:

(A) The aforesaid proceedings on applications filed in Docket Nos. G-996, G-1429, G-1526, G-1816, G-1817, and G-1818 be and the same hereby are consolidated for hearing.

(B) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 3, 7 and 15 of the Natural Gas Act, and Executive Order No. 8202, dated July 13, 1939, and the Commission's rules of practice and procedure, a public hearing be held commencing on April 8, 1952, at 10:00 a. m., in the Hearing Room of the Federal Power Commission, Hurley Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by said applications.

(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: January 28, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 52-1318; Filed, Feb. 1, 1952;  
8:45 a. m.]

[Docket No. G-1308]

SOUTHERN NATURAL GAS CO.

NOTICE OF ORDER AMENDING ORDER ISSUING  
CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY

JANUARY 29, 1952.

Notice is hereby given that, on January 24, 1952, the Federal Power Commission issued its order, entered January 23, 1952, amending order (15 F. R. 3296) issuing certificate of public convenience

and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 52-1321; Filed, Feb. 1, 1952;  
8:46 a. m.]

[Docket No. IT-5658]

COMPANIA ELECTRICA MATAMOROS, S. A.,  
AND CENTRAL POWER AND LIGHT CO.

NOTICE OF APPLICATION FOR AMENDMENT OF  
AUTHORIZATION TO EXPORT ELECTRIC  
ENERGY

JANUARY 28, 1952.

Notice is hereby given that Compania Electrica Matamoros, S. A. of Matamoros, Mexico, and Central Power and Light Company of Corpus Christi, Texas, have filed joint application pursuant to the provisions of section 202 (e) of the Federal Power Act (16 U. S. C. 824a (e)) for amendment of the authorization previously granted by the Commission under said act, so as to permit an increase in the transmission of electric energy across the international boundary, United States and Mexico, from a point near Brownsville, Texas, to a point near Matamoros, Mexico, in quantities up to an amount of 50,000,000 kilowatt-hours per year at a rate of supply not to exceed 16,000 kilowatts. The present transmission is limited to 30,000,000 kilowatt-hours per year at a rate not in excess of 10,000 kilowatts.

Any person desiring to be heard or to make any protest with reference to the said application should on or before February 12, 1952, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 52-1319; Filed, Feb. 1, 1952;  
8:46 a. m.]

[Docket No. IT-6083]

LA JUNTA FEDERAL DE MEJORAS MATERIALES  
AND CENTRAL POWER AND LIGHT CO.

NOTICE OF APPLICATION FOR AMENDMENT OF  
AUTHORIZATION TO EXPORT ELECTRIC  
ENERGY

JANUARY 28, 1952.

Notice is hereby given that, pursuant to the provisions of section 202 (e) of the Federal Power Act, 16 U. S. C. 791a-825r, La Junta Federal de Mejoras Materiales and Central Power and Light Company have filed with the Federal Power Commission a joint application for amendment of the authorization previously granted by the Commission so as to permit an increase in the transmission of electric energy across the international boundary, United States and Mexico, from a point at Laredo, Texas, to a point opposite Nuevo Laredo, Tamaulipas, Mexico, in quantities up to 15,000,000 kilowatt-hours annually at a rate of supply not to exceed 3,000 kilowatts. The present transmission is limited

ited to 10,000,000 kilowatt-hours per year at a rate not in excess of 1,800 kilowatts.

Any person desiring to be heard or to make any protest with reference to the proposed application should, on or before February 12, 1952, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations under the Federal Power Act.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 52-1320; Filed, Feb. 1, 1952;  
8:46 a. m.]

[Project No. 78]

PACIFIC GAS AND ELECTRIC CO.

NOTICE OF APPLICATION FOR AMENDMENT  
OF LICENSE (MAJOR)

JANUARY 29, 1952.

Public notice is hereby given, pursuant to the provisions of the Federal Power Act (16 U. S. C. 791-825r), that Pacific Gas and Electric Company, of San Francisco, California, has made application for amendment of license for major Project No. 78 to authorize construction of a new rock-filled crib diversion dam to replace an old one partially washed out by flood flows and changes in intake works, flume, and an access road.

Any protest against the approval of this application of request for hearing thereon, with the reasons for such protest or request, and the name and address of the party or parties so protesting or requesting should be submitted on or before March 15, 1952, to the Federal Power Commission at Washington 25, D. C.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 52-1344; Filed, Feb. 1, 1952;  
8:49 a. m.]

[Project No. 405]

SUSQUEHANNA POWER CO. AND PHILADELPHIA ELECTRIC POWER CO.

NOTICE OF ORDER FURTHER AMENDING  
LICENSE (MAJOR)

JANUARY 29, 1952.

Notice is hereby given that, on November 13, 1951, the Federal Power Commission issued its order, entered November 7, 1951, further amending license (Major) in the above-entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 52-1322; Filed, Feb. 1, 1952;  
8:46 a. m.]

[Project No. 1098]

PACIFIC AMERICAN FISHERIES, INC.

NOTICE OF ORDER ISSUING LICENSE (MINOR)

JANUARY 29, 1952.

Notice is hereby given that, on November 1, 1951, the Federal Power Commission issued its order, entered October 30,

1951, issuing new license (Minor) in the above-entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 52-1323; Filed, Feb. 1, 1952;  
8:46 a. m.]

[Project No. 2072]

WISCONSIN MICHIGAN POWER CO.

NOTICE OF ORDER ISSUING LICENSE

JANUARY 29, 1952.

Notice is hereby given that, on November 29, 1951, the Federal Power Commission issued its order, entered November 27, 1951, issuing license in the above-entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 52-1324; Filed, Feb. 1, 1952;  
8:46 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File Nos. 68-154, 70-2780]

GENERAL PUBLIC UTILITIES CORP. AND  
METROPOLITAN EDISON CO.

NOTICE OF REQUEST FOR AUTHORIZATION TO  
ISSUE AND TO ACQUIRE SECURITIES AND TO  
AMEND CHARTER, AND ORDER PERMITTING  
SOLICITATION OF STOCKHOLDERS WITH  
RESPECT TO AUTHORIZATION OF ADDI-  
TIONAL PREFERRED STATUS

JANUARY 29, 1952.

Notice is hereby given that General Public Utilities Corporation ("GPU"), a registered holding company, and Metropolitan Edison Company ("MetEd"), a subsidiary of GPU which is an electric utility company organized and operating in the State of Pennsylvania, have filed a joint application-declaration (File No. 70-2780) pursuant to the Public Utility Holding Company Act of 1935 ("the act"), and have designated sections 6 (a), 6 (b), 7, 9 (a) and 10 thereof and Rules U-23 and U-50 thereunder as applicable to the proposed transactions, which are summarized as follows:

MetEd proposes to issue and sell to the public, subject to the competitive bidding requirements of Rule U-50, \$7,800,000 principal amount of First Mortgage Bonds ("New Bonds") and 40,000 additional shares of Preferred Stock, par value \$100 per share ("New Preferred Stock"), the price to be not less than 100 percent nor more than 102½ percent of the principal amount or par value.

MetEd also proposes to issue and sell to GPU 40,000 additional shares of its Common Stock ("Additional Common Stock") for an aggregate consideration of \$4,000,000.

In connection with the issuance of the New Preferred Stock, MetEd proposes, subject to the requisite consent of its stockholders, to increase the number of shares of its authorized Preferred Stock from 215,000 to 295,000 shares. MetEd also proposes to amend its charter: (1) so as to extend the limitation on common stock dividends applicable to

the four series of its Preferred Stock presently outstanding, to the 80,000 additional shares; (2) so as to permit, without the prior consent of the holders of a majority of its Preferred shares then outstanding, the issuance or assumption of securities representing unsecured indebtedness in excess of 10 percent of the aggregate of its secured indebtedness, capital stock and surplus for the purpose of redeeming or otherwise retiring Preferred Stock only if all shares of Preferred Stock then outstanding are simultaneously to be redeemed or otherwise retired.

MetEd states that it will utilize the proceeds from the sale of said securities, aggregating not less than \$15,800,000, for the following purposes: (1) The proceeds from the sale of the New Bonds (exclusive of premium, if any, and accrued interest) will be deposited with the Trustee under the mortgage securing its First Mortgage Bonds and withdrawn from time to time, pursuant to said Mortgage, against property additions subsequent to November 1, 1944. The amounts so withdrawn will be applied to the purchase or construction of property additions after December 31, 1951, or to pay short-term loans, if any, incurred for such purpose after said date. (2) Out of the proceeds from the sale of the New Preferred Stock and Additional Common Stock, \$4,000,000 will be used to pay the principal amount due on MetEd's short-term notes held by nine banks, aggregating \$2,465,000 at December 31, 1951, and partially to reimburse MetEd's treasury for expenditures on property additions during 1951; and the balance of at least \$4,000,000 will be applied to purchase or construct property additions after December 31, 1951, or to pay short-term bank loans or reimburse expenditures incurred for such purpose.

MetEd further states it will pay from its current funds the expenses of issuing and selling the new securities, estimated at \$95,000.

MetEd expects in due course to obtain authorization for the issuance and sale of said securities from the Pennsylvania Public Utility Commission.

GPU proposes to purchase from MetEd the 40,000 shares of Additional Common Stock for an aggregate consideration of \$4,000,000; which amount it proposes to raise by borrowing \$1,000,000 from each of four banks: Bankers Trust Company, Manufacturers Trust Company, Mellon National Bank and Trust Company, and The Marine Midland Trust Company of New York. Such bank loans will be made at the prime interest rate (now 3 percent) for commercial borrowing at the time the loans are made, but not in excess of 3½ percent per annum, and will mature 10 months from the date they are effected. GPU expects to obtain the funds for payment of such loans either from the issuance and sale of additional shares of its Common Stock or from the sale of system assets. No special legal expenses of GPU are involved with respect to this application-declaration.

It is requested that the Commission's order on said application-declaration become effective upon issuance.

Concurrently with the aforesaid application-declaration MetEd has filed a dec-

laration (File No. 68-154) pursuant to section 12 (e) of the act and Rule U-62 thereunder relating to the solicitation of its preferred stockholders to obtain their consent, as required by state law and the company's charter, to the proposed increase in the authorized number of its preferred shares from 215,000 to 295,000 shares, of the par value of \$100 per share. A special meeting of stockholders will be held on March 4, 1952, for the purpose of voting on such proposal. The board of directors has fixed January 25, 1952, as the record date for the determination of the stockholders entitled to vote at the special meeting.

Meted estimates that the expenses connected with such solicitation will be: Cost of printing, assembling and mailing proxy forms and accompanying documents, \$1,500; solicitations in person or by telephone or telegraph, not over \$500; reimbursement of brokers and others for expenses in forwarding proxy materials to beneficial owners, not over \$500. It is stated that no special charge will be made by declarant's counsel or independent accountants for services in connection with the solicitation, but that their compensation in connection with the issuance of the securities covered by the application-declaration will include compensation for such services.

Meted requests that its declaration relating to the solicitation of its preferred stockholders be permitted to become effective not later than February 11, 1952, in order that it may be in a position to commence solicitation on said date.

Deeming that such solicitation is in the public interest and in the interest of investors and consumers, and that the steps proposed to be taken and the expenditures proposed to be made in connection therewith are not unreasonable, the Commission finds it unnecessary to provide opportunity for a hearing with respect thereto.

Notice is further given that any interested person may, not later than February 20, 1952, at 5:30 p. m., request in writing that a hearing be held on the joint application-declaration aforesaid, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said application-declaration which he desires to controvert; or he 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 said date said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided by Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

As respects Meted's declaration relating to the proposed solicitation of its preferred stockholders:

*It is ordered*, That said declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 52-1325; Filed, Feb. 1, 1952;  
8:47 a. m.]

[File No. 70-2774]

CHIPPEWA AND FLAMBEAU IMPROVEMENT  
CO. ET AL.

ORDER AUTHORIZING ISSUANCE, SALE AND  
ACQUISITION OF COMMON STOCK

JANUARY 29, 1952.

In the matter of Chippewa and Flambeau Improvement Company, Eau Claire Dells Improvement Company, Northern States Power Company, all Wisconsin corporations; File No. 70-2774.

Chippewa and Flambeau Improvement Company ("Chippewa"), Eau Claire Dells Improvement Company ("Eau Claire"), and Northern States Power Company ("Northern States"), all Wisconsin corporations which are subsidiaries of Northern States Power Company, a Minnesota corporation and a registered holding company, having filed a joint application-declaration pursuant to sections 6 (b), 9 and 10 of the Public Utility Holding Company Act of 1935 ("the act") and Rule U-43 thereunder with respect to the following proposed transactions:

Applicants state that Chippewa operates four water storage reservoirs on the headwaters of the Chippewa and Flambeau rivers above the generating plants of Northern States, Eau Claire, and four other companies, which utilize the services of Chippewa in regulating the flow of said streams; that Eau Claire operates a dam on the Chippewa River and certain electric equipment, the entire output of which is sold to Northern States; that Northern States operates as an electric and gas utility company in the States of Wisconsin and Minnesota; that Northern States owns the entire capital stock of Eau Claire and 55.17 percent of the capital stock of Chippewa.

Chippewa proposes to issue and sell not to exceed 193 additional shares of its capital stock at the par value of \$100 per share, initially offering same to its water power users according to their proportion of "cubic foot storage fall" as set forth in Article VI of Chippewa's Articles of Incorporation. Any stock not subscribed for by the users on the first offering, Chippewa proposes to offer to subscribing users who hold less than the total number of shares to which they are entitled, in proportion to their deficiency. Chippewa expects that all stock will be taken in the initial and secondary offerings. However, any shares which then remain unsubscribed, Chippewa proposes to offer to all its stockholders in proportion to their then holdings.

Northern States and Eau Claire state that they intend to subscribe for the full

number of shares to which they are entitled on the initial and subsequent offerings.

It is stated that the proceeds from the sale of the stock will be used to provide Chippewa with needed general funds which have been depleted by capital expenditures.

The Public Service Commission of Wisconsin has issued a certificate authorizing Chippewa to issue the additional common stock as proposed.

Chippewa has estimated its expenses in the matter at \$210, of which \$150 is for legal fees.

It is requested that the Commission's order be expedited and made effective forthwith upon issuance.

Due notice having been given of the filing of the application-declaration, and a hearing not having been requested or ordered by the Commission; and the Commission finding that the applicable provisions of the act 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 be, and the same 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. 52-1326; Filed, Feb. 1, 1952;  
8:47 a. m.]

[File No. 812-761]

UNITED STATES & FOREIGN SECURITIES  
CORP. AND UNITED STATES & INTERNATIONAL  
SECURITIES CORP.

NOTICE OF APPLICATION

JANUARY 31, 1952.

Notice is hereby given that United States & Foreign Securities Corporation (hereinafter referred to as "Foreign"), a registered investment company, and United States & International Securities Corporation (hereinafter referred to as "International") also a registered investment company, have filed an application pursuant to section 10 (f) and 17 (b) of the Investment Company Act of 1940 for an order of the Commission (1) exempting from the provisions of section 10 (f) of the act the proposed purchase by each of 5,000 shares of the common stock of Owens-Corning Fiberglas Corporation (hereinafter referred to as "Fiberglas") at the best price at which such shares are available, and (2) exempting from the provisions of section 17 (a) of the act the purchase of all or a portion of such shares from Dillon, Read & Co. Inc. (hereinafter referred to as "Dillon, Read") an affiliated person of an affiliated person of Foreign and International.

Foreign is a diversified, closed-end, management investment company and

owns approximately 99 percent of the second preferred stock and approximately 80 percent of the common stock of International. The common stock of International is the only class of its stock entitled to vote. International also is a diversified, closed-end, management investment company. Both Foreign and International have offices at 33 Rector Street, New York, New York.

Foreign and International make studies of various industries and particular companies in those industries to determine what investments they will make. Such studies are made largely through Keswick Corporation, which is a wholly-owned subsidiary of Foreign and International. The Keswick Corporation has made a study of Fiberglas and has recommended to Foreign and International the purchase by each of up to 5,000 shares of the common stock of Fiberglas. A majority of the directors of each applicant has approved such purchase by it.

Fiberglas, a Delaware corporation was organized in 1938 by Owens-Illinois Glass Company and Corning Glass Works, manufactures fibrous glass products. Fiberglas filed with the Commission on January 18, 1952, a registration statement under the Securities Act of 1933 (on Form S-1, No. 2-9387) covering 630,000 shares of its common stock, of which 450,000 shares are being issued by Fiberglas and an aggregate of 180,000 shares are being sold in equal amounts by Owens-Illinois Glass Company and Corning Glass Works. Dillon, Read may be one of the principal underwriters of the 630,000 shares of common stock of Fiberglas and, subject to such registration statement becoming effective, the initial public offering will be made on or about February 6, 1952. The offering price is not stated in the registration statement but will be indicated in a subsequent amendment.

Foreign and International each proposes to purchase the shares from one or more of the principal underwriters or in the over-the-counter market at the initial public offering price as will be set forth in the prospectus included in said registration statement when the same becomes effective or, to the extent that such shares are not available at such price, at the best price at which such shares are available. In an effort to obtain such shares, Foreign and International each may purchase some or all of such shares from Dillon, Read.

Foreign and International have identical boards of directors, each consisting of ten men. Two of the ten men are C. Douglas Dillon, who is an officer and director of both Foreign and International and of Dillon, Read and Clarence Dillon, who is a director of both Foreign and International but who is neither a director nor an officer of Dillon, Read. Each of the two men owns more than 10 percent of the outstanding voting securities of Dillon, Read as well as a substantial number of shares of the outstanding stock of Foreign and International.

Since C. Douglas Dillon and Clarence Dillon are directors of Foreign and International each is an affiliated person of Foreign and International by reason

of section 2 (a) (3) (D) of the Act. In addition, since each of the two men own more than 5 percent of the voting securities of Dillon, Read, the latter is an affiliated person of each by reason of the provisions of section 2 (a) (3) (B) of the act and consequently an affiliated person of an affiliated person of Foreign and International. Therefore, the proposed purchase of 5,000 shares of common stock of Fiberglas by Foreign and of a like amount by International is prohibited by section 10 (f) of the act unless the Commission by order issued pursuant to section 10 (f) exempts the proposed purchase from the prohibition of the act. In addition, the purchase of any such shares from Dillon, Read is prohibited by section 17 (a) of the act unless the Commission by order issued pursuant to section 17 (b) of the act exempts the purchase from the prohibition of the act.

All interested persons are referred to said application which is on file at the Washington, D. C., office of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may deem necessary or appropriate may be issued by the Commission at any time on or after February 6, 1952, unless prior thereto a hearing on the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than February 5, 1952 at 5:30 p. m., e. s. t., submit in writing to the Commission his views or any additional facts bearing upon the application or the desirability of a hearing thereon or request the Commission, in writing, that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 52-1453; Filed, Feb. 1, 1952;  
10:35 a. m.]

## ECONOMIC STABILIZATION AGENCY

### Office of Price Stabilization

[Region II, Redelegation of Authority 25]

DIRECTORS OF DISTRICT OFFICES, REGION II

REDELEGATION OF AUTHORITY TO ACT UNDER  
GOR 24

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. II, pursuant to Delegation of Authority No. 50 (17 F. R. 675), this Delegation of Authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the New York City, Buffalo, Rochester, Syracuse and Albany, New York and the Newark and Trenton, New Jersey, Offices of Price Stabilization to issue adopting orders as authorized by GOR 24 and to grant, deny or revoke the reclassification provided for under section 7 of GOR 24.

2. If the area for which it is deemed appropriate to fix community dollars-and-cents ceiling prices lies within the jurisdiction of more than one of said district offices of the Office of Price Stabilization, the office for the area in which the majority of the sellers to be covered by the order is located shall be the office to issue an order fixing community dollars-and-cents ceiling prices for all sellers in that area.

This redelegation of authority is effective January 31, 1952.

JAMES G. LYONS,  
Director of Regional Office No. II.

JANUARY 30, 1952.

[F. R. Doc. 52-1346; Filed, Jan. 30, 1952;  
4:05 p. m.]

[Region V, Redelegation of Authority No. 5,  
Rev.]

DIRECTORS OF DISTRICT OFFICES, REGION V

REDELEGATION OF AUTHORITY TO PROCESS  
REPORTS OF PROPOSED PRICE-DETERMINATION  
METHODS, PURSUANT TO SECTION 5  
OF CPR 67

By virtue of the authority vested in me as Acting Director of the Regional Office of the Office of Price Stabilization, Region V, pursuant to Delegation of Authority 22, Revised (17 F. R. 219), this revised redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Atlanta, Georgia; Birmingham, Alabama; Columbia, South Carolina; Jackson, Mississippi; Jacksonville, Florida; Memphis, Tennessee; Miami, Florida; Montgomery, Alabama; Nashville, Tennessee; and Savannah, Georgia, District Offices of the Office of Price Stabilization to act as follows:

(1) To approve, pursuant to section 5 of CPR 67, a price-determining method for sales at wholesale or retail proposed by a reseller under CFR 67.

(2) Disapprove such a price-determining method.

(3) Establish a different price-determining method by order for any wholesale or retail reseller whose proposed price-determining method has been disapproved.

(4) Requests further information concerning any such proposed price-determining method.

This revised redelegation of authority is effective as of January 23, 1952.

CHARLES B. CLEMENT,  
Acting Director of Regional Office V.

JANUARY 30, 1952.

[F. R. Doc. 52-1347; Filed, Jan. 30, 1952;  
4:05 p. m.]



[Region XI, Redelegation of Authority No. 14, Amdt. 1]

**DIRECTORS OF DISTRICT OFFICES,  
REGION XI**

**REDELEGATION OF AUTHORITY TO ADJUST  
CEILING PRICES UNDER CPR 34, SERVICES**

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. 28 (16 F. R. 11703) and Delegation of Authority No. 28, Amendment 1 (17 F. R. 330), this redelegation of authority is hereby issued.

Redelegation of Authority No. 14 is amended by adding a new paragraph 6 to read as follows:

6. Authority to act under section 20 (a) of Ceiling Price Regulation 34, as amended. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region XI to adjust ceiling prices under the provisions of section 20 (a) of Ceiling Price Regulation 34, as amended.

This redelegation of authority shall take effect as of January 28, 1952.

**GEORGE F. ROCK,  
Regional Director.**

JANUARY 30, 1952.

[F. R. Doc. 52-1348; Filed, Jan. 30, 1952; 4:05 p. m.]

[Region XI, Redelegation of Authority No. 28]

**DIRECTORS OF DISTRICT OFFICES,  
REGION XI**

**REDELEGATION OF AUTHORITY TO ISSUE  
ORDERS ESTABLISHING CEILING PRICES IN  
ACCORDANCE WITH SECTION 2 (h) OF CPR  
94, USED PASSENGER AUTOMOBILES**

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. 46 (17 F. R. 362-3), this redelegation of authority is hereby issued:

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region XI to issue orders establishing ceiling prices under the provisions of section 2 (h) of Ceiling Price Regulation 94.

This redelegation of authority shall take effect as of January 28, 1952.

**GEORGE F. ROCK,  
Regional Director.**

JANUARY 30, 1952.

[F. R. Doc. 52-1349; Filed, Jan. 30, 1952; 4:05 p. m.]

[Region XI, Redelegation of Authority No. 29]

**DIRECTORS OF ALL DISTRICT OFFICES,  
REGION XI**

**REDELEGATION OF AUTHORITY TO ESTABLISH  
OR ADJUST CEILING PRICES, ETC., UNDER  
CPR 93, CONSTRUCTION AND RELATED SER-  
VICES AND SALES OF INSTALLED MATERIALS**

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant

No. 24—12

to Delegation of Authority No. 44 (16 F. R. 12802), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the District Directors of each of the several District Offices of Region XI of the Office of Price Stabilization to authorize, establish, adjust, revise, or disapprove ceiling prices, ceiling fees, ceiling mark-ups and rates or request further information in connection therewith, or otherwise act to administer individual reporting or adjustment provisions of CPR 93, in accordance with the specific provisions thereof.

This redelegation of authority shall take effect on February 1, 1952.

**GEORGE F. ROCK,  
Regional Director.**

JANUARY 30, 1952.

[F. R. Doc. 52-1350; Filed, Jan. 30, 1952; 4:05 p. m.]

[Region XII, Redelegation of Authority No. 28]

**DIRECTORS OF DISTRICT OFFICES, REGION  
XII**

**REDELEGATION OF AUTHORITY TO ADJUST  
CEILING PRICES UNDER THE PROVISIONS OF  
SECTION 20 (a) OF CPR 34, AS AMENDED**

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority No. 28, as amended (16 F. R. 11703, 17 F. R. 330), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to adjust ceiling prices under the provisions of section 20 (a) of Ceiling Price Regulation 34, as amended.

This redelegation of authority shall take effect as of January 28, 1952.

**JOHN H. TOLAN, JR.,  
Director of Regional Office No. XII.**

JANUARY 30, 1952.

[F. R. Doc. 52-1351; Filed, Jan. 30, 1952; 4:05 p. m.]

[Region XIII, Redelegation of Authority No. 2, Rev.]

**DIRECTORS OF DISTRICT OFFICES,  
REGION XIII**

**REDELEGATION OF AUTHORITY TO ACT ON AP-  
PLICATION PERTAINING TO CERTAIN FOOD  
AND RESTAURANT COMMODITIES**

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 8 as amended (16 F. R. 5659, 16 F. R. 6640), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane Offices of Price Stabilization, respectively, to act on all applications for price action and adjustment under the provisions of sections 15 (c), 26a, 28a and 28b of Ceiling

Price Regulation 14; sections 21a, 26, 26a, 27 and 30 (b) of Ceiling Price Regulation 15; and sections 22 (b), 24, 24a, and 26 (b) of Ceiling Price Regulation 16.

This redelegation of authority shall become effective February 1, 1952.

**EARL C. HALD,  
Acting Regional Director, Office  
of Price Stabilization, Region  
XIII.**

JANUARY 30, 1952.

[F. R. Doc. 52-1352; Filed, Jan. 30, 1952; 4:05 p. m.]

[Region XIII, Redelegation of Authority No. 5, Rev.]

**DIRECTORS OF DISTRICT OFFICES,  
REGION XIII**

**REDELEGATION OF AUTHORITY TO ACCEPT RE-  
PORTS CORRECTING PURELY ARITHMETICAL  
ERRORS UNDER SECTION 3 (b); TO ACCEPT  
REPORTS AND TO ESTABLISH, APPROVE AND  
DISAPPROVE CEILING PRICES UNDER SEC-  
TIONS 6, 7, AND 8; TO DISAPPROVE OR RE-  
VISE PROPOSED OR ESTABLISHED CEILING  
PRICES UNDER SECTION 9; TO REQUIRE  
FURTHER INFORMATION OR TO DISAPPROVE  
STATEMENTS FILED UNDER SECTIONS 18  
(b) AND 18 (c); TO ESTABLISH CEILING  
PRICES UNDER SECTION 19 (b); AND TO  
ADJUST CEILING PRICES UNDER SECTION  
20 (a) OF CPR 34, AS AMENDED**

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 28, as amended, (16 F. R. 11703, 17 F. R. 320) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to accept the reports correcting purely arithmetical errors under section 3 (b) of Ceiling Price Regulation 34, as amended.

2. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to accept reports, to establish, approve or disapprove by order ceiling prices, or to require further information under sections 6, 7, and 8 of Ceiling Price Regulation 34, as amended.

3. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to disapprove or to revise by order proposed or established ceiling prices under section 9 of Ceiling Price Regulation 34, as amended.

4. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to require further information or to disapprove of statements filed under sections 18 (b) and 18 (c) of Ceiling Price Regulation 34, as amended.

5. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to establish by order ceiling prices under section

19 (b) of Ceiling Price Regulation 34, as amended.

6. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to adjust by order ceiling prices under section 20 (a) of Ceiling Price Regulation 34, as amended.

This redelegation of authority shall be effective February 1, 1952.

EARL C. HALD,  
Acting Regional Director, Office  
of Price Stabilization, Region  
XIII.

JANUARY 30, 1952.

[F. R. Doc. 52-1353; Filed, Jan. 30, 1952;  
4:06 p. m.]

[Ceiling Price Regulation 7, Section 43,  
Special Order 238, Amdt. 1]

PENDLETON WOOLEN MILLS  
CEILING PRICES AT RETAIL

*Statement of considerations.* This amendment to Special Order 238 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

*Amendatory provisions.* Special Order 238 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of men's shirts and lounging robes, women's jackets, skirts, slacks, weskits, shorts, and women's shirts or blouses manufactured or distributed by the Pendleton Woolen Mills, having the brand name "Pendleton", and described in the manufacturer's application dated June 25, 1951, and supplemented and amended by the manufacturer's application dated December 4, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

The selling prices to retailers listed below are subject to terms of 2 percent-30 days, net 60 days; men's wear 8 percent-10 days; E. O. M. for women's wear.

MEN'S WEAR AND WOMEN'S WEAR

| Selling price to retailers<br>(per unit): | Ceiling price<br>at retail<br>(per unit) |
|---|--|
| \$5.71 to \$6.00                          | *\$9.95                                  |
| \$6.01 to \$6.30                          | *10.50                                   |
| \$6.31 to \$6.60                          | *10.95                                   |
| \$6.61 to \$6.90                          | *11.50                                   |
| \$6.91 to \$7.20                          | *11.95                                   |
| \$7.21 to \$7.50                          | *12.50                                   |
| \$7.51 to \$7.80                          | *12.95                                   |
| \$7.81 to \$8.10                          | *13.50                                   |
| \$8.11 to \$8.40                          | *13.95                                   |
| \$8.41 to \$8.70                          | *14.50                                   |
| \$8.71 to \$9.00                          | *14.95                                   |
| \$9.01 to \$9.30                          | *15.50                                   |
| \$9.31 to \$9.60                          | *15.95                                   |
| \$9.61 to \$9.90                          | *16.50                                   |
| \$9.91 to \$10.20                         | *16.95                                   |
| \$10.21 to \$10.50                        | *17.50                                   |
| \$10.51 to \$10.80                        | *17.95                                   |
| \$10.81 to \$11.10                        | *18.50                                   |
| \$11.11 to \$11.40                        | *18.95                                   |
| \$11.41 to \$11.70                        | *19.50                                   |
| \$11.71 to \$12.00                        | *19.95                                   |
| \$12.01 to \$12.30                        | *20.50                                   |
| \$12.31 to \$12.60                        | *20.95                                   |
| \$12.61 to \$12.90                        | *21.50                                   |
| \$12.91 to \$13.20                        | *21.95                                   |
| \$13.21 to \$13.50                        | *22.50                                   |
| \$13.51 to \$13.80                        | *22.95                                   |
| \$13.81 to \$14.10                        | *23.50                                   |
| \$14.11 to \$14.40                        | *23.95                                   |
| \$14.41 to \$14.70                        | *24.50                                   |
| \$14.71 to \$15.00                        | *25.00                                   |
| \$15.01 to \$15.30                        | *25.50                                   |
| \$15.31 to \$15.60                        | *25.95                                   |
| \$15.61 to \$15.90                        | *26.50                                   |
| \$15.91 to \$16.20                        | *26.95                                   |
| \$16.21 to \$16.50                        | *27.50                                   |
| \$16.51 to \$16.80                        | *27.95                                   |
| \$16.81 to \$17.10                        | *28.50                                   |
| \$17.11 to \$17.40                        | *28.95                                   |
| \$17.41 to \$17.70                        | *29.50                                   |
| \$17.71 to \$18.00                        | *30.00                                   |
| \$18.01 to \$18.30                        | *30.50                                   |
| \$18.31 to \$18.60                        | *30.95                                   |
| \$18.61 to \$18.90                        | *31.50                                   |
| \$18.91 to \$19.20                        | *31.95                                   |
| \$19.21 to \$19.50                        | *32.50                                   |
| \$19.51 to \$19.80                        | *32.95                                   |
| \$19.81 to \$20.10                        | *33.50                                   |
| \$20.11 to \$20.40                        | *33.95                                   |
| \$20.41 to \$20.70                        | *34.50                                   |
| \$20.71 to \$21.00                        | *35.00                                   |

<sup>1</sup> Women's Pendleweave skirts having lot numbers 64001, 64002, 64008, 64061, 64063 and 64064 in the manufacturer's application dated December 4, 1951, so long as they have a manufacturer's selling price of \$6.75 per unit, shall have a ceiling price at retail of \$10.95\* per unit, and the manufacturer's selling price shall carry terms of 8 percent-10 days, E. O. M.

<sup>2</sup> Women's gabardine slacks having the lot numbers 54080, 54081, 54084, 54085 and 54086 in the manufacturer's application dated December 4, 1951, so long as they have a manufacturer's selling price of \$12.75 per unit shall have a ceiling price at retail of \$21.95\* per unit, and the manufacturer's selling price shall carry terms of 8 percent-10 days, E. O. M.

2. Delete paragraph 4 of the special order and substitute therefor the following:

4. Within 15 days after the effective date of this special order the supplier shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the supplier had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective

date of this special order, and shall be accompanied by copies of each amendment thereto issued prior to the date of the delivery.

Within 15 days after the effective date of any subsequent amendment to this special order, the supplier shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the supplier had delivered any article the sale of which is affected in any manner by the amendment.

*Effective date.* This amendment shall become effective January 29, 1952.

MICHAEL V. DESALLE,  
Director of Price Stabilization.

JANUARY 29, 1952.

[F. R. Doc. 52-1292; Filed, Jan. 29, 1952;  
4:36 p. m.]

[Ceiling Price Regulation 7, Section 43,  
Special Order 809]

BENNER LEATHER GOODS CO.  
CEILING PRICES AT RETAIL

*Statement of considerations.* This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

*Order.* For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

*Provisions for retailers—1. What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Benner Leather Goods Co., 305-317 Wright Street, Milwaukee 12, Wisconsin.

Brand names: "Benner".

Articles: Men's and women's billfolds, bill clips, pocket secretaries, cigarette kits, key cases, coin purses, pouches, card cases, collectors' and insurance men's wallets, and travel kits.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above the ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7  
Price \$-----

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

*Provisions for the applicant—7. Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price List.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

| (Column 1)         | (Column 2)  |
|--------------------|---|
| Price to retailers | Retailer's ceilings for articles of cost listed in column 1 |
| \$----- per-----   | Unit, dozen, etc.   |
|                    | Terms   |
|                    | Net, percent EOM, etc.                                      |
|                    | \$-----   |

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7  
Price \$-----

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

*Effective date.* This special order shall become effective on January 30, 1952.

MICHAEL V. DISALLE,  
Director of Price Stabilization.

JANUARY 29, 1952.

[F. R. Doc. 52-1294; Filed, Jan. 29, 1952; 4:36 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 808]

JOHN DRITZ & SONS

CEILING PRICES AT RETAIL

*Statement of considerations.* In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, John Dritz & Sons, 1115 Broadway, New York 10, N. Y. (hereafter called wholesaler) has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

*Special provisions.* For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of thread, interfacings, needles, pinners, beeswax, awls, chalk, tracing wheel, seam ripper, skirt markers, Dot snapper kits, Dot snapper refills, Dot rugsnaps, Dot speedy rivets, Dot wood snapper refills, Dot eyelets, Dot snap buckles, Dainty Dot snapper kits and refills, Dainty Dot kit with hand press, economy Dainty Dot snapper refill, mending tape, rhinestones hold-it tape, chalk refills, lap boards, velvet press kit, button-maker kits and refills, buckles, stitched belt and buckle kits; electric deodorizer with refill vial, refills in jars, and plug sold at wholesale by John Dritz & Sons, 1115 Broadway, New York 10, N. Y., having the brand name "Dritz" shall be the proposed retail ceiling prices listed by John Dritz & Sons in its application dated September 14, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (as supplemented and amended in applicant's application dated January 11, 1952). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practica-

ble. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than February 29, 1952, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after March 31, 1952, John Dritz & Sons must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7  
Price \$.....

On and after April 29, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to April 29, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order

and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

| (Column 1)          | (Column 2)  |
|---------------------|---|
| Price to retailers  | Retailer's ceilings for articles of cost listed in column 1 |
| \$..... per.....    | Terms   |
| (unit, dozen, etc.) | (net, percent EOM, etc.)                                    |
|                     | \$.....   |

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

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

8. The provisions of this special order are applicable to the United States and the District of Columbia.

*Effective date.* This special order shall become effective January 30, 1952.

MICHAEL V. DISALLE,  
Director of Price Stabilization.

JANUARY 29, 1952.

[F. R. Doc. 52-1293; Filed, Jan. 29, 1952;  
4:36 p. m.]

[Ceiling Price Regulation 7, Section 43,  
Special Order 810]

DAZEY CORP.

CEILING PRICES AT RETAIL AND WHOLESALE

*Statement of considerations.* In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Dazey Corporation, Warne and Carter Avenues, St. Louis 7, Missouri has applied to the Office of Price Stabilization for maximum resale prices for retail and wholesale sales of certain of its articles. Applicant has submitted the information

required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

*Special provisions.* For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail and wholesale of can openers, juicers, sharpeners, ice crushers, beaters, scales, nut crackers, jar openers and sealers, coffee dispensers, meat tenderizers, wall brackets, blenders, blend-r-mixers, cocktail shakers and cocktail shaker sets, wooden bowls and boards, ash trays, churns and glass jars sold through retailers and wholesalers and having the brand name(s) "Dazey" shall be the proposed retail and wholesale ceiling prices listed by Dazey Corporation, Warne and Carter Avenues, St. Louis 7, Missouri, hereinafter referred to as the "applicant" in its application dated November 1, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (as supplemented and amended in manufacturer's application dated January 8, 1952.)

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than March 31, 1952, no seller at retail or wholesale may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after March 31, 1952, Dazey Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price.

This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7  
Price \$-----

On and after April 29, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to April 29, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-tick-eting requirements of this paragraph within 60 days after the effective date of the amendment. After 90 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 90-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price and corresponding wholesale ceiling price. The notice shall be in substantially the following form:

| (Column 1)                                      | (Column 2)   | (Column 3)   |
|---|--|--|
| Item (style or lot number or other description) | Retailer's ceiling price for articles listed in column 1 | Wholesaler's ceiling price for articles listed in column 1 |
| -----   | \$-----  | \$-----  |

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph 3 (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

*Effective date.* This special order shall become effective January 30, 1952.

MICHAEL V. DiSALLE,  
Director of Price Stabilization.

JANUARY 29, 1952.

[F. R. Doc. 52-1295; Filed, Jan. 29, 1952; 4:36 p. m.]

INTERSTATE COMMERCE  
COMMISSION

[Rev., S. O. 562, King's I. C. C. Order 60]

RAILROADS SERVING PENNSYLVANIA, OHIO,  
AND WEST VIRGINIA

ROUTING OR DIVERSION OF TRAFFIC

In the opinion of Homer C. King, Agent, the railroads serving the States of Pennsylvania, Ohio, and West Virginia are unable to transport traffic routed over their lines, because of floods and high water. *It is ordered, That:*

(a) *Rerouting traffic:* Railroads serving the States of Pennsylvania, Ohio, and West Virginia unable to transport traffic in accordance with shippers' routing, because of floods and high water, are hereby authorized to divert such traffic over any available route to expedite the movement, regardless of the routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Concurrence of receiving roads to be obtained:* The railroad desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) *Notification to shippers:* Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) *Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.*

(e) *In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.*

(f) *Effective date:* This order shall become effective at 12:01 p. m., January 28, 1952.

(g) *Expiration date:* This order shall expire at 11:59 p. m., February 29, 1952, unless otherwise modified, changed, suspended or annulled.

*It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement.*

Issued at Washington, D. C., January 28, 1952.

INTERSTATE COMMERCE  
COMMISSION,  
HOMER C. KING,  
Agent.

[F. R. Doc. 52-1330; Filed Feb. 1, 1952;  
8:48 a. m.]

[4th Sec. Application 26743]

PROPORTIONAL GRAIN RATES FROM POINTS  
IN IOWA AND NEBRASKA TO TEXAS

APPLICATION FOR RELIEF

JANUARY 30, 1952.

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: F. C. Kratzmeir, Agent, for Illinois Central Railroad Company, Missouri-Kansas-Texas Railroad Company, and Missouri-Kansas-Texas Railroad Company of Texas.

Commodities involved: Grain, grain products, and related articles, carloads. From: Council Bluffs, Iowa, Omaha and South Omaha, Nebr.

To: Points in Texas.

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

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3941, Supp. 25.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 52-1331; Filed, Feb. 1, 1952;  
8:48 a. m.]

[4th Sec. Application 26744]

CRUDE RUBBER FROM POINTS IN TEXAS AND  
LOUISIANA TO ATHENS, GA.

APPLICATION FOR RELIEF

JANUARY 30, 1952.

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: F. C. Kratzmeir, Agent, for carriers parties to his tariffs I. C. C. Nos. 3906 and 3967.

Commodities involved: Rubber, artificial, synthetic or neoprene, crude, carloads.

From: Baytown, Borger, Houston, and Port Neches, Tex., Lake Charles and West Lake Charles, La.

To: Athens, Ga.

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

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3967, Supp. 68; F. C. Kratzmeir's tariff I. C. C. No. 3906, Supp. 96.

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. 52-1332; Filed, Feb. 1, 1952;  
8:48 a. m.]

[4th Sec. Application 26745]

LIQUID CAUSTIC SODA FROM MCINTOSH,  
ALA., TO POINTS IN SOUTHERN TERRITORY

APPLICATION FOR RELIEF

JANUARY 30, 1952.

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

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1085.

Commodities involved: Liquid caustic soda, in tank-car loads.

From: McIntosh, Ala.

To: Specified points in southern territory.

Grounds for relief: Circuitous routes and market competition.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1085, Supp. 143.

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 ap-

licants 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. 52-1333; Filed, Feb. 1, 1952;  
8:48 a. m.]

[4th Sec. Application 26746]

IRON AND STEEL ARTICLES FROM WEST  
POINT, MISS., TO POINTS IN NORTH CARO-  
LINA AND VIRGINIA

APPLICATION FOR RELIEF

JANUARY 30, 1952.

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

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 920.

Commodities involved: Iron and steel articles, carloads.

From: West Point, Miss., and points grouped therewith.

To: Points in North Carolina and southern Virginia.

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

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 920, Supp. 241.

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. 52-1334; Filed, Feb. 1, 1952;  
8:48 a. m.]

[4th Sec. Application 26747]

## BLACKSTRAP MOLASSES FROM JACKSONVILLE, FLA., TO COLUMBUS, GA.

## APPLICATION FOR RELIEF

JANUARY 30, 1952.

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 Central of Georgia Railway Company and other carriers.

Commodities involved: Blackstrap molasses, in tank-car loads.

From: Jacksonville and South Jacksonville, Fla.

To: Columbus, Ga.

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

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1121, Supp. 33.

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. 52-1335; Filed, Feb. 1, 1952;  
8:48 a. m.]

[4th Sec. Application 26748]

## SULPHURIC ACID FROM MOBILE, ALA., TO GEORGETOWN, S. C.

## APPLICATION FOR RELIEF

JANUARY 30, 1952.

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 Seaboard Air Line Railroad Company and Southern Railway Company.

Commodities involved: Sulphuric acid; in tank-car loads.

From: Mobile, Ala.

To: Georgetown, S. C.

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

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1200, Supp. 35.

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. 52-1336; Filed, Feb. 1, 1952;  
8:48 a. m.]

[4th Sec. Application 26749]

## IRON AND STEEL ARTICLES FROM WEST POINT, MISS., TO POINTS IN MIDWEST AND SOUTH

## APPLICATION FOR RELIEF

JANUARY 30, 1952.

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

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 920.

Commodities involved: Iron and steel articles, carloads.

From: West Point, Miss., and points grouped therewith.

To: Ohio River crossings, St. Louis, Mo., and points grouped therewith, Washington, D. C., Bristol, Va.-Tenn., Kenova, W. Va., and points in Virginia, southern Illinois and Indiana.

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

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 920, Supp. 241.

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. 52-1337; Filed, Feb. 1, 1952;  
8:48 a. m.]

[4th Sec. Application 26750]

## SAND, GRAVEL AND CRUSHED STONE FROM BELOIT, WIS., AND SOUTH BELOIT, ILL., TO MILWAUKEE, WIS.

## APPLICATION FOR RELIEF

JANUARY 30, 1952.

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: The Chicago, Milwaukee, St. Paul and Pacific Railroad Company and Chicago and North Western Railway Company.

Commodities involved: Sand, gravel, sand and gravel pit strippings, crushed or pulverized stone, and stone quarry strippings, carloads.

From: Beloit, Wis., and South Beloit, Ill.

To: Milwaukee, Wis.

Grounds for relief: Rail and motor competition, wayside pit competition, and to meet intrastate rates.

Schedules filed containing proposed rates: CMS&P RR. tariff I. C. C. No. B-7595, Supp. 30; C&NW Ry. tariff I. C. C. No. 11006, Supp. 57.

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. 52-1338; Filed, Feb. 1, 1952;  
8:48 a. m.]

