THE NATIONAL ARCHIVES

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OF THE UNITED STATES

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*Washington, Tuesday, June 17, 1952*

## TITLE 3—THE PRESIDENT

### EXECUTIVE ORDER 10362

CONTINUING THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE AS A MILITARY SERVICE

By virtue of the authority vested in me by section 216 of the Public Health Service Act (58 Stat. 690), as continued by the Emergency Powers Interim Continuation Act (Public Law 313, 82d Congress) as amended by joint resolutions approved May 28, 1952 and June 14, 1952, and as President of the United States and Commander in Chief of the land and naval forces of the United States, I hereby amend Executive Order No. 10349 of April 26, 1952, entitled "Declaring the Commissioned Corps of the Public Health Service To Be a Military Service and Prescribing Regulations therefor", as amended by Executive Order No. 10356 of May 29, 1952, by striking out "June 15, 1952" appearing in the introductory paragraph of the order and inserting in lieu thereof "June 30, 1952".

HARRY S. TRUMAN

THE WHITE HOUSE,
*June 14, 1952.*

[F. R. Doc. 52-6692; Filed, June 16, 1952; 10:00 a. m.]

## TRADE AGREEMENT LETTER

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

THE WHITE HOUSE,
*Washington, June 13, 1952.*

MY DEAR MR. SECRETARY:

Pursuant to Part I of my proclamation of August 1, 1951, carrying out sections 5 and 11 of the Trade Agreements Extension Act of 1951, I hereby notify you that the suspension provided for therein shall be applicable with respect to imports from Tibet which are entered, or withdrawn from warehouse, for consumption after the close of business July 13, 1952.

Very sincerely yours,

HARRY S. TRUMAN

HON. JOHN W. SNYDER,
*Secretary of the Treasury.*

[F. R. Doc. 52-6651; Filed, June 13, 1952; 4:39 p. m.]

[1] 16 F. R. 7635.

## TITLE 7—AGRICULTURE

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

[Elberta Peach Order 1]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.426 *Elberta Peach Order 1*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Elberta Peach Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Elberta peaches, 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.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section

(Continued on p. 5415)

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### THE PRESIDENT



### EXECUTIVE AGENCIES

FEDERAL REGISTER

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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.



must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than June 20, 1952. A reasonable determination as to the supply of, and the demand for, such peaches must await the development of the crop and adequate information thereon was not available to the Elberta Peach Commodity Committee until May 23, 1952; recommendation as to the need for, and the extent of, regulation of shipments of such peaches was made at the meeting of said committee on May 23, 1952, after consideration of all available information relative to the supply and demand conditions for such peaches, at which time the recommendation and supporting information was submitted to the Department; necessary supplemental data for consideration in connection with the specification of the provisions of this section were not available until June 9, 1952; shipments of the current crop of such peaches are expected to begin on or about June 20, 1952, and this section should be applicable to all shipments of such peaches in order to effectuate the declared policy of the act; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time of this section.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 20, 1952, and ending at 12:01 a. m., P. s. t., November 1, 1952, no shipper shall ship:

(i) Any package or container of Elberta peaches containing peaches which are not well matured (as such term is defined in subparagraph (2) of this paragraph), with a tolerance of twenty (20) percent, by count, for peaches which are mature but not well matured in addition to any tolerance for immature peaches allowed by the U. S. No. 1 grade;

(ii) Any package or container of Elberta peaches containing peaches which are smaller than a size that will pack 72 peaches of the size known commercially as size 70 in a No. 12B California peach box in accordance with the requirements prescribed for a standard pack: *Provided*, That, for the purpose of determining whether ripe Elberta peaches meet the aforesaid minimum size requirement, such peaches shall be fairly tightly packed rather than tightly packed, as prescribed for a standard pack; and the aforesaid size known commercially as size 70 is defined more specifically in subparagraph (3) of this paragraph; or

(iii) Any package or container of Elberta peaches containing peaches which do not meet the requirements of the U. S. No. 1 grade: *Provided*, That (*a*) with respect to ripe Elberta peaches which are not smaller than size 70, as aforesaid, the requirements of such grade shall not include freedom from damage, other than serious damage, caused by bruises; and (*b*) with respect to Elberta peaches which are not smaller than the size known commercially as size 55, a tolerance of 5 percent for defects not causing serious damage shall be allowed in addition to the tolerances provided for such grade; and the aforesaid size known commercially as size 55 is defined more specifically in subparagraph (4) of this paragraph.

(2) "Peaches which are well matured" means peaches which, at the time of picking: (i) are not hard; (ii) have shoulders and sutures well filled out; (iii) when ring cut, have flesh that separates from the pit readily and cleanly, and is red colored next to the pit; and (iv) have skin and flesh yellowish green to yellow in color. "Peaches which are not hard" yield to moderate pressure at least slightly at the suture and tip and at least very slightly elsewhere.

(3) As used in this section, the size of Elberta peaches known commercially as size 70 is defined more specifically as being the size that will pack the aforesaid California peach box in accordance with the aforesaid standard pack specifications with two tiers having six rows of six peaches each with no peach small enough to pass through, without using pressure, a rigid ring of inside diameter of 2⅜ inches.

(4) As used in this section, the size of Elberta peaches known commercially as size 55 is defined more specifically as being the size that will pack the aforesaid California peach box in accordance with the aforesaid standard pack specifications with two tiers, one tier having two rows of five peaches each and three rows of six peaches each and the other tier having two rows of six peaches each and three rows of five peaches each with no peach small enough to pass through, without using pressure, a rigid ring of inside diameter of 2¾ inches.

(5) Each shipper, prior to making each shipment of Elberta peaches, shall, during the period set forth in subparagraph (1) of this paragraph, have the peaches included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Elberta Peach Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Elberta Peach Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Elberta peaches contained in each such lot or shipment: *Provided*, That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Elberta Peach Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(6) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as given to the respective term in said amended marketing agreement and order; the terms "bruises," "defects," "damage," "serious damage," "standard pack," "tightly packed," "fairly tightly packed" shall have the same meaning as when used in the United States Standards for Peaches (7 CFR 51.312); the term "No. 12B California peach box" shall have the same meaning as set forth in section 828.25 of the Agricultural Code of California.

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

Done at Washington, D. C., this 12th day of June 1952.

[SEAL] M. W. BAKER,
*Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.*

[F. R. Doc. 52-6601; Filed, June 16, 1952; 8:55 a. m.]

# TITLE 6—AGRICULTURAL CREDIT

## Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter C—Production and Subsistence Loans

PART 343—PROCESSING

REVOCATION OF REGULATIONS GOVERNING LOAN MAKING UNDER SUPPLEMENTAL APPROPRIATION ACT, 1951

Section 343.7, Title 6, Code of Federal Regulations (15 F. R. 7418), is hereby revoked, since authority under the Supplemental Appropriation Act, 1951 (64 Stat. 1052), for making loans to farmers and stockmen who suffered production disasters, has expired by operation of law and all funds made available under said act for such loans have been expended.

[SEAL] DILLARD B. LASSETER,
*Administrator,*
*Farmers Home Administration.*

Approved: June 12, 1952.

CHARLES F. BRANNAN,
*Secretary of Agriculture.*

[F. R. Doc. 52-6599; Filed, June 16, 1952; 8:54 a. m.]

# TITLE 8—ALIENS AND NATIONALITY

## Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 170—REGISTRATION AND FINGERPRINTING OF ALIENS IN ACCORDANCE WITH THE ALIEN REGISTRATION ACT, 1940

FORMS FOR REGISTRATION AND FINGERPRINTING; EVIDENCE OF REGISTRATION

MAY 14, 1952.

The following amendments to Part 170, Chapter I, Title 8 of the Code of Regulations, are hereby prescribed:

1. Paragraph (f), *Forms for fingerprinting,* of § 170.4 is revoked, and paragraphs (c) and (e) and Subparagraph (1) of paragraph (p) of that section are amended to read as follows:

§ 170.4 *Method of registration.* * * *

(c) *Forms for registration and fingerprinting.* The registration and fingerprinting of visa applicants abroad shall be accomplished in the manner prescribed by regulations of the Secretary of State. Any alien who is a lawful permanent resident and who is required to be registered in the United States shall be registered on Form AR–2 and, in appropriate cases, on Form AR–2a (for supplemental information, to be made a part of Form AR–2). Any other alien who is required to be registered in the United States, unless such alien's registration is otherwise provided for in this chapter, shall be registered on Forms I–94 and I–94AR. In either instance the alien, if fourteen years of age or older, shall be fingerprinted on Form AR–4.

* * * * *

(e) *Duties of registration officers.* The registration officer shall fill in the registration forms with information furnished him by the alien (or his parent or guardian). In the case of each alien who is required to be fingerprinted, the registration officer shall take the complete fingerprints of the alien in the space provided for that purpose on Form AR–4 and, when the alien is registered on Form AR–2, shall take an imprint of the alien's right index finger in the space provided therefor on Form AR–2. A parent or guardian registering on behalf of an alien need not be fingerprinted. When an alien is registered on Forms I–94 and I–94AR the registration officer shall endorse the Form I–94 to show that the alien has registered under the Alien Registration Act, 1940.

* * * * *

(p) *Receipt of registration; necessity for compliance.* (1) Each immigrant lawfully admitted to the United States for permanent residence shall receive Form I–151 as an alien registration receipt card under the procedure provided for in § 108.6 of this chapter. Form I–94 issued to a nonquota immigrant student and Form 257a issued to a nonimmigrant shall constitute evidence of such alien's compliance with the Alien Registration Act, 1940. The registration form of a legally resident alien who is registered and fingerprinted in the United States on or after March 1, 1950, shall be forwarded to the Central Office, where a docket card shall be drawn up, an alien number assigned, and Form I–151 prepared and transmitted to the field office for delivery to the alien. An alien registered on Forms I–94 and I–94AR shall be given the original of Form I–94, endorsed to show his registration, which form shall constitute evidence of his compliance with the Alien Registration Act, 1940.

* * * * *

2. Paragraph (a) of § 170.5 is amended to read as follows:

§ 170.5 *Disposition of registration forms and fingerprints*—(a) *Filing.* The duplicate copy of Form I–94 and Form I–94AR in the case of each alien registered thereon shall be forwarded by the district director to the Commissioner, and the related Form AR–4 shall be forwarded by the district director direct to the Federal Bureau of Investigation, Washington, D. C. The registration forms and fingerprints of permanent resident aliens shall be forwarded by the district director to the Commissioner. Form AR–2 shall be retained in the alien's consolidated file, and Form AR–4 shall be transmitted by the Commissioner to the Federal Bureau of Investigation, Washington, D. C.

* * * * *

3. Section 170.8, *Registration and fingerprinting of alien seamen,* is revoked.

4. Paragraph (e) of § 170.9 is amended to read as follows:

§ 170.9 *Issuance of new alien registration receipt card in changed name, or in lieu of one lost, mutilated, destroyed, or on Form AR–3 or AR–103.* * * *

(e) Any alien other than an alien lawfully admitted to the United States for permanent residence who has been registered and fingerprinted and whose evidence of registration has been lost, mutilated, or destroyed may be issued a Form I–94 properly endorsed to show that it has been issued to replace evidence of compliance with the Alien Registration Act, 1940. Any mutilated evidence of registration must be surrendered before such Form I–94 is issued.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458)

ARGYLE R. MACKEY,
*Commissioner of Immigration and Naturalization.*

Approved: June 6, 1952.

JAMES P. MCGRANERY,
*Attorney General.*

[F. R. Doc. 52-6576; Filed, June 16, 1952; 8:48 a. m.]

# TITLE 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[Docket 5433]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

INDEPENDENT GROCERS ALLIANCE DISTRIBUTING CO. ET AL.

Subpart—*Discriminating in price under section 2, Clayton Act as amended—Payment or acceptance of commission, brokerage or other compensation under 2 (c); § 3.810 Buyers' corporate or other agent; § 3.820 Direct buyers.* I. In or in connection with the sale of grocery products or other commodities in commerce, and on the part of respondents Jersey Cereal Company, Stokely-Van Camp, Inc., Dean Milk Company, and Cupples Company, and their respective officers, etc., paying or granting, directly or indirectly, to any buyer, or to respondent Independent Grocers Alliance Distributing Company, or any other agent, representative or intermediary acting for or in behalf or subject to the direct or indirect control of the buyer, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon any sale for such buyer's own account; and, II, in or in connection with the purchase of grocery products or other commodities in commerce, and on the part of respondent Independent Grocers Alliance Distributors, and on the part of its directors, and its officers, etc., receiving or accepting, directly or indirectly from any seller, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon any purchase for the account of respondent Independent Grocers Alliance Distributing Company or for the account of any stockholder of respondent Independent Grocers Alliance Distributing Company or respondent the Grocers Company, or for the account of any wholesale grocery concern affiliated or under contract with respondent Independent Grocers Alliance Distributing Company, or in connection with any purchase wherein said respondents act in fact for or in behalf or subject to the direct or indirect control of any party to the transaction other than the seller; and, III, in or

in said connection, and on the part of respondent, the Grocers Company, and its directors, and its officers, etc., receiving or accepting, directly or indirectly, from any seller, or from respondent Independent Grocers Alliance Distributing Company, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon any purchase for the account of respondent Independent Grocers Alliance Distributing Company or for the account of any stockholder of respondent Independent Grocers Alliance Distributing Company or respondent the Grocers Company, or for the account of any wholesale grocery concern affiliated or under contract with respondent Independent Grocers Alliance Distributing Company or in connection with any purchase wherein said respondents act in fact for or in behalf or subject to the direct or indirect control of any party to the transaction other than the seller; and, IV, in or in said connection, and on the part of respondents Franklin MacVeagh & Company, E. R. Godfrey & Sons Company, and Wetterau Grocer Company, Inc., and on the part of twenty-eight other respondent wholesale grocery companies (of which the three respondents first named were named in the complaint as representative of the others as a class), and on the part of all other wholesale grocery concerns which now are or in the future may be affiliated or under contract with respondent Independent Grocers Alliance Distributing Company, or stockholders in respondent the Grocers Company, and on the part of their respective officers, etc., receiving or accepting, directly or indirectly, from any seller, or from respondent Independent Grocers Alliance Distributing Company or respondent the Grocers Company, or from any other agent, representative or intermediary acting for or in behalf or subject to the direct or indirect control of the aforesaid respondents, in the form of money or credits or in the form of services or benefits provided or furnished, or otherwise, any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon purchases made for said respondents' own accounts; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 2, 38 Stat. 730, as amended; 15 U. S. C. 13) [Cease and desist order, Independent Grocers Alliance Distributing Company et al., Docket 5433, March 7, 1952]

*In the Matter of Independent Grocers Alliance Distributing Company, a Corporation, and Its Directors: J. Frank Grimes, L. G. Groebe, William W. Thompson, James D. Godfrey, Ned N. Fleming, and Robert H. Perlitz; Grocers Company, a Corporation, and Its Directors: James D. Godfrey, Ned N. Fleming, Robert H. Perlitz, T. G. Harrison, Robert McLain, E. F. Brewster, Joseph Parker, Normal Younglove, and Harry K. Grainger; Jersey Cereal Company, a Corporation; Stokely Brothers & Company, Inc., a Corporation; Dean Milk Company, a Corporation; Cupples Company, a Corporation; Franklin MacVeagh & Company, a Corporation; E. R. Godfrey & Sons Company, a Corporation; Winston & Newell Company, a Corporation; and Wetterau Grocer Company, Inc., a Corporation*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answers of certain respondents, substitute answers of certain other respondents, stipulations, including statements of fact and exhibits therein set forth, entered into by and between counsel in support of the complaint and counsel for certain other respondents (the details of all of which are more fully set forth in the findings as to the facts herein), testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, recommended decision of the trial examiner and the exceptions thereto, briefs, oral argument and reargument of opposing counsel, one of said answers and the aforesaid substitute answers admitting certain material allegations of the complaint and, together with said stipulations, providing in part that the Commission may, without the holding of hearings, the taking of testimony, the adduction of other evidence, and without intervening procedure, hear this matter upon the complaint, said answers, substitute answers, stipulations of fact, and briefs and oral argument of opposing counsel, and proceed to make and enter its findings as to the facts, including inferences and conclusions based thereon, and enter its order disposing of this proceeding; and the Commission having entered its order disposing of the exceptions to the recommended decision of the trial examiner and having made its findings as to the facts[1] and its conclusion[1] that the respondents have violated the provisions of subsection (c) of section 2 of the Clayton Act as amended by the Robinson-Patman Act (15 U. S. C. 13):

I. *It is ordered*, That respondents Jersey Cereal Company, Stokely-Van Camp, Inc., Dean Milk Company, and Cupples Company, and their respective officers, agents, representatives and employees, directly or through any corporate or other device, in or in connection with the sale of grocery products or other commodities in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist from: "Paying or granting, directly or indirectly, to any buyer, or to respondent Independent Grocers Alliance Distributing Company, or any other agent, representative or intermediary acting for or in behalf or subject to the direct or indirect control of the buyer, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon any sale for such buyer's own account."

II. *It is further ordered*, That respondent Independent Grocers Alliance Distributing Company, its directors, J. Frank Grimes, L. G. Groebe, William W. Thompson, James D. Godfrey, Ned N. Fleming, Robert H. Perlitz, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in or in connection with the purchase of grocery products or other commodities in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist from: "Receiving or accepting, directly or indirectly, from any seller, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon any purchase for the account of respondent Independent Grocers Alliance Distributing Company or for the account of any stockholder of respondent Independent Grocers Alliance Distributing Company or respondent the Grocers Company, or for the account of any wholesale grocery concern affiliated or under contract with respondent Independent Grocers Alliance Distributing Company, or in connection with any purchase wherein said respondents act in fact for or in behalf or subject to the direct or indirect control of any party to the transaction other than the seller."

[1] Filed as part of the original document.

III. *It is further ordered*, That respondent the Grocers Company, its directors, James D. Godfrey, Ned N. Fleming, Robert H. Perlitz, T. G. Harrison, Robert McLain, E. F. Brewster, Joseph Parker, Normal Younglove, Harry K. Grainger, and its officers, agents, representatives and employees, directly or through any corporate or other device, in or in connection with the purchase of grocery products or other commodities in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist from: "Receiving or accepting, directly or indirectly, from any seller, or from respondent Independent Grocers Alliance Distributing Company, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon any purchase for the account of respondent Independent Grocers Alliance Distributing Company or for the account of any stockholder of respondent Independent Grocers Alliance Distributing Company or respondent The Grocers Company, or for the account of any wholesale grocery concern affiliated or under contract with respondent Independent Grocers Alliance Distributing Company, or in connection with any purchase wherein said respondents act in fact for or in behalf or subject to the direct or indirect control of any party to the transaction other than the seller."

IV. *It is further ordered*, That respondents Franklin Mac Veagh & Company, E. R. Godfrey & Sons Company, Wetterau Grocer Company, Inc., Gannon Grocery Company, DeVoe Grocery Co., the Fleming Company, Inc., Holmstrom-Pilcher Co., A. H. Perfect & Co., Lewis, Hubbard & Co., Grainger Bros. Co., the F. N. Johnson Co., Zarnitz Brothers Grocery Company, the Schumacher Company, Gary Wholesale Grocery Co., Standard Grocery & Milling Co., Inc., the Inter-State Grocer Co., Milliken Tomlinson Co., Burlington Grocery Co., the Holbrook Grocery Co., the McLain Grocery Co., Blake Curtiss Co., Nowell Wholesale Grocery Co., W. T. Sistrunk & Co., the F. H. Cobb Company, Progressive Wholesale Grocery Co., Thomas G. McMahon & Co., Brownell & Field Co., Haas Brothers, Utah Wholesale Grocery Co., Roundup Grocery Co., and Lee Grocery Co. (the first three of which are named in the complaint as representative of the others

as a class), and all other wholesale grocery concerns which now are or in the future may be affiliated or under contract with respondent Independent Grocers Alliance Distributing Company or stockholders in respondent the Grocers Company, and their respective officers, agents, representatives and employees, directly or through any corporate or other device, in or in connection with the purchase of grocery products or other commodities in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist from: "Receiving or accepting, directly or indirectly, from any seller, or from respondent Independent Grocers Alliance Distributing Company or respondent the Grocers Company, or from any other agent, representatives or intermediary acting for or in behalf or subject to the direct or indirect control of said respondents named in this paragraph, in the form of money or credits or in the form of services or benefits provided or furnished, or otherwise, any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon purchases made for said respondents' own accounts."

V. *It is further ordered*, For the reasons stated in the Commission's findings as to the facts in this proceeding, that the complaint herein be, and it hereby is, dismissed as to respondent Winston & Newell Company.

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

Issued: March 7, 1952.

By the Commission.

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

[F. R. Doc. 52-6592; Filed, June 16, 1952; 8:54 a. m.]

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[Docket 5843]

## PART 3—DIGEST OF CEASE AND DESIST ORDERS

### HERBST SHOE MFG. CO.

Subpart—*Advertising falsely or misleadingly:* § 3.90 *History of product or offering;* § 3.130 *Manufacture or preparation;* § 3.170 *Qualities or properties of product or service.* Subpart—*Misbranding or mislabeling:* § 3.1225 *History;* § 3.1255 *Manufacture or preparation;* § 3.1290 *Qualities or properties.* Subpart—*Using misleading name—Goods:* § 3.2295 *History;* § 3.2310 *Manufacture or preparation;* § 3.2325 *Qualities or properties.* In connection with the offering for sale, sale or distribution in commerce, of respondent's shoes designated "Child Life," "College Chums" and "Official P. H. D. Physical Health Director," or any other shoe of similar construction or performing similar functions irrespective of the designation applied thereto, (1) using the word "Orthopedic" with respect to "Child Life" and "College Chum" shoes, alone or in combination with any other word or words in any manner to represent, directly or by implication, that respondent's shoes will prevent or correct deformities or disorders of the feet; (2) using the words "Official P. H. D. Physical Health Director" with respect to shoes designated "Official P. H. D.," alone or in combination with any other word or words, to describe or designate said shoes, or using any other words in any manner to represent, directly or by implication, that respondent's shoes so designated are affirmatively conducive to the health of the feet; (3) representing, directly or by implication, that the use of respondent's shoes with respect to "Child Life" will make young feet grow strong and healthy or will keep growing feet strong and healthy or insure freedom from future foot ills or will maintaing normal foot health or prevent the development of abnormalities, deformities and disorders in growing feet or correct any abnormality, deformity or disorder which may manifest itself in growing feet; (4) representing, directly or by implication, that the use of "Child Life" shoes will promote or maintain a proper and balanced posture or prevent or correct poor posture or promote or insure foot growth; (5) representing, directly or by implication that the use of "Child Life" shoes will hold the bones of the feet in proper alignment or promote sound physical development; (6) representing, directly or by implication, that the use of "Child Life" shoes will correct muscle strain or inrolling ankles, make crooked ankles straight or restore the arch to normal; or, (7) representing, directly or by implication, that the use of shoes designated "Child Life", "College Chum" or "Official P. H. D. Physical Health Director" will control the longitudinal arch of the foot or restore it to normal or prevent or correct pronation or eversion of the feet and ankles or insure normal foot function; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719; 15 U. S. C. 45) [Cease and desist order, Herbst Shoe Manufacturing Company, Milwaukee, Wisc., Docket 5843, March 18, 1952]

This proceeding was heard by Webster Ballinger, hearing examiner, theretofore duly designated by the Commission, upon the complaint of the Commission, respondent's answer, and hearings at which no representative of the respondent appeared, but at which testimony and other evidence (duly filed in the office of the Commission) were submitted and received in support of the allegation of the complaint, before said examiner.

Thereafter the proceeding regularly came on for final consideration by said examiner on the complaint, the answer thereto, testimony and other evidence, requested findings, and conclusion and form of order submitted by counsel for the complaint, oral argument being waived, and said examiner, having duly considered the record in the matter and having found that the proceeding was in the interest of the public, made his initial decision comprising certain findings as to the facts,[1] conclusion drawn therefrom,[1] and order to cease and desist.

[1] Filed as part of the original document.

No appeal having been filed from said initial decision of said trial examiner as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII became the decision of the Commission on March 18, 1952.

The said order to cease and desist is as follows:

*It is ordered*, That the respondent, Herbst Shoe Manufacturing Company, a corporation, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's shoes designated "Child Life," "College Chums" and "Official P. H. D. Physical Health Director," or any other shoe of similar construction or performing similar functions irrespective of the designation applied thereto, do forthwith cease and desist from:

(1) Using the word "Orthopedic" with respect to "Child Life" and "College Chum" shoes, alone or in combination with any other word or words, to describe or designate said shoes, or using any other word or words in any manner to represent, directly or by implication, that respondent's shoes will prevent or correct deformities or disorders of the feet.

(2) Using the words "Official P. H. D. Physical Health Director" with respect to shoes designated "Official P. H. D.," alone or in combination with any other word or words, to describe or designate said shoes, or using any other words in any manner to represent, directly or by implication, that respondent's shoes so designated are affirmatively conducive to the health of the feet.

(3) Representing, directly or by implication, that the use of respondent's shoes with respect to "Child Life" will make young feet grow strong and healthy or will keep growing feet strong and healthy or insure freedom from future foot ills or will maintain normal foot health or prevent the development of abnormalities, deformities and disorders in growing feet or correct any abnormality, deformity or disorder which may manifest itself in growing feet.

(4) Representing, directly or by implication, that the use of "Child Life" shoes will promote or maintain a proper and balanced posture or prevent or correct poor posture or promote or insure proper foot growth.

(5) Representing, directly or by implication, that the use of "Child Life" shoes will hold the bones of the feet in proper alignment or promote sound physical development.

(6) Representing, directly or by implication, that the use of "Child Life" shoes will correct muscle strain or inrolling ankles, make crooked ankles straight or restore the arch to normal.

(7) Representing, directly or by implication, that the use of shoes designated "Child Life," "College Chums" or "Official P. H. D. Physical Health Director" will control the longitudinal arch of the foot or restore it to normal or prevent or correct pronation or eversion of the feet and ankles or insure normal foot function.

WEBSTER BALLINGER,
*Hearing Examiner.*

FEBRUARY 5, 1952.

By "Decision of the Commission and order to file report of compliance", Docket 5843, March 18, 1952, which announced and decreed fruition of said initial decision, report of compliance with the said order was required as follows:

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

Issued: March 18, 1952.

By the Commission.

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

[F. R. Doc. 52-6591; Filed, June 16, 1952; 8:53 a. m.]

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[Docket 5896]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MOTOOL MACHINE COMPANY, INC., ET AL.

Subpart—*Concealing or obliterating law required and informative marking:* § 3.515 *Foreign source.* Subpart—*Misbranding or mislabeling:* § 3.1325 *Source or origin—Imported product or parts as domestic.* Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 3.1860 *Imported product or parts as domestic.* Subpart—*Using misleading name—Goods:* § 3.2345 *Source or origin—Foreign product or parts as domestic.* In connection with the offering for sale, sale or distribution of sewing machine heads or sewing machines in commerce, (1) offering for sale, selling or distributing foreign made sewing machine heads, or sewing machines of which foreign made heads are a part, without clearly and conspicuously disclosing on the heads, in such a manner that it will not be hidden or obliterated, the country of origin thereof; or, (2) using the word "American", or any simulation thereof, as a brand or trade name to designate, describe or refer to their sewing machines or sewing machine heads; or representing through the use of any other word or in any other manner that sewing machines or sewing machine heads manufactured in a foreign country are manufactured in the United States; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719; 15 U. S. C. 45). [Cease and desist order, Motool Machine Company, Inc., et al., New York, N. Y., Docket 5896, March 20, 1952]

*In the Matter of Motool Machine Company, Inc., a Corporation, Eval Machine Company, Inc., a Corporation, and Israel Sharenow, Alexander Sharenow, and Evelyn Pakarow, Individually and as Officers of Said Corporations*

This proceeding was heard by Abner E. Lipscomb, hearing examiner, theretofore duly designated by the Commission, upon the complaint of the Commission, respondents' answer and a hearing at which counsel for the respondents and counsel in support of the complaint entered into an oral stipulation on the record.

In said stipulation counsel for the respondents admitted certain allegations of the complaint to be true, made further admissions regarding the potential testimony of witnesses who could be produced in support of certain other allegations of the complaint and made qualifying statements in regard to other allegations. Such stipulation was supplemented by a letter from counsel for respondents, dated October 30, 1951, which was duly incorporated into the record.

Thereafter the proceeding regularly came on for final consideration by said examiner, upon said complaint and answer thereto, stipulation on the record and written supplement thereto, no proposed findings or conclusions having been submitted, and said examiner having duly considered the record in the matter, and having found that the proceeding was in the interest of the public, made his initial decision comprising certain findings as to the facts,[1] conclusion drawn therefrom[1] and order to cease and desist.

No appeal having been filed from said initial decision of said trial examiner as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII became the decision of the Commission on March 20, 1952.

The said order to cease and desist is as follows:

*It is ordered*, That the respondents, Motool Machine Company, Inc., and Eval Machine Company, Inc., corporations, and their officers, and Alexander Sharenow and Evelyn Pakarow, individually and as officers, and Israel Sharenow, individually and as an employee, of said corporations, and as an employee, of said corporations, and said respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with offering for sale, sale or distribution of sewing machine heads or sewing machines in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Offering for sale, selling or distributing foreign made sewing machines of which foreign made heads are a part, without clearly and conspicuously disclosing on the heads, in such a manner that it will not be hidden or obliterated, the country of origin thereof;

2. Using the word "American," or any simulation thereof, as a brand or trade name to designate, describe or refer to their sewing machines or sewing machine heads; or representing through the use of any other word or in any other manner that sewing machines or sewing machine heads manufactured in a foreign country are manufactured in the United States.

ABNER E. LIPSCOMB,
*Hearing Examiner.*

JANUARY 30, 1952.

By "Decision of the Commission and order to file report of compliance", Docket 5896, March 20, 1952, which announced and decreed fruition of said initial decision, report of compliance with the said order was required as follows:

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

Issued: March 20, 1952.

By the Commission.

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

[F. R. Doc. 52-6590; Filed, June 16, 1952; 8:52 a. m.]

[1] Filed as part of the original document.

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# TITLE 32A—NATIONAL DEFENSE, APPENDIX

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

[Ceiling Price Regulation 121, Amdt. 2]

CPR 121—PRINTING, PRINTED PRODUCTS, ALLIED PRODUCTS AND CERTAIN PAPER PRODUCTS

BROADENING THE LANGUAGE IN THE RAW MATERIAL FACTOR

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 2 to Ceiling Price Regulation 121 is hereby issued.

STATEMENT OF CONSIDERATIONS

All tailored regulations do not establish "dollars and cents ceiling prices" within the strict meaning of these words. Through inadvertence this language was used in section 4 (b) of Ceiling Price Regulation 121. As a result, a printer buying his raw material from a seller who priced under a tailored regulation which did not spell out dollars and cents prices would be limited in his raw material factor to the ceiling price of the raw material on July 31, 1951. This result was not intended.

AMENDATORY PROVISIONS

1. Section 4 (b) is amended to read as follows:

(b) *Raw material factor.* Your raw material factor for any material may not exceed the ceiling price for that material in effect on July 31, 1951, until such time as a tailored regulation is issued which establishes ceiling prices for any of your raw materials. Thereafter for such raw materials, the raw material factor shall not exceed the ceiling price as originally established by such tailored regulation. Subject to the above limitation, if you had adopted or employed the practice of averaging or otherwise computing your raw material costs during the base period, you shall continue such practice in the same manner.

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

*Effective date.* This Amendment 2 to Ceiling Price Regulation 121 is effective June 16, 1952.

ELLIS ARNALL,
*Director of Price Stabilization.*

JUNE 16, 1952.

[F. R. Doc. 52-6714; Filed, June 16, 1952; 4:00 p. m.]

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[Ceiling Price Regulation 7, Supplementary Regulation 5]

## CPR 7—RETAIL CEILING PRICES FOR CERTAIN CONSUMER GOODS

### SR 5—SPECIAL METHODS FOR DETERMINING INBOUND TRANSPORTATION COST INCREASES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this supplementary regulation to Ceiling Price Regulation 7 is hereby issued.

#### STATEMENT OF CONSIDERATIONS

This Supplementary Regulation permits retailers operating under CPR 7 to adjust their ceiling prices so as to reflect certain increases in transportation costs for merchandise shipped to them from their sources of supply. These increases have resulted from the rate increases which were granted since the issuance date of CPR 7.

Since May 1951, transportation rates (including parcel post rates) have gone up from 6 percent to 25 percent and in some cases much more; for some furniture articles, less-than-carload-lot rail rates in certain regions have gone up from 35 percent to 130 percent, depending on the particular article. The impact on retail operations of these substantial rate increases varies considerably and is difficult to measure on an over-all basis because of a number of complex factors. Nevertheless, it is evident that they represent a major burden to retailers.

For some retailers these increased transportation costs may amount to as much as three-quarters of one percent of their sales volume. While such an increase may not appear to be large, it may often account for a major fraction of the retailer's current net profits—as much as one-third or one-half. Moreover, they must be considered in conjunction with increases in retailers' operating expense ratios and in markdown ratios which have resulted in a significant decline in net profit ratios. For example, the 1951 net profit ratio (before Federal Income Taxes) of department stores, an important segment of retail trade, was 3.0 percent of sales—compared with 4.8 percent for the previous year.

Published data as to retailers' earnings before taxes, as related to net worth, for the years 1946 to 1949 and currently, are far from adequate to permit general application of the industry earnings standard. Moreover, these data do not indicate the extent to which any deficiency in current earnings may be due to sales below ceiling rather than to the level of ceiling prices. On the other hand, these data do lead the Director to the conclusion that the adjustment of retailers' ceiling prices so as to reflect certain increases in inbound transportation costs, is required by the industry earnings standard and that such an adjustment as is provided by this action is consistent with the spirit and intent of the standard.

Because of the innumerable complexities in transportation rate structures, it has not proven possible to reflect in all instances, either by commodity, by destination, or by transportation medium (rail, water, truck, express, parcel post, etc.) the actual percentages of rate increases. Any regulation tailored to all the varied and numberless rate situation encountered in daily trade would have been so complex as to be impossible of application by the retailer. Instead, the OPS, after careful analysis and extended consultations, has determined the approximate over-all rate increases by grouping, wherever feasible, the transportation media, territories and classes of commodities involved in these rate increases.

Two general methods for reflecting the increases in freight rates since CPR 7 went into effect are provided by this Supplementary Regulation. The seller must elect to use either one or the other, but not both of these general methods in any 6-month period. The first of these general methods permits calculation of the increase either on the basis of actual dollar differences in freight or through application of a specific factor to current transportation costs. These alternatives of the first method of calculation may be used interchangeably. The second method which is presented in several variations involves calculation by the retailer of his pre-CPR 7 ratio of total transportation costs to total purchases.

The base period and current actual freight calculation which is permitted in the first general method, allows the retailer who can determine (1) the actual "pre-CPR 7" transportation cost for an article of merchandise, and (2) the current transportation cost for the same article shipped from the same source of supply via the same transportation method, to subtract (1) from (2) in order to determine the amount of the increased transportation cost which can be added directly to the ceiling price. It should be noted that this method allows the retailer to pass through actual rather than average or approximate increases in transportation costs.

The specific factor calculation also permitted in the first general method requires that the applicable freight rate increase factor which is set forth in the regulation be applied to each current transportation bill. The result is the total increase for a freight bill which could then be apportioned to the individual items of merchandise in the shipment covered by the freight bill.

A retailer using the second general method multiplies his pre-CPR 7 percentage ratio of total transportation costs to total purchases by an applicable increase factor set forth in the regulation. The result is a new percentage which, applied to a current merchandise invoice cost, yields the increase which may be added to the retailer's ceiling price to reflect increases in transportation costs. A variation of this method permits retailers to use ratios for certain groups of their suppliers, grouped according to specified distances from the retailer's place of business.

In the preparation of his CPR 7 chart, the retailer was required to list his "net costs"; no freight could be added to these net invoice costs. Since the net invoice costs were subtracted from the offering prices, the effect, in essence, is that the percentage markups on the chart include transportation costs based on rates effective prior to the issuance of this regulation; that is, the amount of the transportation cost before the current rate increases is part of the present margin under CPR 7. Therefore it is necessary to separate the retailers' total current transportation cost for any article of merchandise into (1) the previous amount of transportation cost already contained in the existing CPR 7 margin, and (2) the increased amount of transportation cost resulting from current rate increases, in order to allow a pass-through of the increase. The two methods outlined above, as was seen, make this separation possible.

It is apparent that the increases allowed by this regulation will only approximate the actual dollar-and-cent increases in transportation costs for specific articles of merchandise shipped to particular retailers. However, the increases allowed by this regulation will generally reflect the approximate over-all increase in inbound transportation costs on the major portion of the retailer's total volume of business. Furthermore, special increase factors allowed by this regulation make it possible to reflect the exceptionally high increases in transportation costs of certain articles effected by the cancellation of exception ratings for less-than-carload-lot rail shipments of those articles.

The transportation cost increase factors and the ratio increase factors set forth in this regulation reflect changes in transportation rates from the list date of CPR 7 to the issuance date of this regulation and also reflect changes in the level of prices from the list date to the issuance date. The Director of Price Stabilization may, where warranted, revise these increase factors if there should

be further significant changes in transportation rates, the level of prices, or other factors.

In the preparation of this supplementary regulation, frequent and extensive conferences were held with the Retail Industry Advisory Committee and with other representative groups of retail sellers, including representatives of trade associations; and their views and recommendations have been given careful consideration in the promulgation of this regulation.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. When this regulation may be used.
3. Choice of methods.
4. Method I, determination of transportation increases by use of transportation bills.
5. Method II, freight to purchases ratio method.
6. Records.
7. Definitions.

AUTHORITY: Sections 1 to 7 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, 16 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation modifies the ceiling prices determined under Ceiling Price Regulation 7 (except those ceiling prices determined (a) by use of a chart for categories 701–752 prepared pursuant to section 5 of Supplementary Regulation 2 to Ceiling Price Regulation 7, or (b) pursuant to section 43 of CPR 7 or (c) pursuant to Supplementary Regulation 4 to Ceiling Price Regulation 7)) to permit those prices to reflect increases in freight rates since Ceiling Price Regulation 7 went into effect.

SEC. 2. *When this regulation may be used.* This regulation may be used by you to reflect increases in transportation costs incurred by you after June 16, 1952 for articles covered by Ceiling Price Regulation 7. (See definition of "transportation costs" in section 7.)

SEC. 3. *Choice of methods.* Two general methods are set forth in this regulation for determining the amount you may add to the ceiling price of an article otherwise determined under CPR 7 for transportation cost increases. You may elect to use either method and must use that method for a period of at least six months. Before determining the increase which may be added to your ceiling price for any article pursuant to this regulation you must make a record indicating which method you elect to use and the date you begin to use that method; if after six months you change to the other method, you must indicate such change on your record and record the date on which you begin to use the other method.

SEC. 4. *Method I, determination of transportation increases by use of transportation bills.* This method permits you to reflect the changes in transportation costs incurred by you by reference to transportation bills. Two alternative ways of using this method are available and may be used interchangeably. The first (paragraph (a)) permits determination of actual increases by subtracting a base period transportation cost from a "current" transportation cost. The second (paragraph (b)) provides for determination of increases by application of factors set forth in the regulation to the "current" transportation bill.

You must record the calculations made under this section and must keep them and the supporting data available for inspection by the OPS.

Only one method of apportioning transportation costs may be applied to a single freight bill under this section.

(a) *Subtracting base period transportation cost from actual current transportation cost for a specific article.* This alternative method (identifiable as "Method IA") may be used only for an article which is the same as one which you had received at any time in the base period and which is shipped from the same place via the same transportation method, and in the same size of shipment, as was the article in the base period. The term "base period" for purposes of this paragraph is the period July 1, 1950 to June 30, 1951, inclusive. (As used in this paragraph the terms "same article," "same place," "same transportation method," and "same size of shipment," have specialized meanings. "Same article" means an article which actually is the same model, style or lot number as the base period article, or any article of the same weight as the base period article and subject to the identical current transportation rate as the base period article. "Same place" means the same city or rail terminal as that from which the base period article was shipped. "Same transportation method" means the identical carrier as transported the base period shipment or a carrier whose charges for the current shipment are the same as or less than the current charges of the base period carrier. "Same size of shipment" means that the number of units in the shipment being compared must be roughly equal.) If the two articles, that is, the base period article and the article for which a ceiling price is being determined, meet the foregoing tests, you determine the increase in transportation costs by subtracting the transportation cost for the base period article (determined from any base period transportation bill) from the current transportation cost. The result is the increase in transportation cost, which may be aded to the ceiling price otherwise determined under Ceiling Price Regulation 7.

(1) Base period transportation cost of an article may be determined by apportioning the total transportation bill among the articles covered by the bill in any generally accepted manner, that is, by weight, value, or number of units.

(2) Current transportation cost is determined by apportioning the total transportation bill among the articles covered by the bill in the same manner as the apportionment of the base period bill.

(3) If the current transportation bill for a rail shipment covers some articles which were subject to cancelled L. C. L. exception ratings (see Appendix Y) and some articles which were not subject to such exception ratings in the base period, the increases attributable to articles subject to such cancelled L. C. L. exception ratings can be most precisely ascertained by apportioning the current transportation bill among the articles on the basis of the weight of the respective articles multiplied by the appropriate freight rate for those articles as shown on the freight bill.

EXAMPLE 1: Chest No. 66 purchased from ABC Company, Grand Rapids, Mich., shipped by rail in carload lots in December 1950 and again on January 2, 1952.

| | |
|---|---|
| Current transportation cost per chest | $6.86 |
| Base period transportation cost per chest | 6.36 |
| Increase | .50 |
| Ceiling price of Chest No. 66 (determined under CPR 7) | 79.95 |
| Increase in freight | .50 |
| Adjusted ceiling price | $80.45 |

(b) *Use of transportation rate increase factors applied to current transportation costs.* This alternative method (identifiable as "Method IB") may be used for any article for which you have paid inbound transportation costs by applying an appropriate factor to the "current transportation" bill.[1] Appendix X sets forth a table of rate increase factors for rail, motor and water common-carrier, railway express and parcel post shipments. Appendix Y, accompanied by a map to permit identification of the applicable freight increase factor, sets forth a list of articles whose rail transportation rates have been increased more substantially by cancellation of certain exception ratings, definitions of various kinds of shipments, and a table of increase factors.

(1) *Determining Increases for "unmixed" shipments.* An "unmixed" shipment is one composed wholly of articles not covered by Appendix Y or composed wholly of articles covered by Appendix Y if all the articles are subject to the same factor. If the article was included in an unmixed shipment, you may determine the amount of the increase in freight pursuant to this subparagraph.

(i) Apply the appropriate factor found in Appendix X or Appendix Y to the total freight bill.

(ii) Allocate the result among the articles covered by the transporation bill in any reasonable manner (by weight, value or number of units).

(iii) An amount allocated under (ii) to an article may be added to the ceiling price of the article otherwise determined under CPR 7.

(See Example 2)

(2) *Determining increases for mixed shipments.* A "mixed shipment" is a rail shipment composed both of articles covered by Appendix Y and of articles not covered by Appendix Y or composed of articles covered by Appendix Y sub-

[1] This method of adjustment for increases in freight is the only one available to sellers who were not in business prior to the list dates of CPR 7.

ject to more than one factor listed in Appendix Y. If the article was included in a mixed shipment, you determine your increase under this subparagraph.

(i) Allocate the amount of the current transportation bill among the articles covered by it in any reasonable manner (by weight, value or number of units). If, however, some of the articles were covered by Appendix Y and some of the articles were not covered by Appendix Y, the increases attributable to articles subject to cancelled L. C. L. exception ratings (articles covered by Appendix Y) can be most precisely ascertained by apportioning the current transportation bill among the articles on the basis of the weight of the respective articles multiplied by the appropriate freight rate for those articles as shown on the freight bill.

(ii) Multiply the amounts allocated to the articles not covered by Appendix Y by the appropriate factor in Appendix X. The result is the increase in freight for each article which may be added to the ceiling price for the article otherwise determined under CPR 7.

(iii) For the articles in the shipment covered by Appendix Y select from column 3 or 4 in Appendix Y the appropriate increase factor. (If the articles constitute a set, purchased at a unit price and to be sold at a unit price, one or more of the articles of which set are covered by Appendix Y, you may use either the factor shown in Appendix Y for the article in the set having the greatest weight or you may use the average of the factors for all of the articles in the set covered by Appendix Y.) Multiply the amount of freight allocated to each article covered by Appendix Y by the appropriate factor. The result is the increase in freight which may be added to the ceiling price otherwise determined under CPR 7.

(See Example 3)

EXAMPLE 2: Determining total freight increase and allocating thereafter:

Assume 2 articles in shipment: Couch No. 142 ceiling price under CPR 7, $89.50; dresser No. 16A, ceiling price under CPR 7, $39.40. Total freight bill for rail shipment from Zone I to Zone II for:

| | |
|---|---|
| 1 upholstered couch No. 142 (shipped SU in package 3F) weight (pounds) | 100 |
| 1 dresser No. 16A (shipped SU in package 5F) weight (pounds) | 85 |
| Total weight (pounds) | 185 |
| Total freight bill (including tax) | $16.48 |
| Flat increase factor (from Appendix X) (percent) | 12.5 |
| Increase in freight ($16.48×0.125=$2.06) | $2.06 |
| Freight increase allocated by weight: | |
| To couch ($\frac{100}{185}$ × $2.06) | $1.11 |
| To dresser ($\frac{85}{185}$ × $2.60) | $0.95 |

Adjusted ceiling price of couch No. 142: $89.50+$1.11=$90.61.

Adjusted ceiling price of dresser No. 16A: $39.40+$0.95=$40.35.

EXAMPLE 3: Allocating freight bill among articles and then determining increase for each:

Assume 3 articles were covered by freight bill. Two of the articles, the couch and dresser as in preceding example, were not subject to cancelled L. C. L. exception ratings which affected their rates. The third article was a group of chairs No. 72 (wooden chairs, in the white, SU, loose (item number 42 in Appendix Y)), ceiling price under CPR 7, $15.21 each. Allocation of the freight bill determined by weight and rates shown on the current bill should be used if the seller wishes to be reimbursed for the greater increase affecting the item the rate of which was affected by such a cancelled L. C. L. exception rating.

*Allocation technique:* Two methods of allocation are shown:

(a) Allocation as percentage of bill by weight:

| Item | Weight (pounds) | Allocated amounts |
|---|---|---|
| 8 chairs, No. 72 (Y) | 100 | $12.04 |
| 1 couch, No. 142 | 100 | 12.04 |
| 1 dresser, No. 16A | 85 | 10.22 |
| Total freight bill (including tax) | | 34.30 |

Adjustment for couch and dresser, the articles not covered by Appendix Y (Appendix X increase factor 12.5 percent):

Couch, $12.04×.125=1.51+89.50=$91.01 adjusted ceiling price.

Dresser, $10.22×.125=1.28+39.40=$40.68 adjusted ceiling price.

Adjustment for the chairs No. 72, the articles covered by Appendix Y, using .52, the factor shown in column 4 of that appendix, is $12.04×.52=$6.26÷8=$0.78 per chair.

Adjusted ceiling price, $15.21+$0.78=$15.99.

(b) Allocation by weight and rate shown on current bill:

| Item | Weight and rate per 100 lbs. | Tax | Allocated current freight |
|---|---|---|---|
| 8 chairs No. 72 (Y). | 100 lbs at $17.30=$17.30. | +$0.52 | =$17.82 |
| 1 couch No. 142. | 100 lbs. at $8.65=$8.65... | +0.26 | =8.91 |
| 1 dresser No. 16A. | 85 lbs. at $8.65=$7.35.... | +0.22 | =7.57 |
| | | | 34.30 |

Adjustment for couch and dresser, the articles not covered by Appendix Y:

Couch, $8.91×.125=1.11+89.50=$90.61 adjusted ceiling price.

Dresser, $7.57×.125=.95+39.40=$40.35 adjusted ceiling price.

Adjustment for chairs number 72, the articles covered by Appendix Y, using the factor shown in column 4 of that appendix ($17.82×.52=$9.27÷8=$1.16).

Adjusted ceiling price of chair $15.21+$1.16=$16.37.

SEC. 5. *Method II, freight to purchases ratio method.* This method permits you to determine the percentage ratio of your total dollar merchandise transportation costs in a base period to your total dollar merchandise purchases in that period and to apply an appropriate percentage increase factor to that percentage ratio as set forth in paragraph (c) below. The result is the percentage of the articles' net costs which may be added to reflect increases in transportation costs. In order to use this method a seller must find his freight to purchases ratio in a base period. The freight to purchases ratio must be determined for each seller. However, a departmentalized establishment instead of determining the freight to purchases ratio for each of its departments may use the storewide freight to purchases ratio for all departments. An alternative method is provided in paragraph (b) by which freight to purchases ratios may be determined by certain groups of suppliers rather than by all suppliers. (If the article is covered by Appendix Y, a special adjustment involving the use of an appropriate multiplier is provided in paragraph (e).)

You must record the calculations made under this section and must keep them and the supporting data available for inspection by the OPS.

Merchandise purchases and inbound merchandise transportation costs shall be determined according to any generally accepted accounting method. Only such transportation costs may be included as are included in the definition of that term in section 7.

The base period for the purposes of this section is the calendar year 1950, or the fiscal year ending closest to December 31, 1950.

(a) *Freight to purchases ratio for shipments from all suppliers.* A seller (or an entire establishment) determines his freight to purchases ratio based on purchases from *all* his suppliers as follows:

(1) Determines from his records the total inbound merchandise transportation costs for his base period.

(2) Determine from his records the total of his merchandise purchases in his base period.

(3) Determine the percentage ratio of freight to purchases by dividing the total transportation costs by the total cost of purchases.

(b) *Freight to purchases ratios by groups of suppliers.* This alternative method permits you to group certain of your suppliers and to determine your increases in transportation costs on your purchases from them by use of a separate freight to purchases ratio for each group.

(1) *Suppliers to be included within a group.* You may determine separate freight to purchases ratios (or if you are a departmentalized establishment for your entire establishment) for each of the following three groups of suppliers if during the base period you had received at least 10 shipments from the group. In order properly to group these base period suppliers you must list their shipping points, showing the distance from their shipping points to your place of business. The three groups of base period suppliers are:

(i) The nearby group, that is, all those whose shipping points are located less than 250 miles from your place of business;

(ii) The intermediate group, that is, all those whose shipping points are located 250 to 1000 miles from your place of business;

(iii) The distant group, that is, all those whose shipping points are located 1000 or more miles from your place of business.

(2) *Method of determining freight to purchases ratio for each group.* You compute the freight to purchases ratio for each group from which you had at least 10 shipments as follows:

(i) Determine from your records for each group of suppliers the total inbound merchandise transportation costs on shipments from those suppliers in your base period.

(ii) Determine from your records the total of your merchandise purchases from each group of suppliers in your base period.

(iii) Divide the transportation cost total found under (i) by the total of purchases found under (ii). The result is your freight to purchases ratio for the group.

(3) *Use of group factors.* The percentage determined for a group under paragraph (2) may be used only in determining increases in transportation costs on shipments from base period suppliers included in the group. For determining increases in transportation costs on shipments from suppliers not included in a group or from suppliers for which you are unable to determine a group ratio because you had fewer than 10 shipments from suppliers in the group, you must determine a freight to purchases ratio under paragraph (a)[1] of this section and use that to determine the increases in transportation costs from such suppliers.

(c) *Determination of percentage increases in freight to purchases ratios.* Multiply the percentages determined under paragraph (a) (3) or (b) (2) (iii) by the appropriate increase factor from subparagraph (1) or (2) of this paragraph to determine the percentage of increase. Subparagraph (1) sets forth a factor applicable to sellers generally; subparagraph (2) permits sellers whose parcel post payments are 19 percent or more of total dollar inbound transportation costs to reflect their higher rate increases. The percentages determined under this paragraph indicate the increases in the seller's cost attributable to increases in inbound transportation costs. The freight to purchases ratio increase factors are as follows:

(1) *Sellers generally.* Your increase factor is 16 percent unless you qualify for and elect to use a higher increase factor under subparagraph (2).

(2) *Sellers whose parcel post payments were 19 percent or more of total inbound transportation costs in the base period.* Determine what percentage of your total dollar transportation costs in the base period were parcel post payments. You must compute from your records the dollar amount of the parcel post charges paid by you for incoming shipments and the dollar amount of the other transportation costs incurred during the base period. Divide the dollar amount of inbound parcel post charges by the total dollar amount of all inbound merchandise transportation costs, and if your parcel post payments constituted 19 percent or more of your total dollar transportation costs you may use the appropriate freight to purchases ratio increase factor shown in the table below:

| If your percentage of inbound parcel post cost to total inbound transportation cost is: | Your ratio increase factor is: |
|---|---|
| 19% to 29% | 17 percent |
| 29% to 38% | 18 percent |
| 38% to 48% | 19 percent |
| 48% to 57% | 20 percent |
| 57% to 67% | 21 percent |
| 67% to 76% | 22 percent |
| 76% to 86% | 23 percent |
| 86% to 95% | 24 percent |
| 95% through 100% | 25 percent |

(d) *Determination of amounts of increases.* You determine the amount of transportation increase permitted to be added to your ceiling price otherwise determined under CPR 7 by multiplying the net invoice cost of the article for which a ceiling price is being determined by the appropriate increase in freight to purchases ratio as determined under paragraph (c). The result is the permissible adjustment for increases in transportation costs which may be added to the ceiling price otherwise determined under CPR 7, except that for articles covered by Appendix Y, if the increase is determined by use of the factor for sellers generally (see (c)(1) above), the result may be multiplied by an appropriate multiplier as described in paragraph (e).

| | |
|---|---|
| EXAMPLE 4: Seller (who is covered by paragraph (c) (1)—sellers generally) located in Chicago has base-period freight to purchases ratio of (percent) | 4 |
| Freight to purchases increase factor (under paragraph (c) (1)) (percent) | 16 |
| Increase in freight to purchases ratio (0.04×0.16=0.0064) (percent) | 0.64 |
| Net invoice cost of blouse No. 77 | $4.00 |
| Ceiling price of blouses determined under CPR 7 | $7.95 |
| Increase in freight ($4.00×0.0064=$0.026) | $0.03 |
| Adjusted ceiling price ($7.95+$0.03) | $7.98 |

(e) *Determination of adjustment for articles covered by Appendix Y.* If the article for which a ceiling price is being determined is covered by Appendix Y:

(1) Determine an adjustment under paragraph (d) by using the factor for sellers generally; then

(2) Select from column 5 or 6 in Appendix Y the appropriate multiplier for the article, and multiply that result by that multiplier. The result is the total freight adjustment for the article covered by Appendix Y and this amount may be added to the ceiling price otherwise determined under CPR 7.

EXAMPLE 5: Seller located in Erie, Pennsylvania received two cartons of chairs from manufacturer in High Point, North Carolina. In one carton were chairs (No. 702), finished and not upholstered beyond the seat pad and inside of the back and were shipped set up (SU) in package type "5F" (this number was found on both the freight bill and on the front panel of the carton). Chairs No. 42, in the second carton, were "in the white," were knocked down other than flat, and were shipped in package type "9F." These two items are determined to be covered by Appendix Y by reference to column 2 of that appendix. The net cost of chair No. 702 was $36.00; of chair No. 42 was $14.00.

Seller's base period freight to purchases ratio percentage was 10 percent. Seller determined his transportation increase percentage under paragraph (c) to be 10 percent×0.16=1.6 percent. Applying 1.6 percent to current net invoice cost of each chair he finds his first adjustment (under paragraph (d)) for each chair to be:

Chair No. 702—$36.00×0.016=$0.576 or $0.58.

Chair No. 42—$14.00×0.016=$0.224 or $0.22.

The final adjustment for articles covered by Appendix Y may then be determined. Column 6 in Appendix Y indicates that for shipments between points in Zone 1 and Zone 2 the specific factor for chair No. 702 (item number 31 in Appendix Y), "chairs or stools, wooden or with wooden frames, finished, not upholstered beyond seat and inside of back, SU in package 5F," is 5.3; for chair No. 42 (item number 41 in Appendix Y), "chairs or stools, wooden or with wooden frame, in the white (unfinished), KD other than flat in package 9F," is 1.8.

Final adjustment for chair No. 702 is $0.58×5.3=$3.07.

Final adjustment for chair No. 42 is $0.22×1.8=$0.40.

These adjustments may be added to the respective ceiling prices of the articles as determined under CPR 7.

SEC. 6. *Records.* The records required by this section must be kept for as long as the Defense Production Act of 1950, as amended, remains in effect and for two years thereafter. A seller electing to determine ceiling prices under any provision of this supplementary regulation must:

(a) Preserve for inspection by the OPS all freight bills, receipts, or other documents showing freight or transportation charges, used in establishing adjustments under this regulation.

(b) Attach the freight bills or other documents to the invoice covering the articles, or put a reference number or other identification of the freight bills or other documents on the invoice and keep the freight bills or other documents in any accepted manner, so long as ready reference to the original can be had.

(c) In addition to the information required by section 52 (b) (2) of CPR 7 (Retailing invoices), and the reference, if any, required by paragraph (b) of this section, you must note on the invoice which of Methods IA, IB, or II and which item number of Appendix Y, if any, you used in making the adjustment.

(d) Keep a record indicating the basis you used under Method I for allocating freight as between articles of different kinds or groups of articles of the same kind on a given invoice. Only one method of allocation may be applied to a single freight bill or for a single invoice.

(e) Preserve for inspection by the OPS the record required by section 3 indicating which method of freight adjustments you are using for your articles; and make a record of the fiscal year, if any, used under section 5 and preserve it for inspection with the records required by sections 4 and 5.

SEC. 7. *Definitions.* (a) "Transportation Costs." The term "transportation costs" means actual transportation charges paid to independent transportation companies either by you or on your behalf for bringing merchandise from

[1] You must not exclude any base period supplier even though you have included him in determining a group freight to purchases ratio.

your supplier's place of business to your place of business. Included are such items as payments to railroads, steamships, or trucking companies, and parcel post payments. Excluded are separately stated charges for transportation made by your supplier if the amount stated is not the actual transportation charge or if he makes the deliveries in his own trucks; transportation expenses incurred by you if you employ your own trucks to pick up your merchandise from your supplier; separately stated warehouse charges, cartage, handling, unloading, sorting, checking and other similar charges or expenses.

(b) "Current" transportation bill. A current transportation bill is any bill or other document received after June 16, 1952, which represents an amount paid by you or on your behalf for transportation costs.

*Effective date.* This regulation shall become effective on the 23d day of June 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.

ELLIS ARNALL,
*Director of Price Stabilization.*
JUNE 16, 1952.

APPENDIX X—Table of Freight Rate Increase Factors

1. Rail, motor and water common carriers ..... 12.5 percent.
2. Railway express:
   (a) Shipments weighing less than 100 pounds ..... 36 cents per shipment.
   (b) Shipments weighing 100 pounds or more ..... 33 cents per 100 pounds.
3. Parcel post (all shipments) ..... 20 percent.

APPENDIX Y—FREIGHT RATE INCREASE FACTORS FOR CERTAIN RAIL SHIPMENTS OF SPECIFIED ARTICLES

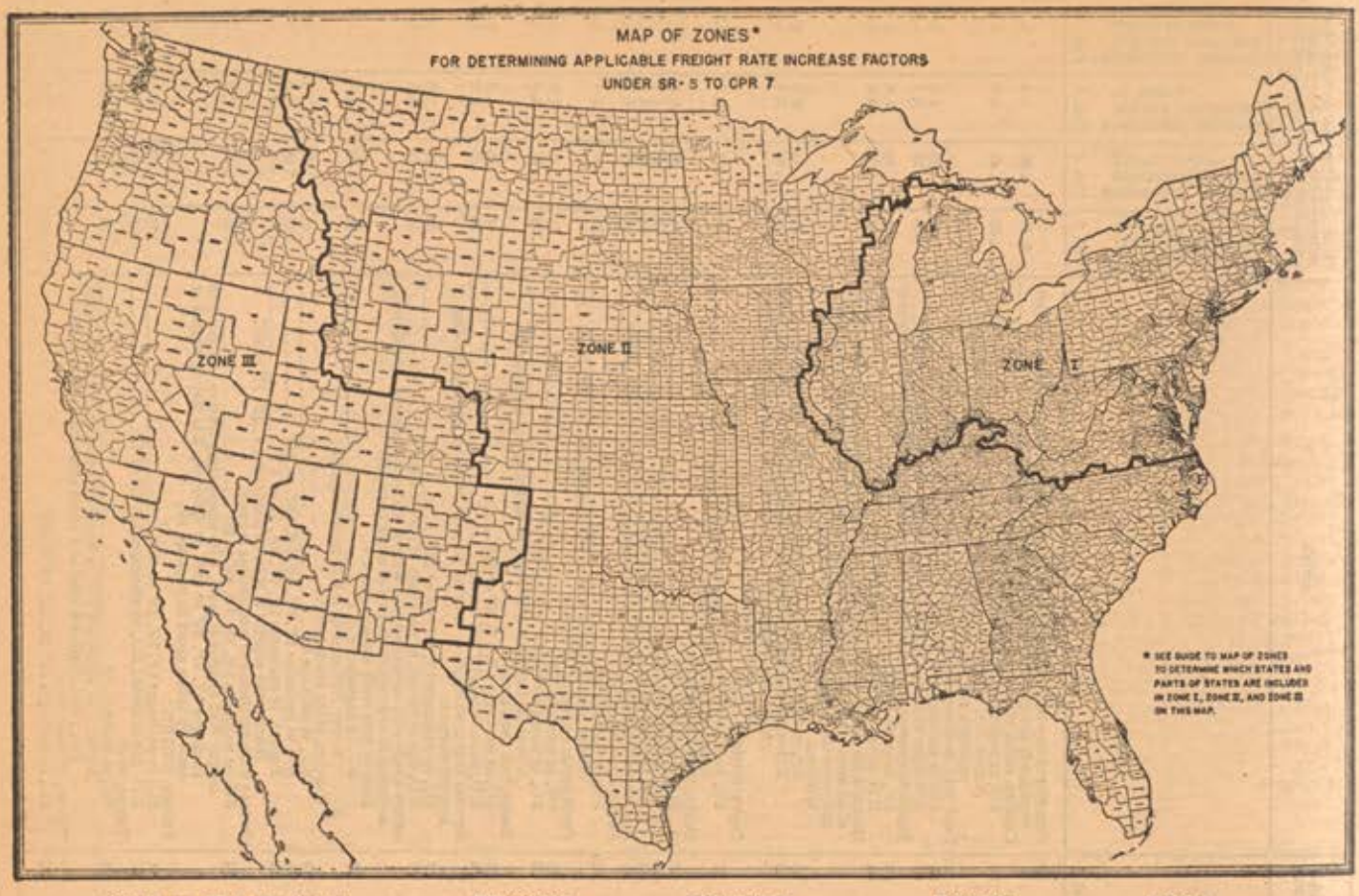
NOTES

1. SU ("set up") means that the portion of the article described as SU is all assembled and ready for use except for accessories, for example, knobs, castors, etc.
2. KD ("knocked down") means that the portion of the article described as KD has been disassembled and the component parts have been shipped; items described as "flat," "collapsed," "knocked-down-flat," "fully collapsed," "folded," or "compressed," are not equivalent to KD.
3. An item which is described on the invoice or freight bill as "flat," "collapsed," "knocked-down-flat," "fully collapsed," "folded," "compressed," or other similar description is not covered by the term KD, in appendix Y, unless Column 2 mentions "flat" or "collapsed," or some similar description in addition to KD.
4. "Loose" indicates that the articles are not packaged; "in bundles" indicates that the articles are not packaged, but are tied together in groups.
5. The terms, "SU," "KD," "Loose," "In Bundles," etc., are generally shown on the freight bill.
6. Package numbers referred to in Column 2 (for example, 1F, 2F, 3F, etc.) are usually shown on the front panel of packages; they are also generally shown on freight bill and on shipping orders.
7. NOIBN means "not otherwise indexed by name"; when used in this appendix it means that the factors apply to the article if no other item number in the appendix more precisely describes the article.

| Item No. | Article | Factors used by sellers pricing under method I (B) | | Factors used by sellers pricing under method II | |
|---|---|---|---|---|---|
| | | Shipments originating and terminating in Zone 1 | Shipments between points in Zone 1 and points in Zone 2 | Shipments originating and terminating in Zone 1 | Shipments between points in Zone 1 and points in Zone 2 |
| Col. 1 | Col. 2 | Col. 3 | Col. 4 | Col. 5 | Col. 6 |
| | Furniture, bamboo, cane, fibre, grass, rattan, reed or willow, with or without steel or wood reinforcement: | | | | |
| 1 | SU, chairs or settees in packages 4F, 23F or 27F; also chairs in package 5F | 0.55 | 0.52 | 7.6 | 6.7 |
| 2 | SU, in packages 1F, 2F, 3F, 5F, 21F or 28F | .49 | .46 | 5.9 | 5.3 |
| 3 | KD, in packages 1F, 2F, 3F, 5F or 19F | .29 | .27 | 2.6 | 2.3 |
| | Bassinettes or baskenettes, bamboo, cane, fibre, grass, rattan, reed or willow: | | | | |
| 4 | SU or with legs folded, in packages 1F, 2F, 3F, 5F, 19F, 21F, 25F or 28F | .55 | .52 | 7.6 | 6.7 |
| | Boxes, cabinets, chests, closets or wardrobes, garment or household utility storage, fibreboard or fibreboard and wood combined: | | | | |
| 5 | SU, in package 1F | .55 | .52 | 7.6 | 6.7 |
| 6 | Flat, folded flat or KD, including tops, bottoms or doors thereof, in package 9F | .26 | .23 | 2.1 | 1.8 |
| 7 | Mattresses, or upholstered box springs, in bales, wrapped in paper and burlap; mattresses in packages 5F, 10F, 11F or 12F; upholstered box springs in packages 5F, 10F or 12F<br>NOTE: Crib mattresses may also be in package 36F. Ratings also apply on headboards, legs and brackets when such articles are completely wrapped, and inserted between mattress and upholstered box spring in package 10F. | 0.41 | 0.38 | 4.3 | 3.8 |
| | Baby jumpers, tenders or walkers, without wheels, metallic or wooden: | | | | |
| 8 | SU, in packages 1F, 3F, 5F or 28F | .49 | .46 | 5.9 | 5.3 |
| 9 | KD flat or folded flat, in packages 1F, 3F, 5F, or 28F | .25 | .23 | 2.1 | 1.8 |
| 10 | Bed Springs: Not compressed or compressed to thickness exceeding ⅗ normal thickness of each bed spring, loose or in packages<br>NOTE: Not eligible if compressed to thicknesses ⅗ or less of normal thickness. | .41 | .38 | 4.3 | 3.8 |
| | Beds, folding, upright, door, recess or wall, disappearing types, with or without rollers, steel, in one package: | | | | |
| 11 | In package 19F | .41 | .38 | 4.3 | 3.8 |
| 12 | In packages 1F, 3F, 5F, 21F or 28F | .29 | .27 | 2.6 | 2.3 |
| | In more than one package: | | | | |
| 13 | In package 19F | .41 | .38 | 4.3 | 3.8 |
| 14 | In packages 1F, 3F, 5F, 21F or 28F | .29 | .27 | 2.6 | 2.3 |
| | Beds, KD (ends and rails) or bed ends, NOIBN (see NOTE): | | | | |
| 15 | Metal, finished, in packages 1F, 2F, 3F, 5F, 18F, 19F or 24F | .25 | .23 | 2.1 | 1.8 |
| 16 | Wooden, in packages 1F, 2F, 3F, 5F, 19F, 21F or 25F<br>NOTE: Ratings will also apply on necessary equipment of ladders and guard rails. | .25 | .23 | 2.1 | 1.8 |
| 17 | Benches, dressing table, steel, in packages 1F, 3F, 5F or 28F | .41 | .38 | 4.3 | 3.8 |
| | Benches, or stools, organ or piano: | | | | |
| 18 | SU, in packages 18F or 19F | .29 | .27 | 2.6 | 2.3 |
| 19 | KD or folded flat, in packages 18F or 19F<br>NOTE: Not eligible if SU, in packages 1F, 3F, 5F, or 28F. | .25 | .23 | 2.1 | 1.8 |
| 20 | Buffets or buffet servers, KD, in packages 1F, 2F, 3F, 5F, 21F or 28F | .25 | .23 | 2.1 | 1.8 |
| | Buffets, SU, buffet servers, SU, cellarettes, china cabinets, (closets), other than kitchen cabinets, or sideboards: | | | | |
| 21 | In package 35F, also china cabinets, KD, in the white, in package 19F<br>NOTE: Not eligible if SU in packages 1F, 2F, 3F, 5F, 21F or 28F. | .29 | .27 | 2.6 | 2.3 |
| | Bureaus, chest of drawers, chiffoe, dressers, highboys, lowboys, night stands, sanitary commodes, somnoes, washstands or washstand commodes, wooden: | | | | |
| 22 | SU, in package 35F<br>NOTE: Not eligible if SU, in packages 1F, 2F, 3F, 5F, 21F or 28F; night stands or sanitary commodes, in package 26F; also KD Flat (drawers may be SU), in packages 1F, 2F, 3F, 5F or 19F. | .29 | .27 | 2.6 | 2.3 |
| | Radio receiving set, talking machine or television set, separate or combined, without mechanism: | | | | |
| 23 | Console type, in packages 1F, 2F, 3F, 5F, 22F or 28F<br>NOTE: Not eligible: box type sets, SU or KD. | .29 | .27 | 2.6 | 2.3 |
| | Cabinets or lockers, storage, wardrobe or kitchen, NOIBN: | | | | |
| | Steel with glass: | | | | |
| 24 | SU, in packages 1F, 3F, 5F, 28F, 29F or 30F | .29 | .27 | 2.6 | 2.3 |
| 25 | KD, in packages 1F, 3F, 5F or 30F<br>NOTE: Not eligible if wooden, steel without glass, etc. | .25 | .23 | 2.1 | 1.8 |
| | Chairs or stools, NOIBN: | | | | |
| | Steel or wire, or with steel or wire frames: | | | | |
| 26 | SU, in package 31F | .49 | .46 | 5.9 | 5.3 |
| 27 | SU, in package 1F, 3F, 5F, 28F or 30F | .41 | .38 | 4.3 | 3.8 |
| 28 | Backs removed and bases nested, in packages 1F, 5F, 30F or 31F<br>NOTE: Not eligible if backs and seats separated and removed from frames or backs and seats flat or folded flat, removed from frames, frames interlaced in packages 1F, 3F, 5F, 28F, 30F or 31F. | .29 | .27 | 2.6 | 2.3 |
| 29 | KD, other than backs removed and bases nested, in packages 1F, 3F, 5F, 28F, 30F or 31F | .25 | .23 | 2.1 | 1.8 |
| | Wooden, or with wooden frames: | | | | |
| | Finished, not upholstered beyond seat and inside of back: | | | | |

| Item No. | Article | Factors used by sellers pricing under method I (B) | | Factors used by sellers pricing under method II | |
|---|---|---|---|---|---|
| | | Shipments originating and terminating in Zone 1 | Shipments between points in Zone 1 and points in Zone 2 | Shipments originating and terminating in Zone 1 | Shipments between points in Zone 1 and points in Zone 2 |
| Col. 1 | Col. 2 | Col. 3 | Col. 4 | Col. 5 | Col. 6 |
| | Chairs or stools NOIBN—Continued | | | | |
| 30 | SU, in package 8F | 0.55 | 0.52 | 7.6 | 6.7 |
| 31 | SU, in packages 1F, 2F, 3F, 5F or 28F | .49 | .46 | 5.9 | 5.3 |
| 32 | KD other than flat, in package 8F | .29 | .26 | 4.1 | 3.6 |
| 33 | KD, other than flat, in packages 1F, 2F, 3F or 5F | .25 | .23 | 2.1 | 1.8 |
| | NOTE: Not eligible if KD, flat, in package 9F. | | | | |
| | Finished, NOIBN, not overstuffed, upholstered beyond seat or inside of back: | | | | |
| | Having legs with stretchers or platform bases or having each pair of legs made of 1 piece of bent plywood. | | | | |
| 34 | In packages 7F or 27F | .55 | .52 | 7.6 | 6.7 |
| 35 | In packages 1F, 3F, 5F, or 28F | .49 | .46 | 5.9 | 5.3 |
| | Having legs without stretchers: | | | | |
| 36 | In package 7F | .55 | .52 | 7.6 | 6.7 |
| 37 | In packages 1F, 3F, 5F or 28F | .49 | .46 | 5.9 | 5.3 |
| 38 | KD, in package 39F | .25 | .23 | 2.1 | 1.8 |
| 39 | Finished, overstuffed, in packages 1F, 2F, 3F, 4F, 5F, 23F or 28F | .49 | .46 | 5.9 | 5.3 |
| 40 | In the white (unfinished): | | | | |
| | SU, in packages 1F, 2F, 3F, 5F, 8F or 28F | .41 | .38 | 4.3 | 3.8 |
| 41 | KD other than flat, in package 9F | .25 | .23 | 2.1 | 1.8 |
| | NOTE: Not eligible if KD, flat, in bundles. | | | | |
| | Outdoor: varnished or painted, with not more than 1 coat of varnish or green paint: | | | | |
| 42 | SU, loose | .55 | .52 | 7.6 | 6.7 |
| 43 | SU, in package 9F | .49 | .46 | 5.9 | 5.3 |
| 44 | KD other than flat, in bundles | .29 | .27 | 2.6 | 2.3 |
| | NOTE: Not eligible if KD flat, in bundles. | | | | |
| | Revolving chairs and stools: | | | | |
| 45 | SU, in packages 7F, 8F or 31F | .41 | .38 | 4.3 | 3.8 |
| 46 | SU, in packages 1F, 2F, 5F or 28F | .29 | .27 | 2.6 | 2.3 |
| 47 | KD, in packages 1F, 2F, 3F, 5F, 7F, 8F or 31F | .25 | .23 | 2.1 | 1.8 |
| | Chairs, settees, tables or tabourettes, rustic, wooden: | | | | |
| 48 | SU, loose | .55 | .52 | 7.6 | 6.7 |
| | NOTE: Not eligible if KD, in bundles. | | | | |
| | Chaise lounges, couches, davenports- day-beds, divans, lounges, sofas or tête-à-têtes: | | | | |
| 49 | Upholstered in package 23F, or in packages 41F or 57F; overstuffed in packages 4F, 23F or 57F | .41 | .38 | 4.3 | 3.8 |
| | NOTE: Not eligible if in packages 3F, 5F or 28F. | | | | |
| | Dual purpose sleeping equipment such as sofa beds without ends or with ends detached or enclosed in bedding compartment or in separate boxes may be shipped in packages 10F or 46F. | | | | |
| | Metal, without ends or metal with metal or wooden ends, not upholstered (see NOTE). | | | | |
| 50 | SU, with standing backs or with backs or leaves folded and tied to sides in packages 2F, 3F, 5F, 19F, 28F or 30F | .41 | .38 | 4.3 | 3.8 |
| 51 | KD, in packages 2F, 3F, 5F, 19F or 30F | .25 | .23 | 2.1 | 1.8 |
| | NOTE: May include one pad or mattress when enclosed in same package with article. | | | | |
| 52 | Cots, steel frame, thickness folded exceeding 12 inches | .29 | .27 | 2.6 | 2.3 |
| 53 | Cots, steel frame, with coiled wire springs, folded, thickness exceeding 12 inches | .29 | .27 | 2.6 | 2.3 |
| | NOTE: Not eligible if thickness is less than 12 inches. | | | | |
| | Couch hammocks or gliders (including 1 pad or mattress when enclosed in same package as article). | | | | |
| | Without frames or standards: | | | | |
| 54 | SU, in packages 1F, 2F, 3F, 5F, 21F or 28F | .29 | .27 | 2.6 | 2.3 |
| 55 | KD, or flat, in package 19F | .39 | .36 | 4.1 | 3.6 |
| 56 | KD, or flat, in packages 1F, 3F or 5F | .25 | .23 | 2.1 | 1.8 |
| | With frames or standards: | | | | |
| 57 | Taken apart with frames SU, in packages 1F, 2F, 3F, 5F, 21F, 28F or 31F | .41 | .38 | 4.3 | 3.8 |
| 58 | KD other than flat, in packages 1F, 3F, 5F, 23F, 42F, or, if not upholstered, in package 31F | .29 | .27 | 2.6 | 2.3 |
| | NOTE: Not eligible if KD flat, in packages 1F, 3F, 5F, 19F or 31F. | | | | |

| Item No. | Article | Factors used by sellers pricing under method I (B) | | Factors used by sellers pricing under method II | |
|---|---|---|---|---|---|
| | | Shipments originating and terminating in Zone 1 | Shipments between points in Zone 1 and points in Zone 2 | Shipments originating and terminating in Zone 1 | Shipments between points in Zone 1 and points in Zone 2 |
| Col. 1 | Col. 2 | Col. 3 | Col. 4 | Col. 5 | Col. 6 |
| 59 | Couches or day-beds, without arms, wood in the white, and iron or steel combined, not upholstered, loose or in packages | 0.41 | 0.38 | 4.3 | 3.8 |
| | Cradles, cribs, play pens or play yards, wooden: | | | | |
| 60 | SU, in packages 1F, 3F, 5F or 28F | .55 | .52 | 7.6 | 6.7 |
| | NOTE: Not eligible if metal, KD or wooden, KD or collapsed in packages 1F, 3F, 5F or 19F. | | | | |
| | Desk sets, wooden (child's desk and chair in same package): | | | | |
| 61 | SU, in packages 1F, 2F, 3F, 5F, 21F, 28F or 40F | .41 | .38 | 4.3 | 3.8 |
| 62 | KD other than flat, finished, in packages 1F, 3F, 5F or 19F | .25 | .23 | 2.1 | 1.8 |
| | Desk sets, cypress, other than rustic, or redwood, not painted or varnished: | | | | |
| 63 | SU, in package 9F | .55 | .52 | 7.6 | 6.7 |
| 64 | KD, other than flat, in package 9F | .39 | .36 | 4.1 | 3.6 |
| | Desks, with one or more enclosed pedestals on either side or both sides of an open knee space, which contain cupboards or drawers, and to be not more than 15 inches from the floor: | | | | |
| | Wooden: | | | | |
| 65 | SU, finished in packages 1F, 2F, 3F, 5F, 21F, 28F, 33F or 43F | .41 | .38 | 4.3 | 3.8 |
| 66 | KD other than flat, finished, in packages 1F, 2F, 3F, 5F or 19F | .25 | .23 | 2.1 | 1.8 |
| | NOTE: Steel desks of this description not eligible for any factor in this appendix. | | | | |
| | Desks, NOIBN, steel: | | | | |
| 67 | SU, in boxes or crates, or in package 54F | .29 | .27 | 2.6 | 2.3 |
| | NOTE: Not eligible if KD. | | | | |
| | Desks, NOIBN, wooden: | | | | |
| 68 | SU, in package 35F | .49 | .46 | 5.9 | 5.3 |
| 69 | SU, in packages 1F, 2F, 3F, 5F, 21F or 28F | .41 | .38 | 4.3 | 3.8 |
| 70 | KD, in packages 1F, 3F, 5F or 19F | .25 | .23 | 2.1 | 1.8 |
| 71 | Fireplaces, imitation, portable, in packages 1F, 3F, 5F, 21F or 28F | .41 | .38 | 4.3 | 3.8 |
| | Footstool or leg rests: | | | | |
| 72 | SU, in package 8F | .29 | .27 | 2.6 | 2.3 |
| | NOTE: Not eligible if KD or SU in packages 1F, 2F, 3F or 5F. | | | | |
| | Porch seats, swinging, NOIBN: | | | | |
| 73 | SU, in package 19F | .41 | .38 | 4.3 | 3.8 |
| 74 | SU, in packages 1F, 3F, 5F or 28F | .29 | .27 | 2.6 | 2.3 |
| | NOTE: Not eligible if KD flat or folded flat in package 9F. | | | | |
| | Racks, hall (hall trees): | | | | |
| 75 | SU, in packages 1F, 3F, 5F or 28F | .41 | .38 | 4.3 | 3.8 |
| 76 | KD, in packages 1F, 3F or 5F | .25 | .23 | 2.1 | 1.8 |
| | Serving trays, wheeled, or serving wagons, with or without cooling or heating devices: | | | | |
| 77 | SU, in packages 1F, 3F, 5F or 28F | .29 | .27 | 2.6 | 2.3 |
| 78 | KD, flat or folded, in packages 1F, 3F or 5F | .25 | .23 | 2.1 | 1.8 |
| | Settees (seats with backs and legs, with or without arms, not upholstered, designed to accommodate two or more persons): | | | | |
| | Iron, or iron with wooden slats: | | | | |
| 79 | SU, in package 9F | .41 | .38 | 4.3 | 3.8 |
| | NOTE: Not eligible if KD in package 9F. | | | | |
| | Wooden, other than rustic: | | | | |
| 80 | SU, in package 8F | .55 | .52 | 7.6 | 6.7 |
| 81 | SU, in packages 1F, 2F, 3F, 5F, 23F, or 28F | .49 | .46 | 5.9 | 5.3 |
| 82 | Folded, in packages 1F, 2F, 3F, 5F or 8 F | .25 | .23 | 2.1 | 1.8 |
| | NOTE: Not eligible if KD, in packages 1F, 3F, 5F or 8F. | | | | |
| | Swings with platforms or suspending frames: | | | | |
| 83 | SU, in packages 1F, 2F, 3F, 5F or 28F | .55 | .52 | 7.6 | 6.7 |
| | NOTE: Not eligible if seats, SU, suspending frames collapsed in packages 1F, 2F, 5F or 28F, or if folded, KD flat or nested or entirely taken apart in package 9F. | | | | |
| | Swings, NOIBN: | | | | |
| 84 | SU, in packages 1F, 3F, 5F or 28F | .55 | .52 | 7.6 | 6.7 |
| 85 | KD, flat or folded flat, in packages 1F, 3F or 5F | .25 | .23 | 2.1 | 1.8 |
| | Tables, steel: | | | | |
| 86 | SU, in package 9F | .29 | .27 | 2.6 | 2.3 |
| | NOTE: Not eligible if SU, in boxes or crates or if KD or folded flat. Not eligible if steel and wood combined or if wooden. | | | | |
| | Tables, without tops: | | | | |
| 87 | SU, in packages 1F, 2F, 3F, 5F or 28F | .55 | .52 | 7.6 | 6.7 |




## GUIDE TO MAP OF ZONES

### GUIDE FOR DETERMINING WHICH STATES AND PARTS OF STATES ARE INCLUDED IN ZONE I, ZONE II, AND ZONE III ON THE MAP OF ZONES

*Zone I*

Zone I is comprised of the following states and parts of states:

Connecticut.
Delaware.
District of Columbia.
Illinois.
Indiana.
Iowa: Only the following counties:

| | |
|---|---|
| Clinton. | Lee. |
| Des Moines. | Louisa. |
| Dubuque. | Muscatine. |
| Jackson. | Scott. |

Kentucky: Only the following counties:

| | |
|---|---|
| Ballard. | Lawrence. |
| Bath. | Letcher. |
| Boone. | Lewis. |
| Boyd. | Livingston. |
| Bracken. | McCracken. |
| Campbell. | Magoffin. |
| Carter. | Martin. |
| Clark. | Mason. |
| Elliott. | Menifee. |
| Fayette. | Montgomery. |
| Floyd. | Morgan. |
| Greenup. | Oldham. |
| Henderson. | Pendleton. |
| Jefferson. | Pike. |
| Johnson. | Rowan. |
| Kenton. | Trimble. |
| Knott. | |

Maine.
Maryland.
Massachusetts.
Michigan: Except the following counties:

| | |
|---|---|
| Alger. | Dickinson. |
| Baraga. | Gogebic. |
| Chippewa. | Houghton. |
| Delta. | Iron. |
| Keweenaw. | Marquette. |
| Luce. | Ontonagon. |

Missouri: Only the following counties:

| | |
|---|---|
| Clark. | Pike. |
| Lewis. | Ralls. |
| Lincoln. | St. Charles. |
| Marion. | St. Louis. |

New Hampshire.
New Jersey.
New York.
North Carolina: Only the following county: Ashe.
Ohio.
Pennsylvania.
Rhode Island.
Vermont.
Virginia: Except the following counties: Henry, Lee, Mecklenburg, Patrick, Scott.
West Virginia.
Wisconsin: Only the following counties:

| | |
|---|---|
| Brown. | Marinette. |
| Calumet. | Milwaukee. |
| Dane. | Oconto. |
| Dodge. | Outagamie. |
| Door. | Ozaukee. |
| Fond du Lac. | Racine. |
| Green. | Rock. |
| Iowa. | Sheboygan. |
| Jefferson. | Walworth. |
| Kenosha. | Washington. |
| Kewaunee. | Waukesha. |
| Lafayette. | Winnebago. |
| Manitowoc. | |

*Zone II*

Zone II is comprised of the following States and parts of States:

Alabama.
Arkansas.
Colorado: Only the following counties:

| | |
|---|---|
| Adams. | Boulder. |
| Arapahoe. | Cheyenne. |
| Baca. | Crowley. |
| Bent. | Denver. |
| Douglas. | Logan. |
| Elbert. | Moffat. |
| El Paso. | Morgan. |
| Gilpin. | Otero. |
| Grand. | Phillips. |
| Huerfano. | Prowers. |
| Jackson. | Pueblo. |
| Jefferson. | Routt. |
| Kiowa. | Sedgwick. |
| Kit Carson. | Teller. |
| Larimer. | Washington. |
| Las Animas. | Weld. |
| Lincoln. | Yuma. |

Florida.
Georgia.
Idaho: Only the following counties:

| | |
|---|---|
| Bannock. | Franklin. |
| Bear Lake. | Fremont. |
| Bingham. | Jefferson. |
| Bonneville. | Madison. |
| Caribou. | Teton. |
| Clark. | |

Iowa: Except the following counties:

| | |
|---|---|
| Clinton. | Lee. |
| Des Moines. | Louisa. |
| Dubuque. | Muscatine. |
| Jackson. | Scott. |

Kansas.
Kentucky: Except the following counties:

| | |
|---|---|
| Ballard. | Johnson. |
| Bath. | Kenton. |
| Boone. | Knott. |
| Boyd. | Lawrence. |
| Bracken. | Letcher. |
| Campbell. | Lewis. |
| Carter. | Livingston. |
| Clark. | McCracken. |
| Elliott. | Magoffin. |
| Fayette. | Martin. |
| Floyd. | Mason. |
| Greenup. | Menifee. |
| Henderson. | Montgomery. |
| Jefferson. | Morgan. |

Oldham. Rowan.
Pendleton. Trimble.
Pike.

Louisiana.
Michigan: Only the following counties:

Alger. Houghton.
Baraga. Iron.
Chippewa. Keweenaw.
Delta. Luce.
Dickinson. Marquette.
Gogebic. Ontonagon.

Minnesota.
Mississippi.
Missouri: Except the following counties:

Clark. Pike.
Lewis. Rails.
Lincoln. St. Charles.
Marion. St. Louis.

Montana.
Nebraska.
New Mexico: Only the following counties: Chaves, Curry, Eddy, Lea, Roosevelt.
North Carolina: Except the following county: Ashe.
North Dakota.
Oklahoma.
South Carolina.
South Dakota.
Tennessee.
Texas.
Utah: Only the following counties:

Cache. Salt Lake.
Carbon. Summit.
Daggett. Uintah.
Davis. Utah.
Duchesne. Wasatch.
Morgan. Weber.
Rich.

Virginia: Only the following counties: Henry, Lee, Mecklenburg, Patrick, Scott.
Wisconsin: Except the following counties:

Brown. Marinette.
Calumet. Milwaukee.
Dane. Oconto.
Dodge. Outagamie.
Door. Ozaukee.
Fond du Lac. Racine.
Green. Rock.
Iowa. Sheboygan.
Jefferson. Walworth.
Kenosha. Washington.
Kewaunee. Waukesha.
Lafayette. Winnebago.
Manitowoc.

Wyoming.

*Zone III*

Zone III is comprised of the following States and parts of States:
Arizona.
California.
Colorado: Except the following counties:

Adams. Kit Carson.
Arapahoe. Larimer.
Baca. Las Animas.
Bent. Lincoln.
Boulder. Logan.
Cheyenne. Moffat.
Crowley. Morgan.
Denver. Otero.
Douglas. Phillips.
Elbert. Prowers.
El Paso. Pueblo.
Gilpin. Routt.
Grand Sedgwick.
Huerfano. Teller.
Jackson. Washington.
Jefferson. Weld.
Kiowa. Yuma.

Idaho: Except the following counties:

Bannock. Franklin.
Bear Lake. Fremont.
Bingham. Jefferson.
Bonneville. Madison.
Caribou. Teton.
Clark.

New Mexico: Except the following counties: Chaves, Curry, Eddy, Lea, Roosevelt.
Nevada.
Oregon.
Utah: Except the following counties:

Cache. Salt Lake.
Carbon. Summit.
Daggett. Uintah.
Davis. Utah.
Duchesne. Wasatch.
Morgan. Weber.
Rich.

Washington.

[F. R. Doc. 52-6713; Filed, June 16, 1952; 4:00 p. m.]

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[Ceiling Price Regulation 9, Revision 1, Supplementary Regulation 4]

## CPR 9—Territories and Possessions

### SR 4—Special Provisions for Increasing Ceiling Prices of Sellers Whose Costs are Increased by West Coast Strike

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 4 to Ceiling Price Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

The maritime strike on the west coast of the United States makes it imperative that the Office of Price Stabilization take action to provide some relief for sellers of food products in the Territory of Hawaii who, because of the strike, necessarily incur increased shipping costs. Some food products covered by CPR 9, Revision 1, will have to be shipped from ports in the continental United States other than west coast ports. This supplementary regulation will permit the seller of food products in the Territory of Hawaii to pass through any increase in overland or ocean freight charges incurred by him by reason of such shipments.

CPR 9, Revision 1, provides for a markup over "direct cost." Direct cost includes only such freight charges as were customarily included in base period cost. Since shipments of most food products are made from west coast ports the direct cost usually does not include the cost of shipment from Gulf or Atlantic Coast ports.

Upon settlement of the strike the Office of Price Stabilization anticipates the revocation of this supplementary regulation as to all food products not actually delivered or in transit at that time.

Because of the nature of this supplementary regulation consultation with industries affected has not be practicable.

REGULATORY PROVISIONS

Sec.
1. Ceiling prices.
2. Applicability of Ceiling Price Regulation 9, Revision 1.

AUTHORITY: Sections 1 and 2 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.* If you sell a food product for which a ceiling price is established by Ceiling Price Regulation 9, Revision 1, and if the food product sold is, at the time of sale, located in the Territory of Hawaii, and if the food product was shipped from a port in the continental United States other than the port from which your supplier customarily ships to you, your ceiling price is that price which would otherwise be your ceiling price under CPR 9, Revision 1, plus the difference between the following amounts:

(a) Shipping charges actually incurred by you on the last shipment of the commodity shipped from the continental United States prior to May 26, 1952, which was included in your direct cost for the purpose of computing your ceiling price.

(b) Shipping charges incurred by you on the shipment of the food products covered by this supplementary regulation.

The term "shipping charges" as it is used in this supplementary regulation means and is limited to charges for rail or truck transportation in the continental United States and the charges for ocean freight and marine and war risk insurance.

The term "food products" as it is used in this supplementary regulation means food for human consumption and food for consumption by domestic animals.

SEC. 2. *Applicability of Ceiling Price Regulation 9, Revision 1.* All of the provisions of CPR 9, Revision 1, except as modified by this supplementary regulation, continue in full force and effect.

*Effective date.* This Supplementary Regulation 4 to Ceiling Price Regulation 9, Revision 1, is effective June 13, 1952.

ELLIS ARNALL,
*Director of Price Stabilization.*

JUNE 13, 1952.

[F. R. Doc. 52-6652; Filed, June 13, 1952; 4:46 p. m.]

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[General Ceiling Price Regulation, Supplementary Regulation 53, Amdt. 1 to Revision 1, Correction]

## GCPR, SR 53—Adjustment of Cigarette "Loss-Leader" Prices Covered by State Statute

### Extension of SR 53 to Alabama

Amendment 1 to Supplementary Regulation (SR) 53, Revision 1, to the General Ceiling Price Regulation (GCPR) extended the coverage of SR 53 to sellers in the State of Alabama. In amending SR 53, section 2 of that regulation was amended to change the word "statute" to "statutes". Due to an oversight, however, the last part of the section was not included in the amendment. Accordingly, this correction includes the omission and section 2 will read as follows:

SEC. 2. *Adjustment of ceiling prices.* If you are covered by this regulation you may increase your ceiling prices for cigarettes up to the minimum required to be charged under the statutes referred to in section 1 of this regulation, except that, if the price paid by you for cigarettes on or after November 1, 1951, ex-

ceeds the price paid by you for cigarettes before November 1, 1951, because of an increase in Federal cigarette taxes on or after November 1, 1951, you may reflect that increase in your cigarette ceiling prices only pursuant to the provisions of section 20 of the General Ceiling Price Regulation, as amended.

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

ELLIS ARNALL,
*Director of Price Stabilization.*

JUNE 16, 1952.

[F. R. Doc. 52-6711; Filed, June 16, 1952; 11:41 a. m.]

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[Ceiling Price Regulation 24, Amdt. 11]

## CPR 24—CEILING PRICES OF BEEF SOLD AT WHOLESALE

### ZONE DIFFERENTIALS, DISTRIBUTION POINT, AND LOCAL DELIVERY

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, Economic Stabilization Agency General Order 2, Delegation of Authority by the Secretary of Agriculture to the Economic Stabilization Agency with respect to meat, as amended, and Economic Stabilization Agency General Order 5, Revision, this Amendment 11 to Ceiling Price Regulation 24 is hereby issued.

### STATEMENT OF CONSIDERATION

This amendment makes several changes in the provisions of this regulation, applicable to distribution point, local delivery, and zone differentials. Specifically, the following changes are made:

1. Section 30, Distribution Point, is amended, so as to delete the provisions relating to the method for determining a substituted distribution point where no freight rates are available. In view of the fact that the new Appendix 11, more fully described below, provides dollars-and-cents zone differentials for each county and municipality in the United States, the provisions for determination of a substituted distribution point are no longer required. Moreover, the provisions of Section 30 relating to distribution point in connection with local delivery are amended in conformity with the changes made in the local delivery section, which are referred to below.

2. Section 40, Zone Differential, is amended so as to provide that on sales of any item for which a specific ceiling price is established by Sections 20 or 26 of this regulation, the zone differential applicable to the distribution point is determined directly by reference to the dollars-and-cents amount listed in a new Appendix 11 to this regulation. Moreover, on sales of any item for which a specific ceiling price is established by Sections 21 through 25, inclusive, and Sections 27 and 28, the allowable zone differential may now be calculated by applying the formula contained in each of these sections to the dollars-and-cents zone differentials listed in the new Appendix 11.

3. Section 41, Local Delivery, is amended so as to make it clear that this addition is allowed in all cases of local delivery on both carload and less than carload sales, whether such local delivery is made by the seller or the seller pays a carrier to make it. Corresponding changes have been made in the section defining the distribution point concept, so as to eliminate any distinction which may have resulted heretofore from the language of this regulation, as between local delivery made by the seller or local delivery made by a carrier and paid for by the seller.

4. Finally, a new Appendix 11 has been added to this regulation, which contains the allowable dollars-and-cents zone differentials for each county and municipality in the United States. Separate columns have been provided for different grades, where the grade of the beef results in a different zone differential. In the case of some states or portions of states, where the actual freight rates from the basing point to the various counties are the same or nearly the same, a uniform zone differential has been provided in the appendix for such state or portion of a state. Moreover, provision is made for the case of municipalities outside of the political limits of any county where no specific zone differential for such municipality is listed in the appendix. In those cases, the highest rate applicable to any adjacent county shall apply.

The purpose of adding this new appendix and substituting specific dollars-and-cents zone differentials for the method heretofore provided by this regulation, is to eliminate the difficulties encountered by many sellers in attempting to obtain reliable freight rate quotations for the various distribution points all over the country. In response to urgent requests by the industry, this appendix has been compiled as a result of a careful survey of actual freight rates applicable all over the continental United States. In some instances extreme inequities or inconsistencies of freight rates have been corrected by eliminating differentials now existing and replacing them by uniform or nearly uniform amounts of applicable zone differentials.

Every effort has been made to conform this amendment 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.

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 Titles I and IV of the Defense Production Act of 1950, as amended. In the judgment of the Director of Price Stabilization they also comply with all the applicable standards of the Defense Production Act of 1950, as amended. In formulating this amendment the Director has consulted with representatives of industry, including trade association representatives, to the extent practicable under the circumstances and has given consideration to their recommendations.

### AMENDATORY PROVISIONS

Ceiling Price Regulation 24 is amended in the following respects:

1. Section 21 is amended by adding an asterisk (*) immediately following the title of the section, as follows:

SEC. 21. Schedule II—Fabricated cuts,* and by adding a footnote to read as follows:

*Compute the zone differential allowance for any grade of fabricated cut by multiplying the applicable addition for the corresponding grade, listed in Apendix 11 to this regulation, times 1.3, and adjust to the nearest 10 cents per cwt.

2. Section 30 (c) (2) is amended to read as follows:

(2) The seller's place of business if the seller makes (or pays a carrier to make) a local delivery beginning at his place of business and continuing to the buyer's place of business; or

3. Section 30 (d) (2) is amended to read as follows:

(2) The seller's place of business if the seller makes (or pays a carrier to make) a local delivery beginning at his place of business and continuing to the buyer's place of business; or

4. Section 30 (e) is deleted in its entirety.

5. Section 40 is amended to read as follows:

SEC. 40. *Addition 1—Zone differentials.* (a) On sales of any item for which a specific ceiling price is established by Sections 20 or 26 of this regulation you may add the zone differential applicable to the distribution point for such sale. The applicable zone differentials are listed in Appendix 11 to this regulation.

(b) On sales of any item for which a specific ceiling price is established by sections 21, 22, 23, 24, 25, 27, or 28, you may add a zone differential calculated by applying the formula contained in each of these sections to the zone differentials listed in Appendix 11 to this regulation.

6. Section 41 is amended to read as follows:

SEC. 41. *Addition 2—Local delivery—*(a) *3,000 pounds or less.* Where you make (or pay a carrier to make) a local

delivery of not more than 3,000 pounds in any one day to the delivery point designated by the buyer, you may add to the ceiling prices specified in Schedules I through IX, inclusive, the amount indicated for the distances set forth below:

[The charge for local delivery for any fraction of a hundredweight shall be reduced proportionately]

| Amount (per hundredweight): | *Distance of delivery* [1] |
|---|---|
| $0.40 | Up to 35 miles. |
| $0.60 | 35 to 75 miles. |
| $1.00 | 75 to 150 miles. |
| $1.30 | Over 150 miles. |

[1] In terms of shortest railroad and/or truck route.

(b) *Over 3,000 pounds.* Where you make (or pay a carrier to make) a local delivery of more than 3,000 pounds in any one day to the delivery point designated by the buyer, you may add for local delivery to the ceiling prices specified in Schedules I through IX, inclusive, the lower of the following amounts:

(1) The regular commercial rate; or

(2) The amount specified in section 41 (a) above for local delivery for a corresponding distance.

(c) *Peddler truck sales.* You may not add a local delivery addition under this section on any peddler truck sale.

7. A new Appendix 11—*Beef Zone Differentials*, is added to read as follows:

APPENDIX 11—BEEF ZONE DIFFERENTIALS PER HUNDREDWEIGHT

The zone differentials specified in this appendix apply as provided in Section 40. The zone differential for any town, city or other district having powers of local self-government which is not a part of any county for which a zone differential is included in this Appendix 11, shall be the highest zone differential for any of the adjoining counties.

The specific differentials set forth in this appendix apply directly, without further calculation, to items for which specific ceiling prices are established by Section 20 or 26.

Your zone differential for fabricated cuts shall be computed by multiplying your zone differential for the corresponding grade of carcass beef by 1.3, adjusted to the nearest 10¢ per hundredweight.

Your zone differential for variety meats and byproducts shall be the same as your zone differential for carcass beef graded prime and choice, in all states except in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee. In these eight states the zone differential for variety meats and by-products shall be that specified for carcass beef of utility grade.

Your zone differential for bulls shall be the same as your zone differential for carcass beef graded commercial, utility, canner and cutter.

BEEF ZONE DIFFERENTIALS

[Per hundredweight]

| | Prime, Choice, and Good | Commercial, Utility, Canner, and Cutter |
|---|---|---|
| **ALABAMA** | | |
| Counties of: Autauga, Baldwin, Barbour, Bibb, Bullock, Butler, Chambers, Chilton, Choctaw, Clarke, Clay, Coffee, Conecuh, Coosa, Covington, Crenshaw, Dale, Dallas, Elmore, Escambia, Geneva, Greene, Hale, Henry, Houston, Lee, Lowndes, Macon, Marengo, Mobile, Monroe, Montgomery, Perry, Pike, Randolph, Russell, Shelby, Sumpter, Talladega, Tallapoosa, Washington, Wilcox | $2.50 | $2.10 |
| All other counties | 2.30 | 1.90 |
| **ARIZONA** | All grades | |
| All counties | $2.30 | |
| **ARKANSAS** | Prime, Choice | Other grades |
| Counties of: Baxter, Benton, Boone, Carroll, Cleburn, Conway, Crawford, Fulton, Franklin, Izard, Johnson, Logan, Madison, Marion, Newton, Pope, Searcy, Sebastian, Scott, Stone, Van Buren, Washington | $1.40 | (1) |
| All other counties except Mississippi | 1.70 | (1) |
| [1] No zone differential. | | |
| Mississippi County | 1.80 | $1.50 |

BEEF ZONE DIFFERENTIALS—Continued

[Per hundredweight]

| | All grades | |
|---|---|---|
| **CALIFORNIA** | | |
| All counties | $2.70 | |
| **COLORADO** | Prime, Choice | Other grades |
| Counties of: Alamosa, Archuleta, Conejos, Delta, Dolores, Eagle, Garfield, Gunnison, Hinsdale, La Plata, Mesa, Mineral, Moffat, Montezuma, Montrose, Ouray, Pitkin, Rio Blanco, Rio Grande, Routt, Saguache, San Juan, San Miguel | $1.00 | (1) |
| Counties of: Baca, Boulder, Chaffee, Clear Creek, Costilla, Custer, Fremont, Gilpin, Grand, Huerfano, Jackson, Jefferson, Lake, Larimer, Las Animas, Park, Summit, Teller | .50 | (1) |
| All other counties | (1) | (1) |
| [1] No zone differential. | | |
| **CONNECTICUT** | All grades | |
| All counties | $2.80 | |
| **DELAWARE** | | |
| All counties | 2.80 | |
| **FLORIDA** | Prime, Choice, and Good | Commercial, Utility, Canner and Cutter |
| Counties of: Alachua, Baker, Bradford, Citrus, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Hernando, Jefferson, Lafayette, Lake, Levy, Madison, Marion, Nassau, Pasco, Putnam, St. Johns, Sumpter, Suwannee, Taylor, Union | $3.10 | $2.40 |
| Counties of: Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Leon, Liberty, Okaloosa, Santa Rosa, Wakulla, Walton, Washington | 2.60 | 2.10 |
| All other counties | 3.70 | 2.70 |
| **GEORGIA** | | |
| Counties of: Appling, Atkinson, Bacon, Berrien, Brantley, Brooks, Bryan, Bulloch, Burke, Camden, Chandler, Charlton, Chatham, Clinch, Coffee, Cook, Echols, Effingham, Emanuel, Evans, Glynn, Jeff-Davis, Jefferson, Jenkins, Lanier, Liberty, Long, Lowndes, McIntosh, Montgomery, Pierce, Richmond, Screven, Tattnall, Telfair, Toombs, Treutlen, Ware, Wayne, Wheeler | 2.80 | 2.40 |
| Counties of: Bartow, Catoosa, Chattooga, Dade, Fannin, Floyd, Gilmer, Gordon, Haralson, Murray, Polk, Walker, Whitfield | 2.30 | 1.90 |
| All other counties | 2.70 | 2.30 |
| **IDAHO** | All grades | |
| Counties of: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone | $2.70 | |
| All other counties | 2.20 | |
| **ILLINOIS** | | |
| Counties of: Alexander, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, Wabash, Washington, Wayne, White, Williamson | 1.50 | |
| Counties of: Adams, Brown, Calhoun, Cass, Greene, Hancock, Henderson, Jersey, McDonough, Macoupin, Madison, Mercer, Monroe, Morgan, Pike, Rock Island, St. Clair, Schuyler, Scott, Warren | .70 | |
| All other counties | .90 | |
| **INDIANA** | | |
| Counties of: Benton, Lake, Newton, Porter | .90 | |
| All other counties | 1.50 | |
| **IOWA** | | |
| Counties of: Clinton, Dubuque, Jackson, Scott | .50 | |
| All other counties | (1) | |
| [1] No zone differential. | | |
| **KANSAS** | | |
| All counties | (1) | |
| [1] No zone differential. | | |

BEEF ZONE DIFFERENTIALS—Continued

[Per hundredweight]

| | Prime, Choice, and Good | Commercial, Utility, Canner, and Cutter |
|---|---|---|
| **KENTUCKY** | | |
| Counties of: Bell, Boyd, Breathitt, Floyd, Harlan, Johnson, Knott, Lawrence, Leslie, Letcher, Magoffin, Martin, Perry, Pike. | $2.30 | $2.10 |
| All other counties | 1.60 | 1.50 |
| | Prime, Choice | Other grades |
| **LOUISIANA** | | |
| Parishes of: Acadia, Allen, Ascension, Assumption, Avoyelles, Calcasieu, Cameron, Concordia, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Washington, West Baton Rouge, West Feliciana | $2.00 | (1) |
| All other counties | 1.80 | (1) |
| | All grades | |
| **MAINE** | | |
| County of: Aroostook | $2.70 | |
| All other counties | 2.80 | |
| **MARYLAND** | | |
| Counties of: Allegany and Garrett | 2.20 | |
| All other counties | 2.80 | |
| **MASSACHUSETTS** | | |
| All counties | 2.80 | |
| **MICHIGAN** | | |
| Counties of: Alcona, Allegan, Alpena, Antrim, Arenac, Barry, Bay, Benzie, Berrien, Branch, Calhoun, Cass, Charlevoix, Cheboygan, Clare, Clinton, Crawford, Eaton, Emmet, Genesee, Gladwin, Grand Traverse, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Isabella, Jackson, Kalamazoo, Kalkaska, Kent, Lake, Lapeer, Leelanau, Lenawee, Livingston, Macomb, Manistee, Mason, Mecosta, Midland, Missaukee, Monroe, Montcalm, Montmorency, Muskegon, Newaygo, Oakland, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Ottawa, Presque Isle, Roscommon, Saginaw, St. Clair, St. Joseph, Sanilac, Shiawassee, Tuscola, Van Buren, Washtenaw, Wayne, Wexford | 1.80 | |
| All other counties | 1.50 | |
| | Prime, Choice | Other grades |
| **MINNESOTA** | | |
| Counties of: Aitkin, Beltrami, Becker, Carlton, Cass, Clay, Clearwater, Cook, Crow Wing, Hubbard, Itasca, Kittson, Koochiching, Lake, Lake of the Wood, Mahnomen, Marshall, Norman, Ottertail, Pennington, Polk, Red Lake, Roseau, St. Louis, Wadena, Wilkin | $1.30 | (1) |
| All other counties | (1) | (1) |
| | Prime, Choice, and Good | Commercial, Utility, Canner, and Cutter |
| **MISSISSIPPI** | | |
| Counties of: Adams, Amite, Clarke, Copsih, Covington, Forrest, Franklin, George, Greene, Hancock, Harrison, Jackson, Jasper, Jefferson-Davis, Jefferson, Jones, Lamar, Lawrence, Lincoln, Marion, Pearl River, Perry, Pike, Simpson, Smith, Stone, Walsthall, Wayne, Wilkinson | $2.20 | $2.00 |
| Counties of: Alcorn, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Coahuma, De Soto, Grenada, Holmes, Humphries, Issaquena, Itawamba, Lafayette, Lee Leflore, Lowndes, Madison, Marshall, Monroe, Montgomery, Okitibeha, Panola, Pontotoc, Prentiss, Quitman, Sharkey, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Washington, Webster, Yalobusha, Yazoo | 1.90 | 1.80 |
| All other counties | 2.10 | 1.90 |
| **MISSOURI** | | |
| St. Louis and St. Louis County | 0.70 | (1) |
| All other counties | (1) | (1) |

[1] No zone differential.

BEEF ZONE DIFFERENTIALS—Continued

[Per hundredweight]

| | Prime, Choice | Other grades |
|---|---|---|
| **MONTANA** | | |
| Counties of: Big Horn, Carter, Custer, Daniels, Dawson, Fallon, Garfield, McCone, Musselshell, Petroleum, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Treasure, Valley, Wibaux, Yellowstone | $1.60 | (1) |
| All other counties | 2.30 | $2.20 |
| [1] No zone differential. | | |
| | All grades | |
| **NEBRASKA** | | |
| All counties | (1) | |
| [1] No zone differential. | | |
| **NEVADA** | | |
| All counties | $2.70 | |
| **NEW HAMPSHIRE** | | |
| All counties | 2.80 | |
| **NEW JERSEY** | | |
| All counties | 2.80 | |
| | Prime, Choice | Other grades |
| **NEW MEXICO** | | |
| Counties of: Catron, Chaves, Curry, De Baca, Dona Ana, Eddy, Grant, Hidalgo, Lea, Lincoln, Luna, Otero, Roosevelt, Sierra, Socorro | $1.70 | $1.00 |
| All other counties | 1.40 | .80 |
| | All grades | |
| **NEW YORK** | | |
| Counties of: Albany, Broot, Clinton, Columbia, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Montgomery, Nassau, New York, Orange, Ostego, Putnam, Queens, Rensselaer, Richmond, Rockland, St. Lawrence, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington, Westchester | $2.80 | |
| Counties of: Allegany, Livingston, Monroe, Ontario, Steuben, Wayne, Yates | 2.30 | |
| Counties of: Broome, Cayuga, Chemung, Chenango, Cortland, Madison, Oneida, Onondago, Oswego, Schuyler, Seneca, Tioga, Tompkins | 2.40 | |
| Counties of: Cattaragus, Erie, Genesee, Niagara, Orleans, Wyoming | 2.20 | |
| All other counties | 2.10 | |
| | Prime, Choice, and Good | Commercial, Utility, Canner, and Cutter |
| **NORTH CAROLINA** | | |
| Counties of: Alamance, Anson, Beaufort, Bertie, Bladen, Brunswick, Cabarrus, Camden, Carteret, Caswell, Catawba, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Davidson, Davie, Duplin, Durham, Edgecombe, Forsyth, Franklin, Gaston, Gates, Granville, Greene, Guilform, Halifax, Harnett, Hertford, Hoke, Hyde, Iredell, Johnson, Jones, Lee, Lenoir, Lincoln, Martin, Mecklenburg, Montgomery, Moore, Nash, New Hanover, North Hampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Randolph, Richmond, Robeson, Rockingham, Rowan, Sampson, Scotland, Stanly, Stokes, Surry, Tyrell, Union, Vance, Wake, Warren, Washington, Wayne, Wilson, Yadkin | $2.70 | $2.40 |
| All other counties | 2.60 | 2.10 |
| | Prime, Choice | Other grades |
| **NORTH DAKOTA** | | |
| All counties | $1.80 | (1) |
| [1] No zone differential. | | |

BEEF ZONE DIFFERENTIALS—Continued

[Per hundredweight]

| | All grades |
|---|---|
| **OHIO** | |
| Counties of: Adams, Brown, Butler, Clermont, Clinton, Hamilton, Highland, Warren | $1.60 |
| Counties of: Allen, Auglaize, Champaign, Clark, Crawford, Darke, Defiance, Delaware, Fayette, Fulton, Greene, Hancock, Hardin, Henry, Logan, Lucas, Madison, Marion, Mercer, Miami, Montgomery, Morrow, Ottawa, Paulding, Preble, Putnam, Sandusky, Seneca, Shelby, Union, Van Wert, Williams, Wood, Wyandot | 1.70 |
| All other counties | 1.90 |

| | Prime, Choice | Other grades |
|---|---|---|
| **OKLAHOMA** | | |
| Counties of: Adair, Cherokee, Craig, Creek, Delaware, Haskell, Hughes, Latimer, Le Flore, McIntosh, Mayes, Muskogee, Okfuskee, Okmulgee, Osage, Ottowa, Pittsburg, Pawnee, Rogers, Sequoyah, Tulsa, Wagoner, Washington | $1.30 | (1) |
| Counties of: Comanche, Cotton, Greer, Harmon, Jackson, Kiowa, Tillman | 1.70 | (1) |
| All other counties | 1.50 | (1) |

[1] No zone differential.

| | All grades |
|---|---|
| **OREGON** | |
| All counties | $2.70 |
| **PENNSYLVANIA** | |
| Counties of: Adams, Berks, Bradford, Bucks, Carbon, Chester, Columbia, Cumberland, Dauphin, Delaware, Franklin, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, York | 2.80 |
| Counties of: Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Greene, Lawrence, Mercer, Venango, Washington, Westmoreland | 2.10 |
| All other counties | 2.30 |
| **RHODE ISLAND** | |
| All counties | 2.80 |

| | Prime, Choice, and Good | Commercial, Utility, Canner, and Cutter |
|---|---|---|
| **SOUTH CAROLINA** | | |
| Counties of: Abbeville, Anderson, Cherokee, Edgefield, Greenville, Greenwood, Laurens, McCormick, Newberry, Oconee, Pickens, Saluda, Spartanburg, Union | $2.70 | $2.20 |
| All other counties | 2.50 | 2.40 |
| **SOUTH DAKOTA** | | |
| All counties | (1) | (1) |

[1] No zone differential.

| | | |
|---|---|---|
| **TENNESSEE** | | |
| Counties of: Anderson, Blount, Bradley, Claiborne, Cocke, Grainger, Greene, Hamblen, Hamilton, Hancock, Hawkins, Jefferson, Knox, Loudon, McMinn, Meigs, Monroe, Polk, Rhea, Roane, Sevier, Union | 2.30 | 1.90 |
| Counties of: Bedford, Benton, Bledsoe, Campbell, Cannon, Carroll, Cheatham, Chester, Clay, Coffee, Crockett, Cumberland, Davidson, Decatur, De Kalb, Dickson, Dyer, Fayette, Fentress, Franklin, Gibson, Giles, Grundy, Hardeman, Hardin, Haywood, Henderson, Henry, Hickman, Houston, Humphreys, Jackson, Lake, Lauderdale, Lawrence, Lewis, Lincoln, McNairy, Macon, Madison, Marion, Marshall, Maury, Montgomery, Moore, Morgan, Obion, Overton, Perry, Pickett, Putnam, Robertson, Rutherford, Scott, Sequatchie, Shelby, Smith, Stewart, Sumner, Tipton, Trousdale, Van Buren, Warren, Wayne, Weakley, White, Williamson, Wilson | 1.80 | 1.60 |
| All other counties | 2.50 | 2.30 |

BEEF ZONE DIFFERENTIALS—Continued

[Per hundredweight]

| | Prime, Choice | Other grades |
|---|---|---|
| **TEXAS** | | |
| Counties of: Anderson, Angelina, Archer, Armstrong, Bailey, Baylor, Bell, Bosque, Bowie, Brazos, Briscoe, Brown, Burleson, Callahan, Camp, Carson, Cass, Castro, Cherokee, Childress, Clay, Cochran, Collin, Collingsworth, Comanche, Cooke, Coryell, Cottle, Crosby, Dallam, Dallas, Deafsmith, Delta, Denton, Dickens, Donely, Eastland, Ellis, Erath, Falls, Fannin, Floyd, Foard, Franklin, Freestone, Garza, Gray, Grayson, Gregg, Grimes, Hale, Hall, Hamilton, Hansford, Hardeman, Hardin, Harrison, Hartley, Haskell, Hemphill, Henderson, Hill, Hockley, Hood, Hopkins, Houston, Hunt, Hutchinson, Jack, Jasper, Johnson, Jones, Kaufman, Kent, King, Knox, Lamar, Lamb, Lampasas, Lee, Leon, Limestone, Lipscomb, Lubbock, Lynn, McLennan, Madison, Marion, Milam, Mills, Montague, Montgomery, Moore, Morris, Motley, Nacogdoches, Navarro, Newton, Ochiltree, Oldham, Palo Pinto, Panola, Parker, Parmer, Polk, Potter, Rains, Randall, Red River, Roberts, Robertson, Rockwall, Rusk, Sabine, San Augustine, San Jacinto, Shackelford, Shelby, Sherman, Smith, Somervell, Stephens, Stonewall, Swisher, Tarrant, Taylor, Terry, Throckmorton, Titus, Trinity, Tyler, Upshur, Vanzant, Walker, Washington, Wheeler, Wichita, Wilbarger, Williamson, Wise, Wood, Yoakum, Young | $1.70 | (1) |
| Counties of: Andrews, Aransas, Atascosa, Austin, Bandera, Bastrop, Bee, Bexar, Blanco, Borden, Brazoria, Burnet, Caldwell, Calhoun, Chambers, Coke, Coleman, Colorado, Comal, Concho, Crane, Crockett, Dawson, DeWitt, Dimmitt, Duval, Ector, Edwards, Fayette, Fisher, Fort Bend, Frio, Gaines, Galveston, Gillespie, Glasscock, Goliad, Gonzales, Guadeloupe, Harris, Hays, Howard, Irion, Jackson, Jefferson, Jim Wells, Karnes, Kendall, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Liberty, Live Oak, Llano, Loving, McCulloch, McMullen, Martin, Mason, Matagorda, Maverick, Medina, Menard, Midland, Mitchell, Nolan, Nueces, Orange, Reagan, Real, Refugio, Runnels, San Patricio, San Saba, Schleicher, Scurry, Sterling, Sutton, Tom Green, Travis, Upton, Uvalde, Val Verde, Victoria, Waller, Ward, Webb, Wharton, Wilson, Winkler, Zavala | 2.00 | (1) |
| Counties of: Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Pecos, Presidio, Reeves, Terrell | 1.80 | $1.10 |
| All other counties | 2.20 | (1) |

[1] No zone differential.

| | All grades |
|---|---|
| **UTAH** | |
| All counties | $1.80 |
| **VERMONT** | |
| All counties | 2.30 |
| **VIRGINIA** | |
| Counties of: Accomack, Albemarle, Amelia, Amherst, Appomattox, Arlington, Augusta, Bedford, Botetourt, Brunswick, Buckingham, Campbell, Caroline, Charles City, Charlotte, Chesterfield, Clarke, Culpeper, Cumberland, Dinwiddie, Elizabeth City, Essex, Fairfax, Fauquier, Fluvanna, Franklin, Frederick, Gloucester, Goochland, Greene, Greensville, Halifax, Hanover, Henrico, Henry, Isle of Wight, James City, King & Queen, King George, King William, Lancaster, Loudoun, Louisa, Lunenburg, Madison, Mathews, Mecklenburg, Middlesex, Nansemond, Nelson, New Kent, Norfolk, Northampton, Northumberland, Nottoway, Orange, Page, Patrick, Pittsylvania, Powhatan, Prince Edward, Prince George, Princess Anne, Prince William, Rappahannock, Richmond, Roanoke, Rockbridge, Rockingham, Shenandoah, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warren, Warwick, Westmoreland, York | 2.70 |
| All other counties | 2.50 |
| **WASHINGTON** | |
| All counties | 2.70 |
| **WEST VIRGINIA** | |
| All counties | 2.20 |

BEEF ZONE DIFFERENTIALS—Continued

[Per hundredweight]

| | Prime, Choice | Other grades |
|---|---|---|
| WISCONSIN | | |
| Counties of: Adams, Brown, Calomet, Columbia, Dane, Dodge, Door, Florence, Fond-Du-Lac, Forrest, Grant, Greene, Green Lake, Iowa, Jefferson, Juneau, Kenosha, Kewaunee, Lafayette, Langlade, Lincoln, Manitowoc, Marathon, Marinette, Marquette, Milwaukee, Oconoto, Oneida, Outagamie, Ozauree, Portage, Racine, Richland, Rock, Sauk, Shawano, Sheboygan, Vilas, Walworth, Washington, Waukesha, Waupaca, Waushara, Winnebago, Wood | $0.90 | $0.30 |
| All other counties | (1) | (1) |

[1] No zone differential.

| | Prime, Choice | Other grades |
|---|---|---|
| WYOMING | | |
| Counties of: Albany, Carbon, Lincoln, Sweetwater, Uinta | $1.30 | (1) |
| Counties of: Big Horn, Campbell, Converse, Crook, Fremont, Hot Springs, Johnson, Natrona, Niobrara, Park, Sheridan, Sublette, Teton, Washakie, Weston, Yellowstone Nat'l Park | 1.60 | (1) |
| All other counties | (1) | (1) |

[1] No zone differential.

| | All grades |
|---|---|
| DISTRICT OF COLUMBIA | |
| Washington | $2.80 |

[1] No zone differentials.

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

*Effective date.* This amendment shall become effective June 13, 1952.

ELLIS ARNALL,
*Director of Price Stabilization.*

JUNE 12, 1952.

[F. R. Doc. 52-6570; Filed, June 12, 1952; 4:00 p. m.]

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[Ceiling Price Regulation 69, Revision 1, Supplementary Regulation 1]

## CPR 69—FOOD PRODUCTS SOLD IN THE TERRITORY OF HAWAII

### SR 1—SPECIAL PROVISIONS FOR INCREASING CEILING PRICES OF SELLERS WHOSE COSTS ARE INCREASED BY WEST COAST STRIKE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 1 to Ceiling Price Regulation 69, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

The maritime strike on the west coast of the United States makes it imperative that the Office of Price Stabilization take action to provide some relief for sellers of food products in the Territory of Hawaii who, because of the strike, necessarily incur increased shipping costs. Some food products covered by Ceiling Price Regulations 69, Revision 1, will have to be shipped from ports in the continental United States other than west coast ports. This supplementary regulation will permit the seller of food products in the Territory of Hawaii to pass through any increase in overland or ocean freight charges incurred by him by reason of such shipments.

The articles of Ceiling Price Regulation 69, Revision 1, which deal with the sale of retail and wholesale groceries, provide for a fixed markup over direct cost. Direct cost includes freight charges for deliveries by a customary means of delivery. Since shipments of most food products are made from west coast ports, the customary means of delivery does not include shipment from Gulf or Atlantic Coast ports.

Upon settlement of the strike the Office of Price Stabilization anticipates the revocation of this supplementary regulation as to all food products not actually delivered or in transit at that time.

Because of the nature of this supplementary regulation consulation with industries affected has not been practicable.

REGULATORY PROVISIONS

Sec.
1. Ceiling prices.
2. Applicability of Ceiling Price Regulation 69, Revision 1.

AUTHORITY: Sections 1 and 2 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.* If you sell a commodity for which a ceiling price is established by Article II or Article V of Ceiling Price Regulation 69, Revision 1, and if the commodity was shipped from a port in the continental United States other than the port from which your supplier customarily ships to you, your ceiling price is that price which would otherwise by your ceiling price under CPR 69, Revision 1, plus the difference between the following amounts:

(a) Shipping charges actually incurred by you on the last shipment of the commodity shipped from the continental United States prior to May 26, 1952, which was included in your direct cost for the purpose of computing your ceiling price.

(b) Shipping charges incurred by you on the shipment of the food products covered by this supplementary regulation.

The term "shipping charges" as it is used in this supplementary regulation means and is limited to charges for rail or truck transportation in the continental United States and the charges for ocean freight and marine and war risk insurance.

SEC. 2. *Applicability of Ceiling Price Regulation 69, Revison 1.* All of the provisions of CPR 69, Revision 1, except as modified by this supplementary regulation, continue in full force and effect.

*Effective date.* This Supplementary Regulation 1 to Ceiling Price Regulation 69, Revision 1, is effective June 13, 1952.

ELLIS ARNALL,
*Director of Price Stabilization.*

JUNE 13, 1952.

[F. R. Doc. 52-6656; Filed, June 13, 1952; 4:48 p. m.]

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[General Ceiling Price Regulation, Amdt. 2 to Supplementary Regulation 61, Correction]

GCPR, SR 61—ADJUSTMENT OF PROCESSED BEEF CEILING PRICES EXTENSION OF FILING DATE AND CLARIFICATION OF DEFINITION OF "SPECIALTY BEEF PRODUCT"

Due to a clerical error the intended substitution of the term "District Office of Price Stabilization" for "Regional Office of Price Stabilization" in Item 1 of Amendment 2 to SR 61, was inadvertently omitted.

Accordingly, the amendatory provisions of Amendment 2 to SR 61 to the GCPR are corrected so as to substitute the word "District" for the word "Regional" where it appears in Item 1. As thus corrected, Item 1 of the amendatory provisions of Amendment 2 to SR 61 now reads as follows:

1. Section 20 (a) is amended by changing the first sentence thereof to read as follows:

(a) If you are a processor of a commodity covered by this regulation, you must file by registered mail, return receipt requested, with your District Office of Price Stabilization, on or before June 30, 1952, a separate OPS Public Form No. 89 for each such commodity you process.

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

ELLIS ARNALL,
*Director of Price Stabilization.*

JUNE 16, 1952.

[F. R. Doc. 52-6712; Filed, June 16, 1952, 11:41 a. m.]

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# Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation No. 3, Direction 4 of June 16, 1952]

CMP REG. 3—PREFERENCE STATUS OF DELIVERY ORDERS UNDER THE CONTROLLED MATERIALS PLAN

### DIR. 4—SPECIAL PREFERENCE STATUS OF CERTAIN DO RATED ORDERS

This direction under CMP Regulation No. 3 is found necessary and appropriate to promote the national defense and is

issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

Sec.
1. What this direction does.
2. Status of certain DO rated orders.
3. Applicability of other regulations and orders.

AUTHORITY: Sections 1 to 3 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; 3 CFR, 1951 Supp.; secs., 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. *What this direction does.* The purpose of this direction is to channel into defense programs, so far as practicable, Class A and B products containing steel. This will be accomplished by temporarily according special preference status to DO rated orders for such products placed in support of certain military, atomic energy, and machine tool programs.

SEC. 2. *Status of certain DO rated orders.* Any DO rated order for a Class A product containing steel or a Class B product containing steel, bearing a program identification listed in Schedule I of this direction, calling for delivery on or before September 15, 1952, must be accepted and filled in preference to all other DO rated orders for Class A products containing steel or Class B products containing steel, previously or subsequently received, but which do not bear a program identification listed in Schedule I of this direction: *Provided, however,* That such a DO rated order need not be accepted if filling it would stop or interrupt the supplier's operations during the next 15 days in a way which would cause a substantial loss of total production or a substantial delay in operations. All DO rated orders (including those previously placed) for Class A products containing steel or Class B products containing steel, which bear a program identification listed in Schedule I of this direction, shall have equal preferential status.

SEC. 3. *Applicability of other regulations and orders.* The provisions of CMP Regulation No. 3, NPA Reg. 2, including the directions and amendments thereto, and of any other NPA regulation and order heretofore issued, are superseded to the extent to which they are inconsistent with the provisions of this direction, but in all other respects the provisions of such regulations and orders shall remain in full force and effect.

This direction shall take effect June 16, 1952.

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

SCHEDULE I OF DIRECTION 4 TO CMP REGULATION NO. 3

PROGRAM IDENTIFICATIONS

A-1 Aircraft, Department of Defense.
A-2 Guided missiles, Department of Defense.
A-3 Ships, Department of Defense.
A-4 Tank-automotive, Department of Defense.
A-5 Weapons, Department of Defense.
A-6 Ammunition, Department of Defense.
A-7 Electronic and communications equipment, Department of Defense.
C-3 MRO, Department of Defense.
E-1 Construction, Atomic Energy Commission.
E-2 Operations (including MRO), Atomic Energy Commission.
E-3 Privately owned facilities, Atomic Energy Commission.
Z-2 Metalworking machinery and equipment, National Production Authority.

[F. R. Doc. 52-6705; Filed, June 16, 1952; 11:20 a. m.]

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[NPA Order M-2, Amendment 2 of June 16, 1952]

## M-2—RUBBER

PRIVATE IMPORTATION OF DRY NATURAL RUBBER PROHIBITED

This amendment is found necessary and appropriate to promote the national defense. It is issued pursuant to both the Defense Production Act of 1950, as amended, and the Rubber Act of 1948, as amended. In the formulation of this amendment, consultation with industry representatives has been impossible because of the need for immediate action.

NPA Order M-2, as last amended June 6, 1952, is further amended to eliminate from section 4 the prohibition previously imposed upon private importation of natural rubber latex, but to continue the prohibition upon private importation of dry natural rubber until July 1, 1952.

As so amended section 4 reads as follows:

SEC. 4. *Private importation of dry natural rubber prohibited.* No person other than the Administrator of General Services, shall, prior to July 1, 1952, import into the United States, including its territories and possessions, any dry natural rubber as defined in section 3 (b) of this order, except as specifically authorized in writing by the Administrator of General Services: *Provided, however,* That this prohibition shall not apply to any private importation required by a contract which was made prior to December 29, 1950, and which is registered with the General Services Administration on or before January 5, 1951, except as any such private importation may be disapproved by the Administrator of General Services. For purposes of this section, the term "import" includes any physical movement of rubber into the United States, its territories or possessions, whether placed in general order or in a foreign-trade zone, or whether entered for consumption, bonded customs custody, or otherwise, except where the rubber moves through the United States, its territories or possessions, in transit, under bond, from a consignor in one foreign country to a consignee in another foreign country.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This amendment shall take effect June 16, 1952.

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

[F. R. Doc. 52-6704; Filed, June 16, 1952; 11:20 a. m.]

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# TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

## Chapter I—Veterans' Administration

PART 3—VETERANS CLAIMS

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

MISCELLANEOUS AMENDMENTS

1. In § 3.64 of Part 3, a new paragraph (e) is added as follows:

§ 3.64 *Character of discharge under Public No. 2, 73d Congress, as amended, and under Public Law 346, 78th Congress.* * * *

(e) A determination as to character of discharge by an adjudicating agency will be binding upon the Veterans' Administration in all subsequent adjudications and may be reversed only in accord with the rules enunciated in § 3.9 (a), (b), (c), and (d). Contemplated reversal of a prior determination which would result in reduced or discontinued compensation or pension payments will require the same notice to the claimant provided by § 3.9 (d) in severance of service-connection, subject to the same exceptions outlined therein.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

2. In Part 4, § 4.8 (a) is amended to read as follows:

§ 4.8 *Spanish-American War, Boxer Rebellion, and Philippine Insurrection; Public No. 2, 73d Congress, as amended.* For the purposes of Public No. 2, 73d Congress (act of March 20, 1933), as amended, the following definitions of relationship shall govern in the adjudication of claims for death compensation or pension:

(a) *Widow.* The term "widow" of a veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall mean a person who was married to the veteran prior to September 1, 1922: *Provided,* That as to awards and increases in compensation and pension approved on or after March 1, 1944, continuous cohabitation as described in § 4.16 must be established (paragraph 1, Veterans Regulation 10 (b), and Public Law 242, 78th Congress, act of March 1, 1944).

* * * * *

3. In § 4.12, the introduction and paragraph (a) (1) are amended to read as follows:

§ 4.12 *Spanish-American War, Boxer Rebellion, and Philippine Insurrection; service acts as reenacted by Public No. 269, 74th Congress, and as amended.* For the purposes of Public No. 166, 69th Congress (act of May 1, 1926), as reenacted by Public No. 269, 74th Congress (act of August 13, 1935), and amended by Public Law 144, 78th Congress (act of July 13, 1943), Public Law 242, 78th Congress (act of March 1, 1944), Public Law 762, 80th Congress (act of June 24, 1948), and Public Law 108, 82d Congress (act of August 4, 1951), the following definitions of relationship shall govern in the adjudication of claims for death pension:

(a) *Widow.* (1) The term "widow" of a veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall mean a person who was married to the veteran prior to January 1, 1938. As to awards and increases in pension approved on or after March 1, 1944, continuous cohabitation as described is § 4.16 must be established (section 4, Public Law 242, 78th Congress): *Provided,* That where the widow is entitled solely by virtue of the provisions of section 2, Public Law 242, 78th Congress, pension shall not be paid for any period prior to April 1, 1944. However, the $60 rate is payable only when the widow was the wife of the veteran during his war service. (Public Law 242, 78th Congress, act of March 1, 1944.) (See § 4.117.)

* * * * *

(Sec. 2, 44 Stat. 382, as amended, sec. 4, 48 Stat. 9, secs. 1, 2, 49 Stat. 614, sec. 4, 58 Stat. 107, secs. 1, 2, 62 Stat. 645, Pub. Law 108, 82d Cong.; 38 U. S. C. 364a, 364h, 364l, 368, 369)

4. In § 4.34, the headnote is amended and a new paragraph (c) is added as follows:

§ 4.34 *Death of veteran not due to service; Public No. 2, 73d Congress, paragraph III, Part III, Veterans Regulation 1 (a) (38 U. S. C. ch. 12).* * * *

(c) Paragraph III, Part III, Veterans Regulation 1 (a), was repealed, effective October 1, 1951, by section 5, Public Law 108, 82d Congress, (act of August 4, 1951). See § 4.118.

(Sec. 1, 48 Stat. 8, pars. I, II (a), III, Part III, Vet. Reg. 1 (a), as amended, sec. 5, Pub. Law 108, 82d Cong.; 38 U. S. C. 701, ch. 12 note)

5. In § 4.47, the headnote is amended, the present section is numbered paragraph (a), and a new paragraph (b) is added as follows:

§ 4.47 *Act of May 1, 1926 (Public No. 166, 69th Congress), as amended by the act of June 11, 1940 (Public No. 594, 76th Congress); act of March 1, 1944 (Public Law 242, 78th Congress); act of June 24 1948 (Public Law 762, 80th Congress); act of August 4, 1951 (Public Law 108, 82d Congress).* * * *

(b) On and after October 1, 1951, the following additional provisions are applicable:

(1) If the serviceman was serving with the United States military forces engaged in hostilities in the Moro Province, the ending date of the war period stated in paragraph (a) of this section is extended to July 15, 1903.

(2) Active service includes periods of continuous active service which commenced prior to and extended into the period beginning April 21, 1898.

(3) Active service includes periods of continuous active service which commenced prior to or on July 4, 1902 (or prior to or on July 15, 1903, if service was in the Moro Province), and extended thereafter.

(4) In computing the 90 days' service, fragmentary periods of service rendered under other than dishonorable conditions will be included.

(5) A discharge under conditions other than dishonorable from one period of service is required.

(Sec. 2, 44 Stat. 382, as amended, sec. 1, 62 Stat. 645, Pub. Law 108, 82d Cong.; 38 U. S. C. 364a, 364l)

6. In § 4.72, a new paragraph (h) is added as follows:

§ 4.72 *Service acts, Spanish-American War, Philippine Insurrection, and Boxer Rebellion.* * * *

(h) *Public Law 108, 82d Congress.* The date of commencement of original awards of death pension payable solely as a result of the provisions of this act shall be the day following the date of death of the veteran or October 1, 1951, whichever is the later, if application is filed within 1 year from date of death; otherwise, from the date of filing application, but in no event prior to October 1, 1951. A claim pending on October 1, 1951, shall be considered a claim under this act.

(54 Stat. 301, 53 Stat. 1209, sec. 2, 44 Stat. 382, as amended, sec. 1, 62 Stat. 645, sec. 30, 48 Stat. 525, 49 Stat. 614, Pub. Law 108, 82d Cong.; 38 U. S. C. 351a, 357a, 364a, 364l, 366-369)

7. In § 4.82, paragraph (g) (2) is amended to read as follows:

§ 4.82 *Public No. 2, and sections 28 and 31, Title III, Public No. 141, 73d Congress, section 3, Public No. 304, 75th Congress section 5, Public No. 198, 76th Congress, or Public Laws 242, 359, 667, 690, 77th Congress, and Public Law 242, 78th Congress.* * * *

(g) * * *

(2) During the period beginning December 19, 1941, and ending July 31, 1942, the rates payable under section 5, Public No. 198, 76th Congress, as amended, shall not be payable while the combined monthly rates of compensation or pension and of yearly renewable term, or automatic insurance, or National Service Life Insurance payable, equal or exceed the rates prescribed in section 5.

* * * * *

8. A new § 4.83 is added as follows:

§ 4.83 *Public Law 108, 82d Congress.* As to persons who were receiving pension under the provisions of Public No. 2, 73d Congress, paragraph III, Part III, Veterans Regulation 1 (a), as amended (38 U. S. C. ch. 12), on September 30, 1951, and persons who, subsequent to August 4, 1951 (date of act) are awarded pension under Public No. 2, 73d Congress, paragraph III, Part III, Veterans Regulation 1 (a), as amended, from a date prior to and including September 30, 1951, increased pension which is authorized solely by virtue of this act shall be payable effective October 1, 1951, without the necessity of filing a claim therefor.

(Pub. Law 108, 82d Cong.)

9. In § 4.91, paragraph (c) (1) (v) is amended to read as follows:

§ 4.91 *Apportionment.* * * *

(c) *Rates payable.* * * *

(1) *General.* * * *

(v) *Spanish-American War (Including Boxer Rebellion and Philippine Insurrection) Pension, Service act, reenacted by Public No. 269, 74th Congress, and amended.* When pension is payable under Public No. 166, 69th Congress (act of May 1, 1926), as reenacted by Public No. 269, 74th Congress, and as amended, including Public Law 270, 80th Congress (act of July 30, 1947), and Public Law 108, 82d Congress (act of August 4, 1951), the apportioned monthly rates shall be as follows:

| | On and after | | |
|---|---|---|---|
| | Oct. 17, 1940 | Sept. 1, 1946 | Sept. 1, 1947 |
| Widow | $21.00 | $28.00 | $33.60 |
| Child | 15.00 | 18.00 | 21.60 |
| Each additional child... | 6.00 | 6.00 | 7.20 |

Total amount for children equally divided.

The additional monthly payment of $10 provided by the act of March 1, 1944, (Public Law 242, 78th Cong.), because of attained age of a widow which applies only for the period from April 1, 1944, through August 31, 1946, shall be added to the widow's share.

* * * * *

10. A new § 4.118 is added as follows:

§ 4.118 *Protection of awards to widows of veterans of the Spanish-American War, Boxer Rebellion, and Philippine Insurrection under paragraph III, Part III, Veterans Regulation 1 (a) (38 U. S. C. ch. 12) granted prior to October 1, 1951.* Any person properly receiving pension under paragraph III, Part III, Veterans Regulation 1 (a), on September 30, 1951 (day prior to effective date of repeal thereof by Public Law 108, 82d Congress) not entitled to a higher rate of pension by reason of the enactment of Public Law 108, shall continue to be paid pension under paragraph III, Part III, Veterans Regulation 1 (a).

(Sec. 5, Pub. Law 108, 82d Cong.)

11. In § 4.134, the headnote of paragraph (a) is amended and a note is added following paragraph (b) as follows:

§ 4.134 *Spanish-American War, including the Boxer Rebellion and Philippine Insurrection*—(a) *Rates under the act of May 1, 1926, as reenacted by Public, No. 269, 74th Congress; sections 1 and 7, Public Law 144, 78th Congress; Public Law 242, 78th Congress; Public Law 611, 79th Congress; Public Law 270, 80th Congress; Public Law 762, 80th Con-*

*gress; Public Law 108, 82d Congress.*
* * *

(b) *Rates under Part III, Veterans Regulation 1 (a) (38 U. S. C. ch. 12).*
* * *

NOTE: Paragraph III, Part III, Veterans Regulation 1 (a), was expressly repealed by section 5, Public Law 108, 82d Congress (act of August 4, 1951), effective October 1, 1951, but awards to those on rolls on September 30, 1951, not entitled to a higher rate under Public Law 108, were protected. (See §§ 4.34 (c) and 4.118.)

(Sec. 2, 44 Stat. 382, as amended, sec. 1, 49 Stat. 614, sec. 1, 57 Stat. 554, sec. 3, 58 Stat. 107, sec. 4, 60 Stat. 864, sec. 1, 61 Stat. 610, sec. 1, 62 Stat. 645; Pub. Law 108, 82d Cong.; 38 U. S. C. 364g, 364g–1, 364l, 368, 370f, 727)

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation effective June 17, 1952.

[SEAL] O. W. CLARK,
*Deputy Administrator.*

[F. R. Doc. 52–6595; Filed, June 16, 1952; 8:54 a. m.]

# PROPOSED RULE MAKING

## DEPARTMENT OF AGRICULTURE

### Production and Marketing Administration

### [ 7 CFR Part 986 ]

[Docket AO–196–A–2]

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

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

*Correction*

In F. R. Doc. 52–6179, appearing at page 5153 of the issue for Friday, June 6, 1952, the following changes should be made:

1. In the first column of page 5155, the last sentence of the paragraph beginning "In viewing each * * *" should read: "It is sufficient to say that, if such attendant facts and circumstances indicate that the arrangements were entered into in good faith, the aforementioned rules and guides should apply thereto."

2. In the 39th and 40th lines of the third column on page 5166, the words "in this section" should read "herein."

3. In the first sentence of § 986.78 (a), the words "of this section" should read "hereof."

## FEDERAL COMMUNICATIONS COMMISSION

### [ 47 CFR Parts 3, 13 ]

[Docket No. 10214]

LICENSE REQUIREMENTS OF OPERATORS OF CERTAIN STANDARD AND FM BROADCASTING STATIONS AND FOR THE REMOTE CONTROL OPERATION OF SUCH STATIONS

NOTICE OF PROPOSED RULE MAKING

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

2. The Commission has before it a petition filed February 1, 1952, and amended May 13, 1952 by the National Association of Radio and Television Broadcasters, Washington, D. C., requesting rule making proceedings to amend the Commission's rules and engineering standards with respect to the license requirements of operators of transmitters for certain Standard and FM Broadcasting Stations and to provide for the operation of such stations by remote control.

3. Except for certain non-commercial educational FM stations, the present rules provide that one or more radiotelephone first class operators shall be on duty at the place where the transmitting apparatus of each station is located and in actual charge thereof whenever it is being operated. There is no provision in the rules at the present time for remote control of commercial broadcasting transmitters. The amendments requested would permit: (1) Persons holding a restricted radiotelephone operator permit, a radiotelephone third class operator permit, a radiotelephone second class operator license, or a radiotelephone first class operator license to stand the required regular transmitter watches for standard and FM broadcasting stations employing nondirectional antennas and operating with powers of 10 kw or less; and (2) remote control of such stations. For the information of interested parties, there is set forth below, that portion of the petition filed by the National Association of Radio and Television Broadcasters containing proposed amendments to the Commission rules and standards.

4. The Commission believes that the information contained in the petition filed by the National Association of Radio and Television Broadcasters raises questions of sufficient importance as to warrant the institution at this time of rule making proceedings looking toward the possible adoption of amendments to the Commission's rules of the nature discussed in the petition. Any interested party who is of the opinion that an amendment to the Commission rules of the nature herein discussed, should be adopted or should be adopted in some particular manner, or who is of the opinion that no such amendment should be adopted, may file with the Commission, on or before August 4, 1952 a written statement or brief with respect thereto. Replies to any comments may be filed within 20 days thereafter. The Commission will consider all comments that are received before taking final action in the matter, and if any comments are received which, considered with the petition, appear to warrant further proceedings, notice of the time and place will be given such interested parties. The Commission especially requests data and other pertinent information in response to the following questions:

(a) What duties should an operator perform during a transmitter watch and what duties must he perform during a transmitter watch which require significant technical training when operating either standard or FM broadcasting transmitters of each power value provided for in the Commission's rules, with non-directional antennas.

(b) If a transmitter failure occurs during a watch, what steps, if any, should be taken by the operator on duty to restore transmitter operation when operating either standard or FM broadcasting transmitters of each power value provided for in the Commission's rules with non-directional antennas?

(c) If a transmitter failure occurs during a watch, what steps, if any, could be taken to restore service by station personnel holding radiotelephone third class operator permits or restricted radiotelephone operator permits?

(d) To what extent may the amendments requested be expected to affect the percentage of technical transmission difficulties?

(e) To what extent would personnel holding radiotelephone third class operator permits or restricted radiotelephone operator permits be subjected to physical danger when operating either standard or FM broadcasting transmitters of each power value provided for in the Commission's rules with non-directional antennas?

(f) What are the advantages or disadvantages of permitting remote control of standard or FM broadcasting transmitters of each power value provided for in the Commission's rules with non-directional antennas?

(g) What degree of control of the transmitting apparatus is necessary at the broadcast operating position in order to provide satisfactory operation by remote control?

(h) To what extent would it be feasible to permit holders of restricted radiotelephone operator permits to change a standard broadcasting transmitter from one frequency to another and from one power to another in times of emergency in order to comply with plans for emergency operation such as the Conelrad Program?

(i) To what extent would it be feasible to permit remote control of standard broadcasting transmitters and still provide for compliance with Conelrad operating objectives?

(j) What contingencies, if any, with respect to conditions of improper operation, interference to other stations, loss of service, damage to equipment, and injury to persons or property would possibly and probably arise from the adoption of the amendments requested and

to what extent should the Commission attempt to prevent these conditions by prescribing operator requirements and qualifications?

5. In accordance with the provisions of § 1.764 of Part 1 of the Commission rules and regulations, an original and fourteen copies of all statements, briefs, or comments filed, shall be furnished the Commission.

6. This notice is issued pursuant to section 303 of the Communications Act of 1934, as amended, and section 4 of the Administrative Procedure Act.

Adopted: June 4, 1952.

Released: June 4, 1952.

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

(1) AM Broadcast Stations:

a. In § 3.60 *Frequency monitor,* change first sentence to read: "The licensee of each standard broadcast station shall have in operation at the transmitter or at the approved remote control point a frequency monitor independent of the frequency control of the transmitter."

b. In § 3.65 *Inspection of tower lights and associated control equipment,* change paragraph (a) to read: "Make a visual or other authorized observation of the tower lights at least once every 25 hours to insure that all lights are functioning properly as required."

c. Add a new § 3.66 to read as follows:

§ 3.66 *Remote control of operation.* The transmitter of each broadcast station to the extent that such station is authorized for omnidirectional operation with power of 10 kw or less may, upon prior authorization from the Commission, be operated by remote control. An application for authorization to operate by remote control may be made as a part of an application for construction permit or license, or modification thereof. For the purpose of this section, remote control is defined as the operation of a transmitter by a licensed operator from an operating position from which the transmitter is not directly accessible to but is under the control of the operator. Authority for operation by remote control shall be subject to the following conditions and applications for such authority shall clearly indicate the means whereby the conditions will be met:

(a) The equipment at the operating and transmitting position shall be on premises under the control and supervision of the licensee at all times and shall not be accessible to persons other than the licensee or his agents.

(b) The control circuits from the operating position to the transmitter shall provide positive on and off control and shall be such that open circuits, short circuits, grounds or other line faults will not actuate the transmitter and any fault causing loss of such control will automatically place the transmitter in an inoperative condition.

(c) Control and monitoring equipment shall be installed so as to allow the operator either at the remote control point or at the transmitter to perform all of the functions required by the Commission's rules and standards to be performed by operators on duty at the transmitter in the absence of remote control.

d. In § 3.165 *Operator requirements,* change paragraph (a) to read:

(a) The licensee of each station shall have a licensed operator or operators of the grade specified by the Commission on duty during all periods of actual operation of the transmitter at the place where the transmitting equipment is located, or at the authorized remote control point.

e. Add a new paragraph (c) to § 3.165 to read:

(c) The transmitter of each broadcast station to the extent that such station is authorized for omnidirectional operation with power of 10 kw or less may be operated by an operator with a restricted or other rediotelephone authorization: *Provided, however,* That any operator other than a first class radiotelephone operator may not undertake any internal tuning adjustments, major repairs or overhauls, except under the immediate supervision of such first class operator, the duties of operators other than first class radiotelephone operators being limited to such operations as placing the station on or off the air, keeping the transmitter log, making external tuning adjustments, making such other minor adjustments as may be required as a result of primary power supply variations and failures, and replacement only of such defective parts as tubes, fuses and other items designed for simple plug-in replacement.

f. Add a new paragragh (d) to § 3.165 to read:

(d) Each broadcast station shall employ a holder of a radiotelephone first class license as its chief engineer or other technical supervisor who shall be responsible for and make, or directly supervise the making of, all internal tuning adjustments, major repairs and overhauls, and all other technical installations or corrections not authorized to be undertaken by an operator of another class under paragraph (c) of this section. Such radiotelephone first class operator shall not be required to be in the full-time employ of the broadcast station but shall be on call and reasonably available to fulfill his specified duties.

g. In § 3.181 *Logs,* change paragraph (c) (2) to read: "The time the daily visual or other authorized observation of the tower lights was made."

(2) FM Broadcast Stations:

a. In § 3.252 *Frequency monitor,* change the first sentence to read: "The licensee of each FM broadcast station shall have in operation at the transmitter or at the authorized remote control point an approved frequency monitor independent of the frequency control of the transmitter."

b. In § 3.253 *Modulation monitor,* change the first sentence to read: "The licensee of each FM broadcast station shall have in operation at the transmitter or at the authorized remote control point an approved modulation monitor."

c. In § 3.257 *Changes in equipment and antenna system,* add the following subparagraph to paragraph (b):

(8) Change in the authorized transmitter remote control point.

d. In § 3.265 *Operator requirements,* change first sentence to read: "One or more licensed radiotelephone first-class operators shall be on duty at the place where the transmitter apparatus of each station with a transmitter power output in excess of 10 kw is located and in actual charge thereof whenever it is being so operated."

e. Add a new paragraph (b) to § 3.265 to coincide with the proposed new paragraph (c) to § 3.165.

f. Add a new paragraph (c) to § 3.265 to coincide with the proposed new paragraph (d) to § 3.165.

g. In § 3.270 *Inspection of tower lights and associated control equipment,* change paragraph (a) to read: "Make a visual or other authorized observation of the tower lights at least once every 24 hours to insure that all lights are functioning properly as required."

h. In § 3.274 *Remote control operation,* add a new § 3.274 to coincide with the new § 3.66 as proposed with regard to remote control of AM stations.

i. In § 3.281 *Logs,* change paragraph (c) (2) to read: "The time the daily visual or other authorized observation of the tower lights was made."

(3) Non-commercial Educational FM Broadcast Stations:

a. In § 3.552 *Frequency monitor,* change first sentence of paragraph (a) to read: "The licensee of each non-commercial educational broadcast station licensed for transmitter power output above 10 watts shall have in operation at the transmitter or at the authorized remote control point a frequency monitor independent of the frequency control of the transmitter."

b. In § 3.553 *Modulation monitor,* change first sentence of paragraph (a) to read: "The licensee of each non-commercial educational FM broadcast station licensed for transmitter power output above 10 watts shall have in operation at the transmitter or at the authorized remote control point a modulation monitor approved by the Commission."

c. In § 3.557 *Changes in equipment and antenna system,* add the following subparagraph to paragraph (b):

(8) Change in the authorized remote control point for the transmitter.

d. In § 3.565 *Operator requirements,* delete paragraphs (a), (b) and (c) and substitute in lieu thereof new paragraphs (a), (b) and (c) to coincide with the new paragraphs (a) (b) and (c) of § 3.265 respectively proposed for FM broadcast stations, leaving in continued effect the existing § 3.565 (d) with respect to non-commercial educational FM broadcast stations operating with powers of 10 watts or less.

e. Add a new § 3.572 *Remote control operation,* to coincide with the new § 3.66 proposed with respect to remote control for AM broadcast stations.

(4) Commercial Radio Operators:

a. In § 13.7 *Operators, place of duty,* delete from paragraph (a) the phrases "other than broadcast" and "and broadcast."

b. § 13.61 *Operating authority,* change subparagraph (2), (4) and (5) in paragraph (f) as follows:

(2) Standard broadcast stations operating with directional antenna or with power in excess of 10 kw; or

(4) FM broadcast stations with transmitter power rating in excess of 10 kw; or

(5) Non-commercial educational FM broadcast stations with transmitter power rating in excess of 10 kw; or

c. Change subparagraph (3) of paragraphs (f) and (g) as follows: "Any of the various classes of broadcast stations operating with directional antennas or with power output in excess of 10 kw, remote pickup broadcast stations and ST broadcast stations, or

(5) Concerning AM Broadcast Stations (Standards of Good Engineering Practice, Subpart A):

a. In Section 12, Construction, General Operation, and Safety of Life Requirements, change paragraph d (2) to read:

(2) Where an operator must be on duty during operation, suitable facilities for his welfare and comfort shall be provided.

b. In Sections 20, 21 and 22 these sections relate to the location of frequency and modulation monitors, and rather than modify their complete texts here, it is proposed that these texts be modified to provide for installation of frequency and modulation monitors at the remote point when transmitters are controlled remotely.

(6) Concerning FM Broadcast Stations (Standards of Good Engineering Practice, Subpart B).

a. In Section 8 Transmitters and associated equipment, change paragraph D (2) to read:

(2) Where an operator must be on duty during operation, suitable facilities for his welfare and comfort shall be provided.

b. In Sections 12, 17 and 18 these sections relate to the location of frequency and modulation monitors, and rather than modify their complete texts here, it is proposed that these texts be modified to provide for installation of frequency and modulation monitors at the remote point when transmitters are controlled remotely.

[F. R. Doc. 52-6581; Filed, June 16, 1952; 8:50 a. m.]

# NOTICES

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

ALASKA

AIR NAVIGATION SITE WITHDRAWAL NO. 171, ENLARGEMENT; CORRECTION

JUNE 9, 1952.

Notice of the enlargement of Air Navigation Site Withdrawal No. 171, issued May 14, 1952 (17 F. R. 4393).

The township and range numbers in the land description are given in the order as being "T. 6 S., R. 3 W". The range number given is erroneous and it is hereby corrected to read "R. 13 W.".

LOWELL M. PUCKETT,
*Regional Administrator.*

[F. R. Doc. 52-6562; Filed, June 16, 1952; 8:45 a. m.]

## DEPARTMENT OF AGRICULTURE

### Office of the Secretary

SALE OF MINERAL INTERESTS; REVISED AREA DESIGNATIONS

GEORGIA

Pursuant to the authority contained in sec. 3, 64 Stat. 769, Troup County, Georgia, is hereby designated as an area in which reserved mineral interests are to be sold for their fair market value.

Schedule A, entitled Fair Market Value Areas, and Schedule B, entitled One Dollar Areas, accompanying the Secretary's order dated June 26, 1951 (16 F. R. 6318), are therefore amended as follows:

In Schedule A, under Georgia, in alphabetical order add the county "Troup."

In Schedule B, under Georgia, delete the county "Troup."

Done at Washington, D. C., this 12th day of June 1952.

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

[F. R. Doc. 52-6602; Filed, June 16, 1952; 8:55 a. m.]

## DEFENSE PRODUCTION ADMINISTRATION

[D. P. A. Request No. 22—DPAV-25(a)]

ADDITIONAL COMPANY ACCEPTING REQUEST TO PARTICIPATE IN THE ACTIVITIES OF AN ARMY ORDNANCE INTEGRATION COMMITTEE ON M21A4 BOOSTERS

Pursuant to section 708 of the Defense Production Act of 1950, as amended, there is herewith published the name of the following company which has accepted the request to participate in the voluntary plan entitled "Plan and Regulations of Ordnance Corps Governing the Integration Comittee on M21A4 Boosters," dated August 20, 1951, which request and original list of companies accepting such request were published April 2, 1952, on 17 F. R. 2872.

John R. Wald Co., Inc.,
301 Penn Street,
Huntingdon, Pa.

(Sec. 708, 64 Stat. 818, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR 1951 Supp.)

Dated: June 13, 1952.

HENRY H. FOWLER,
*Administrator.*

[F. R. Doc. 52-6706; Filed, June 16, 1952; 11:20 a. m.]

## ECONOMIC STABILIZATION AGENCY

### Office of Price Stabilization

[Delegation of Authority 66, Revision 1]

DIRECTORS OF THE REGIONAL OFFICES

AUTHORITY TO ACT UNDER SECTIONS 5 AND 6 OF CEILING PRICE REGULATION 31

By virtue of the authority vested in me as the Director of Price Stabilization, pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 803; 65 Stat. 131), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2, as amended (16 F. R. 738, 11626), this revised delegation of authority is hereby issued.

1. *Authority to act under sections 5 and 6 of CPR 31.* Authority is hereby delegated to the Directors of the Regional Offices of the Office of Price Stabilization to receive and examine reports filed under the provisions of sections 5 and 6 of Ceiling Price Regulation 31; to ascertain whether such reports conform to requirements of Ceiling Price Regulation 31; and to take all steps necessary to assure that such reports are corrected in accordance with the provisions of sections 5 and 6 of Ceiling Price Regulation 31.

2. *Redelegation of authority.* The authority herein delegated may be redelegated to the Directors of the District Offices of the Office of Price Stabilization.

This revised delegation of authority is effective June 17, 1952.

ELLIS ARNALL,
*Director of Price Stabilization.*

JUNE 16, 1952.

[F. R. Doc. 52-6710; Filed, June 16, 1952; 11:41 a. m.]

[Ceiling Price Regulation 34, Section 7, Special Order 8]

WESTINGHOUSE ELECTRIC CORPORATION, STURTEVANT DIVISION

CEILING PRICES FOR SALES OF OPTIONAL FIVE YEAR WARRANTY PLAN: AIR CONDITIONER COMPRESSOR UNITS

*Statements of considerations.* In accordance with section 7 of Ceiling Price Regulation 34, as amended, applicant in the accompanying special order has applied for approval of its proposed ceiling prices for sales of its Optional Five Year Warranty Plans on hermetically sealed motor compressor units of self-contained air-conditioning equipment. Ceiling

Price Regulation 34 requires that a seller of a service who is unable to price under any other provision of that regulation file an application with the Director of Price Stabilization for approval of his proposed ceiling prices.

It appears that applicant, during the base period, sold several models of air-conditioning units, including in the sale price of each as a usual term and condition of sale, a standard one year warranty covering repair or replacement of defective parts due to manufacture. A principal component of each of these units is the hermetically sealed motor compressor unit. It further appears that applicant wishes to offer for the greater protection of the consumer a new warranty covering these compressor units which would extend to the removal, repair or replacement, and reinstallation, freight free, for a five year period from the date of original installation. The prohibitions found in CPR 22, under which applicant established its ceiling prices for the sales of the air conditioner units, against altering the terms or conditions of sale, tie-in sales and unauthorized increases in ceiling prices made it necessary for applicant to offer the new warranties as additional services rather than in lieu of the standard one year warranty. In addition, applicant was required to apply for ceiling prices for these new services under CPR 34.

This special order makes it mandatory that applicant's purchasers have full option to purchase or reject the five year warranty and requires that the standard one year warranty be continued as a term and condition of sale of the air conditioner units irrespective of whether or not the purchaser elects to buy the five year warranty.

It appears that the ceiling prices granted in this order are in line with the level of ceiling prices otherwise established by the regulation and are consistent with the level of ceiling prices established by CPR 22, under which applicant's ceiling prices for the sale of the air conditioner units are established.

The warranties covered by this special order are, in actuality, the manufacturer's warranties. Ultimately, all responsibility to the consumer for the services covered by these warranties will come to rest with the applicant. For that reason, this order establishes ceiling prices to the actual consumer and prohibits dealers or other resellers from offering the applicable services to their customers at additional cost. Applicant is also required to send to each of its distributors, dealers or other classes of reseller of the covered services and related commodities, a copy of this special order.

*Special provisions.* For the reasons set forth in the Statement of Considerations hereto, and pursuant to section 7 of CPR 34, as amended, this Special Order is hereby issued.

1. (a) The ceiling prices for the sale of Optional Five Year Warranty Plans on hermetically sealed motor compressor units of self-contained air-conditioning equipment as defined in paragraph (b) of this section, by the Westinghouse Electric Corporation, Sturtevant Division, Hyde Park, Boston, Massachusetts, referred to hereafter as "the seller", are as follows:

| Self-contained air conditioning unit covered: | *Ceiling price* |
|---|---|
| 2 hp. self-contained air conditioning unit | $30 |
| 3 hp. self-contained air conditioning unit | 30 |
| 5 hp. self-contained air conditioning unit | 35 |
| 7½ hp. self-contained air conditioning unit | 50 |
| 10 hp. self-contained air conditioning unit | 60 |
| 15 hp. self-contained air conditioning unit | 72 |

In addition to sales after the effective date of this order, the above Optional Five Year Warranty Plans may be sold to original purchasers in cases where installation of the related air conditioner units took place on or after February 12, 1952, but prior to the effective date of this order. In each such case the ceiling price of the applicable Optional Five Year Warranty Plan otherwise established by this order shall be reduced by 1/60th for each calendar month or fraction thereof between the date of such installation and the date of sale of the Optional Five Year Warranty Plan.

(b) The Optional Five Year Warranty Plan on hermetically sealed motor compressor units of self-contained air-conditioning equipment, in each case for which a ceiling price has been established in paragraph (a) of this section, shall be as follows:

WESTINGHOUSE ELECTRIC CORPORATION

Air Conditioning Division

FIVE YEAR WARRANTY PLAN ON HERMETICALLY SEALED MOTOR COMPRESSOR UNIT

Issued to: _____
(Original Purchaser)

Westinghouse Electric Corporation will supply and cause to be installed for the original Purchaser named above of the Westinghouse Air Conditioner described below, any time during the five years following date of the original installation, without additional cost, a replacement hermetically sealed motor compressor unit or part thereof, freight prepaid, when the unit fails to operate due to inherent defects and Westinghouse factory examination shall disclose to its satisfaction that the unit has not been subjected to abuse, accident, misuse or unauthorized alteration and that Westinghouse installation and service requirements have been met. This Warranty Plan applies only to the motor compressor unit, and does not provide for adjustments or alterations to the Air Conditioner other than the supply and installation of a replacement motor compressor unit or part thereof when the unit fails to operate under the conditions described above. The foregoing shall constitute the complete obligation of Westinghouse and the Seller and no person is authorized to assume for either any other liability in connection with the sale of the Westinghouse Air Conditioner (except One-Year Warranty). In no event shall Westinghouse or the Seller be liable for consequential damages. This Warranty Plan shall apply only within the boundaries of Continental United States of America.

Air Conditioner Serial No. _____ Model _____
Motor Compressor Unit Serial No. _____
Date of installation _____ Price _____

_____
Name of seller

_____
Signature of seller

2. Sales of the Optional Five Year Warranty Plans covered by this special order shall be conditional on the full right and option of the purchaser to purchase or refuse to purchase these warranties.

3. Sales of the Optional Five Year Warranty Plans covered by this special order, or their offer for sale, shall not in any way impair, limit or curtail the availability to the purchaser of the air conditioner units listed in paragraph 1 (a) hereof without said Optional Five Year Warranty Plans and each of said units shall be made fully available to the purchaser without said warranty if the purchaser shall so elect.

4. Sales of the Optional Five Year Warranty Plans covered by this special order are subject to all of the provisions of CPR 34, as amended, not inconsistent with this order.

5. The ceiling prices for the sales of the Optional Five Year Warranty Plans by the seller's dealers or other resellers shall be identical with those established for the seller in paragraph 1 of this special order, and all the provisions of this special order which relate to sales by the seller shall be equally applicable to seller's dealers or resellers.

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

7. As a condition of making any sales of the Optional Five Year Warranty Plans covered by this order, the seller shall deliver a copy of this special order to each dealer or reseller to whom it sells any of said Warranty Plans, delivery of this special order to be made in each case at the time of or prior to the first sale of any of said warranties to the dealer or reseller after the effective date of this special order.

8. The provisions of this special order are applicable to sales of the above services in the 48 States of the United States and in the District of Columbia.

*Effective date.* This special order shall become effective June 14, 1952.

ELLIS ARNALL,
*Director of Price Stabilization.*

JUNE 13, 1952.

[F. R. Doc. 52-6653; Filed, June 13, 1952; 4:47 p. m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9328, 10216]

ALAMANCE BROADCASTING CO., INC. (WBBB) AND KING COTTON BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Alamance Broadcasting Company, Inc. (WBBB), Burlington, North Carolina, for modification

of construction permit, Docket No. 9328, File No. BMP-4492; R. L. Cooper, trading as King Cotton Broadcasting Company, Clayton, North Carolina, for construction permit, Docket No. 10216, File No. BP-8209.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 4th day of June 1952;

The Commission having under consideration the above-entitled application of Alamance Broadcasting Company, Inc. for modification of construction permit to increase power from 1 kw to 5 kw on 920 kc at Station WBBB, Burlington, North Carolina; the application of King Cotton Broadcasting Company for a construction permit for a new standard broadcast station to operate on 910 kc with 1 kw power, daytime only, at Clayton, North Carolina; and a petition filed by Richmond Newspapers, Inc. (WRNL) requesting that the application of King Cotton Broadcasting Company be designated for hearing.

*It is ordered*, That the petition of Richmond Newspapers, Inc., is granted; and

*It is further ordered*, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the individual applicant and the technical, financial and other qualifications of the corporate applicant, its officers, directors and stockholders to operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and Station WBBB as proposed, and the availability of other primary service to such areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station and Station WBBB as proposed would involve objectionable interference with Station WRNL, Richmond, Virginia; WTND, Orangeburg, South Carolina, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the operation of the proposed station and Station WBBB as proposed would involve objectionable interference each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether the installation and operation of the proposed station and Station WBBB as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Prictice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

*It is further ordered*, That, Richmond Newspapers, Inc., licensee of Station WRNL, Richmond, Virginia; and WTND, Incorporated, licensee of Station WTND, Orangeburg, South Carolina, are made parties to this proceeding.

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

[F. R. Doc. 52-6578; Filed, June 16, 1952; 8:49 a. m.]

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[Docket No. 10215]

ARTHUR WESTLUND

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Arthur Westlund, Walnut Creek, California, for construction permit, Docket No. 10215, File No. BP-8321.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 4th day of June 1952;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1340 kc, with 250 w power, unlimited time, at Walnut Creek, California.

It appearing, that the applicant is legally, technically, financially, and otherwise qualified to operate the proposed station, except as to matter covered by Issue No. 5, below, and that the application may involve interference with one or more existing stations.

*It is ordered*, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Station KSRO, Santa Rosa, California, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

5. To determine the overlap, if any, which would exist between the service areas of the proposed station and of Station KRE, Berkeley, California, the nature and extent thereof, and whether such overlap, if any, is in contravention of § 3.25 of the Commission's rules.

*It is further ordered*, That Finley Broadcasting Company, licensee of Station KSRO, Santa Rosa, California, is made a party to this proceeding.

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

[F. R. Doc. 52-6577; Filed, June 16, 1952; 8:48 a. m.]

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[Change List No. 149]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES AND CORRECTIONS IN ASSIGNMENTS

MAY 10, 1952.

Notification under the provisions of Part III, section 2, of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations modifying appendix containing assignments of Mexican Broadcast Stations (Mimeograph 47214-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

| Call letters | Location | Power | Sched- | Class | Probable date to commence operation |
|---|---|---|---|---|---|
| XELA | Mexico, D. F. (delete assignment) | 820 kilocycles, 5 kw-DA-N/10 kw-D. | U | II | May 15, 1952 |
| XELA | Mexico, D. F. | 830 kilocycles, 5 kw-DA-N/10 kw-D. | U | II | Do. |
| XEAW | Monterrey, Nuevo Leon (increase in daytime power). | 1280 kilocycles, 500 w-N/5 kw-D. | U | III-B | June 30, 1952 |
| XEGD | Hidalgo del Parral, Chihuahua (delete assignment). | 1520 kilocycles, 250 w-N/1 kw-D. | D | II | |
| XEGD | Hidalgo del Parral, Chihuahua (new) | 1 kw-D | D | III | May 15, 1952 |

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

[F. R. Doc. 52-6579; Filed, June 16, 1952; 8:49 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-1678]

MICHIGAN-WISCONSIN PIPE LINE CO.

ORDER RECONVENING HEARING

JUNE 10, 1052.

On November 29, 1951, after Michigan-Wisconsin Pipe Line Company had presented its testimony and evidence in this proceeding in support of increased rates and charges suspended by order of the Commission issued April 25, 1951, the proceeding herein was recessed to be reconvened at a date to be fixed by further order of the Commission.

The Commission orders: The hearing in the above-entitled proceeding shall be reconvened on July 21, 1952, at 10:00 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: June 11, 1952.

By the Commission.

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

[F. R. Doc. 52-6562; Filed, June 16, 1952; 8:50 a. m.]

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[Docket No. G-1757]

NATURAL GAS STORAGE CO., OF ILLINOIS

ORDER FIXING DATE OF HEARING

JUNE 10, 1952.

On August 7, 1951, Natural Gas Storage Company of Illinois (Applicant), an Illinois corporation, successor by merger to Natural Gas Storage Company of Illinois, a Delaware corporation, with its principal place of business at Chicago, Illinois, filed an application, as amended on March 12, 1952, and supplemented on May 7 and 27, 1952, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction, acquisition and operation of facilities in Kankakee and Iroquois Counties, Illinois, for underground storage of natural gas for the account of its affiliates, Texas Illinois Natural Gas Pipeline Company and Natural Gas Pipeline Company of America, all as more fully described in said application, as amended and supplemented, on file with the Commission and open to public inspection.

Due notice of the filing of the application has been given, including publication in the FEDERAL REGISTER on August 24, 1951 (16 F. R. 8562). Notice of the amended application was published in the FEDERAL REGISTER on April 3, 1952 (17 F. R. 2903).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a public hearing be held on June 30, 1952, commencing at 10:00 a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the application, as amended and supplemented.

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

Date of issuance: June 10, 1952.

By the Commission.

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

[F. R. Doc. 52-6563; Filed, June 16, 1952; 8:45 a. m.]

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[Docket No. G-1854]

UNITED NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

JUNE 10, 1952.

On December 17, 1951, United Natural Gas Company (Applicant), a Pennsylvania corporation, of Oil City, Pennsylvania, filed an application, as supplemented on February 25, 1952, and amended on March 14, 1952, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing construction and operation of certain natural-gas transmission pipeline facilities subject to the jurisdiction of the Commission, all as more fully described in the application as supplemented and amended on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that the application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on January 11, 1952 (17 F. R. 366).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on June 26, 1952, at 9:30 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application as supplemented: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

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

Date of issuance: June 10, 1952.

By the Commission.

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

[F. R. Doc. 52-6564; Filed, June 16, 1952; 8:45 a. m.]

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[Docket No. G-1892]

PACIFIC GAS AND ELECTRIC CO.

ORDER FIXING DATE OF HEARING

JUNE 10, 1952.

On February 11, 1952, Pacific Gas and Electric Company (Applicant), a California corporation having its principal place of business at San Francisco, California, filed an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation of certain natural gas transmission facilities, subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on March 1, 1952 (17 F. R. 1862).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on July 2, 1952, at 9:45 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* that the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

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

Date of issuance: June 10, 1952.

By the Commission.

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

[F. R. Doc. 52-6565; Filed, June 16, 1952; 8:46 a. m.]

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[Docket No. G-1957]

ATLANTIC SEABOARD CORP.

ORDER FIXING DATE OF HEARING

JUNE 10, 1952.

On May 16, 1952, Atlantic Seaboard Corporation (Applicant), a Delaware corporation having its principal place of business at Charleston, West Virginia, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and oper-

ation of certain natural-gas transmission facilities, subject to the jurisdiction of the Commission, all as more fully described in said application on file with the Commission and open to public inspection.

The Commission finds: Applicant has requested that this application be heard under the shortened procedure provided by § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure for non-contested proceedings, and this proceeding appears to be a proper one for disposition under the aforesaid rule, provided no request to be heard, protest, or petition raising an issue of substance is filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on June 4, 1952 (17 F. R. 5048).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a public hearing be held on June 24, 1952, at 9:45 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

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

Date of issuance: June 10, 1952.

By the Commission.

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

[F. R. Doc. 52-6566; Filed, June 16, 1952; 8:46 a. m.]

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[Docket No. G-1969]

TENNESSEE GAS TRANSMISSION CO.

NOTICE OF APPLICATION

JUNE 10, 1952.

Take notice that Tennessee Gas Transmission Company (Applicant), a Delaware corporation, address, Houston, Texas, filed on June 2, 1952, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain transmission pipeline facilities hereinafter described.

Applicant proposes to transport natural gas from the Gulf Coast area of the United States to northern New York State for Niagara Gas Transmission Limited, a Canadian corporation controlled by the Consumers' Gas Company of Toronto, and to deliver gas at the United States-Canadian international boundary near Niagara Falls, New York, for resale in the City of Toronto and other markets in eastern Ontario. For such purpose, Applicant proposes to construct and operate approximately 44 miles of 30-inch loop line and 63 miles of 26-inch loop line paralleling its existing main line, approximately 45 miles of new line between its main line near Buffalo, New York, and the international boundary near Niagara Falls, approximately 50 miles of miscellaneous lateral lines to connect additional sources of gas supply to its system, and an aerial suspension pipeline bridge across the Niagara River, as well as new compressor units aggregating approximately 51,500 horsepower to be installed in existing compressor stations and approximately 80,500 horsepower to be installed in six new compressor stations to be located along Applicant's existing transmission system.

Applicant estimates that the proposed facilities will increase the daily design transmission capacity of its system from a presently applied for and authorized total of 1,515,000 Mcf to approximately 1,581,000 Mcf.

The estimated cost of the proposed facilities is approximately $44,740,000. The proposed financing includes issuance and sale of securities, bank loans, and funds resulting from operations.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 30th day of June 1952. The application is on file with the Commission for public inspection.

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

[F. R. Doc. 52-6567; Filed, June 16, 1952; 8:46 a. m.]

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[Docket No. G-1971]

SOUTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

JUNE 11, 1952.

Take notice that Southern Natural Gas Company (Applicant), a Delaware corporation, address P. O. Box 2563, Birmingham 2, Alabama, filed on June 4, 1952, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of certain transmission pipeline facilities hereinafter described.

Applicant proposes to transport natural gas for sale to King's Gin Company, Inc., and for such purpose to construct and operate a line tap, a meter, and other equipment for the measurement and delivery of gas at a point near Milepost 23.5 on Applicant's Vicksburg branch line in Warren County, Mississippi. Through said facilities Applicant will deliver on an interruptible basis a maximum of 192 Mcf per day for 2 months and of 64 Mcf per day for 4 months of the year.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 30th day of June 1952. The application is on file with the Commission for public inspection.

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

[F. R. Doc. 52-6568; Filed, June 16, 1952; 8:47 a. m.]

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## OFFICE OF DEFENSE MOBILIZATION

[Defense Manpower Policy No. 4, Notification 46]

PLACEMENT OF PROCUREMENT IN THE LEWISTON, MAINE, AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Surplus Manpower Committee, appointed under Defense Manpower Policy No. 4, has reported to the Director of Defense Mobilization its findings and recommendation in the matter of placement of procurement in the Lewiston, Maine, area. The recommendation has been reviewed within the Office of Defense Mobilization to determine its relationship to other policies affecting procurement for which this Office has responsibility and no conflicts exist.

The Department of Defense and the General Services Administration are hereby notified that upon full consideration, the Director of Defense Mobilization has concluded that it is in the public interest to give preference to the Lewiston area, with the exception of the textile and apparel industries located in that area, in the placement of Government contracts, in accordance with the attached findings of the Committee and the provisions of Defense Manpower Policy No. 4. The Department of Defense and the General Services Administration are hereby requested to take the actions specified in paragraph 6 of section III of Defense Manpower Policy No. 4.

The textile industry has been excluded from the provisions of this notification pursuant to Notification 38 dated June 4, 1952. Public hearings have been held on the apparel industry. Following the report of the Hearing Panel, consideration will be given to certifying this industry under the provisions of the policy.

The Department of Defense and the General Services Administration are requested to submit the first written report of the actions taken under this notification on July 15, 1952 and thereafter each 30 days until further notice.

OFFICE OF DEFENSE MOBILIZATION,
JOHN R. STEELMAN,
*Acting Director.*

FINDINGS AND RECOMMENDATION OF THE SURPLUS MANPOWER COMMITTEE CONCERNING THE LEWISTON, MAINE, AREA UNDER DEFENSE MANPOWER POLICY NO. 4

Under date of May 21, 1952, the Defense Manpower Administration of the Depart-

ment of Labor certified to this Committee, under Defense Manpower Policy No. 4, the existence of the Lewiston area as a surplus labor area under standards established by the Secretary of Labor. The Lewiston area is composed of the cities of Auburn and Lewiston and the towns of Durham, Greene, Lisbon, Mechanic Falls, Minot, Poland, Turner and Webster in Androscoggin County.

On the basis of information contained in the files of the Committee and furnished by the Department of Labor relative to the manpower situation in the Lewiston area, and by the Department of Defense, the National Production Authority, and the Department of Labor relative to facilities in the Lewiston area, the Committee makes the following findings and recommendation:

FINDINGS

The Committee finds:

1. That the Lewiston area, as defined by the Defense Manpower Administration, is an area of current labor surplus, including a surplus of manpower possessing skills necessary to the fulfillment of Government contracts;

2. That there exist in the Lewiston area a comparatively small number of suitable facilities for the performance of additional Government contracts;

3. That in order to accomplish the objectives of Defense Manpower Policy No. 4, the public interest dictates the need for the negotiation of available Government contracts at reasonable prices in the Lewiston area, provided that a substantial portion of the work involved in the execution of the contracts will be performed in the Lewiston area, and provided further that contractors in the said area will be afforded the opportunity to meet prices obtainable elsewhere;

4. That no price differential for the Lewiston area is considered necessary in order to effectuate the objectives of Defense Manpower Policy No. 4, provided that the operations under the notification recommended herein will be reviewed within a reasonable period of time to determine whether the establishment of an appropriate maximum price differential is required in order to effectuate Defense Manpower Policy No. 4 for the Lewiston area;

5. That the apparel industry, to the extent that it exists in the Lewiston area, should not be included in the application of Defense Manpower Policy No. 4 in the Lewiston area; consideration will be given to separate recommendations applying to the entire apparel industry.

RECOMMENDATION

The Committee recommends that the Director of Defense Mobilization conclude that it is in the public interest to give preference to the Lewiston area in the placement of contracts in accordance with the Committee's findings, and that the Director so notify the Secretary of Defense and the Administrator of the General Services Administration.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
*Chairman, Surplus Manpower Committee.*

Approved:

JOHN R. STEELMAN,
*Acting Director,*
*Office of Defense Mobilization.*

[F. R. Doc. 52-6673; Filed, June 13, 1952; 4:54 p. m.]

[Defense Manpower Policy No. 4, Notification 47]

## PLACEMENT OF PROCUREMENT IN THE NORWICH, CONNECTICUT, AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Surplus Manpower Committee, appointed under Defense Manpower Policy No. 4, has reported to the Director of Defense Mobilization its findings and recommendation in the matter of placement of procurement in the Norwich area. The recommendation has been reviewed within the Office of Defense Mobilization to determine its relationship to other policies affecting procurement for which this Office has responsibility and no conflicts exist.

The Department of Defense and the General Services Administration are hereby notified that upon full consideration, the Director of Defense Mobilization has concluded that it is in the public interest to give preference to the Norwich area, with the exception of the textile and apparel industries located in that area, in the placement of Government contracts, in accordance with the attached findings of the Committee and the provisions of Defense Manpower Policy No. 4. The Department of Defense and the General Services Administration are hereby requested to take the actions specified in paragraph 6 of section III of Defense Manpower Policy No. 4.

The textile industry has been excluded from the provisions of this notification pursuant to Notification 38 dated June 4, 1952. Public hearings have been held on the apparel industry. Following the report of the Hearing Panel, consideration will be given to certifying this industry under the provisions of the policy.

The Department of Defense and the General Services Administration are requested to submit the first written report of the actions taken under this notification on July 15, 1952, and thereafter each 30 days until further notice.

OFFICE OF DEFENSE MOBILIZATION,
JOHN R. STEELMAN,
*Acting Director.*

FINDINGS AND RECOMMENDATION OF THE SURPLUS MANPOWER COMMITTEE CONCERNING THE NORWICH, CONNECTICUT, AREA, UNDER DEFENSE MANPOWER POLICY NO. 4

Under date of May 21, 1952 the Defense Manpower Administration of the Department of Labor certified to this Committee, under Defense Manpower Policy No. 4, the existence of the Norwich area as a surplus labor area under standards established by the Secretary of Labor. The Norwich area is composed of the towns of Bozrah, Colchester, Franklin, Griswold, Lisbon, Norwich, Preston, Sprague and Voluntown in the New London County.

On the basis of information contained in the files of the Committee and furnished by the Department of Labor relative to the manpower situation in the Norwich area, and by the Department of Defense, the National Production Authority, and the Department of Labor relative to facilities in the Norwich area, the Committee makes the following findings and recommendation:

FINDINGS

The Committee finds:

1. That the Norwich area, as defined by the Defense Manpower Administration, is an area of current labor surplus, including a surplus of manpower possessing skills necessary to the fulfillment of Government contracts;

2. That there exist in the Norwich area a comparatively small number of suitable facilities for the performance of additional Government contracts;

3. That in order to accomplish the objectives of Defense Manpower Policy No. 4, the public interest dictates the need for the negotiation of available Government contracts at reasonable prices in the Norwich area, provided that a substantial portion of the work involved in the execution of the contracts will be performed in the Norwich area and provided further that contractors in the said area will be afforded the opportunity to meet prices obtainable elsewhere;

4. That no price differential for the Norwich area is considered necessary in order to effectuate the objectives of Defense Manpower Policy No. 4, provided that the operations under the notification recommended herein will be reviewed within a reasonable period of time to determine whether the establishment of an appropriate maximum price differential is required in order to effectuate Defense Manpower Policy No. 4 for the Norwich area:

5. That the apparel industry, to the extent that it exists in the Norwich area should not be included in the application of Defense Manpower Policy No. 4 in the Norwich area; consideration will be given to separate recommendations applying to the entire apparel industry.

RECOMMENDATION

The Committee recommends that the Director of Defense Mobilization conclude that it is in the public interest to give preference to the Norwich area in the placement of contracts in accordance with the Committee's findings, and that the Director so notify the Secretary of Defense and the Administrator of the General Services Administration.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
*Chairman, Surplus Manpower Committee.*

Approved:

JOHN R. STEELMAN,
*Acting Director,*
*Office of Defense Mobilization.*

[F. R. Doc. 52-6674; Filed, June 13, 1952; 4:54 p. m.]

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[Defense Manpower Policy No. 4, Notification 48]

## PLACEMENT OF PROCUREMENT IN THE MAYAGUEZ, PUERTO RICO, AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Surplus Manpower Committee, appointed under Defense Manpower Policy No. 4, has reported to the Director of Defense Mobilization its findings and recommendation in the matter of placement of procurement in the Mayaguez area. The recommendation has been reviewed within the Office of Defense Mobilization to determine its relationship to other policies affecting procurement for which this Office has responsibility and no conflicts exist.

The Department of Defense and the General Services Administration are hereby notified that upon full consideration, the Director of Defense Mobilization has concluded that it is in the public interest to give preference to the Mayaguez area, with the exception of

the textile and apparel industries located in that area, in the placement of Government contracts, in accordance with the attached findings of the Committee and the provisions of Defense Manpower Policy No. 4. The Department of Defense and the General Services Administration are hereby requested to take the actions specified in paragraph 6 of section III of Defense Manpower Policy No. 4.

The textile industry has been excluded from the provisions of this notification pursuant to Notification 38 dated June 4, 1952. Public hearings have been held on the apparel industry. Following the report of the Hearing Panel, consideration will be given to certifying this industry under the provisions of the policy.

The Department of Defense and the General Services Administration are requested to submit the first written report of the actions taken under this notification on July 15, 1952, and thereafter each 30 days until further notice.

OFFICE OF DEFENSE MOBILIZATION,
JOHN R. STEELMAN,
*Acting Director.*

FINDINGS AND RECOMMENDATION OF THE SURPLUS MANPOWER COMMITTEE CONCERNING THE MAYAGUEZ, PUERTO RICO, AREA, UNDER DEFENSE MANPOWER POLICY NO. 4

Under date of May 21, 1952, the Defense Manpower Administration of the Department of Labor certified to this Committee, under Defense Manpower Policy No. 4, the existence of the Mayaguez area as a surplus labor area under standards established by the Secretary of Labor. The Mayaguez area is composed of the Municipality of Mayaguez.

On the basis of information contained in the files of the Committee and furnished by the Department of Labor relative to the manpower situation in the Mayaguez area, and by the Department of Defense, the National Production Authority, and the Department of Labor relative to facilities in the Mayaguez area, the Committee makes the following findings and recommendation:

FINDINGS

The Committee finds:

1. That the Mayaguez area, as defined by the Defense Manpower Administration, is an area of current labor surplus, including a surplus of manpower possessing skills necessary to the fulfillment of Government contracts;

2. That there exist in the Mayaguez area a comparatively small number of suitable facilities for the performance of additional Government contracts;

3. That in order to accomplish the objectives of Defense Manpower Policy No. 4, the public interest dictates the need for the negotiation of available Government contracts at reasonable prices in the Mayaguez area, provided that a substantial portion of the work involved in the execution of the contracts will be performed in the Mayaguez area, and provided further that contractors in the said area will be afforded the opportunity to meet prices obtainable elsewhere;

4. That no price differential for the Mayaguez area is considered necessary in order to effectuate the objectives of Defense Manpower Policy No. 4, provided that the operations under the notification recommended herein will be reviewed within a reasonable period of time to determine whether the establishment of an appropriate maximum price differential is required in order to effectuate Defense Manpower Policy No. 4 for the Mayaguez area;

5. That the apparel industry, to the extent that it exists in the Mayaguez area, should not be included in the application of Defense Manpower Policy No. 4 in the Mayaguez area; consideration will be given to separate recommendations applying to the entire apparel industry.

RECOMMENDATION

The Committee recommends that the Director of Defense Mobilization conclude that it is in the public interest to give preference to the Mayaguez area in the placement of contracts in accordance with the Committee's findings, and that the Director so notify the Secretary of Defense and the Administrator of the General Services Administration.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMING,
*Chairman, Surplus Manpower Committee.*

Approved:

JOHN R. STEELMAN,
*Acting Director,*
*Office of Defense Mobilization.*

[F. R. Doc. 52-6675; Filed, June 13, 1952; 4:54 p. m.]

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[Defense Manpower Policy No. 4, Notification 49]

PLACEMENT OF PROCUREMENT IN THE PONCE, PUERTO RICO, AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Surplus Manpower Committee, appointed under Defense Manpower Policy No. 4, has reported to the Director of Defense Mobilization its findings and recommendation in the matter of placement of procurement in the Ponce area. The recommendation has been reviewed within the Office of Defense Mobilization to determine its relationship to other policies affecting procurement for which this office has responsibility and no conflicts exist.

The Department of Defense and the General Services Administration are hereby notified that upon full consideration, the Director of Defense Mobilization has concluded that it is in the public interest to give preference to the Ponce area, with the exception of the textile and apparel industries located in that area, in the placement of Government contracts, in accordance with the attached findings of the Committee and the provisions of Defense Manpower Policy No. 4. The Department of Defense and the General Services Administration are hereby requested to take the actions specified in paragraph 6 of section III of Defense Manpower Policy No. 4.

The textile industry has been excluded from the provisions of this notification pursuant to Notification 38 dated June 4, 1952. Public hearings have been held on the apparel industry. Following the report of the Hearing Panel, consideration will be given to certifying this industry under the provisions of the policy.

The Department of Defense and the General Services Administration are requested to submit the first written report of the actions taken under this notification on July 15, 1952, and thereafter each 30 days until further notice.

OFFICE OF DEFENSE MOBILIZATION,
JOHN R. STEELMAN,
*Acting Director.*

FINDINGS AND RECOMMENDATION OF THE SURPLUS MANPOWER COMMITTEE CONCERNING THE PONCE, PUERTO RICO, AREA UNDER DEFENSE MANPOWER POLICY NO. 4

Under date of May 21, 1952, the Defense Manpower Administration of the Department of Labor certified to this Committee, under Defense Manpower Policy No. 4, the existence of the Ponce area as a surplus labor area under standards established by the Secretary of Labor. The Ponce area is composed of the Municipality of Ponce.

On the basis of information contained in the files of the Committee and furnished by the Department of Labor relative to the manpower situation in the Ponce area, and by the Department of Defense, the National Production Authority, and the Department of Labor relative to facilities in the Ponce area, the Committee makes the following findings and recommendation:

FINDINGS

The Committee finds:

1. That the Ponce area, as defined by the Defense Manpower Administration, is an area of current labor surplus, including a surplus of manpower possessing skills necessary to the fulfillment of Government contracts;

2. That there exist in the Ponce area a comparatively small number of suitable facilities for the performance of additional Government contracts;

3. That in order to accomplish the objectives of Defense Manpower Policy No. 4, the public interest dictates the need for the negotiation of available Government contracts at reasonable prices in the Ponce area, provided that a substantial portion of the work involved in the execution of the contracts will be performed in the Ponce area, and provided further that contractors in the said area will be afforded the opportunity to meet prices obtainable elsewhere;

4. That no price differential for the Ponce area is considered necessary in order to effectuate the objectives of Defense Manpower Policy No. 4, provided that the operations under the notification recommended herein will be reviewed within a reasonable period of time to determine whether the establishment of an appropriate maximum price differential is required in order to effectuate Defense Manpower Policy No. 4 for the Ponce area;

5. That the apparel industry, to the extent that it exists in the Ponce area, should not be included in the application of Defense Manpower Policy No. 4 in the Ponce area; consideration will be given to separate recommendations applying to the entire apparel industry.

RECOMMENDATION

The Committee recommends that the Director of Defense Mobilization conclude that it is in the public interest to give preference to the Ponce area in the placement of contracts in accordance with the Committee's findings, and that the Director so notify the Secretary of Defense and the Administrator of the General Services Administration.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
*Chairman, Surplus Manpower Committee.*

Approved:

JOHN R. STEELMAN,
*Acting Director,*
*Office of Defense Mobilization.*

[F. R. Doc. 52-6676; Filed, June 13, 1952; 4:54 p. m.]

[Defense Manpower Policy No. 4, Notification 50]

PLACEMENT OF PROCUREMENT IN THE SAN JUAN, PUERTO RICO, AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Surplus Manpower Committee, appointed under Defense Manpower Policy No. 4, has reported to the Director of Defense Mobilization its findings and recommendation in the matter of placement of procurement in the San Juan area. The recommendation has been reviewed within the Office of Defense Mobilization to determine its relationship to other policies affecting procurement for which this Office has responsibility and no conflicts exist.

The Department of Defense and the General Services Administration are hereby notified that upon full consideration, the Director of Defense Mobilization has concluded that it is in the public interest to give preference to the San Juan area, with the exception of the textile and apparel industries located in that area, in the placement of Government contracts, in accordance with the attached findings of the Committee and the provisions of Defense Manpower Policy No. 4. The Department of Defense and the General Services Administration are hereby requested to take the actions specified in paragraph 6 of section III of Defense Manpower Policy No. 4.

The textile industry has been excluded from the provisions of this notification pursuant to Notification 38 dated June 4, 1952. Public hearings have been held on the apparel industry. Following the report of the Hearing Panel, consideration will be given to certifying this industry under the provisions of the policy.

The Department of Defense and the General Services Administration are requested to submit the first written report of the actions taken under this notification on July 15, 1952, and thereafter each 30 days until further notice.

OFFICE OF DEFENSE MOBILIZATION,
JOHN R. STEELMAN,
*Acting Director.*

FINDINGS AND RECOMMENDATION OF THE SURPLUS MANPOWER COMMITTEE CONCERNING THE SAN JUAN, PUERTO RICO, AREA UNDER DEFENSE MANPOWER POLICY NO. 4

Under date of May 21, 1952, the Defense Manpower Administration of the Department of Labor certified to this Committee, under Defense Manpower Policy No. 4, the existence of the San Juan area as a surplus labor area under standards established by the Secretary of Labor. The San Juan area is composed of the Municipalities of Bayamon, Catano, Guaynabo, Rio Piedras, and San Juan.

On the basis of information contained in the files of the Committee and furnished by the Department of Labor relative to the manpower situation in the San Juan area, and by the Department of Defense, the National Production Authority, and the Department of Labor relative to facilities in the San Juan area, the Committee makes the following findings and recommendation:

FINDINGS

The Committee finds:

1. That the San Juan area, as defined by the Defense Manpower Administration, is an area of current labor surplus, including a surplus of manpower possessing skills necessary to the fulfillment of Government contracts:

2. That there exist in the San Juan area a comparatively small number of suitable facilities for the performance of additional Government contracts;

3. That in order to accomplish the objectives of Defense Manpower Policy No. 4, the public interest dictates the need for the negotiation of available Government contracts at reasonable prices in the San Juan area provided that a substantial portion of the work involved in the execution of the contracts will be performed in the San Juan area, and provided further that contractors in the said area will be afforded the opportunity to meet prices obtainable elsewhere;

4. That no price differential for the San Juan area is considered necessary in order to effectuate the objectives of Defense Manpower Policy No. 4, provided that the operations under the notification recommended herein will be reviewed within a reasonable period of time to determine whether the establishment of an appropriate maximum price differential is required in order to effectuate Defense Manpower Policy No. 4 for the San Juan area.

5. That the apparel industry, to the extent that it exists in the San Juan area, should not be included in the application of Defense Manpower Policy No. 4 in the San Juan area; consideration will be given to separate recommendations applying to the entire apparel industry.

RECOMMENDATION

The Committee recommends that the Director of Defense Mobilization conclude that it is in the public interest to give preference to the San Juan area in the placement of contracts in accordance with the Committee's findings, and that the Director so notify the Secretary of Defense and the Administrator of the General Services Administration.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
*Chairman, Surplus Manpower Committee.*

Approved:

JOHN R. STEELMAN,
*Acting Director,*
*Office of Defense Mobilization.*

[F. R. Doc. 52-6677; Filed, June 13, 1952; 4:54 p. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2860]

NORTHERN STATES POWER CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION HERETOFORE RESERVED WITH RESPECT TO TERMS OF SALE OF BONDS, AND WITH RESPECT TO CERTAIN FEES AND EXPENSES

JUNE 11, 1952.

Northern States Power Company ("the Company"), a Minnesota corporation which is both a registered holding company and an operating utility company, having filed a declaration and an amendment thereto pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("the act") and Rule U-50 thereunder proposing to issue and sell at competitive bidding 1,108,966 additional shares of its common stock (with subscription warrants) and $21,500,000 principal amount of its First Mortgage Bonds, Series due June 1, 1982; and

The Commission by order dated May 23, 1952, having permitted said declaration as amended to become effective, subject to the condition that such sales should not be consummated until the results of competitive bidding pursuant to Rule U-50 should have been made a matter of record in this proceeding and further orders entered by the Commission in the light of the record so completed, and subject also to the reservation of jurisdiction with respect to all fees and expenses; and

The Company on June 4, 1952, having filed a further amendment to its declaration setting forth the action taken by it to comply with the requirements of Rule U-50 as regards the sale of said common stock, and the Commission having thereupon entered its supplemental order releasing jurisdiction with respect thereto but continuing its reservation of jurisdiction with respect to the sale of said bonds and with respect to all fees and expenses; and

The Company on June 11, 1952 having filed a further amendment to its declaration setting forth the action taken by it to comply with the requirements of Rule U-50 as regards the sale of said bonds, stating that, pursuant to the invitation for competitive bids, the following bids for said bonds were received:

| Bidder | Annual interest rate (percent) | Price to company [1] (percent of principal) | Annual cost to company (percent) |
|---|---|---|---|
| Lehman Bros. and Riter & Co. | 3¼ | 100.5599 | 3.2206 |
| Smith Barney & Co. | 3¼ | 100.5269 | 3.2225 |
| Glore, Forgan & Co. | 3¼ | 100.37699 | 3.2303 |
| Halsey, Stuart & Co., Inc. | 3¼ | 100.339 | 3.2322 |
| Merrill, Lynch, Pierce, Fenner & Beane, Kidder, Peabody & Co., and White, Weld & Co. | 3¼ | 100.27 | 3.2359 |
| Equitable Securities Corp. and Union Securities Corp. | 3¼ | 100.22 | 3.2385 |
| Kuhn, Loeb & Co. | 3¼ | 102.197 | 3.2307 |

[1] Exclusive of accrued interest from June 1, 1952.

The amendment further stating that the Company has accepted the bid of Lehman Brothers and Riter & Co. for said bonds, as set forth above, and that the bonds will be offered to the public at a price of 101.153 percent of their principal amount, plus accrued interest from June 1, 1952, resulting in an underwriter's spread of 0.5931 percent of the principal amount of the bonds, or an aggregate amount of $127,516.50; and

The record having been further amended with respect to fees and expenses, estimated at $124,000 in connection with the bonds and $189,000 in connection with the common stock, and including the following fees for legal and accounting services:

Flynn & Clerkin, counsel to the Company, $27,500, which is allocated $12,500 to the bonds and $15,000 to the common stock;

Haskins & Sells, accountants, $3,500, which is allocated $2,000 to the bonds and $1,500 to the common stock; and

The record being also amended with respect to the fees of Gardner, Carton & Douglas, independent counsel to the underwriters, in the amount of $13,000, divided equally between the bonds and the common stock; and

It appearing that the fees and expenses of the subscription agents and the non-affiliated service company in connection with the issuing and processing of the subscription warrants, depending primarily upon the extent to which the Company's 58,000 common stockholders shall exercise their subscription rights, will not be ascertainable until the expiration of the subscription period on June 23, 1952; and

The Commission having examined said amendments and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be received for the bonds, the interest rate thereon, the redemption prices thereof, or the underwriters' spread; and the Commission also finding that the fees and expenses in said transactions, in so far as now determined, are not unreasonable; and it appearing to the Commission that the jurisdiction heretofore reserved over the transactions until the results of competitive bidding should be made a matter of record in this proceeding, and over all fees and expenses except those of the subscription agents and the service company, should be released:

*It is ordered*, That the jurisdiction heretofore reserved over the issue and sale of said bonds until the results of competitive bidding should be made a matter of record in this proceeding be, and the same hereby is, released; and that said declaration as amended, in so far as it relates to the issue and sale of said bonds be, and the same hereby is, permitted to become effective forthwith, subject to the provisions of Rule U-24.

*It is further ordered*, That the jurisdiction heretofore reserved with respect to fees and expenses incurred or to be incurred in connection with the issue and sale of said bonds and also in connection with the issue and sale of the additional common stock be, and the same hereby is, released except as respects the fees and expenses of the subscription agents and service company, and that jurisdiction with respect to the latter charges is continued pending the further order of the Commission.

By the Commission.

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

[F. R. Doc. 52-6583; Filed, June 16, 1952; 8:50 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

[Vesting Order 18890]

FREDERICH W. BOECKLEN

In re: Estate of Frederich W. Boecklen, deceased. File No. D-28-13100.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Cong., 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Wilhelmine Friederike Weigold and Adolph Hermann Boecklen, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the Estate of Frederich W. Boecklen, deceased, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by James F. Kelley, Executor, acting under the judicial supervision of the Probate Court, New Castle County, Wilmington, Delaware;

and it is hereby determined:

4. That the national interest of the United States requires that the persons identified in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947 were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 11, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 52-6584; Filed, June 16, 1952; 8:51 a. m.]

[Vesting Order 18891]

EUGHIN BRECHT

In re: Cash owned by Eughin Brecht, also known as Eugene Brecht and as Bert Brecht. D-28-8529.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Cong., 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Eughin Brecht, also known as Eugene Brecht and as Bert Brecht, whose last known address is Berlin N. W. 7, Luisenstrasse 18, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

2. That the property described as follows: Cash in the amount of $228.30, presently in the custody of the Attorney General of the United States in Safekeeping Account No. 66-200402 in the name of Eugene Brecht,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Eughin Brecht, also known as Eugene Brecht and as Bert Brecht, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 11, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 52-6585; Filed, June 16, 1952; 8:51 a. m.]

[Vesting Order 18892]

JOHANNE FRANKE

In re: Bank account owned by Johanne Franke, also known as Johanne Bohmer Franke and as Hanny Boehmer. F-28-31866-E-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Cong., 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943, Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pur-

suant to law, after investigation, it is hereby found:

1. That Johanne Franke, also known as Johanne Bohmer Franke and as Hanny Boehmer, whose last known address is Dusseldorf-Eller, 156 Gumbertstrasse 1, Rhineland, Germany, on or since December 11, 1941, and prior to January 1, 1947 was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Johanne Franke, also known as Johanne Bohmer Franke and as Hanny Boehmer, by Citizens Northern Valley National Bank of Englewood, Engle Street, Englewood, New Jersey, arising out of a Savings Account, account number 16372, entitled Johanne Franke, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Johanne Franke, also known as Johanne Bohmer Franke and as Hanny Boehmer, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 11, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 52-6586; Filed, June 16, 1952; 8:51 a. m.]

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[Vesting Order 18893]

FERDINAND MANTAI

In re: Debts owing to Ferdinand Mantai. F-28-23237-E-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Cong., 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.), and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Ferdinand Mantai who is a citizen of Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany, and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of the Continental Illinois National Bank and Trust Company of Chicago, 231 South La Salle Street, Chicago, Illinois, arising out of funds allocable to Ferdinand Mantai, presently on deposit in an accumulated cash dividends account, entitled Dividend Account Western Light and Telephone Co. Preferred Stock, maintained at the aforesaid bank, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same, and

b. Those certain debts or other obligations evidenced by ten (10) dividend checks of the Western Light and Telephone Company, Inc., 905 North 7th Street, Kansas City, Kansas, said checks dated, numbered and in the amounts listed below:

| Date | Number | Amount |
|---|---|---|
| Dec. 21, 1939 | 52576 | $3.94 |
| Jan. 10, 1940 | A5150 | 10.00 |
| Mar. 20, 1940 | 55198 | 3.94 |
| Dec. 20, 1940 | 62657 | 3.38 |
| Mar. 18, 1941 | B4751 | 4.18 |
| Mar. 25, 1941 | 65047 | 3.66 |
| Nov. 1, 1947 | 35989 | 2.19 |
| Jan. 5, 1949 | 56385 | 17.50 |
| Oct. 15, 1949 | 67034 | 7.00 |
| Nov. 1, 1951 | 125753 | 5.60 |

together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in and under said checks,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ferdinand Mantai, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 11, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 52-6587; Filed, June 16, 1952; 8:51 a. m.]

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[Vesting Order 18894]

ROBERT STEINKE

In re: Stock owned by Robert Steinke.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Cong., 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Robert Steinke, whose last known address is Germany on or since December 11, 1941, and prior to January 1, 1947 was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

2. That the property described as follows: Three and nine-tenths (3.9) shares of prefered capital stock of General Refrigeration Company, (now Yates-American Machine Company) Beloit, Wisconsin, evidenced by a certificate numbered 304 presently in the custody of said Yates-American Machine Company, together with all declared and upaid dividends thereon, and any and all rights under a merger plan effective December 13, 1940 of the aforesaid Companies,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Robert Steinke, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the person named in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 11, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 52-6588; Filed, June 16, 1952; 8:52 a. m.]

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[Vesting Order 15415, Amdt.]

MARIANNE OPPERMAN ET AL.

In re: Interest in real property, a property insurance policy and a claim owned by Marianne Opperman, nee Schmidt, and others.

Vesting Order 15415, dated October 30, 1950, is hereby amended as follows and not otherwise:

By deleting from Exhibit A, attached to and by reference made a part of Vesting Order 15415, all of the second paragraph thereof entitled "Parcel 2" and substituting therefor the following:

*Parcel 2.* That part of the East One-Half (E½) of the Southwest Quarter (SW¼) of Section 18, Township 41 North, Range 9 East of the Third Principal Meridian, situate in the County of Cook, State of Illinois, more particularly described as commencing on the North line of Chicago Street at a point 434 feet along said line Southeasterly from a point on said line 33 feet Easterly and at right angles from the East line of Ettner's tract; thence N. 11° 26' E. parallel with said East line 264 feet; thence S. 67° 14' E. parallel with said street 96 feet; thence S. 11° 26' W. 264 feet to the North line of said Street; thence No. 67° 14' W. on said line 96 feet to the place of beginning. Also commencing at the above described place of beginning; thence N. 67° 14' W. along said North line of Chicago Street 10 feet; thence Northerly on a line which will intersect the Westerly line of above described tract 132 feet Northerly from the place of beginning; thence Southerly to the place of beginning. All of said land being in Lot 10, County Clerk's Subdivision of the Southwest ¼ of said Section 18, containing 0.585 acres.

All other provisions of said Vesting Order 15415 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 11, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 52-6589; Filed, June 16, 1952; 8:52 a. m.]