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TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission [Docket 5657]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MALLEABLE CHAIN MANUFACTURERS INSTITUTE ET AL.

Subpart—Combining or conspiring: § 3.400 To discriminate or stabilize prices through basing point or delivered price systems; § 3.430 To enhance, maintain or unify prices. Subpart—Selling and quoting on systematic price matching bases: § 3.2193 Zone, freight equalization and other delivered price systems. In, or in connection with, the offering for sale, sale and distribution of malleable iron chain in commerce, and on the part of respondent Institute, its directors, officers and members; of the members of its Classification Committee, of its Factors Committee, of its Committee on List Prices, or of any other Committee or Committees, the purpose, function, or operation of which is to do any of the things prohibited by the terms of the instant order; of four individual respondents, individually or as officers of respondent Institute; and of eight corporations, members of respondent Institute, and their respective officers, etc.; entering into, continuing, cooperating in or carrying out any planned common course of action, understanding, agreement, combination or conspiracy between any two or more of said respondents or between any one or more of said respondents and another or others not parties hereto, to (1) quote or sell at prices calculated or determined pursuant to, or in accordance with, any zone delivered price system; or quote or sell at prices calculated or determined pursuant to, or in accordance with, any other system or formula which produces identical price quotations or prices, or which prevents purchasers from finding any advantages in price in dealing with one or more of the respondents as against any of the other respondents; (2) establish, fix, or maintain prices, discounts, terms or conditions of sale or adhering to any prices, discounts, terms or conditions of sale; (3) formulate, devise, adopt, or use uniform list prices or uniform delivered prices for malleable iron chain; (4)

establish or maintain geographical areas or zones wherein purchasers are quoted uniform prices, discounts or terms of sale; (5) establish or maintain price differentials or discount differentials between different geographical areas; (6) file, exchange, distribute, or relay among the corporate respondents, or any of them, or any of their representatives, or through respondent Malleable Chain Manufacturers Institute, or through any other medium or central agency, price information showing current or future prices or conditions of sale of any particular respondent, or bid or price quotation submitted or to be submitted on any prospective piece of business, other than in particular single transactions involving the sale of malleable iron chain by one corporate respondent to another corporate respondent where neither the price to be charged by either respondent to the ultimate customer, nor the identity of such customer, is specified; (7) file, exchange, distribute or relay among the corporate respondents, or any of them or any of their representatives, or through respondent Malleable Chain Manufacturers Institute, or through any other medium, central agency or publication, information concerning prices charged particular customers or information concerning volume of production, sales or shipments where the identity of the purchaser can be determined from such information and which has the capacity or tendency of aiding in securing compliance with announced prices, terms, or conditions of sale; (8) collect, compile, circulate, or exchange between or among respondents or any of them rates or transportation charges used or to be used in computing prices or price quotations; or use, directly or indirectly, any such information so collected, compiled, or received, in computing price quotations; (9) adopt, use, or in any way follow any price quotations announced by particular respondents, or any of them, whereby quotations are made uniform or matched; (10) establish standards or specifications when the action taken or information exchanged is for the purpose of fixing or maintaining prices or has the tendency to fix or maintain prices or otherwise secure compliance with announced prices, terms, or conditions of sale; or, (11) do or cause any

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Title 49: Parts 1-70 (\$0.20)

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Order from
Superintendent of Documents, Government
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of the things listed in the preceding prohibitions (1) to (10), the causing or doing of which is forbidden in the instant order through action of respondent Malleable Chain Manufacturers Institute, or any subdivision or committee of said Institute, or any other individual, corporation, or organization; prohibited, subject to the provision, however, that nothing contained in the order shall be construed as prohibiting the establishment or maintenance of any lawful bona fide agreements, discussions, or other action solely between any corporate respondent and its directors, officers and employees, or between the officers, directors, agents or employees of any corporate respondent and relating solely to the carrying on of that corporation's sole and separate business, or between any corporate respondent and any of its wholly-owned subsidiaries, when not for the purpose or with the effect of restraining trade and when for the purpose and effect of promoting competition.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 45. Interpretations or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Malleable Chain Manufacturers Institute, Chicago, Ill., Docket 5657, April 10, 1952]

In the Matter of Malleable Chain Manufacturers Institute, an Unincorporated Trade Association, Its Officers, A. C. Fellingner, Chairman; L. E. Brill, Vice Chairman; Mark Patterson, Secretary; Gorton Fauntleroy, Treasurer; and Their Successors; Link-Belt Company, The Jeffrey Manufacturing Company, Chain Belt Company, Webster Manufacturing Company, Inc., Badger Malleable & Manufacturing Company, Peoria Malleable & Castings Company, Moline Malleable Iron Works Company, Deere & Company, Trading as Union Malleable Iron Works of Deere & Company, Corporations, Their Officers and Directors

This proceeding was instituted by complaint, which charged respondents with the use of unfair methods of competition and unfair or deceptive acts and practices in violation of the provisions of section 5 of the Federal Trade Commission Act.

It was disposed of, as announced by the Commission's "Notice" of acceptance of consent settlement, through the consent settlement procedure provided in Rule V of the Commission's rules of practice as follows:

The consent settlement tendered by the parties in this proceeding, a copy of which is served herewith, was accepted by the Commission on April 10, 1952, and ordered entered of record as the Commission's findings as to the facts, conclusion, and order in disposition of this proceeding.

The time for filing report of compliance pursuant to the aforesaid order runs from the date of service hereof.

Said order to cease and desist, thus entered of record, following the findings as to the facts¹ and conclusions,² reads as follows:

It is ordered, That respondents, Malleable Chain Manufacturers Institute,

an unincorporated trade association, its directors, its officers, and its members; the members of its Classification Committee, the members of its Factors Committee, the members of its Committee on List Prices, or the members of any other Committee or Committees, however named, designated, or described, the purpose, function, or operation of which is to do any of the acts or things which are prohibited by the terms of this order; A. C. Fellingner, L. E. Brill, Mark Patterson, Gorton Fauntleroy, individually or as officers of respondent Institute, and Link-Belt Company, The Jeffrey Manufacturing Company, Chain Belt Company, Webster Manufacturing, Inc., referred to in the complaint as Webster Manufacturing Company, Inc., Badger Malleable and Manufacturing Company, Peoria Malleable Castings Company, Moline Malleable Iron Works Company, Deere & Company, trading as Union Malleable Iron Works of Deere & Company, corporations, and their respective officers, representatives, agents and employees, in, or in connection with, the offering for sale, sale and distribution of malleable iron chain in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, understanding, agreement, combination or conspiracy between any two or more of said respondents, or between any one or more of said respondents and another or others not parties hereto, to do or perform any of the following things:

1. Quoting or selling at prices calculated or determined pursuant to, or in accordance with, any zone delivered price system; or quoting or selling at prices calculated or determined pursuant to, or in accordance with, any other system or formula which produces identical price quotations or prices, or which prevents purchasers from finding any advantages in price in dealing with one or more of the respondents as against any of the other respondents;

2. Establishing, fixing, or maintaining prices, discounts, terms or conditions of sale or adhering to any prices, discounts, terms or conditions of sale;

3. Formulating, devising, adopting or using uniform list prices or uniform delivered prices for malleable iron chain;

4. Establishing or maintaining geographical areas of zones wherein purchasers are quoted uniform prices, discounts or terms of sale;

5. Establishing or maintaining price differentials or discount differentials between different geographical areas;

6. Filing, exchanging, distributing, or relaying among the corporate respondents, or any of them, or any of their representatives, or through respondent Malleable Chain Manufacturers Institute, or through any other medium or central agency, price information showing current or future prices or conditions of sale of any particular respondent, or bid or price quotation submitted or to be submitted on any prospective piece of business, other than in particular single transactions involving the sale of malleable iron chain by one corporate respondent to another corporate respondent where neither the price to be charged

by either respondent to the ultimate customer, nor the identity of such customer, is specified;

7. Filing, exchanging, distributing or relaying among the corporate respondents, or any of them or any of their representatives, or through respondent Malleable Chain Manufacturers Institute, or through any other medium, central agency or publication, information concerning prices charged particular customers or information concerning volume of production, sales or shipments where the identity of the purchaser can be determined from such information and which has the capacity or tendency of aiding in securing compliance with announced prices, terms, or conditions of sale;

8. Collecting, compiling, circulating or exchanging between or among respondents or any of them rates or transportation charges used or to be used in computing prices or price quotations; or using, directly or indirectly, any such information so collected, compiled, or received, in computing price quotations;

9. Adopting, using, or in any way following any price quotations announced by particular respondents, or any of them, whereby quotations are made uniform or matched;

10. Establishing standards or specifications when the action taken or information exchanged is for the purpose of fixing or maintaining prices or has the tendency to fix or maintain prices or otherwise secure compliance with announced prices, terms, or conditions of sale;

11. Doing or causing any of the things listed in the preceding paragraphs (1) to (10) and the doing of which is forbidden in this order through action of respondent Malleable Chain Manufacturers Institute, or any subdivision or committee of said Institute, or any other individual, corporation or organization;

Provided, however, That nothing contained in this order shall be construed as prohibiting the establishment or maintenance of any lawful bona fide agreements, discussions, or other action solely between any corporate respondent and its directors, officers and employees, or between the officers, directors, agents or employees of any corporate respondent and relating solely to the carrying on of that corporation's sole and separate business, or between any corporate respondent and any of its wholly-owned subsidiaries, when not for the purpose or with the effect of restraining trade and when for the purpose and effect of promoting competition.

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

Issued: April 23, 1952.

By direction of the Commission.

[SEAL]

D. C. DANIEL,
Secretary.

[F. R. Doc. 52-7701; Filed, July 14, 1952; 8:45 a. m.]

¹ Filed as part of the original document.

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade [6th General Rev. of Export Regs.]

REVISION OF EXPORT REGULATIONS

Introductory statement and explanations. The purpose of this Sixth General Revision is to codify the regulations relating to the control of exports continued or issued under the authority of the Export Control Law of 1949, Public Law 11, 81st Congress, 63 Stat. 7, as extended by Public Law 33, 82d Congress, 65 Stat. 43. This revision supersedes the Fifth General Revision of Export Regulations issued May 9, 1950, published in 15 F. R. 2703 et seq., as amended by Amendments No. 1 through 113, and Amendments P. L. No. 1 through 90, with the exception of saving clauses which may still be operative contained in any such amendments. The export control regulations are also published in the Comprehensive Export Schedule and Current Export Bulletins issued by the Office of International Trade. The Comprehensive Export Schedule, issued March 31, 1952, and the Current Export Bulletins No. 663 to 669, contain the regulations included in this revision.

In making this revision, certain obsolete provisions of the export regulations have been deleted, minor revisions have been made in the text, and other material of the regulations for the purpose of clarification.

Copies of all forms required by the export regulations are filed with the Division of the Federal Register.

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371	General licenses.
372	Provisions for individual and other validated licenses.
373	Licensing policies and related special provisions.
374	Project licenses.
375	BLT (Blanket) license.
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PART 370—SCOPE OF EXPORT CONTROL BY DEPARTMENT OF COMMERCE

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370.2	Prohibited exportations.
370.3	Shipments to Canada for reexportation to another foreign country.
370.4	Deleted, effective August 3, 1950.
370.5	Arms, ammunition, and implements of war; helium.
370.6	Gold and narcotics.
370.7	Exportation of commodities subject to Atomic Energy Act.
370.7a	Vessels, other than vessels of war.

Sec.	
370.8	Shipments to territories, dependencies, and possessions of the United States.
370.9	In-transit shipments without unloading.
370.10	Shipments entering foreign trade zones.
370.11	Reexportation under license previously granted.

AUTHORITY: §§ 370.1 to 370.11 issued under 63 Stat. 7, as amended; 50 U. S. C. App., 2023, E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR 1948 Supp.

§ 370.1 *Definitions.* When used in Parts 370 to 399, inclusive, of this subchapter:

(a) *Person.* "Person" shall be construed to mean the singular or plural, an individual, corporation, partnership, association, company, or any other kind of organization whatsoever, including any government or agency thereof.

(b) *The United States.* "The United States" shall, unless otherwise specifically stated, be construed to include the District of Columbia, the Canal Zone, and all territories, dependencies, and possessions of the United States.

(c) *Export control law.* "Export control law" means Export Control Act of 1949 and includes section 6 of the act of July 2, 1940, 54 Stat. 714, as amended.

(d) *Department of Commerce.* "The Department of Commerce" shall be construed to refer to and include the Office of International Trade of the Department of Commerce.

(e) *Schedule B numbers.* "Department of Commerce Schedule B numbers" is defined as numbers so designated, appearing in the Department of Commerce publication, "Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States," issued January 1, 1949.

(f) *Commodity.* "Commodity" means any article, material, or supply except technical data.

(g) *Positive List of Commodities.* "Positive List of Commodities" means the list of commodities incorporated in § 399.1 of this subchapter.

"RO commodities" means commodities included on the Positive List of Commodities and identified by the symbol "RO" in the column headed "Validated License Required."

"R commodities" means commodities included on the Positive List of Commodities and identified by the symbol "R" in the column headed "Validated License Required."

(h) *Validated license.* "Validated license" means an individual or other type of export license or any other document authorizing exportation, granted or issued by or under the authority of the Department of Commerce. The term also includes the phrase "licenses granted or issued upon application" and words of similar import and, unless the context otherwise indicates, the phrase "export license."

(i) *License application.* "Application for license" and "license application" and words of similar import mean an application for a validated license.

(j) *General license.* "General license" means a license established by the De-

partment of Commerce for which no application is required and for which no document is granted or issued, available for use by all persons, permitting exportation within the provisions thereof as prescribed in Parts 370 and 399, inclusive, of this subchapter.

(k) *Port of Exit; Collector of Customs; Export Declaration.* "Port of exit" includes, in the case of an exportation by mail, the place of mailing; "Collector of Customs" includes postmasters unless the context otherwise indicates; and "Shipper's Export Declaration" includes any declaration required under regulations of the Department of Commerce and other Government departments or agencies in connection with exportations.

(l) *Exporting carrier.* "Exporting carrier" includes any instrumentality of water, land, or air transportation by which an exportation is effected.

(m) *Consignee.* "Consignee" includes ultimate consignee or purchaser.

(n) *Accepted order.* "Accepted order" means an accepted order for export as described in § 373.1 (b) of this subchapter and includes, when accepted, an order of the kind described in § 372.1 (e) of this subchapter.

(o) *Export control document.* "Export control document" means a validated export license, an authenticated shipper's export declaration based upon such a license or used to effect a shipment under general license, a dock receipt or bill of lading issued by any carrier upon the basis of such validated license or export declaration, or any other document provided under these regulations to be evidence of the existence of an export license for the purpose of loading onto an exporting carrier or otherwise facilitating or effecting an exportation from the United States of any commodity or commodities requiring an export license.

"Export control document" also means the following documents: Customs Form 3139, Application for Identification Card of Authorized Forwarding Agent or Exporter; Customs Form 3141, Identification Card of Authorized Forwarding Agent or Exporter or Employee Thereof; and Customs Form 7512, Transportation Entry and Manifest of Goods Subject to Customs Inspection and Permit when used for Transportation and Exportation (T. & E.) or an Immediate Exportation entry (I. E.).

(p) *Parties.* "Parties" in connection with any export control document and any exportation means (1) the licensee named in the export control document (identified in shipper's export declaration forms as "principal or seller"), who shall be the exporter; (2) the purchaser or ultimate consignee named in the export control document, who (i) shall be the person to whom the licensee is authorized to export, whether by sale, consignment or otherwise, and (ii) shall be situated in the country of ultimate destination named in the same document; and (3) the intermediate consignee named in the export control document (also identified in Form IT-419), to whom the commodities may be consigned for the purpose of effecting delivery to the purchaser or ultimate consignee.

§ 370.2 *Prohibited exportations*—(a) *General provisions.* The exportation from the United States of all commodities and the exportation from the United States of all technical data as defined in § 371.19 of this subchapter, except to Canada (including Newfoundland and Labrador) or for the official use of or consumption by the United States armed forces when shipped by or consigned to any branch thereof, is hereby prohibited unless and until a license authorizing such exportation shall have been established or granted by the Department of Commerce.

NOTE: Export licenses or authority for export are not required from the Department of Commerce for exportation of arms, ammunition, implements of war or helium exported pursuant to authority of the Department of State; gold or narcotics exported pursuant to authority of the Treasury Department; or source material or facilities for the production of fissionable material exported pursuant to authority from the Atomic Energy Commission. Exports of vessels, other than vessels of war, are subject to the authority of the U. S. Maritime Administration.

(b) *Positive List of Commodities.* The commodities set forth on the Positive List of Commodities (incorporated in § 399.1 of this subchapter) may not be exported from the United States to any destination unless and until a license authorizing the exportation shall have been applied for and granted or issued by the Department of Commerce, except where exportation of such commodities is authorized by the provisions of an established general license, as set forth in Part 371 of this subchapter, and except where authorized with respect to certain commodities by the provisions of a footnote on the Positive List of Commodities, and where not subject as provided in paragraph (a) of this section to the general prohibition set forth therein.

NOTE: RO commodities require validated licenses for export to all destinations except Canada. R commodities require validated licenses for export to destinations in Country Group R only. (See § 371.3 of this subchapter for definition of Country Groups O and R.)

Where the commodity description of a Schedule B number on the Positive List mentions only a part of the commodities covered by the Schedule B listing, only the commodity or commodities specifically mentioned are included on the Positive List. (For an example, refer to Part 399 of this subchapter, paragraph (a) of the General Notes to Appendix A.)

§ 370.3 *Shipments to Canada for re-exportation to another foreign country.* The exportation from the United States of all commodities and all technical data as defined in § 371.19 of this subchapter to Canada (including Newfoundland and Labrador) with the knowledge or intention that they are to be reexported therefrom to another foreign destination is hereby prohibited unless there has been established or granted upon application a license authorizing the exportation thereof to the country of ultimate destination.

§ 370.4 *Prohibited exportations to certain consignees.* [Deleted, effective August 3, 1950.]

§ 370.5 *Arms, ammunition, and implements of war; helium.* Regulations promulgated by the Secretary of State on June 2, 1942 (7 F. R. 4216 et seq.), shall continue to govern the exportation of arms, ammunition, and implements of war, and helium, except that no export license shall be issued where the proposed exportation would be contrary to the foreign policy of the United States.

NOTE: 1. Arms, ammunition, and implements of war. (a) Regulations concerning the exportation of arms, ammunition, and implements of war are published in the document "International Traffic in Arms." Copies of this publication are furnished by the Department of State upon request.

(b) An application to export any of the following articles, which are listed in Proclamation 2776, effective April 15, 1948, should be made on the license form obtainable from the Department of State.

(c) Any inquiries as to the applicability of Proclamation 2776 to certain articles or commodities, application forms and procedure, or other matters relative to arms, ammunition, and implements of war should be addressed to the Munitions Division, Department of State, Washington 25, D. C.

CATEGORY I—SMALL ARMS AND MACHINE GUNS

Rifles, carbines, revolvers, pistols, machine pistols, and machine guns (using ammunition of caliber .22 or over); barrels, mounts, breech mechanisms and stocks therefor.

CATEGORY II—ARTILLERY AND PROJECTORS

Guns, howitzers, cannon, mortars, and rocket launchers (of all calibers), military flame throwers, military smoke, gas, or pyrotechnic projectors; barrels, mounts, and other components thereof.

CATEGORY III—AMMUNITION

Ammunition of caliber .22 or over for the arms enumerated under I and II above; cartridge cases, powder bags, bullets, jackets, cores, shells (excluding shotgun); projectiles and other missiles; percussion caps, fuses, primers, and other detonating devices for such ammunition.

CATEGORY IV—BOMBS, TORPEDOES AND ROCKETS

Bombs, torpedoes, grenades, rockets, mines, guided missiles, depth charges, and components thereof; apparatus and devices for the handling, control, discharge, detonation or detection thereof.

CATEGORY V—FIRE CONTROL EQUIPMENT AND RANGE FINDERS

Fire control equipment, range, position, and height finders, spotting instruments, aiming devices (gyroscopic, optic, acoustic, atmospheric or flash), bomb sights, gun sights, and periscopes for the arms, ammunition, and implements of war enumerated in this proclamation.

CATEGORY VI—TANKS AND ORDNANCE VEHICLES

Tanks, armed or armored vehicles, armored trains, artillery and small arms repair trucks, military half tracks, tank recovery vehicles, tank destroyers; armor plate turrets, tank engines, tank tread shoes, tank bogie wheels and idlers therefor.

CATEGORY VII—POISON GASES AND TOXICOLOGICAL AGENTS

All military toxicological and lethal agents and gases; military equipment for the dissemination and detection thereof and defense therefrom.

CATEGORY VIII—PROPELLANTS AND EXPLOSIVES

Propellants for the articles enumerated in Categories III, IV, and VII; military high explosives.

CATEGORY IX—VESSELS OF WAR

Vessels of war of all kinds, including amphibious craft, landing craft, naval tenders, naval transports and naval patrol craft, armor plate and turrets therefor; submarine batteries and nets, and equipment for the laying, detection, and detonation of mines.

CATEGORY X—AIRCRAFT

Aircraft; components, parts and accessories therefor.

CATEGORY XI—MISCELLANEOUS EQUIPMENT

(a) Military radar equipment, including components thereof, radar countermeasures and radar jamming equipment; (b) military stereoscopic plotting and photo interpretation equipment; (c) military photo theodolites, telemetering, and Doppler equipment; (d) military super-high speed ballistic cameras; (e) military radiosondes; (f) military interference suppression equipment; (g) military electronic computing devices; (h) military miniature and subminiature vacuum tubes and photoemissive tubes; (i) military armor plate; (j) military steel helmets; (k) military pyrotechnics; (l) synthetic training devices for military equipment; (m) military ultrasonic generators; (n) all other material used in warfare which is classified from the standpoint of military security.

2. *Helium gas*—(a) *General regulations.* Regulations governing the exportation of helium gas may be found in the document "International Traffic in Arms," published by the Department of State.

(b) *Legislative authority.* Helium gas is licensed for export under the authority of the act of September 1, 1937. Application blanks for the exportation of this commodity are also furnished by the Munitions Division, Department of State.

§ 370.6 *Gold and narcotics*—(a) *Gold.* The gold regulations promulgated by the Secretary of the Treasury under the authority of the Gold Reserve Act of 1934 (31 CFR Part 54), as amended, shall govern the exportation of gold except that the exportation of fabricated gold (as defined in said regulations, except dental gold) of which not more than 80 percent of the total domestic value is attributable to the gold content thereof shall also be subject to Parts 370 to 399, inclusive, of this subchapter.

NOTE: The exportation of "fabricated gold," as defined in the Gold Regulations issued by the Treasury Department (sec. 54.4) under the Gold Reserve Act of 1934, is controlled by the Department of Commerce under an arrangement with the Treasury Department. All "fabricated gold" commodities which are not included on the Positive List may be exported to any destination, except Subgroup A destinations, Hong Kong, and Macao, under Department of Commerce general license GEO. (See § 371.8 of this subchapter.) For the export of any gold other than "fabricated gold," an application for a license to export must be filed with the Treasury Department. Exporters are cautioned that "semi-processed gold" (as defined by the Gold Regulations) presented for export as "fabricated gold" is subject to seizure.

(b) *Narcotics.* The regulations contained in Parts 370 to 399, inclusive, of this subchapter shall not govern the exportation of narcotic drugs and marijuana subject to the Narcotics Drugs Import and Export Act (21 U. S. C. 171 et seq.) and Marijuana Tax Act of 1937 (26 U. S. C. 2590, 3230 et seq.), as amended, respectively, and regulations promulgated thereunder, administered by the Treasury Department, Bureau of Narcotics.

NOTE: Under the provisions of the Narcotics Drugs Import and Export Act, as amended, and the federal marihuana law, the authority to control exports and imports of narcotic drugs, which are listed below, is vested in the Treasury Department, Bureau of Narcotics:

- (1) Opium and its derivatives.
- (2) Coca leaves and their derivatives.
- (3) Marihuana or cannabis.
- (4) Isonipealine (Demerol).
- (5) Amidone or Methadon (Adanon and Dolophine—trade names).
- (6) Any medicine or preparation containing any quantity of the foregoing drugs or their derivatives.

§ 370.7 *Exportation of commodities subject to Atomic Energy Act.* Regulations promulgated by the Atomic Energy Commission under the authority of the Atomic Energy Act of 1946 (11 CFR Parts 40 and 50), or as the same may be amended from time to time, shall govern the exportation of "source material" and "facilities for the production of fissionable material" as defined and described in said act and regulations.

NOTE: 1 *Definitions*—(a) *Source materials.* As used in the Atomic Energy Act of 1946, the term "source material" means uranium, thorium, or any other material which is determined by the Commission, with the approval of the President to be peculiarly essential to the production of fissionable materials; but includes ores only if they contain one or more of the foregoing materials in such concentration as the Commission may by regulation determine from time to time. On March 17, 1947, in the regulations cited, the Atomic Energy Commission defined "source material" to mean any material, except fissionable material, which contains by weight one-twentieth of one percent (0.05%) or more of (1) uranium, (2) thorium, or (3) any combination thereof.

(b) *Facilities for the production of fissionable material.* As defined in the Atomic Energy Act of 1946, the term "facilities for the production of fissionable material" is to be construed to mean (1) any equipment or device capable of such production and (2) any important component part especially designed for such equipment or devices as determined by the Commission. Such facilities are classified as either Class I or Class II facilities in the regulations cited and are listed therein.

2. *License applications.* Applications for license to export source materials and facilities for the production of fissionable material should be made directly to the United States Atomic Energy Commission in the manner prescribed in the regulations cited. Copies of the regulations, together with forms and instructions for making license applications, may be obtained from the following addresses:

For source materials (Part 40):

U. S. Atomic Energy Commission,
P. O. Box 30, Ansonia Station,
New York 23, N. Y.

For facilities for the production of fissionable material (Part 50):

U. S. Atomic Energy Commission,
Attention: Director of Production,
Washington 25, D. C.

§ 370.7a *Vessels, other than vessels of war.* The export of vessels, other than vessels of war, shall be governed under authority of Sections 9 and 37 of the Shipping Act, 1916, as amended (46 CFR Part 221), by the U. S. Maritime Administration.

§ 370.8 *Shipments to territories, dependencies, and possessions of the*

United States—(a) *Territories, dependencies, possessions.* No license is required for shipments from the United States to any territory, dependency, or possession of the United States, as listed in Schedule C of the Bureau of the Census (see page x of Schedule B).

(b) *Trust Territory of the Pacific Islands.* For the purpose of export control, the Trust Territory of the Pacific Islands (i. e., the Caroline Islands, the Marshall Islands, and the Marianas Islands, except Guam, which is an island possession of the United States) shall be accorded the same treatment as the territories and possessions of the United States and, accordingly, an export license is not required for shipments of commodities thereto.

§ 370.9 *In-transit shipments without unloading.* Commodities shipped by vessel from one foreign country and passing through the United States in transit to another foreign country may be exported without a license from the Department of Commerce: *Provided*, That, while in waters subject to the jurisdiction of the United States, they have not been unladen from the vessel on which they entered such waters, and: *Provided further*, That they are not originally manifested to the United States.

NOTE: Any commodity which is excepted from the provisions of General In-Transit License GIT (§ 371.9 (c) of this subchapter) and which is manifested to the United States requires a validated license for on-forwarding to all destinations, regardless of whether unladen from a vessel in waters subject to the jurisdiction of the United States.

Commodities which are not so excepted (unless originating in Japan or Canada pursuant to § 371.9 (b) of this subchapter) may be on-forwarded under the provisions of § 371.9 of this subchapter to all destinations except Subgroup A countries, Hong Kong, and Macao, as provided in §§ 384.5, 384.6, and 384.9 of this subchapter.

§ 370.10 *Shipments entering foreign trade zones*—(a) *General provisions.* Except for the commodities listed in § 371.9 (c) of this subchapter, commodities wholly of foreign origin and for which no customs entry has been made with a collector of customs may be exported from a foreign trade zone without a license from the Department of Commerce, to all destinations other than those in Subgroup A, Hong Kong, and Macao, as provided in Part 384 of this subchapter.

(b) *Shipments originating in Japan.* Shipments of Positive List commodities (§ 399.1 of this subchapter) originating in Japan (excluding the commodities listed in § 371.9 (c) of this subchapter) and moving through the United States may be exported from a foreign trade zone without a license from the Department of Commerce only when exported to the country of ultimate destination named in the bill of lading covering the shipment from Japan or when exported to a country of ultimate destination to which the same commodity could be exported from the United States under general license GO. In every such case, the exporter shall submit, and the United States collector of customs shall require production of, either an original or true copy of the bill of lading covering the shipment from Japan to establish

that the shipment is exportable from the foreign trade zone without a license. The exporter also must state on the Shipper's Export Declaration For In Transit Goods (Commerce Form 7513) or on the Shipper's Export Declaration (Commerce Form 7525-V), in items 9 to 10, the fact that the shipment originated in Japan.

§ 370.11 *Reexportation under license previously granted.* Shipments properly presented and cleared for exportation and exported which are returned to the United States because of failure or inability of the exporting carrier to deliver the shipment at its intended destination may be reexported to the consignee and destination to which the shipment was originally cleared without the procurement of a new license: *Provided*, That satisfactory evidence of the validity of the original clearance is submitted to a United States collector of customs.

NOTE: Such evidence may consist of a copy of the original export declaration or the exporting carrier's outward manifest, or such other evidence as the collector may require. If the commodities are reexported to other than the original consignee, they must be treated as new exportations and are subject to current regulations of the Department of Commerce regarding the specific commodity.

PART 371—GENERAL LICENSES

Sec.	
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371.18	Return of certain commodities imported into the United States GLR.
371.19	Technical data.
371.20	Deleted, effective August 3, 1950.
371.21	Deleted, effective July 15, 1950.
371.22	Deleted, effective August 3, 1950.
371.23	General license for gift parcels.
371.24	General license GTF, goods imported for trade fairs.
371.25	General license GMC, unmanufactured cotton.
371.26	General license G-PUB, exportation of certain publications.
371.27	Deleted, effective April 24, 1952.

AUTHORITY: §§ 371.1 to 371.27 issued under 63 Stat. 7, as amended; 50 U. S. C. App., 2023, E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR 1948 Supp.

§ 371.1 *Definition.* A "general license" is a license established by the Department of Commerce for which no application is required and for which no document is granted or issued, available for use by all persons, permitting exportation within the provisions thereof as

prescribed in Parts 370 to 399, inclusive, of this subchapter.

§ 371.2 *General provisions*—(a) *Export declarations*. No exportation may be made pursuant to any general license established in this part unless prior to said exportation, whenever required by Parts 370 to 399, inclusive, of this subchapter or by the Regulations for the Collection of Statistics of Foreign Commerce and Navigation of the United States, a shipper's export declaration describing the commodity or commodities to be exported has been filed with the collector of customs at the port of exit or with the postmaster at the place of mailing; or, unless at the time of said exportation, whenever the filing of a shipper's export declaration is not required, an oral export declaration describing the commodity or commodities is made to a collector of customs at the port of exit.

(b) *Use of general license symbol*. A person exporting any commodity pursuant to any general license established in this part shall enter on the shipper's export declaration, when such declaration is required, the designation or symbol of the general license authorizing the exportation. In the case of exportations by mail, the designation or symbol of the general license shall be written in ink on the address side of the wrapper of the parcel and shall be followed by the words, "Export License Not Required." The use of such designation or symbol shall constitute a certification by the exporter that the terms, provisions, and conditions of the general license involved have been met.

Example. If medicinals are to be sent to a member of the American Embassy in a foreign country, they may be exported under general license GUS, and the exporter will note on the export declaration the symbol GUS to indicate that the exportation is licensed.

(c) *Applicability* — (1) *Prohibited shipments*. No general license set forth in this part may be used to effect an exportation to a destination for which such general license has been suspended or revoked.

Note: All general licenses authorizing exportations to North Korea have been suspended (see § 384.3 of this subchapter). See Part 384 of this subchapter for other destinations (Subgroup A, Hong Kong, and Macao) to which particular general licenses have been suspended or revoked.

(2) *Choice of general license*. When two or more types of general licenses are applicable, any one of such general licenses may be used.

(3) *Exportations to foreign vessels in foreign ports*. Except as provided in the Note below, commodities may not be exported under the provisions of any general license to a foreign vessel located in a foreign port unless such general license is applicable to both the country in which such port is located and to the country under whose laws such vessel is registered. These regulations are set forth in Parts 370 through 399 of this subchapter.

Note: The exportation of commodities under the provisions of General Licenses Ship Stores, § 371.13 (a), or Registered Ship

Stores, § 371.13 (b), is not affected by this provision.

§ 371.3 *General license country groups*—(a) *Grouping of countries*. Two general license country groups are hereby designated: Group R and Group O. (Since exportations to U. S. territories, dependencies, and possessions, Trust Territory of the Pacific Islands, and Canada do not require export licenses from the Department of Commerce, these destinations are not included in these country groups.)

(1) Country Group O consists of the following countries and other destinations:

NORTH AMERICA

Northern area:

Greenland.
Miquelon and St. Pierre Islands.

Southern area:

Mexico (including Cozumel and Revilla Gigedo Islands).
Central America:
Guatemala.
British Honduras.
El Salvador.
Honduras (including the Bay Islands).
Nicaragua.
Costa Rica.
Panama, Republic of.
Bermuda and Caribbean:
Bermuda.
Bahamas.
Cuba (including Isle of Pines).
Jamaica.
Haiti (including Gonave and Tortue Islands).
Dominican Republic.
Leeward and Windward Islands.
Barbados.
Trinidad and Tobago.
Curacao (Netherlands West Indies).
French West Indies.

SOUTH AMERICA

Northern area:

Colombia.
Venezuela.
British Guiana.
Surinam (Netherlands Guiana).
French Guiana (including Inini).

Western area:

Ecuador (including the Galapagos Islands).
Peru.
Bolivia.
Chile (including the islands Sala-y-Gomes, Juan Fernandez, San Felix, San Ambrosio, and Easter Island).

Eastern area:

Brazil (including the islands St. Paul, Fernando Noronha, and Trinidad (in South Atlantic)).
Uruguay.
Paraguay.
Argentina.
Falkland Islands.

(2) Country Group R includes and consists of all countries and other destinations not included in Country Group O, except Canada (including Newfoundland and Labrador). Within Country Group R there is established Subgroup A, which includes and consists of the following countries and other destinations:

Albania.
Bulgaria.
China, including the provinces of Suiyuan, Chahar, Ningxia, and Jehol (sometimes referred to as Inner Mongolia); the provinces of Chinghai (Tsinghai) and Sikang; Sinkiang; Tibet; and Outer Mongolia; but excluding Manchuria, and excluding Taiwan (Formosa).
Czechoslovakia.
Estonia.

Germany (Russian Occupied Zone only).

Hungary.

Latvia.

Lithuania.

Manchuria, including the former Kwantung Leased Territory. (The present Port Arthur Naval Base Area and the Liaoning Province).

North Korea.

Poland and Danzig.

Rumania.

Union of Soviet Socialist Republics.

Note: Licenses issued by the Department of Commerce to export R commodities to Tangier (including the International Zone), French Morocco, or Spanish Morocco are valid for shipment or transshipment of such commodities to any of the following destinations: Tangier (including the International Zone), French Morocco, or Spanish Morocco. Exporters filing license applications for the export of R commodities to these three destinations may indicate "Morocco" as the country of ultimate destination.

(b) *Applicability to individual countries*. When a commodity is exportable under general license to a particular country group, it may, subject to the provisions of Parts 370 to 399, inclusive, of this subchapter, be exported to any country or destination in that group.

§ 371.4 *Reexportation from country of destination*—(a) *Prohibited reexportations*. No exportation may be made under any type of general license with the knowledge or intention that the commodities so exported are to be reexported from the country of destination unless the reexportation has been authorized by the Department of Commerce, except as provided in paragraph (b) of this section.

(b) *Permissive reexportations*. Any commodity which has been exported from the United States may be reexported from any destination to any other destination: *Provided*, That the commodities to be reexported, at the time of reexportation, may be exported directly from the United States to the new country of destination under general license GO or GRO.

Note: This provision applies to commodities exported from the United States to the original country of destination under either a general or validated license. See § 372.14 of this subchapter.

§ 371.5 *Consignee control under general license*—(a) *Revocations and suspensions*. General licenses may be revoked or suspended as to any person in any destination.

(b) *Consignees*. Shipment under a general license may be made, subject to the provisions thereof, to any consignee in any country of destination except to any person as to whom the general license has been revoked or suspended.

§ 371.6 *Consignor control under general license*. General licenses may be revoked or suspended as to any person within or without the United States by an order issued pursuant to the provisions of Part 382 of this subchapter.

§ 371.7 *Country group general license GO*—(a) *Scope of license*. A general license designated GO is hereby established, subject to the other provisions of this section, authorizing the exportation of R commodities to destinations in Country Group O as listed in § 371.3 (a).

(b) *Footnotes on positive list.* If reference is made to a footnote on the Positive List of Commodities which modifies or alters the general license established in this section, the provisions specified in such footnote shall govern, notwithstanding any other provision.

NOTE: To determine if a commodity may be exported to a specific destination under this general license, the exporter should consult the provisions regarding country groups in § 371.3. If the destination is included in Group O, he should then consult the Positive List (§ 399.1 of this subchapter). If the commodity is listed and identified by the symbol "R" in the column headed "Validated License Required," it is an R commodity, and the exportation may be made under general license GO. (Exporters in doubt as to the proper classification of the commodities which they handle should consult the Department of Commerce publication, "Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States.")

EXAMPLE NO. 1

An exporter desiring to ship cast iron pressure pipe to Venezuela finds that Venezuela is included in Country Group O (§ 371.3). Turning to the Positive List (§ 399.1 of this subchapter), he finds that cast iron pressure pipe, Schedule B No. 601211, is listed and followed by the symbol "R" in the column headed, "Validated License Required." It is, therefore, an R commodity, and the exportation may be made under this general license by use of the symbol GO on the export declaration.

EXAMPLE NO. 2

An exporter desiring to ship cast iron pressure pipe to Spain consults the country list (§ 371.3) and finds that Spain is a Country Group R destination. The shipment cannot be made under general license GO, and an application must be filed for a validated export license if the value of the shipment exceeds that specified in the column headed "GLV Dollar Value Limits."

EXAMPLE NO. 3

An exporter desiring to ship copper scrap, Schedule B No. 641300, to Venezuela finds this commodity on the Positive List, followed by the symbol "RO" in the column headed "Validated License Required." The exportation, therefore, cannot be made under general license GO.

§ 371.8 General license GRO—(a) Scope of license. (1) A general license designated GRO is hereby established authorizing the exportation to all destinations of all commodities not included on the Positive List of Commodities (§ 399.1 of this subchapter), subject to the limitations set forth in this section.

(2) No exportations may be made under this general license to Subgroup A countries. In addition, no such exportations ultimately destined to Hong Kong or Macao may be made except fresh fruits (Schedule B Nos. 130100 through 131990), fresh vegetables (Schedule B Nos. 120710 through 122490), and cut flowers (Schedule B No. 259910). In every such case, the exporter shall at the time of clearing the shipment, present to the collector of customs an extra (fourth) copy of the shipper's export declaration for authentication, and, immediately after its authentication, the exporter shall send the authenticated (fourth) copy of the declaration to the Office of International Trade, Department of Commerce, Washington 25,

D. C., Attention: Agricultural Products Division.

NOTE: Gift parcels. Gifts parcels containing commodities not on the Positive List may be shipped under general license GRO. Any commodity on the Positive List requires a validated license for export, even though intended as a gift, unless exportable under one of the other general licenses such as GIFT (see § 371.23), GO (see § 371.7) or GLV (see § 371.10).

(b) *Quarternary ammonium compound.* When clearing shipments of commodities classified under Schedule B No. 828890 under the provisions of general license GRO to any destination in Country Group R, the exporter must include on the shipper's export declaration covering such shipment the following statement:

This shipment contains no quarternary ammonium compound.

§ 371.9 General in-transit license GIT—(a) General provisions—(1) Scope. There is hereby established a general license, designated GIT, authorizing, subject to the other provisions of this section, the exportation from the United States of commodities which originate in and are destined to any foreign country except Subgroup A destinations, Hong Kong, and Macao: *Provided*, That such commodities are moving in transit through the United States under a Transportation and Exportation (T. & E.) customs entry or an Immediate Exportation (I. E.) customs entry made at a United States customhouse.

Commodities which originate in a foreign country include commodities which were originally grown, produced, or manufactured in the United States but which have been so altered by further processing, manufacture, or assembly in the foreign country that such commodities have either thereby been substantially enhanced in value, or have lost their original identity with respect to form.

(2) *Exception from foreign-origin requirement.* Notwithstanding the provisions of subparagraph (1) of this paragraph, automobile manufacturers located in Canada may export, under the provisions of this general intransit license GIT, automotive replacement parts of U. S. origin which were originally exported from the United States to Canada as stock parts for new vehicles of Canadian manufacture, and which are moving from Canada in transit through the United States to a foreign destination: *Provided, however*, That such automotive replacement parts are for repair or replacement only for passenger cars and commercial trucks not exceeding 10,000 pounds gross vehicle weight, and not for assembly of new vehicles outside of Canada.

(b) *Special provisions—(1) Shipments originating in Canada.* The provisions of this general license GIT are not applicable to shipments of commodities originating in Canada and moving in transit through the United States unless the exportation from the United States is in accordance with the Canadian Export Permit or the Canadian Customs Entry B13B as approved by the Export Permit Branch of the Department

of Trade and Commerce, Ottawa, Canada. United States collectors of customs may, in any case, require production of copies of either the Canadian Export Permit or the Canadian Customs Entry B13B or other proof, as provided in § 379.1 (e) of this subchapter, sufficient to establish that the shipment is exportable under the provisions of this general license.

(2) *Shipments originating in Japan.* The provisions of this general license GIT are not applicable to shipments of Positive List commodities (§ 399.1 of this subchapter) originating in Japan and moving in transit through the United States unless the exportation from the United States is to the country of ultimate destination named in the bill of lading covering the shipment from Japan. In every such case, the exporter shall submit, and the United States collector of customs shall require production of, either an original or true copy of the bill of lading covering the shipment from Japan to establish that the shipment is exportable under the provisions of this general license. The exporter also must state on the Shipper's Export Declaration For In-transit Goods (Commerce Form 7513) or on the Shipper's Export Declaration (Commerce Form 7525-V), in items 9 to 10, the fact that the shipment originated in Japan.

NOTE: (1) Shipments of Positive List commodities which originate in Japan require a validated license for export from the United States unless exportable under the provisions of this general license GIT or of general license GO. (See § 373.14 of this subchapter.) For exportations of such commodities from foreign trade zones, see § 370.10 of this subchapter.

(2) This general license GIT is not applicable to shipments to Subgroup A destinations, Hong Kong, and Macao, as provided in Part 384.

(3) The general in-transit license GIT is not applicable to exportations of commodities licensed by agencies of the United States Government other than the Department of Commerce.

The provisions of this general license in no way affect the restrictions applicable to importation for transshipment of commodities controlled by the Agriculture-Import Order, issued by the United States Department of Agriculture.

(4) See § 370.9 of this subchapter, and Note following that section, regarding shipments moving in transit via the United States without unloading from the carrier.

(c) *Commodities excepted from the provisions of this general license.* Commodities identified on the Positive List of Commodities (§ 399.1 of this subchapter) by means of a star (*) following the Schedule B number may not be exported to any destination under this general license.

NOTE: All shipments of merchandise for which the shipper's export declaration for in-transit goods is required (Commerce Form 7513) must be shown in terms of Schedule S as well as in terms of "Schedule B, Schedule S numbers, by commodity groupings, are contained in Schedule S, Statistical Classification of Domestic and Foreign Merchandise Exported from the United States", obtainable without charge from the Bureau of the Census, Washington 25, D. C.

§ 371.10 Shipments of limited value GLV—(a) Purpose and symbol. There

is hereby established a general license designated *GLV* authorizing the exportation from the United States of shipments within certain specified dollar-value limits.

(b) *Definitions and interpretations.* The following definitions and interpretations are applicable to this section:

(1) "Single shipment" means the shipment of all commodities which move at the same time from one exporter to one importer on the same exporting carrier, except that not more than one shipment may be made by parcel post or mail per calendar week from one exporter to one importer.

(2) "Net value" means the actual selling price less shipping charges or the current market price to the same type of purchaser in the United States, whichever is the larger.

(3) "One importer" is interpreted as follows: For exportation under the provisions of this section, not more than the amount authorized under this general license may be exported in a single shipment from a designated exporter to a designated consignee or to an intermediate consignee even though such shipment is to be forwarded to one or more ultimate consignees.

(c) *General provisions—(1) Positive List.* Subject to the special provisions as designated and set forth below in this section, commodities included on the Positive List of Commodities (§ 399.1 of this subchapter) which have a dollar-value limit specified may be exported under this general license to all destinations, as follows: R commodities may be exported to Group R destinations, and RO commodities may be exported to Group R or Group O destinations, where, in a single shipment, the net value of the commodities classified in a single entry on the Positive List does not exceed the specified dollar value limit in the column headed "GLV Dollar Value Limits."

(2) *Prohibited shipments.* The following shipments may not be made under the provisions of this general license:

(i) Positive List commodities in any quantity destined for Subgroup A destinations (see § 371.3 (a)), Hong Kong, and Macao.

(ii) Commodities licensed by agencies of the U. S. Government other than the Department of Commerce.

(iii) Commodities with the word "none" in the column in the Positive List headed "GLV Dollar Value Limits."

(iv) Shipments designed as a device to evade the requirement of a validated export license. Such devices include, but are not limited to, (a) the splitting of orders from a single consignee into two or more shipments the total value of which exceeds the maximum GLV dollar-value limit specified for a single shipment; (b) the solicitation from a single consignee of a number of separate orders each of which conforms to such dollar-value limits, but which have a combined value in excess thereof.

Note: R commodities may be exported to Group O destinations without dollar-value limit under the provisions of General License GO (§ 371.7).

Except as prohibited by the provisions of Part 384, commodities not included on the Positive List of Commodities may be ex-

ported to any destination, except Subgroup A destinations, Hong Kong, and Macao, without dollar-value limit under the provisions of General License GRO (§ 371.8).

(3) *Asterisk.* Where an asterisk precedes the dollar value limit for any commodity on the Positive List of Commodities, all forms, conversions, and derivatives of such commodity, even though not covered by the Schedule B number for the entry, are included in the value specified.

(d) *Use of other general licenses not restricted.* The provisions of this section shall not be construed as limiting the use of any other general license specifically authorized.

(e) *Special provisions for Mexico—(1) Limitations on commodities under quantitative quotas.* Commodities subject to quantitative quotas which have been announced in Current Export Bulletins and which are being exported to Mexico by or on behalf of the same exporter to or for the account of the same ultimate consignee are restricted to one "single shipment" (as defined in paragraph (b) of this section) per calendar week when such exports are transported otherwise than by common carrier or by mail.

(2) *Certification required.* The shipper's export declaration covering any exportation to Mexico which is authorized by general license GLV but which is restricted by the terms of subparagraph (1) of this paragraph shall contain the following additional certification.

The undersigned certifies to the Department of Commerce that the merchandise above described is the only shipment of the commodity(ies) classified under the Schedule B number(s) set forth herein to be exported under the provisions of general license GLV by the undersigned exported to the consignee named herein during the current calendar week.

(Signed)

(3) *Hardship or emergency cases.* In any case where the collector of customs determines that the limitations in subparagraph (1) of this paragraph would create an undue hardship, or that an emergency exists in a particular case, he is authorized to permit more than one such shipment in a calendar week under this general license: *Provided,* That the value of each such shipment does not exceed the value limitation provided for the commodities included in such shipment under this general license.

(4) *Collectors authorized to limit shipments.* Collectors of customs are authorized to limit or prevent altogether the exportation of any commodity to Mexico under this general license whenever they shall have cause to suspect that such exportation is being made for the purpose or with the intent of evading any of the regulations of the Department of Commerce.

§ 371.11 *Personal baggage and tools of trade—(a) Personal baggage general license—(1) General provisions.* A general license designated *BAGGAGE* is hereby established, authorizing a person leaving the United States, but not including members of crews on vessels and aircraft, to export as personal bag-

gage, accompanied and unaccompanied, the following classes of commodities:

(i) *Personal effects.* Usual and reasonable kinds and quantities of wearing apparel, articles of personal adornment, toilet articles, medicinal supplies, food, souvenirs, games, and similar personal effects, and their containers.

Note: As used in the regulation, usual and reasonable quantities and kinds of food should be limited, generally, to the quantities and kinds necessary and appropriate for use by a traveler or members of his immediate family during the outgoing and any immediate return voyage.

Consequently, where a traveler desires to include, under the baggage general license, food in such quantities as to be obviously used for consumption after he has finished his voyage, or to be distributed as "gifts," such food is not included within the provisions of this general license.

(ii) *Household effects.* Usual and reasonable kinds and quantities of furniture, household effects, household furnishings, and their containers.

(iii) *Vehicles.* Usual and reasonable kinds and quantities of vehicles, such as passenger cars, station wagons, trucks, trailers, motorcycles, bicycles, tricycles, perambulators, and their containers.

Provided, That the above-indicated personal effects, household effects, and vehicles shall include only such articles as are owned by such person or members of his immediate family; shall be in his possession at the time of or prior to his departure from the United States for a foreign country; are necessary and appropriate for the use of such person or his immediate family; are intended for his use or the use of his immediate family; and are not intended for sale.

(2) *Definition of "accompanied" and "unaccompanied."* The provisions of general license *BAGGAGE* are applicable to accompanied and unaccompanied personal baggage, which is defined as follows:

(i) *Accompanied.* All commodities exported under this general license on the same carrier on which the passenger departs.

(ii) *Unaccompanied.* All other shipments of commodities under this general license. Unaccompanied shipments under this category shall be clearly marked "BAGGAGE." Shipments of unaccompanied baggage may be made at the time of, or within a reasonable time prior to or after, departure of the consignee or owner from the United States.

(3) *Special provisions.* No more than 3 firearms and no more than 500 cartridges, subject to the regulations governing the international traffic in arms, ammunition, and implements of war promulgated by the Department of State, may be exported under general license *BAGGAGE*.

Note: Tobacco in quantities greater than 300 cigarettes (or 50 cigars and 1 pound of tobacco) may not be imported as baggage into the American or British Zones of Germany, upon penalty of confiscation, unless an import permit has been issued for such importation.

(b) *Tools of trade general license.* A general license designated *TOOLS OF TRADE* is hereby established authorizing a person leaving the United States

to export usual and reasonable kinds and quantities of implements, instruments, and tools of trade, occupation or employment, and their containers: *Provided*, That the above-indicated tools of trade (1) shall include only such articles as are owned by such person; (2) shall be in his possession at the time of or prior to his departure from the United States for a foreign country; (3) are necessary and appropriate and intended for the personal use of such person; and (4) are not intended for sale.

NOTE: Validated license requirements. Proposed exports of personal effects, household effects, vehicles, and tools of trade that are not authorized for export to the country of destination under general license BAGGAGE or general license TOOLS OF TRADE, or under any other general license, must be authorized by a validated license in accordance with § 372.1 (c) of this subchapter.

(c) **Requirement for filing shipper's export declaration.** A shipper's export declaration must be filed in accordance with § 379.1 (b) of this subchapter whenever a shipment is exported under general license BAGGAGE or general license TOOLS OF TRADE when shipped under a bill of lading.

NOTE: § 379.1 (b) of this subchapter also requires the filing of a shipper's export declaration for authentication whenever a shipment is exported under a validated license.

A shipper's export declaration need not be filed, despite the provisions of § 379.1 (b) of this subchapter, whenever a shipment is exported under general license BAGGAGE or general license TOOLS OF TRADE except when shipped under a bill of lading. As stated in § 371.2 (a), whenever the filing of a shipper's export declaration is not required by Parts 370 through 399 of this subchapter of the Comprehensive Export Schedule or by the Regulations for the Collection of Statistics of Foreign Commerce and Navigation of the United States, an oral declaration describing the commodity or commodities shall be made to a collector of customs at the port of exit.

Export declaration filing with manifest. Bureau of Customs regulations provide that whenever any commodities for which shipper's export declarations are required to be filed, are to be exported, the person in command of the exporting carrier,¹ or the owner or agents thereof on his behalf, shall deliver to the collector of customs all authenticated shipper's export declarations presented to the exporting carrier for the purpose of facilitating or effecting the exportation of such commodities.

(d) **Customs authority to limit or prohibit shipments.** Collectors of customs shall limit or prohibit the export of any commodity or commodities under general license BAGGAGE or general license TOOLS OF TRADE whenever the kind or quantity is in excess of the limitations set forth in this section, or whenever they shall have cause to suspect that such exportation is being made for the purpose or with the intent of evading any of the regulations of the Department of Commerce.

§ 371.12 **Dunnage.** A general license designated GLD is hereby established, authorizing the exportation of usual and reasonable kinds and quantities of dunnage necessary and appropriate to stow or secure cargo on the outgoing and any

immediate return voyage of an exporting carrier, when exported solely for use as dunnage, not intended for unloading in a foreign country and not exported under a bill of lading.

NOTE: Validated license requirements. Proposed exports of dunnage that are not authorized for export to the country of destination under general license GLD or under any other general license must be authorized by a validated license in accordance with § 372.1 (c) of this subchapter.

Export declaration filing for authentication. A shipper's export declaration must be filed in accordance with § 379.1 (b) of this subchapter whenever a validated license is required for the export of dunnage. The shipper's export declaration may be executed and filed by the person in command of the exporting carrier¹ or the owner or agents thereof on his behalf. A shipper's export declaration need not be filed, despite the provisions of § 379.1 (b) of this subchapter, whenever a shipment is exported under general license GLD. (See § 371.2 (a).)

Export declaration filing with manifest. Bureau of Customs regulations provide that whenever any dunnage is to be exported for which shipper's export declarations are required to be filed, the person in command of the exporting carrier,¹ or the owner or agents thereof on his behalf, shall deliver to the collector of customs at the port of clearance all authenticated shipper's export declarations executed by or presented to such persons for the purpose of facilitating or effecting the exportation of such dunnage.

§ 371.13 **Ship and plane stores, supplies and equipment; crew's effects—(a) Ship stores, supplies, and equipment general license.** A general license designated SHIP STORES is hereby established authorizing exportation of vessels of registry of any country departing from the United States, of usual and reasonable kinds and quantities of (1) bunker fuel, (2) deck, engine, and steward department stores, provisions and supplies for both port and voyage requirements, (3) medicinal and surgical supplies, (4) food stores, (5) slop chest articles, and (6) saloon stores or supplies, for use or consumption on board during the outgoing and any immediate return voyage, and not intended for unloading in a foreign country and not exported under a bill of lading as cargo; and of usual and reasonable kinds and quantities of equipment and spare parts for permanent use on the vessel when necessary for proper operation of such vessel, and not intended for unloading in a foreign country and not exported under a bill of lading as cargo.

(b) **United States and Canadian registered vessels: Ship stores, supplies and equipment general license.** A general license designated REGISTERED SHIP STORES is hereby established authorizing exportation of articles described in paragraph (a) of this section for use by or on a vessel of United States or Canadian registry located at other than a United States or Canadian port: *Provided*, That such articles are (1) shipped as cargo under a bill of lading on an exporting carrier of United States or Canadian registry; (2) in usual and reasonable kinds and quantities; (3) ordered by the person in command of the vessel to which they are consigned, or the owner or agents thereof, and intended to be used or consumed on board such vessel; (4) not intended for unloading in a foreign country except for

transshipment and delivery to the vessel to which they are consigned; and (5) covered by such shipper's export declarations as are required to be filed by § 379.1 (b) of this subchapter.

In addition, commodities may be exported to vessels of United States or Canadian registry located at a port other than a United States or Canadian port pursuant to the provisions of any other general license applicable to the commodities proposed to be exported and to the country in which the port and ship are located.

(c) **Plane stores, supplies and equipment general license.** A general license designated PLANE STORES is hereby established authorizing the exportation in planes of registry of any country departing from the United States of usual and reasonable kinds and quantities of (1) fuel, (2) deck, engine, and steward department stores, provisions, and supplies, (3) medicinal and surgical supplies, (4) food stores, and (5) saloon stores or supplies, for use or consumption during the outgoing trip of such planes and any immediate return trip scheduled, and not intended for unloading in a foreign country and not exported under a bill of lading as cargo; and of usual and reasonable kinds and quantities of equipment and spare parts when necessary for the proper operation of such planes, and not intended for unloading in a foreign country and not exported under a bill of lading as cargo.

NOTE: The provisions of § 371.13 do not authorize the exportation of any equipment or spare parts for vessels of war or for aircraft which are licensed for export by the Department of State. (See § 370.5 of this subchapter.) The provisions of § 371.13 relate only to those commodities under the export control authority of the Department of Commerce.

(d) **Crew's effects general license.** A general license designated CREW is hereby established, authorizing members of crews on exporting carriers¹ to export among their effects usual and reasonable kinds and quantities of wearing apparel, articles of personal adornment, medicinal supplies, toilet articles, food, souvenirs, games, hand tools, and similar personal effects and their containers: *Provided*, That such commodities are (1) owned by such crew member; (2) are necessary and appropriate for his use or that of his immediate family; (3) are intended for his use or that of his immediate family; (4) are not intended for sale; and (5) are not exported under a bill of lading as cargo.

NOTE: Validated license requirements. Proposed exports of all ship and plane stores, supplies and equipment, and all commodities to be exported by a crew member among his effects that are not authorized for export to the country of destination under general license SHIP STORES, REGISTERED SHIP STORES, PLANE STORES, or CREW, or are not authorized for export under any other general license must be authorized by a validated license in accordance with § 372.1 (c) of this subchapter. Whenever a validated license is required for the export of ship stores, supplies, and equipment, license applications shall be prepared as set forth in § 372.5 of this subchapter.

Export declaration filing for authentication. Whenever a shipment is exported under general license SHIP STORES, PLANE STORES, or CREW, a shipper's export decla-

¹ "Exporting carrier" includes any instrumentality of water, land, or air transportation by which an exportation is effected.

ration need not be filed, despite the provisions of § 379.1 (b) of this subchapter. (See § 371.2 (a).) Whenever a validated license is required for the export of commodities, a shipper's export declaration must be filed in accordance with the provisions of § 379.1 (b) of this subchapter. Insofar as ship and plane stores, supplies and equipment are concerned, the shipper's export declaration may be executed and filed by the master of the exporting vessel, the commander of the exporting plane, or the owner or agents of such vessel or plane.

Export declaration filing with manifest. Bureau of Customs regulations provide that whenever any commodities for which shipper's export declarations are required to be filed are to be exported, the person in command of the exporting carrier,¹ or the owner or agents thereof on his behalf, shall deliver to the collector of customs at the port of clearance all authenticated shipper's export declarations executed by or presented to such persons for the purpose of facilitating or effecting the exportation of such commodities.

§ 371.14 **General license GUS.** A general license designated GUS is hereby established authorizing exportations as follows:

(a) **To members of the United States armed services.** Commodities in quantities sufficient solely for the personal use of the consignees and their immediate families; articles for personal use may include household effects, food, beverages, and daily necessities.

(b) **To representatives of the United States—(1) For personal use.** Exportations for the personal use of the consignee, and/or his immediate family and/or employees; articles for personal use may include household effects, food, beverages, and daily necessities.

(2) **For office use.** Exportation of equipment and supplies for the office use of the representative or for use by the representative or his employees in the performance of their official duties. Under this general license the following classes of commodities are included: Stationery supplies, typewriters, adding machines, office furniture, and other comparable office equipment; cleaning supplies, mechanical and electrical supplies and other building maintenance supplies; uniforms, motor cars and trucks, and automobile parts; flags, foodstuffs, books, professional and scientific instruments, apparatus and supplies; medicinals, medical supplies and vaccines; photographic equipment, including unexposed film, plates, and paper.

NOTE: Cigarettes and other tobacco products may not be sent in any amount under this general license to individuals located in Germany.

§ 371.15 **General license GLC.** A general license, designated GLC, is hereby established authorizing the exportation of trucks, busses, trailers, railroad rolling stock, and other commercial vehicles when operated by private or common carriers between the United States and other countries: *Provided*, That such vehicles, except those imported into the United States from a foreign country, shall not be exported for the purpose of resale.

¹ "Exporting carrier" includes any instrumentality of water, land, or air transportation by which an exportation is effected.

§ 371.16 **Export of certain vessels VMC.** [Deleted, effective June 14, 1951.]

§ 371.17 **Commodities sold at auction by Bureau of Customs GCC.** A general license designated GCC is hereby established authorizing the exportation to all destinations, except Subgroup A countries, Hong Kong, and Macao, of commodities which are refused entry into the United States and are sold at auction by the Bureau of Customs for export only: *Provided*, That a certified customs bill and/or receipt (Form 5117A) is presented to the collector of customs at the port of exit or the postmaster at the place of mailing as evidence of the purchase at such auction.

§ 371.18 **Return of certain commodities imported into the United States GLR.** A general license designated GLR is hereby established authorizing exportations as follows:

(a) **Machinery, or parts of machinery.** Machinery, or parts of machinery, shipped to the United States for repair purposes may be returned to the country of origin, as well as replacement or rebuilt parts which are substituted when the identical parts imported are not returned.

The provisions of this paragraph do not apply to:

(1) Destinations in Subgroup A, Hong Kong, and Macao; and

(2) The following commodities: Precision instruments; tools or devices incorporating diamonds, including such tools or devices when shipped as an integral part of a machine.

(b) **Commodities from Republic of Panama.** All articles and materials which have been imported into the Panama Canal Zone from the Republic of Panama for the purpose of being repaired or processed may be returned to the Republic of Panama.

(c) **Containers returned empty.** Metal drums, gas cylinders, bags and other containers used in shipping articles and materials to the United States from any destination may be returned empty to any destination other than Subgroup A countries, Hong Kong, and Macao.

(d) **Newsprint cores.** Newsprint cores made of any kind of material, whether imported into the United States separately or as a part of the packing of imported newsprint paper, may be returned to any destination from which imported except Subgroup A countries, Hong Kong, and Macao.

(e) **Commodities entitled to drawback of customs duties.** Commodities on which customs duties were paid upon importation into the United States, and which upon exportation in accordance with the provisions of subsection (c), section 313 of the Tariff Act of 1930, as amended,² entitle the exporter to the

² 46 Stat. 694, 19 U. S. C. 1313 (c). "Upon the exportation of merchandise not conforming to sample or specifications upon which duties have been paid and which have been entered or withdrawn for consumption and, within thirty days after release from customs custody, returned to customs custody for exportation, the full amount of the duties paid upon such merchandise shall be refunded as drawback, less one per centum of such duties."

drawback of customs duties paid, may be exported to the country from which imported: *Provided*, Such commodities do not conform to sample or specifications and are in the same condition in which imported.

§ 371.19 **Technical data—(a) Definition of technical data.** Technical data is hereby defined as any professional, scientific, or technical information, including any model, design, photograph, photographic negative, document, or other articles or material, containing a plan, specification, or descriptive or technical information of any kind which can be used or adapted for use in connection with any process, synthesis, or operation in the production, manufacture, or reconstruction of articles or materials.

(b) **Security provisions for certain types of technical data—(1) Scope.** Technical data in connection with:

(i) Advanced developments, technology, information, and "know-how,"

(ii) Prototypes,

(iii) Special installations, and

(iv) Those items listed in Proclamation 2776 (§ 370.5 of this subchapter) which do not have a security classification,

whenever they have significance to the common security and defense, are included in the scope of the security provisions for technical data.

NOTE: Advertising catalogs or pamphlets, assembly and operating directions, or other technical information generally available to the trade, users of equipment, or to the public, are not included in the scope of the security provisions for technical data. Also excluded are technical data which are not classified by the U. S. Government and which will be used purely for educational or scientific research.

(2) **Substance.** Before completing arrangements to export or release for foreign use any technical data included in the scope of the security provisions, exporters should request an official opinion from the U. S. Government through the Office of International Trade as to the desirability of exporting or releasing the technical data.

NOTE 1. Presentation of requests. All requests for an official opinion of the U. S. Government should be submitted by letter, in duplicate, to the Office of International Trade, Department of Commerce, Washington 25, D. C. (Ref: Technical Data, IT-1245). In addition, those who wish to discuss a problem personally will readily be given specific appointments.

2. Information to be furnished. Requests should include as much information as possible regarding the technical data which it is proposed to export or furnish for export. As a minimum, the following questions should be answered:

(1) To whom in the U. S. and/or in the foreign country is the technical information to be furnished?

(2) What is the name of the country in which the technical information will be used?

(3) For what purpose will the technical information be used?

(4) What is the subject matter of the technical information to be furnished?

(5) Is the technical data classified by an agency of the U. S. Government?

(6) How will the information be furnished? (i. e. blueprints? specifications? training in the U. S. of foreign specialists?)

personal services by engineers and specialists sent abroad?)

(7) For how long a period will technical information be furnished under a contract or agreement?

3. *Confidential nature of information.* All information submitted in the requests will be treated in confidence in order not to disturb competitive relationships.

4. *Acknowledgments and replies.* All requests for opinions will be acknowledged upon receipt. Immediately, the Department of Commerce will consult with interested departments and agencies of the U. S. Government. Consistent with that obligation, a full reply to each request will be forwarded promptly, so that negotiations with foreign users of the technical data will not be delayed.

5. *Limitation regarding opinions.* The official opinion which will be furnished by the U. S. Government through the Department of Commerce is purely advisory; it constitutes no commitment on the part of the U. S. Government to issue an export license should an emergency or other circumstances develop which make it essential that the export of certain technical information be subjected to export license requirements.

(c) *Authorization and use of general licenses GTD and GTDA.*—(1)—*General license GTD.* A general license designated GTD is hereby established authorizing the exportation of technical data to any destination except those in Subgroup A: *Provided*, (i) That no officer or agency of the United States Government has assigned to it a security classification (e. g., "restricted," "confidential," "secret," etc.) or (ii) That if such classification exists, the exporter has obtained duly authorized permission in writing from the agency of the U. S. Government which assigned the security classification; or (iii) That the Department of Commerce has not revised, suspended, or revoked this general license in any manner as to any person within or without the United States so as to prohibit shipment thereunder by the exporter.

(2) *General license GTDA.* A general license designated GTDA is hereby established authorizing the exportation to Subgroup A destinations, except North Korea,¹ of technical data in published form: *Provided*, That publications containing such technical data are (i) sold at newsstands or bookstores; (ii) are available by subscription or purchase to any individual without restriction; (iii) have been granted second-class mailing privileges by the U. S. Government; or (iv) are freely available at public libraries.

NOTE: Where the Department of Commerce determines in any case that shipment of technical data should be prohibited, notice of such determination will be given to the exporter in the official opinion requested by him, wherever possible.

(3) *Designation on wrapper.* Any person exporting under these general licenses shall mark conspicuously on the envelope or outside wrapper "General License GTD" or "General License GTDA," as appropriate.

(4) *Prohibited exportations.* No exportation may be made under general license GTD of classified technical data with the knowledge or intention that

the technical data so exported are to be reexported from the country of destination to which permission was granted.

NOTE: Export of patent applications and amendments.—1. *Inventions made in foreign country.* Technical data contained in papers relating to patent applications based on inventions made in a foreign country which are to be exported for informational purposes or for the purpose of filing in a foreign country may, if otherwise qualified, be exported under general license GTD.

2. *Inventions made in U. S.* Patent applications based on inventions made in the United States, amendments thereto, or other papers relating thereto, which are to be exported for the purpose of filing in a foreign country or which may become the basis of an application or an amendment to an application already filed in a foreign country, are subject to regulations of the Commissioner of Patents, and, after permission is obtained from the Commissioner of Patents, are exportable under general license GTD.

3. Applications for licenses to export patent applications and amendments thereto should be submitted to the Commissioner of Patents, Department of Commerce, Washington 25, D. C. Patent attorneys and others who contemplate exporting technical data pertaining to patent applications, amendments, or information for use in the prosecution thereof, or applications for the registration of a utility model, industrial design, or model in respect of any invention made in the United States, should direct their inquiries regarding such exportations to the Commissioner of Patents.

§ 371.20 *Gift parcels to enemy prisoners of war.* [Deleted, effective August 3, 1950.]

§ 371.21 *Exportation of relief shipments RLS.* [Deleted, effective July 15, 1950.]

§ 371.22 *Exportations by citizens of foreign countries serving in the United States Armed Forces GAF.* [Deleted, effective August 3, 1950.]

§ 371.23 *General license for gift parcels.*—(a) *Scope of license.* A general license is hereby established authorizing the exportation of gift parcels by mail, including parcel post, and air express, addressed to individuals or to religious, charitable, or educational organizations residing in all destinations except Mainland China (including Manchuria) and North Korea.² *Provided*, That such exportations are made in accordance with the following provisions of this section.

NOTE: The establishment of this procedure does not alter in any respect the provisions of any other general license or other procedure of the Office of International Trade authorizing the exportation of commodities.

Multiple parcels exported in a single shipment for delivery to individuals residing in a foreign country do not fall within the provisions of this general license. Such shipments, unless authorized by one of the other general licenses set forth in this part, must meet validated license requirements, including the submission of a license application in accordance with all of the provisions of Parts 370 through 399 of this subchapter.

(b) *Definition.* The term "gift parcel" as used in this section means a parcel containing commodities to be sent by an individual in the United States (the donor) free of cost to an individual or a religious, charitable, or educational organization in a foreign destination (the

donee) for the use of the donee or the donee's immediate family in the case of an individual, and for use by the organization in the case of a religious, charitable, or educational organization.

(c) *Commodity, weight, and other limitations.*—(1) *Manner of mailing.* A gift parcel sent under this general license must be mailed directly to the donee by the individual donor, or for such donor by a commercial or other gift-forwarding service or organization. Each gift parcel must show, on the outside wrapper, the name and address of the donor, regardless of whether mailed by him or by a forwarding service.

(2) *Commodity limitations.* Commodities which may be included in each gift parcel under this general license are restricted to those normally sent as gifts, such as food, clothing (other than military), toilet articles, and medicinals and drugs obtainable through regular retail druggists without prescription and bearing directions on the labeling for their use by the lay public. Specifically excluded are military wearing apparel (new and used), Schedule B No. 999930, and all medicinals and drugs requiring prescriptions, including all antibiotics, sulfonamides, and medicinals and drugs intended only for professional use.

(3) *Dollar-value limitations.* The combined total domestic retail value of all commodities included in a single parcel shall not exceed twenty-five dollars (\$25).

(4) *Postal, size, and weight limitations.* Gift parcels sent via parcel post under this general license shall conform with applicable Post Office regulations as to size, weight, and permissible contents. Gift parcels sent via air cargo or air freight are not limited as to size or weight by the provisions of this general license.

(5) *Other limitations.* Not more than one gift parcel may be sent by the same donor to the same donee in any one calendar week.

(6) *Excluded destinations.* Exportations under the authority of this general license may not be made to North Korea,³ China (including Manchuria but not including Taiwan (Formosa)), Outer Mongolia, and Tibet, as described in Schedule C of the Bureau of the Census.

(d) *General license designation.* In addition to bearing the name and address of both the donor and the donee, all gift parcels presented for shipment under this general license must have the notation "Gift—Export License Not Required" written on the addressee side of the package and the word "Gift" written on any required customs or shipper's export declarations.

NOTE: The sending of merchandise as gifts is also subject to the import regulations of the receiving country. Many foreign countries permit the entry, duty-free, of gift parcels which conform to regulations regarding contents and marking. To secure this advantage, as well as the reduced postage rate arranged by the Mutual Security Agency for gift shipments, the sender also should show the words "U. S. A. Gift Parcel" on the addressee side of the package and on any required customs declaration.

Senders of gift parcels who wish information regarding the import regulations of a foreign country should write to the nearest

¹ Includes any territory controlled by the Government of North Korea.

regional or district office of the Department of Commerce, or the Assistant Director for Economic Affairs, Office of International Trade, Department of Commerce, Washington 25, D. C.

§ 371.24 *General license GTF, goods imported for trade fairs*—(a) *Return to country from which imported.* A general license designated GTF is hereby established, authorizing exportation to the country from which imported of commodities which have been entered under bond or which have been permitted temporary free importation under bond providing for their exportation, for exhibition at trade or similar fairs; *Provided*, That such commodities are being exported in accordance with the terms of such bonds.

(b) *Export to other destinations.* Commodities described in paragraph (a) of this section which are not listed as exceptions to the general in-transit license GIT provisions (§ 371.9 (c)) may be exported to destinations other than that from which imported, except North Korea.¹

§ 371.25 *General license GMC, unmanufactured cotton.* A general license designated GMC is hereby established, authorizing the exportation, to all destinations except Subgroup A countries, Hong Kong, and Macao, of cotton linters, Schedule B Nos. 300402, 300403, 300405, and 300406, of the growth of any North or South American country (other than the United States), as listed in Schedule C of the Bureau of the Census; *Provided*, Such cotton linters are exported from U. S. Bureau of Customs custody and no consumption entry therefor has been officially accepted at a United States customhouse.

§ 371.26 *Exportation of certain publications G-PUB*—(a) *Authorization.* A general license designated G-PUB is hereby established authorizing the exportation to all destinations, except to destinations in North Korea,¹ of the publications listed in paragraph (b) of this section; *Provided*, That the publications do not contain technical data as defined in § 371.19.

(b) *Publications exportable.* The following commodities are exportable under the authority of General License G-PUB:

Schedule B Number	Commodity
912120-912400	Motion picture films, developed.
951000	Bound educational textbooks.
951100	Bibles and Testaments.
951210	Dictionaries and encyclopedias, including yearbooks.
951230	Literature, fictional and nonfictional.
951290	Other bound books.
951400	Unbound books in sheets.
951600	Catalogs and pamphlets.
952300	Music in books and sheets.
953300	Newspapers, current, except overissue (report noncurrent newspapers issued prior to six months of the time of export) and overissue newspapers under 469855; old newspapers enhanced in value under 961000).
955500	Periodicals, current, except overissue (report noncurrent periodicals issued prior to six months of the time of export) and overissue periodicals under 469855; old periodicals enhanced in value under 961000).
959000	Calendars (printed or unprinted).

¹Includes any territory controlled by the Government of North Korea.

§ 371.27 *General license G-COAL, overland exports of coal.* (Deleted, effective April 24, 1952.)

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

- Sec.
- 372.1 Applicability and general provisions.
- 372.2 Applications for licenses.
- 372.3 How to file an application for export license.
- 372.4 License applications for in-transit shipments.
- 372.5 Ship stores, plane stores, supplies, and equipment.
- 372.6 Commodities exported for relief or charity.
- 372.7 Unit-process applications.
- 372.8 Disclosure of prior action on the shipment.
- 372.9 Documents accompanying applications for validated licenses.
- 372.10 Additional information.
- 372.11 Issuance and use of export licenses.
- 372.12 Weight and volume tolerance.
- 372.13 Port of exit.
- 372.14 Reexportation from country of destination.
- 372.15 Duplicate licenses.
- 372.16 Return of revoked, expired, or unused licenses.
- 372.17 Reports.

AUTHORITY: §§ 372.1 to 372.17 Issued under 63 Stat. 7, as amended; 50 U. S. C. App., 2023, E. O. 9630, Sept. 27, 1945, 10 P. R. 12245; 3 CFR 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 P. R. 59; 3 CFR 1948 Supp.

§ 372.1 *Applicability and general provisions*—(a) *Definition of "validated license"*. Wherever reference is made in this part to application for licenses or to licenses granted or issued upon application, the reference is to validated licenses as distinguished from the general licenses established in Part 371 of this subchapter. The term "validated license" means an individual or other type of export license or any other document authorizing exportation granted or issued by or under the authority of the Department of Commerce.

(b) *Applicability of provisions.* (1) The provisions of this part (and insofar as consistent with the provisions of this part, all of the other provisions of Parts 370 to 399, inclusive, of this subchapter) shall apply to applications for and individual licenses issued by the Department of Commerce. An individual license is a validated license authorizing the exportation of the quantity of those commodities described therein from a designated licensee to a designated consignee.

(2) The provisions of this part shall also apply equally to other types of validated licenses, and applications therefor, insofar as consistent with the provisions of Parts 374 to 399 of this subchapter, inclusive, relating to such other types of validated licenses.

NOTE: In addition to the individual license, there are the following types of validated licenses:

1. *Blanket license.* The blanket (BLT) license authorizes the exportation of all R and certain RO commodities on the Positive List to two or more specifically named consignees at a given destination. (See Part 375 of this subchapter.)

2. *Project licenses.* Two types of project licenses, special project (SP) and dollar limit (DL), are used for authorizing exportations of all commodities required for a specific

project or enterprise for a specific period. (See Part 374 of this subchapter.)

(c) *Exportations requiring license.* (1) The commodities included on the Positive List of Commodities (§ 389.1 of this subchapter) may not be exported to foreign destinations other than Canada (including Newfoundland and Labrador) except pursuant to general, individual, or other type of license granted or issued upon application or established by the Department of Commerce.

(2) No exportation of any commodity (R or RO) included on the Positive List of Commodities may be made to any destination in Country Group R, as defined in § 371.3 (a) of this subchapter, no exportation of any RO commodity may be made to any destination in Country Group O, as listed in § 371.3 (a) of this subchapter, and no exportation of any commodity, regardless of whether included on the Positive List of Commodities, may be made to any destination in Subgroup A, as listed in § 371.3 (a) of this subchapter, Hong Kong, and Macao, unless and until a validated license therefor has been granted or issued upon application by the Department of Commerce, except where authorized by the provisions of an established general license as set forth in Part 371 of this subchapter or under other provisions permitting the exportation without license.

NOTE: No license from the Department of Commerce is required for the export of commodities subject to export license by other agencies of the Government. (See §§ 370.5, 370.6, 370.7, and 370.7a of this subchapter.)

(d) *Special provisions for certain commodities.* Special provisions for certain commodities are set forth in Part 373 of this subchapter.

(e) *Representations in license applications; orders and evidence thereof; and record-keeping requirements*—(1) *Orders and other material facts.* No application for an export license shall be made unless and until the applicant has, supported by documentary evidence in his possession,

(i) An order for export for the commodities covered by the application.

(ii) Substantiation of the following facts relating to the purchase transaction which the applicant must disclose on the application, Form IT-419: (See note following § 372.3, How to File an Application for Export License.)

Country of ultimate destination;
Names and addresses of the ultimate consignee, intermediate consignee (if any), purchaser (if other than ultimate consignee), and any other party to the purchase transaction, whether principal or agent, including but not limited to brokers, representatives or other agents through whom the order was received;

Quantity and description of the commodities to be exported;
End use of the exportation;
ECA authorization if known and applicable.

(2) *Definitions*—(i) *Order.* The term "order" as used herein means an order for export placed with an exporter in the United States by an importer in a foreign country which, if accepted by the exporter, will result in a binding contract between the exporter and the

importer. Conversely, however, an exporter's offer alone is not a basis for an application. While the terms of the order may be conditioned, such terms must be ascertainable and certain; for example, (a) the terms of payment may provide a price dependent upon the market price at the time of delivery; (b) the time or place of delivery may be dependent upon an event in the future, etc. An "order" is more than a mere business inquiry relating to the possible purchase of merchandise, although it need not be an agreement which can be presently executed. Furthermore, while orders may be conditioned upon the issuance to the exporter of an export license by the Department of Commerce or the issuance to the importer of an import permit or exchange permit by his government, or such other government document as may be required, such orders for export would still be considered as orders within the meaning of these provisions.

(ii) *Evidence of an order.* Evidence of an order as used herein means any document or documents emanating from the foreign purchaser which set forth the terms and conditions of his offer to buy the materials or articles for which the export license is requested. Such evidence may take the form of a contract signed by both parties, or of letters, telegrams, cables, confirmations, or other documents which set forth in definite terms the offer of the foreign purchaser to buy or the acceptance by the foreign purchaser of the exporter's offer to sell.

(iii) *Evidence of facts relating to the purchase transaction.* Evidence of the facts relating to the purchase transaction means any documents emanating from the purchaser or ultimate consignee which substantiate the material statements in the application enumerated in subparagraph (1) of this paragraph. Such evidence may be contained in the document or documents constituting evidence of the order, or in additional documents emanating from the purchaser or ultimate consignee. The printed name, address, or nature of business of the ultimate consignee or purchaser appearing on his letterhead or order form shall not constitute evidence of either his identity, the country of ultimate destination, or end use of the commodities described in the application.

(3) *Shipments involving other than normal purchase and sale contracts.* Where the transaction between the applicant and purchaser or ultimate consignee does not involve a normal purchase and sale contract in the customary form or where for other stated reasons the term "order" as used herein does not apply, the applicant shall attach to his application a full description of the nature of the transaction.

NOTE: Where an exporter ships supplies or equipment to his foreign subsidiary or to distributors for use or resale, but it is not the practice for the subsidiary or distributor to submit or for the exporter to accept orders, documentary evidence of an order is not required. The applicant must, however, submit a full statement of the nature of the transaction or arrangement, explaining the end uses of the commodities involved. When commodities are to be exported under any

other arrangement, a full statement of the nature of the transaction must likewise be submitted.

(4) *Retention of documents.* The documents constituting evidence of an order and of the facts relating to the purchase transaction, as defined herein, or other transaction referred to in subparagraph (3) of this paragraph, must be kept available for inspection, upon demand, by the Office of International Trade for three years from the date of receipt of the application, as shown on the acknowledgment card, Form IT-116.

NOTE: The Office of International Trade may request either the originals of the documents constituting the evidence, or photostatic or other copies thereof. The time and manner of submission will be made known to the applicant at the time the request for submission is made. Photostatic or other copies must be certified by the applicant to be true copies of the originals, as provided in § 372.9 of this subchapter.

All abbreviations, coded terms, or other expressions having special significance in the trade or to the parties to the transaction must be explained. Documents in a foreign language must be accompanied by an accurate English translation. Such translation need not be made by a translating service, but, if not, must be certified by the applicant to be a correct translation.

(5) *Changes in orders or facts relating to the purchase or other transaction.* Answers to all questions in the application shall be deemed to be continuing representations of the existing facts or circumstances. Any material or substantive change in the terms of the order or in the facts relating to the purchase transaction or other transaction, shall be promptly reported to the Office of International Trade, whether a license has been granted or the application is still under consideration. If a license has been granted, such change shall be reported immediately to the Department of Commerce, in accordance with the provisions of Part 380 of this subchapter, even though shipments against the license may be partially or wholly completed.

NOTE: Change in intermediate consignee must be reported on shipper's export declaration, and in certain cases an amendment to the export license is required. (See item 5 of the Interpretive Statement following § 372.2, and § 380.2 (f) of this subchapter.)

Changes in facts relating to MSA authorization should be reported if such authorization was indicated in application; otherwise such disclosure should be made in the fourth copy of the shipper's export declaration, if required by terms of the license. (See § 370.1 (c) of this subchapter.)

(6) *Export licenses related to complete applications.* Although the export licenses issued by the Department of Commerce may not set forth all the facts relating to the export transaction that are contained in the license application and supporting documents, any validated export license issued is valid for use only with respect to the specific export transaction described in the license application and supporting documents, unless otherwise provided by the export license.

§ 372.2 *Applications for licenses—*
(a) *Who may apply.* License applications may be made by any person sub-

ject to the jurisdiction of the United States, who is in fact the exporter, or by his duly authorized agent. In either instance, the exporter must be shown as the applicant.

NOTE: Applications may be made by any person, including a corporation or partnership, who is in fact the exporter. However, no application of any person not subject to the jurisdiction of the United States will be considered unless such application is made on his behalf by an authorized agent in the United States. The agent authorized to file the application then becomes the applicant. Any applicant to whom an export license is issued becomes the licensee and will be held strictly accountable for use of the license, whether as a principal exporting for his own account or as an agent acting for the account of a principal or foreign importer who is not subject to the jurisdiction of the United States. The designation of an agent as licensee in no way lessens the responsibility of his foreign principal as a party in interest to the transaction.

INTERPRETIVE STATEMENT REGARDING APPLICANTS, LICENSEES, AND PARTIES

1. *Requirement to disclose parties in interest.* The policies of export control require the fullest disclosure by the applicant of all parties in interest in order that decisions on applications may be made with the fullest knowledge of all relevant facts and that the identity and whereabouts of the persons who know most about the transactions may be easily ascertained in the event of inquiry.

2. *Information required on license applications.* There must be shown on applications for licenses all parties who are concerned in the proposed exportation, participating on their own account; the applicant as exporter, the ultimate consignee, the intermediate consignee, and the purchaser, all as herein defined. If the application is filed for an account other than that of the applicant, the agent, as applicant, must disclose the name of his foreign principal for whose account the exportation is to be made. The true parties in interest as known to the applicant must be disclosed.

It is realized that there may be cases in which more than one person in a transaction may fairly be described as being a principal. However, in such cases, the application should be accompanied by a statement giving the names and addresses of such other persons and their roles in the transaction in question. Where there is any doubt as to which of several persons should be named as the party to the license, the applicant should disclose the names of all and the functions to be performed by each. For this purpose, a separate statement attached to the application will be acceptable.

The Note following § 372.3 contains detailed instructions for preparing applications for licenses (Form IT-419), including provisions for identifying the persons participating in a transaction.

3. *Applicant; licensee.* The applicant for a license should be that person who, as the principal party in interest in the transaction of exportation, has the power and responsibility to determine and control the sending of the goods out of the country and is thus in reality the exporter. For this purpose, it is the identity of the applicant, and his role in the transaction, and not the terms of sale, in which the Office of International Trade is primarily concerned. If, in a given transaction, he has the responsibility for effecting exportation, such person is a proper applicant; if, on the other hand, he does not assume such responsibility, he is not a proper applicant.

If the seller intends to leave the responsibility for effecting exportation in the hands of the foreign importer or the latter's forwarding or purchasing agent in the United

States, he should not apply for the license or appear as exporter; but, in such case, the forwarding or purchasing agent should appear as applicant and exporter unless the foreign importer himself is subject to the jurisdiction of the United States at the time of exportation, in which case the latter should apply for the license in his own name. If any forwarding or purchasing agent applies for a license, he must disclose the name of his principal.

4. *Ultimate consignee.* The person located abroad who is the true party in interest in actually receiving the exportation for the designated end use must be named as the ultimate consignee. In all cases, the address of the ultimate consignee must be in the country of destination specified for the proposed exportation. A bank, freight forwarder, forwarding agent, or other intermediary is not acceptable as the ultimate consignee.

5. *Intermediate consignee.* The bank, forwarding agent, or other intermediary (if any) who participates in a foreign country as an agent for the exporter, the purchaser, or the ultimate consignee, for the purpose of effecting delivery of the exportation to the ultimate consignee must be named on the application, if known.

In all cases, before a shipment will be cleared for export, the name and address of any intermediate consignee to be used must be ascertained and set forth on the shipper's export declaration, whether or not named on the license application or validated license. (See § 379.2 (a) (2) of this subchapter.)

Amendment of the export license is required if the intermediate consignee to be used in the export transaction is not named on the export license, unless such new or different intermediate consignee is located in the country of ultimate destination as shown on the export license. (See § 380.2 (f) of this subchapter.)

The name and address of the intermediate consignee need not be shown on the commercial invoice. However, pursuant to the destination control provisions of § 381.4 (d) (1) of this subchapter, a copy of the commercial invoice or bill of lading containing the destination statement provided thereunder must be sent to any intermediate consignee.

6. *Purchaser.* The person abroad who has entered into the export transaction with the applicant to purchase the articles or materials for delivery to the ultimate consignee must be named as the purchaser. A bank, freight forwarder, forwarding agent, or other intermediary is not acceptable as the purchaser.

7. *Responsibility of licensee.* Any person obtaining a license, whether as a principal exporting for his own account or as an agent of a foreign principal, thereby assumes responsibility for actually effecting the exportation, for proper use of the license, and for due performance of all of its terms and conditions. Ordinarily, therefore, a seller who delivers commodities in this country to a foreign buyer or to the latter's forwarder or other agent would not be in a position to assume such responsibility and so would not be a proper applicant.

This would normally be the situation where the sale is made f. o. b. factory, although it is recognized that such terms of sale may relate only to price and are not necessarily inconsistent with the assumption by the seller of full responsibility for effecting the exportation.

8. *Legal liability for violations.* Insofar as legal liability for any violation of the export-control law and regulations is concerned, every person who in any capacity participates in fact in an exportation knowing it to be unauthorized may be held to account, whether or not he appears as the formal applicant for the export license. In any given transaction, for example, whoever,

whether acting as principal (seller or buyer) or as agent for the seller or buyer, such as a freight forwarder, purchasing agent for a foreign buyer, broker, or any employee of such persons, knowingly facilitates an unlawful exportation may be held accountable as though he were the exporter. Any attempt to export commodities differing in any way from those licensed, or any alteration of a license, except by a duly authorized officer of the Government, is punishable under appropriate acts of Congress.

(b) *Separate applications for each commodity.*¹ A separate and complete application must be submitted for each commodity to each consignee in each country of destination except as otherwise specifically provided by the other provisions of Parts 370 to 399, inclusive, of this subchapter.

(c) *Single applications for related commodities.* (1) A single application for an individual license may include a group of related commodities. Related commodities are commodities which have the same processing code symbol and the same number following such symbol on the Positive List of Commodities (§ 399.1 of this subchapter). Unless the processing code symbol is followed by a number, the commodity is excluded from any related commodity grouping.

(2) RO commodities may not be included on the same application with R commodities.

(3) The application may be approved in whole or in part. Upon specific request, stated on the application form, the application will be considered as a whole, and either approved or rejected in its entirety.

(4) Additional sheets listing related commodities must be attached securely to the application form.

NOTE: For example, any of the rubber and manufactures, Schedule B Nos. 200100-209900, which have the processing code RUBR 2 may be combined on one application form, but not with commodities having a different symbol or number.

(d) *Applications to cover partial or periodic shipments.* Where partial or periodic shipments of an identical commodity are to be made by the applicant to the same consignee in a foreign country, an application may be filed covering the entire quantity of commodities to be so exported.

(e) *Applications for separate or additional licenses for making partial shipments by mail—(1) Partial shipments expected when application is submitted.* Where an exporter, at the time of applying for an export license, expects to make one or more partial shipments by parcel post against one order, he may submit one application to obtain separate licenses for each anticipated partial shipment by mail against such order. In such case, the applicant shall indicate in the commodity description column of the application the quantity of each partial shipment and note across the bottom of the column "Anticipated Partial Shipments by Mail Against One Order."

(2) *Partial shipment made after license is issued.* Where an exporter has not anticipated he would make partial

shipments and is required to surrender an outstanding validated export license to a postmaster in order to make a partial shipment by mail of the quantity covered by the export license (see § 379.1 (f) (1) of this subchapter), he may obtain a duplicate(s) of such license covering the quantity of the unshipped balance, by submitting to the Office of International Trade a letter setting forth the following information:

(i) That the original license assigned Case No. _____ and License No. _____ issued to _____

(Name and address of licensee) has been surrendered to the postmaster at _____ on _____ (Address) (Date of shipment) when partial shipment was made.

(ii) The quantity of commodities that have been shipped under the original license.

(iii) The number of separate shipments to be made against the unshipped balance of the original license, and the quantities to be included in each such shipment.

(f) *Second applications.* A second application covering the same proposed exportation shall not be submitted pending action on the first application.

NOTE: When an application has been returned without action to the applicant and is being resubmitted, a new application should not be filed out unless the necessary alterations on the old application would be too difficult to make or illegible. In those instances where a new application is submitted, the original OIT case number should be typed or written in ink on the new application Form IT-419, in the space provided for previous OIT case number. When a new application is submitted, the original application must be attached to the new application.

When an export license application has been returned without action with instructions that it is not to be resubmitted until a later date, the resubmission of the application must be in accordance with the requirements existing at the later date for the submission of a new application.

§ 372.3 *How to file an application for export license—(a) Time of submission.* Specific filing dates are established for certain Positive List commodities.² Applications for licenses to export such commodities shall be submitted at such times or during such periods as are announced in Current Export Bulletins. Applications for licenses to export commodities for which no specific filing dates are announced may be submitted at any time.

(b) *Form and manner of filing.* Application for a license shall be made on the form or forms and in the manner prescribed by the Department of Commerce. All terms, conditions, provisions, and instructions, including the applicant's certificate, contained in such form or forms are hereby incorporated as a part of the regulations in Parts 370 to 399, inclusive, of this subchapter. The return post card furnished with each application must be filed in and submitted to the Department of Commerce with the application.

(c) *Information required.* The following general provisions shall govern all

¹ See § 372.7 for submission of related applications for unit consideration.

² § 373.51 of this subchapter.

applications for export licenses submitted on Form IT-419 (whether the applicant uses Form IT-419 (Revised August 1949 and August 1950), or the Form IT-419 (Revised September 10, 1951)):

The applicant must state, among other things, for each item listed, (1) the quantity to be shipped, (2) a description in sufficient detail to permit accurate identification, including its Schedule B number and (3) the total selling price of the item and its price per unit.

NOTE: 1. Application forms. Applications for validated licenses must be submitted on Form IT-419 (revised August 1949), Application for Export License, accompanied by Form IT-116 (revised August 1949), Acknowledgment Card. An application is incomplete and will be returned to the applicant unless accompanied by the acknowledgment card.

Application forms IT-419 and IT-116 may be obtained by writing to any Field Office of the Department of Commerce.

Exporters may print facsimiles of Form IT-419 with printed answers to many of the questions, provided the facsimiles are identical with the official form in size, ink color, and typographic arrangement.

2. Preparation of Form IT-419 (Revised August 1949 and August 1950). The following instructions apply to the preparation of applications, Form IT-419 (Revised August 1949 and August 1950), for all types of validated export licenses issued by the Department of Commerce, except as modified by special licensing procedures and provisions contained in Parts 372 through 375 of this subchapter.

A separate application must be filed for each entry on the Positive List, except when two or more entries have the same processing code and related commodity group number. (See § 372.2 (b) and (c).)

Applications should be typewritten, but will be accepted if written legibly in ink.

Only the original (green ink) copy need be submitted. The duplicate (applicant's file copy) may be retained by the applicant.

Item 1, name of applicant (exporter): Enter the name and address of the corporation, partnership, or individual who is in fact the exporter. The name of an agent for the applicant may not be shown except when the exporter in fact is not subject to the jurisdiction of the United States and the application is being filed in his behalf by his authorized agent in the United States. (See § 372.2 (a).)

Item 2, date of application: Enter the date of the application.

Item 3, country of ultimate destination: The country of final destination is to be entered, not a country through which the exportation may travel in transit to its final destination. This destination must be the same as that shown as the address of the ultimate consignee in item 8 (a). (See §§ 372.2 (a); 381.1 (b); 381.4 of this subchapter.) (See exception in § 372.5.)

Item 4 (a), applicant's reference number: This item is for applicant's use for identifying the application and material concerning it in his files. If a reference number is used, it should appear on Form IT-116 and all documents which accompany the application. If applicant has no reference number, he may leave this space blank.

Item 4 (b), previous OIT case number: This item should be answered only when a previous application covering the same transaction has been returned without action or rejected, and a new application form is being submitted. (See §§ 372.2 (f); 383.1 (f) of this subchapter.)

Item 5, import license or authorization number: Answer this item only when specifically required by current regulations.

Item 6, MSA authorization: If the exportation is to be made under the Mutual Security Program, enter the number and symbol of the procurement or loan authorization under which foreign purchaser is importing. If such number and symbol are unknown or not assigned at the time application is filed, state "unknown," or "not yet assigned."

Item 7, name of principal: If the applicant named in item 1 is acting as an agent for the true exporter who is not subject to the jurisdiction of the United States, enter the name and address of the principal for whose account the exportation is to be made. Describe the facts of the case, using a separate sheet if more space is necessary. (See § 372.2 (a).)

Item 8 (a), ultimate consignee in foreign country: Enter the name and address of the firm or person who is actually to receive the articles or materials for the end use set forth in item 10. If such firm or person is not also the purchaser, the name of the purchaser should not be entered in this space but should appear in item 8 (c). The address shown for the ultimate consignee must be the same country as the final destination (item 3). Do not enter the name of a forwarding agent, freight forwarder, or other intermediate consignee in this space. (See § 372.2 (a).) (See exception in § 372.5.)

Item 8 (b), intermediate consignee in foreign country: Enter the name and address of the bank, forwarding agent, freight forwarder, or other intermediary, if any, in a foreign country who is to act as an agent of either the exporter, the ultimate consignee, or the purchaser, in effecting delivery of the exportation to the ultimate consignee. If no intermediary is to be used, applicant should state "none"; or if same as ultimate consignee, "same." If, at the time the application for export license is submitted, the intermediate consignee is not known, the applicant may state "unknown."

In all cases, before a shipment will be cleared for export, the name and address of any intermediate consignee must be ascertained and set forth on the shipper's export declaration, whether or not named on the license application or validated license. (See § 379.2 (a) (2) of this subchapter.) (For situations where amendment of license is required prior to clearance in respect to intermediate consignee, see § 380.2 (f) of this subchapter.)

Item 8 (c), purchaser in foreign country: Enter the name and address of the firm or person abroad who has entered into the transaction with the applicant to purchase the articles or materials for delivery to the ultimate consignee. If such firm or person is the same as the ultimate consignee, state "same." (See § 372.2 (a).)

Item 9 (a), quantity to be shipped: Enter the total number of units of the material to be exported, using the unit of quantity shown in the Positive List of Commodities (§ 399.1 of this subchapter), and also in trade units, where different; where no unit of quantity is shown, show the unit commonly used in the trade. (See § 372.11 (c).) (Variations in the net quantity specified are permitted only within the tolerance limits described in § 372.12.)

Item 9 (b), commodity description: Describe the articles or materials in terms which correspond with the commodity descriptions shown for them in Schedule B (revised January 1952). Furnish additional details to the extent necessary for identification of the specific items classified under a particular Schedule B number on the Positive List. (Include composition, type, size, gauge, grade, horsepower, etc., where applicable; show brand or trade names, catalog numbers, or other trade characteristics which will aid in exact identification of the commodities.) If there are reasons or specifications which make the commodities unusable or unsalable in the United States, so state.

The foregoing general provisions regarding commodity descriptions are modified and supplemented by special provisions governing applications covering certain stated commodities. (See Part 373 of this subchapter.)

Item 9 (c), Schedule B number, processing code, and related commodity group: Enter the Schedule B number for each commodity, as shown on the Positive List of Commodities; also the processing code and related commodity group number (the numeral following the processing code), if any. The processing code (and related commodity group number, if any) should be followed by a dash and the letters "RO" if the commodity to be exported is an "RO" commodity; if an "R" commodity, the letter "R" should be shown. A separate application must be filed for each entry on the Positive List except for two or more entries having the same processing code and related commodity group number. (See §§ 372.2 (b), (c) and 372.6; also § 399.1 of this subchapter, General Notes to Appendix A paragraph (f).)

Item 9 (d), selling price and point of delivery: Enter the total price to be received for each commodity shown on the application, specifying the particular form of quotation, such as f. o. b. (factory) f. a. s. (named port), etc., and naming the point of delivery. The unit price should also be shown except where a large variety of products within a single Schedule B classification makes the break-down impracticable. In such cases, only the total price need be shown, but the applicant must be prepared, upon request of the Office of International Trade, to submit a detailed statement of unit selling prices.

For applications covering certain RO commodities on the Positive List, the price stated must be the export contract price, and the point of delivery must be clearly indicated. Where normal trade practices for a given commodity make it impracticable to establish a firm contract price, the precise terms upon which the price is to be ascertained and from which the contract price may be objectively determined must be stated. Do not use general statements such as "market price at time of delivery or shipment." (See § 373.1 (a) of this subchapter.)

Item 10, end use: Intended end use, an important factor in determining issuance of a license, must be fully and explicitly set forth in this item. Select from the following general statements of end use the one(s) which apply to the proposed exportation, entering in item 10 the letter(s) which correspond with the statement(s):

- (a) For purchaser's own use.
- (b) For resale in the open market or for conversion into goods to be so marketed, stating what will be produced or manufactured.
- (c) For a service to be rendered, indicating how the item(s) described will be used in the service.
- (d) For new construction or expansion.
- (e) For maintenance, repair, or operation of existing facilities.
- (f) To enable the purchaser to produce and export needed materials.
- (g) To be reexported, and, if so, to what country.
- (h) To fill a specific need endorsed as of high priority by the government of the receiving country, stating the need and the nature of the endorsement.
- (i) Other (specify).

The general statement(s) corresponding with the letters entered in item 10 should be supplemented with a detailed description of the specific use of the proposed exportation and its ultimate significance in the economy of the country of destination. The applicant should state what will be produced or manufactured, the nature of the service to be rendered, and the urgency of the need of the materials to be exported in accomplishing the stated purpose. The particular industry, mine, shipyard, etc., where the end use will be accomplished should be identified.

Item 11, availability of material to be exported: Only applicable parts of item 11 need be answered. For example, a producer or manufacturer of the materials to be exported need answer only part (a). A nonproducer should answer such parts of this item as will indicate the exact status of his procurement of the commodities to be exported, giving the name of his supplier and the approximate delivery date. Licenses to export certain commodities will be granted only when answers to this item indicate that the commodities are actually available to the applicant from the named supplier within the date covered by the validity period of the license. (See part 373 of this subchapter.)

Item 12, addressee to whom license is to be sent: If the applicant wishes the license, if issued, to be sent to an agent, to whom he has delegated authority to receive and sign the license, the name and address of such agent should be entered in this item. (See part 379 of this subchapter; also § 381.3 of this subchapter.)

Item 13, signature: The name of the applicant, as it appears in item 1, must be entered on the designated line to the left. The signature of the applicant, or his officer or duly authorized agent, must appear in ink on the center line as indicated. The name and title of the person who signs must be typed or printed legibly on the designated line to the right.

Unsigned applications will be returned to the applicant without action.

3. Preparation of Form IT-419 (Revised September 10, 1951). The following instructions apply to the preparation of applications on Form IT-419 (Revised September 10, 1951) for all types of validated export licenses issued by the Department of Commerce, except as modified by special licensing procedures and provisions contained in Parts 372 through 375 of this subchapter. (See Note 2 above.)

Item 1: The name and address of the applicant must be entered in Item 1. (See § 372.2 (a), Who May Apply.)

Item 2: The address of the collector of customs through whom shipment is to be made must be entered in this space. Give name of port; if unknown, state "Unknown." If export is to be by mail, so state.

Item 3: The person named as purchaser should be the person abroad who has entered into the export transaction with the applicant. If such person is the same as the ultimate consignee, applicant should state "Same."

Item 4: The name and address of the applicant or person authorized by the applicant to receive the license, if issued, should be entered in this space.

Item 5: The country of final (ultimate) destination is to be entered, not a country through which the exportation may travel in transit to its final destination. Transshipment or diversion of commodities from country of final (ultimate) destination are violations and punishable by imprisonment or fine, unless authorized by OIT.

Item 6: Enter the import permit number or MSA authorization number, if required by specific regulations. If application is related to the Mutual Security Program, the identification number and symbol of the procurement authorization or loan authorization under which the foreign customer is entitled to import should be inserted, if known; if unknown or not yet assigned, so indicate.

Item 7: The person named as ultimate consignee should be the person abroad who is actually to receive the material for the designated end use. A bank, freight forwarder, forwarding agent, or other intermediary is not acceptable as an ultimate consignee, but should be disclosed as the intermediate consignee. A statement of ultimate destination and prohibition against diversion must be placed on shipper's export declaration, bills of lading and commercial invoices for various

export shipments as provided by § 381.4 of the Comprehensive Export Schedule.

Item 8: The intermediate consignee may be a bank, forwarding agent, or other intermediary in a foreign country who participates as an agent for the exporter or for the purchaser or ultimate consignee for the purpose of effecting delivery of the exportation to the purchaser or ultimate consignee. If no intermediary is to be used, state "None;" if unknown at time of application, state "Unknown." In all cases the actual intermediate consignee (name and address) must be ascertained and disclosed on shipper's export declaration filed before exportation. In certain cases amendment of the license also is required.

Item 9 (a): Give the quantity to be shipped, using units specified in the 1952 edition of Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States² (unless otherwise specified in the Comprehensive Export Schedule) and also in trade units, where different.

Item 9 (b): Commodities must be described in terms which correspond with the commodity descriptions in Schedule B. Additional details must be furnished to the extent necessary for identification of the specific items so classified. (Include basic ingredients, composition, type, size, gauge, grade, horsepower, etc., where applicable. Show brand or trade names, catalog numbers, or other trade characteristics which will aid in exact identification of commodities.)

Item 9 (c): The Schedule B number, processing code, and related commodity group number, if any, must be shown in this column. (Unless the processing code is followed by a related commodity group number, a separate application must be filed for each entry on the Positive List of Commodities.)

Item 9 (d): Unit price should be shown except where a large variety of products within a single Schedule B classification makes such a breakdown extremely difficult. In such cases only total price need be shown. The applicant must show total price in the customary form of quotation such as f. o. b. (factory), f. a. s. (named port), c. i. f., or other form. The particular form of price quotation must be specified. If accepted order is involved, the price stated must be the export contract price, and point of delivery must be clearly indicated. Where the normal trade practice in a given commodity makes it impracticable to establish a firm contract price, the precise terms upon which the price is to be ascertained and from which the contract price may be objectively determined must be stated on the application. A mere statement by the exporter of "market price, at the time of delivery of shipment" or other such general statement of price, will not be acceptable.

Item 10: If the applicant is exporting for other than his own account, the name and address of the foreign principal must be shown and an explanation of the transaction given in full. (See Interpretive Statement Regarding Applicants, Licensees, and Parties following paragraph (a) of § 372.2.)

Item 11: This item relates to the availability to the applicant of the material to be exported. If not the producer, applicant must show status of delivery by answering (b) or (c).

Item 12: End use of commodities covered by this application will be an important factor in determining issuance of license. Statement by ultimate consignee (and purchaser, if not same) as to ultimate destination and end use must be submitted for certain exportations as required by the regu-

lations. Applicant should indicate clearly the end use for which material is to be exported, e. g.:

For purchaser's own personal use;
For resale in country of ultimate destination and consumption in that country;

For a service to be rendered, indicating how the item(s) described herein will be used in this service;

For new construction or expansion;
For maintenance, repair, or operation of existing facilities;

To enable the purchaser to produce the following needed materials or products for export to (insert country);

To be reexported and, if so, to what country;

To fill a specific need endorsed as of high priority by the government of the receiving country, stating the need and the nature of the endorsement;

However, end-use statements consisting of brief outlines (such as above) are not considered sufficient in themselves. A complete and detailed description of end use is required.

Item 13: The date of the application must be shown.

Item 14: The applicant's reference number may be used for applicant's convenience.

Item 15: If a previous application covering this same transaction has been submitted, the OIT case number must be entered in this space (see § 372.2(f) and note thereto). (To be answered only when the application covers the same transaction for which a previous application was returned without action, or rejected, by OIT. Exporters must not submit a duplicate application to cover any transaction for which an application for export license is still pending before OIT.)

Item 16: Application must be signed by applicant, or by an officer or duly authorized agent of the applicant. (If signed by agent of the applicant, title and firm name of agent must be shown.) The name of the applicant and the name and title of person who signs the application must also be typed or printed legibly in the space provided. Sign the original copy.

4. Preparation of Form IT-116. An acknowledgment card, Form IT-116 (revised), with both portions completely and correctly filled out, must accompany each license application.

This card must be made out in the name of the applicant, as shown in item 1 of Form IT-419 (revised). Upon receipt of the application, the Office of International Trade will enter on the card the case number assigned to the application, and the date of receipt, detaching and returning to the applicant the return portion (applicant's copy).

If the application is submitted by an agent, or if the applicant wishes an agent to receive an acknowledgment card, the upper portion only (applicant's copy) of an additional acknowledgment card may be filled out in the name of the agent and submitted with the application.

The date of application, applicant's reference number (if any), country of destination, Schedule B number, and processing code (and related commodity group number, if any) must be the same as the corresponding entries on Form IT-419 (revised). Only a brief commodity description is required to be shown on Form IT-116.

5. Assembly and submission of applications. All documents or correspondence accompanying the license application, bearing the applicant's reference number, if any, should be firmly stapled together in the upper left-hand corner.

Form IT-116 (revised), typed side up, should be attached with a paper clip (not stapled) to the upper left-hand corner of Form IT-419 (revised). The two portions of Form IT-116 should not be separated.

Applications should be submitted (preferably by mail) to the Office of International Trade, Washington 25, D. C.

² For sale by Superintendent of Documents, United States Government Printing Office, Washington 25, D. C., and at all field offices of the Department of Commerce.

RULES AND REGULATIONS

Applications which omit essential information will be returned without action.

8. *Inquiries and correspondence.* Every effort is made to examine applications and advise applicants of action in the shortest time. Applicants should allow a period of 4 weeks after receipt of returned acknowledgment card, Form IT-116, before inquiring as to progress of an application. Certain types of applications require more time for necessary examination and consideration.

Requests for information concerning the application of regulations to specific fact situations, the status of delayed cases, or any other inquiry concerning export license applications should be addressed to the Exporters' Service Section, Office of International Trade, Department of Commerce, Washington 25, D. C. Such communications should not be attached to an application for license but should be mailed in a separate envelope. Memoranda attached to license applications should be limited to informational data relating to those applications and should not include inquiries requiring individual reply.

When inquiries are made concerning the status of applications, the following reference information is required:

- (a) Name of applicant.
- (b) Case number assigned on return postcard.
- (c) Date of application.
- (d) Country of destination.
- (e) Name of consignee.
- (f) Name, quantity, and value of commodity shown on application. (Specific information is essential for identification.)
- (g) Schedule B number.
- (h) Processing code.

Information as to the probable action of the Office of International Trade respecting a proposed shipment or a hypothetical license application will not be given. It will be necessary in all cases to submit an application together with pertinent information in order to obtain a decision.

A supporting letter should give additional information only for the application to which it is attached.

When an exporter requests telegraphic reply to an inquiry, the complete address of such person or company, including name, street, city, postal zone number, and State, must be given; or if desired, the Western Union "WUX" designation may be substituted for the address. This will expedite the servicing of these requests by the telegraph companies.

Telegraphic replies will be made at the expense of the inquirer.

7. *Clearance by teletype.* In case of emergency, the Office of International Trade will, upon approving an application for export license, authorize clearance by teletype or telephone call to the appropriate collector of customs. In such cases, the license is not sent to the licensee, but to the collector of customs with whom the clearance has been authorized by OIT.

(d) *Data supplementing the license application—(1) Scope.* The provisions of this paragraph apply to all proposed shipments for which validated export licenses are required where the country of ultimate destination is a country in Group R, unless the license application covering the proposed shipment shows that one or more of the following conditions are present:

(i) The application for license to export the proposed shipment is covered by an import certificate submitted in accordance with § 373.34 of this subchapter.

(ii) The total value of the shipment, as shown on the license application, is less than \$500 and the shipment is not covered by a multiple-transaction state-

ment submitted in accordance with § 372.3 (d) (3).

(iii) Shipment will be made under a project license issued or to be issued as set forth in Part 374 of this subchapter.

(iv) The ultimate consignee named in the license application is a foreign government or foreign government agency, and the foreign purchaser (if different from the ultimate consignee) is also a foreign government or a foreign government agency.

(v) Shipment will be made by a relief agency registered with the Advisory Committee on Voluntary Foreign Aid, Department of State, to a member agency in the foreign country.

Note: These facts and representations set forth in subparagraph (2) of this paragraph need not be made by the ultimate consignee where the license applicant is the same person as the ultimate consignee in the country of ultimate destination provided the applicant furnishes on his license application all the applicable information required in subparagraph (2) of this paragraph. This condition is not present where the applicant and consignee are separate entities, such as parent and subsidiary, or affiliated or associated firms.

(2) *Statement from ultimate consignee.* The applicant must attach to each license application to export any commodity to a Group R destination a true copy of a statement or order manually signed by a responsible official of the ultimate consignee named in his application, certifying the following facts with respect to each commodity. Such statements may be submitted on Form IT-842, or in the form of a letter, wire or cable.* Statements from the ultimate consignee by wire or cable may be accepted even though not signed manually.

(i) The ultimate destination of the commodity or commodities described in the application (items 9 and 10 of Form IT-842).

(ii) The end use of such commodity or commodities, which must be a detailed description of the specific use to which the commodity or commodities will be put in the country of ultimate destination. If the ultimate consignee intends to distribute or resell, such statement must either contain assurance that distribution and resale will be made only in the country named as ultimate destination or must name all of the other countries in which resale or distribution will be made. The ultimate consignee must also describe the types of customers to whom the resale or distribution will be made and the specific end use to be made of the commodity by such customers. If the ultimate consignee or his customers will use the commodity to produce other end products, these must be named and the country or countries in which such end products will be distributed must also be named, if these facts are known (items 7 and 10 of Form IT-842).

(iii) A description of the export transaction sufficient to identify it as the

* Forms IT-842 and IT-843 may be obtained at all Department of Commerce Field Offices and from the Office of International Trade, Department of Commerce, Washington 25, D. C. Foreign importers may obtain copies of Forms IT-842 and IT-843 from their United States exporters or from any United States Diplomatic and Consular Office abroad.

same transaction described in the application (items 1, 2, 3, 4 and 5 of Form IT-842).

(iv) That the ultimate consignee will promptly send a supplemental statement to the United States exporter of any change of facts or intentions set forth in his statement which occurs after the statement has been prepared and forwarded; and that with respect to any shipment which he proposes to dispose of contrary to the representations made in the statement, he will notify the U. S. exporter and will secure approval of the Office of International Trade through the U. S. exporter prior to such disposition (item 12 of Form IT-842).

(v) An undertaking that the commodity or commodities covered by the statement, and any final products thereof, will not be sold or distributed by the person making the statement, or by his customers in any country or countries not named in the statement (items 9 and 10 of Form IT-842).

Note: United States exporters may wish to advise their foreign importers (ultimate consignees and purchasers) to submit these statements in as many copies as the exporter requires for all license applications to be submitted in connection with the importer's order.

(3) *Multiple transaction statement from ultimate consignee.* As an alternative to subparagraph (2) of this paragraph, which provides that each application for license shall be accompanied by a separate statement specifically covering the proposed exportation described in each application, the following procedure is authorized:

Exporters who have a continuing and regular relationship with an ultimate consignee (including but not limited to applicants having foreign branches or subsidiaries or distributors under franchise with the applicant) involving recurring orders for the same kind of commodities to the same destinations and for the same end uses, may submit to the Office of International Trade the original or a copy of a statement on Form IT-843** manually signed by a responsible official of the ultimate consignee covering all proposed exportations of such commodities for any part or all of the year beginning July 1, 1952, and ending June 30, 1953. If this procedure is used, the exporter shall also submit two copies¹ of the statement, plus an additional copy for each OIT processing code to which the statement applies. When submitting such statements, the exporter must attach a list of the processing codes to which the statement applies.

All applications for licenses submitted on the basis of a multiple transaction

* Use of this form becomes mandatory on and after July 1, 1952. Multiple-transaction statements accepted by the Office of International Trade before this date in accordance with provisions in effect prior to March 13, 1952, will remain valid only through June 30, 1952.

** See footnote to subparagraph (2) of this paragraph.

¹ The U. S. exporter may submit the original statement in lieu of one true copy, if desired. Each copy submitted but not manually signed by the consignee or purchaser must be certified to be a true copy of the original, as provided in § 372.9.

statement under this procedure must contain the following:

This application is supported by the statement dated _____ from the named consignee to this applicant.

The statement must be signed by the ultimate consignee, and must contain the following representations and certify as to the following facts:

(i) That the statement shall be considered a part of every application for license filed by the named applicant for export of the commodity or commodities described in the statement (item 4 of Form IT-843).

(ii) That the ultimate consignee will promptly send a supplemental statement to the United States exporter of any change of facts or intentions set forth in the statement which occurs after the statement has been prepared and forwarded; and that, with respect to any shipment which he proposes to dispose of contrary to the representations made in the statement, he will notify the U. S. exporter and will secure approval of the Office of International Trade through the U. S. exporter prior to such disposition (item 13 of Form IT-843).

(iii) The nature of the ultimate consignee's business, including whether he is the user, seller, etc., of the commodities described in the application (item 6 of Form IT-843).

(iv) The nature of the consignee's business relationship with the applicant, and how long the relationship has existed (item 7 of Form IT-843).

(v) The nature and scope or extent of the ultimate consignee's operations by country and type of customer, including the method of distribution and redistribution, if any, of the commodities covered by the statement or products thereof (items 9, 10, and 11 of Form IT-843).

(vi) The specific commodities regularly ordered by the ultimate consignee and the respective end uses thereof. The end-use information shall be set forth in as much detail as is known to the consignee in the course of his trade (items 5 and 8 of Form IT-843).

(vii) If the ultimate consignee regularly sells or distributes a commodity or commodities described in the statement to a particular customer or type of customer, the ultimate consignee shall also describe the kind of products to be produced from the commodity or commodities, and to the extent known, the countries in which such products are produced and distributed (item 11 of Form IT-843).

(viii) The country or countries where the commodity or commodities covered by the statement, and any final products thereof, will be sold or distributed by the person making the statement, or by his customers (items 10 and 11 of Form IT-843).

(4) *Statement from foreign purchaser.* If a purchaser named in any such application is a different person from the named ultimate consignee, the purchaser must either sign the statement from the ultimate consignee or the applicant must also attach to the application the additional statement or order (or wire or cable) executed by such purchaser covering the same subject matter as that required to be furnished by the ultimate consignee.

EXPLANATORY STATEMENT AND INTERPRETATIONS

1. Q. What is the multiple-transactions procedure?

A. Many exporters have a continuing and regular relationship with certain of their foreign consignees involving recurring orders for the same kinds of commodities to the same ultimate destinations and for the same end uses. Such cases include, but are not limited to, firms having foreign branches or subsidiaries or franchised distributors. With respect to such transactions, it is recognized that the requirement of individual "ultimate consignee" statements with each application may be unnecessarily repetitious and possibly burdensome. To meet this problem, the multiple-transactions procedure has been established by which the Office of International Trade will accept a single statement from the ultimate consignee covering the information required by the regulation.

Under the multiple-transactions procedure, the single statement will be treated as a part of every application filed by the applicant for export of a commodity to the consignee until the date shown on the statement as its expiration date. However, if the statement does not contain any date for expiration, or if the date is December 31, 1951, or March 31, 1952, the statement will be treated as a part of every application filed by the applicant for export of a commodity to the consignee until June 30, 1952. If there is any future change in the matters set forth in the statement, the consignee must promptly send the applicant a supplemental statement reflecting such change. The statement must be signed by a responsible official of the ultimate consignee who may be located either in the United States or abroad.

Under the multiple-transaction procedure, the statement (Form IT-843) will be treated as a part of every application filed by the applicant for export of a commodity to the consignee until the date shown on the statement as its expiration date. However, if the statement does not contain any date for expiration, the statement will be treated as a part of every application filed by the applicant for export of a commodity to the consignee until June 30, 1953.

2. Q. What is the purpose of the Ultimate Consignee Statement Regulation?

A. Applicants have always been required to submit on their applications information regarding the ultimate destination and end use of the commodities to be exported. It had been OIT practice to rely largely upon the applicant's own representations in this regard, supplemented, in proper cases, by direct inquiries here and abroad to verify such representations. Many applicants have regularly been obtaining information of this character from their customers to provide assurance to themselves for the representations which they have been required to make in their applications. Moreover, such information has been readily made available to OIT by applicants and foreign consignees in specific instances.

The regulation is intended simply to regularize these practices and, more specifically, to make more certain that foreign consignees are fully aware of their responsibility not only for the representations made to OIT but also for the proper disposition of the licensed commodities in the foreign country. In addition, it should facilitate the processing of applications and curtail the expensive and time-consuming supplementary inquiries now often necessary.

3. Q. To what cases does this requirement apply?

A. This statement is required only in connection with applications for validated licenses to ship commodities to Group B

destinations (except project licenses, for which such information is already required).

4. Q. From whom is the statement required?

A. The statement must be furnished by the firm or individual that will be named as ultimate consignee on the application and also from the firm or individual that will be named as purchaser on the application, if not the same as the named ultimate consignee.

5. Q. Is any particular form of statement required by OIT?

A. Statements submitted under the multiple procedure must be on Form IT-843. Individual statements may be submitted on Form IT-842, or in the form of a letter, wire, cable, or other statement provided that all the required information is supplied. No form of notarial or other government certification is necessary.

6. Q. Must all the specified items of information be covered in the statement?

A. Yes, to the extent they are pertinent. This is an information-seeking requirement and, therefore, is satisfied by the furnishing of all applicable information. Of course, if applicable information is unknown, that fact should also be disclosed.

7. Q. What is the liability of the ultimate consignee or purchaser for misrepresentations, failure to disclose facts or for disposition of commodities contrary to representations made in the required statement?

A. Depending upon the particular circumstances, such ultimate consignee or purchaser may be subject to administrative action by OIT, looking to suspension or revocation of licensing privileges and denial of other participation in U. S. exports.

8. Q. Will submission of the required information in a statement from the consignee assure the approval of a particular license application?

A. Favorable action is, of course, not assured by the submission of the end-use and destination statement from the consignee. While information regarding end use and destination are essential, other criteria and policies will have to be considered in connection with the issuance of licenses.

9. Q. When the ultimate consignee is a foreign government does this regulation apply?

A. Where the ultimate consignee named in the application is a government or government agency, no statement by such consignee as to end use and destination will be required. However, if a purchaser other than the foreign government or government agency is named on the application in such a transaction, a statement from the purchaser will be required.

10. Q. When exportations are financed by U. S. or International agencies, such as MSA, Export-Import Bank, International Bank, MDAP, etc., will the statement of end-use and destination be required?

A. Yes, because government financing generally is not made with reference to specific transactions.

11. Q. If the foreign party placing the order with the U. S. applicant is a reseller, from whom is the consignee statement required?

A. (a) When the foreign consignee who placed the order with the U. S. supplier is a reseller of goods to whom the U. S. supplier ships directly, the reseller is properly designated as the "ultimate consignee," and a statement from him is required designating the end use as "resale," plus the other pertinent facts required by the regulation.

(b) If the U. S. exporter ships directly to the customer of the foreign reseller, the reseller must be designated as the purchaser, and the customer of the reseller as ultimate consignee. An end-use and destination statement will be required from each of these parties. For example:

If a foreign distributor of automobiles orders and receives delivery of a shipment

from his U. S. supplier, such a distributor shall be designated as the ultimate consignee and a statement of end use and destination from him is required. However, if the foreign distributor places the order with his U. S. supplier with instructions to ship directly to his customer, then the foreign distributor's customer must be designated as ultimate consignee. A statement from each of these parties is required.

In the case of highly strategic commodities and other commodities licensed principally on the basis of end use, the OIT, after receipt of the application, may require additional information (in accordance with the provisions of § 372.10) regarding the use to be made of the commodity by the actual user or consumer, when such additional information is deemed necessary to a proper consideration of the application. This may also include a requirement for a written statement from the actual end user.

12. Q. Who can sign the ultimate consignee statement?

A. A responsible official of the ultimate consignee who can bind the person or firm to its commitments. This official may be located in the United States or in a foreign country.

(5) *Applications filed without statements.* Applications not supplemented by statements (where required) from the ultimate consignee or purchaser will be returned without action to the applicants. However, an applicant who can show to the satisfaction of the Department of Commerce that he has made diligent efforts to obtain such statement and has been unable to get it, may so advise the Department of Commerce in a letter attached to his application, giving the stated reasons of the ultimate consignee or purchaser for failing or refusing to give the applicant such statement.

(6) *Statement; commodities added to Positive List.* When a commodity becomes subject to the requirements of this section by reason of having been added to the Positive List, export license applications for such commodity to Group R countries need not conform to these requirements for a period of 30 days from the time such commodities are added to the Positive List. In lieu of the end-use and ultimate consignee statement during such 30-day period, applications shall be accompanied by any evidence available to the exporter which will support the applicant's representations concerning the ultimate consignee and end use. Such evidence may consist of copies of the letter of credit, the order for the commodities, correspondence between the exporter and the consignee, or other documents from such consignee.

Note: 1. *Purchase order.* The statement from the ultimate consignee and purchaser may cover more than one purchase order and one purchase order may involve several commodities; however, the statement shall relate only to purchase orders placed by a single ultimate consignee and a single purchaser with a single United States exporter.

2. *Submission of statements covering several applications.* Where the statement covers commodities for which more than one export license application must be submitted, a true copy of the statement shall be attached to each application to which it is equally applicable. Any application to which a true copy of the statement is attached shall contain a reference (OIT case number, if known, or applicant's reference number)

to all other applications submitted at any time against the same statement.

3. *True copies and translation requirements.* "True copies" are photostatic or other copies of an original document which are certified by the applicant to be a true copy, either on the face of the photostatic or other copy or on an attachment which identifies the statement. All abbreviations, coded terms, or other expressions having special significance in the trade or to the parties to the transaction must be explained. Documents in a foreign language must be accompanied by an accurate English translation. Such translation need not be made by a translating service but, if not, must be certified by the applicant to be a correct translation. Exporters may provide their foreign customers with Forms IT-842 and IT-843 translated into the foreign language of the customers. Copies of Forms IT-842 and IT-843 in foreign languages will not be provided by the Office of International Trade. (See § 372.9.)

4. *Applicant's responsibility for full disclosure.* In submitting statements from the ultimate consignee and foreign purchaser, the applicant is not relieved of responsibility for full disclosure of any other information concerning the ultimate destination and end use of which he has knowledge or belief, whether or not inconsistent with the representations of the ultimate consignee or foreign purchaser. In accordance with the provisions of § 381.1 of this subchapter, the applicant also shall bring to the attention of the Department of Commerce any change in the facts which were set forth in the first or any such supplementary statements from the ultimate consignee or purchaser and which change was brought to his notice by the ultimate consignee or purchaser subsequent to the date the statement was made.

5. *Distribution or resale.* If it is stated in a consignee's statement or on an export license application that the commodity or commodities to be exported are intended for distribution or resale in a country or countries other than the named country of ultimate destination, the validated license will specifically name the country or countries to which distribution or resale is authorized.

(e) *Letterheads and order forms.* The printed name, address, or nature of business of the ultimate consignee or purchaser appearing on his letterhead or order form shall not constitute evidence of either his identity, the country of ultimate destination or end-use of the commodities described in the application.

§ 372.4 *License applications for in-transit shipments.** License applications for commodities moving in transit through the United States which may not be exported under the general license GIT must include the name and address of the original consignor, as well as that of the applicant, and bear the notation "In-Transit Shipment" in the commodity description column of the application form.

§ 372.5 *Ship stores, plane stores, supplies, and equipment—(a) Exportations requiring validated license.* The provisions of § 371.13 of this subchapter establish general licenses for the exportation of ship stores, plane stores, supplies, and equipment under the conditions prescribed. Where such commodities are not authorized for export by § 371.13 of this subchapter, or where such commodities are not authorized to be exported

* For in-transit shipments under general license, see § 371.9 of this subchapter.

under any other general license, the exportation must be authorized by a validated license.

Note: See § 371.13 (b) of this subchapter on exports to vessels located at foreign ports.

(b) *Preparation of license applications.* Applications for licenses to export ship stores, plane stores, supplies, and equipment shall be prepared on Form IT-419 (Revised) in the manner described in § 372.3 and the Note following § 372.3, with the following modifications:

(1) In the space for applicant, show legal name of applicant. (U. S. firm supplying the ship stores, owner of vessel, charterer, or agent, whoever is the exporter). The applicant must be subject to the jurisdiction of the United States.

(2) In the space for ultimate destination, show country of registry of the vessel on which the commodities will be used (even when the vessel is of United States or Canadian registry).

(3) In the space for ultimate consignee, show name and location of the vessel on which the commodities will be used.

(4) In the commodity description column, show name and address of owner of the vessel (or charterer; where vessel is under charter) on which the commodities described in this item will be used, where such person is not the purchaser named in the space for purchaser.

§ 372.6 *Commodities exported for relief or charity.* Applications for validated licenses to export commodities for relief or charity must show not only the appropriate relief category Schedule B number but also the specific Schedule B number established for the commodity when shipped commercially.

§ 372.7 *Unit-process applications*—(a) Description.* A unit-process procedure is established whereby several applications for individual export licenses covering diverse commodities to be used together and to be shipped to the same consignee, purchaser, and ultimate user may be filed together for the purpose of unit consideration.

(b) *Application requirements.* Under this procedure, applications shall be submitted in accordance with the following provisions:

(1) Each application must be submitted on Form IT-419.

(2) The consignee must be the same on all applications.

(3) The purchaser must be the same on all applications.

(4) The ultimate consumer, distributor-wholesaler, or user must be the same for all applications. (The "user" is the consumer if the licensed material is to be sold to a single buyer; retailer if the commodities are to be sold jointly at retail.)

(5) All the commodities must be intended for use together, the lack of any one rendering the others useless.

(6) The entire group of applications must be firmly stapled together in a

* See § 372.11 (b) for issuance of unit-process licenses.

single binder clearly marked "Unit Process."

(7) Each such group of applications must be accompanied by an acknowledgment card, Form IT-116.

§ 372.8 *Disclosure of prior action on the shipment*—(a) *Prior detention of commodities by customs.* Any exporter or his agent making application to the Office of International Trade for an export license, who shall know or have reasonable cause to believe that a collector of customs has detained commodities which would be exportable under such license, if granted, shall disclose to the Department of Commerce at the time of applying for such license the fact that the collector of customs has detained the commodities. Any license obtained without full disclosure of that fact shall be deemed to have been obtained without disclosure of all facts material to the granting of the license, and any license so obtained shall be void.

(b) *Prior exportation without a license.* No export license application shall be submitted to the Office of International Trade covering a shipment that is already laden aboard the exporting carrier or exported. In such cases where the shipment should have been authorized by a validated license, the exporter should send a letter or wire to the Exporters' Service Section, Office of International Trade, Department of Commerce, Washington 25, D. C., Attn: IT-1230, explaining why a validated license was not obtained and disclosing all the facts concerning the shipment that would normally have been disclosed on the license application. The Office of International Trade will inform the exporter of its action and instructions to him in the matter by letter. Any license covering such shipments obtained without such disclosure shall be deemed to have been obtained without disclosure of all facts material to the granting of the license, and any license so obtained shall be void.

NOTE: See §§ 380.2 (d) and 380.4 (c) of this subchapter with respect to amendments to licenses and extensions of validity periods of licenses to authorize shipments described in this section.

§ 372.9 *Documents accompanying applications for validated licenses*—(a) *Copies may be submitted.* Documents submitted in support of an application for an individual or other validated license will not be returned to the applicant or his agent, except when the application is returned without action. Accordingly, applicants need not submit original documents which they may subsequently require, but in lieu thereof photostatic or other copy of an original document may be submitted, provided the applicant certifies, either on the face of the copy or in an attachment thereto (incorporating such copy by appropriate reference), as follows:

Certified to be a true copy of the original.

(Official title, if any)
Date -----

¹⁰ See also interpretation following § 373.1 (b) of this subchapter.

(b) *Originals must be available.* The Department of Commerce may demand the originals of any copies of documents submitted in support of applications. Such originals must be kept available for inspection, upon the Department's request, for 3 years from the date of receipt of the license application by the Department of Commerce, as shown on the acknowledgment card, Form IT-116.

(c) *Documents submitted with applications.* Documents which are submitted with an application and which will ultimately become a part of the license, such as proposed lists of consignees, or a listing of donors and donees, must be submitted in duplicate, affixed to the application. Such documents will become a part of the license, if issued, and must remain affixed thereto. Other documents submitted in support of an application which will not become a part of the license, such as evidence of accepted orders or evidence of availability of the commodity, need be submitted in one copy only and should be attached to the application.

(d) *Coded terms, foreign languages.* In the case of originals and certified copies of documents all abbreviations, coded terms, or other expressions having special significance in the trade or to the parties to the transaction must be explained. Documents in a foreign language must be accompanied by an accurate English translation. Such translation need not be made by a translating service, but, if not, must be certified by the applicant to be a correct translation.

§ 372.10 *Additional information.* Every person applying for an individual or other type of validated license shall, in addition to the information called for in Parts 370 to 399, inclusive, of this subchapter, in connection with such type of license or in the form on which the application is made, furnish such information with respect to such application as may be required by the Department of Commerce.¹¹

§ 372.11 *Issuance and use of export licenses*—(a) *Issuance of license document.* When an application for an export license, except in the case of a project license, is duly approved by the Department of Commerce, an export license is issued on a separate document (Form IT-628) authorizing, subject to the provisions of Parts 370 to 399 of this subchapter, and to the terms and provisions of such license, the exportation of the quantity of those commodities described therein. (See §§ 372.3, 372.14, and 381.4.)

NOTE: The fact that the license may indicate the licensee to be an agent of a named principal or foreign importer not subject to the jurisdiction of the United States in no way lessens the responsibility of the agent as licensee or that of his foreign principal as a party in interest to the transaction. (See also Note following § 372.2 (a).)

(b) *Unit-process licenses.* When a unit-process application is approved, each individual export license applica-

¹¹ Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

tion in such group will be validated. If any one of the individual applications in the group cannot be approved, the entire unit-process application will be rejected.

NOTE: 1. *Case number.* Each application when received by the Department of Commerce is given a number (the OIT case number) for identification purposes. The number does not indicate whether the application has been rejected or has been validated as a license. The OIT case number appears in the upper right corner.

2. *Validation of IT-628.* Except for project licenses for foreign projects and programs, which are issued on Form IT-419, when an application for export license is approved the license will be issued in the following manner:

(a) Form IT-628 will be prepared, validated, and issued by the Department of Commerce upon approval of a licensee application for the exportation of commodities to any destination. The license will be validated and identified by a license number in the upper right corner of the document. The license number is composed of a letter and a series of numerals following the validating symbol; for example, A0-2-8-04051, or B01031-33031. The digits immediately following the letter indicate the year, month, and day of validation; the last half of the number is the validating sequence. (A0-2-8 signifies a validating action in the year 1950 (0), in the month of February (2), on the eighth day of the month (8). B01031 signifies a validating action in the year 1950, in the month of October, on the last day of the month.)

(b) The license number of a project license, which is issued on Form IT-419 (see Part 374 of this subchapter), is the number appearing in the upper right corner, the case number originally assigned, as explained in paragraph (1), which becomes the license number when the Form IT-419 is validated and issued as a license.

(c) The perforation stamp previously used for validating export licenses will continue to be used for validating attachments to licenses, such as lists of consignees, donors, donees, etc.

3. *Use of license number.* Exporters are cautioned to use the complete license number (letter, digits indicating date of validation, and digits indicating validating sequence) when preparing shipper's export declarations and other export documents, and when communicating with or requesting services from the Department of Commerce.

(c) *Units of quantity.* Where no unit of quantity is shown in the column on the Positive List headed "Unit" (§ 399.1 of this subchapter), the quantity of such commodities authorized for export is licensed by the Department of Commerce in terms of the total dollar value shown on the licenses. For purposes of consideration of license applications, the Department of Commerce requires that the unit of quantity commonly used in the trade must be shown on the license application for export of such commodities; and although the units of quantity commonly used in the trade may be shown on the export license issued, the quantity of commodities authorized for export by the license is limited entirely by the total dollar value shown on the license.

(d) *Partial shipments.* Partial shipments may be made against a validated export license; however, when shipped by mail, only one shipment, whether complete or partial, may be made.

NOTE: The procedures for obtaining separate or additional licenses when making

partial shipments by mail are set forth in § 372.2 (e). The procedures for making shipments by mail are set forth in § 379.1 (f) of this subchapter.

(e) *Validity of licenses.* (1) Outstanding licenses may be revised, suspended, or revoked, or the validity periods thereof may be extended or reduced, by appropriate orders or regulations.

(2) Individual export licenses will be issued for a validity period of 6 months from the date of validation, unless otherwise stated on the face of the license.

Note: Refer to Part 373 of this subchapter to determine if the special provisions for a commodity include any particular terms regarding the validity period of the individual export license.

(f) *Shipments against expiring licenses*—(1) *Commodities ready for loading or laden.* Commodities which are (i) laden aboard the exporting carrier or (ii) ready for lading and located on a pier for the purpose of lading prior to midnight of the expiration date of a license, and not for the purpose of storage, may clear with the vessel even though the vessel does not clear until after the expiration date of the license. Furthermore, where the vessel is expected to be available at the pier for loading in advance of the expiration of the license, but exceptional and unforeseen circumstances delay it, the commodities may be cleared for export without an extension of the validity period of the license, if in the judgment of the collector of customs undue hardship would otherwise result.

(2) *Other shipments.* Licensed shipments not coming within one of the foregoing provisions may not be cleared for export except by extension of the validity period of the license by the Department of Commerce.

§ 372.12 *Weight and volume tolerance*—(a) *10 percent tolerance.* For all commodities requiring an export license, unless otherwise specified in such license, a 10 percent tolerance by weight or volume over the amount specified in the license is allowed, except as listed below in this section:

Commodities	Tolerance (percent)
Raw cotton except linters (Schedule B Nos. 300005 through 300312) (pounds or bales)	2
Sulfur, crude (containing 85% or more sulfur), crushed, ground, refined, sublimed, and flowers (Schedule B Nos. 571410 and 571500)	1
Medicinal and pharmaceutical preparations with processing codes DRUG and ACID, other than radium salts and compounds, Schedule B No. 813593 (Schedule B Nos. 811100 through 818000)	1

(b) *Unit of quantity covered.* (1) This tolerance is allowed only when the unit of quantity called for on the license is in the following weight or volume terms:

Avoirdupois ounce.	Hundredweight (100 pounds).
Bale.	Linear foot.
Barrel.	Linear yard.
Content pound.	Long ton (2,240 pounds).
Cubic foot.	M (1000) board feet.
Gallon.	
Gram.	

Milligram.	Square foot.
Oxford unit.	Square yard.
Pound.	Troy ounce.
Proof gallon.	U. S. P. unit.
Short ton (2,000 pounds).	

(2) The weight and tolerance provisions of § 372.12 shall not apply to the following units of quantity:

Carat.	Pack.	Roll.
Cell.	Pair.	Round.
Dozen.	Pencil gross.	Set.
Gross.	Piece.	Square.
Number.	Ream.	

(c) *Maximum tolerance allowed.* In all cases, the tolerance shall be allowed or the basis of the actual quantity stated in the license; and in no case shall the tolerance exceed 10 percent of such quantity.

For example: (1) If the quantity shown on the license is "100,000 pounds," not more than 110,000 pounds may be exported.

(2) If the quantity shown on the license is "100,000 pounds 10 percent more or less," not more than 110,000 pounds may be exported.

(3) If the quantity shown on the license is "approximately 100,000 pounds," not more than 110,000 pounds may be exported.

(d) *Commodities licensed in both container and weight or volume units.* Where commodities are licensed in terms of both standard-size container units and weight or volume units, the tolerance is allowed on the total weight or volume licensed: *Provided,* That the number of standard-size container units shall not be increased over the number thereof stated in the license.

For example: If the license authorized the shipment of 10,000 pounds of a commodity in twenty 500-pound drums, that license may be used to clear an exportation of not more than 11,000 pounds in not more than twenty such drums.

(e) *Partial shipments.* Whenever one or more partial shipments of the licensed commodity have been made, the license remains valid only for the unshipped balance of the licensed commodity plus 10 percent of such balance, except that in the case of shipments of iron and steel products (processing code STEE), and tinplate (processing code TNPL), the tolerance of 10 percent shall be applicable as provided in paragraph (c) of this section, regardless of whether partial shipments are made. In the case of raw cotton, except linters, the tolerance shall be 2 percent of the actual quantity stated on the license.

Note: When there is a discrepancy in weight or volume within the tolerance allowance between the amount shown on the license and the amount actually shipped, the amount actually shipped shall be noted on the license by the collector of customs at the final port of exit before the license is returned to the Department of Commerce.

When shipments are cleared against a BLT license, the applicable tolerance may be applied to the quantity approved for export to each single consignee, provided, however, that the total amount shipped against the license does not exceed the total amount approved for export plus 10 percent. In other words, the tolerance provisions may be applied on the amount approved for each consignee in the same manner and to the

same extent as if he were the only consignee named in an individual license.

§ 372.13 *Port of exit*¹²—(a) *Shipments leaving United States before final exportation from United States port.* Commodities which leave the United States at one port, cross adjacent foreign territory, and reenter the United States at another port before final exportation to a foreign country will be treated as an export at the last port of exit from the United States.

(b) *Licenses valid for shipment from any port.* A license may be used for exportation from any port of exit from the United States subject to the jurisdiction of the United States unless the Department of Commerce shall otherwise provide.

(c) *Simultaneous shipments from different ports.* Simultaneous shipments from different ports of exit may be cleared for export under a single license by the collector of customs having possession of the license, through arrangements with the collector of customs at the other port or ports of exit, as provided by the Department of Commerce.

§ 372.14 *Reexportation from country of destination*—(a) *General provisions.* No exportation may be made under any validated license with the knowledge or intention that the commodities so exported are to be reexported from the country stated on the license application as the country of ultimate destination, unless the reexportation has been specifically authorized by the Department of Commerce, except as provided in paragraphs (b) and (c) of this section.

If it is stated in a consignee's statement or on an export license application that the commodity or commodities to be exported are intended for distribution or resale in a country or countries other than the named country of ultimate destination, the validated license will specifically name the country or countries to which distribution or resale is authorized. Authorization will be granted or withheld by an appropriate statement on the face of the license, as follows:

(a) "Distribution or resale of the commodities listed above is permitted in the country of ultimate destination only"; or

(b) "Distribution or resale of the commodities listed above is permitted in (name of country of destination), and (names of other approved countries)."

(b) *Tangier to Morocco.* Validated licenses covering R commodities which permit exportation to Tangier (including the International Zone), French Morocco, or Spanish Morocco are valid for shipment or transshipment of such commodities to Tangier (including the International Zone), French Morocco, or Spanish Morocco.

(c) *Reexportations.* Any commodity that has been exported from the United States may be reexported from any destination to any other destination: *Provided,* That the commodities, at the time of reexportation, may be exported directly from the United States to the

¹² The manner of effecting export clearance from ports of exit is set forth in § 379.1 of this subchapter.

new country of destination under general license GO or GRO.

§ 372.15 *Duplicate licenses.* Where a license is lost or destroyed, a duplicate of such license may be obtained by the licensee by submitting to the Office of International Trade a letter certifying:

(a) That the original license assigned Case No. _____ and License No. _____ (if known) issued to _____

(Name and address of licensee)

has been lost or destroyed.

(b) The circumstances under which it was lost or destroyed.

(c) The quantity of commodities, if any, that have been shipped under the original license and at what port the license was filed.

(d) If the original license is found, the licensee agrees to return the original or duplicate license to the Department of Commerce.

NOTE: Where partial shipments have been made, the duplicate license issued by the Office of International Trade will be mailed directly to the collector's office at the port where the license had been filed.

§ 372.16 *Return of revoked, expired, or unused licenses.* If the license is revoked or expires or if shipment is not to be made, the license shall be returned immediately to the Department of Commerce, with a covering letter explaining the reason for such return. If the license is not in his possession, the licensee shall so notify the Department of Commerce.

§ 372.17 *Reports.* Any person to whom a validated license has been issued shall file with the Department of Commerce such reports as said Department shall, from time to time, require.¹³

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

Sec.	
373.1	Export licensing general policy.
373.2	Special provisions for iron and steel.
373.3	Special provisions for manilla or sisal fibers.
373.4	Deleted, effective June 1, 1950.
373.5	Special provisions for chemicals and medicinals.
373.6	Special provisions for wet cattle hides.
373.7	Special provisions for machinery and parts.
373.8	Special provisions for certain petroleum products.
373.9	Special provisions for diamonds.
373.10	Deleted, effective September 21, 1950.
373.11	Special provisions for commodities containing certain metals.
373.12	Deleted, effective April 20, 1950.
373.13	See § 380.2 (f).
373.14	Special provisions for certain commodities originating in Japan.
373.15	Deleted, effective December 6, 1951.
373.16	Special provisions for certain commodities: evidence of availability.
373.17	Deleted, effective October 11, 1951.
373.18	Deleted, effective September 17, 1951.
373.19	Export licensing policy for materials covered by NPA M (Materials) orders.
373.20	Special provisions for military wearing apparel.
373.21	Special provisions for commodities containing cobalt.

¹³ Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Sec.	
373.22	Special provisions for exportations to Switzerland.
373.23	Special provisions for exportations to Sweden and the Belgian Congo.
373.24	Statement of past participation in exports for certain commodities.
373.25	Deleted, effective January 31, 1952.
373.26	Special provisions for applications covering commodities for which supply assistance is requested.
373.27	Deleted, effective June 6, 1952.
373.28	Special provisions for exports to serialized mines, smelters and mineral prospecting operations abroad.
373.29	Special provisions for certain totally allocated commodities.
373.30	Deleted, effective April 24, 1952.
373.31	Deleted, effective May 23, 1952.
373.32	Licensing policies for tinplate.
373.33	Deleted, effective May 29, 1952.
373.34	Confirmation of country of ultimate destination and verification of actual delivery.
373.35	Special provisions for plumbers' brass goods.
373.36	Special provisions for human blood plasma.
373.37	Special provisions for cryolite.
373.38	Special provisions for copper under the Controlled Materials Plan.
373.39	Special provisions for tobacco and tobacco products destined to Hong Kong.
373.51	Supplement 1: Time Schedules for Submission of Applications.

AUTHORITY: §§ 373.1 to 373.51 issued under 63 Stat. 7, as amended; 50 U. S. C. App., 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR 1948 Supp.

§ 373.1 *Export licensing general policy.* The following general, but not exclusive, policy for export licensing and related procedures are hereby established for certain commodities, set forth in paragraph (h) of this section.

(a) *Price—(1) Excessive prices.* Price will be applied as one of the licensing criteria only when the export price for the specific commodity is obviously excessive.

Commodity advisory panels or commodity advisory committees will be consulted whenever possible in determining what constitutes obviously excessive prices.

(2) *Price stated on license applications.* The price to be stated on the export license application must be the export contract price, and the point of delivery must be clearly indicated. If point of delivery is other than the intended port of exit, the intended port of exit must also be shown. The exportation may not be made or invoiced at a price in excess of that stated on the validated license.

(3) *Where firm contract price not set.* Where the normal trade practice in a given commodity makes it impracticable to establish a firm contract price, the precise terms upon which the price is to be ascertained and from which the contract price may be objectively determined must be stated on the application. A mere statement by the exporter of "market price, at time of delivery or shipment" or other such general statement of price will not be acceptable.

(b) *Accepted orders: evidence and certification—(1) Accepted order.* Exporters are required to hold, in connection with each license application for

commodities set forth in paragraph (h) of this section, an accepted order covering the transaction between the applicant and the foreign buyer. Such transactions may, nevertheless, be conditioned upon satisfactory payment arrangements or upon the issuance of an export license, import permit, exchange permit, or such other government document as may be required.

(2) *Evidence of accepted order.* Evidence of an accepted order may take the form of an original or photostatic copy of either the contract signed by both the exporter and the importer, or of letters, telegrams, cables, or other documents resulting in a contract between the applicant and the foreign buyer. Such evidence must be kept available for inspection upon demand by the Office of International Trade for 3 years from the date of receipt of the application.

(3) *Certification as to accepted order.*
(i) With respect to license applications covering diffusion pump oils (Schedule B No. 829980) and all the commodities listed in paragraph (h) of this section, an applicant shall certify in the following form that he holds an accepted order for the commodities covered in the application and that he will keep and will on demand make available to the Office of International Trade the relevant documents or records.

As a material representation in connection with this application _____

(Applicant's reference No.)
I (we) certify that it represents a request to export commodities which, subject only to conditions beyond the control of either the applicant or named purchaser, the named purchaser has contracted to buy from the applicant, and the applicant has contracted to sell to the named purchaser. This application accurately reflects the terms of this contract. The documents or records evidencing this contract will be kept by this applicant for 3 years from the date of receipt of the application and will be made available to the Office of International Trade upon demand.

The foregoing certification must be made on the license application by executing the form on Form IT-419 (Revised), or on an attachment thereto. The certification must be signed by the applicant, his officer or duly authorized agent in the same manner as the application itself.

(ii) Where the transaction between the applicant and purchaser or ultimate consignee does not involve a normal purchase and sale contract in the customary form or where for other stated reasons the prescribed certification is inapplicable, the applicant should submit a full description of the nature of such transaction in writing to the Assistant Director for Export Supply, Office of International Trade, Washington 25, D. C., with a request for permission to substitute a proposed certification to fit the particular situation.

(4) *Representations; changes in accepted orders.* The answers to all questions in the application shall be deemed to be continuing representations of the existing facts or circumstances. Any material or substantive change in the terms of the contracts as reflected in the application or any certification made in connection therewith, whether a license

has been granted or the application is still under consideration, shall be promptly reported to the Office of International Trade.

INTERPRETATION—EVIDENCE OF AN ACCEPTED ORDER

The following interpretation of § 373.1, Export Licensing General Policy, is issued concerning paragraph (b), Accepted Orders: Evidence and Certification:

1. *Definition.* Evidence of an accepted order means evidence of a contract which binds the exporter to sell and the importer to buy, but which may be conditioned as provided in § 373.1 (b). This contract may take the form of one document signed by both parties, or it may consist of an offer in definite terms made by either party and accepted in those same terms by the other party. Sometimes several documents have to be exchanged before all terms of a contract are agreed upon, and in such a case the documents which embody the agreement would be the evidence of the contract.

2. *Examples of documents which constitute evidence of an accepted order.* The following are examples of documents which ordinarily would constitute evidence of an accepted order:

(a) A contract signed by both exporter and importer.

(b) Telegrams, cables, letters or other documents exchanged between exporter and importer.

3. *Originals and copies of documents.* Originals need not be submitted; but if photostatic or other copies of documents are submitted, they must be certified by the applicant to be true copies of the originals, as provided in § 373.9 of this subchapter. The Department of Commerce may demand the originals of any copies of documents submitted in support of applications.

Applicants may also submit originals or certified copies of any other documents, such as letters of credit, to clarify the terms and conditions of the contract.

All abbreviations, coded terms, or other expressions having special significance in the trade or to the parties to the transaction must be explained. Documents in a foreign language must be accompanied by an accurate English translation. Such translation need not be made by a translating service but, if not, must be certified by the applicant to be a correct translation.

4. *Shipments to foreign subsidiaries or distributors.* Where an exporter ships supplies or equipment to its foreign subsidiary or to distributors for use or resale, but it is not the practice for the subsidiary or distributor to submit or for the exporter to accept orders, evidence of accepted orders need not be submitted. The exporter must, however, submit a full statement of the nature of the transaction or arrangement, together with originals or certified copies of requisitions or other pertinent documents, explaining in such statement the end uses of the commodities involved.

5. *Shipments under other arrangements.* Where the exporter desires to ship commodities abroad under any other arrangement, a full statement of the nature thereof must likewise be submitted, in the manner outlined in paragraph 4 above.

(c) *End use.* Where commodities are licensed for export on the basis of the specific end use to which the material will be applied abroad, applications will be considered for approval only if they conform to appropriate end uses.

(d) *Historical basis for granting export licenses.* A controlling factor in the granting of export licenses covering certain specified commodities (see § 373.24) is the historical basis, whereby the bulk

of export quotas is reserved for exporters who have participated in exports of such commodities during a representative base period. Except for such commodities, the historical basis will not be the predominating factor in licensing commodities subject to the provisions of this section; it may, however, be taken into consideration, together with other criteria, when quotas are oversubscribed in order to ensure, insofar as possible, a fair and equitable distribution of available quotas. More particularly, it aids in accomplishing one of the underlying considerations in licensing; namely, the maintenance of a normal pattern of export trade.

(e) *Foreign government recommendations.* The Department of Commerce reserves the right in all respects to determine to what extent any recommendations made by foreign governments should be followed. However, the Department of Commerce will not seek or undertake to give consideration to recommendations from foreign governments as to the United States exporters whose license applications should be approved.

(f) *U. S. and foreign government procurement—(1) U. S. Government.* For such purchases as may be made by agencies of the United States Government, licenses, where required, will be issued to the United States purchasing agency or its designee making the export shipment, but such exports will be authorized only where it is evident that the use of private trade channels is inappropriate.

(2) *Foreign governments.* Procurement by foreign governments will be subject to continuous review in line with the announced policy of the United States to maximize the restoration of private trade, and in every instance the foreign government will be requested, before it buys any commodity, to establish the competitive nature of its procurement.

(g) *Commodity advisory panels and committees.* Commodity advisory panels and committees will be consulted regarding problems arising in the administration of the provisions of this section.

(h) *Commodities subject to this export licensing policy.* The export licensing policy set forth in the preceding paragraphs of this section shall be applicable to the following commodities:

(1) All RO commodities with the following processing code symbols of the Department of Commerce:

ACID	NONF	PLAT
DRUG	ORGN	RESN
FERT	PETR	SALT
MINI		

COTA (except diffusion pump oils, Schedule B No. 829980)

(2) The following additional Positive List commodities:

Commodity	Schedule B No.
Cattle hides, dry	020102
Cattle hides, wet	020104
Calf skins, dry	020802
Calf skins, wet (including slunk skins)	020804
Kip skins, dry	020702
Kip skins, wet	020704
Manila or abaca (including tow)	320515
Sisal	320519
Coke, except petroleum coke	500400
Diamond grinding wheels, steels, hones, and laps	540905
Diamond powder	540910

Commodity	Schedule B No.
Diamonds suitable only for industrial use, n. e. c.	599005
Diamonds, rough or uncut, suitable for cutting into gem stones	599010
Diamond bearings	599008
Iron and steel scrap (except tin plated andterne plated)	601010-601090
Secondary tinsplate	604010
Tinsplate circles, cobbles, strips, and scroll-shear butts	604020
Tinsplate, hot-dipped	604110
Tinsplate, electrolytic coated	604150
Tinsplate, decorated, embossed, lithographed, lacquered, or otherwise advanced, including lithographic misprints	604170
Tools incorporating industrial diamonds, n. e. c.	617901
Core drills, mounted or unmounted	730840
Rock drill bits, core drill bits, and reamers, containing diamonds	730875
Diamond dies for power-driven metalworking machinery (state size)	745503
Diamond penetrators and parts	706990
Diamond disk points and other dental instruments containing diamonds	915000

§ 373.2 *Special provisions for iron and steel—(a) Iron and steel products with processing code STEE.* The provisions of this paragraph are applicable to all iron and steel products on the Positive List with the processing code STEE, whether or not subject to the export licensing general policy set forth in § 373.1.

(1) *Applications.* Applications for licenses to export iron and steel products are subject to the individual license procedure. However, for those STEE commodities which are subject to the provisions of the BLT (Blanket) license procedure (see Part 375 of this subchapter), the exporter may use either the BLT (Blanket) license or the individual license procedure.

(2) *Export price.* The export price may be shown on the application form in terms of either the total price, including price per unit, or the supplier's price plus a specified mark-up. This latter method may be used only where the supplier has filed, or files, with the Department of Commerce his price schedule maintained for the sale of iron and steel items for which export licenses are or may be requested and a statement that the supplier will inform the Department of Commerce promptly (within 10 days) of any changes which may occur in his price schedule. In case the unit price varies according to size or specifications, the applicant must show unit price for each separate size or specification.

(b) *Iron and steel commodities subject to export licensing general policy.* All iron and steel products with the processing code STEE which are subject to the export licensing general policy set forth in § 373.1 will be licensed for export in accordance with the following special provisions:

(1) *Evidence of availability of material.* Applicants for licenses to export the iron and steel products described above must submit evidence of availability of the material as provided in § 373.16.

(2) *Time for submission and action on application.* (1) Export license applications must be submitted in accordance with any applicable time schedule.

License applications will be returned without action to the applicant if time schedules for submission are provided but not observed by the applicant; such applications may be resubmitted during the appropriate periods.

(ii) It is the intention of the Office of International Trade to complete licensing iron and steel commodities within 15 days after the closing date for the submission of applications for such commodities, where such closing dates are specified.

(3) *Applications in excess of quotas; refiling.* Applications for which quota is exhausted will be returned without action (RWA) immediately and may not be refilled prior to the date shown on the RWA form. If the letter of acceptance or commitment originally filed is more than 90 days old at the time of refiling of such an application, the letter must be reconfirmed or a new letter must be submitted at the time of refiling.

NOTE: In order to facilitate the consideration of license applications covering proposed exports of iron and steel products, exporters are requested to utilize the BLT (blanket) export license procedure to the fullest extent possible for those iron and steel products which are specifically subject to this procedure. The use of this procedure reduces the number of applications filed for consideration against a given calendar quarter, with a consequent speeding up of licensing operations within the Office of International Trade.

With respect to BLT applications covering such iron and steel products, the Office of International Trade will leave intact, as nearly as possible, the list of proposed consignees submitted with each BLT application. This will enable the applicant to select the specific consignee to whom he prefers to ship in the event the entire quantity approved is less than that applied for, although no one consignee may receive more iron or steel out of the total quantity approved than the amount specified for him on the list attached to the BLT application.

(c) *Silicon steel sheets.* In addition to the general provisions contained in paragraph (a) of this section, all license applications to export silicon steel sheets (commonly called electrical sheets), Schedule B No. 603595, must, in the commodity description column of Form IT-419, set forth a complete description of the sheets to be exported. The specifications appearing on license applications must agree with those on the supporting documents. The description on the license applications must include: specific grades, such as armature, electric, dynamo, or transformer; core loss for each grade and gauge, expressed in watts per pound at a flux density of 10,000 gauss and at 60 cycles per second. If the core loss appears on the customer's order in metric units or at a flux density of 15,000 gauss, or at 50 cycles, it should be converted and shown in terms of watts per pound at a flux density of 10,000 gauss and at 60 cycles per second.

(d) *Alloy, tool, and stainless steel.* All applications for licenses to export alloy, tool, or stainless steel mill products (bars, rods, sheets, plates, etc.) having the processing code STEE must contain, in the commodity description column of Form IT-419, the following information (in addition to the general description

and the Schedule B number, e. g., Alloy Tool Steel Bars, 602650):

(1) Where such steel product is a "standard" grade, the AISI, SAE, or NE number, or any other recognized designation, as may be appropriate; or

(2) Where such steel product cannot be described by a recognized designation, a detailed statement of the percentages of alloying elements present.

(e) *CMP carbon steel, including steel plates and structurals, but not including tinplate.* Applications submitted for licenses to export carbon steel, including steel plates and structurals, but not including tinplate, will be considered for approval by the Office of International Trade only where the end use is:

(1) Essential to direct military production of the United States or of a friendly foreign nation; or

(2) Essential to the production abroad of strategic materials for shipment to the United States or to a friendly nation; or

(3) Essential to direct defense supporting industry, including the facilities required for the production described in either of the two first-named criteria; or

(4) Urgent and essential for the maintenance of basic civilian activities and public services of friendly nations.

§ 373.3 *Special provisions for manilla or sisal fibers—(a) Application requirements.* All applications to export any manilla or sisal raw fibers, Schedule B Nos. 320515 and 320519, must include a statement of the grades of fiber sought to be exported.

(b) *Shipper's export declarations.* All shipper's export declarations covering exportations of manilla or sisal raw fibers must include a statement of the grades of fiber to be exported. This description must correspond with the description on the license.

§ 373.4 *Special provisions for unexposed dental X-ray film.* [Deleted, effective June 1, 1950.]

§ 373.5 *Special provisions for chemicals and medicinals—(a) General.* All applications for licenses to export chemicals, medicinals, and pharmaceuticals shall state such facts relating to grade, form, concentration, mixtures, or ingredients as may be necessary to identify the commodity accurately.

(b) *Bismuth salts and compounds.* All applications for licenses to export bismuth salts and compounds (bulk), Schedule B No. 813583, shall include (in addition to the total net weight of the commodity) the weight in pounds of bismuth contained in the commodity. This information shall be entered in the commodity description column of Form IT-419.

(c) *Radioactive isotopes, radium salts and compounds, and radium emanation (radon).* A validated license is required for the export of all commodities containing any form of (1) radioactive isotopes or preparations thereof, (2) radium salts and compounds, or (3) radium emanation (radon), whether for industrial or medicinal purposes, to any foreign destination except Canada. All license applications must contain a description of the type of compound and radium content, if ascertainable. This information shall be entered in the com-

modity description column of Form IT-419. Such commodities are to be classified under Schedule B No. 829940; except that paints containing radium are to be classified under Schedule B No. 843800, and ferrous or nonferrous commodities containing radium are to be classified under the appropriate Schedule B number in accordance with the provisions of § 373.11 (b).

§ 373.6 *Special provisions for wet cattle hides.* Applications for licenses to export wet cattle hides, Schedule B No. 020104, must show, in the commodity description column of Form IT-419, the number of hides weighing less than 58 pounds each. If no hides weighing less than 58 pounds are included in the proposed shipment, the applicant must so state in the commodity description column.

§ 373.7 *Special provisions for machinery and parts—(a) Information required with license applications to export machinery in parts.* All license applications to export machinery, including replacement and repair parts, with the processing codes GIEQ, TRAN, CONS, TOOL, and ELME must include the following information:

(1) A copy or abstract of that part of the contract of sale or sales specification describing the commodity for which the export license is requested. Where there is no contract of sale, or where the contract of sale does not completely describe the commodity, a complete description must be furnished showing, for example, type, trade name, trade symbol, model number, serial number, capacity, type and horsepower of drive, operating pressure and temperature, composition of special metals.

(2) Where reference to a manufacturer's catalog or bulletin is essential to full identification, a copy must be furnished if not previously filed.

(3) With respect to replacement parts, applications must state the range of or specific sizes and types of the units of equipment for which the parts are required, the dollar value and quantity. A detailed list of the parts is required only with respect to automotive replacement parts proposed for export to certain destinations set forth in paragraph (d) of this section.

(4) The MSA authorization number, where known, if machinery or parts have been purchased under Mutual Security Agency authorization.

(b) *Power-generating and other heavy machinery involving long-term production periods—(1) Submission of license applications where production time exceeds 1 year.* (i) When submitting license applications to export power-generating and other heavy machinery where production cannot be completed within the original 1-year validity period for the export license, the applicant should advise the Office of International Trade of this fact by attaching to his application a letter requesting that his application be considered in the light of the fact that an extension of the original validity period of the license may be required. This letter of request should include a statement of the present production status and the proposed delivery

dates of the major components which cannot be shipped within 12 months.

(ii) When such a letter does accompany the application, a statement to this effect should be placed in the commodity description column of Form IT-419. The letter will be retained in the files of the Office of International Trade for reference in the event a request for extension is subsequently submitted by the licensee.

(iii) When such a letter of request establishes the merit of a longer validity period for the license, the Office of International Trade will stamp on the face of the validated license the following statement:

While the Office of International Trade does not as a matter of policy issue export licenses for a validity period greater than 1 year, the Office of International Trade has at present no information which would preclude the extension of this license for an additional period.

(2) *Submission of requests for extension of validity period.* In the event that the exporter is not able to effect shipment of heavy power-generating and other heavy machinery within the validity period of a license issued pursuant to provisions set forth in paragraph (b) (1) of this section, a request for an extension should be made in accordance with procedure set forth in § 380.4 of this subchapter.

In addition, the letter requesting an extension must set forth the current status of production and the proposed delivery dates of major components, as called for in the letter of request described in paragraph (b) (1) of this section.

(3) *Granting of requests for extension.* Requests for extensions of licenses issued under the foregoing procedure authorizing the exportation of heavy power-generating and other heavy machinery will be accorded as favorable consideration by the Office of International Trade as the conditions existing at the time of the requested extension will permit; also such requests will, whenever possible, be given precedence over new license applications covering similar heavy machinery.

(c) *Pumps, compressors, blowers, exhausters, fans, and parts.* (1) In addition to the other information required by paragraph (a) of this section, applications for licenses to export pumping equipment and parts, Schedule B Nos. 770900 through 770990, must include the following information:

(i) Designed delivery pressure at pump discharge in pounds per square inch (for deep well turbine pumps under Schedule B No. 770910, reported pressure is to be the designed delivery pressure at pump discharge as calculated by the manufacturer under the assumed condition that the bowl assembly is directly connected to the drive head assembly without intervening column pipe);

(ii) Designed working temperature in degrees Fahrenheit for continuous operation;

(iii) Whether fabricated or lined with any of the corrosion-resistant materials as defined in the "General Notes to Appendix A" (Part 399 of this subchapter.)

(2) In addition to the other information required by paragraph (a) of this section, applications for licenses to export compressors, blowers, exhausters, or fans (classified within Schedule B Nos. 771150 or 770400 through 770775) must include the following information:

(i) Designed working pressure in pounds per square inch, gauge reading;

(ii) Intake capacity in cubic feet per minute;

(iii) Delivery pressure in pounds per square inch, gauge reading, for ejector compressors, centrifugal and mixed flow types of compressors, rotary blowers, and exhausters;

(iv) Whether fabricated or lined with any of the corrosion-resistant materials, as defined in the "General Notes to Appendix A" (Part 399 of this subchapter).

Applications for licenses to export parts for such compressors, blowers, exhausters, or fans must set forth the specific information described in subdivisions (i) through (iv) of this subparagraph for each compressor, blower, exhauster, or fan for which the parts are intended.

(d) *Automotive replacement parts.* In addition to the information required by paragraph (a) of this section, license applications covering automotive replacement parts for export to certain destinations, as set forth in subparagraphs (1) and (2) of this paragraph, must be filed in accordance with the provisions set forth in subparagraph (3) of this paragraph.

(1) *Commodities.* The provisions of this paragraph are applicable to applications for licenses to export the following commodities to the destinations set forth in subparagraph (2) of this paragraph:

Schedule B No.	Commodity
547400	Carbon brushes for starting, lighting, and ignition equipment (automotive only).
700220	Starting, lighting, and ignition equipment, n. e. c., and specially fabricated parts and accessories, n. e. c. (automotive only) (report spark plugs in 799030).
700100	Ball bearings and specially fabricated parts, except balls (automotive only).
700200	Roller bearings and specially fabricated parts, except rollers (automotive only).
700310	Balls for bearings (automotive only).
700315	Rollers for bearings (automotive only).
	Replacement parts for commercial automobiles, trucks, and buses:
791240	Engines:
791250	Diesel and semi-Diesel.
791250	Gasoline.
	Bodies:
791290	Truck and bus.
791270	Automobile.
791275	Knee-action springs (helical or coil).
791280	Leaf springs and spring leaves.
792020	Parts, n. e. c., specially fabricated, for spares, replacement, or manufacture into larger components (except accessories).

(2) *Destinations.* The provisions of this paragraph are applicable to applications for licenses to export the commodities set forth in subparagraph (1) of this paragraph to any of the following destinations:

British Malaya (including the Colony of Singapore, the Federation of Malaya, the Colony of North Borneo (including Brunel and Labuan), the Colony of Sarawak, and other insular possessions).

Burma.

Ceylon.

Indochina (Vietnam, Laos, Cambodia).

Indonesia.

Republic of the Philippines.

Thailand (Siam).

(3) *Additional application requirements.* In addition to the provisions of paragraph (a) of this section and other applicable requirements, applications for licenses to export automotive replacement parts listed in subparagraph (1) of this paragraph to the destinations set forth in subparagraph (2) of this paragraph must be accompanied by a statement containing the following information:

(i) The total dollar value of all the commodities (in the aggregate) listed in subparagraph (1) of this paragraph exported by the applicant to the named ultimate consignee (or purchaser, if different) during the years 1950 and 1951; if none, so state.

(ii) Whether a letter of credit has been established for the proposed shipment; if so, give the number, dollar value, expiration date, and name and address of person by whom established. If no letter of credit has been established, state what method of financing will be used for the proposed shipment.

(e) *Metalworking machines.*—(1) *Commodities.* The provisions of this paragraph are applicable to certain metalworking machines (including machine tools), appearing on the Positive List of Commodities under Schedule B Nos. 740005 through 744319, 744410 through 744700, 745990, and 766993, as defined and listed in detail in NPA Order M-41, as amended.

(1) *Commodities.* The provisions of this paragraph are applicable to metalworking machines (including machine tools) classified under Schedule B Nos. 740005 through 744319, inclusive; 744410 through 745298; 745509, and 745990.

(2) *Additional application requirements.* In addition to the provisions of paragraph (a) of this section and other applicable requirements, applications for licenses to export the metalworking machines (including machine tools) described in subparagraph (1) of this paragraph must be accompanied by one of the following:

(i) A statement that a DO rating has been assigned as set forth in § 398.4 of this subchapter.

(ii) Form IT-835 (Request for Special Supply Assistance), executed in accordance with the provisions of § 398.4 (c) of this subchapter; or, where the exportation is to be made to a country for which the Mutual Security Agency is claimant agency (see § 398.1 (c) of this subchapter), a statement that the request for supply assistance has been submitted through the Washington mission of the country of destination to the Mutual Security Agency, Washington 25, D. C.

(iii) Evidence of availability as required by § 373.16, where the supplier is not a producer of the machines.

NOTE: Commodities covered in this paragraph are defined and listed in detail in NPA Order M-41, as amended. Copies of this order may be obtained from any field office of the Department of Commerce and from the Distribution Office, National Production Authority, Department of Commerce, New GAO

Building, Fourth and G Streets NW., Washington 25, D. C.

§ 373.8 *Special provisions for certain petroleum products—(a) Application requirements.* (1) Applications to export lubricating oils, Schedule B Nos. 503300, 503400, 503510, 503520, 503800, 503910, 503920, 503940, 503990, 504005, 504030, 504050, 504090, and 504095, must, in the commodity description column of Form IT-419, set forth a complete description of the lubricating oils, including the Saybolt viscosity at 130° F. or 210° F.; pour point; flash point; and any other descriptive information which will enable the Office of International Trade to make an exact identification of the commodity for which an export license is requested. The quality (high, medium, or low) of the lubricating oil must be stated.

(2) Applications to export lubricating greases, Schedule B No. 504100, must, in the commodity description column of Form IT-419, set forth the quality (high, medium, or low) of the greases.

(3) Applications to export lubricating oils and greases described above must set forth detailed information regarding the proposed end use. The applicant should identify the end use by the particular industry or government activity (e. g., railroads, marine, motor transportation, and other public utility, agricultural machinery, mining, etc.) and, where possible, by specific function (e. g., aviation motors, motor cars, trucks and tractors, Diesel engines, transformers, compressors, open bearings, etc.).

(4) Applications to export petroleum products, Schedule B Nos. 501400 through 505900, to Burma, Ceylon, Taiwan, Indochina, Hong Kong, India, Macao, Federation of Malaya, Republic of Indonesia, Pakistan, Republic of the Philippines, Singapore, or Thailand, shall be accompanied by a statement attached to the application, setting forth the following information:

(i) The quantity of stock the ultimate consignee has on hand (in units of quantity as shown on the Positive List) as of the time the order was placed for each commodity covered by the application;

(ii) The date such order was placed;

(iii) Quantity of such commodities the ultimate consignee expects to receive from all sources other than the license applicant within 90 days after such order was placed; and

(iv) The monthly rate of consumption, including resale, by the ultimate consignee of the commodities covered by the application.

(b) *Processing of applications.* Applications which do not contain sufficient detailed information for an exact identification of the commodities involved and complete information regarding the end use will not be considered but will be returned to the applicant without action.

(c) *Time for submission of applications.* Applications for licenses to export lubricating oils and greases, Schedule B Nos. 503300 through 504100, to the destinations set forth in paragraph (a) (4) of this section must be submitted in accordance with the time schedules set forth in § 373.51.

§ 373.9 *Special provisions for diamonds—(a) Definitions.* The commodities covered by this section are more particularly described and defined as follows:

(1) *Loose diamonds.* "Loose diamonds (except cut gem diamonds)" are any diamonds not set in any other material.

(i) "Industrial diamonds" are industrial-purpose diamonds in any form, unmounted, including ballas, carbonados, crushing bort, other uncrushed diamonds and diamond fragments, and diamond dust or powder.

(ii) "Cuttable diamonds" are diamonds suitable for cutting into gems and not reserved for industrial use.

(2) *Tools incorporating diamonds.* "Tools incorporating diamonds" are any tools or industrial devices, including metal slugs, which contain diamonds. "Tools incorporating diamonds" specifically include any machine containing as an integral part thereof a tool or device incorporating diamonds. A validated license is required for the export of such machines to any foreign destination except Canada.

(3) *Machines.* Machines containing as an integral part thereof a tool or device incorporating diamonds.

(b) *Basis of licensing.* License applications will be approved in accordance with the general licensing policy set forth in § 373.1.

(c) *Application requirements—(1) Schedule B classifications.* Separate license applications (Form IT-419) must be submitted for each Schedule B classification of loose diamonds and tools and devices incorporating diamonds and must contain a complete description of each named commodity or commodities, including any customary trade subclassifications.

(2) *Loose diamonds.* Loose diamonds, industrial and cuttable, must be listed on the application by one of the following methods:

(i) Separately, giving trade description and the respective carat weight and value of each diamond listed.

(ii) In groups by packets, giving the number of diamonds, the total carat weight, total value and average value per carat for each group.

(iii) By quantity (as in the case of small sizes, sand, powder, etc.), give total carat weight, total value, and average value per carat.

(3) *Tools incorporating industrial diamonds.* (1) Tools, tool parts, or devices (including metal slugs) must be listed separately on license applications, or by groups of identical tools, giving the name and type of tool and approximate carat weight of diamonds and/or diamond powder or dust contained therein.

(ii) License applications to export rock drill bits, core drill bits, and reamers containing diamonds, Schedule B No. 730875, which have been shipped to the United States for reprocessing or resetting must include the following information:

The approximate carat weight of the diamonds inserted in the reprocessing of each type or size of drill bit listed, exclusive of the diamonds shipped to the United States with the tool.

(iii) License applications to export diamond grinding wheels, sticks, hones and laps, classified under Schedule B No. 540905, must include a statement as to quantity (number) and size of each commodity and carat weight of diamond content.

(iv) Diamond dies must be listed on the license applications as unmounted or encased, and the size of hole, carat weight, and the unit value per die must be given.

(4) *Machines.* When a tool or device incorporating diamonds is to be shipped as an integral part of a machine, the machine may be listed together with tools and devices incorporating diamonds in a single license application. However, when the tools or devices incorporating diamonds are not an integral part of the machine but shipped as spares or extras separate license applications must be submitted.

Note: The term "machine containing as an integral part thereof a tool or device incorporating diamonds" does not include the following commodities, since the tools or devices incorporating diamonds that are used with the following commodities are readily detachable and not integral parts. Therefore, diamond drill bits or any other tool or device incorporating diamonds may not be listed on the same license application with the following commodities:

Schedule B No.	Commodity description
730810	Specialized mining machines and equipment, n.e.c., and specially fabricated parts and accessories, n.e.c.
730840	Core drills, mounted or unmounted.
730900-732900	Well drilling machines, and parts.

A validated license must be obtained prior to exportation of any tool or device incorporating diamonds, whether such tool or device accompanies the shipment of other commodities or not.

(5) *End use.* The application must also include a detailed statement regarding the end use of the commodity.

(d) *Export clearance of loose diamonds.* (1) Every shipment of loose diamonds in any form (except cut gem diamonds), not including tools incorporating diamonds, regardless of the means of exportation or the port of exit, must be inspected by the U. S. Appraiser of Merchandise at New York.

(2) The Appraiser will compare the contents of the shipment with the description on the shipper's export declaration authenticated by the collector of customs. If the contents and description on the authenticated shipper's export declaration agree, the Appraiser shall place his seal on the package or parcel.

(3) If the contents of the shipment do not agree with the description set forth on the authenticated export declaration, the Appraiser will submit the authenticated shipper's export declaration, together with a statement of his findings, to the Department of Commerce via the collector of customs.

(4) Post offices will not accept packages or parcels containing such commodities for mailing to a foreign destination unless they have been inspected

by the U. S. Appraiser of Merchandise at New York, and the unbroken seal of that official appears on each package or parcel.

(e) *Return of loose industrial diamonds and diamond dust, or powder without license.* Notwithstanding the foregoing provisions of this section (which relate only to diamond exports which require a license), the provisions of § 371.9 (c) of this subchapter (which relate to exceptions from the general license GIT for intransit shipments), and the provisions of § 370.10 of this subchapter (which permit certain exports from foreign trade zones without license), any person in the United States to whom loose industrial diamonds, Schedule B No. 599005, or diamond dust or powder, Schedule B No. 540910, are consigned by a foreign supplier, with the privilege of selection and purchase or return, may return to such foreign supplier such of those diamonds or such dust or powder as are not selected for purchase, without securing an export license therefor, provided the following procedure and conditions are observed:

(1) *Deposit in New York Foreign Trade Zone.* The entire consignment to such person from his foreign supplier, upon arrival in the United States and prior to opening or inspection, must be taken directly from Customs custody into the New York Foreign Trade Zone and must be continuously kept there while inspection and selection are made and, with respect to those diamonds or such dust or powder not selected for purchase and to be returned to the foreign supplier, until released for immediate exportation to the foreign supplier.

(2) *Examination by Federal Supply Service.* The Federal Supply Service, General Services Administration, must be given an opportunity to examine and purchase the diamonds or dust or powder proposed to be returned and, after having purchased any which it desires to purchase, must furnish to the New York Foreign Trade Zone Operators, Inc., its certificate, in duplicate, to the effect that it has been afforded such opportunity and that, with respect to those diamonds or such dust or powder remaining for return to the foreign supplier (which must be sufficiently identified by lot number, quantity, weight, description, etc.), it has elected not to purchase them.

(3) *Certificates required for release from Zone.* The New York Foreign Trade Zone Operators, Inc., shall not release the diamonds or dust or powder from the Zone unless and until the above-mentioned certificate has been furnished, and, at the time of such release, there shall be attached to the original thereof a duly executed Certificate of Constructive Transfer, Zone Form C, Revised (i. e., the official document by which commodities are released from the Zone). Both certificates will be delivered to the proposed exporter.

(4) *Export clearance.* No collector of customs shall authenticate any declaration for the export of loose industrial diamonds or diamond dust or powder pursuant to this procedure unless the certificate of the Federal Supply Service

and the attached Certificate of Constructive Transfer, Zone Form C, Revised, provided for above, shall accompany the declaration filed with the collector.

NOTE: The use of the procedure set forth in paragraph (e) of § 373.9 will be expedited if diamond dealers desiring to use the facilities of the New York Foreign Trade Zone will make such arrangements as soon as they know when a consignment of diamonds or diamond dust or powder is due to arrive. Persons using the procedure are also responsible for notifying the Federal Supply Service when a proposed shipment is ready for inspection.

§ 373.10 *Special provisions for nitrogenous fertilizer materials and certain industrial chemicals containing nitrogen.* [Deleted, effective September 21, 1950.]

§ 373.11 *Special provisions for ferrous or nonferrous commodities, including ores, concentrates, or unrefined products—(a) Containing lead, molybdenum, and vanadium.* All applications for licenses to export ores, concentrates, or unrefined products included on the Positive List of Commodities, containing lead, molybdenum, and vanadium, and classified under Schedule B Nos. 650406, 664550, and 664584, respectively, must include a statement of the weight in pounds of each such element, except for vanadium, which shall be on the basis of the V.O. content.

(b) *Containing radium.* All applications for licenses to export any ferrous or nonferrous commodities, including ores, concentrates, smelter and refinery residues, or unrefined products, containing radium must include a statement of the weight in grams of such radium regardless of the amount.

(c) *Containing copper.* All applications for licenses to export insulated wire and cable, Schedule B Nos. 709810-709885, must include (in addition to the total net weight of the commodity) a statement of the weight, in pounds, of the copper contained in the commodity.

NOTE: The required information should be entered on Form IT-419 in the following manner:

Quantity to be shipped (pounds)	Commodity description	Schedule B No.
10,000	Appliance wire, insulated (copper content 6,000 pounds).	709885

(d) *Nonferrous metal alloys.* The following provisions are applicable to all nonferrous metal alloys (including bimetal, thermometals, etc.) on the Positive List with the processing codes NONF and MINL: applications for licenses to export such commodities must contain, in the commodity description column of Form IT-419, a complete commodity description, including the percentage of each alloying element present or the recognized standard commercial brand or trade name of the commodity (such as are published in "Engineering Alloys" by the American Society for Metals).

(e) *Copper and copper-base alloy scrap.* Each application covering copper and copper-base alloy scrap, new and old, Schedule B Nos. 641300 and 644000,

shall include in the commodity description the code specification of the National Association of Waste Material Dealers (NAWMD) applicable to each commodity.

(f) *Zinc Scrap.* All applications for licenses to export zinc scrap (including ashes, dross, skimmings, and residues), Schedule B No. 657050, shall include (in addition to the total net weight of the commodity) the weight in pounds of the zinc content of the commodity. Also, the proportion of other significant elements contained in the material should be stated. This information shall be entered in the commodity description column of Form IT-419.

§ 373.12 *Special provisions for ores, concentrates, smelter and refinery residues, unrefined products.* [Deleted, effective April 20, 1950. Refer to § 373.11, paragraphs (a) and (b).]

§ 373.13 *Special provisions for commodities to be exported to Taiwan (Formosa); intermediate consignees.* [Transferred to § 380.2 (f) of this subchapter.]

§ 373.14 *Special provisions for certain commodities originating in Japan.* Shipments of Positive List commodities (§ 399.1 of this subchapter) which originate in Japan and are not exportable from the United States under general in-transit license GIT, or general license GO, or under the provisions of § 370.10, of this subchapter, relating to shipments from foreign trade zones, require a validated license for export. Applicants for licenses to export such commodities must disclose, in the commodity description column of Form IT-419, that the commodities originated in Japan; and the application must be accompanied by a true copy of the bill of lading covering the shipment of the commodities from Japan.

§ 373.15 *Special provisions for sugar.* [Deleted, effective December 6, 1951.]

§ 373.16 *Special provisions for certain commodities: evidence of availability—(a) Evidence of availability.* (1) Applicants for licenses to export any of the commodities described in paragraph (b) of this section must submit an acceptance or commitment letter from the supplier, evidence of ownership (such as a bill of sale, invoice, or photostatic copy thereof), or other proof that the amount of material covered by the application is in fact available to him.

(2) The letter of commitment by the supplier must be dated and must show the quantity accepted or committed; letters of commitment which are more than 90 days old when the application is received by the Department of Commerce (or, where applicable, letters for commodities subject to time-table licensing which will be more than 90 days old on the last day for filing applications for the calendar quarter) will not be accepted.

(3) If the evidence of availability is from a supplier who is not a producer, the applicant shall furnish a statement from the supplier certifying that the material is actually in his possession or furnish clear evidence from the supplier

that the material will be made available to him.

(4) If the commitment letter has been previously submitted in support of other license applications, the applicant also should state the case number and date of such applications; or, if the commitment letter is used in support of several applications being submitted at the same time, this action together with reference numbers, should be stated in an accompanying letter.

NOTE: Applicants are cautioned that the submission of such proof of availability of material does not guarantee that applicant will receive a license for the full amount or any portion thereof which he may be able to procure.

(b) *Commodities.* The requirements of this section are applicable to the following Positive List commodities:

Sulfur, crude, ore, crushed, ground, refined, sublimed, and flowers: Schedule B Nos. 571410, 571500, and 596098.

All iron, steel, and nonferrous products with the processing codes STEE and NONF, except controlled materials (identified on the Positive List by the letter "C" in the column headed "Commodity Lists").

Wood pulp, special alpha and dissolving grades, bleached, sulfite, and sulfate; sulfite wood pulp, bleached and semibleached, n. e. c., sulfite wood pulp, unbleached; sulfate wood pulp, unbleached; sulfate wood pulp, bleached and semibleached, n. e. c.; and wood pulp and screenings, n. e. c.: Schedule B Nos. 469110 through 461900.

Hot-dipped or electrolytic coated tinplate, unassorted as to temper, Schedule B Nos. 604110 and 604150. In the case of this tinplate, the commitment letter must also

(1) identify the commodities by lot number or other designation identifying the particular lot, and (2) name all the export license applicants to whom the supplier has made a commitment to supply the same lot or lots of commodities (where the supplier has made such a commitment to more than one export license applicant).

Tinplate circles, strips, cobbles, and scroll-shear butts: waste-waste tinplate; un-mended menders; mill accumulations; and lithographic misprints: Schedule B Nos. 604010, 604020, 604110, 604150, and 604170.

Construction, excavating and conveying machinery: Schedule B Nos. 720112-720240; 720410; and 721510-723080.

Tractors, tracklaying type, and parts: Schedule B Nos. 787310 through 787560, and 788901.

Crude asbestos and spinning fibers, unmanufactured: Schedule B No. 545110.

Plumbers' brass goods: Schedule B No. 618857.

(Under the conditions set forth in § 373.7 (e) (2)) Metalworking machines (including machine tools): Schedule B Nos. 740005 through 744319; 744410 through 744700; 745990, and 766993.

§ 373.17 *Special provisions for cotton mill waste.* [Deleted, effective October 11, 1951.]

§ 373.18 *Special provisions for raw cotton.* [Deleted, effective September 17, 1951.]

§ 373.19 *Export licensing policy for materials covered by NPA M (materials) orders.* Under the authority of the Defense Production Act of 1950, the National Production Authority has issued numerous orders limiting production of commodities or restricting the uses to which commodities may be put. The purpose of these orders is to conserve the

supply and channel production into essential uses for national defense.

In general, it will be the policy of the Office of International Trade, in considering export license applications covering commodities subject to such orders, to limit approvals to end uses consistent with end uses permitted in the domestic economy.

In order to administer this policy, it may be necessary for the Office of International Trade to return license applications to the applicants for the purpose of obtaining a more detailed and comprehensive statement of end use, which will enable the Office of International Trade to consider the application in the light of the domestic restrictions. Applications covering shipments for resale, further distribution, or fabrication in the foreign country should specify particularly the end use to which the commodities will be put by the ultimate consumer, in order to expedite the consideration of such applications.

§ 373.20 *Special provisions for military wearing apparel—(a) Application requirements.* (1) All applications for licenses to export military wearing apparel, new and used, Schedule B No. 999930, must contain a statement fully describing the apparel covered by the application, including the type of apparel, color, and material.

(2) If the wearing apparel has been dyed, the statement must so indicate and specify the color in which the apparel has been dyed. If otherwise altered, the exact nature of the alterations also must be described.

(b) *End use.* In general, applications for licenses covering U. S. Army and Marine Corps outer wearing apparel, for males (excluding boots and shoes) which has not been dyed or otherwise altered will be considered only where exportation is to be made to a foreign government for use by or under the direction of an agency thereof. Applications covering other types of U. S. military wearing apparel will be considered even though not limited to such use.

§ 373.21 *Special provisions for commodities containing cobalt.* All applications for licenses to export the following cobalt-containing products shall include (in addition to the total net weight of the commodity) the weight in pounds of the cobalt contained in the commodity. This information shall be entered in the commodity description column of Form IT-419.

Commodity	Schedule B No.
Cobalt reagents.....	839970
Cobalt compounds.....	839750, 839900
Cobalt-containing pigments.....	842900
Cobalt-containing paint and varnish driers.....	843600

§ 373.22 *Special provisions for exportations to Switzerland.* License applications for export of commodities to Switzerland must be accompanied by the original blue import certificate issued the Swiss importer by the Swiss Federal Department of Public Economy, Division of Commerce, Import and Export Control, covering the proposed exportation from the United States. Where the blue import certificate covers commodities for

which more than one export license application must be submitted, the original of the certificate shall be attached to one application and a true copy of the certificate shall be attached to each additional application to which it is equally applicable. Any application to which the certificate or a true copy is attached shall contain a reference (OIT case number, if known, or applicant's reference number) to all other applications submitted at any time against the same certificate.

Applicants submitting a license application for export of commodities to Switzerland must make one of the following certifications on the face of the license application:

I (we) certify that I (we) have submitted no other applications against the attached Swiss blue import certificate No.

I (we) certify that I (we) have not submitted applications against the attached Swiss blue import certificate No. in excess of the total quantity authorized thereon.

NOTE: The Swiss blue import certificate provides that the Swiss importer has pledged himself directly to import the commodities into the Swiss customs territory and that any reexportation of these goods is prohibited. (See § 372.9 of this subchapter with respect to submission of true copies of documents to the Office of International Trade.)

This requirement for submission of Swiss certificates does not alter the requirement for statements from the Swiss ultimate consignee (and purchaser, if different from the ultimate consignee) in accordance with § 372.3 of this subchapter. In addition, shipments to Switzerland remain subject to § 381.4 of this subchapter requiring a statement on the shipper's export declaration, bill of lading, and commercial invoice, to the effect that the commodities are licensed by the United States for ultimate destination Switzerland and that diversion contrary to U. S. law is prohibited.

If the Swiss importer is unable to obtain the commodities covered by a blue import certificate, he is required by the Swiss Government to produce evidence of such inability. Therefore, the Office of International Trade will return the certificate to the U. S. exporter (applicant), for forwarding to the Swiss importer, whenever an application for export of commodities to Switzerland is rejected or is approved in a reduced quantity. In such cases the U. S. exporter should forward the certificate to the Swiss importer as soon as he determines that the certificate will not be used with a new or resubmitted license application, or an appeal. Appropriate notation will be made on the certificate by the Office of International Trade indicating such facts.

§ 373.23 *Special provisions for exportations to Sweden and the Belgian Congo.* Each applicant for a license to export commodities to Sweden or the Belgian Congo shall show, in the space provided on the application, Form IT-419, the number of the import license or other import authorization upon which his application is based.

§ 373.24 *Statement of past participation in exports for certain commodities—(a) Statement of past participation—(1) General.* (i) Oversubscription of export quotas for an increasing number of commodities in short supply indicates a greater use of the historical pattern of exports as a factor in the granting of export licenses in order to obtain a more equitable distribution of available quo-

tas. More particularly, it aids in accomplishing one of the underlying considerations in licensing; namely, the maintenance of a normal pattern of export trade. Under this method of license issuance, the bulk of export quotas is reserved for those firms who have participated in exports during a representative base period. However, licensing on the historical basis does not preclude participation by exporters who do not have a record of past participation in exports during the base period since a certain portion of the quota is also reserved for those exporters within this category. Where necessary, a portion of the quota will also be set aside for especially urgent needs, such as military or defense-supported requirements.

(ii) This section sets forth the general provisions for submission by exporters of a statement of past participation in exports for the indicated commodities.

(2) *Requirement to file.* Applicants for licenses to export any commodities described in paragraph (b) of this section are required to submit to the Office of International Trade a statement of past participation in exports of that commodity on Form IT-821, in duplicate, excluding exports specified in subparagraph (5) of this paragraph. This information shall be filed only once by an applicant, unless there is a change in the name of the reporting firm or in its relation with other firms. At the time of such change, a new Form IT-821 shall be submitted which refers to the original form and contains the new information. In order to be considered in relation to a specific quota, the completed Form IT-821 must be received in the Office of International Trade prior to the termination date for filing applications under that quota. The submission of this information does not guarantee that the applicant will receive a license for the full amount or any portion of the commodities covered by his license application.

(3) *Restrictive quota participation.* A single firm shall be entitled to only one participation in each quota established for each category of commodities specified in paragraph (b) of this section. The filing of dual applications or the claiming of an additional participation through any device whatsoever may result in the denial of export licensing privileges to all persons concerned.

(4) *Form IT-821.* The following information, in addition to other information specified on the form, shall be submitted on Form IT-821:

(i) On separate Forms IT-821 for each category of commodities, the total quantity of exports, excluding shipments covered by subparagraph (5) of this paragraph, from the United States to all foreign countries other than Canada (unless otherwise specified in paragraph (b) of this section) shipped in the exporter's name, i. e., for his own account, during each of the calendar years indicated in paragraph (b) of this section.

(ii) The names of each exporter, dealer, manufacturer, or other business organization (whether an individual, partnership, association, corporation, or other type of business organization) engaged in the export of the particular

commodity being reported which is directly or indirectly owned or controlled by the applicant or which directly or indirectly owns or controls the applicant's operations. The date (month and year) when each such firm or organization was established and its relationship to the applicant's operations shall also be included.

(5) *Exports excluded from report.* Unless specifically requested, exportation of any commodity described in paragraph (b) of this section under conditions indicated below shall not be included in this report. Those exporters who previously filed Form IT-821 and included thereon exports shipped under such conditions shall file an amended Form IT-821 excluding these shipments.

(i) Shipments to territories, dependencies and other possessions of the United States and Trust Territory of the Pacific Islands, i. e., the Caroline Islands, the Marshall Islands, and the Marianas Islands.

(ii) Toll shipments.

(iii) In-transit shipments.

(iv) Shipments under project licenses.

(v) Shipments to Canada.

(6) *Successors in interest.* A successor firm which has acquired the business interest of a predecessor may include its predecessor's record of past participation in exports for the purpose of establishing the successor firm's position as an historical exporter, provided that the predecessor is not entitled to claim the same past participation in exports. Such successor firm may submit Form IT-821 for consideration by the Office of International Trade and set forth thereon, or on an attached statement, a full explanation of the association between the entities concerned and including the following signed statement:

The terms of acquisition of the business interests of (name of predecessor firm) by (name of successor firm) precludes the predecessor firm from claiming past participation in exports for the purpose of obtaining export licenses under the historical pattern of export licensing.

NOTE: In the absence of a report on Form IT-821, OIT will assume that the applicant's total exports for each commodity were less in each of the specified calendar years than the established minimum amount (as shown in paragraph (b) of this section) for submission of Form IT-821, and his application for an export license will be considered under a portion of the export quota reserved for exporters in this category.

(b) *Commodities requiring statement of past participation.* Form IT-821 shall be submitted by applicants for export licenses, other than project licenses, for the following categories of commodities:

(1) *Truck and bus casings, passenger car casings, off-the-road casings, farm tractor and implement casings, and industrial casings, Schedule B Nos. 206000, 206210, 206430, 206440, 206460, and 206490.* Separate reports on Form IT-821 shall be submitted reflecting the quantity, in number of units of exports from the United States, made during each of the calendar years 1948, 1949, and 1950 to the following countries. This report shall be submitted only

where the total of such exports to all of these countries was \$10,000 or more during any one year for either (i) passenger car casings, Schedule B No. 206210 or for (ii) total of casings classified under Schedule B Nos. 206000, 206430, 206440, 206460, and 206490.

Belgian Congo.	Lebanon.
Belgium.	Malaya.
Finland.	Philippine Islands.
France.	Singapore.
French Morocco.	Sweden.
Indonesia.	Switzerland.
Iran.	Syria.
Israel.	Thailand.

(2) *DDT (dichlorodiphenyl trichloroethane), including preparations thereof containing 25 percent or more DDT (100 percent basis), Schedule B No. 820580.* The report on Form IT-821 shall cover the quantity (shown in the technical (100 percent) DDT equivalent) of exports from the United States made to any one country during each of the calendar years 1949 and 1950 where the total of such exports to that country was \$250 or more for either year.

(3) *All controlled materials and certain additional commodities with processing code NONF:*

Corrugated aluminum sheet, Schedule B No. 630301;

Refined copper in cathodes, billets, ingots, wire bars, and other crude forms, Schedule B No. 641200; copper bars (except wire bars), Schedule B No. 642400;

Copper scrap, Schedule B No. 641300;

Brass and bronze scrap, new and old, Schedule B No. 644000; brass and bronze ingots, Schedule B No. 644100;

Lead pigs, bars, and anodes (include blocks and ingots), Schedule B No. 650750;

Zinc slab, Schedule B Nos. 657101, 657103, 657125, 657108;

All controlled materials (identified on the Positive List by the letter "C" in the column headed "Commodity Lists").

A separate report on Form IT-821 shall be filed for each Schedule B number and shall cover the quantity in Schedule B units of exports from the United States made during each of the calendar years 1949 and 1950 where the total of such exports for each commodity was \$5,000 or more for any one year.

(4) *Plumbers' brass goods, Schedule B No. 618857.* The report on Form IT-821 shall cover the quantity by weight of exports from the United States during each of the calendar years 1949 and 1950, and during the first 6 months of the calendar year 1951 where the total of such exports was 1,000 pounds or more for any 1 year and 500 pounds or more during the first 6 months of 1951.

(5) *Paper base stocks, Schedule B Nos. 460110, 460200, 460400, 460800, 461010, and 461900.* The report on Form IT-821 shall cover the quantity (air dry weight) for exports from the United States during each of the calendar years 1947, 1948, 1949, and 1950 where the total of such exports during any 1 year was 100 short tons or more.

(6) *Copper sulfate (Schedule B No. 820100).* The report on Form IT-821 shall cover the quantity of exports from the United States made to any one country during each of the calendar years 1949 and 1950 where the total of

such exports to that country was \$250 or more for either year.

§ 373.25 *Special provisions for wool waste and wool yarns.* [Deleted, effective January 31, 1952.]

§ 373.26 *Special provisions for applications covering commodities for which supply assistance is requested.* Special provisions for certain license applications covering commodities for which supply assistance is requested at the same time the license application is filed with the Office of International Trade, are set forth in Part 398 of this subchapter.

§ 373.27 *Special provisions for cotton duck.* [Deleted, effective June 6, 1952.]

§ 373.28 *Special provisions for exports to serialized mines, smelters and mineral prospecting operations abroad.* License applications filed for export of commodities to any foreign mine (other than petroleum, solid fuels, uranium and natural gas), a nonferrous smelter, or mineral prospecting operation that has had a serial number assigned thereto by the Defense Materials Procurement Agency (formerly Defense Minerals Administration), shall plainly show such serial number in the commodity description column of the license application, Form IT-419.

§ 373.29 *Special provisions for certain totally allocated commodities—(a) Commodities included.* The following commodities, as described in the relevant National Production Authority orders, are subject to this section. The NPAF forms required to be submitted with respect to each commodity or group of commodities covered by an NPA order are specified in each order and for the convenience of exporters are also set forth below:

Commodity ¹	Relevant NPA Order	Required NPAF Form
Tin.....	M-8	7
Slab zinc.....	M-9	110
Copper refinery shapes (not CMP shapes) and brass and bronze ingots.....	M-16	83
Copper scrap and copper base alloy scrap.....	M-16	83
Tungsten, pure.....	M-81	114
Tungsten, except pure.....	M-81	114
Molybdenum, pure.....	M-81	114
Molybdenum, except pure.....	M-81	114
Soft pig lead.....	M-76	115
Selenium.....	M-91	146

¹ Commodities covered are described in detail in the applicable NPA order.

NOTE: The term "totally allocated commodities" includes those commodities for which the user, purchaser, or seller must hold an allocation authorization or release from the National Production Authority prior to his use, purchase, or sale thereof.

Since the commodities covered by this section are under total allocation by the National Production Authority, the fact that an exporter holds a validated export license does not in itself permit him to deliver such commodities or accept delivery from a supplier. Under NPA regulations in effect as of October 4, 1951, he must file a separate application for an individual allocation authorization (using the appropriate NPAF form).

However, under this section, the required National Production Authority form (NPAF form) will be filed together with the export

license application with the Office of International Trade, and the approval of the allocation request will be integrated with and will depend upon action on the export license application.

Consequently, when an allocation request is approved, the approved NPAF form will be returned to the applicant either (1) by the OIT with the validated license, or (2) by the NPA immediately after the OIT has approved the license application, in which case the exporter will receive his validated license from the OIT at about the same time. The procedure set forth in this section will save time for the exporter and will assure that he may accept and make delivery for export of material against his export license covering such commodities.

(b) *How to prepare NPAF forms.*¹ The NPAF forms should be filled out in accordance with the requirements of the relevant NPA order, since official action on the allocation requests will be taken by NPA after the requests are submitted to the Office of International Trade. However, where the applicant is instructed on the form or in the order to file for his requirements covering a specified period of time (e. g., a month or a quarter), exporters shall, in each case, file separate NPAF forms to cover only the quantity specified in each individual export license application (or each validated license to export the commodities for which an allocation is requested). In addition, exporters need not necessarily answer items on the NPAF forms which are inapplicable, or for which information is unavailable, such as "periodic inventory reports," or "analysis of rated orders."

NOTE: 1. *NPA orders and instructions.* Exporters should become familiar with the NPA "M" orders and the NPAF forms mentioned in paragraph (a) of this section for instructions in filling out these forms and for understanding their responsibilities under the orders.

2. *NPA inventory form.* Attention of exporters is directed to the fact that the filing of the inventory form required by various NPA orders covering the commodities listed in paragraph (a) of this section is not applicable in the case of exporters. Allocation requests submitted together with or in connection with export license applications or licenses need not be accompanied by any inventory forms.

(c) *Submission of NPAF forms with license applications—(1) New applications.* With the exceptions set forth in subparagraph (4) of this paragraph, all license applications covering the commodities listed in paragraph (a) of this section must be accompanied by the appropriate NPAF form, requesting an allocation. License applications covering such commodities will be returned to the applicant without action unless the appropriate NPAF form is attached and properly prepared. If the license application is approved, the approved allocation request (NPAF) form, bearing an assigned certification number which will authorize the licensee to accept or make delivery of the material in the quantity specified on the license will be returned

¹ Copies of NPAF forms may be secured from the Department of Commerce and NPA field offices and from the Distribution Office, National Production Authority, Department of Commerce, New GAO Building, Fourth and G Streets NW., Washington 25, D. C.

to the applicant either by the Office of International Trade with the validated license, or under separate cover from the NPA. If the NPAF form has already been filed with the National Production Authority, the applicant shall submit with the export license application a copy of such NPAF form to the Office of International Trade, marked "Copy," regardless of whether NPA has acted on the allocation request. If NPA has acted on the allocation request, the applicant shall indicate the action taken by NPA on the face of the NPAF form copy sent to the Office of International Trade.

(2) *Pending applications.* Except as provided in subparagraph (4) of this paragraph, for all license applications covering the commodities added to the list in paragraph (a) of this section that are pending before the Office of International Trade on the effective date when the new commodity is added, and for which the NPAF form has not been filed with the National Production Authority, the applicant shall immediately file the appropriate NPAF form with the Office of International Trade; if the applicant has already filed such form with the NPA, he shall send a copy of such NPAF form to the Office of International Trade, marked "Copy," regardless whether NPA has acted on the allocation request. In all cases, the applicant shall note on the copy of the NPAF form the OIT case number, if known; the applicant's reference number; the Schedule B number(s), and country of destination. If NPA has acted on the allocation request, the action taken by NPA shall be noted on the face of the NPAF form copy sent to the Office of International Trade.

(3) *Outstanding validated licenses.* For all outstanding validated licenses covering commodities listed in paragraph (a) of this section, and for which the NPAF form has not been filed with National Production Authority, the licensee shall immediately file the appropriate NPAF form with the Office of International Trade; if the licensee has already filed such form with NPA, but no allocation has been granted, he shall send a copy of such NPAF form to the Office of International Trade, marked "Copy." In either case, the applicant shall note on the copy of the NPAF form the OIT case number, the export license number, the date of issuance, the Schedule B number(s), and country of destination. If partial shipment has been made, he shall indicate the quantity shipped, the unshipped balance, and the collector of customs with whom the license has been deposited.

NOTE: Requests for approval of the NPAF form filed pursuant to this section will be considered within the quotas established for the current quarter or allocation period.

(4) *Exception.* The procedure set forth in this section is not applicable in the case of materials purchased for export under the "small-user" provisions of the relevant "M" orders. In such cases, a signed statement from the applicant (in lieu of the NPAF form) must accompany the export license application. This statement should conform substantially with the following certification:

The undersigned certifies, subject to penalties provided by law or regulation, that the material covered by the attached export license application was procured in conformity with "small-user" provisions contained in paragraph _____ of NPA Order No. M-_____ and that all provisions of this order have been or will be complied with.

Signature _____
Title _____

(5) *Time for filing NPAF forms and "small-user" certification with OIT.* Allocation requests for commodities listed in paragraph (a) of this section must be submitted to the Office of the International Trade as follows:

(i) Allocation requests with new license applications shall be submitted at any time the license application may be submitted (see § 372.3 (a) of this subchapter and § 373.51).

(ii) Allocation requests for commodities covered by outstanding licenses and license applications pending in the Office of International Trade when the commodities are added to the list in § 373.29 (a), shall be submitted within 20 days after the effective date when the new commodities are added to the list.

Allocation requests received after these dates cannot be considered for approval.

§ 373.30 *Special provisions for coal and coke.* (Deleted, effective April 24, 1952.)

§ 373.31 *Special provisions for synthetic rubber (GR-S).* (Deleted, effective May 23, 1952.)

§ 373.32 *Licensing policies for tinplate.* Tinplate, Schedule B Nos. 604010, 604020, 604110, 604150, and 604170, will be licensed for export in accordance with the provisions of § 373.1 and the licensing policies and special provisions set forth in this section.

(a) *Specification production plate.* Specification production plate: Tinplate, hot-dipped and electrolytic, primes and seconds, and tinplate decorated, embossed, lithographed, lacquered, or otherwise advanced, Schedule B Nos. 604110, 604150, and 604170, will be licensed for export in accordance with the following special provisions of this paragraph:

(1) *Consignee and end uses.* In general, applications for licenses will be considered for approval by the Office of International Trade only where the foreign consignee is a regular user of tinplate and where the end use is for the preservation of perishable essential foods or the packaging of petroleum products.

(2) *Time for submission of applications.* Applications for licenses shall be submitted to the Office of International Trade in accordance with the time schedules set forth in § 373.51.

(3) *CMP allotments.* The Controlled Materials Plan (CMP) governing the distribution of certain metals, as established by the National Production Authority, effective July 1, 1951, is applicable to all the tinplate commodities covered by this section. If an export license is issued, the Office of International Trade will assign a CMP allotment in accordance with § 398.5 of this subchapter.

(b) *Tinplate secondary products.* Tinplate secondary products:

Unassorted and mixed tempers—Schedule B Nos. 604110, 604150.

Unmended menders—Schedule B No. 604010. Mill accumulations—Schedule B Nos. 604110, 604150.

Waste-waste—Schedule B No. 604010. Circles, strips, cobbles, and scroll-shear butts—Schedule B No. 604020.

Lithographic misprints—Schedule B No. 604170.

will be licensed for export in accordance with the following special provisions of this paragraph:

(1) *Consignee and end uses.* In general, applications for licenses will be considered for approval by the Office of International Trade only where the foreign consignee is a regular user or recognized distributor of tinplate and where the end use is for the preservation of perishable essential foods, the packaging of petroleum products, or for other meritorious end uses. (As to other meritorious end uses, see Note 1 following this paragraph.)

(2) *Time for submission of applications.* Applications for licenses shall be submitted to the Office of International Trade in accordance with the time schedules set forth in § 373.51.

(3) *Evidence of availability.* Evidence of availability, as prescribed by § 373.16, must be submitted with the license applications.

(4) *CMP allotments.* The Controlled Materials Plan (CMP) governing the distribution of certain metals, as established by the National Production Authority, effective July 1, 1951, is applicable to all the tinplate commodities covered by this section. If an export license is issued, the Office of International Trade will assign a CMP allotment where necessary in accordance with § 398.5 of this subchapter. Tinplate will be licensed against export quotas established quarterly.

NOTE: 1. *NPA orders and their applicability to exports.* National Production Authority Orders M-8, M-24, M-25, and M-26 regulate the use of tin and tinplate in the domestic market.² These orders are applied by the Office of International Trade in licensing exports, as described in § 373.19.

2. *Consignee information.* Information concerning the consignees (regular users and recognized distributors) in foreign countries is obtained by the Office of International Trade for licensing all tinplate covered by this section from two sources: (a) United States Embassies in the respective countries, and (b) the foreign embassies and/or trade missions in the United States. These two sources will also inform the Office of International Trade concerning any supplier preference indicated by the consignee.

3. *Quotas established for tinplate.* The following separate export quotas are established quarterly against which each grade of tinplate will be licensed:

(a) Primes and seconds (specification production plate):

- (1) For food packaging.
- (2) For petroleum packaging.
- (b) Unassorted and mixed tempers.
- (c) Unmended menders.
- (d) Mill accumulations.
- (e) Waste-waste (including terneplate waste-waste).

²NPA orders may be obtained from field offices of the Department of Commerce upon request.

(f) Circles, strips, cobbles, scroll-shear butts, and lithographic misprints.

(c) *Definitions.* For the purposes of this section the following definitions and explanations are given as to various grades of tinplate:

(1) *Specification production plate.* Specification production plate includes hot-dipped and electrolytic primes and seconds, and tinplate decorated, embossed, lithographed, lacquered, or otherwise advanced. Specification production plate is that plate made according to specifications of the purchaser, and is to be distinguished from the other grades of tinplate that are referred to generically as "secondary products."

(2) *Unassorted and mixed tempers.* Unassorted and mixed tempers tinplate means primes, seconds, or unassorted tinplate arising in the production of hot-dipped or electrolytic tinplate which has been packaged without regard to temper.

(3) *Unmended menders.* Unmended menders means tinplate arising in the production of electrolytic tinplate which has been set aside by the producer by reason of surface appearance which disqualifies such tinplate from sale as primes, seconds, or unassorted.

(4) *Mill accumulations.* Mill accumulations tinplate is plate arising as the result of overruns in the manufacture of specification production plate and is so identified when sold, manifested, or shipped.

(5) *Waste-waste.* Waste-waste tinplate means hot-dipped or electrolytic tin-coated steel sheets which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as prime, seconds, or unassorted.

(6) *Strips, circles, cobbles, lithographic misprints, and other miscellaneous secondary products.* This tinplate consists of off-falls (failure of cutting machines to completely utilize tinplate sheets for the manufacture of cans or other tinplate items) accumulated in the producing mills, the can manufacturing plants, and in lithographing operations, and includes other secondary products not otherwise classified.

§ 373.33 *Special provisions for exportations of certain commodities to Japan and Ryukyu Islands (including Okinawa).* (Deleted, effective May 29, 1952.)

§ 373.34 *Confirmation of country of ultimate destination and verification of actual delivery—(a) Scope—(1) General.* The provisions of this section shall apply to shipments for which a validated license is required covering the following commodities proposed for export or exported to the following countries:

(i) *Commodities.* The commodities and Schedule B numbers subject to the provisions of this section are those commodities on the Positive List of Commodities (§ 339.1 of this subchapter) that are identified by the letter "A" in the column headed "Commodity Lists."

(ii) *Countries.* Belgium, Denmark, France, Italy, Luxembourg, Norway, Portugal, United Kingdom, Western Germany, Netherlands.

(2) *Exemptions.* The provisions of this section shall not apply to any shipments or applications for export licenses covering any shipments to be made under project licenses, nor to applications for licenses to export commodities where the value shown on the license is less than \$500, or to applications for licenses to export commodities to a foreign government or government agency as ultimate consignee and user.

(b) *Definitions.* As used in this section, the terms "import certificate" and "delivery verification" refer to documents issued by governments of countries listed in paragraph (a) of this section to importers in such countries and are the equivalent documents to the United States Declaration of Destination, Form IT-826, and Landing Certificate, Customs Form 3227, respectively (see § 368.1 of this subchapter.)

(c) *Submission of import certificates.*

(1) Except as shown in Note 4 below, the applicant must attach to his license application, covering proposed exportations described in paragraph (a) of this section, the original copy of the import certificate, issued or certified by the government of the importing country, to the ultimate consignee and covering commodities described by the export license application.

(2) Where the import certificate covers commodities for which more than one export license application must be submitted, the original copy of the import certificate shall be attached to the first such application and a true copy of the import certificate shall be attached to each subsequent application to which it is equally applicable. Any application to which a true copy of the import certificate is attached shall contain a reference (OIT case number, if known, or applicant's reference number) to all other applications submitted at any time against the same import certificate.

NOTE: 1. Purchase order. The import certificate may cover more than one purchase order and one purchase order may involve several commodities; however, the import certificate shall relate only to purchase orders placed by a single importer (who shall be the ultimate consignee) located in a single foreign country, with a single United States exporter.

2. Applicant's responsibility for full disclosure. In submitting import certificates from the ultimate consignee, the applicant is not relieved of responsibility for full disclosure of any other information concerning the ultimate destination and end use of which he has knowledge or belief, whether or not inconsistent with the representations set forth in the import certificate. In accordance with the provisions of § 361.1 of this subchapter, the applicant also shall, by means of supplementary statements from the ultimate consignee, notify the Department of Commerce of any change that is brought to his notice by the ultimate consignee subsequent to the date the import certificate is issued or certified by the government of the country of ultimate destination.

3. Import certificates as a factor in licensing. The Department of Commerce reserves the right in all respects to determine to what extent any licenses shall be issued covering commodities for which foreign governments have issued import certificates. The Department of Commerce will not seek or undertake to give consideration to recommendations from foreign governments as to

the United States exporters whose license applications should be approved. Import certificates will be used by the Office of International Trade as only one of the considerations upon which licensing action will be based, since quotas, end uses, etc., must remain important factors in export licensing.

4. Substitution for import certificate. For an interim period only, the Office of International Trade will continue to accept an ultimate consignee statement in lieu of an import certificate provided only that all of the following conditions are complied with:

(i) The ultimate consignee has attempted to obtain an import certificate, but has been unable to obtain such import certificate.

(ii) The applicant enters the following certification in item 9 of Form IT-419, Application for Export License: "The applicant has been advised by the ultimate consignee named herein that the said consignee has attempted to obtain an import certificate covering commodities specified in this application, but was unable to obtain such import certificate."

(iii) The ultimate consignee statement is submitted pursuant to all of the requirements shown in § 372.3 (d).

(d) *Submission of delivery verifications.* When notified to do so by the Office of International Trade, persons issued licenses covering shipments within the scope of this section shall, within a reasonable time after clearance of last exportation made under the license: (1) Obtain from the ultimate consignee a verification of delivery which has been issued to the ultimate consignee by his government, covering the commodities described on the particular export license, or so much thereof (in the case complete shipment against the license will not be made) as the licensee will have shipped; and (2) send the original copy of the delivery verification to the Office of International Trade. If a delivery verification is required with respect to commodities covered by a license and the licensee makes partial shipments against the license, the licensee shall obtain a delivery verification for each partial shipment and retain them in his files until all delivery verifications respecting shipments against the license have been received by him, and then send the original copy of all such delivery verifications to the Office of International Trade in one parcel.

NOTE: 1. Delivery verifications. It will be the policy of the Office of International Trade to require delivery verifications on a selective basis where import certificates are required. In the event a delivery verification must be submitted, the licensee will be so notified when the export license is issued.

2. Translation requirements. All abbreviations, coded terms, or other expressions having special significance in the trade or to the parties to the transaction must be explained. Where the commodity description is in a foreign language, the document must be accompanied by an accurate English translation of the commodity description. Such translation need not be made by a translating service, but, if not, must be certified by the applicant to be a correct translation. (See § 372.9 of this subchapter.)

(e) *Effective dates.* Whenever the scope of this section is extended by adding additional commodities or countries to those described in paragraph (a) of this section, such changes shall become effective 45 days from the time such new commodities or countries are added.

(f) *Relationship to ultimate consignee statements.* The requirement for submission of consignee statements specified in § 372.3 (d) of this subchapter shall not be applicable wherever import certificates are submitted pursuant to the requirements of this section.

(g) *Requests for exception.* (1) Any license applicant affected by the provisions of paragraph (c) of this section may file a request for exception upon the ground that this procedure is inapplicable to the transaction, i. e., the shipment will not be imported for consumption into the named country of destination. Each request shall be by letter, in duplicate, accompanying the license application to which it applies, addressed to the Office of International Trade, Department of Commerce, Washington 25, D. C. The letter request must, among other things, state the nature and duration of the relationship between the applicant and the ultimate consignee shown on the license application, a statement as to the country or countries in which the commodities will be used, and the reasons why this regulation is inapplicable in connection with the particular transaction. The applicant must attach to his letter request, or have on file in the Office of International Trade, a statement from the consignee and purchaser in accordance with § 372.3 (d) of this subchapter. No request will be considered or granted unless such statement is submitted or is on file in the Office of International Trade.

(2) Where the letter request relates to more than one license application, whether submitted at the same time or at a later date, the original letter request shall be attached to one application and a true copy of the request shall be attached to each additional application to which it is equally applicable. Any application to which the true copy of the request is attached shall contain a reference (OIT case number, if known, or applicant's reference number) to the application to which the original letter request was attached.

NOTE: (1) In general, requests for exceptions set forth in paragraph (g) of this section will be granted only where the commodities in the particular export transaction covered by the license application are exported to distributors or other foreign importers for resale and are not entered for consumption into the customs territory of the country of destination shown on the license. Requests for exception will be considered, however, where there is no dealership arrangement between the U. S. exporter and his consignee, or where the transaction described in the license application is one for which a single consignee (and purchaser) statement is submitted to the Office of International Trade. In all cases, the letter request for exception shall contain the pertinent facts in detail, as set forth in § 373.34 (g).

(2) The Office of International Trade can give no assurance that an export license will be issued for any exportation where an exception to this section is requested. It must be recognized that delay will usually be present in processing such applications, although the Office of International Trade will process the applications as quickly as possible.

§ 373.35 Special provisions for plumbers' brass goods. Applications for licenses to export plumbers' brass goods

(copper-base alloy plumbing fixtures and fittings and specially fabricated parts), Schedule B No. 618857 (formerly Schedule B Nos. 645600, 646900, and 669198), must state, in pounds, the total amount of such commodities manufactured in foreign countries and imported into the United States. If all of such commodities were manufactured in the United States, that fact shall be stated specifically on the application.

§ 373.36 *Special provisions for human blood plasma.* During the first and second calendar quarters, 1952, human blood plasma, Schedule B No. 812100, will be licensed for export in accordance with the following special provisions:

(a) *Licensing criteria.* The total quantity of commercial human blood plasma which will be licensed each quarter will not exceed the quarterly average of exports during 1949 and the first six months of 1950. Applications submitted for licenses to export human blood plasma will be considered for approval by the Office of International Trade only where the end use and quantity involved meet one of the following criteria:

(1) Certified requirements of facilities abroad, such as mining and oil operations, which are directly contributing to the defense effort.

(2) Reasonable quantities for armed forces of friendly nations which are actively in conflict with Communist forces and which are dependent on the United States for dried plasma to support this action.

(3) Reasonable quantities for friendly foreign governments and internationally recognized health organizations for distribution in public health programs.

(4) Reasonable quantities to friendly countries for the supply of hospitals, local clinics, or other local health organizations where there are assurances by the ministries of health as to the need, end use and distribution; or for the needs of Americans residing abroad or for American companies operating abroad where similar assurances have been provided as to the need, end use and distribution.

(5) Minimum quantities required by exporters for registry with foreign governments but only where consistent with subparagraphs (1) through (4) of this paragraph.

No export licenses will be granted for the export of human blood plasma for purely advertising and sales promotion purposes. No export licenses will be granted for the export of human blood plasma to Subgroup A destinations.

(b) *Justification of end use.* (1) Where the human blood plasma is to be used at facilities abroad which, like mining and oil operations, are directly contributing to the defense effort, the applicant for the export license must certify on the license application, or on an attachment thereto, that the quantities covered by the license application are not in excess of the average quarterly requirements of the facility abroad, and furnish evidence to substantiate such requirements by showing previous U. S. exports to the particular facility and its average quarterly consumption.

(2) Where the human blood plasma is to be used for the supply of hospitals, local clinics, or other local health organizations, the applicant shall attach to the license application a statement from the foreign ministry of health setting forth the need, end use, and distribution of the blood plasma covered by the license application.

(3) Where the human blood plasma is to be used for the needs of Americans residing abroad or for American companies operating abroad, the applicant shall attach to the license application a statement prepared by the applicant, the consignee, or medical personnel retained by the consignee setting forth the need, end use, and distribution of the blood plasma covered by the license application.

(4) Where the human blood plasma is to be exported to friendly foreign governments by U. S. exporters for purposes of registering or maintaining the registry of the blood plasma with the foreign government, the license applicant shall so certify on the license application.

§ 373.37 *Special provisions for cryolite.* Cryolite, natural and artificial, Schedule B No. 596012, will be licensed for export in accordance with the provisions of § 373.19 and the following special provisions:

(a) *Requests for purchase authorization.* National Production Authority Order M-99 provides that commencing March 1, 1952, no person shall purchase cryolite for export without specific authorization from NPA and that the application for export license to the Office of International Trade shall constitute a request for such NPA authorization. The licensing action of the Office of International Trade will be coordinated with the granting of the purchase or other specific authorization by the National Production Authority so that at the time an export license is issued it will be accompanied by the necessary National Production Authority authorization.

(b) *Outstanding licenses.* If an exporter needs a purchase or other specific authorization for cryolite covered by an outstanding validated export license, he may request such authorization by letter to the Office of International Trade, Washington 25, D. C. The letter should either include the export license or the following information: OIT case number, license number, applicant's reference number, name and address of licensee, and a statement that the authorization is requested.

§ 373.38 *Special provisions for copper under the Controlled Materials Plan—*(a) *Licensing policy.* Applications for licenses to export copper under the Controlled Materials Plan will be considered for approval only where the end use is essential to:

(1) The direct military production of the United States or a friendly foreign nation.

(2) The production abroad of strategic materials for shipment to the United States or to a friendly foreign nation.

(3) The maintenance and development of direct defense-supporting industry, including facilities required to accomplish either of the two objectives mentioned in subparagraphs (1) or (2) of this paragraph.

(4) The maintenance and development of the basic economy, civilian activities, and public services of the United States or of a friendly foreign nation, including essential facilities for transportation, communication, electric power, public welfare, and industrial production (such as steel mills, food processing manufactures, textile mills, and sugar mills).

(b) *Statement of essentiality.* Applications for licenses to export copper under the Controlled Materials Plan must state specifically the detailed end use for which the commodity will be utilized by the ultimate consignee. Any supplementary evidence available to the exporter concerning the essentiality of the end use for which the copper is intended should accompany the application.

(c) *Applications returned without action or disapproved.* Applications for licenses to export copper for any end use other than those set forth in paragraph (a) of this section will be returned without action and should not be resubmitted until a revised licensing policy is officially announced by the Office of International Trade. Applications for licenses which are eligible for approval under the current licensing policy may, nevertheless, be returned without action or disapproved if export quotas are inadequate.

§ 373.39 *Special provisions for tobacco and tobacco products destined to Hong Kong—*(a) *Licensing of exports for consumption in Hong Kong.* Applications for licenses to ship tobacco and tobacco products of United States origin for sale, and consumption in Hong Kong (the local duty-paid Hong Kong market) will be considered each quarter in total quantities not to exceed one fourth of the total amount of such commodities sold for consumption in Hong Kong during the calendar year 1951. The amount licensed to any individual applicant generally will be based upon the proportion of that applicant's participation in the sales for consumption in Hong Kong during the combined calendar years 1949 and 1950. In addition, a small portion of the quota will be reserved for exporters who did not participate in sales for consumption in Hong Kong during the established period.

(b) *Licensing of exports for transshipment or reexportation through Hong Kong to other destinations—*(1) *Resale from stock in Hong Kong warehouses.* Applications for licenses to export tobacco and tobacco products of United States origin to Hong Kong for storage in warehouses, resale, and reexportation to one or more authorized destinations other than the Hong Kong consumers market will be considered in quantities not to exceed the minimum inventory requirements of the Hong Kong consignee, provided the following is shown on the application or an attachment to it:

TIME SCHEDULES FOR SUBMISSION OF APPLICATIONS FOR LICENSES TO EXPORT CERTAIN POSITIVE LIST COMMODITIES I.—Continued

SECOND AND THIRD QUARTERS, 1952		Submission dates	
Dept. of Commerce Subpart 125 B No.	Commodity	Second quarter 1952	Third quarter 1952
		<p><i>Metals and manufactures</i>—Continued</p> <p>Commodities other than controlled materials— All commodities with processing code NONF under the following headings:</p> <p>Aluminum and manufactures..... Copper and manufactures..... Lead, nickel, tin, zinc and manufactures..... Rabbit metal..... Cadmium metal, alloys dress, fine dust, residues, and scrap (including metallic shapes)..... Cast cobalt-chromium dental alloys..... Cobalt-chromium dental alloys..... Cobalt resurgents for laboratory use (includes cobalt metal resurgents for laboratory use)..... Cobalt salts of organic compounds (includes cobalt talcote)..... Cobalt compounds, except chemical pigments..... Cobalt-containing paint and varnish driers..... Dental alloys and amalgams containing cobalt.....</p> <p><i>Medicinal and pharmaceutical preparations</i></p> <p>Human blood plasma.....</p>	<p>Feb. 1-Feb. 15, 1952..... Do..... May 1-May 15, 1952..... Do.....</p>
312700		May 1-May 14, 1952.	

FOURTH QUARTER 1951 AND FIRST QUARTER 1952

Dept. of Commerce Subpart 125 B No.	Commodity	Submission dates	
		Fourth quarter 1951	First quarter 1952
303300 through 304100	<i>Petroleum and products</i>	On or before Aug. 15, 1952.	
	<i>Metals and manufactures</i>	May 15-May 30, 1952..... do..... June 16-July 15, 1952.	

E. O. 9630, Sept. 27, 1945, 10 P. R. 12945; 3 CFR 1945 Supp., E. O. 9519, Jan. 3, 1948, 13 P. R. 59; 3 CFR 1948 Supp.

§ 374.1 Project licenses—(a) General.

Under the provisions of this part, there is established a procedure for the exportation of commodities required for a specific project or program. Pursuant to this procedure, application may be made for a project license which, if issued, can

(2) *Transshipments through Hong Kong.* A validated license is not required to transship tobacco and tobacco products exported from the United States under General License GRO on a through bill of lading to a destination other than a Subgroup A country or Macao when such commodities remain at all times in the custody of the originating or on-forwarding carrier. For all other transshipments of tobacco and tobacco products through Hong Kong to a specific ultimate consignee in a specific ultimate destination (such as shipments unloaded at Hong Kong in the custody of an agent other than the carrier), validated export licenses are required. Applications for such licenses will be considered in accordance with criteria otherwise applicable to the particular exportation if it were being exported to such specific consignee and destination directly from the United States. The name and address of the ultimate consignee and the Hong Kong intermediate consignee must be stated on the application for export license, Form IT-419.

§ 373.51 Supplement No. 1.

TIME SCHEDULES FOR SUBMISSION OF APPLICATIONS FOR LICENSES TO EXPORT CERTAIN POSITIVE LIST COMMODITIES I.—Continued

SECOND AND THIRD QUARTERS, 1952		Submission dates	
Dept. of Commerce Subpart 125 B No.	Commodity	Second quarter 1952	Third quarter 1952
		<p><i>Petroleum and products</i></p> <p>Lubricating oils and greases (see shipments to Burma, Ceylon, Taiwan, India, Hong Kong, India, Malaya, Federation of Malaya, Republic of Indonesia, Pakistan, Republic of the Philippines, Singapore, and Thailand. (See § 373.5.)</p> <p><i>Metals and manufactures</i></p> <p>Copper-brass alloy (including brass and bronze) plumbing fixtures and fittings (including pipe valves with working pressure not exceeding 125 PSI W.A.G. ratings), and specially fabricated parts, n.e.c. (specify by name).</p> <p>Controlled materials: Commodities with processing code STEE..... Commodities with processing code TNPL..... Specifications production plate..... Secondary tinplate products..... Commodities with processing code NONF.....</p>	<p>Dec. 1-Dec. 15, 1951..... Dec. 2-Dec. 25, 1951..... Mar. 1-Mar. 31, 1952..... Dec. 15-Dec. 31, 1951.....</p>	On or before May 15, 1952.....	Feb. 15-Feb. 29, 1952..... Mar. 24-Apr. 30, 1952..... June 2-June 30, 1952..... Feb. 15-Feb. 29, 1952.....
618357		Mar. 1-Mar. 15, 1952..... June 9-June 25, 1952.	

Applications for licenses to export commodities for which no specified filing dates are announced may be submitted at any time. (See § 372.3(b) of this subchapter.)

The minimum filing time for commodities not applicable to reworked license applications (see § 374.2 (f) and 374.3 (d) of this subchapter) and to petroleum products is as provided in § 373.5 (b) of this subchapter.

Controlled materials are identified on the Positive List by the letter "C" in the column headed "Commodity."

1 See § 363.5 (b) (3) for exception to these dates under certain conditions.

2 See Note following § 363.5.

be used to effect export clearance of commodities requiring validated license to export.

(1) A "project" is a new foreign operation, or the expansion of an existing foreign operation, for which commodities are required; in other words, a capital expenditure.

(2) A "program" is the maintenance, repair or operation, and production requirements of commodities for a foreign operation.

Two types of project licenses have been established: The Dollar Limit (DL) license, and the Special Project (SP) license. The form of the project license will be a validated Application for Export License (Form IT-419) with supplemental validated documents as required. The validated Form IT-419 constitutes the general approval and authorization of the project; however, export clearance of commodities for such project may be effected only under the appropriate supplemental validated documents. The validated Form IT-419 may cover a project or program for a validity period of one year which may be renewable for a similar period on the request of the licensee in accordance with § 374.5. Supplemental documents will be valid for the period indicated thereon.

An exporter holding a project license (SP or DL License) shall not apply for, nor will the Office of International Trade issue, an individual or blanket (BLT) license for a transaction involving a project whose requirements are covered by an outstanding SP or DL license, except where the shipment is to be made by mail under the provisions of § 374.6.

(b) *Bases for consideration of project license applications.* In order to be considered under this procedure, a foreign project or program must have annual requirements for materials sufficient in quantity or variety to justify the use of the DL or SP procedure. Save for exceptional circumstances, applications for project licenses will be granted only for commodities not intended for resale.

(1) *DL licenses.* Applications for a DL license must meet one or more of the following conditions:

(i) The project or program will contribute significantly to supporting, maintaining, or increasing the production of materials strategic to or in short supply in the United States, and will benefit supply conditions of these materials in the United States or in areas in which the United States has a significant interest.

(ii) It will implement the Mutual Security Act or will implement loans granted foreign countries by the Export-Import Bank.

(iii) In the opinion of an appropriate agency of the U. S. Government (including the Office of International Trade), it merits licensing under the DL procedure.

(2) *SP licenses.* (i) Project license applications will be considered for SP licenses which are suited administratively to the project licensing technique, but where the foreign project or program does not possess elements of United States interest to justify the approval of a DL license under the provisions of subparagraph (1) of this paragraph. Annual requirements for materials must be sufficient in quantity and variety to jus-

tify the use of the SP procedure rather than individual license applications or unit-process license applications.

(ii) The use of the SP (Special) license procedure shall be mandatory for all large petroleum construction operations in which the total cost of controlled materials from the United States is \$10,000 or more, or in which the total cost of all materials from all sources to be used is \$50,000 or more. For such projects priority assistance is requested on Form PAD-26A (revised March 1952). If, at the time Form PAD-26A is submitted requesting priority assistance for such an operation, the applicant holds an SP license which is identical in coverage with the large construction operation, no new SP license will be issued and no application therefor need be filed. Reference to the outstanding SP license should be made on Form PAD-26A or in a letter attached thereto. In all other cases, however, application for SP license on Form IT-419 covering only the large construction operation under consideration must accompany Form PAD-26A. If in these circumstances an applicant under PAD-26A holds an outstanding SP license, which either includes as a component part the construction operation for which supply assistance is requested or covers it in part, the outstanding SP license must be amended to delete that portion involving the large construction operation. Such an application for amendment must be filed simultaneously with the application for a new SP license covering the large construction operation.

NOTE: 1. Project License Identification. If a project license is issued, it will be given a license number with either the prefix "SP" (if approved as a Special Project license) or with the prefix "DL" (if approved as a Dollar Limit license). Project licenses issued in connection with the approval of Form PAD-26A, for large petroleum construction operations in which the total cost of controlled materials from the United States is \$10,000 or more, or in which the total cost of all materials from all sources to be used is \$50,000 or more, will be given a license number with the prefix "SP 26."

2. Consultations with OIT. All applicants for new project licenses are advised that, before submitting an application, they should consult with the Office of International Trade, to the end that a determination may be made whether the use of the project license procedure is justified.

3. Holders of SP project licenses. Holders of outstanding SP project licenses, as well as other applicants, may apply for Dollar Limit licenses. If requirements for a project or program now authorized for export by an outstanding SP project license are approved for export under a Dollar Limit license, the SP project license will be canceled.

§ 374.2 Dollar limit (DL) licenses—

(a) *License application form.* Applications for DL licenses must be submitted on Form IT-419, in duplicate, and must be accompanied by the additional statements and documents described in this section.

(b) *Preparation of application form.* In preparing the application, Form IT-419, with respect to the particular items specified below, the applicant shall enter:

(1) In the commodity description column, the following:

Articles and materials set forth on the attached statement of estimated requirements constitute the requirements for not more than 1 year for (insert name of project or program) of commodities requiring validated export license beginning (insert date, beginning with a calendar quarter). We hereby certify that if a license is granted in response to this application, no such commodities will be exported under the license unless specifically required for the project or program, and after exportation the commodities will not be disposed of or used for any purpose other than that stated in this application.

(2) In the value column, the total or aggregate dollar value of the commodities set forth in the statement of estimated requirements.

(3) In the space for signature, the signature of the person who has authority to bind the applicant organization to its commitments in the license application. In the case of an individual, the application shall be signed by that individual applicant; in the case of a partnership, it shall be signed by a partner; in the case of a corporation, it shall be signed by an officer; in the case of other applicants, it shall be signed by a comparable official.

(c) *Letter of explanation.* A letter, in duplicate, giving full details as to the nature of the project or program for which the commodities are required.

NOTE: The degree of adequacy of the information submitted in justification of the project or program has a direct bearing upon the period of time required for processing the application and the action taken. Additional information, if needed, will be requested by the OIT.

(d) *Statement of estimated requirements.* A statement, in duplicate, of the estimated commodity requirements requiring validated export license for one year, or less if the project or program is of shorter duration. Except for the restricted commodities described in paragraph (e) of this section, such statements shall be made in terms of broad descriptive categories, within which commodities are found on the Positive List, such as "steel mill products," "construction, excavating, and conveying machinery," or "industrial chemicals." The total dollar value of the requirements for each category of commodities shall also be shown. With respect to the restricted commodities described in paragraph (e) of this section, a separate statement of requirements, in duplicate, shall be made, stated in terms of the specific commodity description, Schedule B number and the unit of quantity shown for that commodity entry on the Positive List, as well as in terms of the total dollar value for each commodity.

NOTE: Commodities which do not require a validated license for export to the country in question should not be listed on the statement of estimated requirements.

(e) *Restricted commodities.* Commodities which, at the time of exportation, are identified on the Positive List of Commodities by the letter "B" in the column headed "Commodity Lists" may not be exported under a DL license unless, prior to export, a Form IT-375, SP (Special) License Application Materials Requirements List, has been submitted to and validated by the Department of

Commerce in accordance with paragraph (f) of this section.

The foregoing limitation applies to any unshipped balance against outstanding DL licenses.

(f) *Submission of Form IT-375*—(1) *Manner of submission.* Where required in accordance with paragraph (e) of this section, Form IT-375 must be submitted, in duplicate, for each restricted commodity, except that related commodities having the same processing code symbol and number may be included on one set of Form IT-375. Commodities which do not have the same processing code symbol and number must be submitted on separate IT-375 forms.

In addition to furnishing all the other information requested, Form IT-375 must include a statement of firm requirements for the calendar quarter, stated in terms of the Schedule B number, commodity description, and quantity in the unit of quantity shown for that commodity entry on the Positive List, as well as in terms of total dollar value.

NOTE: A statement of the essentiality of the particular commodity in relation to the project will be helpful in expediting action on the application.

(2) *Time of submission.* When specific time schedules are established for submission of applications covering particular commodities, such schedules must be observed in the submission of Form IT-375 when so provided in the announcement. In all other cases Form IT-375 must be submitted not later than 30 days prior to the calendar quarter in which the commodity will be exported, except that where a commodity is placed under restricted commodity control invalidating the license with respect to that commodity less than 30 days prior to a calendar quarter, Form IT-375 may be submitted immediately.

NOTE: The commodities for which Form IT-375 must be submitted during particular periods are identified by a footnote reference in § 373.51 of this subchapter, "Time schedules for submission of applications for licenses to export certain Positive List commodities."

(g) *Authorizations required by other government agencies.* The applicant must also submit with the application any special authorization required by other agencies of the United States Government as to the commodities or matters covered by the application.

NOTE: The requirements of the special provisions set forth in Part 373 with respect to particular commodities must be fulfilled as a part of making application for the export of such commodities under a project license.

§ 374.3 *SP (Special) project licenses*—(a) *License application form.* Applications for SP (Special) Project licenses for a project or program shall be submitted on Form IT-419, in duplicate, and must be accompanied by the additional statement and documents described in this section.

NOTE: 1. These supplementary documents include Form IT-375, SP (Special) License Application Material Requirements List, which will be used for all other projects or programs except petroleum; Form IT-824,

Application for Export License and/or Supply Assistance for Foreign Petroleum Operations; and Form PAD-26A (revised March 1952), which will be used only for petroleum construction projects in which the total cost of controlled materials from the United States is \$10,000 or more, or in which the total cost of all materials from all sources is \$50,000 or more.

2. Authorizations to export as well as authorizations to use allotment symbols and priority ratings which have been issued previously will remain valid for the fourth quarter of 1951 and will expire only on the dates indicated on the respective Forms IT-419 and IT-375. As of September 13, 1951, however, Form IT-824 shall be used in lieu of Form IT-375 for future amendments to outstanding SP or DL licenses for foreign petroleum operations.

(b) *Preparation of application form.* In preparing the application, Form IT-419, with respect to the particular items specified below, the applicant shall enter:

(1) In the commodity description column, the following legend:

Articles and materials set forth on the attached Form IT-375, or for foreign petroleum projects Form IT-824 or PAD-26A, as appropriate, constitute the total known requirements for (insert name of project) or requirements for one year for (insert name of program) of commodities requiring validated export license beginning (insert date, beginning with a calendar quarter). We hereby certify that if a license is granted in response to this application, no such commodities will be exported under the license unless specifically required for the project or program, and after exportation the commodities will not be disposed of or used for any purpose other than that stated in this application.

(2) In the value column, the total or aggregate dollar value of the commodities to be exported, as shown on the IT-375, or for petroleum projects Form IT-824 or PAD-26A, as appropriate.

(3) In the space for signature, the signature of the person who has authority to bind the applicant organization to its commitments in the license application. In the case of an individual, the application shall be signed by that individual applicant; in the case of a partnership, it shall be signed by a partner; in the case of a corporation, it shall be signed by an officer; in the case of other applicants, it shall be signed by a comparable official.

(c) *Letter of explanation.* A letter, in duplicate, giving full details as to urgency of need of the commodities and the nature of the operation for which they are required. In the case of foreign petroleum construction operations in which the total cost of controlled materials from the United States is \$10,000 or more, or in which the total cost of all materials from all sources to be used is \$50,000 or more, the application must be accompanied by Form PAD-26A (revised March 1952) in lieu of the letter of explanation. For all other petroleum projects, the application must be accompanied by a statement in quintuplicate setting forth the specific information required by the Office of International Trade.

NOTE: The degree of adequacy of the information submitted in justification of the project has a direct bearing upon the period of time required for processing the application

and the action taken. Additional information, if needed, will be requested by the OIT.

(d) *Commodity requirements for other than petroleum projects or programs.* Form IT-375—(1) *Estimate of total or yearly requirements.* A copy of Form IT-375, SP (Special) License Application Material Requirements List, in duplicate, must accompany each copy of application Form IT-419 and should be attached thereto. In addition to furnishing all the other information requested, Form IT-375 must include an estimate of the quantity of each commodity required. Such estimates must cover:

(i) In the case of projects, the total requirements thereof set forth by calendar quarter;

(ii) In the case of programs, the requirements for a full 12-month period set forth by calendar quarter.

(2) *Firm requirements by calendar quarters.* For the beginning and each successive calendar quarter, a separate Form IT-375, in duplicate, must be submitted for each commodity for which validated license is required, except that related commodities on the Positive List having the same processing code symbol and number may be included on one set of Form IT-375. Commodities which do not have the same processing code symbol and number must be submitted on separate IT-375 forms.

In addition to furnishing all the other information requested, Form IT-375 must include the following:

(i) A statement of firm requirements for the calendar quarter, stated in terms of the Schedule B number, commodity description, and quantity in the unit of quantity shown for that commodity on the Positive List, as well as in terms of total dollar value;

(ii) The estimated date on which the commodities listed on each Form IT-375 will become available to the applicant.

NOTE: Commodities which do not require a validated license to export to the country of destination should not be listed on Form IT-375.

(3) *Time of submission of firm requirements.* When specific time schedules are established for submission of applications covering particular commodities, such schedules must be observed in the submission of Form IT-375 covering quarterly firm requirements when so provided in the announcement. In all other cases Form IT-375 must be submitted not later than 30 days prior to the calendar quarter in which the commodity will be exported.

NOTE: The commodities for which Form IT-375 must be submitted during particular periods are identified by a footnote reference in § 373.51 of this subchapter, "Time schedules for submission of applications for licenses to export certain Positive List commodities."

(e) *Commodity requirements for petroleum projects and programs*—(1) *Large construction projects.* Form PAD-26A (revised March 1952), in quintuplicate, must accompany each license application, Form IT-419, involving construction operations in which the total cost of controlled materials from the United States is \$10,000 or more, or in which the total cost of all materials from

all sources to be used is \$50,000 or more. Form PAD-26A shall set forth the total requirements of the materials specified therein by calendar quarters for the complete project for which application is being made. This form need be filed only once, except to effect changes in delivery dates or quantity of material required. In addition, Form IT-419 must be accompanied by Form IT-824 in quintuplicate setting forth the requirements of materials to be used in the construction operation which do not appear on Form PAD-26A but which must be licensed for export. Applicants filing Form PAD-26A must list in section IV-A of Form PAD-26A all requirements of manufactured machinery or equipment under specific controls and must list in section IV-B all other machinery and equipment requirements, including those items with a value under \$3,000. For such materials the requirements set forth on Forms PAD-26A and IT-824 shall be described in sufficient detail to identify clearly each item in terms of the Positive List of Commodities and shall be the total requirements of the complete project for which application is being made. Form IT-824 need be filed only once when used in connection with large construction projects, except to effect changes in the quantity of material required.

(2) *All other foreign petroleum projects.* Applications for licenses for all other foreign petroleum projects must be accompanied by a statement, in quintuplicate, of the estimated commodity requirements requiring validated export licenses for one year, or less if the project or program is of shorter duration. The commodity must be stated in terms of the specific commodity description, Schedule B number, and the unit of quantity shown for that commodity entry on the Positive List, as well as in terms of the total dollar value for each commodity.

(i) In the case of projects, the total requirements thereof set forth by calendar quarter;

(ii) In the case of programs, the requirements for a full 12-month period set forth by calendar quarter;

(iii) Firm requirements by calendar quarters. For the beginning and each successive calendar quarter, a separate Form IT-824, in quintuplicate, must be submitted for each commodity for which validated license is required, except that related commodities on the Positive List having the same processing code symbol and number may be included on one set of Form IT-824. However, not more than three such related commodities shall be included on one set of the forms. Commodities which do not have the same processing code symbol and number must be submitted on separate IT-824 forms.

In addition to furnishing all the other information requested, Form IT-824 must include the estimated date on which the commodities listed on each Form IT-824 will become available to the applicant.

(3) *Time of submission of firm requirements.* Requirements shall be submitted in accordance with the provisions of § 398.8 (e) of this subchapter.

(4) *Priority assistance.* Form IT-824 or PAD-26A may be used to request priority assistance for foreign petroleum projects and programs in accordance with Part 398 of this subchapter.

(f) *Authorizations required by other Government agencies.* The applicant must also submit with the application any special authorization required by other agencies of the United States Government as to the commodities or matters covered by the application.

NOTE: The requirements of the special provisions set forth in Part 373 of this subchapter with respect to particular commodities must be fulfilled as a part of making application for the export of such commodities under a project license.

§ 374.4 *Amendments to licenses—(a) Conditions under which amendments will be made.* Subject to the provisions of § 374.1 (b) and of the other provisions of this section, amendments to project licenses may be granted to provide for special requirements of commodities by reason of changes in specifications, omissions, or unforeseen contingencies arising from emergencies or breakdowns.

(b) *Information required.* Requests for amendments of project licenses must include the following:

(1) With respect to a request for amendment of an SP (Special) Project license, except petroleum projects, a supplementary Materials Requirements List (Form IT-375) in duplicate, showing in detail the additional necessary commodities and the statement of the firm requirements for the beginning calendar quarter, as provided in § 374.3 (d). For foreign petroleum projects, Form IT-824 or PAD-26A as appropriate must be submitted in quintuplicate, as provided in § 374.3 (e); and

(2) With respect to a request for amendment of a DL (Dollar Limit) license, a supplementary statement, in duplicate, of estimated new or additional requirements for the project or program, prepared in detail as set forth in § 374.2 (d). If the additional commodity or commodities required fall within the restricted commodities described in § 374.2 (e), a Form IT-375, in duplicate, must be submitted in accordance with the provisions of § 374.2 (f).

§ 374.5 *Extension of validity period.* Extensions of the validity period of project licenses will not be granted unless the extension is justified under the provisions of § 374.1 (b).

(a) *Submission of requests.* Requests for extension must be submitted by letter, in duplicate, and must set forth (1) the approximate percentage of completion of the project; (2) the approximate unshipped balances of commodities included on the Positive List which are covered by the license, and (3) the approximate date shipment will be completed.

(b) *Notification.* If the request is granted, a notification letter will be sent to the licensee for attachment to the license and all collectors of customs will be notified.

§ 374.6 *Export clearance—(a) Presentation of license.* When clearing shipments for export under any project

license, the licensee must present, upon demand of the collector of customs at the port of exit, either the original or a photostatic copy of the license, and any supplementary validated documents.

Shipment under any project license cannot be made by mail unless the shipper has applied for and obtained an individual export license covering the particular commodities to be exported by mail. Application should be made on Form IT-375 in the usual way, except that the license holder should indicate on the face of the form that shipment of the commodities listed is to be made by mail. An individual license will be issued on the safety paper license form (Form IT-628). Clearance against such individual license must be effected in accordance with the procedures for shipments by mail outlined in § 379.1 (f) of this subchapter.

(b) *Shipper's export declaration.* When clearing shipments under a project license, licensees shall file with the collector of customs an additional (fourth) copy of the shipper's export declaration (Commerce Form 7525-V). The licensee shall also enter the license symbol DL or SP, as the case may be, and the license number on the declaration. Where exportation is made under an SP license, or where a restricted commodity is being exported under a DL license, the amendment number of the particular IT-375, IT-824, or PAD-26A, as appropriate, shall be shown.

Commodities exported under a DL license shall be described on the shipper's export declaration as they are described on the Positive List, including the processing code. It is not sufficient to describe such commodities in terms of Schedule B listings or by broad commodity categories.

NOTE: For example, when shipping pile hammers (Diesel-powered), and parts, Schedule B No. 722045, the exporter must describe such commodity in the terms used on the Positive List; a description of such commodity as "construction and maintenance equipment, n. e. c., and specially fabricated parts, n. e. c." is not acceptable. The provisions of § 379.3 (a) of this subchapter shall govern, except that a detailed description shall be given of all commodities within any "basket" classification.

§ 374.7 *Other applicable provisions.* Insofar as consistent with the provisions of this part, all of the provisions of Parts 370 to 399 of this subchapter shall apply equally to applications for and licenses issued under this part.

PART 375—BLT (BLANKET) LICENSE

Sec.	
375.1	BLT (Blanket) license.
375.2	Commodities subject to procedure.
375.3	Application requirements.
375.4	Export clearance.
375.5	Validity period.
375.6	Other applicable provisions.

AUTHORITY: §§ 375.1 to 375.6 issued under 63 Stat. 7, as amended; 50 U. S. C. App., 2023, E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR 1948 Supp.

§ 375.1 *BLT (blanket) license.* Under the provisions of this part there is established a procedure for the exportation of all R and certain RO commodities

as set forth in this part. Pursuant to this procedure, application may be made for a BLT (Blanket) license which, if issued, authorizes exportation of the same commodity to two or more consignees in the same country of destination.

§ 375.2 *Commodities subject to procedure.* The following commodities are subject to the BLT (Blanket) license procedure:

Commodity	Schedule B No.
All R commodities.	
All RO commodities with processing code STEE.	
Aluminum sheets, corrugated.	630301
Other aluminum plates and sheets, flat and coiled, including strips 1.006 inch and over in thickness.	630301
Plastics and resin materials:	
Synthetic resins, n.e.c., including film, monofilaments and bristles:	
Moulding and extrusion compounds, including scrap:	
Polytetrafluoroethylene (Teflon).	825910
Polytrifluoroethylene (Kel-F).	825910
Polyethylene (specify whether virgin or scrap).	825910
All other unfinished forms, including scrap:	
Polytetrafluoroethylene (Teflon).	825950
Polytrifluoroethylene (Kel-F).	825950
Polyethylene (specify whether virgin or scrap).	825950
Other unfinished forms, n.e.c.	825950
Other laminated and molded plastics, including all shapes solely made therefrom:	
Polytetrafluoroethylene (Teflon).	826050
Polytrifluoroethylene (Kel-F).	826050
Polyethylene (specify whether virgin or scrap).	826050
Polycrylic.	826050
Synthetic gums and resins, laminated (sheets, plates, strips, rods, and tubes), n.e.c.	826050
Cellulose acetate electrical insulating material.	826550
Potassium bichromate and chromate.	835700
Sodium bichromate and chromate.	836800
Chemical pigments:	
Carbon black, contact (including channel) (specify grade).	842310
Carbon black, furnace (specify grade).	842350
Barium chromate.	842900
Cadmium pigments.	842900
Cobalt-containing pigments.	842900
Cobalt-containing paint and varnish driers.	843600
Polytetrafluoroethylene (Teflon) finishes and enamels.	843800
Polytrifluoroethylene (Kel-F) dispersion.	843800

§ 375.3 *Application requirements—*
 (a) *Application form and consignee list.* Applications for BLT (Blanket) export licenses shall be submitted on Form IT-419 with acknowledgment card (Form IT-116) attached, and must be accompanied by a list, in duplicate, of the proposed consignees, their addresses, and the quantity requested for each. This list shall be attached to and will become a part of the license, if issued. In preparing such list, applicants shall leave ample space between listings in order to provide collectors of customs with sufficient space for entering quantities shipped to each named consignee.

(b) *Orders—*(1) *Commodities not subject to export licensing general policy.* With respect to commodities not specifically subject to the export licensing general policy set forth in § 373.1 of this subchapter, the applicant must hold orders from each of the consignees listed in at least the quantity applied for.

(2) *Commodities subject to export licensing general policy.* With respect to commodities included under this part which are subject to the export licensing general policy as set forth in § 373.1 (h) of this subchapter, the applicant must hold accepted orders from each of

the consignees listed in at least the quantity applied for.

Applications covering any BLT commodities subject to the export licensing general policy must be accompanied by the certification that accepted orders are held, as prescribed by § 373.1 (b) (3) of this subchapter.

(c) *Preparation of application.* In preparing an application the applicant shall write the words "BLT License" in the commodity description column, and enter:

(1) In the column normally used to list ultimate consignees, "See attached list of consignees";

(2) In the quantity column, the total quantity of material to be exported;

(3) In the value column, the unit price and the aggregate value of the material to be exported. Any variation in price for different consignees must be explained.

(d) *Submission of applications.* BLT (Blanket) license applications may be submitted at any time: *Provided,* That if the commodities covered by the BLT license application are commodities for which individual license applications must be submitted during specified periods of each calendar quarter, the BLT license applications must be submitted within the periods specified.

Note: The OIT will leave intact, as nearly as possible, the list of proposed consignees submitted with each BLT application. This will enable the applicant to select the specific consignee to whom he prefers to ship in the event the entire quantity approved is less than that applied for, although no one consignee may receive more out of the total quantity approved than the amount specified for him on the list attached to the BLT application.

§ 375.4 *Export clearance—*(a) *Presentation of license to customs.* When clearing shipments for export under any BLT (Blanket) license, the licensee must present the license to the collector of customs at the port of exit. The total amount shipped against such license shall not exceed the total quantity approved for export, and the total quantity shipped to a single consignee must not exceed the quantity specified for the respective consignee.¹

(b) *Shipper's export declaration.* A person exporting any commodity pursuant to a BLT (Blanket) license shall enter the symbol "BLT" and the number of the license on each shipper's export declaration filed with the collector of customs at the port of exit at the time of each exportation under each license.

§ 375.5 *Validity period.* BLT (Blanket) licenses will generally be issued for the same validity period as an individual license for the same commodity, unless otherwise stated on the face of the license.

§ 375.6 *Other applicable provisions.* Insofar as consistent with the provisions of this part, all of the provisions of Parts 370 to 399, inclusive, of this subchapter shall apply equally to applications for the licenses issued under this part.

¹ See Note following § 372.12 of this subchapter for application of tolerance provisions.

PART 376-378—[RESERVED]

PART 379—EXPORT CLEARANCE

- Sec.
 379.1 Presentation for export.
 379.2 Authenticated shipper's export declaration.
 379.3 Shipper's export declaration; miscellaneous.

AUTHORITY: §§ 379.1 to 379.3 issued under 63 Stat. 7, as amended; 50 U. S. C. App., 2023, E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR 1948 Supp.

§ 379.1 *Presentation for export—*(a) *Commodities; use of license or other authorization for export shipments—*(1) *Requirements for presentation.* No commodities, the exportation of which is prohibited or curtailed pursuant to the Export Control Act of 1949, shall be loaded or carried onto an exporting carrier for export by water or by air or presented to such an exporting carrier for loading or presented to the collector of customs for inspection and clearance for exportation until a license therefor, or such other export control document or export authorization as may be provided for in Parts 370 to 399, inclusive, of this subchapter, has been presented to the collector of customs at the port at which the commodity is to be so loaded, carried, or presented. No commodity shall be mailed for exportation until a license or such other export control document or export authorization as may be provided for in Parts 370 to 399, inclusive, of this subchapter, has been presented to the postmaster at the post office where the commodity is to be mailed. If the commodity is to be exported by any means of export other than by water, air, or mail, such license or other export control document or export authorization as may be provided for in Parts 370 to 399, inclusive, of this subchapter, need not be presented to the collector of customs prior to loading, carrying onto, or presentation to the exporting carrier, but must be presented to the collector of customs at the port of exit from the United States prior to inspection by the customs inspectors or other export inspection officials at that port, and at all events prior to exportation. Upon specific authorization to a collector of customs or postmaster by the Department of Commerce, the presentation of a license may be waived.

(2) *Filing of validated license at time of first shipment.* All validated licenses, except project licenses, must be presented to and filed with the collector of customs or postmaster, as the case may be, when the first shipment is cleared for exportation against that license.

(3) *Subsequent shipments from port where validated license filed.* If only a partial shipment is made thereunder, the validated export license will be appropriately endorsed and held by the collector until complete shipment is made.¹ On any subsequent shipments under that license from the same port, duly exe-

¹ Only one shipment, whether complete or partial, may be made against an export license if exportation is to be made by mail. (See §§ 372.11 (d) and 379.1 (f) of this subchapter.)

executed shipper's export declarations shall be presented, as provided in this section and § 379.2, for clearance of the shipment.

(4) *Clearance of subsequent shipments from other ports.* If part of the licensed shipment is to be made from another port, the licensee shall request the collector holding the license to transmit to the collector at the intended port of exit approval for the intended shipment. Upon granting the approval, the collector holding the license will endorse the license to record the facts as to the intended shipment. On any shipment made pursuant to such approval, duly executed shipper's export declarations shall be presented, as provided in this section and § 379.2, for clearance of the shipment. In case full or partial shipment is not to be made from such intended port (in accordance with such approval), the licensee or his agent may initiate action for the modification or deletion of the collector's endorsement of such intended shipment. Such action may be initiated in the following manner:

(i) If the license is still in the possession of the collector (whether or not the license would have been completed by the intended shipment), the licensee or his agent shall request the collector to whom the approval was sent to notify the collector holding the license to make an amendment of his previous endorsement of the intended shipment.

(ii) If the license has been returned by the collector to the Office of International Trade, an application for license may be submitted to the Office of International Trade covering the quantity not shipped, together with a letter requesting issuance of a new license for such quantity, explaining the facts, and identifying the collector to whom the approval was sent.

However, as an alternative to the notification procedure set forth above, the collector holding the license is authorized to transmit the license by mail to the collector at another intended port of exit, upon written request by the licensee stating that the license will no longer be used at the port at which the license is deposited.

The procedure set forth above in this subparagraph shall not be applicable to licenses which specify that shipment is authorized for clearance at a particular port of exit.

(5) *Signatures on licenses.* Export license documents, Form IT-628, presented to collectors of customs or postmasters must bear on the reverse side thereof the following signatures:

(i) At the top left, on the line reading "Signature of licensee," the signature of the licensee, by himself, or for him by a duly authorized officer, employee, or agent.

(ii) At the top right, on the line reading "Signature of person presenting license," the signature of an officer or employee of either the licensee or the forwarding agent who is authorized to sign and swear to the shipper's export declaration accompanying such licenses. This signature may be affixed in the presence of the collector or outside the

customhouse, notwithstanding the instructions on the license.

(b) *Presentation of shipper's export declarations.* (1) In every case, as provided above in paragraph (a) of this section, where a validated export license is required to be presented* to and filed with a collector of customs or postmaster, as the case may be, a duly executed shipper's export declaration (in the number of copies provided in paragraph (c) of this section) also shall be presented at the same time. In the case of shipments made pursuant to general license or pursuant to an unexpired validated export license on file with a collector of customs, a duly executed declaration (in the number of copies provided in paragraph (c) of this section) shall be presented to the collector of customs or postmaster, as the case may be, at the same time and in the same manner as provided for in the first sentence of this paragraph.

(2) Shipper's export declarations duly executed on Commerce Form 7525-V (revised November 1948) must be presented on and after January 1, 1949, where such type of declaration is applicable to the exportation.

(c) *Additional copies of shipper's export declaration; other special provisions—(1) General requirements.* For the purpose of export control, and in addition to the number of copies of shipper's export declarations required by the Regulations for the Collection of Statistics of Foreign Commerce and Navigation of the United States, issued by the Bureau of the Census, an additional copy of the declaration shall be presented to the collector of customs at the port of exit, except in the cases of shipments to Canada and between the United States and its territories and possessions. The Office of International Trade and the collector of customs also may require, for the purpose of export control, the presentation of other additional copies of the declaration.

(2) *MSA shipments.* Licensees under particular validated licenses may be required to furnish to the Office of International Trade, through collectors of customs, at the time of presentation of the shipper's export declaration for authentication, information specified by a typed legend on the face of the particular validated licenses as to whether, to the best of the licensee's knowledge, the shipment is or is not financed by the Mutual Security Agency.

(3) *Special requirements.* Licensees under particular validated licenses bearing on the face thereof a requirement that specified documents or information (additional to that furnished at the time of application) be furnished, shall at the time of clearing the shipment with a collector of customs write on or attach to

*Paragraph (b) of this section requires declarations to be presented to customs officials before the time that goods are first deposited on a dock or pier or other place of lading for loading onto an exporting carrier. This reflects an interpretation of the phrase contained in paragraph (a) in this section, "presented * * * for loading," as meaning deposit on pier or dock for the purpose of loading onto an exporting carrier.

the copies of the shipper's export declaration such specified information or documents.

(4) *Manner of submission; conformance of copies.* Information required by subparagraphs (2) and (3) of this paragraph shall be furnished on the three copies of the declaration presently required for submission to collectors of customs and, in addition, on a fourth copy of the declaration. Documents required shall be attached to a fourth copy of the declaration and need be submitted in one copy only. The fourth copy of the declaration required herein shall conform to the three copies presently required and be filed with the collector at the same time as such other copies are filed for authentication.

NOTE: Although such information and documents may often not be available to an exporter at the time of applying for a validated license, they are or can reasonably be expected to be available at the time of exportation.

The required information must be set out in columns (9) to (15) on four copies of the shipper's export declaration (Form 7525-V) to be filed with the collector at the time of presentation for authentication. The required documents need be furnished in one copy only and must be attached to the fourth copy of the declaration. Such documents may be either originals or certified copies. All statements required to be included in, and all documents required to be attached to, the declaration in such cases will be deemed to constitute representations of material facts within the purview of the regulations prohibiting the making of false representations to the Office of International Trade in any export control matter (§ 381.1 (b) of this subchapter).

Collectors will refuse to authenticate a declaration in any case where the exporter fails to comply with the special requirements of a validated export license or does not possess the information or documents requested unless, prior to presentation of the declaration, the exporter has informed the Office of International Trade of the specific reason for his inability to comply, and, for good cause shown, the Office of International Trade has in writing waived the requirement. The licensee shall attach to the license any letter of waiver in order to effect clearance of the shipment through Customs.

(d) *Use of license symbols on shipper's export declaration or parcel.* The use by any exporter of a license symbol or other designation, or both, on a shipper's export declaration or parcel when such marking is required by the provisions of Parts 370 to 399, inclusive, of this subchapter for the purpose of clearing an exportation under any general license or validated license, shall constitute a certification by the exporter that the terms, provisions and conditions of the license involved have been met.

NOTE: Exporters are cautioned to use the complete license number when entering the required information in column (10) of the shipper's export declaration (Form 7525-V). Collectors of customs will not authenticate shipper's export declarations for licensed exportations where an incomplete export license number is shown. When the number of a Form IT-628 export license is correctly entered on the shipper's export declaration in column (10), the one entry of the complete number satisfies the requirements for inserting the "export license number" and the "issuance date" of the license. As explained in § 372.11 of this subchapter, the digits immediately following the initial letter, al-

though an inseparable part of the license number, conjointly indicate the issuance (or validation) date of the license, while the last five digits signify the validating sequence. (Examples of complete numbers for Form IT-628 export license: A0-2-1-02341; B01031-33031; C0-212-64451.)

The license number of an export license issued on Form IT-419 is the number appearing in the upper right corner of the document. The date of issuance appears in the lower right corner, in the space marked "For Official Use Only."

A separate entry is necessary to show the expiration date of the license on the shipper's export declaration form.

(e) *Authority of collectors and postmasters in clearing shipments.* (1) Collectors of customs and other customs officials, as well as postmasters and other post office officials, are authorized to take appropriate action to assure observance of the provisions of Parts 370 to 399, inclusive, of this subchapter and of general and validated licenses issued thereunder, including but not limited to inspection of commodities and technical data, at any time prior to departure of the exporting carrier.

(2) Without limitation of the provisions of subparagraph (1) of this paragraph, upon presentation of any validated export license or a shipper's export declaration in connection with a shipment under either a general or validated license for the purpose of effecting exportation, or at any time thereafter, the collector of customs or postmaster, as the case may be, may require the licensee or his forwarding agent to produce documents for inspection and copying and furnish other information bearing upon the particular exportation and the identity and relationships of all participants therein. These may include invoices, orders, letters of credit, inspection reports, packing lists, shipping documents and instructions, correspondence, as well as any other relevant information or documents.

(f) *Shipments via mail.*—(1) *Export clearance.* In exporting merchandise by surface or air parcel post, the sender (exporter) must (i) present a validated license to the postmaster whenever a validated license is required, or (ii) place the appropriate general license symbol on the address side of the wrapper, followed by the words "Export License Not Required." The general license symbol and the phrase will constitute certification to the postmaster and the Office of International Trade that a validated export license is not required for the shipment.

Only one shipment may be made against a validated export license if exportations is by mail. In all cases the sender must surrender his license to the postmaster at the time of shipment.

(2) *Postal regulations.* All exportations via mail should also conform to the applicable Post Office Department regulations as to size, weight, permissible contents, etc.

Note: If the sender is shipping a gift parcel under provisions of the general license for gift parcels, he must place the words "Gift—Export License Not Required" on the address side of the wrapper and the word "Gift" on the customs declaration tag. In this instance, the word "Gift" is the general license symbol. (See § 371.23 of this subchapter.)

Only one shipment per calendar week may be made by parcel post or mail under General License GLV by one exporter to one importer. (See § 371.10 (b) (1) of this subchapter.)

It is the responsibility of the shipper in each case to determine whether exportation of his parcel is permissible under a general license or whether a validated license is required.

The procedures for obtaining separate or additional licenses when making partial shipments by mail are set forth in § 372.2 (e) of this subchapter.

§ 370.2 *Authenticated shipper's export declaration.*—(a) *Procedure for authentication.*—(1) *Authentication.* All copies of shipper's export declarations which are required to be presented to collectors of customs must be authenticated by the collector of customs at the port of exit (see § 379.1). No collector shall authenticate a declaration unless he is satisfied, after comparing it with the applicable validated export license or general license, as the case may be, and with such other relevant information as he may have, that (i) exportation of the commodity or commodities described in such declaration is authorized under such license; (ii) that the statements in such declaration are identical in all respects with the contents of the validated export license, or the terms, provisions and conditions of the general license; and (iii) that the statements in such declaration are set forth in such manner as to permit all collectors of customs or other authorized officials or persons to whom the declaration may thereafter be exhibited or delivered in connection with the exportation to determine whether the said exportation complies with the contents of the validated export license, or the terms, provisions and conditions of the general license.

(2) *Information required on declaration.* No shipper's export declaration shall be authenticated by a collector of customs unless there are set forth in such declaration, and in all copies thereof required to be presented to the collector:

(i) The name and address of the exporter, who shall be the licensee named in a validated export license or entitled to export under a general license.

(ii) The name and address of the forwarding agent, if any, duly authorized by the exporter.

(iii) The name and address of any intermediate consignee, whether or not named on the license application or on the validated license. Where amendment to the validated license is required in respect to intermediate consignee, the name and address on the declaration must conform with that shown on the amendment.

Note: In those cases where, prior to the departure of the exporting carrier, United States exporters of fresh fruit or vegetables are unable to determine the country of ultimate destination, the exporter may name on the shipper's export declaration, as the country of ultimate destination, optional ports of discharge even when more than one foreign country is involved.

Immediately after the United States shipper ascertains the identity of his customer in one of these foreign destinations, he

should file a Correction Form 7403 with the collector of customs at the port of exit where the original shipper's export declaration was filed, specifying the name and address of the buyer to whom delivery is made and the name of the country in which such buyer takes delivery for distribution.

In no event does the aforementioned procedure apply to any shipment destined to a Subgroup A country, Hong Kong or Macao, whether directly or in transit to such areas. This interpretation does not, in any way, change or modify the provisions of § 384.5 of this subchapter relating to the export of fresh fruits and vegetables to Hong Kong or Macao.

Amendment of the export license is required in respect to intermediate consignee, as provided in § 380.2 (f) of this subchapter.

(iv) All of the other data required to be shown on the declaration form.

Note: On an export declaration (Commerce Form 7525-V, revised November 1948) covering exportations under a validated license, the answer to item 3 shall correspond to the corporation, partnership, or individual named as the applicant-licensee (exporter) on Form IT-419. However, the answer to item 3 of Form 7525-V may correspond to the name of the foreign principal shown on Form IT-419 if the corporation, partnership, or individual that is in fact the exporter is not subject to the jurisdiction of the United States. In the absence of such identity, the export license does not cover the proposed exportation.

(3) *Forwarding agent as true agent.* Unless the exporter shall otherwise state in writing in the power of attorney set forth in the shipper's export declaration, or in a general power of attorney, or other written form, subscribed and sworn to by a duly authorized officer or employee, filed with the collector of customs, the forwarding agent named by the exporter in said power of attorney or other form shall be deemed to be the true agent of the exporter for export control and customs purposes.

(4) *Definition of "forwarding agent."* For the purpose of § 379.1, and of this section, a "forwarding agent" shall be a person authorized by a named exporter to perform for the exporter actual services which facilitate exportation of the commodities described in the declaration, such as preparing the declaration, attending to clearance of the shipment by submission of documents to the collector of customs or export control officers, securing cargo space, or delivering the commodities to the exporting carrier, obtaining bills of lading in connection with the exportation, and attending to the formalities of consular invoices, certificates of origin, and other like documents; but such "forwarding agent" need not be a person regularly engaged in the freight forwarding business.

(5) *Signature on declaration.* The signature of the person making the declaration set forth on the shipper's export declaration form and taking the oath shown on said form (where oath is required) shall be that of the exporter or the forwarding agent named in the declaration, or a duly authorized officer or employee of either. The signature of such person (whether oath is or is not required) and whether or not that of the exporter or his duly authorized officer or employee, shall constitute a representation by the exporter that all statements

RULES AND REGULATIONS

made and all information set forth in such declaration, are true and correct. In addition, if the signature is that of the forwarding agent, or his duly authorized officer or employee, such signature shall constitute a like representation by the forwarding agent.

Additional copies of the shipper's export declaration or copies of the continuation sheet form for such declarations may be used where more space is required to prepare fully a shipper's export declaration (Form 7525-V). In all such cases, the declaration need be signed and the oath taken (where required) on only one shipper's export declaration form. The additional copies or sheets must be numbered in sequence and securely attached to the executed declaration form; and the following legend must be inserted between columns (9) and (15) on the executed declaration form: "This declaration consists of this sheet and ----- continuation sheets." No portion of any form attached as a continuation sheet shall be torn off or removed.

(6) *Statements on declaration.* In all cases where a shipper's export declaration is presented to a collector of customs or postmaster the exporter shall be deemed thereby to represent (i) that all statements made and information set forth in the declaration have been furnished by him or on his behalf for the purpose of effecting an exportation under the export regulations; (ii) that the exportation of the commodity or commodities described in such declaration is authorized under the general or validated export license therein identified; (iii) that the statements contained in such declaration are identical in all respects with the contents of the validated export license or the terms, provisions and conditions of the applicable general license; and (iv) that all of the other terms, provisions and conditions of Parts 370 to 399, inclusive, of this subchapter, applicable to the exportation have been met.

(7) *Who may submit declaration for authentication.* No person shall submit to the collector of customs for authentication any shipper's export declaration unless such person is the licensee or his carrier, the duly authorized forwarding agent of the licensee, or a duly authorized officer or employee of either.

(8) *Rejection of declarations.* Collectors of customs shall reject all shipper's export declarations which do not comply with the foregoing provisions of § 379.1 and this section.

(9) *Procedures for presentation of export declaration for authentication.* (i) Any collector of customs may, with the prior approval of the Office of International Trade, institute and maintain any procedure for the presentation for authentication of shipper's export declarations, which shall provide in each case for the proper identification, and recording of the identity of the individuals who sign such declarations and who appear before the collector for such purpose.

(ii) Collectors of customs are specifically authorized to institute and maintain the following procedure for identification of persons submitting or presenting declarations to the collector:

(a) *Identification cards.* An exporter (licensee) effecting exportations without the services of a forwarding agent shall make application for and obtain from the appropriate collector of customs an identification card, as herein described, for each of his officers or employees who submit or present shipper's export declarations or licenses. Where a forwarding agent is employed by an exporter the forwarding agent shall similarly apply for and obtain an identification card for each of his officers or employees who submit or present shipper's export declarations or licenses on behalf of an exporter. In addition, carriers, not otherwise acting as forwarding agents, who may, as provided in subparagraph (7) of this paragraph, deliver executed declarations without specific authorization therefor, shall similarly apply for and obtain such identification cards. Applicants for identification cards shall be responsible for all shipper's export declarations executed and submitted in their names to collectors of customs through use of the identification card. Such card may be used only in the Customs district for which issued, by the person to whom issued, and is not transferable. Application must be made on Customs Form 3139, "Application for Identification Card of Authorized Forwarding Agent or Exporter" and the identification card to be issued shall be Customs Form 3141, "Identification Card of Authorized Forwarding Agent or Exporter or Employee Thereof".

(b) *Waiver of identification card requirement.* In the case of exporters not regularly engaged in making exportations, collectors of customs may waive the identification card requirement where they are otherwise satisfied that the person submitting or presenting the shipper's export declaration is in fact the exporter (licensee) or is acting for and on behalf of such exporter.

(c) *Identification cards and power-of-attorney forms.* Wherever the identification card procedure is instituted and maintained it shall supersede any existing requirement of the collector of customs for filing a form of power of attorney executed by an exporter or forwarding agent, as the case may be, authorizing his officers or employees to sign, swear to or submit declarations.

(10) *Changes, alterations, amendments of export declaration prior to authentication.* Collectors of customs shall not, except in case of hardship or emergency, authenticate any shipper's export declaration showing evidence of change, alteration, or amendment, but shall require clean copy. Where demonstrated cases of hardship or emergency exist in which collectors of customs find it desirable to make exception, collectors may approve on the face of the declaration specific changes, alterations, or amendments. The duly authorized forwarding agent or carrier for an exporter may insert or correct in declarations presented by him required items of information peculiarly within his own knowledge, such as the designation of the actual exporting carrier, the actual date of exportation, or the actual Schedule B number to which the commodity described

in the declaration unambiguously refers; but nothing herein shall relieve such forwarding agent or carrier from liability for any misrepresentation of facts so inserted or corrected. The forwarding agent or carrier making such insertion or correction must specifically identify the same in writing on the face of the declaration.

(b) *Use of authenticated shipper's export declaration—(1) Use.* When duly authenticated by the collector of customs at the port of exit, a shipper's export declaration shall be deemed to be a document, issued pursuant to Parts 370 to 399, inclusive, of this subchapter evidencing the existence of a validated export license or permission for an exportation under an applicable general license; and such document may be used only by the exporter or his duly authorized forwarding agent for the purpose of clearing for exportation or otherwise facilitating or effecting the exportation of a commodity or commodities requiring a validated or general export license under the regulations issued pursuant to the export control law.

(2) *Changes, alterations, amendments of authenticated declarations.* No shipper's export declaration, used or intended to be used in connection with any exportation of any commodity or commodities requiring a validated or general export license, which shall have been authenticated by any collector of customs shall, at any time after such authentication, be changed, altered, or amended in any respect by any person without prior written authorization therefor set forth on such authenticated declaration by the said collector of customs: *Provided, however,* That where for any reason an exporting carrier designated in an authenticated declaration cannot receive the shipment on board, the name and date of departure of another exporting carrier may be substituted by the steamship company, steamship agent, airline, railroad, motor vehicle company or other person issuing bills of lading or similar documents of carriage for the carrier originally named if due and timely notice of such change is given to the collector of customs prior to loading of the shipment onto the substitute carrier and such change is specifically identified in writing on the face of the declaration by said steamship company, steamship agent, airline, railroad, motor vehicle company, or other person. No change, alteration or amendment may be authorized in any authenticated export declaration which would have the effect of authorizing shipment after the validity period of the applicable validated or general export license has expired or which would otherwise vary the terms, provisions and conditions of such license.

(3) *Declarations showing unauthorized changes.* No person to whom any authenticated shipper's export declaration showing evidence of change, alteration, or amendment shall be exhibited for the purpose of facilitating any exportation, without the production of written authorization therefor by the collector of customs, shall take any action toward such facilitation, but shall promptly report the facts to the nearest collector of customs and shall, where

such authenticated declaration is in his or its possession, surrender same to such collector of customs.

(4) *Correction form.* Without prior approval of the collector, any item of information contained on an authenticated shipper's export declaration previously filed with the collector of customs can be corrected by noting such correction on the Correction Form (FT-7403). The Correction Form for shipper's export declarations (i) may be used to make corrections on an authenticated declaration in the possession of the collector of customs, and (ii) must be used to make corrections on an authenticated declaration previously filed with and forwarded by the collector to the Bureau of the Census. The Correction Form (FT-7403), used as herein provided, must be executed by the exporter or his duly authorized forwarding agent and must be submitted to collectors in the same manner as provided with respect to shipper's export declarations.

(5) *Return of unused copies of authenticated declarations.* All copies of authenticated shipper's export declarations not used by an exporter for the purposes for which they are authenticated shall be returned to the collector of customs making the authentication.

(6) *Limitation of effective period of declaration.* No shipper's export declaration shall be authenticated and no authenticated shipper's export declaration shall be used for the purpose of clearing for exportation, or otherwise facilitating or effecting, the exportation of a commodity or commodities requiring a validated or general export license after the expiration of the validity period of the applicable validated license or after the termination of the effective period of the applicable general license.

NOTE: The validity period of an export license includes any extension provided by any saving clause or regulation. The above subparagraph makes no change in the provisions of § 372.11 (f) of this subchapter.

(c) *Other applicable laws and regulations.* Nothing contained in §§ 379.1 and 379.2 shall relieve any person from complying with the applicable provisions of any other law of the United States and rules and regulations issued thereunder, governing shipper's export declarations and manifests.

EXPLANATORY STATEMENT

1. *Responsibility of licensee and agent.* Under the export-control regulations (Parts 370 through 399 of this subchapter, as amended), the exporter to whom a license is issued or who undertakes to export under a general license is legally responsible for the proper use of that license and for the due performance of all its terms and provisions. And this responsibility continues even when he acts through a freight forwarder or other forwarding agent. Experience in the administration of export controls indicated, however, that it was often difficult to establish that relationship as a matter of record and fix responsibility when violations occurred. The provisions of § 379.1 and 379.2 and the OIT form, "Power of Attorney—Designation of Forwarding Agent," were designed to remedy that situation.

2. *Power-of-attorney forms; purpose and use; alternatives.* The form, which was prepared for this purpose, was not mandatory

but only suggested. Power-of-attorney terminology was used to accord with common business practice in establishing agency relationships, and by way of interpretation considerable flexibility was permitted. Nevertheless, there are situations where firms have found compliance with some of the required formalities in the execution of a general power of attorney, such as corporate seal, special resolution of the board of directors, etc. to be unduly onerous.

Accordingly, the regulations have been amended, as above set forth, to permit, alternatively to the power-of-attorney form, the use of any written form of designation, provided it is subscribed and sworn to before a notary public or other person authorized to administer oaths, by a duly authorized officer or employee of the licensed exporter. Such designation must, of course, clearly indicate that the firm or person named is authorized to represent the licensed exporter for export control and customs purposes. The extent of the authority in this designation, as in the power of attorney, may be restricted, however, with respect to time, country, commodity, specific license, or other matter. It is also intended to permit the use of such documents to designate one or more employees, or other persons, such as an export manager or agent, to, in turn, appoint as many freight forwarders or other forwarding agents as may be required.

3. *Carriers.* In addition, specific reference to carriers has been made in those parts of the regulations dealing with the submission of the shipper's export declaration in order to make clear that carriers, not otherwise acting as forwarding agents, may deliver executed declarations without specific authorization therefor. The privilege of making certain specified insertions or corrections in the declaration prior to authentication is also extended to such carriers.

4. *Summary of interpretations—Applicability of §§ 379.1 and 379.2:*

1. Q. Do the provisions of the export control regulations with respect to presentation of additional copies of shipper's export declarations, and with respect to procedure for authentication of declarations, filing of powers of attorney or other forms of designations of forwarding agent, and use of authenticated declarations, apply to Canada?

A. No, unless the particular exportation from the United States is destined for a third country, for which a license is required, and the shipment is via Canada.

2. Q. Do the foregoing provisions of the regulations apply to general license shipments?

A. Yes. General license shipments have always been subject to Customs scrutiny and are covered by the new regulations, along with shipments under validated license, in order to curb possible abuse of the general license privileges.

3. Q. Are the export control regulations contained in §§ 379.1 and 379.2 applicable to exportations regulated by United States governmental agencies other than the Office of International Trade, such as the Atomic Energy Commission and the Department of State?

A. No.

4. Q. What is the effect of making the shipper's export declaration an "export control document"?

A. A shipper's export declaration has always been an official document of the United States Government so that, for example, the penalties relating to making false statements on Government documents were always applicable to the use of that document. The only effect of the additional export control regulations in this respect has been to bring shipper's export declarations under the export control laws as well as under the laws of the United States relating to Government documents generally and shipper's export declarations in particular.

Powers of Attorney or Other Forms of Designation of Forwarding Agent

5. Q. Is the use of a power-of-attorney form mandatory?

A. As now provided in § 379.2 (a) (3), it is only an optional form.

6. Q. May the exporter designate more than one forwarding agent?

A. Yes. It is not intended that the power of attorney or other authorization designating a forwarding agent should constitute such agent the sole and exclusive forwarding agent of the exporter for all exportations. Exporters may execute powers of attorney or authorization for any and all of the forwarding agents whom they employ.

7. Q. Where a forwarding agent is suggested by the foreign buyer in a transaction (rather than by the seller in this country), must the seller designate such forwarding agent as his agent for export control and customs purposes?

A. Exporters have in some such cases expressed reluctance in designating such forwarders as their agents, because they do not regularly deal with them, or because they may not wish thereby to disturb contractual relations with their own forwarders. It is assumed that the underlying problem here is the exporter's unwillingness to give any general authorization to such agent. It is, therefore, suggested that the form of designation on the shipper's export declaration be used which would limit the authority granted to the particular transaction involved. It should also be noted that in some such cases the solution to the problem may lie in having the agent for the foreign buyer apply for the license. (See statement following § 372.2 (a) and Note following § 372.11 (a) of this subchapter.)

8. Q. Must an exporter use the OIT form of power of attorney designating a forwarding agent, or may he give such authority by other and more limited powers of attorney?

A. The language of the OIT form of power of attorney is not mandatory. It is specifically provided that it may be made more restrictive by the exporter; likewise, an exporter may restrict the power of attorney set forth in the shipper's export declaration. Of course, no limitation may be made which would relieve the exporter from responsibility for carrying out the exportation authorized by the license which he holds.

9. Q. May the exporter vary the language of the acknowledgment set forth in the OIT forms of power of attorney?

A. Yes. The forms were drafted to permit use by exporters who are individuals, partnerships, corporations, associations, or quasi-governmental bodies. The acknowledgment forms may be modified to fit the legal status of the exporter.

10. Q. May exporters authorize forwarding agents to sign and swear to declarations and to present them to collectors of customs for authentication by executing the designation appearing on the face of the shipper's export declarations?

A. Yes. The exporter may execute the designation appearing on the shipper's export declaration, which is applicable only to the transaction referred to in the declaration. The power of attorney or other written authorization may be used where the same forwarding agent handles numerous shipments and it is impracticable to execute a specific designation on the declaration for each transaction.

Who Should Execute

11. Q. Who is deemed to be a "duly authorized officer or employee" for the purpose of signing and swearing to shipper's export declarations?

A. There is and can be no fixed rule in this respect. In general, such corporate officers as the president, vice president, treasurer, and secretary of a corporation, any partner of a partnership, and any responsible head of

any other form of private or quasi-governmental organization will be deemed to have the requisite authority. Assistant officers will, in general, be accorded a like assumption. Such employees as export managers who, by their official titles, are apparently vested with power to deal with exportations will also be deemed to have authority to execute the designation appearing on the face of a declaration and to sign and swear to such declarations.

Proof of Authority

12. Q. Under what circumstances must Customs be furnished with supporting evidence of authority of persons executing powers of attorney or other authorizations?

A. Customs may in any case require proof of the authority of any such person signing a power of attorney or other authorization. In general, however, Customs will require such proof only when there is some reason to doubt the authority of the person involved.

Miscellaneous

13. Q. Must a forwarding agent have an office at the port of exportation or otherwise be known to the collector at such port?

A. No. A forwarding agent need not have an office at every port of exportation. If a forwarding agent signs and swears to a declaration which is intended for clearance of an exportation through a port where he has no office, he should furnish to the collector at such port his power of attorney or other authorization from the exporter. He should also furnish to the person who will arrange physically to present the declaration to the collector an authorization in writing for that purpose.

14. Q. May a forwarding agent who does not have an office at the port of exportation redelegate to another forwarding agent his authority to sign and swear to declarations and to present declarations for authentication at such port?

A. Yes; provided that the power of attorney or other authorization from the exporter permits such re delegation or there is presented to the collector written evidence of consent of the exporter to such re delegation.

15. Q. If a forwarding agent has a power of attorney or other authorization filed with a collector in one port, must he file additional original documents with collectors in other ports through which he may effect exportations?

A. No. It is only necessary to file the original documents in one port. Photostatic copies thereof, certified by the collector of such port, may be transmitted by the forwarding agent to other ports where needed unless the authorization is otherwise specifically limited by the exporter.

16. Q. How should forwarding agents and exporters handle such matters as changes of weights, measurements, quantities, etc., which must frequently be made on declarations after authentication?

A. In general, the export control regulations permit certain types of amendments and insertions to be made in declarations before and after authentication, as set forth in § 379.2. A forwarding agent, however, designated on the declaration or by separate document, may make such changes, unless specifically precluded from doing so by the exporter in his designation. Collectors of customs are empowered to permit such amendments upon written authorization therefor by the collectors set forth on such authenticated declaration. Collectors will exercise discretion to allow amendments of this character. Where the amendments have the effect of converting a declaration into one for a substantially different shipment, however, a new declaration will have to be prepared. Unless otherwise limited by the exporter, the power of attorney or other authorization given to a forwarding agent is deemed also to authorize him to prepare

substitute declarations reflecting such changes.

§ 379.3 *Shipper's export declaration; miscellaneous*—(a) *Certain commodity descriptions.* A detailed description shall be set forth on the applicable shipper's export declaration for commodities falling within Department of Commerce Schedule B commodity basket classifications, in addition to all other data required to be shown on such declaration. As used herein, "basket classification" means those Schedule B commodity classifications in the 1952 edition of Schedule B, as amended, which call for the shipper to "specify by name," "specify by type," etc., the items included in the shipment under these commodity numbers. In those cases where there are a substantial number of items included in a single export shipment under one basket classification, exporters may set forth the detailed descriptions of only five of the items which represent the greatest proportion of the total dollar value under this single Schedule B basket classification. Separate dollar value, net quantity, and shipping weight information for individual items reported under one Schedule B basket classification are not required on the shipper's export declaration.

(b) *In-transit goods.* The following additional information shall be set forth on Shipper's Export Declaration for In-transit Goods, Commerce Form 7513:

(1) The name and address of the intermediate consignee in a foreign destination, if any, must be shown below the description of the commodities across columns 1-6;

(2) Underneath the name and address of the intermediate consignee, also within columns 1-6, one of the following statements must be made, whichever is appropriate:

(i) For in-transit shipments of foreign merchandise:

The merchandise described herein is of foreign origin.³

(ii) For in-transit shipments of domestic (U. S.) merchandise:

The merchandise described herein is of the growth, production, or manufacture of the United States.

(iii) In-transit shipments of commodities of U. S. origin excepted under § 371.9 (a) (2) of this subchapter:

The merchandise described herein is of the growth, production, or manufacture of the United States, but comes within the exception granted by § 371.9 (a) (2) of this subchapter.

(3) The commodities to be exported shall be described in terms of Schedule B, including the appropriate Schedule B number, as well as in terms of Schedule S. The Schedule B number shall be entered in column 4 immediately underneath the Schedule S number.

NOTE: All shipments of merchandise for which the shipper's export declaration for in-transit goods is required (Commerce Form 7513) must be shown in terms of Schedule S as well as in terms of Schedule B. Schedule S numbers, by commodity

³For definition of foreign origin see § 371.9 (a) of this subchapter.

groupings, are contained in Schedule S, Statistical Classification of Domestic and Foreign Merchandise Exported from the United States, obtainable without charge from the Bureau of the Census, Washington 25, D. C.

PART 380—AMENDMENTS, EXTENSIONS, TRANSFERS

Sec.

- 380.1 Transfer of licenses.
- 380.2 Amendments or alterations of licenses.
- 380.3 Price amendments on pending license applications.
- 380.4 Extension of licenses.

AUTHORITY: §§ 380.1 to 380.4 issued under 63 Stat. 7, as amended; 50 U. S. C. App., 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR 1948 Supp.

§ 380.1 *Transfer of licenses*—(a) *Official authorization required.* Export licenses shall not be transferred except by prior written authorization of the Department of Commerce.

(b) *Information from transferor.* (1) Transfer of export licenses may be effected only by amendment to the original license and only upon request of the original licensee.

(2) In requesting transfer of an outstanding license, the licensee must submit a completed Form IT-763, Request for and Notice of Amendment Action (revised April 1951), in triplicate, together with the original license if it is being held by him, and also a signed letter from the person to whom the license is to be transferred, giving supporting information as requested under paragraph (c) of this section. When setting forth the reasons for the requested transfer in item 10 of Form IT-763, the licensee shall also state whether or not any consideration has been or will be paid for the transfer. The name and address of the proposed transferee shall be shown in item 12 of Form IT-763.

(3) If the original license is being held by a collector of customs at the time the licensee submits request for transfer, he must show in item 11 of Form IT-763 the address of the collector of customs with whom the original license has been deposited. Also, in such cases, the licensee must submit an additional triplicate (yellow) copy of Form IT-763, "Notice to Applicant," showing in item 4 of one copy the name and address of the original licensee and on the other copy the name and address of the person to whom the license is to be transferred. This extra triplicate (yellow) copy of Form IT-763 will be used for notifying the transferee of the action taken.

(c) *Information from transferee.* The request for transfer from the original licensee must be accompanied by a signed letter from the person to whom transfer is to be made stating:

(1) That if transfer is approved, the transferee will assume all the transferor's responsibility to the Department of Commerce under the license and export regulations.

(2) Whether any consideration has been or will be paid for the transfer.

(3) That the transferee has an order (or an accepted order, where the commodity is subject to the accepted order requirement) from the foreign purchaser

named on the license for the commodities described thereon.

(d) *When transfer may be granted.* A transfer of license may be granted in the following cases:

(1) Where the corporate or firm name of the licensee has been changed or the license is desired for use by a subsidiary corporation of the licensee.

(2) Where the entire or a substantial portion of the assets or business of the licensee has been sold or transferred.

(3) In exceptional cases, where there is proof that actual hardship will result to the holder of the license or to the purchaser in the foreign country if the request for transfer is disapproved.

Only one transfer of the same license will be approved.

§ 380.2 *Amendments or alterations of licenses*—(a) *Persons authorized to amend licenses.* No amendments or alterations of export licenses may be made except by the Department of Commerce or by collectors of customs or postmasters acting under specific instructions from the Department of Commerce.

(b) *Where to file*—(1) *General.* All requests for amendments to licenses may be filed with the Office of International Trade, Department of Commerce, Washington 25, D. C. However, certain types of amendments described in subparagraph (2) of this paragraph also may be submitted to field offices of the Department of Commerce which are located in the following cities, provided the exportation will be cleared through a port located in the same city in which the field office is located or through a port located in a specified city nearby, as indicated below:

Baltimore.	Miami (Port Everglades, West Palm Beach).
Boston.	
Chicago.	
Cleveland (Toledo).	New Orleans (Baton Rouge, Morgan City, La.).
Detroit (Port Huron).	
El Paso.	New York.
Houston (Galveston; Laredo).	Philadelphia.
Jacksonville.	Portland, Oreg.
Los Angeles.	San Francisco.
	Seattle (Tacoma).

(2) *Amendment requests on which field offices may take action.* With the exceptions set forth in subparagraphs (3) and (4) of this paragraph, the Department of Commerce field offices listed in subparagraph (1) of this paragraph, are authorized to take action on requests for amendment of licenses of the following types only:

(i) Extension of validity period.

(ii) Correction of obvious errors in the license, such as mistakes in typing in name and address.

(iii) Change of quantity or dollar value required as result of factors beyond the control of the licensee, such as unforeseen overruns of the mill. Field offices of the Department of Commerce are limited in their approvals of such amendment requests, however, to specified small percentage increases in the licensed quantity or dollar value.

(iv) Change of the licensee's address.

(3) *Amendment requests on which field offices may not take action.* The Department of Commerce field offices are not authorized to take action on requests for amendments to licenses under

the following conditions. All such requests shall be filed with the Office of International Trade, Department of Commerce, Washington 25, D. C.

(i) Licenses covering exportations to Subgroup A countries, Hong Kong, or Macao unless the amendment involves no more than a correction of obvious errors in the license, such as mistakes in typing.

(ii) Requests for amendment of licenses involving shipments to be cleared from any port other than as authorized in subparagraph (1) of this paragraph, or where the intended port of exit is not known to the licensee.

(4) *Duplicate requests covering same license.* Requests for amendment shall not be submitted to or acted upon by any field office of the Department of Commerce if an amendment request covering the same license is currently pending action or has been previously denied by the Washington office of the Office of International Trade, or by any other field office.

(c) *Procedure for submitting requests for amendments*—(1) *Number of copies.* Requests for amendments shall be submitted on Form IT-763, Request for and Notice of Amendment Action (revised April 1951), in triplicate. However, when such requests are filed with one of the above-named field offices, a fourth copy must be submitted; this fourth copy may be made on plain, thin, white paper.

(2) *Information required.* All numbered items shown on IT-763 must be completely filled in on all copies.

(i) The reasons for the requested amendment must be clearly stated in answer to item 10. In requesting an amendment for change in the purchaser or ultimate consignee, the licensee must comply (a) with the provisions of § 372.3

(d) of this subchapter regarding a statement from the ultimate consignee (purchaser) if the shipment is destined to an R country; and (b) with the provisions of § 373.1 (b) of this subchapter regarding evidence and certification of accepted orders, if applicable to the commodity being exported. Such certification may be made on the back of Form IT-763 or on a sheet attached thereto.

Where the request for amendment involves a change in the country of destination as well as a change in the purchaser or ultimate consignee, the applicant must explain fully the circumstances which prevented shipment to the original country of destination, in item 10 of Form IT-763.

(ii) The address of the collector of customs with whom the license has been or will be deposited must be entered in item 11. If the exporter has not deposited his license with the collector at the intended port of exit, he must do so at the time of submitting his request for an amendment. The licensee must not retain the license when submitting an amendment request. If the exporter does not know the intended port of exit, he shall return his license to the Office of International Trade with his request for amendment on Form IT-763; in which case, the applicant shall enter the word "Unknown" in answer to item 11.

(iii) In completing item 12, "Amendment license to read as follows," the appli-

cant must identify that portion of the license upon which amendment is requested and insert the proposed change.

(3) *Signature.* The signature of the licensee, or an officer or duly authorized agent of the licensee, must be placed on the original and duplicate copies in the space provided. When such request is submitted by an officer or an agent authorized by the licensee, who may be a freight forwarder, attorney, or any other individual so authorized, he must sign the request by entering the licensee's name and underneath his own signature prefixed by the word "By" and followed by his own title.

For example: JOSEPH ALOYSIUS JONES,
By: HAMILTON NEWBOLD,
Agent.

(4) *Telegraphic requests.* Under emergency conditions, a request for amendment may be made by telegram, and the licensee may include therein a request that the amendment, if approved, be teletyped to the collector of customs. In such instances, the telegram must include the same information required to complete Form IT-763, and, in addition, full information as to the necessity for such type of service, including deadline dates. If the request is submitted by mail on Form IT-763, but emergency clearance by teletype is requested, a letter setting forth full details as to the necessity for such service, including deadline dates, must accompany the request.

Note: Requests for amendments by telephone or by letter will not be accepted.

1. *Licenses held by collectors*—*Amendment action by OIT, Washington, D. C.* On an approved request, the Office of International Trade will validate all copies of Form IT-763 by imprinting in the space headed "Validation" a facsimile of the Department of Commerce seal followed by a five-digit number representing the date of validation; the duplicate copy will be forwarded as the official notice of amendment to the collector of customs designated in item 11; the triplicate copy will be forwarded to the individual named in item 4 of IT-763. If the request is rejected, or returned without action, the reasons therefor will be indicated in the upper right-hand corner, and the triplicate copy returned to the applicant. Upon request, and where warranted, advice of an amendment action will be dispatched by collect wire to the applicant and (in the case of approved requests) by teletype to the collector of customs; copies of Form IT-763 then will be mailed in the usual manner and serve as confirmation of wire advices.

Amendment action by field offices. Amendments approved by field offices will be validated differently from those approved by the Washington office. In place of the facsimile of the Department of Commerce seal and a five-digit number representing the date of the validation, the name of the field office making the amendment will be inserted in the space headed validation. To complete the validation process, the amending officer will insert a serial number in the space provided, sign and date the IT-763, and check the space indicating approval. The original will then be forwarded to the Washington office of the Office of International Trade; the duplicate will be sent to the appropriate collector of customs as the official notice of amendment; and the triplicate (confirmation) copy will be sent to the individual named in item 4 of IT-763. On requests which are rejected or returned without action, the triplicate copy will be returned to the applicant.

2. *Licenses sent to OIT.* In those cases where the intended port of exit is unknown and the license accompanies Form IT-763, the Office of International Trade, on an approved request, will prepare a new license and forward it to the individual named in item 4 of Form IT-763. However, if the amendment requested is for an extension of validity period, such amendment will be made by typing a new expiration date on the face of the original license.

3. *Where to obtain Form IT-763.* Form IT-763 is set up in pads of quadruplicates so as to provide a copy for the applicant's file. Sets of the forms may be obtained by writing to any field office of the Department of Commerce.

(d) *Disclosure on amendment requests of prior action on the shipment—(1) Prior detention of commodities by customs.* Any exporter or his agent making application to the Office of International Trade for an amendment of an export license, who shall know or have reasonable cause to believe that a collector of customs has detained commodities which would be exportable under such license, as amended, shall disclose to the Office of International Trade at the time of applying for such amendment the fact that the collector of customs has detained the commodities. Any amendment obtained without full disclosure of that fact shall be deemed to have been obtained without disclosure of all facts material to the granting of the amendment, and the license and any amendment so obtained shall be void.

(2) *Prior exportation without a license.* No request for amendment to an export license shall be submitted to the Office of International Trade covering a shipment that is already laden aboard the exporting carrier or exported. In such cases where the shipment should have been authorized by a validated license, or amendment thereto, the exporter should send a letter or wire to the Exporters' Service Section, Office of International Trade, Department of Commerce, Washington 25, D. C., Attn: IT-1230, explaining why a validated license (or amendment thereto) was not obtained and disclosing all the facts concerning the shipment that would normally have been disclosed on the Request for and Notice of Amendment Action, Form IT-763. The Office of International Trade will inform the exporter of its action and instructions to him in the matter by letter. Any amendment obtained without such disclosure shall be deemed to have been obtained without disclosure of all facts material to the granting of the amendment, and the license and any amendment so obtained shall be void.

NOTE: See § 372.8 of this subchapter and § 380.4 (d) with respect to license applications and requests for extensions of validity periods of licenses to authorize shipments described in paragraph (d) of this section.

(e) *Price amendments—(1) Time for submission.* Request for amendment of a license to effect a change in price may be submitted at any time during the validity period of the license.

(2) *Necessary amendments to show price changes.* Export licenses must be amended to show any upward change in unit prices or total value on the license if the commodity covered by the license

is at the time of export clearance subject to the general licensing policy set forth in § 373.1 of this subchapter, except:

(i) Where the licensee avails himself of permissible weight and volume tolerances. In such cases, the total value for the commodity shown on the shipper's export declaration may exceed the total value shown on the license. However, the unit value shown on the license may not be increased.

(ii) Where price increases can be justified before the collector of customs on the basis of changes in point of delivery, port of exit, or as a result of transportation costs, drayage, port charges, warehousing, etc.

(iii) Where unit or total price is not shown on the license but is based upon the market price at a specified date plus an exporter's mark-up, or like basis. In such cases, the unit or total price need only conform with the price statement on the license.

(3) *Price changes for which amendments are not required.* Export licenses need not be amended to show changes in unit or total price under the following circumstances:

(i) Where the license covers an R commodity; or

(ii) Where the license covers an RO commodity which at the time of export clearance is not subject to the general licensing policy set forth in § 373.1 of this subchapter; or

(iii) Where the change involves a reduction in prices:

Provided, That when commodities are licensed in quantities determined only by dollar value indicated on the license, the value shown on the shipper's export declaration shall not exceed the total value shown on the license. Shipments against such licenses will be charged in terms of dollars as shown on the shipper's export declarations.

NOTE: Where the Positive List does not indicate a unit of quantity for a specific commodity, the commodity shall be deemed to be licensed in quantities determined by dollar value only, even though a unit of quantity is shown on the license.

In such instances any increase in total dollar value must be made by amendment as provided for under § 380.2 (e) (2). Shipments against such licenses will be charged in terms of dollars as shown on the shipper's export declaration and the value shown on the shipper's export declaration shall not exceed the total value shown on the license.

When commodities are licensed in quantities determined only by the dollar value indicated on the license, price increases, transportation and warehousing charges, etc. occurring between the date of validation of the license and the date of the export declaration may have the effect of reducing the physical quantity which may be exported.

(f) *Intermediate consignee amendments.* Amendment of the export license is required if the intermediate consignee to be used or designated in the export transaction is not named on the export license, unless such new or different intermediate consignee is located in the country of ultimate destination as shown on the export license.

§ 380.3 *Price amendments on pending license applications.* Requests for amendment of a pending license appli-

cation to effect a change in price may be submitted at any time, except that if a time schedule for submission of the license application has been established, the request may be submitted only during such period. The amendment procedure set forth in § 380.2 shall be followed with respect to these requests. Letters or telegrams requesting amendment of prices shall also state the applicant's reference number, date of application, commodity, country of destination, OIT application number (if known) for the purpose of identifying the application, the revised price, and reasons for the price change.

§ 380.4 *Extension of licenses—(a) Time for submission of requests.* Licensees may submit requests for extension of the validity periods of licenses which expire before shipment has been made. It is essential that the request for extension be submitted sufficiently in advance of the expiration date to allow the Office of International Trade to send an advice of amendment by regular mail to the licensee and the collector of customs holding the license before the license expires. However, where unusual circumstances have made it impossible for the licensee to submit his request for extension before the expiration date, requests for extension will be considered if received within 21 days after the expiration date shown on the license.

(b) *Procedure and justification for requesting extension.* Requests for extension of the validity period of licenses must be submitted in the same manner as provided in § 380.2, and shall be accompanied by the expiring license unless it has been filed with a collector of customs. Where the license has been deposited with a collector of customs, notification of the filing of such request shall be given to the collector with whom the license has been deposited. Where the expiring license does not accompany the request for extension, the applicant shall also include the following information on the face of Form IT-763:

(1) In item 10, state why shipment was not or will not be made before expiration date of license, stating facts to assure that shipment can be effected during the extended validity period requested. If partial shipment has been made, indicate quantity and value.

(2) In item 12, state whether license has been previously extended. If so, give date(s) and duration of such extension(s), and office by which extension was issued.

The foregoing information must also be included when request for extension is submitted by telegram in cases of extreme emergency as provided under § 380.2 (c) (4).

NOTE: If granted, the extension will be made in the same manner as other amendments. (See Note following § 380.2 (c).)

When a collector of customs who is holding an expiring license is notified that a request for extension of the license has been filed in accordance with the foregoing provisions, the collector will hold the license for an additional 30 days after the original expiring date. If the approved extension has not been received within 30 days, he will return the license to the Office of International Trade.

(c) Disclosure of prior action on the shipment. The provisions of § 380.2 (d) with respect to disclosure of prior action on the shipment in the case of requests for amendments to licenses shall apply equally to requests for extensions of validity periods of licenses.

PART 381—ENFORCEMENT PROVISIONS

- Sec.
- 381.1 Violations.
- 381.2 Revocation of licenses.
- 381.3 Export control documents: Trafficking, advertising, misuse, and unauthorized amendment.
- 381.4 Destination control.
- 381.5 Return or unloading of cargo at direction of Department of Commerce.

AUTHORITY: §§ 381.1 to 381.5 issued under 63 Stat. 7, as amended; 50 U. S. C. App., 2023, E. O. 9639, Sept. 27, 1945, 10 F. R. 12245; 3 CFR 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR 1948 Supp.

§ 381.1 *Violations*—(a) *General*—(1) *Violations.* Violations, by any person, of the export-control law and any proclamation, order, rule, or regulation issued thereunder are punishable by a fine of not more than \$10,000 or by imprisonment for not more than one year, or both. Violations are also subject to administrative action of suspension, revocation, or denial of licenses and licensing privileges granted pursuant to the authority of the export control law.

(2) *False or misleading statements.* The submission of false or misleading statements is a violation hereunder punishable under the export control law, and other applicable statutes. In addition, commodities attempted to be, or being, or intended to be, exported or shipped from or taken out of the United States in violation of the export control law or any proclamation, order, rule, or regulation issued thereunder are subject to seizure.

(3) *Licensee accountable.* With respect to licenses, the applicant to whom the license is issued becomes the licensee and will be held strictly accountable for use of the license.

(b) *Misrepresentations*—(1) *General provisions.* (i) All representations, statements, and certifications made by any licensee or any other person for the purpose of effecting or causing to be effected an exportation of any commodity or commodities from the United States shall be deemed to constitute representations, statements, and certifications made in respect of matters relating to the jurisdiction of the Office of International Trade and the Bureau of Customs under the statutes, proclamations, Executive orders, and regulations relating to export control and orders or licenses issued thereunder.

(ii) It shall be unlawful under Parts 370 to 399, inclusive, of this subchapter and the export control law, in addition to the provisions of any other law, for any person knowingly to make or cause to be made any false representation, statement, or certification, or to falsify or conceal any material fact, for the purpose of effecting or causing to be effected an exportation of any commodity or commodities from the United States.

(2) *Persons liable.* Every person, whether or not situated in the United

States, and whether or not the purchaser or ultimate consignee, who shall make any representation, whether directly to the Office of International Trade or any collector of customs or indirectly through any applicant for or holder of any export license, authenticated shipper's export declaration, or other export control document, for the purpose of effecting or inducing the issuance, or maintenance in effect, of any export license, shipper's export declaration, or other export control document, shall be subject to Parts 370 to 399, inclusive, of this subchapter.

(3) *Types of misrepresentation.* Without limitation of the foregoing or of any other provisions of the law or Parts 370 to 399, inclusive, of this subchapter no such person shall:

(i) *Country of destination.* Falsely state the country of ultimate destination intended, or divert commodities in violation of the terms, provisions, and conditions of any export control document to any country other than that of the destination named in the document, or attempt or conspire to do the same.

(ii) *Consignee.* Falsely describe the true ultimate consignee or purchaser to, or conceal his true identity from, the applicant or licensee, or from the Office of International Trade or any collector of customs.

(iii) *Orders.* Submit any order for the purchase or importation from the United States of any commodity, or state in writing any commitment to purchase or import the same, with the intention not to abide by such order or commitment, or not perform the terms thereof, whether or not the applicant or licensee is aware of such intention. Unless notice of change in intention is communicated and received by the Office of International Trade prior to exportation, in time to permit revocation or amendment, all parties will be deemed to represent continuously to the Office of International Trade that the intention continues to be that of abiding by the order or commitment and of performing the same.

(iv) *End use.* Falsely state the end use to be served by the exportation in question.

(4) *Denial of licensing privileges.*¹ In addition to the application of other provisions of law and of Parts 370 to 399, inclusive, of this subchapter, any person who shall violate any of the foregoing provisions of this section may be declared ineligible by the Office of International Trade to be a party to any licensed exportations, and it shall be unlawful for any person knowingly to apply for or obtain any license, shipper's export declaration, or other export control document relating to any exportation of commodities to or for such person so declared ineligible without prior disclosure of such facts to, and specific authorization of, the Office of International Trade.

§ 381.2 *Revocation of licenses.* All export licenses are subject to revision, suspension, or revocation without notice.

§ 381.3 *Export control documents: Trafficking, advertising, misuse, and un-*

¹ See Part 382 of this subchapter, entitled "Denial or Suspension of License Privileges."

authorized amendments—(a) *Unauthorized use and alterations.* Except as otherwise specifically authorized in Parts 370 to 399, inclusive, of this subchapter, or in writing by the Office of International Trade, it shall be unlawful for any person, whether or not the licensee, to receive, use, alter, assist in or permit the use or alteration of, any export control document, for the purpose of facilitating or effecting any exportation other than that set forth in such document or except in accordance with all the terms, provisions and conditions thereof.

(b) *Trafficking and advertising.* Without limitation of the foregoing or of any other provisions of law or of Parts 370 to 399, inclusive, of this subchapter, it shall be unlawful without prior written approval of the Office of International Trade with respect to any exportation under any outstanding export control document:

(1) *Transfers or changes of ownership.* For the licensee to effect, or to attempt to effect, any transfer of, or other change of ownership in, such document whether by sale, gift, loan, or otherwise, to any other person, or to permit any other person to use the same otherwise than for the true account of and as true agent in fact for the licensee; or for any person not the licensee to receive or accept a transfer or other change of ownership of, or otherwise to use, an export control document, or to attempt the same, except for the true account of and as true agent in fact for the licensee.

(2) *Change in named parties.* To effect, or to attempt to effect, any change of, substitution for, or addition to, the parties named in an export control document, or any transfer, receipt or purchase, or creation of any interest or participation whatsoever in the transaction described in any export control document.

(3) *Unlawful advertising.* To offer or solicit by written advertisement or circular any transfer of an export control document or any interest therein hereinabove declared unlawful. An advertisement or circular shall be deemed unlawful:

(i) Even though coupled with a condition requiring approval by the Office of International Trade of a new consignor or consignee or other change in the export license, by way of transfer, amendment or otherwise;

(ii) Where, offering or soliciting the sale for exportation of any commodities the advertisement indicates that the proposed seller of such commodities holds or will furnish a license or other export control document for the exportation of such commodities;

(iii) Where, offering or soliciting the purchase for exportation of any commodities, such advertisement is addressed by the proposed buyer directly or indirectly to any person on the condition that such person as a seller then holds or will furnish a license or other export control document for the exportation of such commodities.

(4) *Agent for licensee.* For the licensee to permit any other person to facilitate or effect the exportation of any commodity described in the license, ex-

cept under the direction and responsibility of or as the true agent in fact for the licensee, regardless of the terms of sale or exportation or other contractual agreement between the licensee and the purchaser or ultimate consignee of such commodity.

INTERPRETIVE STATEMENT REGARDING §§ 381.1 AND 381.3

The purpose of the foregoing regulations is to state in detail those practices which are prohibited in the use of export control documents and to clarify the liabilities for false representations.

1. *Use of documents.* Section 381.3 emphasizes the fact that a license or authenticated shipper's export declaration or other export control document is not a subject for trafficking and that, except as specifically authorized by the Office of International Trade, no interest therein can be lawfully transferred or created. Particular attention is called to the fact that this regulation prohibits advertising of any nature whatever of offers or solicitations which might involve transfers of export control documents.

Where a licensed transaction has failed of accomplishment, the license cannot without special authorization be used for any other transaction. Amendments of consignors and consignees will be permitted only under the strict provisions of the regulations.

2. *Unlawful practices.* The regulation makes it unlawful for a licensee or other person holding an export control document to sell, or for any person to purchase, the commodities described in such document with the understanding that the document may be used by or for the benefit of the purchaser to effect exportation of the said commodities; for any person to effect exportation thereof for the benefit or for "account" of any person other than the licensee, regardless of the device or fiction employed; or for the licensee fictitiously to act as principal or agent of another person who actually is effecting the exportation, or for such other person fictitiously to act as the licensee's principal or agent for the same purpose or for the named consignee to act "for the account" of a new unlicensed consignee.

3. *Dock receipts, bills of lading, liens.* The regulation will not be construed to affect the transfer and other use of dock receipts, bills of lading, or other commercial documents necessary to complete a transaction authorized by the export license or impair the validity of liens or other security titles or interests created in good faith with respect to commodities or documents in the course of financing, warehousing, forwarding, or transporting commodities.

However, where the foreclosure of any lien or other security title or interest or the exercise of any rights by the holder of the lien or other security title or interest contemplates an exportation under the license, by someone other than the licensee or to someone other than the purchaser or ultimate consignee designated in the license, the holder of the lien or other security title or interest must apply for an amendment or for a new license as a new party in accordance with the regulation on amendments.

§ 381.4 *Destination control*—(a) *Scope and definitions.* (1) The provisions of this section apply to all shipments of cargo made under validated licenses and all shipments of Positive List commodities made under either validated or general licenses.

(2) The provisions of this section shall not apply with respect to shipments of cargo effected under General License GO to ports of ultimate destination in Country Group O (North or South

America, as listed in Schedule C of the Bureau of the Census).

(3) As used in this section "bill of lading" means the contract of carriage and receipt for commodities issued by the carrier.

(b) *Country of ultimate destination.* (1) No carrier by water, land, or air, nor any other person on behalf of any carrier, shall issue a bill of lading which provides for delivery of cargo subject to the provisions of this section at any foreign port except a port located in the country of (i) the ultimate consignee, or (ii) the intermediate consignee, named in the authenticated shipper's export declaration.

(2) No carrier shall deliver such cargo at any other country at the request or option of either the shipper, consignor, exporter, purchaser, or ultimate consignee, or their agents, or any other person having custody or control of the shipment, without prior written authorization from the Office of International Trade to the carrier or its agent.

(3) No shipper, consignor, exporter, purchaser or ultimate consignee, or their agents, or any other person, shall, without prior written authorization from the Office of International Trade to the carrier or its agent: (i) divert any cargo to any country of ultimate destination other than that named in the authenticated shipper's export declaration or in the bill of lading described in paragraph (c) of this section; (ii) request or demand that any carrier or its agent divert such cargo from the country of ultimate destination named in any of such documents. In addition, no agent of any carrier shall instruct or authorize the master of the vessel to divert any such cargo to any other country of ultimate destination without such prior written authorization from the Office of International Trade.

(4) No carrier of such cargo shall issue a bill of lading providing for delivery to the ultimate consignee named in the authenticated shipper's export declaration at optional ports where one of such optional ports is in a country not named as the ultimate country of destination in the license or declaration, unless written authorization has been granted by the Office of International Trade. However, where the authenticated shipper's export declaration provides for delivery of cargo consisting of commodities subject to this section to optional intermediate consignees located in ports in different countries, the carrier may issue a bill of lading providing for delivery at such optional ports.

(c) *Statement regarding ultimate destination on declaration, bill of lading and commercial invoice.* (1) (i) No shipment of cargo subject to the provisions of this section may be made unless the licensee or his forwarding agent shall place the following statement (filling in the blank space with the name of the country of ultimate destination set forth in the shipper's export declaration) on all copies of the shipper's export declaration presented to the collector of customs at the port of exit for authentication:

These commodities licensed by U. S. for ultimate destination (name of country). Diversion contrary to U. S. law prohibited.

(ii) If the validated export license authorizes distribution or resale of the named commodities in a country or countries other than the named country of ultimate destination, the following statement (in lieu of the preceding statement) shall be set forth on all copies of the shipper's export declaration:

These commodities licensed by U. S. for ultimate destination (name of country) and for distribution or resale in (name of other approved countries as shown on validated license). Diversion contrary to U. S. law prohibited.

(2) No carrier by water, land, or air shall issue, and no licensee, shipper, consignor, exporter or consignee, or their agents, or any other person, shall prepare or procure a bill of lading covering an exportation of a commodity with respect to which a shipper's export declaration has been authenticated by a collector of customs containing the statement set forth in subparagraph (1) of this paragraph, unless all copies of such bill of lading, including all non-negotiable and office copies, shall contain the same statement.

(3) No licensee, shipper, consignor, exporter, or agent thereof, or any other person shall prepare or issue any commercial invoice with respect to any shipment of commodities subject to the provisions of this section, unless such invoice or invoices, and all copies thereof, shall contain on the face thereof the statement set forth in subparagraph (1) of this paragraph.

(d) *Notice of prohibition against diversion.* (1) Whenever a commercial invoice shall be issued containing the statement prescribed in paragraph (c) of this section, the shipper or other person issuing such invoice shall promptly send copies thereof to (i) the ultimate consignee and the purchaser named in the authenticated shipper's export declaration, (ii) the intermediate consignee and (iii) any other persons named in the invoice who are located in a foreign country. Nothing herein contained shall be construed to limit the persons or classes of persons to whom such invoices and bills of lading are usually and customarily sent in the course of export trade. The shipper or other person issuing the commercial invoice may either omit all reference to price or sales commission from the copy of the invoice sent to any of the above-named persons, provided such invoice otherwise adequately identifies the shipment; or in lieu of a copy of the commercial invoice, may send a copy of the bill of lading containing the statement prescribed in paragraph (c) of this section.

(2) No person, including the ultimate consignee or intermediate consignee and any on-forwarding carrier, shall, after notification of the prohibition against diversion prescribed in paragraph (c) of this section, whether by such invoice or bill of lading or by any other means, divert or cause to be diverted any of the commodities described in such bill of lading to any country of ultimate desti-

nation other than that named in such notification.

(e) *Proof of notice.* In any administrative compliance proceeding brought by the Office of International Trade, evidence of the sending of such invoice or bill of lading or other form of notification of the prohibition against diversion to any person, shall constitute prima facie proof of his receipt thereof and of notification that the commodities have been licensed for a particular country of ultimate destination and may not be lawfully diverted to any other country. In addition, proof of the sending of such notice to the intermediate consignee shall be deemed notification of such prohibition to the ultimate consignee and purchaser.

(f) *Unloading of cargo at a port in other than intermediate or ultimate country of destination.* Nothing contained in the regulations in this part shall be deemed to prohibit a carrier from unloading cargo at a port in other than the intermediate or ultimate country of destination shown on the authenticated shipper's export declaration where, by reason of an act of God, perils of the sea, damage to the carrier, strikes, war, political disturbances, insurrection, or other causes beyond the control of the carrier set forth as standard provisions of the carrier's bill of lading, it is not feasible to deliver the cargo at the licensed port of destination. Whenever, because of the existence of any of the said causes, cargo is unloaded at a port in any other country:

(1) The carrier shall promptly, and within 10 days from the date of unloading such cargo, report the facts with respect thereto to the nearest American consul and to the agent of the carrier located in the United States. Within 10 days after the receipt of such notice by the agent of the carrier in the United States, such agent shall transmit a copy of the report to the Office of International Trade. This report shall consist of a copy of the manifest of such diverted cargo together with a statement of the place of unloading and the name and address of the person in whose custody the commodities were delivered.

(2) The exporter of such commodities shall, upon notice from the Office of International Trade of such diversion, promptly, and within 10 days, notify the Office of International Trade of the proposed disposition of the commodities.

(3) No person, including the exporter, the licensee, any consignee, or the carrier and any agent or person acting on its behalf, shall take any steps to effect delivery or entry of the commodities into the commerce of the country where unloaded without prior approval of the Office of International Trade. The carrier shall take steps to assure that such commodities are placed in custody under bond or other guaranty not to enter the commerce of such country or any country other than the countries of the ultimate and intermediate consignees shown on the authenticated shipper's export declaration without such prior approval.

(g) *Indication of shipper's export declaration number on ship's manifest.* The carrier or its agent shall, on all

copies of that manifest which is filed with the U. S. collector of customs, indicate thereon, with respect to each shipment, the applicable shipper's export declaration number assigned to each such shipment by the collector of customs.

INTERPRETATIONS

1. Q. Who other than the shipper is authorized to insert the ultimate destination control statement on the export declaration, the bill of lading and the commercial invoice, as provided by § 381.4?

A. The forwarding agent is deemed to have authority to insert the ultimate destination control statement required by § 381.4 (e) (1) on the bill of lading, shipper's export declaration, and commercial invoices, unless the forwarding agent's authorization prohibits him from so doing. If carrier prepares the bill of lading, the carrier must insert the statement on that document based upon information communicated to the carrier by the exporter or his authorized forwarding agent, i. e., an authenticated shipper's export declaration or a validated license, or a properly executed shipper's export declaration given to the carrier for submission to collectors for authentication containing the statement.

2. Q. If shippers or their agents located in inland cities forward to carriers at ports of exit export declarations, bills of lading, and commercial invoices without having inserted the ultimate destination control statement, is it necessary for the carrier to return the documents to the shipper or his agent?

A. If shipper's export declaration presented to the carrier does not contain the ultimate destination control statement, the carrier cannot add such statement to the declaration unless specifically authorized by exporter, nor can the carrier issue a bill of lading containing the statement until exporter or his authorized forwarding agent has placed the statement on the declaration and the declaration has been authenticated by the collector. The carrier may not insert the statement on any shipper's export declaration or commercial invoice accompanying the shipment, unless authorized by designation as provided in case of forwarding agents.

3. Q. Is the collector responsible for checking as to the ultimate destination control statement on the bill of lading and on invoices, as well as on the export declaration?

A. Collectors of customs have the responsibility for checking as to the ultimate destination control statement on all shipper's export declarations submitted for authentication, and should ascertain that the inscription has been placed on any bills of lading or invoices which they receive in the regular course of business or which otherwise come to their attention. In other cases, collectors may, wherever they deem it appropriate, to assure compliance with the regulations, check the bill of lading or commercial invoices as to the ultimate destination control statement or other matters.

4. Q. Do the destination control provisions apply to Positive List commodities exported under such general licenses as GLV, BAGGAGE and TOOLS OF TRADE?

A. The provisions of § 381.4 apply to GLV shipments and to shipment of Positive List commodities under any other general license where an export declaration is required. However, no ultimate destination control statement is required on declarations of commodities exported under general license BAGGAGE.

5. Q. Does this regulation apply to in-transit shipments?

A. The ultimate destination control statement is not required for shipments made under general license GIT, but is required for intransit shipments of commodities excepted from GIT (§ 371.9 (c) of this subchapter),

and for commodities moving in transit to Subgroup A, Hong Kong, and Macao.

6. Q. Does paragraph 381.4 (g) apply only to ship's manifest?

A. The paragraph applies only to customs outward foreign manifest.

§ 381.5 *Return or unloading of cargo at direction of Department of Commerce—(a) Exporting carriers.* (1) Any exporting carrier which has departed from the United States with any commodity on board which has not been cleared for export in accordance with the provisions of § 379.1 (a) (1) of this subchapter, or with any commodity on board as to which any other violation of export control regulations (Parts 370 through 399 of this subchapter) has occurred, and which is in possession or control of such commodity, shall, as may be directed by the Office of International Trade, either (i) return such commodity to the United States or cause such commodity to be so returned, or (ii) unload such commodity at a port of call and take steps to assure that such commodity is placed in custody under bond or other guaranty not to enter the commerce of any foreign country without prior approval of the Office of International Trade.

(2) The provisions of § 381.4 (f) relating to reporting, notification to the Office of International Trade, and the prohibition against unauthorized delivery or entry of the commodity into a foreign country, shall apply also to commodities directed to be unloaded at a port of call, as provided in this section.

(b) *Agents of the carrier or vessel.* The agent of the carrier or vessel having such commodity aboard or which is in possession or control of such commodity, as provided in paragraph (a) of this section, shall notify the master of the vessel immediately upon discovery of such export control violation.

NOTE: This section in no wise relieves exporting carriers of their responsibilities under regulations of the Bureau of Customs (particularly under U. S. Code, title 46, sections 91 and 92).

Commodities returned to the United States pursuant to this section are required by customs regulations to be removed from the dock or pier where deposited within 48 hours, or the commodities will be placed in storage with charges leviable against the commodities.

PART 382—DENIAL OR SUSPENSION OF EXPORT PRIVILEGES

Sec.	
382.1	Authority to deny export privileges.
382.2	Compliance Commissioners.
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382.4	Default.
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AUTHORITY: §§ 382.1 to 382.51 issued under 63 Stat. 7, as amended; 50 U. S. C. App., 2023, E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR 1948 Supp.

§ 382.1 *Authority to deny export privileges.* Any person who violates any law or regulation relating to export control may be denied the privilege of exporting, receiving, or otherwise participating in any exportation of any commodity, or of technical data, from the United States to any foreign destination, including Canada; and of financing, transporting, or other servicing of such exports. Such denial of export privileges shall take the form of an order issued in the name and under the authority of the Assistant Director for Export Supply of the Office of International Trade and shall be effective for such period of time and on such terms and conditions as may be deemed appropriate and prescribed therein. Such an order may be made applicable not only to persons named therein as having committed a violation but also, to the extent necessary to prevent evasion, to other persons with whom said named persons may be related by ownership, control, or other connection in the conduct of export trade. Any statute, proclamation, Executive order, regulation, or order applicable to any conduct involved in obtaining or using an export license or other export control document shall be deemed to be a "law or regulation relating to export control."

Note: This procedure in no way restricts the present practice of referring appropriate cases to the Department of Justice for criminal prosecution. Violations of export control regulations not only may result in denial of export privileges but also are punishable by a fine of not more than \$10,000, or by imprisonment for not more than 1 year, or both. Any submission of false information, whether in connection with license applications, export declarations, investigations, compliance proceedings, appeals, or otherwise, is punishable by a fine of not more than \$10,000, or by imprisonment for not more than 5 years, or both.

§ 382.2 *Compliance Commissioners.* The Director of the Office of International Trade will designate one or more persons to act as Compliance Commissioners, who shall have the powers and duties provided herein. Persons attached to the Export Supply Divisions or Investigation Staff of the Office of International Trade shall not be qualified to act as Compliance Commissioners.

§ 382.3 *Institution of proceedings.* The Chief, Export Control Investigation Staff, may, with the approval of the Office of the General Counsel, initiate proceedings for the denial of export privileges of any person who he has reason to believe has violated any law or regulation relating to export control. Such proceedings shall be initiated by sending a notification (to be known as a charging letter) either by telegraph or by registered mail to each person against whom proceedings are brought (to be known as a respondent) at his last known address. The charging letter shall set forth the specific violations charged, including reference to the particular regulatory or other provisions alleged to have been violated, and shall give notice that, if the respondent is found to have committed the alleged violations, his export privileges may be denied. The charging letter shall inform the respondent that he may submit his answer in writing or,

if he so requests, may be accorded an oral hearing at a time and place to be subsequently fixed, but that, unless either his written answer or his written request for an oral hearing is received by the Chief, Export Control Investigation Staff, within 10 days after receipt of the charging letter by respondent, he will be held in default and an order denying his export privileges may be entered forthwith. Charges may be amended from time to time upon reasonable notice.

§ 382.4 *Default.* If the respondent does not answer the charges or request an oral hearing within the time prescribed in § 382.3, he shall be held in default. In such case the evidence of violation shall be informally presented to the Compliance Commissioner, but the proceedings shall otherwise be the same as in contested cases. Failure of a respondent to receive a charging letter addressed and transmitted to him as provided in § 382.3 shall not prevent or invalidate such default but a respondent who has not received the charging letter may at any time move to vacate or modify any order issued pursuant to such charging letter. Proceedings on such a motion, including a hearing if requested, shall be conducted as provided in § 382.11 (c) with respect to motions to vacate or modify a temporary suspension order.

§ 382.5 *Answer.* The respondent may answer the charges or request an oral hearing within the time prescribed in § 382.3 by submitting his written answer or request in duplicate to the Chief, Export Control Investigation Staff, Office of International Trade, Department of Commerce, Washington 25, D. C. If the respondent so desires, he may waive the oral hearing and have the case considered by the Compliance Commissioner on the basis of his written answer, in which event final disposition of the case shall be made without formal hearing. In lieu of such a hearing, the evidence of violation shall be informally presented to the Compliance Commissioner, who shall consider it, together with the answer, but the proceedings shall otherwise be the same as in other cases. If the respondent desires to present his answer at an oral hearing, he shall be accorded an opportunity to do so at a time and place to be fixed by the Director, Export Control Investigation Staff, on at least 10 days' notice, provided the respondent has requested such hearing within the time prescribed in § 382.3. The date of hearing may be advanced upon request, and hearings may be postponed or continued from time to time upon reasonable notice.

§ 382.6 *Subpoenas.* The Compliance Commissioner may issue subpoenas, returnable before him, at the request of any party to a proceeding before him, requiring the attendance of witnesses and the production of books, records, or other documentary or physical evidence determined by the Compliance Commissioner to be relevant and material to the proceedings, reasonable in scope, and properly obtainable by subpoena.

§ 382.7 *Hearings.* Hearings shall be conducted by the Compliance Commis-

sioner in a fair and impartial manner. The exclusionary rules of evidence prevailing in courts of law shall not apply, but all evidence relevant and material to the inquiry shall be received and given appropriate weight. The Compliance Commissioner may administer oaths and affirmations. Respondent may be represented by counsel but need not be. The proceedings shall be taken by a reporter, transcribed, and filed with the Compliance Commissioner. Respondent shall have an opportunity of examining the transcript and of obtaining a copy upon payment of proper costs. Any party to the proceedings may file a bill of exceptions to the transcript with the Compliance Commissioner within 5 days after a copy of the transcript is made available to him, or within such other time as the Compliance Commissioner may prescribe. The Compliance Commissioner shall rule upon such exceptions in making the report for which provision is made in § 382.8. Any bill of exceptions so filed shall henceforth accompany the transcript.

§ 382.8 *Report of Compliance Commissioner.* The Compliance Commissioner shall consider the record, including any bill of exceptions filed thereto, and shall prepare a written report which shall include findings of fact, including a finding whether or not a violation has occurred, and recommendations. The report, transcript, exhibits, and bills of exceptions, if any, shall be transmitted to the Assistant Director for Export Supply.

§ 382.9 *Disposition.* The Assistant Director for Export Supply shall review the record, consider the report of the Compliance Commissioner, and determine the disposition of the case. If the Compliance Commissioner has found that a violation has been committed, his recommendations shall be advisory only, and the Assistant Director for Export Supply may issue such order as he deems appropriate. If the Compliance Commissioner has found that no violation has been committed, the Assistant Director for Export Supply shall enter an order dismissing the charges. A certified copy of the order, together with a copy of the Compliance Commissioner's report, shall be sent to the respondent by registered mail. Any such order denying export privileges shall be published in the FEDERAL REGISTER as soon as practicable after issuance.

§ 382.10 *Consent orders.* The Director, Export Control Investigation Staff, and the respondent may, after transmission of a charging letter, by agreement submit to the Compliance Commissioner a proposal for the issuance of a consent order. The Compliance Commissioner shall review the facts of the case and the proposal and for this purpose may conduct informal conferences with the parties and may require the informal presentation before him of the evidence in the case. If he does not approve the proposal, he shall so notify the respondent and the Director, Export Control Investigation Staff, and the case shall proceed to hearing. If he approves the proposal, he shall report the facts of the

case with his recommendations to the Assistant Director for Export Supply. The Assistant Director for Export Supply may reject the proposal, in which event the case will proceed to hearing, or he may accept the proposal and issue an appropriate order.

§ 382.11 *Temporary suspensions*—(a) *Suspension by charging letter.* A charging letter may by its terms suspend, from and after the date of its issuance, the respondent's privilege to obtain or use validated export licenses and may revoke and require the return for cancellation of outstanding validated licenses but shall not otherwise suspend the respondent's export privileges. Such latter privileges, however, may be suspended as provided below in paragraph (b) of this section.

(b) *Temporary suspension orders.* (1) The export privileges of any person who is under investigation, or against whom administrative or judicial proceedings are pending, for violation of any law or regulation relating to export control, may be suspended summarily, without prior notice or opportunity for hearing, where and to the extent such suspension is found reasonably necessary to protect the public interest pending final disposition of the investigation or proceedings. Such a temporary suspension order shall be issued only for such limited time, ordinarily not exceeding 30 days, as may be required to complete the investigation or the proceedings, but may, on a showing of need for additional time, be extended in the same manner as originally issued.

(2) An application for such a temporary suspension order shall be made by the Director, Export Control Investigation Staff, to the Compliance Commissioner and shall include a brief recital of the facts of the case and a statement of the grounds for the application and the nature of the order sought. The Compliance Commissioner shall review the application and for this purpose may require informal presentation of evidence before him. If he does not approve the application, he shall so notify the Director, Export Control Investigation Staff, by memorandum, and no further action shall be taken upon it; but if he approves it, he shall send his recommendation, together with the application and accompanying documents to the Assistant Director for Export Supply, who may issue such temporary suspension order as he shall deem appropriate. A certified copy of the order shall be sent to the respondent by registered mail.

(c) *Motions to vacate or modify.* The respondent may at any time move to vacate or modify any temporary suspension contained in any charging letter or order. Any such motion shall be filed with the Compliance Commissioner and an oral hearing thereon, if requested, shall be held before the Compliance Commissioner at the earliest possible date. The Compliance Commissioner shall consider the evidence presented and shall submit his report and recommendations thereon to the Assistant Di-

rector for Export Supply. The latter may issue such order disposing of the motion as he shall deem appropriate, and a certified copy thereof shall be promptly communicated to the respondent.

(d) *Deferment of action on license applications otherwise prohibited.* Except for the particular application or license which is itself the basis of any investigation or proceeding, and except pursuant to paragraph (a) of this section, no export license application filed by any person shall be returned without action, held without action, or rejected, by reason of the fact that such person is under investigation, or that proceedings against him are pending, otherwise than in accordance with the terms of a temporary suspension order issued under paragraph (b) of this section.

§ 382.12 *Rehearings.* The Compliance Commissioner may upon written request grant a rehearing or reopen a proceeding at any time for the purpose of hearing any relevant and material evidence which was not known or which was unobtainable at the time of the original hearing. The request for rehearing or reopening shall contain a summary of such evidence, the reasons why it is deemed relevant and material, and the reasons why it could not have been presented at the original hearing. The Compliance Commissioner shall give prompt notice of the time and place of any further hearing, if one is held, and shall conduct such hearing and submit his report and recommendations thereon to the Assistant Director for Export Supply for final action in the same manner as provided for the original proceedings.

§ 382.13 *Appeals*—(a) *Grounds of Appeal.* The respondent may appeal from a suspension or denial of export privileges upon the ground (1) that the findings of violation are not supported by any substantial evidence, (2) that prejudicial error of law was committed or (3) that the provisions of the order are arbitrary, capricious, or an abuse of discretion. The appeal must specify upon which of these grounds the appeal is based and must indicate from which provisions of the order the appeal is taken.

(b) *Filing of appeals.* An appeal must be in writing and must be filed with the Appeals Board, Bureau of Foreign and Domestic Commerce, Department of Commerce, Washington 25, D. C. An appeal from a temporary suspension by charging letter or order may not be filed unless the respondent has unsuccessfully moved to vacate or modify such temporary suspension as provided in § 382.11 (b) and, in addition, unless such temporary suspension has remained in effect for at least 60 days. An appeal from a final order denying export privileges must be filed within 10 days after receipt of a copy of the order. The provisions of Part 383 of this subchapter shall govern the procedure and disposition of appeals except as otherwise provided in this section.

(c) *Matters considered on appeal.* A hearing before the Appeals Board shall not constitute a trial *de novo*, but the appeal shall be considered upon the basis of the record, consisting of the charging letter, the transcript of the hearing before the Compliance Commissioner, including any bills of exceptions thereto, the report of the Compliance Commissioner, the order of the Assistant Director for Export Supply, and any other relevant documents involved in the proceedings before the Compliance Commissioner. If the respondent has requested and been denied a rehearing or reopening on the basis of new evidence, the Appeals Board may direct that such rehearing or reopening be granted if it finds that such new evidence is relevant and material to the issues and was not known or was not available to the respondent at the time of the original hearing. The Appeals Board shall not consider facts or arguments affecting the merits of the policy embodied in rules or regulations alleged to have been violated.

(d) *Effect of appeal.* The taking of an appeal shall not stay the operation of any order. The decision of the Appeals Board shall be final and shall be promptly transmitted to the respondent and published in the FEDERAL REGISTER.

§ 382.14 *Proceedings confidential.* All proceedings prior to the issuance of an order by the Assistant Director for Export Supply shall be confidential. Reports of the Compliance Commissioner and copies of transcripts of hearings shall be available only to parties to the proceedings and, to the extent of their own testimony as contained in transcripts, to witnesses therein. Any such matters may, however, be made available to any government agency having a proper interest therein.

§ 382.51 *Table of compliance orders currently in effect denying export privileges*—(a) *Contents.* (1) This table contains orders issued by the Office of International Trade which currently revoke, suspend, or deny export privileges. Suspension orders which by their terms have ceased to operate are not included. Temporary suspensions by order or charging letter are likewise not included. (Until a formal compliance order is issued the proceedings in compliance cases are kept confidential.)

(2) The Table of Compliance Orders will be amended to list additional compliance orders which may be issued and to delete listed orders whenever they expire.

(3) The Table contains the name and address of all United States and foreign persons, corporations, and firms denied export privileges by compliance orders based on findings of violations of the laws and regulations relating to export control, effective date of order, expiration date of order, export privileges affected and the volume and page of the FEDERAL REGISTER in which the complete text containing the factual and legal basis for each cited order can be found.

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section in the conduct of export trade. Accordingly, reference should be made to the text of the order in any particular case to ascertain whether it is applicable to related persons (see § 382.1).

Section 381.1 (b) (4) of this subchapter makes it unlawful for any person knowingly to apply for or obtain any license, shipper's export declaration, bill of lading, or other export control document relating to any prohibited exportation of commodities to or for a suspended person, firm, or corporation without first disclosing this fact to the Office of International Trade and obtaining specific authorization where necessary.

(b) Table of compliance orders:

(4) Orders denying export privileges are issued not only for violations involving unauthorized transshipments of strategic commodities but also for other types of violations relating to export control. Therefore, to ascertain the grounds for any order, reference should be made to the cited issue of the FEDERAL REGISTER for the text of the order.

Note: License denial orders usually contain a provision making them applicable not only to persons named therein as having committed a violation but also, to the extent necessary to prevent evasion, to other persons with whom said named persons may be related by ownership, control, or other con-

Name and address	Effective date order	Expiration date order	Export privileges affected	Federal Register citations
Abers, C. F., 1 Wall St., New York, N. Y.	6-1-51	6-13-54	General and validated licenses, all commodities, any destination.	16 F. R. 3848, 6-19-51
American Helioptic Corp., 17 Battery Pl., New York, N. Y.	10-14-48	Duration	General and validated licenses, all commodities, any destination.	13 F. R. 6124, 10-20-48
American Industrial Products Co., 111 Broadway, New York, N. Y.	5-8-51	2-8-53	General and validated licenses, all commodities, any destination.	16 F. R. 8897, 8-15-51
American Macaron Products Export, 12 Rue de Caspell, Grebert, Casablanca, French Morocco, and 10 Calle Francisco, Victoria, Trinidad	6-16-51	6-14-53	General and validated licenses, all commodities, any destination.	16 F. R. 6061, 5-29-51
Arnold, Thomas A., 1 Hanson Pl., Brooklyn, N. Y.	1-28-52	7-19-53	Validated licenses, all commodities, any destination, and commodities, any destination.	17 F. R. 570, 1-25-52
Belgian Corp., 1186 Broadway, New York, N. Y.	5-3-49	Duration	General and validated licenses, all commodities, any destination.	14 F. R. 4913, 4-9-49
Benzetti, Nicholas B., 602 Broadway St., San Francisco, Calif.	5-31-49	do	do	14 F. R. 1688, 5-28-49
Berk, Milton, 1457 Le June Rd., Coral Gables, Miami, Fla.	5-25-49	do	do	14 F. R. 2882, 5-21-49
Reynolds, Esson M., 88-86 Leaside House, Leaside St., P.O.B. 8102, Johannesburg, Union of South Africa	4-24-51	do	do	16 F. R. 2071, 4-28-51
Bialick, William E., 136 Liberty St., New York, N. Y.	3-7-52	9-7-53	Validated licenses, all commodities, any destination, also exports to Canada.	17 F. R. 2157, 2-12-52
Blitt, John, Jr., International Trade Mart, 124 Camp St., New Orleans, La.	2-13-52	Until further notice	General and validated licenses, all commodities, any destination, also exports to Canada.	17 F. R. 1653, 2-15-52
Branzles, Ralph Barry, 14 Beeson Street, Zurich, Switzerland.	9-24-51	Duration	General and validated licenses, all commodities, any destination.	16 F. R. 10088, 10-3-51
Carson, Edward, 11 Chippinway Bldg., 45 Lexington Ave., New York, N. Y.	8-15-51	9-14-53	General and validated licenses, all commodities, any destination.	16 F. R. 3227, 8-21-51
Carnoy, Charles, 1 Wall St., New York, N. Y., and Clarkburg, W. Va.	6-12-51	6-12-54	General and validated licenses, all commodities, any destination.	16 F. R. 2645, 6-19-51
Chien, C. F., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	do	16 F. R. 2645, 6-19-51
Chia, C. H., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	do	16 F. R. 2645, 6-19-51
Cohn, Julia, 1186 Broadway, New York, N. Y.	8-3-49	Duration	General and validated licenses, all commodities, any destination.	14 F. R. 4913, 8-9-49
Corti, Dante, Via Orzesi, 257, Genoa, Italy, and Viale Montegrappa 24, Prato, Italy.	6-14-52	do	do	17 F. R. 3584, 4-13-52
Cosmopolitan Supply Co., Inc., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	General and validated licenses, all commodities, any destination.	16 F. R. 2645, 6-19-51

Name and address	Effective date order	Expiration date order	Export privileges affected	Federal Register citations
Croton Trading Co., 136 Liberty St., New York, N. Y.	3-7-52	9-7-53	Validated licenses, all commodities, any destination, also exports to Canada.	17 F. R. 2157, 2-12-52
Croton Trading Co., Inc., 136 Liberty St., New York, N. Y.	3-7-52	9-7-53	do	17 F. R. 2157, 2-12-52
De Fiat, Victor E., 1364 Broadway, New York, N. Y.	3-10-50	Duration	General and validated licenses, all commodities, any destination.	15 F. R. 1194, 2-19-50
De Fiat, Victor E., 1364 Broadway, New York, N. Y.	3-10-50	do	do	15 F. R. 1194, 2-19-50
Dunlop, M. J., Co., International Trade Mart, 124 Camp St., New Orleans, La.	2-13-52	Until further notice	No participation all commodities, general or validated licenses, as carrier, forwarder, exporter, or otherwise.	17 F. R. 1653, 2-15-52
Dunlop, M. J., Co., International Trade Mart, 124 Camp St., New Orleans, La.	2-13-52	do	do	17 F. R. 1653, 2-15-52
Dunlop, M. J., Co., International Trade Mart, 124 Camp St., New Orleans, La.	4-7-52	Duration	General and validated licenses, all commodities, any destination.	17 F. R. 2341, 4-12-52
Eidman, M. H., Manning Maxwell & Moore, Inc., 405 Lexington Ave., New York, N. Y.	8-15-51	8-14-53	do	16 F. R. 8297, 8-21-51
Electra Commodity & Barter Corp., 3 East 48th St., New York, N. Y.	5-28-51	Duration	do	16 F. R. 5295, 6-9-51
Froner, Adolph, 12 Rue Du Caporal, Grebert, Casablanca, French Morocco, and 10 Calle Francisco, Victoria, Trinidad	6-6-51	6-14-53	do	16 F. R. 6061, 6-23-51
Gambino, A. G., Lucerne, Switzerland	4-20-51	Duration	do	16 F. R. 3070, 4-28-51
Gambino, Corp., Construction Co., Lucerne, Switzerland	4-20-51	do	do	16 F. R. 3070, 4-28-51
Gambino, Hans, Lucerne, Switzerland	4-20-51	do	do	16 F. R. 3070, 4-28-51
Gambino, Johann, Lucerne, Switzerland	4-20-51	do	do	16 F. R. 3070, 4-28-51
Grol Trust, Reg., Hauptstrasse 33, Vaduz, Liechtenstein.	1-3-52	12-31-52	do	17 F. R. 167, 1-5-52
A. Givinsky, Establishments due Grol, Ninety-four Ave., Lucerne, Bressan, Belgium	1-3-52	12-31-52	do	17 F. R. 167, 1-5-52
Grip, Roll G., 182 York Ave., New York, N. Y.	7-3-50	Duration	General and validated licenses, all commodities, any destination.	15 F. R. 4323, 7-7-50
Hartung, Marvin F., 1 Wall St., New York, N. Y.	6-12-51	9-12-54	do	16 F. R. 2845, 6-19-51
Hartung, Dr. Georg, 16 Beeson Street, Zurich, Switzerland	9-24-51	Duration	General and validated licenses, all commodities, any destination.	16 F. R. 10088, 10-3-51
Industrially Specialty Co. Ltd., 18 Brookham Green, London, S.W. 1, England	11-9-50	do	do	15 F. R. 8898, 12-14-50
Industrial Commerciale Odeon, Af. Ind. Società (S. I. C. O. A.) Viale Montegrappa 24, Prato, Italy	4-14-52	do	do	17 F. R. 3301, 4-15-52
International Marketers, Ltd., 59 George St., London, W. 1, England	3-25-52	1-31-53	do	17 F. R. 2792, 3-29-52
Italiana Gestione Immobiliare, Società (S. I. G. I.), Via Montegrappa 24, Prato, Italy	4-14-52	Duration	do	17 F. R. 3301, 4-15-52
Jackson, George, 15 Brookingham Gate, London, S.W. 1, England	12-5-50	do	do	15 F. R. 8898, 12-14-50
Janik, Carl Lohman, 486 Seaman Beach Ave., Old Greenwich, Conn. (formerly 11 Rockefeller Plaza, New York, N. Y.)	12-26-50	do	do	15 F. R. 9311, 12-30-50
Havens Trading Corp., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	General and validated licenses, all commodities, any destination.	16 F. R. 2645, 6-19-51
Kauntz, Theodore E., 17 Battery Pl., New York, N. Y.	10-15-48	Duration	General and validated licenses, all commodities, any destination.	13 F. R. 6124, 10-20-48
Ketzer, Choon, 11 Via Trento, Trieste, Free Territory of Trieste	12-8-50	do	General and validated licenses, all commodities, any destination.	15 F. R. 8898, 12-14-50
Ketzer, Theodore E., 204 Franklin St., New York, N. Y.	7-28-50	do	do	15 F. R. 6779, 8-2-50
Ketzer, Theodore E., 204 Franklin St., New York, N. Y.	8-29-49	do	General and validated licenses, all commodities, any destination.	14 F. R. 5100, 8-31-49

Name and address	Effective date order	Expiration date order	Export privileges affected	Federal Register citation	Name and address	Effective date order	Expiration date order	Export privileges affected	Federal Register citation
Kelch, Leopold L., Veerhaven 14, Rotterdam, Holland.	3-24-51	Duration	General and validated licenses, all commodities, any destination.	16 F. R. 10088, 3-29-51	Oceanic Express Co., 168 West 204 St., New York, N. Y.	3-24-50	Duration	General and validated licenses, all commodities, any destination.	15 F. R. 1821, 3-30-50
Krasnow, Anna, 16-20 Maple St., Chelsea 98, Mass.	4-11-52	7-11-52	General and validated licenses, all commodities, any destination; also exports to Canada.	17 F. R. 3423, 4-11-52	Oryndak, L. & Co., 1133 East 168th St., New York, N. Y.	3-29-49	do	do	14 F. R. 1239, 3-29-49
Krasnow, William S., 16-20 Maple St., Chelsea 98, Mass.	4-11-52	7-11-52	do	17 F. R. 3423, 4-11-52	Oryndak, L. & Co., 1133 East 168th St., New York, N. Y.	3-29-49	do	do	14 F. R. 1239, 3-29-49
Krasnow, William S., 16-20 Maple St., Chelsea 98, Mass.	4-11-52	7-11-52	do	17 F. R. 3423, 4-11-52	Oryndak, L. & Co., 1133 East 168th St., New York, N. Y.	3-29-49	do	do	14 F. R. 1239, 3-29-49
Kung, L. K., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	General and validated licenses, all commodities, any destination.	16 F. R. 5845, 6-19-51	Pan Continental Trading Corp., 1 Wall St., New York, N. Y.	12-5-50	do	do	15 F. R. 8068, 12-11-50
Kung, Shim Co., Hong Kong	1-28-52	do	General and validated licenses, all commodities, any destination.	17 F. R. 964, 2-1-52	Pan Continental Trading Corp., 1 Wall St., New York, N. Y.	12-5-50	do	do	15 F. R. 8068, 12-11-50
La Rapina Shipping & Trading Co., 1694 Broadway, New York, N. Y.	3-10-50	Duration	General and validated licenses, all commodities, any destination.	15 F. R. 1694, 3-16-50	Pan Pacific Trading Co., 602 Broadway St., San Francisco, Calif.	3-31-49	Duration	General and validated licenses, all commodities, any destination.	14 F. R. 1680, 4-4-49
Lee, Chung Sea, 111 Broadway, New York, N. Y.	3-8-51	2-8-53	General and validated licenses, all commodities, any destination; also exports to Canada.	16 F. R. 8067, 3-15-51	Reuterberg, John, 168 West 23d St., New York, N. Y.	3-24-50	do	do	15 F. R. 1821, 3-29-50
Liebermann, Bernard, 1186 Broadway, N. Y., also 60 Rue Ravenstein, Brussels, Belgium.	3-8-49	Duration	General and validated licenses, all commodities, any destination.	14 F. R. 613, 8-9-49	Sabis, A. G., 15 Boersman Strass, Zurich, Switzerland.	9-24-51	do	do	16 F. R. 10088, 10-3-51
Lubrol, Donald, 1 Wall St., New York, N. Y.	6-12-51	6-12-54	General and validated licenses, all commodities, any destination.	16 F. R. 5845, 6-19-51	Semadis, & Co., 641 8th Ave., New York, N. Y.	3-24-49	do	do	14 F. R. 1005, 4-6-49
Lehman, Carl, 9 Rockefeller Plm., New York, N. Y.	12-26-50	Duration	General and validated licenses, all commodities, any destination.	15 F. R. 603, 12-30-50	Semadis, Peter K., 641 8th Ave., New York, N. Y.	3-24-49	do	do	14 F. R. 1005, 4-6-49
Lynch, Thomas P., 280 Kamath St., Brisbane, Calif., also 21 Bridge St., New York, N. Y.	3-5-52	12-25-52	General and validated licenses, all commodities, any destination; also exports to Canada.	16 F. R. 8067, 3-15-51	Shen, C. P., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	General and validated licenses, all commodities, any destination.	16 F. R. 5845, 6-19-51
Martins Distributors, Inc., 1260 47th St., Brooklyn 18, N. Y.	3-25-52	12-25-52	General and validated licenses, all commodities, any destination.	14 F. R. 2307, 3-19-52	Shim, Frank M., 75 Beaver St., New York, N. Y., and 20 Peck Seah St., Singapore.	1-28-52	7-18-52	Validated licenses all commodities, any destination and general licenses, Positive List commodities only, any destination.	17 F. R. 670, 1-22-52
Martins, Irving, 1260 47th St., Brooklyn 18, N. Y.	3-25-52	12-25-52	do	17 F. R. 2793, 3-29-52	Siegel, Robert, 1 Hanson Pl., Brooklyn 17, N. Y.	1-18-52	7-18-52	do	17 F. R. 670, 1-22-52
Martins, Olga H., 1260 47th St., Brooklyn 18, N. Y.	3-25-52	12-25-52	do	17 F. R. 2793, 3-29-52	Smith, Kingsley R., 1 Wall St., New York, N. Y.	1-18-52	7-18-52	do	17 F. R. 670, 1-22-52
Maurice May, Inc., 76 Beaver St., New York, N. Y.	1-28-52	10-28-52	General and validated licenses, all commodities, any destination.	17 F. R. 964, 2-1-52	Sobers, Madeline, 76 Beaver St., New York, N. Y.	1-28-52	10-28-52	General and validated licenses, all commodities, any destination; also exports to Canada.	16 F. R. 5845, 6-19-51
Maurice May, Ltd., 20 Peck Seah St., Singapore.	1-28-52	10-28-52	do	17 F. R. 964, 2-1-52	Soong, E. Y., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	General and validated licenses, all commodities, any destination.	16 F. R. 5845, 6-19-51
McQuinn, George W., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	General and validated licenses, all commodities, any destination.	16 F. R. 5845, 6-19-51	S. A. Compagnie N. V. Paul Stevens & Co., Stations, Paul, Manager Director, 33 Kinkof, Antwerp, Belgium.	9-17-51	Duration	General and validated licenses, all commodities, any destination.	15 F. R. 9607, 9-21-51
Metropolitan Trading Corp., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	General and validated licenses, all commodities, any destination.	16 F. R. 5845, 6-19-51	Stonhill G. C., 18 Buckingham Gate, London, SW1, England.	13-8-50	do	do	15 F. R. 8868, 5-14-50
Nederlands Transport Bureau, Veerhaven 14, Rotterdam, Holland.	3-23-49	do	General and validated licenses, all commodities, any destination.	14 F. R. 1269, 3-29-49	Sturzenegger, Oskar, Contrats en Exportation, Ryndaven N. V., Veerhaven 14-15, Rotterdam, Netherlands.	9-24-51	do	do	16 F. R. 10088, 10-3-51
Nelson, A., 172 Orchard St., New York, N. Y.	3-23-49	do	General and validated licenses, all commodities, any destination.	14 F. R. 1269, 3-29-49	Trakakis, Emmanouel, 11 Via Trento, Trieste, Free Territory of Trieste.	12-5-50	do	do	15 F. R. 8868, 12-14-50
Nelson, A., & Co., 172 Orchard St., New York, N. Y.	3-23-49	do	do	14 F. R. 1269, 3-29-49	Van Uden's N. V., Transport-Bureau, Veerhaven 15, Rotterdam, Holland.	9-24-51	do	do	16 F. R. 10088, 10-3-51
Nelson, Mrs. Danielle L., (nee Lederberg), New York, N. Y.	3-23-49	do	do	14 F. R. 1269, 3-29-49	Wang, Y. P., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	General and validated licenses, all commodities, any destination.	16 F. R. 5845, 6-19-51
Nelson, Murray M., New York, N. Y.	3-23-49	do	do	14 F. R. 1269, 3-29-49	Wormser, Paul, Nuschstrasse 19, Zurich, Switzerland.	5-19-50	Duration	do	15 F. R. 3194, 5-25-50
Nelson, Murray M., Inc., New York, N. Y.	3-23-49	do	do	14 F. R. 1269, 3-29-49	Wormser, Paul & Co., Nuschstrasse 19, Zurich, Switzerland.	5-19-50	do	do	15 F. R. 3194, 5-25-50
Nelson's Trading House, New York, N. Y.	3-23-49	do	do	14 F. R. 1269, 3-29-49	Yacuzzi, Trading Corp., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	do	16 F. R. 5845, 6-19-51
Netherlands Transport Bureau, Veerhaven 14, Rotterdam, Holland.	3-23-49	do	General and validated licenses, all commodities, any destination.	16 F. R. 10088, 10-3-51	Zeland, David (also uses the following names: Davis or David Zelling, Davis or David Zeland), 46 Cedar St., New York, N. Y.	5-28-51	Duration	do	16 F. R. 5845, 6-19-51
New York Export Agency Co., 280 Kamath St., Brisbane, Calif. and 31 Bridge St., New York, N. Y.	3-31-52	3-31-53	General and validated licenses, all commodities, any destination; also exports to Canada.	14 F. R. 2307, 3-19-52	Zeland, David, Corp., 46 Cedar St., New York, N. Y.	5-28-51	do	do	16 F. R. 5845, 6-19-51
Nygaard, Albert, Cuxipatlund, Lyngby.	3-31-52	3-31-53	do	17 F. R. 2307, 4-4-52					

PART 383—APPEALS

§ 383.1 *General procedure for appeals*—(a) *Purpose*. This section provides the general procedure for appeals, except as otherwise noted below.

(b) *Appealability of regulations and administrative actions*. Any person may appeal, upon the grounds set forth in paragraph (e) of this section, from:

(1) Any regulation issued by the Department of Commerce under the export control law or delegated authority relating thereto.

(2) Any administrative action of the Department of Commerce or duly authorized employees thereof, taken under the aforementioned authority, including appeals from compliance actions as provided for by § 382.13 of this subchapter.

Provided, That problems of an over-all nature, affecting exporters as a group, will not be considered within this appeals procedure, but may be referred to Commodity Advisory Panels and Commodity Advisory Committees as provided in § 384.1 of this subchapter.

(c) *Definitions*. For purposes of this section:

(1) "Regulation" means any provision of a regulation or order published in the FEDERAL REGISTER or announcement thereof in a Current Export Bulletin which is applicable generally to all persons or to a class of persons.

(2) "Administrative action" means any action taken by the Department of Commerce or duly authorized employees thereof under a regulation with respect to a particular person, and covers all actions taken on license applications, including return without action.

(3) "Appeal" means a request for relief as provided in this section from the provision of a regulation or of an administrative action, and includes an initial review.

(4) "Person" shall be construed to mean the singular or plural, an individual, corporation, partnership, association, company, or any other kind of organization whatsoever, including any government or agency thereof.

(5) "Appellant" means a person filing an appeal.

(d) *Establishment of appeals board*. The Appeals Board of the Bureau of Foreign and Domestic Commerce has been established as an impartial body to consider appeals. The Board consists of a Chairman, who is designated by the Assistant Secretary for Foreign and Domestic Commerce, and two other members.

(e) *Who may file and upon what grounds*. Any person affected by a regulation or administrative action of the kind described in paragraph (b) of this section may file an appeal on the ground that:

(1) The regulation or administrative action works an exceptional and unreasonable hardship upon him; or

(2) The regulation or administrative action improperly discriminates against him.

(f) *Preparation of appeals*. (1) Appeals must be in writing. All appeals and accompanying material shall be filed in triplicate, unless otherwise indicated

below. If the submission of three copies of all accompanying documents or exhibits would place an undue burden on the appellant, waiver of this rule may be requested at the time the appeal is filed. Appeals must be clearly marked "Ref: Appeals," followed by a reference to the regulation (or administrative action thereunder) appealed from, and shall be in letter form.

(2) All appeals must clearly state (i) the provisions of the regulation or the administrative action appealed from, (ii) the grounds for the appeal, and (iii) the relief requested by the appellant. The various grounds for the appeal should be separately stated and numbered, with a clear and concise statement of all facts alleged in support of each ground.

(3) A request for an oral presentation before the Appeals Board, as provided in paragraph (h) (1) of this section, must be in writing and should be filed with the appeal.

(4) An appeal not prepared or filed substantially as provided in this section may be returned to the appellant without action.

(5) In addition to the above-described appeals letter, the following papers must be included with appeals of the kind hereinafter described in this paragraph.

(i) Appeals from rejection of license applications must include (a) the Notification of Rejection (Form IT-204A), (b) a new original copy of the license application (IT-419) on which should be entered the Department of Commerce old case number in the space provided, and (c) an acknowledgment card (IT-116) showing the old case number.

(ii) Appeals from license applications returned without action must include (a) the returned-without-action license application (IT-419), and (b) an acknowledgment card (IT-116) showing the old case number.

(iii) Appeals from multiple commodities or multiple consignee applications disallowed in part must include (a) a certified or photostatic copy of the original application, (b) a complete new application covering only the rejected items, and (c) the appropriate acknowledgment card.

(iv) Appeals from rejection of request for extension of licenses must include the license unless it has been previously surrendered to the Department of Commerce or a collector of customs.

(v) Appeals from denial of request to transfer export licenses must include (a) letters of request for transfer in triplicate from the transferor and transferee, and (b) the original license unless the license is on file with the Department of Commerce.

(vi) Appeals from rejection of unit-process applications must be for the group comprising such applications and must include (a) the Notification of Rejection (Form IT-204A), (b) new original copies of the license application (IT-419), on which should be entered the Department of Commerce old case numbers, and (c) an acknowledgment card (Form IT-116) showing the old case numbers.

(g) *When and where to file appeals other than appeals from suspension*

orders.¹ Appeals may be filed not later than 20 days after the publication date of a regulation, or the date of transmittal of written notification of administrative action, or of a determination upon the initial review.² All appeals shall be filed with and addressed to the Department of Commerce, Washington 25, D. C.

(h) *Consideration of appeals*.³ All appeals, except appeals from denial of the privilege of obtaining or using export licenses, will be considered and reviewed initially by appropriate officials of the Office of International Trade prior to submission of the appeals to the Appeals Board. The Appeals Board will consider only those appeals in which the appellant expressly requests in writing that his appeal be considered by the Appeals Board. An appellant may request consideration of his appeal by the Appeals Board at the time of original submission or after determination upon the initial review of his appeal by appropriate officials of the Office of International Trade as set forth in this paragraph.

(1) *Oral presentations*. In exceptional cases, where the Appeals Board believes it to be necessary to a proper determination, the appellant may be granted an opportunity to present orally further facts and argument. A date will be set and notice of the time and place (in Washington, D. C.) will be given the appellant by the Appeals Board at least 10 days before the date set for the oral presentation. Such presentation will be heard informally; generally no oaths will be administered to witnesses; and the Appeals Board will not necessarily abide by the rules of evidence. Appellants need not be represented by counsel unless they so wish.

(2) *Records*. Records concerning each appeal will be maintained by the Office of International Trade and may be made available for inspection and copying by persons properly concerned, upon written application. Such application must be addressed to the Appeals Board, and shall set forth the applicant's interest, a description of the material or information contained in the record to be inspected or copied, and the purpose for which it is sought.

(i) *Decisions*. All appeals will be considered and decided within a reasonable time after they are filed. An appeal may be granted or denied, in whole or in part. Determinations by the Appeals Board shall be final. The determination of an

¹ The procedure for filing appeals from suspension orders and denials of license privileges is set forth in § 382.13.

² A rejection of an export license application on the ground that the proposed exportation is contrary to the national interest may be appealed. Such an appeal is appropriate, for instance, if appellant believes he has not furnished sufficient information as to the nature, characteristics, and possible end-use of the commodity in question, and that an appeal may lead to favorable reconsideration. In such cases, upon request and the showing of sufficient justification, the Appeals Board may waive the time limitation.

³ The basis for consideration of appeals from suspension orders and denials of licensing privileges is set forth in § 382.13 of this subchapter.

appeal will be communicated to the appellant in writing.

(83 Stat. 7, as amended; 50 U. S. C. App., 2023, E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR, 1948 Supp.)

PART 384—GENERAL ORDERS

- Sec. 384.1 Commodity advisory panels and committees.
- 384.2 Conduct of business and practice before Office of International Trade.
- 384.3 Order suspending licenses to North Korea.
- 384.4 Order revoking validated licenses to Manchuria and China.
- 384.5 Order revoking certain general licenses to Mainland of China (including Manchuria), Hong Kong and Macao.
- 384.6 Order extending validated license requirements to in-transit shipments to certain destinations.
- 384.7 Order suspending validated licenses to Hong Kong and Macao.
- 384.8 Orders modifying validity of certain export licenses.
- 384.9 Order revoking certain general licenses to Subgroup A destinations.
- 384.10 Deleted, effective March 31, 1952.
- 384.11 Deleted, effective March 31, 1952.
- 384.12 Order relating to certain licenses for steel.

AUTHORITY: §§ 384.1 to 384.12 issued under 63 Stat. 7, as amended; 50 U. S. C. App., 2023, E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR, 1948 Supp.

§ 384.1 *Commodity advisory panels and committees*—(a) *Purpose.* The purpose of this section is to establish a procedure whereby the export trade may consult with and give information and advice to the Office of International Trade of the Department of Commerce concerning export licensing policies and procedures under the export-control law.

(b) *Organization of the panels and committees*—(1) *Representation by commodities.* It is intended, for convenient operation and size, to provide representation of the export trade by commodities. Wherever practicable, segments of the export trade handling different commodities (or groups of commodities) will be represented by separate panels. To handle specific matters, committees will be organized from among the members of the commodity panel. The panels and committees are selected by the Office of International Trade.

(2) *Standards of selection.* As the purpose of such commodity advisory panels and commodity advisory committees thereof is to give advice to the Office of International Trade affecting segments of the export trade, the members of the panels and committees will be selected in an effort to obtain advice which will represent the viewpoint of all parts of the export trade involved. The panels will be formed of the minimum number of persons necessary to represent a fair cross-section of the export trade in the commodity (or groups of

commodities) from the standpoints of (i) large, medium, and small companies, (ii) geographical distribution, (iii) trade association membership, and (iv) segments of the export trade involved—e. g., by levels of the export trade (such as manufacturers, suppliers of exporters, and various types of distributors, including independent or merchant exporters), by degrees of integration (such as manufacturing-exporters), by types of commodities, etc. The foregoing standards will be also adhered to in the formation of the committees.

(3) *Representation of small business.* In forming commodity advisory panels and committees the Office of International Trade will be governed by the principles of Senate Concurrent Resolution 14 (80th Congress) and the President's memorandum to heads of Executive departments and agencies of December 12, 1947 with respect to the representation of small business on Government committees.

(4) *No compensation allowed.* Members of the panels and committees pay their own expenses and are entitled to no compensation for their services.

(c) *Functions of the panels and committees*—(1) *Authorized.* The functions of a commodity advisory panel formed by the Office of International Trade under this section are to furnish information, to give advice and make recommendations through one or more commodity advisory committees to the Office of International Trade, at committee meetings, on export licensing policies and procedures affecting those parts of the export trade represented by the committee. Where deemed appropriate, in view of the nature of a specific licensing policy or procedure, the Office of International Trade will authorize the holding of full panel meetings.

(2) *Unauthorized activities.* No other activities by these commodity advisory panels and committees or by their members are sponsored or authorized by the Department of Commerce or the Office of International Trade under this section. The panels and committees are not authorized to determine policies for the export trade nor are they authorized to compel or coerce any person to comply with any request or order or regulation made by the Department of Commerce or Office of International Trade.

(d) *Meetings of the panels and committees*—(1) *Calling of meetings.* Commodity advisory panel meetings and commodity advisory committee meetings will be called by the Office of International Trade in connection with the promulgation of export licensing policies or procedures affecting the parts of the export trade represented by the panel or committee, as the case may be, except where the necessary timing or other public exigency does not permit such prior consultation.

(2) *Agenda and presiding officer.* The agenda of the meeting will be prepared by the Office of International Trade. Representatives of interested agencies of the Government will be invited by the Office of International Trade. A representative of the Office of International

Trade will preside at every panel meeting and every committee meeting.

(3) *Minutes.* The Office of International Trade will keep minutes of each meeting and where practicable will make summaries available to members of the commodity advisory panel, the committee, the export trade, and the press.

§ 384.2 *Conduct of business and practice before the Office of International Trade*—(a) *Activities of persons appearing before the Office of International Trade in connection with export control matters*—(1) *Who may be excluded.* Any person, whether acting on his own behalf or on behalf of another, who shall be found guilty of engaging in any unethical activity or who shall be demonstrated not to possess the required integrity and ethical standards may be excluded from (denied) export privileges on his own behalf or may be excluded from practice before the Office of International Trade on behalf of another, in connection with any export control matter, or both, as provided in § 382.1 of this subchapter. Among the grounds for such exclusion are the following:

(i) Inducing or attempting to induce by gifts, promises, bribes, or otherwise any officer or employee of the Office of International Trade or any Customs or Post Office official to take any action with respect to the issuance of licenses or any other aspects of the administration of the export control law, whether or not in violation of any regulation.

(ii) Offering or making gifts or promises thereof to any such official or employee for any other reason.

(iii) Soliciting by advertisement or otherwise the handling of business before the Office of International Trade on the representation, express or implied, that such person, through personal acquaintance or otherwise, possesses special influence over any officer or employee of that Office.

(iv) Charging or proposing to charge for any service performed in connection with the issuance of any license any fee wholly contingent upon the granting of such license and the amount or value thereof. This provision will not be construed to prohibit the charge of any fee agreed to by the parties, provided that the out-of-pocket expenditures and the reasonable value of the services performed, whether or not the license is issued and regardless of the amount thereof, are fairly compensated.

(v) Knowingly violating or participating in the violation of, or an attempt to violate, any regulation with respect to the exportation of commodities, including the making of or inducing another to make any false representations to facilitate any exportation in violation of the export control law or any order or regulation issued thereunder.

(2) *Definition.* As used in this paragraph, the term "practice before the Office of International Trade" includes (i) the submission on behalf of another of applications for export license or other documents required to be filed with the Office of International Trade, or the execution of the same; (ii) conferences or other communications on behalf of another with officers or employees of the

¹ This section incorporates without change the provisions of "Order Establishing Commodity Advisory Panels and Commodity Advisory Committees" dated March 25, 1948 (13 F. R. 1648).

Office of International Trade for the purpose of soliciting or expediting approval by the Office of International Trade of applications for export licenses or other documents, or with respect to quotas, allocations, requirements or other export control actions, pertaining to matters within the jurisdiction of the Office of International Trade; (iii) participation on behalf of another in any proceeding pending before the Office of International Trade; (iv) the submission to a Customs official on behalf of another of a license or export declaration or other export-control documents.

(3) *Proceedings.* All proceedings under this section shall be conducted in the same manner as provided in Part 382 of this subchapter.

(b) *Former employees.* (1) No person shall appear or be permitted to appear before the Office of International Trade, Department of Commerce, as the agent, attorney, or representative of any individual, corporation, partnership, or any group or body of persons, other than the United States or agency thereof, or public international organizations, as designated by Executive Order (including the United Nations and its specialized agencies), if such person:

(i) Is, or at any time within one year prior thereto was, a full-time or part-time, compensated or uncompensated officer or employee of the Office of International Trade and such relationship or employment was terminated subsequent to May 24, 1951; or

(ii) Has at any time been officially associated with the specific transaction or matter to which such appearance relates, as a full-time or part-time, compensated or uncompensated officer or employee of the Office of International Trade or any of its predecessor or constituent agencies.

(2) Notwithstanding the prohibition contained in this paragraph, the Office of International Trade may, in exceptional cases and upon receipt of a sworn written application setting forth the facts, grant to a former officer or employee disqualified under this section, written permission to appear before the Office of International Trade on behalf of another person for a specific or limited purpose, where in its opinion such permission is necessary to prevent injustice or unnecessary hardship.

(3) As used in this paragraph, the term "appear before the Office of International Trade" shall have the same meaning as the definition in paragraph (a) (2) of this section.

§ 384.3 *Order suspending licenses to North Korea.* Effective 4:00 p. m., eastern daylight time, June 28, 1950, all export licenses, both validated and general, authorizing exportation of any commodity, whether or not included on the Positive List of Commodities (§ 399.1 of this subchapter), or technical data, to North Korea, are suspended.

This order shall not apply to exportations to that destination which have been laden aboard the exporting carrier prior to its effective date.

§ 384.4 *Order revoking validated licenses to Manchuria and China.* Effective 4:00 p. m., eastern daylight time,

July 20, 1950, all outstanding validated licenses issued prior to the effective date hereof authorizing exportation of any commodity to Manchuria (including the Port Arthur Naval Base Area and Liaoning Province) and China (including the provinces of Suiyuan, Chahar, Ningsia and Jehol, sometimes referred to as Inner Mongolia; the provinces of Chinghai (Tsinghai) and Sikang; Sinkiang; Tibet; and Outer Mongolia), as described in Schedule C of the Bureau of the Census, are revoked.

Holders of such outstanding validated licenses shall immediately return them to the Office of International Trade, Department of Commerce, Washington 25, D. C.

This order shall not apply to exportations to the above destinations which have been laden aboard the exporting carrier prior to its effective date.

§ 384.5 *Order revoking certain general licenses to mainland of China (including Manchuria), Hong Kong, and Macao.* General licenses GRO, GLR, GMC, and GCC, authorizing exportation of any commodity, whether or not included on the Positive List of Commodities (§ 399.1 of this subchapter), are revoked to the following destinations: Manchuria (including the Port Arthur Naval Base Area and Liaoning Province), and China (including the provinces of Suiyuan, Chahar) Ningsia, and Jehol, sometimes referred to as Inner Mongolia; the provinces of Chinghai (Tsinghai) and Sikang; Sinkiang; Tibet; and Outer Mongolia), and Hong Kong and Macao, but excluding Taiwan (Formosa) as described in Schedule C of the Bureau of the Census.

This order also applies to shipments through United States foreign trade zones to the foregoing destinations. It shall apply to all shipments whether or not laden on exporting carrier. Validated licenses are required for all commodities to these destinations if exporting carrier has not obtained clearance from the final port of departure in the United States for a foreign port, or after receiving final clearance transits the Panama Canal Zone. Shipments not licensed must be off-loaded prior to final clearance or proceeding through Canal Zone.

However, exportations of fresh fruits, fresh vegetables, and cut flowers ultimately destined to Hong Kong and Macao may be made under General License GRO in accordance with § 371.8 of this subchapter.

NOTE: Shipment of all commodities under General License GRO may be transhipped at Hong Kong without the necessity of obtaining a validated license, *Provided* (1) Such transshipments are made under a through bill of lading to a destination outside of Subgroup A, Hong Kong, or Macao, and (2) the shipment is maintained in the custody of the originating or on-forwarding carrier at all times.

§ 384.6 *Order extending validated license requirements to in-transit shipments to certain destinations.* (a) Notwithstanding any other provision of the export regulations, except § 371.9 (b) (1) of this subchapter, shipments of Positive List commodities originating in any foreign country moving in transit

through the United States, or using the facilities of a foreign trade zone, or manifested to the United States, may not be exported to any destination in Subgroup A (§ 371.3 of this subchapter), Hong Kong, or Macao, without a validated export license.

(b) Shipments of all commodities, whether or not on the Positive List, moving in transit through the United States, or using the facilities of a foreign trade zone, or manifested to the United States, may not be exported to China, Manchuria, Hong Kong, or Macao without a validated export license. This provision shall apply to in-transit shipments to such destinations if vessel has not obtained clearance from the final port of departure in the United States for a foreign port.

§ 384.7 *Order suspending validated licenses to Hong Kong and Macao.* Effective 9:00 p. m., eastern standard time, December 8, 1950, all outstanding validated export licenses authorizing exportation of any commodity to Hong Kong or Macao are suspended.

This order applies to commodities laden aboard the exporting carrier but not departed from final United States port of call.

§ 384.8 *Orders modifying validity of certain export licenses—(a) Raw cotton.* The validity period of all outstanding licenses authorizing the exportation of raw cotton, Schedule B Nos. 300005 through 300312, issued for shipment on and after August 1, 1951, except those which were "hand processed" (those which were issued with a validity period of 30 days or less), is extended through July 31, 1952.

(b) *Extension of validity period for exportations from Atlantic Coast ports.* [Deleted, effective March 31, 1952.]

(c) *Coal.* [Deleted, effective March 31, 1952.]

§ 384.9 *Order revoking certain general licenses to Subgroup A destinations.* (a) Effective 12:01 a. m., March 2, 1951, General Licenses GRO, GLR, GMC, GCC, GIT, and GTD, authorizing exportation of any commodity, whether or not included on the Positive List of Commodities (§ 399.1 of this subchapter), or technical data, are revoked for exports to Subgroup A destinations.

(b) This order also applies to shipments through United States foreign trade zones to Subgroup A destinations; and the provisions of § 384.6 concerning in-transit shipments of Positive List commodities to Subgroup A destinations shall apply to shipments of non-Positive List commodities to such destinations.

(c) Shipments of any commodities removed from general license to Subgroup A destinations as a result of changes set forth in this order which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., March 2, 1951, may be exported under the previous general license provisions up to and including 12:00 midnight, March 31, 1951. Any such shipment not laden aboard the exporting carrier before 12:00 midnight, March 31, 1951, requires a validated license for export.

§ 384.10 *Revocation of certain licenses for copper, steel, and aluminum.* [Deleted, effective March 31, 1952.]

§ 384.11 *Revalidation of certain revoked licenses.* [Deleted, effective March 31, 1952.]

§ 384.12 *Order relating to certain licenses for steel.* (a) Effective 12:01 a. m., e. d. t., June 11, 1952, exportations under validated licenses of all steel commodities in the forms and shapes indicated in Schedule 1 of CMP Regulation No. 1 (those steel items on the Positive List identified by the Processing Code STEE and the letter C) may not be made where the steel to be exported was acquired on or after the effective date of this order by the exporter from a steel distributor, as defined in NPA Order M-6A (or is being exported by such a steel distributor) and, where it is to be used in the manufacture abroad of products identified by the DPA allotment symbol V followed by a digit, as set forth in the NPA "Official CMP Class B Product List and Product Assignment Directory", issued May 1, 1952, by the National Production Authority of the Department of Commerce (Section III, CMP Class B Product Class Codes—by NPA Divisions, Pages 32A through 36A). For export shipments not prohibited by the terms of this order, exporters shall make the following certification on the shipper's export declaration covering the proposed exportation of all commodities identified on the Positive List by the Processing Code STEE and the letter C:

I certify to the Office of International Trade that, to the best of my knowledge and belief, this exportation is in accordance with the terms of OIT Order, § 384.12.

(b) This order shall not apply to steel acquired by or from a steel distributor which was on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to the effective date of this order.

(c) This order shall not apply to licenses bearing an OIT waiver of its requirements validated on the face of the license or on an amendment thereto after the effective date.

PARTS 385-397—[RESERVED]

PART 398—PRIORITY RATINGS AND SUPPLY ASSISTANCE

- Sec.
- 398.1 DO (priority) ratings for foreign aircraft.
 - 398.2 Serial numbers for mines, smelters and mineral processing plants abroad.
 - 398.3 DO-MRO priority ratings for maintenance, repair, and operating supplies for export.
 - 398.4 Special supply assistance for essential export requirements.
 - 398.5 CMP: Export allocations and procedures.
 - 398.6 Deleted, effective January 31, 1952.
 - 398.7 Supply assistance for foreign mining operations: MRO and capital additions.
 - 398.8 Supply assistance for foreign petroleum operations.

AUTHORITY: §§ 398.1 to 398.8 issued under 63 Stat. 7, as amended; 50 U. S. C. App., 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR

1945 Supp., E. O. 9619, Jan. 3, 1948, 13 F. R. 59; 3 CFR 1948 Supp.

§ 398.1 *DO (priority) ratings for foreign aircraft—(a) Delegation of authority.* The Civil Aeronautics Administration has delegated to the Office of International Trade, Department of Commerce, the right to assign DO ratings to purchase orders covering replacement parts and materials as described in paragraph (b) of this section, for commercial transport aircraft of civil air carriers registered in foreign countries other than those listed in paragraph (c) of this section. This rating authority will be exercised in accordance with a program authorized by the National Production Authority, and limited in total dollar value for each calendar quarter.

(b) *Replacement parts and materials.* The Office of International Trade will consider requests to assign DO ratings to purchase orders for the following replacement parts and materials:

- (1) Airframe fabricated parts, including structural parts.
- (2) Airframe accessories and parts, including landing gear, wheels, brakes, shock struts, retract struts, radiators, superchargers, refrigeration equipment, batteries, hydraulic system, interior seats, heaters, and related equipment.
- (3) Aircraft hardware and fittings.
- (4) Engines and parts.
- (5) Engine accessories and parts, including starters, generators, carburetors, magnetos, and fuel pumps.
- (6) Propellers, propeller accessories, and parts.
- (7) Aircraft instruments and parts.
- (8) Tires and other aircraft rubber parts.
- (9) Radio equipment and parts (airborne).
- (10) Electrical supplies other than aircraft accessories (airborne), including wire, relays, circuit breakers, switches, bulbs, fuses, and conduit.
- (11) Raw materials to repair and maintain aircraft, including aluminum, steel, copper, brass, textiles, lumber, and plastics.
- (12) Ground equipment and supplies for aircraft maintenance, including starting equipment, ramps, and specialized hand tools.
- (13) Paints and chemicals for aircraft maintenance.
- (14) Miscellaneous airborne equipment, including emergency equipment, life rafts, life jackets, seat belts, blankets, and galley equipment.

(c) *Ratings not assigned by OIT.* Requests for DO ratings on purchase orders for delivery of replacement parts and materials to foreign civil air carriers registered in any of the following countries shall be submitted to the Mutual Security Agency, Washington 25, D. C.

- Austria.
- Belgian Overseas Territories:
- Belgian Congo.
- Ruanda-Urundi.
- British Overseas Territories:
- Gibraltar.
- Malta and Gozo.
- Cyprus:
- British West Africa:
- Nigeria.
- Gold Coast and Territories.
- Gambia, Togoland, British Cameroons.
- Sierra Leone.
- Northern Rhodesia.
- Southern Rhodesia.
- British East Africa:
- Kenya.
- Uganda.
- Tanganyika, Nyasaland.

- British Overseas Territories—Continued
- British East Africa—Continued
- Zanzibar and Pemba.
- Somalliland.
- Batsutoland, Bechuanaland, Swaziland.
- St. Helena, Ascension Islands, Mauritius and Dependencies.
- Seychelles.
- Aden (Colony and Protectorate).
- Bahrein, Kuwait, Qatar and Trucial Oman.
- Indian Ocean Islands.
- British Malaya.
- Borneo (British) and Sarawak.
- Hong Kong.
- Fiji Islands.
- Other British Islands of the Pacific.
- Bermuda.
- British West Indies.
- Bahamas.
- Jamaica and Dependencies.
- Windward Islands.
- Leeward Islands (including Dominlon).
- Barbados.
- Trinidad and Tobago.
- British Honduras.
- British Guinea.
- Falkland Islands and Dependencies.
- Belgium-Luxemburg Economic Union.
- Burma.
- Canada (including Newfoundland and Labrador).
- Denmark.
- France (including the Saar).
- Federal Republic of Germany.
- French Overseas Territories:
- Tunisia.
- Algeria.
- Morocco.
- Somalliland.
- French West Africa.
- Togoland.
- French Equatorial Africa.
- The Cameroons.
- Madagascar and Comoro.
- Saint Pierre and Miquelon.
- New Caledonia and Dependencies.
- French Oceania.
- French East Indian Possessions.
- Reunion Island.
- Guadeloupe.
- Martinique.
- French Guinea.
- Greece.
- Iceland.
- Indochina.
- Indonesia, United States of.
- Ireland.
- Italy.
- Korea, Republic of.
- Netherlands.
- Netherlands Overseas Territories:
- Netherlands East Indies.
- Surinam.
- Curacao.
- Norway.
- Portugal.
- Portuguese Overseas Territories:
- Angola (Port. West Africa).
- Mozambique (Port. East Africa).
- Cape Verde Islands and Portuguese Guinea.
- Sao Thome.
- Timor.
- Macao.
- Portuguese East India.
- Sweden.
- Switzerland.
- Taiwan (Formosa).
- Thailand.
- Trieste, Free Territory of.
- Turkey.
- United Kingdom (including Channel Islands).

(d) *Submission of requests for assignment of DO ratings.* Requests to the Office of International Trade to assign DO ratings to purchase orders shall be by letter, addressed to the Producers Equipment Division, Office of International Trade, Department of Commerce,

Washington 25, D. C. The following information and documents must be attached to the letter:

(1) Duplicate copies of the bill of materials or purchase order, containing the following information:

- (i) The name of the foreign airline for which materials are required;
- (ii) The supplier's name;
- (iii) Purchase order number;
- (iv) Class of materials according to the classes set forth in paragraph (b) of this section, by dollar value for each class;
- (v) Total dollar value; and
- (vi) End delivery date.

(2) A statement that the supplier will not be able to deliver the material without a DO rating and that the air carrier cannot obtain the material from any other source.

(3) A statement as to whether any of the material covered by the order requires a validated export license from either the Department of State or the Department of Commerce. (See § 370.5 of this subchapter.) If so, a statement as to whether such licenses have been applied for or granted, giving the application numbers or license numbers.

Suppliers may also request DO ratings on behalf of the air carrier or its representative by submitting the above information. In such case, the supplier must notify the air carrier or its representative, in writing, that request for DO rating has been made and send a copy of such notification to the Producers Equipment Division, Office of International Trade, Department of Commerce, Washington 25, D. C.

§ 398.2 *Serial numbers for mines, smelters and mineral processing plants abroad*—(a) *Delegation of authority.* Pursuant to Mineral Order 7 of the Defense Materials Procurement Agency (formerly Defense Minerals Administration), the Office of International Trade, Department of Commerce, is authorized to assist any person operating a mine (other than petroleum, solid fuels and natural gas), a nonferrous smelter, or mineral processing plant, located in any foreign country other than those listed in § 398.1 (c), to obtain a serial number therefor.

NOTE: The purpose of Mineral Order 7 of the Defense Materials Procurement Agency is to provide, by serialization of mines (other than petroleum, solid fuels and natural gas), non-ferrous smelters, and mineral processing plants, the requisite information to enable the Defense Materials Procurement Agency adequately to provide priority and allocation assistance under its programs relating to the maintenance and acquisition of facilities, machinery, equipment, and operating supplies by the mining industry. Serial numbers will be assigned to those mines, smelters and mineral processing plants which have a significant interest to the United States.

(b) *Definitions.* For purposes of this section:

(1) "Person" means any individual, corporation, partnership, or association, and includes any agency of the United States, or any other government or citizen thereof.

(2) "Producer" means any person operating a mine (other than petroleum,

solid fuels and natural gas), a non-ferrous smelter, or mineral processing plant.

(3) "Mine" means an operation (whether underground, open-pit, quarry, or dredging), conducted for the primary purpose of extracting minerals (except solid fuels, petroleum and natural gas), and includes prospecting enterprises for the discovery, exploration or development of new or additional mining projects.

(4) "Smelter" means a mill producing non-ferrous metals by smelting or refining.

(5) "Mineral processing plant" means a plant engaged in the beneficiation or concentration of ores.

(c) *Submission of requests, content.* Producers operating mines, smelters, and mineral processing plants located in foreign countries, except Canada and countries for which the Mutual Security Agency is claimant agency (listed in § 398.1 (c)), shall file directly or through

Item	Kind of product	1948 total	1949 total	1950 total	Present average monthly
Quantity of product mined or quarried (short, long, metric tons; burl; pounds; etc.)					
Quantity of product processed (specify unit of measure and type of process)					
Quantity and grade of product sold or shipped (specify units of measure)					

(iv) State number and classes of labor (miners, muckers, millmen, etc.) of men employed during a recent representative payroll period.

(2) A statement, in quadruplicate, of the actual distribution, to the United States and to each foreign country (domestic deliveries within the country of origin and foreign shipments), of the production from the mine, smelter, or mineral processing plant, by plant, by weight, grade, metal or mineral content, or other specifications, for each product for the years 1949, 1950, and the first three months of 1951, and the estimated distribution during the last nine months of 1951.

(3) A statement, in quadruplicate, of the pertinent facts which determine why the production from the mine, smelter, or mineral processing plant has been so distributed and will be so distributed as set forth in subparagraph (2) of this paragraph. (For example: need for dollar exchange; international distribution or trade agreements; requirements of producing country for distribution of stated quantities therein; etc.)

NOTE: Persons exporting commodities to mines, smelters, and mineral processing plants are requested to notify such producers of DMA Mineral Order 7 and these provisions. To avoid duplication, the producers should be advised that they need submit this information only once, either directly or through one person in the United States.

Copies of DMA Mineral Order 7 and DMA Form MF-100 may be obtained from any field office of the Department of Commerce or the Bureau of Mines, Department of the Interior, or from such agencies in Washington 25, D. C., and from the Mutual Security Agency, Washington 25, D. C.

(d) *Where to submit requests.* Requests for serialization shall be filed with the Office of International Trade, De-

partment of Commerce, Washington 25, D. C., if the mine, smelter, or mineral processing plant is located in a foreign country other than Canada and countries for which the Mutual Security Agency is claimant agency (listed in § 398.1 (c)).

If located in a country for which MSA is the claimant agency, producers should consult with the Mutual Security Agency, Washington 25, D. C. If located in Canada, producers should consult with the Canadian Division of the National Production Authority, Department of Commerce, Washington 25, D. C.

(e) *Action on requests received by OIT.* Requests for serialization received by the Office of International Trade, Department of Commerce, will be presented to the Defense Material Procurement Agency, together with the recommendations of the OIT as to the appropriate action on the request. The Office of International Trade will notify persons requesting a serial number of the action taken on their requests. The Mutual Security Agency will take corresponding action for the area of its responsibility.

(f) *Serialization number required on export license applications.* As provided in § 273.28 of this subchapter, license applications filed for export of commodities to any foreign mine (other than petroleum, solid fuels, uranium and natural gas), a nonferrous smelter, or mineral prospecting operation that has had a serial number assigned thereto by the Defense Materials Procurement Agency, shall plainly show such serial number in the commodity description column of the license application, Form IT-419.

§ 398.3 *DO-MRO priority ratings for maintenance, repair, and operating supplies for export*—(a) *Authority.* The procedure described in this section is

an exporter or other person in the United States, a request for serialization. The request for serialization need be submitted only once. The request shall consist of the following:

(1) The information described in Defense Materials Procurement Agency Form MF-100, in quadruplicate. In lieu of filing information required under items 8, 9, and 12 of Form MF-100, the producer may submit copies of his latest published financial report. Producers of 50 tons or less per week of crude ore need answer only items 1, 3, 10, and 16 in Form MF-100, or, in lieu thereof, may submit the following information by letter:

(i) What are the chief mine, mill, or smelter products? What are the by-products, if any?

(ii) For each mine, mill, smelter, refinery, pit, quarry, and drilling operation, give the distance and direction from nearest town and shipping point.

(iii) Production:

(1) The information described in Defense Materials Procurement Agency Form MF-100, in quadruplicate. In lieu of filing information required under items 8, 9, and 12 of Form MF-100, the producer may submit copies of his latest published financial report. Producers of 50 tons or less per week of crude ore need answer only items 1, 3, 10, and 16 in Form MF-100, or, in lieu thereof, may submit the following information by letter:

(i) What are the chief mine, mill, or smelter products? What are the by-products, if any?

(ii) For each mine, mill, smelter, refinery, pit, quarry, and drilling operation, give the distance and direction from nearest town and shipping point.

(iii) Production:

(1) The information described in Defense Materials Procurement Agency Form MF-100, in quadruplicate. In lieu of filing information required under items 8, 9, and 12 of Form MF-100, the producer may submit copies of his latest published financial report. Producers of 50 tons or less per week of crude ore need answer only items 1, 3, 10, and 16 in Form MF-100, or, in lieu thereof, may submit the following information by letter:

authorized by National Production Authority Order M-79 which sets forth the manner and extent to which exporters may apply the DO-MRO priority rating to assist them in securing certain maintenance, repair, and operating supplies for export and use abroad for stated purposes.

(b) *Manufacturing Exporters.* (1) The NPA order mentioned in paragraph (a) above assigns and establishes a quarterly MRO export quota for every manufacturer of maintenance, repair and operating supplies, as defined by such order, who, in 1950¹ delivered for export (i. e., exported directly or through others or delivered to others for export) to any country, other than Canada and Subgroup A countries, a quantity of such supplies of his own manufacture having an aggregate sales value in excess of \$10,000. This quarterly quota equals 30 percent of the dollar value of all such MRO supplies so delivered in the year 1950. However, if a manufacturer elects to figure his quota on a seasonal basis, his quota each quarter is 120 percent of the dollar value of all such MRO supplies so delivered during the corresponding season (quarter) of the year 1950. Every such manufacturer is required to make available for export during each calendar quarter the full amount of his MRO export quota. The manufacturer may make this MRO export quota available for export either by making direct export sales, by selling through one or more designated sales representatives, by selling to non-manufacturing exporters, or by any combination of these methods. NPA and OIT expect, however, that the manufacturer's customary pattern of distribution will be followed.

(2) On or before September 1, 1951, or within 30 days after this order (or any other NPA regulation or order mentioned in section 3 of M-79) is amended so as to first bring him under M-79, or so as to change the MRO items thereafter to be included in computing his MRO export quota, each manufacturer for whom a quarterly MRO export quota is assigned and established by NPA Order M-79 shall prepare and submit to the Office of International Trade a signed report in duplicate, on Form IT-833. Revised Forms IT-833 must be filed within the specified 30-day period whenever a manufacturer's quota under the order is so altered. If the change is such as to remove a manufacturer entirely from the scope of M-79, he shall within the 30-day period notify the Office of International Trade by letter to this effect. All the terms, conditions, provisions, and instructions, including the certification, contained in or issued in connection with such Form IT-833 are hereby incorporated as a part of this regulation with the same force and effect as if set forth in full herein.

Special note should be made that a manufacturer in computing his base period deliveries for export must not in-

clude any items delivered for use abroad for personal or household purposes or, insofar as replacement parts are concerned, any items delivered for use abroad for other than replacement purposes. Where precise knowledge as to foreign end-use is lacking, estimates may be made, but in such cases the manufacturer must include in his report a statement showing what estimates he has made, what were his total sales for export of the category in question, and the basis upon which his estimates are made. Each manufacturer should notice also that in computing his base period deliveries for export orders and in making charges currently against his M-79 quota, all export deliveries of the items listed in Sec. 2 (b) of M-79 must be included whether for replacement purposes or not.

(3) Under the terms of NPA Order M-79, effective August 9, 1951, any manufacturer for whom a quarterly MRO export quota is assigned and established under such order has the right to use the DO-MRO priority rating to the full dollar value of such quota each quarter without further authorization, unless and until notified to the contrary by the National Production Authority or the Office of International Trade. (Such notification may be by return to the manufacturer of his Form IT-833 revised by OIT, or by letter, or by amendment of the regulations.)

(c) *Exporters other than manufacturers.* The National Production Authority has authorized exporters who are not manufacturers (as defined in section 4 of the order), and who have obtained an order from a foreign customer for an MRO item which is demonstrably needed for other than personal or household purposes, but find that they are unable without a rating to secure such item from sources available to them, to apply to the Office of International Trade for priorities assistance. In such cases, the exporter shall prepare and submit to the Office of International Trade a Form IT-834, in duplicate. One copy will be returned to the exporter, indicating the action taken on his request. If approved, the authenticated form will assign to the exporter the right to apply a DO-MRO rating to procure the materials specified on the form up to the dollar value shown thereon. Section 7 of NPA Order M-79 explains the manner in which the DO-MRO rating is to be applied by the exporter. All the terms, conditions, provisions, and instructions, including the certification, contained in or issued in connection with such Form IT-834 are hereby incorporated as a part of this regulation with the same force and effect as if set forth in full herein.

(d) *Export license requirements.* Section 12 of NPA Order M-79 warns exporters that the authority granted by the Order to apply the DO-MRO rating to any item requiring an export license does not imply assurance that the needed license can be granted. Exporters and manufacturers are reminded that it is advisable to secure the license before use of the DO-MRO rating on export orders under the M-79 quota.

(e) *Requests by manufacturers for inclusion under the order.* A manufacturer who is excluded from the provisions of M-79 because his annual MRO export deliveries in the base period were not in excess of \$10,000, may submit a request by letter in triplicate to the Office of International Trade, asking for the establishment of a quota under M-79. All pertinent facts justifying the request should be included.

(f) *Manufacturers may not exceed their M-79 quotas.* Attention of manufacturers is specially directed to section 8 of the Order, entitled "Manufacturers' quota not to be exceeded," which stipulates that manufacturers subject to Order M-79 quotas may not for a particular quarter make export MRO deliveries in excess of their M-79 quotas. This "ceiling limit" is effective whether or not the manufacturer applies the DO-MRO rating to export orders as permitted by M-79.

(g) *Requests by manufacturers for adjustments or exceptions.* A manufacturer requiring an increase in his M-79 quota, or other adjustment or exception to the order may, as provided in section 15 of the order, file such a request with the Office of International Trade. Each request shall be submitted by letter, in triplicate, and shall set forth all pertinent facts justifying the request in full detail.

(h) *Scope.* Attention of manufacturers and exporters is called to the fact that the definition of MRO supplies contained in NPA Order M-79 is somewhat different from the description of MRO set forth in National Production Authority's CMP Regulation 5. Sections 2, 3, and 10 of NPA Order M-79 explain specifically which items are included therein and also lists items which are specifically excluded. Special attention is called to the fact that the items are included only as far as the end-use abroad is for other than personal or household purposes. For the convenience of exporters, a listing of all items specifically excluded from the terms of the order as now written is given below. This list is, of course, subject to change from time to time. The order, among other things, excludes controlled materials; exporters desiring to export controlled materials or CMP Class A products for MRO use abroad should file applications for priority assistance as provided in § 398.5.

Many of the MRO end-items included under M-79 are, of course, CMP Class B products and may be included in a manufacturer's M-79 quota. However, it should be noted that the use of the DO-MRO rating granted to manufacturers is specifically limited under section 10 of the order. A manufacturer may not extend this rating to obtain:

(1) Class A or Class B products (as defined in CMP Regulation 1 of the National Production Authority) to be incorporated into the MRO item he is manufacturing for export; or

(2) Any production material for the manufacture of any MRO Class A or Class B product he is manufacturing for export under his M-79 quota; or

(3) Any controlled material.

¹ In the case of manufacturers of parts for machine tools under section 2 (a) of Order M-79, use of an alternative base period (the last six months of the calendar year 1951) is permitted. (Refer to section 4 (d) of M-79 as amended.)

These materials are secured by a manufacturer in accordance with his normal procedures (for domestic as well as export orders, for MRO as well as other end-uses) specified under CMP Regulation Nos. 1 and 3 of the National Production Authority. The DO-MRO rating may, however, be extended by the manufacturer to procure component materials other than those listed above.

EXCLUDED ITEMS (SPECIFICALLY LISTED IN NPA ORDER M-79)

All MRO supplies for personal or household use.

Materials listed in List A of NPA Reg. 2 as such list may be amended or supplemented from time to time.

Excluded items: List A, NPA Reg. 2 as amended September 13, 1951:

- Communications services.
- Crushed stone.
- Gravel.
- Sand.
- Scrap.
- Slag.
- Steam heat, central.
- Certain transportation services, as defined in List A.
- Waste paper.
- Water.
- Wood pulp.
- Solid fuels: All forms of anthracite, bituminous, sub-bituminous, and lignitic coals, and coke and its by-products.
- Gas and gas pipelines: Natural gas, manufactured gas, and pipelines, for the movement thereof.
- Petroleum and petroleum pipelines: Crude oil, synthetic liquid fuel, their products and associated hydrocarbons, including pipelines for the movement thereof.
- Electric power: All forms of electric power and energy.
- Radioisotopes, stable isotopes, source and fissionable materials.
- Farm equipment.
- Fertilizer, commercial: In form for distribution to users.
- Food, except in certain cases where used industrially (refer to List A itself for further definition).
- Transportation services (domestic) storage and port facilities.
- Products (production and distribution) used in the petroleum industry and listed in NPA Delegation 9 (February 26, 1951) as follows:
 - (1) Tetraethyl lead fluid.
 - (2) Petroleum cracking catalysts.
 - (3) Special inhibitors used in gasoline.
 - (4) Lubricating oil additives.
 - (5) Fluids and additives made especially for oil and gas drilling, and demulsifiers.
- Ores, minerals, concentrates, residues, and other products (until processing is completed) listed in NPA Delegation 5 (January 29, 1952).

Excluded items: (Direction 3 to NPA Reg. 2, as amended January 8, 1952):
Chemicals.

Primary paper or paperboard.
Excluded items: Schedule I of CMP Reg. 5 as amended December 20, 1951:

- All basic, organic, or inorganic chemicals, their intermediates and derivatives other than compounded end-products not customarily sold as chemicals.
- Products appearing in List A of NPA Order M-47A, as that order may be amended from time to time (except in item 28 of sec. VIII of List A), or in List B of said order (except painters' and industrial brushes, as defined in NPA Order M-18, as that order may be amended from time to time).

NOTE: This very lengthy list encompasses mainly "consumers' goods" incorporating metals, and includes such items as Metal

and Wood Household Furniture, Store Fixtures, Office Furniture, Partitions, Shelving, Lockers and Fixtures, Household Appliances, Machines and Equipment, Utensils and Cutlery, Radios, Television, and Phonographs, Transportation equipment, etc.

- Nylon fibers and yarns.
- Packaging materials and containers except steel nails, steel wire and steel strapping used for packaging purposes.
- Paint, lacquer, and varnish.
- Paper and paper products.
- Paperboard and paperboard products.
- Printed matter.
- Photographic film.
- Pneumatic tires and tubes.
- Waterfowl feathers.

Controlled materials as defined in section 2 (c) of CMP Reg. No. 1 as such regulation may be amended or supplemented from time to time. (For specific listing, refer to items coded "C" in the column of the Positive List headed "Community Lists.")

Farm equipment.
Parts and accessories for aircraft or for ground equipment for servicing aircraft, and any components of either.

Parts and assemblies of parts, and accessories, for automotive vehicles, including all passenger carriers, trucks (on or off the highway), truck trailers, and motorized fire equipment.

Repair and replacement parts for construction machinery given in List A of NPA Order M-43, as such list may be amended or supplemented from time to time.

Items made wholly of rubber, leather, textiles, or any combination of such materials.
Excluded items: List A of M-43 as amended March 2, 1951:

- Bituminous equipment:
 - Asphalt plants.
 - Bituminous mixing plants.
 - Dryers.
 - Patching plants.
 - Pavers.
 - Distributors.
 - Spreaders and finishers.
- Compressors: Portable air compressors.
- Crushing equipment:
 - Crushers.
 - Conveyors.
 - Screens.
- Concrete equipment:
 - Batching plants.
 - Mixers.
 - Truck mixers.
 - Pavers.
 - Spreading and finishing machines.
- Cranes, shovels, and excavators (commercial sizes, from $\frac{1}{2}$ cubic yard to $2\frac{1}{2}$ cubic yards):
 - Large shovels.
 - Dredges.
 - Hoists and derricks.
 - Buckets.
 - Trenchers.
- Drills:
 - Air.
 - Portable well.
 - Earth-boring machines.
 - Deep-well drills.
- Loaders:
 - Bucket.
 - Front end.
- Motor graders: Any and all.
- Pumps: Pumps, contractors.
- Rollers and compactors: Any and all.
- Scrapers: Scrapers, hauling.
- Tractors: All tractors for construction.
- Tractor allied equipment:
 - Dozers.
 - Front-end attachments.
 - Power control units.
 - Snow plows.
- Trucks and trailers: Trucks and trailers, off-highway hauling equipment.

NOTE: 1. Attention of manufacturers is especially called to section 8 of NPA Order

M-79, which establishes the rules for making charges against their quarterly MRO export quotas. Section 9 explains the manner in which a manufacturer may apply the DO-MRO rating authorized by the order.

2. Copies of all forms of the Office of International Trade may be obtained from the Department of Commerce Field Offices and from the Office of International Trade, Washington 25, D. C.

3. The procedure described in § 398.4 may be employed to apply for supply or priorities assistance with regard to certain maintenance, repair, and operating supplies that are excluded from NPA Order M-79, until such time as specific programs may be established to meet export needs for certain of the excluded items. Special provisions are contained in § 398.2 for MRO supplies for foreign serialized mines, and in § 398.1 for foreign civil commercial aircraft.

QUESTIONS AND ANSWERS ON MRO UNDER ORDER M-79

1. Q. How do manufacturers proceed to handle their foreign orders when their aggregate export sales for 1950 were \$10,000 or less?

A. A manufacturer whose exports of products of his own manufacture in 1950 amounted to \$10,000 or less may ship freely—subject only to OIT's export licensing restrictions—without using a rating and without establishing a quota; or, if he desires to establish a quota under M-79 (presumably in order to qualify for a DO-MRO rating), he may file IT-833 with the Office of International Trade, accompanied by a letter in triplicate giving full explanation and justification for his request.

2. Q. May a non-manufacturing exporter establish a quarterly quota with OIT in order to avoid repeated filings of IT-834 to cover many different orders?

A. No. It should be noted that the entire approach of M-79 is quite different from the Direction 2 formerly in effect. It contemplates that manufacturers, being obliged under the order to "make available" for export 120 percent of their 1950 shipments, will accept orders filed by non-manufacturing exporters; and under Sec. 9 of the order, the manufacturer may apply the DO-MRO rating to such orders, himself, and must charge them to his quota. Only on rare occasions need an IT-834 be filed by a non-manufacturing exporter because he could not locate a supplier who had not yet filed his current M-79 quota; or because, perhaps, he needed material of particular specification made only by one manufacturer, who did not have a quota under M-79, and who had so many domestically-rated orders that he could not accept the export order proffered without a rating.

The Office of International Trade may be of assistance to a non-manufacturing exporter in locating suppliers who may not have their current quotas filled, as the quarterly quotas of manufacturers are on file with the Office of International Trade.

3. Q. Are replacement parts delivered with new equipment counted by the manufacturer as part of his base period shipments and also chargeable to his current quotas?

A. No.
4. Q. Under section 3 (d), (e), (f) and (g), which exclude parts for automotive vehicles, construction machinery, etc., it is the intention to exclude general-purpose parts which may be used equally well in the excluded types of machines and in various other machines still included under M-79?

A. No. It was intended to exclude from the order only specially-fabricated replacement parts manufactured especially to go into automotive vehicles, construction machinery and the other excluded items listed. It would not be practical to require manufacturers of general-purpose parts to distinguish among foreign end uses in this way.

5. Q. May a manufacturer ship additional MRO supplies above and beyond his M-79

quota in the event his production is not fully taken up by rated orders?

A. No; the quota established by section 4 and as specifically explained in section 8 (fourth sentence) is both a minimum and a maximum. A manufacturer falling under the jurisdiction of the order may not accept export orders in excess of his quota.

6. Q. How may a manufacturer who finds his quota as established by M-79 to be inadequate to take care of his current MRO orders file a request for increase?

A. He may file his IT-833 with OIT, accompanied by letter in triplicate, as specified in section 15, giving full explanation of why the increase is needed. It may be helpful if he will state how much of his total business is rated, what his position in regard to production materials is, describe the nature of his export business, the end-use of his product, principal markets by country, and also, he may wish to state his total annual MRO export shipments (as defined by M-79) for each of the years 1946-1949. A five year base period may be more representative in his case than the calendar year 1950. NPA is consulted on these requests for increases, and action taken as expeditiously as possible.

7. Q. May a manufacturer apply the DO-MRO rating, within his quarterly quota, to items not included in the Positive List?

A. Yes; the question whether or not a product is on the Positive List is irrelevant, under M-79.

8. Q. How does a manufacturer compute his quota under section 4 if he himself makes some of the MRO items which he exports, but he also purchases some of his MRO exports from outside manufacturers?

A. In figuring his M-79 quota, he includes only the items which he himself manufactures. However, if he purchases on the outside MRO items (as defined in M-79) or any other components but incorporates them (in his plant) into a fabricated MRO item (as defined in M-79), then the manufacturer does include the assembled MRO product in calculating his M-79 quota.

For example, hand pump replacement parts for a hand pump which a manufacturer purchases on the outside are not counted, to the extent that he merely purchases them and ships them as parts for the pumps. (In this case the "outside" parts manufacturer includes this indirect export sale in figuring his quota.)

But if the manufacturer assembles the hand pump himself, he does include all exports of the pumps in arriving at his quota; the outside parts manufacturer should figure his deliveries of the parts as a domestic sale, in this case.

9. Q. If a manufacturer does not receive sufficient rated orders to fill his quota during a particular quarter, must he add the unfilled amount to his quota for the subsequent quarter and thus fill a larger export quota during the second quarter?

A. No, he need not "carry over" the unfilled portion; and in fact may not do so.

10. Q. Can a manufacturer charge to his quota rated export orders which he receives which have been rated under NPA Orders M-46A, M-70, and M-78?

A. To the extent those items fall under his M-79 quota, he must charge such deliveries to his quota. However, if a manufacturer receives orders rated under M-46A, M-70, and M-78 after his quota is exhausted and for items chargeable to his M-79 quota, he must accept those rated orders in accordance with the rules applicable generally to rated orders.

11. Q. Are pipe fittings included under M-79?

A. Yes, to the extent used for commercial maintenance and repair purposes. (Items are never MRO when used as production material, as a component in manufacturing a product.)

12. Q. Should an exporter file an IT-834 to secure a DO-MRO rating when his supplier states he cannot fill the exporter's order unless it is a DO-MRO rated order to enable him to secure additional amounts of steel?

A. No. If the manufacturer makes B products, he secures all his controlled material for both domestic and export orders via his quarterly filing with NPA of his CMP Form 4-B. He should include on his 4-B his materials requirements for both export and domestic orders. The production schedule approved by NPA for him is his total authorized production schedule, and there is no provision for him to secure additional controlled material in any other way. He may, however, self rate his export orders whether they come from abroad or from an exporter in this country, and may show this as rated business on his CMP 4-B forms.

13. Q. May the DO-MRO ratings assigned under M-79 be extended by the manufacturer to secure component materials other than controlled materials to be incorporated into his MRO product?

A. Yes; except that they may not be extended to secure an A or B product for incorporation into the MRO item. They may be extended to secure materials and items not containing steel, copper, or aluminum.

14. Q. Are export orders placed by operators of non-serialized mines (not covered by M-78) chargeable to a manufacturer's M-79 quota?

A. Yes, to the extent provided by the order. (Refer to Question 11.)

15. Q. How many IT-834's have been approved to date?

A. Only a few. Under the basic concept of the order it is anticipated that, with self-rating of export orders by a manufacturer within his quota, non-manufacturing exporters should in most cases be able to place their MRO orders without difficulty.

16. Q. If a non-manufacturing exporter must place his order with a particular manufacturer (say, for a specially-made part available from only one firm) and that manufacturer has no M-79 quota, should the exporter file an IT-834?

A. Yes; unless the manufacturer intends to request establishment of a quota under M-79 in a manner similar to that described in the answer to question 1.

17. Q. May a company file two separate IT-833's if it has two different departments which operate more or less independently?

A. Yes. OIT would for certain cases agree to separate submissions although it would point out that a single submission would allow much greater flexibility and "freedom of movement" to the company.

18. Q. Might a manufacturer with a quota established under M-79 ever file an IT-834 to secure a rating on MRO supplies which it purchases on the outside?

A. Yes, if the MRO supplies are shipped as such, and under the exceptional conditions alluded to under (11) and (15) above.

19. Q. May a manufacturer charge shipments of "minor capital equipment" of value up to \$750 to his quota and may he include such shipments in calculating his quota?

A. Sec. 2 states what the order covers. These items are included regardless of whether they are carried as MRO or as a capital item for accounting purposes.

20. Q. Are repair parts for ships included under M-79?

A. Where the MRO supplies as defined in M-79 are exported as such for foreign-flag or U. S. vessels for installation abroad, yes.

Ratings to secure MRO items for foreign-flag or U. S. vessels to be repaired in a U. S. port are not covered by M-79 but by M-70.

21. Q. Are Class B products which are defined as MRO under M-79 excluded from the order (see Sec. 9)?

A. No. Section 10 does not make the DO-MRO inapplicable to export orders for Class B

products, but merely prevents the manufacturer from extending a rating to obtain Class A or Class B products or steel, copper and aluminum to be incorporated therein.

22. Q. Must a manufacturer wait until receiving an approved IT-833 from OIT before he may use the DO-MRO rating under his M-79 quota?

A. No. Immediately upon filing the IT-833 with OIT, the manufacturer may apply the DO-MRO rating to export orders within his quota. OIT will not return or take any action on the IT-833 unless it is found necessary to revise the quota reported therein, in which case OIT will notify the manufacturer.

23. Q. If a manufacturer does not require a rating on his export orders, is he bound to adhere to the M-79 quota?

A. Yes. Regardless of whether the manufacturer qualifying under Sec. 4 needs or applies a DO-MRO rating as permitted by the order, he is required to establish his quota, file IT-833 with OIT and make the required quantities available to fill export orders each quarter. The quota also is binding upon him as a ceiling on his exports of the items covered by the order.

24. Q. If a manufacturer of replacement parts for machine tools had filed his IT-833 with OIT under M-79 as originally issued last August—and he does not elect to use the alternative base period permitted such manufacturers by M-79 as amended March 6th—must he now file a new IT-833?

A. M-79 as amended March 6th (section 5) stipulates that whenever M-79 or other NPA order as mentioned in section 3 is amended so as to affect a manufacturer's M-79 quota in any way, he must file a new IT-833 with OIT within 30 days after issuance of the amended order. However, in this case if the manufacturer's original quota still stands, OIT would be willing to accept a letter from the manufacturer which reinstates his original M-79 quota on machine tool parts.

25. Q. May a manufacturer of chucks, die heads, grinding wheels and cutting tools (as defined in section 2 (b) of M-79) avail himself of the alternate base period permitted by section 4 (d)?

A. No. This section applies only to manufacturers of replacement parts for machine tools as covered in section 2 (a). The items listed above are considered to be accessories, and fall into a different category.

26. Q. Is wire rope still included under section 2 (b) of M-79?

A. No. It was automatically excluded from M-79 on the day CMP Reg. 1 (see section 3 (c) of M-79) was amended to include wire rope as a controlled material. This of course applies to all similar changes, and it should be noted that no specific amendment to M-79 is required.

It should also be noted that when a manufacturer's M-79 quota is altered—not only by reason of amendment to M-79 itself but also by amendment of any of the orders referred to in section 3—he is required to file a revised IT-833 within 30 days, with OIT.

If CMP Reg. 1 should be amended to delete a certain item from the list of controlled materials, it might then become a Class B Product; and to the extent it is exported for MRO use as defined in M-79, would then have to be included in the manufacturer's M-79 quota—again requiring recomputing of his quota and re-filing of a new IT-833 with OIT.

§ 398.4 *Special supply assistance for essential export requirements*—(a) *Establishment of procedure*. This action establishes a procedure whereby exporters may request special supply assistance to meet essential export requirements of friendly foreign countries other than Canada, where priority assistance is not provided for otherwise in this part.

(b) *Essentiality of end use.* Requests for supply assistance submitted under this section will be considered for approval on the basis of whether and to what extent the commodities involved will contribute to the following programs or objectives:

(1) Military production of the free world, and direct support for the expansion or improvement thereof;

(2) Promotion of increased supplies of all materials essential to strengthening the free world, and in particular the production and acquisition of those materials required for the current mobilization effort of the United States (including military reserves and immediately necessary additions to stockpiles) and for similar mobilization efforts of nations actively associated with the United States in the defense of the free world;

(3) Maintenance and necessary expansion of essential services and production facilities, and maintenance of minimum essential civilian consumption requirements, in the free nations and in areas which they control;

(4) Direct progress toward reduced future dependence upon military and economic assistance from the United States;

(5) Lessened dependence of the free nations upon supplies from areas or countries within the Soviet bloc;

(6) Prevention of political deterioration in nations or areas essential to the combined strength of the free world.

(c) *Submission of requests; copies.* Requests for supply assistance submitted under this section shall be made on Form IT-835. Requests submitted to the Office of International Trade shall be submitted in quadruplicate; two copies shall be signed by the applicant. Requests covering a proposed exportation for which a validated license is required must include a license application prepared in accordance with Parts 370 through 399 of this subchapter unless a license application has been submitted already or an export license is outstanding covering the exportation. (For requests submitted to the Office of International Trade the request shall be accompanied by the license application; for requests submitted to the Mutual Security Agency, the applicant shall submit the license application to the Office of International Trade at the same time he submits the request to MSA.)

NOTE: Requests submitted to the Mutual Security Agency for special supply assistance described in this section shall be made on Form IT-835; nine copies should be submitted, two copies of which should be signed.

(d) *Where to submit requests.* (1) Where the exportation is to be made to a foreign country other than a country listed in § 398.1 (c), the request for supply assistance should be addressed to the Office of International Trade, Department of Commerce, Washington 25, D. C.:

(i) Where the request is submitted directly to the Office of International Trade by the exporter, it should be addressed to the attention of the licensing division responsible for the commodity on which supply assistance is

requested; in case the exportation is to a project or program covered by an outstanding project license, to the attention of the Projects and Technical Data Division or the Petroleum Division. If the responsible licensing division is unknown, requests may be addressed to the attention of the processing code for such commodities. (Processing codes for all commodities are set forth in § 399.3, Appendix C of this subchapter.)

(ii) Where the request is submitted to the Office of International Trade through a representative of the foreign government or agency thereof, the request should be addressed to the attention of the geographic division having responsibility for the foreign country in question.

(2) Where the exportation is to be made to a country for which the Mutual Security Agency is claimant agency (listed in § 398.1 (c)), the request for supply assistance should be submitted through the Washington mission of the country of destination to the Mutual Security Agency, Washington 25, D. C.

(3) Where the exportation is to be made to Canada, the request for supply assistance should be submitted through the Priorities Division, Department of Defense Production, Ottawa, Canada, to the National Production Authority, Department of Commerce, Washington 25, D. C. (Ref. NPA Reg. 3), in accordance with National Production Authority Regulation 3.

§ 398.5 *CMP: Export allocations and procedures—(a) Controlled Materials Plan as applied to exports—(1) Controlled Materials Plan.* A Controlled Materials Plan (CMP) governing the distribution of certain metals has been established by the National Production Authority, effective July 1, 1951. This Plan operates under a series of NPA regulations identified as "CMP Regulations" (numbered serially as "CMP Regulation 1," "CMP Regulation 2," etc.).

(2) *Applicability of CMP to exports.* CMP regulations govern the distribution of controlled materials to all consumers, i. e., exporters as well as domestic United States producers using controlled materials. This section sets forth the supplementary rules and procedures which will be followed by the Office of International Trade and exporters in connection with exports of controlled materials (including controlled materials for the manufacture of CMP Class A products as defined in paragraph (a) (2) (iii) of this section) to all destinations except Canada.

Most of the provisions of Controlled Materials Plan regulations are applicable to exports, and a full understanding of these regulations is essential to any exporter handling materials affected by the Controlled Materials Plan. It is especially important that each exporter understand the following terms, which are constantly referred to in connection with CMP:

(i) "Controlled material" means steel, copper and aluminum in the shapes identified on the Positive List by a "C" in the column headed "Commodity Lists." (Schedule I to CMP Regulation

1² specifies the shapes of steel, copper and aluminum designated as controlled materials. This information is translated into Schedule B and Positive List terms through the "C" notation referred to in this subdivision.)

(ii) "Class B product" means any product so designated in the current "Official CMP Class B Product Lists" issued by the National Production Authority.

(iii) "Class A product" means any product containing steel, copper and aluminum which is not designated as a Class B product.

(3) *Allotment symbol for controlled materials.* In order to assure, as nearly as possible, maximum fulfillment of essential export demand for controlled materials within established quotas, the Office of International Trade assigns exporters the right to apply allotment symbols for the procurement of controlled materials and Class A products licensed for export.

The authority to assign allotment symbols is delegated to the Office of International Trade by the National Production Authority, and is limited to quantities not in excess of established export quotas. The manner of assignment of such allotment symbols is set forth in detail in § 398.5 (b) (3) and (4). While the Office of International Trade has authority to assign allotment symbols to the limit of the applicable export quota, no allotment symbol is assigned in connection with a licensed exportation of controlled materials already in the possession of the exporter, since the allotment symbol is granted only to assist in procurement. (However, licenses issued for material available to the exporter without an allotment also are charged against export quotas.)

(4) *Export quotas for controlled materials.* The total amounts of controlled materials moving into export (to destinations other than Canada) are limited by quarterly export quotas announced in Current Export Bulletins. Charges are made against controlled materials quotas when licenses are granted for the export of controlled materials and for controlled materials required for the manufacture of Class A products licensed for export.

Established export quotas are ceilings on exports of controlled materials. The Office of International Trade cannot approve export license applications beyond the limits of such quotas. Thus, in general, when the quota for a particular quarter has been exhausted, the Office of International Trade cannot approve further applications for export in such quarter even though the controlled ma-

¹ CMP regulations are issued by the NPA and may be obtained from Department of Commerce field offices and from the Distribution Office, National Production Authority, Department of Commerce, New GAO Building, Fourth and G Streets NW., Washington 25, D. C.

² The "Class B Product List" is issued by the National Production Authority, and is subject to change from time to time. It is suggested that exporters become acquainted with this document; copies may be secured for 15 cents each from the same sources indicated in footnote 1 above.

materials are available to the exporter and no supply assistance is required.

(b) *Procedures governing applications to export controlled materials*—(1) *Identification of controlled materials.* As indicated in paragraph (a) (2) (1) of this section, controlled materials are identified in the Positive List by a "C" in the column headed "Commodity Lists." The provisions of this paragraph relate exclusively to applications for licenses to export controlled materials in the shapes thus identified in the Positive List.

(2) *How and when to apply for export licenses.* Application for license to export controlled materials will be filed in accordance with the provisions prescribed in Parts 370 to 399, inclusive, of this subchapter. Applications must be filed in accordance with time schedules for filing established in § 373.51 of this subchapter.

(3) *Assignment of allotment symbols.* On all licenses approved for commodities designated as controlled materials under the NPA Controlled Materials Plan, the Office of International Trade assigns to the applicant the right to apply a specified allotment number and symbol to procure the material covered by the license. The CMP allotment symbols designated by the National Production Authority for export are as follows:

CMP allotment symbol	Claimant agency
W-2	OIT
W-4	MSA

The allotment symbol will be assigned by the Office of International Trade by endorsing the validated license (or other appropriate document) with the following or similar legend:

By authority of the NPA, the exporter herein named is assigned the right to apply the symbol (e. g. W-2-4Q52) to procure the above described materials.

(4) *Requests for conversion of CMP allotments.* If a licensee holding a validated license for controlled materials is unable to place his order during the quarter specified on the face of the license, or for any other reason requires a change in his allotment symbol, he may request conversion of his CMP allotment symbol to a symbol valid for a subsequent quarter (re-allotment), by submitting to the Office of International Trade, Washington 25, D. C., Form IT-763, "Request for and Notice of Amendment Action," in accordance with the provisions of § 380.2 of this subchapter. In addition to the information required on Form IT-763, each request for conversion of the allotment symbol shall include:

(i) The statement "CMP Re-Allotment from _____ to _____ quarter."

(ii) The amount of material for which conversion of allotment symbol is requested.

(iii) If applicable, a request for extension of expiration date of the export license.

(iv) A list of suppliers with whom the licensee has attempted unsuccessfully to place his order during the quarter specified on the export license, with a statement describing such attempts, including dates thereof, with respect to each such supplier, or copies of correspondence

with such suppliers which substantiates the licensee's unsuccessful attempts to place his order during such period.

NOTE: Quantities of controlled materials covered by those re-allotment requests which are approved by OIT must be charged against current quotas. A reserve may be held by OIT for consideration of these requests, but no assurance can be given that all such requests will be approved. Such re-allotment requests as the licensee must file should be submitted to OIT as soon as it becomes evident that the order cannot be delivered in the quarter originally authorized.

(5) *Exceptions to time schedules for commodities with the processing code STEE.* Section 373.51 of this subchapter establishes time schedules for submission of applications for licenses to export controlled materials. Under the conditions set forth herein, an exception to these time schedules is granted. If an applicant has in his possession or at his command controlled materials with the processing code STEE that he wishes to export and they are ready for prompt shipment, or will be ready within the current or immediately succeeding quarter, an application may be submitted to the Office of International Trade at any time. In each such instance, the applicant must clearly indicate on the face of his application (i) that the material is ready for export and that an allotment is not required or (ii) that there is mill space which will be made available to the applicant upon issuance of a CMP allotment on a mill schedule for the current or next succeeding quarter. Applicant must submit appropriate documentary evidence (letters, telegrams, invoices, bills of sale, mill notice of availability, or other documents, as may be applicable) to substantiate the statements that (i) the material is in his possession or at his command and is ready for export or will be ready for export within the current or immediately succeeding quarter and that an allotment is not required or (ii) that there is mill space which will be made available to the applicant upon issuance of a CMP allotment on a mill schedule for the current or next succeeding quarter. Acceptance of applications meeting these conditions is not to be construed as assurance of approval by the Office of International Trade, since quota considerations or end-use restrictions may make this impossible.

(c) *Applications for exportation of Class B products.* As indicated in paragraph (a) (2) (ii) of this section, a Class B product means any product so designated in the current "Official Class B Product List" issued by NPA. Manufacturers of Class B products obtain allotments for controlled materials for the manufacture of such products in accordance with the procedures prescribed in CMP Regulations issued by the National Production Authority. Such allotments cover the manufacturer's requirements for Class B products to be consumed domestically, and Class B products to go into export. Applications for licenses to export Class B products are handled in accordance with the procedures covering the products themselves. No special procedures with regard to applications

for licenses are established in this section for the export of Class B products.

(d) *Applications for exportation of Class A products*—(1) *Definition of Class A products.* As noted in paragraph (a) (2) (iii) of this section, Class A products are any products containing steel, copper and aluminum not designated as a Class B product.

(2) *How and when to apply for license.* Applications for licenses to export Class A products will be filed in accordance with the provisions prescribed in Parts 370 to 399, inclusive, of this subchapter. These applications may be filed at any time.

License applications for Class A products must be accompanied by four copies of CMP Form 4A² signed by the manufacturer and prepared in accordance with the NPA "Instructions for Preparing Form CMP-4A," with these modifications:

(i) Item 2: Show name of customer (normally, this will be the applicant for the accompanying export license).

(ii) Item 3: Show customer's purchase order number.

(iii) Item 4: Name and address of manufacturer (whether or not he is also the exporter).

(iv) Section 1: Show proposed production schedule only for the order covered by the license application.

In the event an exporter requires supply assistance for a Class A product for which a validated license is not required for export to the proposed foreign country of destination, the CMP Form 4A should be filed in accordance with the instructions outlined above, accompanied by a letter of transmittal from the exporter, but without an export license application.

(3) *Assignment of allotment symbols.* On all licenses approved for commodities designated as Class A products under the NPA Controlled Materials Plan, the Office of International Trade assigns, on Form CMP-10 or other appropriate document, to the manufacturer who signed the Form CMP-4A, the right to apply a specified allotment number and symbol to procure the controlled material needed to manufacture the "A" product covered by the export license. The CMP allotment symbols designated by the National Production Authority for export are as follows:

CMP allotment symbol	Claimant agency
W-2	OIT
W-4	MSA

The allotment symbol authorizing procurement of the controlled material needed to manufacture the Class A product will be assigned to the manufacturer directly on CMP Form 10. In addition, the manufacturer will be given the right to apply a DO rating to secure production materials (other than controlled materials) needed in the manufacture of the Class A product in accordance with section 21 of CMP Regulation 1. The legend entered on CMP Form 10

² CMP Form 4A may be obtained from Department of Commerce field offices and from the Distribution Office, National Production Authority, Department of Commerce, New GAO Building, Fourth and G Streets NW., Washington 25, D. C.

assigning this right to the manufacturer will be similar to the following:

By authority of the NPA, the manufacturer herein named is assigned the right to apply the rating (e. g. DO-W-2) for the procurement of other production materials and components as defined in section 21 of CMP Regulation 1, including containers and packaging materials, required for the manufacture of the Class A product referred to herein.

(4) *Replacement of lost CMP-10.* Where Form CMP-10 has been validated and issued to manufacturer and becomes lost, a duplicate of such Form CMP-10 may be obtained by the manufacturer by submitting to the Office of International Trade a letter certifying:

(i) That the validated CMP-10 covering export application submitted by (name and address of applicant) and bearing OIT case No. _____, has been lost or destroyed;

(ii) As to the circumstances under which it was lost or destroyed;

(iii) That if the originally validated Form CMP-10 is found, the manufacturer agrees to return the original or duplicate of such Form CMP-10 to the Department of Commerce.

(5) *Requests for conversion of allotments—CMP Class A products.* If a licensee holding a validated license and NPA Form CMP-10 is unable to place his order for CMP Class A products for delivery during the quarter specified by the Office of International Trade (on Form CMP-10 or other appropriate document), or for any other reason requires a change in his allotment symbol, and a conversion of that right or allocation to a subsequent quarter is desired, the exporter or the manufacturer shall return the validated Form CMP-10 or other appropriate document to the Office of International Trade, accompanied by a letter stating why a conversion is necessary. If request is granted, a new validated NPA Form CMP-10 will be issued.

(e) *Special procedures in connection with project licenses.* The procedures laid down in paragraphs (a) through (d) of this section relate to applications for export licenses filed on Form IT-419 in accordance with Part 372 of this subchapter. Applications for controlled materials for Class A products under project licenses will be subject to the same special procedures, except that CMP Form 4A is not required for petroleum project licenses and the application forms prescribed for project licenses and requests for conversion of allotment (IT-375, IT-324, and PAD-26A) will be used rather than IT-419 or IT-763 for submission of applications. Further, applications for petroleum project licenses will be filed in accordance with the time schedules established for such applications in § 398.8 (e) rather than the special time schedules prescribed in § 373.51 of this subchapter.

(f) *Controlled materials used as MRO.* The procedure granting supply assistance for the export of maintenance, repair and operating supplies (§ 398.3) based upon NPA Order M-79 specifically excludes controlled materials. License applications for any controlled materials identified in the Positive List by a "C" in the column headed "Commodity Lists," or for CMP Class A products, shall be

filed in accordance with the provisions of this section, whether intended for use abroad as MRO or for other purposes. However, in the case of controlled materials or Class A products destined for MRO use in foreign commercial aircraft, application should be filed in accordance with § 398.1.

§ 398.6 *DO (priority) assistance by Office of International Trade for dichlorodiphenyl trichloroethane (DDT).* [Deleted, effective January 31, 1952.]

§ 398.7 *Supply assistance for foreign mining operations: MRO and capital additions—(a) Authority.* Pursuant to National Production Authority's Order M-78, the Office of International Trade, Department of Commerce, is authorized to assist producers of metals and minerals whose mines (1) have received serial numbers under DMA Order MO-7, and (2) are located in a foreign country other than those listed in 398.1 (c), by securing allotment numbers and priority ratings to permit the procurement of needed materials in quantities greater than the established quotas for MRO purposes and for capital additions.

(b) *Scope.* Supply assistance is available pursuant to this section and as authorized by NPA Order M-78 to meet the requirements of foreign serialized mines for the following commodities and purposes:

(1) Maintenance, repair and operating supplies, as defined in section 2 (b), (c), and (d) of the Order M-78;

(2) Minor capital additions not in excess of \$2,000, as set out in section 2 (e) of the Order M-78;

(3) Major capital additions (costing over \$2,000) as defined in section 2 (1) and section 15 of NPA Order M-78 for which application may be made to secure limited supply assistance as set forth in paragraph (f) of this section.

Under the terms of the order, the allotment symbol W-2 may be used to obtain controlled materials, and the rating DO-W-2 for materials other than controlled materials required by foreign serialized mines. However, the allotment symbol and rating may not be applied to obtain any of the materials listed in Schedule I of CMP Regulation No. 5 as it may be amended from time to time (except those products listed as items 1 and 10 of Schedule I) or in List A of NPA Regulation No. 2. (Refer to § 398.3 for complete listing of such excluded items.)

In addition, the allotment symbol and rating may not be applied by a producer to obtain, in any quarter (calendar or fiscal), materials for minor capital additions exceeding, in the aggregate, 10 percent of his quarterly MRO quota, or \$2,000, whichever is greater.

In his use of the allotment symbol to procure rails and in his use of the rating to procure track accessories and chemicals, the producer is limited to an amount not to exceed the ratio of consumption by weight to his production by weight for the average of the three years 1948 through 1950.

(c) *Who may apply.* "Foreign producers" whose mines have been assigned serial numbers under § 398.2 and are located in: (1) Countries other than

Canada and (2) other than countries for which the Mutual Security Agency acts as claimant agency, must submit requests for supply assistance under this section to the Office of International Trade, Washington 25, D. C. A "foreign producer" is defined in NPA Order M-78 as any person actually engaged, outside the United States, its territories and possessions in the activities mentioned in paragraph (h) of Order M-78, who is under the jurisdiction of the United States and who has been assigned a serial number pursuant to the provisions of § 398.2. Foreign producers not subject to the jurisdiction of the United States may file through an authorized agent under U. S. jurisdiction.

Note: Producers whose mines are located in countries for which the Mutual Security Agency is claimant agency shall file requests for supply assistance described in this section with the Mutual Security Agency, Washington, D. C., in accordance with instructions issued by that agency. (For a list of such countries, refer to § 398.1 (c).)

Producers located in Canada should consult with the Canadian Division of the National Production Authority, Department of Commerce, Washington 25, D. C.

(d) *Establishment of quarterly quotas to cover MRO and minor capital additions and required report to OIT.* (1) Any foreign producer, as defined in Order M-78, may, without the necessity of filing any applications, establish his quarterly MRO quota amounting to 120 percent of the dollar value of all MRO expenditures made by him in the United States in the calendar year 1950 (or at his election, his last fiscal year ending prior to March 1, 1951, if he operated on a fiscal year basis prior to that date). He must exclude from his calculation materials listed in List A of NPA Reg. 2 and capital additions. Section 7 (e) of Order M-78 describes the manner in which a seasonal quota may be established by a producer if he so elects.

(2) However, any producer who establishes a quarterly MRO quota in excess of \$10,000 must, within 30 days after he first applies the relevant allotment symbol or the rating under the quota, as permitted by Order M-78, notify the Office of International Trade in writing of the quota he has established, the base period he has used, the method he used in computing his quota, and the corrections he made for seasonal or other factors. Such notification shall be filed in quadruplicate on DMA Form MF-400.

(3) Section 8 of Order M-78 explains how charges are made by the producer against his quota.

(e) *Submission of requests for increased quotas to cover MRO supplies and minor capital additions.* (1) In cases where a foreign producer's essential needs for MRO supplies and minor capital additions cannot be met within his established quarterly quota described in paragraph (d) of this section, for the reason that production in his mines has increased, he may file application in quadruplicate on DMA Form MF-400, with the Office of International Trade, Washington, D. C., requesting the necessary increase in his quota. In such cases, producers shall set forth in an accompanying letter (also in quadruplicate

cate) all pertinent facts and justification to support the request for increase.

(2) Where such requests for increases are approved, the OIT will return one authenticated copy of the Form MF-400, on which the producer will be assigned the right to use the allotment number and to apply the priority rating to the full extent of the increased quota.

(3) When a foreign producer's quarterly quota is thus increased, he may continue to operate with the increased quota as his established quota unless the increase is granted on a temporary or seasonal basis or is otherwise restricted by the terms of the authorization. Any increase granted shall not be retroactive.

(f) *Requests for supply assistance in obtaining materials for major capital additions (costing over \$2,000).* Requests of foreign producers for supply assistance in obtaining major capital additions may be filed from time to time with the Office of International Trade, Washington 25, D. C., but for the present these requests must be limited to requests for assistance in obtaining Class B products listed in NPA's Official CMP Class B Product List consisting of machinery and equipment comprising major capital additions. Application shall be made by letter in triplicate giving the following information:

(1) Serial number assigned pursuant to § 398.2;

(2) Description of machinery and equipment required;

(3) Manufacturer or supplier; model, purchase order number (if any); required delivery date; and approximate dollar value;

(4) Need for machinery or equipment and expected results.

Applications for assistance on Class B products for major capital additions which the Office of International Trade feels should be recommended will be referred to the Defense Materials Procurement Agency and/or the National Production Authority for their consideration and action.

(g) *Application for CMP Class A products.* In the event any CMP Class A products are included in the foreign producer's request, he should attach to his application four copies of the relevant Form CMP 4A, signed by the manufacturer, for each Class A product required.

Definition of Class A product and method of filing Form CMP 4A are described in § 398.5.

(h) *Assignment and use of allotment symbols and DO ratings.* (1) Upon establishing his quarterly quota as described in paragraph (d) of this section, a foreign producer automatically—without filing any request—has the right, under the terms of Order M-78, and within the quota as established, to use the allotment symbol W-2 to procure controlled materials and to apply the priority rating DO-W-2 to procure other than controlled materials intended for use as MRO or for minor capital additions, for export to countries for which OIT is claimant agency. (For purposes of applying this allotment symbol and priority rating, OIT is considered to be claimant agency for all foreign countries other than Canada and countries for which MSA is claimant.) This right is

subject, however, to the limitations set out in paragraph (b) of this section and in sections 6 and 11 of Order M-78.

(2) To the extent increased quotas for MRO and minor capital additions are approved on the Form MF-400, the Office of International Trade will specifically assign to the applicant the right to use the allotment symbol W-2 to obtain controlled materials, and the right to apply the rating DO-W-2 to obtain materials other than controlled materials, subject to the limitations set out in paragraph (b) of this section. Instructions as to the manner in which the producer places his delivery order, and the certification which he must make are contained in sections 3, 4 and 14 of NPA Order M-78.

(3) The method for using the allotment number and for applying the priority rating together with the required certification is described in section 14 of Order M-78.

(i) *Relation to other NPA orders.* Rated orders filed by a manufacturer under this regulation, for MRO supplies as defined in NPA Order M-79, are chargeable to his quarterly MRO export quota established in Order M-79, if M-79 applies to him.

§ 398.8 *Supply assistance for foreign petroleum operations—(a) Authority.* National Production Authority Order M-46A and Delegation 12 assist operators of foreign petroleum projects by authorizing allotment symbols and priority ratings to expedite the procurement of materials needed for these projects.

(b) *Definitions.* (1) "Construction operation" means, for the purposes of this section, any use of material for construction, expansion, improvement or reconstruction, incident to any branch of the petroleum industry other than production but shall include, however, the following uses of material incident to production:

(i) A use of material for a vacuum plant or facility; a cycling plant or facility; a plant or facility used for stabilizing of crude oil; a plant or facility for the accumulation and storage of crude oil; a plant or facility for the extraction or recovery of natural gasoline or associated hydrocarbons; or for other treatment, processing, or compression of natural gas; (ii) a use of material in a secondary recovery production operation by water flooding or by utilization of gas; or (iii) a use of material for production offices or camp and related facilities.

(2) "Large construction operation" means, for the purposes of this section, a complete construction operation in which the total cost of controlled materials from the United States to be used is \$10,000 or more, or in which the total cost of all materials from all sources to be used is \$50,000 or more.

(c) *Scope.* Order M-46A applies to any persons who are engaged in the petroleum industry (as defined in section 2 of the order) outside of the United States, its territories or possessions, or the Dominion of Canada; such persons will hereafter be referred to as "operators." Two procedures are established by the order, whereby priority assistance is made available to petroleum operators, to cover the following requirements:

(1) Materials to be used in a "large construction operation";

(2) Material required for any other use than in a large construction operation; that is, for use in production, small construction operations, maintenance, repair, operating supplies, and laboratory equipment.

(d) *Who may apply.* Any operator or his authorized agent who qualifies under the provisions of § 372.2 of this section may file applications for priority assistance or export licenses or both under this section.

(e) *When to apply.* Form PAD-26A (revised March 1952) should be filed as far as possible in advance of the time an allotment of controlled materials and priority assistance is required by an operator; this applies also to any amendments filed on Form PAD-26A. No specific dates are fixed for filing in either case.

The following filing dates for Form IT-824 are hereby established:

(1) For controlled materials only: 180 days prior to the first day of the quarter in which the materials are required as indicated in item 10 of the form;

(2) For all other materials: In accordance with the time schedules set forth in § 373.51 (Supplement 1: Time schedules);

(3) For emergency or interim assistance as defined in section 7 of Order M-46A, or for any other special purpose, no submission date is stipulated.

Note: Form IT-824 may be obtained from the Office of International Trade, Department of Commerce, Washington 25, D. C., or from the Department of Commerce field offices. Form PAD-26A may be obtained from the Petroleum Administration for Defense, Washington 25, D. C.

(e) *Instructions for Forms PAD-26A and IT-824.* (1) All of the terms, conditions, provisions and instructions contained in Forms PAD-26A and IT-824 are hereby incorporated as a part of the regulations in Parts 370 to 399, inclusive, of this subchapter, as though set forth in this subchapter.

(2) In filling out Sections III-B and III-C of Form PAD-26A covering controlled materials and Class A products respectively, applicants should omit the OIT Reference Code. However, with regard to Class A products, Section III-C of the form must identify the controlled material components by furnishing the appropriate Schedule B numbers (instead of OIT Reference Code) for the component material. Thus, both the Class A product and each CMP component required to manufacture the Class A product must be identified by Schedule B numbers.

(3) Similarly, in item 11 (a) of Form IT-824, exporters should omit the OIT Reference Code in filing for controlled materials and Class A products. Items 11 (d), (e), and (f) are to be filled in only with respect to controlled materials (identified on the Positive List by the letter "C" in the column headed "Commodity Lists"). The inventory information required under item 11 (d) of Form IT-824 is to be as of 30 days prior to the deadline date for the submission of Forms IT-824 covering controlled

materials. (See § 398.8 (e) for filing dates.)

(4) Item 11 (e) calling for the quantity of the materials used is to be filled in to show the quantity used by the project or program during the three-month period beginning 10 months prior to the beginning of the calendar quarter specified in item 10 of Form IT-824.

(5) Items 18 and 19 on Form IT-824 calling for license number and amendment number, respectively, are to be filled in by the applicant when Form IT-824 is filed against an outstanding SP or other validated license.

(g) *Large construction operations.*

(1) A petroleum operator desiring priority assistance for materials required for use in a large construction operation for a foreign project located in a country other than Canada must file five (5) copies of Form PAD-26A with the Office of International Trade.

(2) Where the Form PAD-26A is approved, one copy will be returned to the applicant, bearing the authentication of the Office of International Trade and authorizing the use of an appropriate allotment symbol and rating (as explained in paragraph (j) of this section) for the procurement of specific amounts and types of materials listed in the form and attachments. Rated orders or authorized controlled materials orders may not be placed by the applicant for materials needed for the large construction operation until he has received the approved copy of the PAD-26A.

(3) Simultaneously with the Form PAD-26A, the operator must, when appropriate, apply for an SP license on Form IT-419, in accordance with instructions set forth in § 374.3 (a), (b), and (c) of this subchapter; except that instead of certifying the materials requirements for a period of one year, they should be certified for the particular single project for which application is being filed. Accompanying the Form IT-419 (or Form PAD-26A where Form IT-419 is not required) the applicant must file the OIT acknowledgement card, Form IT-116, prepared in accordance with § 372.3 of this subchapter, except that under the space for Schedule B number on the card, applicant should show "PAD-26A"; under the space for processing code, "PETR"; and under the space for commodity description, the name of the project.

(4) Form PAD-26A should not be used by applicants requiring:

(i) Materials for use in any one complete construction operation in which the total cost of controlled materials from the United States is less than \$10,000, or in which the total cost of all materials from all sources to be used is less than \$50,000.

(ii) Oil country tubular goods or other materials for use in drilling and completing oil and gas wells; and

(iii) MRO materials.

(5) Form IT-824 must be used for such purposes pursuant to NPA Order M-46A and as explained in paragraph (b) of this section.

(6) Form PAD-26A should not be used to apply for assistance in procuring used material or equipment, or any materials

or equipment obtainable without priority assistance.

(7) Where the Form PAD-26A includes materials not obtainable through the allotment symbols and priority ratings authorized in Order M-46A (e. g., items which are under specific allocation control of NPA or some other Government agency), the applicant (in addition to itemizing the material in Section IV-A of Form PAD-26A) should file with the form executed copies of the individual application forms required to secure the material in accordance with special instruction (usually an M-order issued by NPA) promulgated by the agency. As part of the project approval, arrangements for processing the special applications with the appropriate agency will be made.

NOTE: The special provisions for including controlled materials and "A" products, which are contained in the instructions for filing Form PAD-26A, should be carefully observed by applicants, who should in this connection review the provisions of § 398.5.

(h) *Other Than Large Construction Operations (Materials for Use in Production, Small Construction Operations, Maintenance, Repair, Operating Supplies, and Laboratory Equipment)*—(1) *General.* A petroleum operator desiring priority assistance for materials required for use in other than a large construction operation as outlined in paragraph (g) of this section must file, for each quarter, five (5) copies of Form IT-824 with the Office of International Trade. Application is to be filed in accordance with paragraph (f) of this section and instructions printed on the form. Included on the form will be all materials requirements of the operator for the quarter for which the form is filed, except materials covered in separate applications filed on PAD-26A as explained in paragraph (g) of this section.

In the event an applicant holds no validated export license at the time he seeks priority assistance for materials on the Positive List, the five copies of Form IT-824 must be attached to the Form IT-419. If the commodities for which supply assistance is requested have already been licensed, this fact shall be shown on the face of Form IT-824 with reference to the export license number and the amendment number.

The Office of International Trade will return one copy of the Form IT-824, indicating the extent of its approval and the appropriate allotment symbol and priority rating for the procurement of specific amounts and types of materials as listed in the form and attachments.

However, any applicant holding a program letter from the Petroleum Administration for Defense may automatically, and without securing prior approval of his Form IT-824 from the Office of International Trade, use the appropriate priority rating to obtain any materials other than those listed in Schedule II of Order M-46A. (A "program letter" means a letter from the Petroleum Administration for Defense to an applicant, approving an operating program to be carried out by the applicant.) To obtain items listed in Schedule II of the order, the applicant may not use an allot-

ment symbol or a priority rating until his Form IT-824 has been returned to him by the Office of International Trade indicating the extent of its approval and specifically authorizing the use of the appropriate symbols on the Schedule II items. A listing of all items included in Schedule II of Order M-46A is shown in § 398.51 (Supplement I). An applicant not holding the program letter may not use a priority rating in advance of his receipt of the approved IT-824 from OIT.

Even if an applicant has a program letter and no Schedule II items are involved, he must obtain an export license, where required by Parts 370 through 399 of this subchapter. SP or DL license holders must file on Form IT-824, since this form, validated by OIT, is an export license. Other applicants must file for an export license on Form IT-419.

NOTE: It should be noted that Schedule II is subject to amendment from time to time, and that, in advance of formal amendment of Order M-46A, the Petroleum Administration for Defense may give notice by letter of such prospective amendment to all operators to whom a program letter has been issued. Operators receiving such notice may not, after the effective date specified in the notice, use priority ratings to secure any items being added to Schedule II, until and unless specific approval has been obtained through receipt of an approved Form IT-824.

(2) *Special provisions for applying for supply assistance for oil country tubular goods on Form IT-824.* When oil country tubular goods (casing, tubing, and drill pipe), Schedule B Nos. 606210, 606230, 606240, and 606260, are to be included in the IT-824, the following specific information must be furnished by the applicant. This is in addition to the information required by the instructions printed on the form itself. Supplemental sheets may be attached to the form as required.

(i) In Item 11 (d), Quantity in Transit and in Inventory: By individual Schedule B number, list separately all casing, tubing, and drill pipe, showing quantity of each size and grades. In the case of drill pipe, show new drill pipe separately, and immediately below this entry, list used drill pipe that has drilled less than 50,000 feet of hole.

These in-transit and in-inventory figures must be stated as of the date 30 days prior to the deadline date for submission of Form IT-824; state the exact calendar date.

(ii) In Item 11 (e), Quantity Used: Show by Schedule B numbers and by sizes and grades, the quantities of casing and tubing used during the quarter immediately preceding the date on which the application is submitted; state specifically the quarter covered. In addition, show the wells completed, by fields, where the casing was used.

(If this information has been submitted previously to any other U. S. Government agency, the same form and terminology used in this prior submission should be continued.)

(iii) In Item 12, Quantity Required: Supply the following information for each Schedule B number:

(a) Requirements of casing, tubing, and drill pipe, by size and grade;

(b) Number of wells, by fields, where this casing, tubing, and drill pipe is to be used;

(c) Surface acres of well and tonnage per well;

(d) State whether each well is a wild-cat or exploitation well; if exploitation, indicate the MER.

(3) *Special provisions for applying for supply assistance for seamless line pipe and welded line pipe on Form IT-824.* When seamless line pipe, Schedule B No. 606270, and welded line pipe, Schedule B No. 606280, are to be included in the IT-824, the following information must be furnished by the applicant. This is in addition to the information required by the instructions printed on the form itself. Supplemental sheets may be attached to the form as required. For new construction only, where size information is requested in this subparagraph, line pipe sizes may be grouped into two categories: "16 inches and over," and "under 16 inches."

(i) In item 11 (d), Quantity in Transit and in Inventory: By individual Schedule B number, show separately quantity of all pipe in stock and in transit by sizes as of 30 days prior to the date of submission of Form IT-824; show exact calendar date used.

(ii) In item 11 (e), quantity used: By Schedule B number and by size, show quantities of line pipe used during the quarter immediately preceding the date on which the application is submitted; state specifically the quarter covered.

(iii) In item 12, quantity required: For each Schedule B number, state quantity required, by size; and as nearly as possible, where the pipe is to be used.

(4) *Special requirement for oil country tubular goods, Schedule B Nos. 606210, 606230, 606240, and 606260.* Within forty-eight (48) hours after placing orders covering oil country tubular goods, Schedule B Nos. 606210, 606230, 606240, and 606260, bearing allotment symbols issued pursuant to authorization received on Form IT-824 from the Office of International Trade, applicant must submit to the Petroleum Division of OIT one legible copy of each purchase order. In addition, at least 60 days prior to the beginning of the quarter for which use of the allotment symbol was authorized, each operator must advise the Petroleum Division of OIT by letter, in duplicate, of any quantities authorized for which purchase orders have not been placed and accepted for delivery during the designated quarter.

(1) *Amendments.* Form PAD-26A need be filed only once for a complete operation although it may be used as an amendment form to effect changes in delivery dates or quantities of material required for use in the project covered by the original form. Where the form is used as an amendment, reference must be made to the original authorized document and requested adjustments must be specifically set forth.

In addition to the quarterly required filing of Form IT-824, this form may also be used to request priority assistance where the operator requires materials not included on his current Form IT-824 or requires material in greater quantities or on earlier dates than shown on his current Form IT-824. In filing this

form for such emergency or interim assistance, the operator need itemize only those items in these quantities on which assistance is being requested. Reference must be made in this supplemental request to the current Form IT-824 which the operator holds.

(j) *Assignment and use of allotment symbols and DO ratings.* (1) Upon returning an approved Form PAD-26A or Form IT-824, the Office of International Trade will authorize the applicant to use the following allotment symbols and priority ratings to purchase the quantities and types of materials specifically listed in the forms and their attachments:

	MSA countries ¹	Other (except Canada)
Controlled materials and "A" products.....	W-4	W-2
Other.....	DO-W-4	DO-W-2

¹ Listed in § 306.1 (c).

(2) The allotment symbol for controlled materials and "A" products, as authorized, will include a quarterly designation (e. g. W-4-1Q52) and will be used in this form by the applicant in placing his purchase order. This quarterly designation represents the calendar quarter of the year during which the operator is permitted to take delivery in the United States of authorized quantities of controlled material, as set forth in section 2 (d) of Order M-46A.

(3) In order to use any of the four symbols listed in subparagraph (1) of this paragraph, the applicant must endorse on or attach to each delivery order the appropriate symbol as well as a certification in the following form:

Certified under NPA Order M-46A.

(4) The priority ratings DO-W-4 and DO-W-2, for the appropriate countries as designated above, may be used by holders of program letters to procure material other than that listed in Schedule II of Order M-46A as amended from time to time without securing prior approval of his Form IT-824 from the Office of International Trade as set forth in paragraph (h) of this section. However, this advance authority does not exist for large construction operations referred to in paragraph (g) of this section.

(5) Any operator who is eligible to obtain priority assistance under the provisions of Order M-46A is not permitted to use any form of priority assistance otherwise made available, to the extent that such assistance is available through M-46A. (This provision of the order, however, does not prevent the re-rating of any delivery pursuant to applicable regulations or procedures, or the use of priority assistance otherwise granted where specific directions to this effect have been issued.)

(k) *Revocation or denial.* If an export license is revoked or an application for a license is denied, any symbol authorized by M-46A for material covered by such export license or license application is simultaneously revoked. The operator must then notify his supplier(s) of the revocation or denial and may take no delivery of material ordered by use of such symbol. The operator must also

promptly notify the Office of International Trade and the Petroleum Administration for Defense of the cancellation of any orders for any affected Schedule II item or any item designated as a Schedule II item.

NOTE: The National Production Authority has ruled that orders rated under this regulation, for MRO supplies as defined in NPA Order M-79, which are filled by a manufacturer having a quota established under M-79, must be charged to his M-79 quota to the extent provided in that order.

§ 398.51 *Supplement 1: Items included in Schedule II of NPA Order M-46A.*

ITEMS INCLUDED IN SCHEDULE II OF NPA ORDER M-46A.

Controlled materials as defined in Section 2 (c) of CMP Regulation No. 1 as such regulation may be amended or supplemented from time to time (for specific listing, refer to items coded "C" in the column of the Positive List headed "Commodity Lists"; and Class A products.

Any item the procurement of which by the use of rating symbols is limited by NPA Regulation 2, as the same may be amended from time to time. List A of NPA Regulation 2 is reprinted below:

- Communications services.
- Crushed stone.
- Gravel.
- Sand.
- Scrap.
- Slag.
- Steam heat, central.
- Certain transportation services, as defined in List A.
- Waste paper.
- Water.
- Wood pulp.
- Solid fuels: All forms of anthracite, bituminous, subbituminous, and lignitic coals, and coke and its byproducts.
- Gas and Gas pipelines: Natural gas, manufactured gas, and pipelines for the movement thereof.
- Petroleum and petroleum pipelines; Crude oil, synthetic liquid fuel, their products and associated hydrocarbons, including pipelines for the movement thereof.
- Electric power: All forms of electric power and energy.
- Radioisotopes, stable isotopes, source and fissionable materials.
- Farm equipment.
- Fertilizer, commercial: In form for distribution to users.
- Food, except in certain cases where used industrially (Refer to List A itself for further definition).
- Transportation services (domestic) storage and facilities.
- Products (production and distribution) used in the petroleum industry and listed in NPA Delegation 9 (February 26, 1951) as follows:
 - (1) Tetraethyl lead fluid.
 - (2) Petroleum cracking catalysts.
 - (3) Special inhibitors used in gasoline.
 - (4) Lubricating oil additives.
 - (5) Fluids and additives made especially for oil and gas drilling, and demulsifiers.

Ores, minerals, concentrates, residues, and other products (until processing is completed) listed in NPA Delegation 5 (January 29, 1952)

Items on Schedule I to CMP Regulation No. 5, as such Schedule may be amended from time to time:

- (1) All basic, organic, or inorganic chemicals, their intermediates and derivatives other than compounded end products not customarily sold as chemicals.

- (2) Products appearing in List A of NPA Order M-47A, as that order may be amended from time to time (except in item 28 of Section VIII of List A), or in List B of said order (except painters' and industrial brushes, as defined in NPA Order M-18, as that order may be amended from time to time).
- (3) Nylon fibers and yarns.
- (4) Packaging materials and containers, except steel nails, steel wire, and steel strapping used for packaging purposes.
- (5) Paint, lacquer, and varnish.
- (6) Paper and paper products.
- (7) Paperboard and paperboard products.
- (8) Printed matter.
- (9) Photographic film.
- (10) Pneumatic tires and tubes.
- (11) Waterfowl feathers.

Items listed in Exhibit A of NPA Order M-41 (metal-working machines) as such exhibit may be amended from time to time:

Ammunition machinery.
Balancing machines.
Beading machines.
Boring machines.
Brakes.
Broaching machines.
Buffing machines.
Centering machines.
Chamfering machines.
Cut-off machines.
Die-sinking machines.
Drilling machines.
Duplicating machines.
Extruding machines.
Filing machines.
Forging machines.
Forging rolls.
Gear-cutting machines.
Gear-finishing machines.
Grinding machines.
Hammers.
Headers.
Key-seating machines.
Lapping machines.
Lathes.
Levelers.
Marking machines.
Measuring and testing machines.
Milling machines.
Nibbling machines.
Oil-grooving machines.
Pipe flanging-expanding machines.
Planers.
Polishing and buffing machines.
Presses.
Profiling machines.
Punching machines.
Reaming machines.
Rifle and gun working machines.
Riveting machines.
Rolling machines.
Sewing machines.
Screw and bar machines.
Shapers.
Swagers.
Tapping machines.
Threading machines.
Shearing machines.
Slotters.
Upsetters.

Items on List A of NPA Order M-43 (construction machinery), as such list may be amended from time to time:

Bituminous Equipment:
Asphalt plants.
Bituminous mixing plants.
Dryers.
Patching plants.
Pavers.
Distributors.
Spreaders and finishers.
Compressors:
Portable air compressors.
Crushing Equipment:
Crushers.
Conveyors.
Screens.

Concrete Equipment:
Batching plants.
Mixers.
Truck mixers.
Pavers.
Spreading and finishing machines.
Cranes, Shovels, and Excavators (commercial sizes, from three-eighths cubic yard to two and one-half cubic yards):
Large shovels.
Dredges.
Hoists and derricks.
Buckets.
Trenchers.
Drills:
Air.
Portable well.
Earth-boring machines.
Deep well drills.
Loaders:
Bucket.
Front end.
Motor Graders:
Any and all.
Pumps:
Pumps, contractors.
Rollers and Compactors:
Any and all.
Scrapers:
Scrapers, hauling.
Tractors:
All tractors for construction.
Tractor Allied Equipment:
Dozers.
Front-end attachments.
Power control units.
Snow plows.
Trucks and Trailers:
Trucks and trailers, off-highway hauling equipment.

Items on Schedule A of NPA Order M-44 (power and electric equipment), as such Schedule may be amended from time to time (see Schedule A for precise definition):

Coal pulverizers.
Electric generators.
Oil circuit breakers.
Air circuit breakers.
Power switchgear.
Metal-clad switchgear.
Transformers.
Reactors.
Rectifiers.
Steam turbines.
Hydraulic turbines.
Synchronous condensers.
Internal combustion engines.
Steam turbine generator sets.
Steam condensers.
Gas turbines.
Gas turbine generator sets.
Gears, turbine.
Hydraulic turbine generator.
Steam generators.

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

Sec.	
399.1	Appendix A—Positive List of Commodities.
399.2	Appendix B—Commodity Interpretations.
399.3	Appendix C—Commodity Processing Codes.

AUTHORITY: §§ 399.1 to 399.3 issued under 63 Stat. 7, as amended; 50 U. S. C. App., 2203, E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR 1948 Supp.

§ 399.1 Appendix A—Positive List of Commodities.

GENERAL NOTES TO APPENDIX A

(a) *Commodity description.* Where the commodity description of a Schedule B number on the Positive List of Commodities mentions only a part of the commodities covered by the Schedule B listing, only the

commodity or commodities specifically mentioned are included on the Positive List.

Example. The commodity description in Schedule B under No. 385900 reads "Man-made (synthetic) textile manufactures, n. e. c." On the Positive List, nylon rope is the only commodity shown under this Schedule B number. Other man-made (synthetic) textile manufactures classified under this number in Schedule B are, therefore, not on the Positive List.

(b) *Quantity classifications.* The quantity classification given for each commodity in the column headed "Unit" must be shown on export license applications. If there is no entry in the Unit column, the application should show the unit of quantity commonly used in the trade.

(c) *GLV dollar-value limits.* The column headed "GLV Dollar-value Limits" has reference to the value limits under the general license, Shipments of Limited Value GLV, established by § 371.10 of this subchapter.

(d) *Commodity processing codes.* The commodity processing codes, referred to in the column headed "Processing Code and Related Commodity Group," are used to facilitate the routing and processing of export license applications. Related commodities are commodities which have the same processing code symbol and the same number following such symbol.

(e) *Abbreviation "n. e. c."* The abbreviation "n. e. c." appearing in the various entries on the Positive List of Commodities means "not elsewhere classified."

(f) *Validated license required.* The column headed "Validated License Required" is used to indicate whether a commodity is identified as an R or RO commodity. A validated license is required for the exportation of RO commodities to destinations in both Country Groups R and O. A validated license is required for exportations of R commodities to Country Group R destinations only. However, a validated license is not required if the exportation can be made under one of the general licenses, as set forth in Part 371 of this subchapter, or under other provisions permitting the exportation without license.

(g) *Definitions.* As used in the Positive List of Commodities, the term "corrosion-resistant materials" means (1) metals or alloys containing 10 percent or more of chromium and/or nickel and/or silicon; 75 percent or more of copper; 85 percent or more of aluminum; or 90 percent or more of zinc, tin, cadmium, indium, lead, silver, titanium, molybdenum, tantalum, or zirconium, either separately or in combination; (2) glass, ceramics, carbon, graphite, or other nonmetallic materials of mineral origin; (3) rubber (natural or synthetic), plastics, or synthetic resins; and (4) any other newly developed corrosion-resistant materials.

NOTE: The Positive List of Commodities includes all commodities which require a validated export license from the Department of Commerce for shipment to any destination, whether to Country Group R and O destinations or to Country Group R destinations only. (All commodities, whether or not on the Positive List, require validated licenses for export to Subgroup A, Hong Kong, and Macao. See Part 384 of this subchapter.) (Commodities licensed by other agencies of the Government are described in §§ 370.5, 370.6, and 370.7 of this subchapter.)

Each commodity is identified (in the column headed "Validated License Required") either as an R or an RO commodity, indicating the respective country groups for which

A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated license required	Commodity list (see heading)
20100	Rubber (natural, allied gums, and synthetic) and manufactures (See Special Provisions, §§ 373.34, 373.31, 373.34)	Lb.	RUBR 2	250	EO	
20601	Crude natural rubber and allied gums (import compounded or semi-processed in 20600); Crude rubber (import natural liquid latex in terms of total dry latex solids TDLs); Synthetic rubbers (import synthetic liquid latex in terms of total dry latex solids TDLs) (import compounded or semi-processed in 20600); S-type (copolymers of butadiene and styrene) (see Special Provisions, §§ 373.34, 373.31); Butyl (copolymers of butadiene and isoprene, or other diolens); Neoprene (polymers of chloroprene); Styrene (copolymers of butadiene and acrylonitrile); Thiobutyl (organic polysulfides) (formerly 20606); Synthetic rubber, n.e.c. (specify by name) (formerly 20607 and 20608).	Lb.	RUBR 14	100	EO	A B
20604	Rubber, technical	Lb.	RUBR 2	100	EO	A B
20605	Rubber, technical	Lb.	RUBR 2	100	EO	A B
20606	Rubber, technical	Lb.	RUBR 2	100	EO	A B
20607	Rubber, technical	Lb.	RUBR 2	100	EO	A B
20608	Rubber, technical	Lb.	RUBR 2	100	EO	A B
20100	Rubber, technical	Lb.	RUBR 9	100	R	
20130	Trucks, fire engines and inner tubes (import scrap tires and fire casings with both beads cut through or at least one bead removed from the casings or the casings made discontinuous by being completely cut through or the casings broken completely through for a length equal to at least the cross-sectional width, and inner tubes completely lacinated or cut cross-sectionally into two separate pieces, under 201200); Pneumatic tires and casings, new and used (see special provisions, §§ 373.34, 373.34);	No.	RUBR 10	100	EO	A
20600	Truck and bus casings: all sizes, combat or run-flat construction, all 9.00-13, 9.00-16 and 10.50-16; all sizes with 12.00 cross section or over; all sizes of 10.00 to, but not including 12.00 cross section with 14-ply rating and over, and all sizes of 7.00 to, but not including 10.00 cross-section with 12-ply rating and over.	No.	RUBR 9	250	EO	A
20600	Other truck and bus casings	No.	RUBR 9	100	R	
20610	Passenger car casings (formerly 206000)	No.	RUBR 3	100	EO	A
20640	Off-the-road casings (except farm tractor and implement): all sizes, combat or run-flat construction; all 9.00-14, 9.00-16 and 10.50-16; all sizes of 12.00 to, but not including 14.00 cross section and over, all sizes of 10.00 to, but not including 12.00 cross section with 14-ply rating and over, and all sizes of 7.00 to, but not including 10.00 cross section with 12-ply rating and over.	No.	RUBR 9	250	EO	A
20640	Other off-the-road casings (except farm tractor and implement)	No.	RUBR 9	100	R	
20640	Farm tractor casings (formerly 206400)	No.	RUBR 9	250	EO	A
20640	Farm implement casings (formerly 206450)	No.	RUBR 9	250	EO	A
20640	Industrial casings, all sizes with 12.00 cross section and over; all sizes of 10.00 to, but not including 12.00 cross section with 14-ply rating and over; and all sizes of 7.00 to, but not including 10.00 cross section with 12-ply rating and over.	No.	RUBR 9	100	EO	A
20640	Other industrial casings	No.	RUBR 9	100	R	
20650	Inner tubes	No.	RUBR 9	250	EO	A
20650	Passenger car	No.	RUBR 3	25	R	
20650	Truck and bus, pneumatic or bullet seal; and multiple chamber, and all sizes of 12.00 cross section and over and all 9.00-13, 9.00-16, and 10.50-16.	No.	RUBR 10	100	EO	A
20650	Other truck and bus inner tubes	No.	RUBR 10	100	EO	A
20650	Off-the-road and industrial inner tubes (except farm tractor and implement), pneumatic or bullet seal; and multiple chamber; and all sizes of 12.00 cross section and over, and all 9.00-13, 9.00-16, and 10.50-16.	No.	RUBR 9	100	R	
20650	Other off-the-road and industrial inner tubes; farm tractor and implement inner tubes.	No.	RUBR 9	100	EO	A

validated licenses must be obtained, as explained in paragraph (f) of the "General Notes to Appendix A."

Commodities are listed in numerical order by the first column of the table. These numbers correspond with those shown in the Department of Commerce publication, Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States, and must be shown on all export license applications.

The column headed "Commodity Lists" is used to identify, by code letters, commodities for which license applications are subject to special requirements. The letter "A" in this column, for example, indicates that applications covering commodities in the entry so identified must conform with the requirements of § 373.34 of this subchapter regarding import certificate and delivery verification. The letter "B" in the column indicates that the commodities so identified are restricted for shipment under a Dollar-Limit (DL) license without prior approval (see § 374.2 (e) of this subchapter). The letter "C" indicates that the commodities so identified are controlled materials (see § 398.5 of this subchapter).

Section references are given in the Commodity column where other special provisions apply to the item: regarding the submission of applications, quantities available for export, information to be shown on the application, and special licensing policies.

For each commodity there is a four-letter code index (GIEQ, STSE, TRAM). This processing code, followed by a dash and the letters "RO" must be shown on all license applications covering RO commodities on the Positive List. Applications for licenses to export R commodities must show the appropriate processing code for each commodity, followed by a dash and the letter "R."

RO commodities may not be entered on the same license application with R commodities.

A number follows the processing code in many instances. It is the related commodity group number and indicates that all commodities having the same processing code and number may be entered on a single application for individual export license when they are destined to one consignee.

For example, all commodities coded RUBR 2 may be entered on one application. Those having different codes (RUBR 2 and RUBR 3 or RUBR 2 and EIME 2) must be listed on separate applications. (See § 372.2 (c) of this subchapter for complete information on the export of related commodities on individual license).

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated license required	Commodity list (see heading)
020102	Hides and skins, raw, except furs (See Special Provisions, §§ 373.1, 373.6)					
020104	Cattle hides, dry	No.	LEAT	100	EO	B
020104	Cattle hides, wet	No.	LEAT	100	EO	B
020104	Goat skins, dry	No.	LEAT 1	100	EO	B
020104	Goat skins, wet (include skin skins)	No.	LEAT 1	100	EO	B
020104	Sheep skins, dry	No.	LEAT 1	100	EO	B
020104	Sheep skins, wet	No.	LEAT 1	100	EO	B
020104	Hide skins of other animals, raw, n.e.c. (include whole skins and parts thereof)	No.	LEAT 1	100	EO	B
020388	Cattle hide parts (including, but not limited to, bellies, cruppers, shoulders, butts, and spalls). Other inedible animals and animal products	Lb.	LEAT	100	EO	B
022300	Feathers, crude, not dressed: Down, and waterfowl feathers, 3 inches in length and under.	Lb.	TEXT	100	EO	B
022300	Feathers, dressed, and manufactures of feathers except waste: Down, and waterfowl feathers, 3 inches in length and under, and the following manufactures of such feathers: down combed, down-filled coats and jackets, feather pillows, sleeping bags, and sleeping robes.	Lb.	TEXT	100	EO	B
022300	Hog bristles, sorted, bunched, or prepared (import waste in 020998).	Lb.	TEXT	100	EO	B
16100*	Sugar and related products	Lb.	SUBT	250	EO	B
16210	Molasses, inedible (import edible molasses in 16100)	Gal	SUBT	250	EO	B

A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column

[A=Import certificate. B=DL restrictions. C=Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vald. dated license required	Commodity list (see heading)
Petroleum and products—Continued						
50320	Refined oils—Continued Lubricating oils, except hydraulic (report hydrocarbon content in 50300); hydraulic oils, except of petroleum origin in 52984 (see 52984); Industrial, except cutting oils (report cutting oils in 50320)					
50340	Refrigerant oils (including all red, or pale yellow, or colorless oils, except those oils intended for use in internal combustion engines) (see 50300 and 50400) (bbl. of 42 gal.)	Bbl.	PETR 23	25	R O	A
50350	Black oils (including all black and dark green oils, except those intended for use in steam cylinders) (bbl. of 42 gal.)	Bbl.	PETR 24	25	R O	A
50360	Cylinder, light stock (including bright stock and industrial lubricating oils which are predominantly bright stock and have a Saybolt Universal Viscosity at 210° F. of 85 seconds or more) (bbl. of 42 gal.)	Bbl.	PETR 24	25	R O	A
50370	Cylinder, steam-refined stocks (including cylinder stock, steam cylinder oil, gear, and other lubricating oils consisting principally of such stocks) (bbl. of 42 gal.)	Bbl.	PETR 24	25	R O	A
50380	Inhibiting or transformer oils	Bbl.	PETR 23	25	R O	A
50390	Industrial engine lubricating oils	Bbl.	PETR 23	25	R O	A
50400	Diesel engine lubricating oils (report diesel fuel oil in 50300) (bbl. of 42 gal.) (formerly 50360)	Bbl.	PETR 23	25	R O	A
50410	Turbine lubricating oil (bbl. of 42 gal.) (formerly 50360)	Bbl.	PETR 23	25	R O	A
50420	Other industrial engine lubricating oil (bbl. of 42 gal.) (specify by name) (formerly 50360)	Bbl.	PETR 23	25	R O	A
50430	Industrial lubricating oils (bbl. of 42 gal.) (specify by name) (formerly 50360)	Bbl.	PETR 23	25	R O	A
50440	Aviation engine lubricating oils (bbl. of 42 gal.) (formerly 50400 and 50410)	Bbl.	PETR 24	25	R O	A, B
50450	Automotive engine lubricating oils (bbl. of 42 gal.) (formerly 50400)	Bbl.	PETR 24	25	R O	A
50460	Automotive gear oils (bbl. of 42 gal.) (specify by kind and grade) (formerly 50400)	Bbl.	PETR 24	25	R O	A
50470	Lubricating oils, n.e.c., except in containers of 4 oz. or less (specify by name)	Bbl.	PETR 24	25	R O	A
50480	Cutting oils and compounds, petroleum base (report cutting oils and compounds, except petroleum base in 50300) (specify by name) (formerly 50360)	Bbl.	PETR 23	25	R O	A
50490	Lubricating greases, except graphite lubricants (report graphite lubricants in 50300)	Lb.	PETR	25	R O	A
50500	Petroleum and petroleum jelly (all grades)	Lb.	PETR	25	R O	A
50510	Microcrystalline wax	Lb.	PETR	100	R O	A
50520	Emulsion wax, chief value paraffin wax; hydrocarbon, and soap wax (formerly 50500)	Lb.	PETR	25	R O	A
50530	Dewax and Penwax (formerly 50500); Cabax Wax; Diax—O—Wax; and Veltarum wax (formerly 50500)	Lb.	PETR	25	R O	A
50540	Petroleum asphalt (report natural asphalt in 50700 and 50710)	L. ton	PETR	100	R O	A
50550	Unmanufactured asphalt	L. ton	PETR	100	R O	A
50560	Manufactured asphalt (report asphalt tile in 50600) (specify by name)	L. ton	PETR	100	R O	A, B
50570	Petroleum coke, including petroleum coke flour	L. ton	COAL 1	100	R O	A, B
50580	Petroleum products, n.e.c., (specify by name) (report finished petroleum greases in 50300 and 50360; finished bleached gasolines in 50160-50170, and jet fuels in 50600)	Lb. or Gal.	PETR	25	R O	A

*The commodities described in this Positive List entry are exempt from the provisions of General In-Transit License GIT. See § 371.6.

[A=Import certificate. B=DL restrictions. C=Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vald. dated license required	Commodity list (see heading)
Glass and products (See Special Provisions, § 373.34)						
53170	Bullet-proof glass	No. and Lb.	BLDG	None	R	A
53210	Optical instrument glass and glass blanks, except optical blank crystals	No. and Lb.	SATE 32	100	R O	A
53230	Optical glass and glass blanks	No. and Lb.	SATE	250	R	A
53250	Glass tubing for acid-resisting tanks, tanks, vats, kettles, piping, and fixtures	No. and Lb.	CDGS	25	R O	A
Clay and products						
53510	Pottery (china, porcelain, earthenware, and stoneware included)	Lb.	ELME 1	500	R	
53520	Electrical porcelain, dry process, for 6000 volts and over (formerly 53500)	Lb.	ELME 1	500	R	
53530	Electrical porcelain, wet process, for 6000 volts and over (formerly 53500)	Lb.	ELME 1	500	R	
53540	Refractories, except graphite (report graphite refractories in 54000)	M	BLDG 31	25	R	
53550	Chrome and chrome-magnesite brick and shapes	M	BLDG 31	25	R	
53560	Magnesite and magnesite-chrome brick and shapes	M	BLDG 31	100	R	
53570	High alumina brick and shapes, 95% Al ₂ O ₃ and over, (report fused alumina in 53550)	M	BLDG 31	100	R	
53580	Firebrick and shapes, except plastic, n. e. c. (specify by name)	M	BLDG 31	100	R	
53590	High-temperature refractory cements or bonding mortars, except of chrome, magnesite, silica, or of freckly composition of less than 95% Al ₂ O ₃ ; plastic refractories (including fused alumina and fused alumina), except of chrome, magnesite, silica, or of freckly composition of less than 95% Al ₂ O ₃	Lb.	BLDG 31	100	R	
53600	Refractories, n. e. c. (specify by name) except of chrome, magnesite, silica, or of freckly composition of less than 95% Al ₂ O ₃	Lb.	BLDG 31	100	R	
Other nonmetallic minerals (precious included) (See Special Provisions, § 373.1, 373.11, 373.13, 373.27)						
54000	Abrasives: Disinfecting wheels, sticks, bones, and laps (see § 373.1, 373.9) Diamond powder (see § 373.1, 373.9) Corundum	Lb.	TOOL 1	None	R O	A, B
54010	Fused aluminum oxide, crude and in grains	Carat	CDGS 2	None	R O	A, B
54020	Fused silicon carbide, crude and in grains	Lb.	MINL	100	R	A
54030	Manufactured abrasives, n. e. c.	Lb.	MINL	100	R O	A
54040	Manufactured grinding wheels, of silicon carbide or aluminum oxide composition, including emery	Lb. or No.	TOOL	250	R	
54050	Iron and steel shot, chilled (see § 373.2)	Lb.	STEE	100	R O	B
54060	Unmanufactured: Graphite (specify carbon content and country of origin) Crystalline flake, lump, or chip Other natural graphite	L. ton	MINL	100	R O	A, B
54070	Waxes and resin	L. ton	MINL	100	R O	
54080	Tar and pitch	L. ton	BLDG	100	R	
54090	Brake lining, molded and semimolded	Lb.	TRAN	500	R	
54100	Brake lining, woven	Lb. n.	TRAN	500	R	
54110	Church facing, molded, semimolded and woven including church lining	No.	TRAN	500	R	
54120	Graphite, natural	Lb.	MINL	100	R O	B
54130	Amorphous (specify carbon content and country of origin)	Lb.	MINL	100	R O	B
54140	Crystalline flake, lump, or chip	Lb.	MINL	100	R O	B
54150	Other natural graphite	Lb.	MINL	100	R O	B

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[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vald. dated license required	Commod. by lists (see heading)
54700*	Other non-metallic minerals (precious included)—Con. Carbon or graphite products (natural and artificial): Electrodes for furnaces or electrolytic work (specify size)	Lb.	MINL	None	RO	A B
54700*	Carbon brushes for motors and for starting, lighting, and engine equipment (see 5470)		ELME 2	50	RO	A B
54700*	Other rods and rods stock in the form of blocks, plates, and rods, carbon and artificial graphite carbons		ELME 2	None	RO	A B
54700*	Lighting carbons		FILM	25	RO	A B
54800*	Refractory enamels, retorts, and stoppers	No. No.	MINL	None	RO	A B
54800*	Graphite gaskets and linings, including, but not limited to, alumina, squaline, redox, and oilage	Lb.	PETR	25	RO	A
54800*	Carbon or artificial graphite electrodes other than for furnace or electrolytic work (specify size) (report electrodes for furnace or electrolytic work in 54700)	Lb.	MINL	None	RO	A B
54800*	Carbon and graphite products (including artificial), n. e. c. (specify by name)	Lb.	MINL	None	RO	A B
51000	Unmanufactured (manovivite and phlogopite): Block, flake and splittings, which conform to ASTM or India-Calcutta standards	Lb.	MINL	100	RO	A
51300	Manufactures, n. e. c., except peep hole covers, stove windows, and elements for heating appliances (specify by process and item) (report ground or pulverized in 51200)	Lb.	MINL	100	R	
57140	Sulfur, crude (containing 85 percent or more sulfur) (formerly 57100) (report sulfur ores or crude sulfur of less than 85 percent sulfur content in 56000)	L. ton	SALT 30	25	RO	A B
57100	Sulfur, crushed, ground, refined, sublimed and flowers (see 57140)	Lb.	SALT 30	25	RO	A B
57200	Magnesium silicate (talc, steatite and soapstone), crude and ground	L. ton	MINL	100	RO	A
57300	Magnesium silicate (talc, steatite, and soapstone) ground and refined, except soapstone flake	Lb.	MINL	100	RO	A
59000*	Quartz crystals		BARA	10	RO	A
59000*	Quartz crystals		BARA	10	RO	A
59000*	Crystals natural and artificial (See 571.37)	Lb.	MINL	100	R	A B
59000*	Kyanite and allied minerals, crude, ground or calcined	L. ton	MINL	100	RO	B
59000*	Iron pyrites		MINL	None	R	
59000*	Cupressine pyrites		MINL	None	R	
59000*	Crude sulfur, of less than 85 percent sulfur content; and sulfur ores (formerly 57160)	L. ton	SALT 30	25	RO	A
59000*	Diamonds suitable only for industrial use n. e. c. (See 571.1, 571.8)	Carat	CDGS 1	None	RO	A B
59000*	Diamonds, rough or uncut, suitable for cutting into gem stones. (See 571.1, 571.9)	Carat	CDGS 1	None	RO	A B
59000*	Diamond bearings (See 571.1, 571.9)		CDGS	None	R	
59000*	Jewel bearings, except diamond		CDGS	None	R	
60070	Pig iron, all grades (specify grade)	S. ton	STEE	1,000	RO	B
60300	Scrap, except tin plated and ternary plated scrap: Melting steel scrap (No. 1 heavy and No. 2) (formerly 60300)	S. ton	STEE 19	100	RO	A B
60300	Baled steel mill turnings	S. ton	STEE 19	100	RO	A B
60300	Beryllium turnings (steel melting)	S. ton	STEE 19	100	RO	A B
60300	Iron scrap (formerly 60300)	S. ton	STEE 19	100	RO	A B
60300	Other scrap (specify type)	S. ton	STEE 19	100	RO	A B

* The commodities described in this Positive List entry are exempted from the provisions of General In-Transit License G1T. See 571.9 (c).

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vald. dated license required	Commod. by lists (see heading)
60110	Tin-plated scrap (not defined) except tin cans, old, crushed (formerly 60100) (report defined or raised scrap in 60100) and 60100	S. ton	TNPL	1,000	RO	A B
60110	Revolving material (formerly 60100) report relaying rails in 60200	S. ton	STEE	1,000	RO	A B C
60120	Iron bars, sleep and pipe					
60120	Iron bars (formerly 60100)	Lb.	STEE	1,000	RO	B C
60120	Steel, wrought iron (formerly 60200)	Lb.	STEE	1,000	RO	B C
60120	Wrought iron pipe, welded, black (formerly 60100)	Lb.	STEE 18	100	RO	B C
60120	Wrought iron pipe, welded, galvanized (formerly 60200)	Lb.	STEE 18	1,000	RO	B C
60120	Cast iron pressure pipe (formerly 60200)	Lb.	STEE 20	1,000	R	
60120	Steel mill products—semifinished					
60120	(See Special Provisions, 571.2, 571.16, 571.24, 571.25, 571.34)					
60120	Steel ingots, blooms, billets, slabs, sheet bars, and the plate bars:					
60120	Carbon steel:					
60120	Ingot, alloy steel, except stainless (formerly 60120)	S. ton	STEE	100	RO	A B C
60120	Ingot, stainless steel (formerly 60100)	S. ton	STEE	100	RO	A B C
60120	Billets, projectible and shell steel (formerly 60100)	S. ton	STEE	100	RO	A B C
60120	Billets, except projectible and shell steel (formerly 60100)	S. ton	STEE	100	RO	A B C
60120	Slabs, sheet bars, and tin plate bars (formerly 60100 and 60100)	S. ton	STEE	100	RO	A B C
60120	Alloy steel including stainless:					
60120	Ingot, alloy steel, except stainless (formerly 60120)	S. ton	STEE	100	RO	A B C
60120	Ingot, stainless steel (formerly 60100)	S. ton	STEE	100	RO	A B C
60120	Billets, projectible and shell steel (formerly 60100)	S. ton	STEE	100	RO	A B C
60120	Billets, except projectible and shell steel (formerly 60100)	S. ton	STEE	100	RO	A B C
60120	Slabs, sheet bars, and tin plate bars (formerly 60100 and 60100)	S. ton	STEE	100	RO	A B C
60120	Alloy steel, except stainless (formerly 60100)	S. ton	STEE	100	RO	A B C
60120	Stainless steel (formerly 60100)	S. ton	STEE	100	RO	A B C
60120	Tube rounds, carbon steel (formerly 60100)	S. ton	STEE	100	RO	A B C
60120	Other semi-finished material for seamless pipe tubing, carbon steel (formerly 60100)	S. ton	STEE	1,000	RO	A B C
60120	Other semi-finished material for seamless pipe tubing, alloy steel, except stainless (formerly 60100 and 60100)	S. ton	STEE	100	RO	A B C
60120	Seamless material for seamless pipe and tubing, stainless steel (formerly 60100 and 60100)	S. ton	STEE	100	RO	A B C
60120	Wire rods, carbon steel (formerly 60100)	Lb.	STEE	100	RO	A B C
60120	Wire rods, alloy steel, except stainless (formerly 60100)	Lb.	STEE	100	RO	A B C
60120	Wire rods, stainless steel (formerly 60100)	Lb.	STEE	100	RO	A B C
60120	Sheep, carbon steel (formerly 60200) (report sheep, wrought iron in 60200)	Lb.	STEE	1,000	RO	A B C
60120	Sheep, alloy steel, except stainless (formerly 60200)	Lb.	STEE	1,000	RO	A B C
60120	Sheep, stainless steel (formerly 60200)	Lb.	STEE	1,000	RO	A B C
60120	Steel mill products, rolled and finished					
60120	(See Special Provisions, 571.2, 571.16, 571.24, 571.25, 571.34)					
60300	Steel bars, including bar size shapes:					
60300	Bar, cold finished (all cold drawn or cold rolled flats, rounds, or special sections in coils or cut lengths):					
60300	Die steel bars, carbon steel	Lb.	STEE 10	100	RO	B C
60300	Other carbon steel bars	Lb.	STEE 10	1,000	RO	A B C
60300	Stainless	Lb.	STEE 10	100	RO	A B C
60300	Alloy, except stainless	Lb.	STEE 10	100	RO	A B C

* The commodities described in this Positive List entry are exempted from the provisions of General In-Transit License G1T. See 571.9 (c).

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Dept. of Commerce Schedule No. B	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated re-quired	Commod. by lists (see footnote)
	<i>Steel mill products, rolled and finished—Continued</i>					
	Pipe, tubes and tubing, n. e. c. (pipe assemblies specially fabricated for particular machines or equipment should be reported as parts of such machines or equipment)—Continued.					
606270	Line pipe, carbon and alloy steel, except stainless (See 606271)	Lb.	STEEL 15	100	RO	A B C
606271	Seamless carbon steel (formerly 606280)	Lb.	STEEL 15	100	RO	A B C
606280	Seamless alloy steel, except stainless (formerly 606280)	Lb.	STEEL 15	100	RO	A B C
606280	Welded, carbon steel (formerly 606280)	Lb.	STEEL 15	100	RO	A B C
606280	Welded, alloy steel, except stainless (formerly 606280)	Lb.	STEEL 15	100	RO	A B C
606280	Standard pipe, carbon and alloy steel, except stainless: Seamless, black (formerly 606400)	Lb.	STEEL 17	100	RO	A B C
606280	Seamless, galvanized (formerly 607705)	Lb.	STEEL 17	100	RO	A B C
606280	Welded, black (formerly 607000)	Lb.	STEEL 17	1,000	RO	A B C
606280	Welded, galvanized (formerly 607200)	Lb.	STEEL 17	100	RO	A B C
607410	Mechanical tubing, carbon steel (formerly 607300)	Lb.	STEEL 17	100	RO	A B C
607430	Mechanical tubing, alloy steel, except stainless (formerly 607300)	Lb.	STEEL 17	100	RO	A B C
607300	Pipe and tubing, stainless steel	Lb.	STEEL 17	100	RO	A B C
607730	Pipe and tubing, carbon steel, n. e. c. (formerly 607730 and 602985)	Lb.	STEEL 17	100	RO	A B C
607730	Pipe and tubing, alloy steel, except stainless, n. e. c. (formerly 607730 and 602985)	Lb.	STEEL 17	100	RO	A B C
608120	Steel wire, n. e. c. (all round, shaped, and flat wire regardless of use) (report electrical insulated wire and cable in 708510-708535)	Lb.	STEEL	100	RO	B C
608130	Uncoated wire, carbon steel (formerly 608100)	Lb.	STEEL	100	RO	A B C
608130	Uncoated wire, alloy steel, except stainless (form-erly 608100)	Lb.	STEEL	100	RO	A B C
608130	Uncoated wire, stainless steel (formerly 608100)	Lb.	STEEL	100	RO	A B C
608200	Advanced wire (flat steel grades), (report binding and setting in 618407; twisted wire in 618408; and wire strand in 618409)	Lb.	STEEL	100	RO	A B C
608210	Coated wire, except galvanized (all steel grades): Alloy steel (formerly 608200)	Lb.	STEEL	1,000	RO	B C
608210	Alloy steel (flat steel grades) (formerly 608100)	Lb.	STEEL	100	RO	A B C
608210	Stainless steel (formerly 608100)	Lb.	STEEL	100	RO	A B C
608300	Barbed and twisted wire	Lb.	STEEL	100	RO	B C
608300	Steel wire, n. e. c.	Lb.	STEEL	100	RO	B C
608300	Musical instrument wire and spring wire, piano grade (formerly 609100)	Lb.	STEEL	300	RO	B C
609100	Other steel wire, n. e. c. (formerly 609100)	Lb.	STEEL	100	RO	B C
	<i>Castings and forgings</i>					
	(See Special Provisions, §§ 371.2, 371.16, 371.24, 371.34)					
610000	Castings, iron and steel, rough and unfinished:	Lb.	STEEL 17	500	RO	B C
610000	Locomotive wheel tires (formerly 610038)	Lb.	STEEL 13	100	RO	B C
610000	Other railway car wheels (chilled iron wheels) (for-merly 610510)	Lb.	STEEL 13	100	RO	B C
610410	Cast carbon steel grinding balls	Lb.	STEEL	500	RO	B
610410	Other carbon steel castings	Lb.	STEEL	500	RO	B C
610491	Cast alloy steel grinding balls, except stainless (for-merly 610490)	Lb.	STEEL	100	RO	A B
610491	Other alloy steel castings, except stainless (formerly 610490)	Lb.	STEEL	100	RO	A B C
610692	Stainless steel grinding balls (formerly 610490)	Lb.	STEEL	100	RO	A B
610692	Other stainless steel castings (formerly 610490)	Lb.	STEEL	100	RO	A B C
610692	Forgings, rough and semi-finished:	Lb.	STEEL	100	RO	A B
610692	Carbon steel grinding balls, rough or polished (for-merly 610510)	Lb.	STEEL 1	100	RO	B
610692	Other carbon steel (formerly 610700)	Lb.	STEEL 1	100	RO	B C
610692	Alloy steel grinding balls, rough or polished, includ- ing stainless (formerly 610690)	Lb.	STEEL 1	100	RO	A B
610692	Other alloy steel, including stainless (formerly 610-690)	Lb.	STEEL 1	100	RO	A B C

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Dept. of Commerce Schedule No. B	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated re-quired	Commod. by lists (see footnote)
	<i>Railway car and locomotive wheels, tires, and axles (valued and 70/rod)</i>					
	(See Special Provisions, §§ 371.2, 371.16, 371.24, 371.34)					
610026	Wheels, without axles (of alloy, specify and give anal- ysis) (report chilled iron wheels in 610050):	Lb.	STEEL 13	100	RO	B C
610026	Railway car wheels, including trolley, carbon steel (formerly 610013)	Lb.	STEEL 13	100	RO	B C
610026	Railway car wheels, including trolley, alloy steel, (formerly 610013)	Lb.	STEEL 13	100	RO	B
610026	Railway wheels, including trolley, iron (for-merly 610013)	Lb.	STEEL	500	RO	A B C
610026	Locomotive wheels, carbon steel	Lb.	STEEL	500	RO	A B C
610026	Locomotive wheels, alloy steel	Lb.	STEEL	500	RO	A B C
610026	Axles, without wheels (if alloy, specify and give anal- ysis):	Lb.	STEEL 13	100	RO	B C
610026	Railway car axles, without wheels, carbon steel	Lb.	STEEL 13	100	RO	B C
610026	Railway car axles, without wheels, alloy steel	Lb.	STEEL	500	RO	A B C
610026	Locomotive axles, without wheels, carbon steel	Lb.	STEEL	500	RO	A B C
610026	Locomotive axles, without wheels, alloy steel	Lb.	STEEL	500	RO	A B C
610026	Wheels and axles, mounted (if alloy, specify and give analysis):	Lb.	STEEL 13	100	RO	B C
610026	Railway car axles, fitted with carbon steel wheels; and railway car axles, carbon steel, fitted with iron wheels	Lb.	STEEL 13	100	RO	B C
610026	Railway car axles, fitted with alloy steel wheels; and railway car axles, alloy steel, fitted with iron wheels	Lb.	STEEL	500	RO	A B C
610026	Locomotive axles, fitted with carbon steel wheels	Lb.	STEEL	500	RO	A B C
610026	Locomotive axles, fitted with alloy steel wheels	Lb.	STEEL	500	RO	A B C
	<i>Metal manufactures</i>					
	(See Special Provisions, §§ 371.1, 371.2, 371.16, 371.24, 371.34, 371.55, 371.58)					
611926	Table flatware and specially fabricated parts, n. e. c.: Platinum and platinum alloy metals (specify type of metal) (formerly 602905 and 602908)	None	CDGS	None	RO	
611940	Aluminum, copper, brass and bronze (specify type of metal) (formerly 603908, 603909, and 607908)	None	CDGS	100	RO	B
611940	Other nonferrous metals, except precious (specify type of metal) (formerly 602908)	None	CDGS	25	RO	
611970	Hollow ware, solid or plated, and specially fabricated parts, n. e. c.: Platinum and platinum alloy metals (specify type of metal) (formerly 602905 and 602908)	None	CDGS	None	RO	
611990	Aluminum (formerly 603700)	Lb.	CDGS	100	RO	B
611990	Copper, brass and bronze (specify type of metal) (formerly 603908 and 607908)	Lb.	CDGS	100	RO	B
611990	Other metals, except iron, steel, and precious (spec-ify type of metal) (formerly 603908)	Lb.	CDGS	25	RO	B
612050	Cooking, kitchen, and hospital utensils, and specially fabricated parts, n. e. c.: Aluminum (formerly 603700)	Lb.	CDGS	100	RO	B
612100	Copper, brass and bronze (specify type of metal) (formerly 603908 and 607908)	Lb.	CDGS	100	RO	B
612150	Other nonferrous metals, except precious (specify type of metal) (formerly 603908)	Lb.	CDGS	25	RO	
612380	Tin cans (brakers or canners type) finished or unfin-ished, and specially fabricated parts, n. e. c. (for-merly 612380)	Lb.	TNPL	1,000	B	
612810	Wire springs (all steel grades): Bed and cushion springs, except complete bed springs (formerly 609108)	Lb.	STEEL	500	RO	B
612830	Wire springs, n. e. c., and specially fabricated parts, n. e. c. (formerly 609108)	Lb.	STEEL	500	RO	B

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[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule No. B	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vald. dated license required	Commodity lists (see footnote)
<i>Metal manufatures—Continued</i>						
61968	Metal signs, except electric (report electric signs in 709988)	No.	NONP	100	RO	B
61966	Aluminum (formerly 630988)	No.	NONP	25	RO	B
61969	Other metals (specify type of metal) (report iron and steel signs in 61984) (formerly 609988)	No.	NONP	100	RO	B
61999	Metal manufatures, n. e. c. (specify by name) (for particular machines, n. e. c. not specially fabricated) (report electrical equipment (formerly 630988) and steel manufatures, including stampings, in 709988)	Lb.	STEE	None	RO	B
61990	Steel shot (formerly 630988)	Lb.	STEE	100	RO	B
61991	Flexible tubing, except electrical (formerly 630988)	Lb.	STEE	1,000	RO	B
61992	Packing, stainless steel (formerly 630988)	Lb.	STEE	100	RO	B
61993	Tubular steel scaffolding equipment (formerly 630988)	Lb.	STEE	1,000	RO	B
61994	Other metals, except precious (specify by name and type of metal):					
61995	Aluminum and aluminum-base alloy manufatures (formerly 630988)		NONP	100	RO	
61996	Anti-friction manufatures (formerly 630988)		CDGS	25	RO	
61997	Antimony manufatures (formerly 630988)		CDGS	25	RO	
61998	Babbitt metal manufatures (formerly 630988)		CDGS	25	RO	
61999	Beryllium copper manufatures (formerly 630988)		NONP	None	RO	B
62000	Other beryllium and beryllium alloy manufatures		MINL	None	RO	B
62001	Bismuthine brake linings (formerly 630988)		CDGS	25	RO	
62002	Brass or bronze bushings (formerly 630988)		CDGS	25	RO	
62003	Brass or bronze lawn sprinklers (formerly 630988)		CDGS	200	RO	
62004	Brass or bronze bearings and shims (formerly 630988)	Lb.	NONP	200	RO	
62005	Brass or bronze manufatures, n. e. c. (formerly 630988)	Lb.	NONP	100	RO	
62006	Copper manufatures (formerly 630988)		NONP	100	RO	
62007	Lead manufatures (formerly 630988)		NONP	25	RO	
62008	Lead metal manufatures (formerly 630988)	Lb.	NONP	100	RO	
62009	Metal manufatures (formerly 630988)	Lb.	NONP	25	RO	
62010	Nickel manufatures (formerly 630988)	Lb.	NONP	100	RO	B
62011	Selenium metal and metal composition manufatures, n. e. c. (specify selenium content and grade) (formerly 630988)	Lb.	MINL	10	RO	B
62012	Tin collapsible tubes (formerly 630988)	Lb.	NONP	100	RO	B
62013	Tin manufatures, n. e. c. (formerly 630988)	Lb.	NONP	25	RO	B
62014	Zinc manufatures (formerly 630988)	Lb.	NONP	100	RO	B
62015	Other manufatures, n. e. c. of metals other than iron, steel, or precious metals (formerly 630988)	Lb.	MINL	25	RO	B
<i>Ferrous alloys</i>						
(See Special Provisions, § 371.1, 371.11, 371.23)						
62016	Ferromanganese (specify manganese content)	Lb.	MINL	100	RO	B
62017	Ferrosilicon	Lb.	MINL	100	RO	B
62018	Ferrosilicon (specify chrome content)	Lb.	MINL	100	RO	B
62019	Ferromolybdenum (specify molybdenum content)	Lb.	MINL	100	RO	B
62020	Ferromanganese (specify vanadium content)	Lb.	MINL	100	RO	B
62021	Ferrophosphorus (specify phosphorus content)	Lb.	MINL	100	RO	B
62022	Ferrosilicon (specify silicon content)	Lb.	MINL	100	RO	B
62023	Ferrotitanium and ferro-carbon-titanium (specify titanium content)	Lb.	MINL	100	RO	B
62024	Ferromanganese (specify tungsten content)	Lb.	MINL	100	RO	B
62025	Ferrosilicon (specify cobaltium content)	Lb.	MINL	100	RO	B
62026	Ferromolybdenum-titanium (specify alloy content)	Lb.	MINL	100	RO	B
62027	Ferrosilicon (specify aluminum content)	Lb.	MINL	100	RO	B
62028	Other ferroalloys (specify by name and alloy content)	Lb.	MINL	100	RO	B

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Dept. of Commerce Schedule No. B	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vald. dated license required	Commodity lists (see footnote)
<i>Metal manufatures—Continued</i>						
61967	Wire products, n. e. c. (report wire nails, staples, and spikes in 618507-618509)	Lb.	STEE	1,000	RO	B
61967	Chain link fence (formerly 630988)	Lb.	STEE	1,000	RO	B
61967	Other fencing and netting (all metals) (formerly 630988)	Lb.	STEE	1,000	RO	B
61968	Wire cloth:					
61969	Aluminum (formerly 630988)	Sq. ft.	NONP	25	RO	B
61970	Vinylresin (formerly 629420)	Sq. ft.	BLDG	100	R	
61971	Other wire cloth:					
61972	Nickel woven wire mesh composed of wire composed of 95 percent or more nickel (formerly 630988)	Sq. ft.	CDGS	None	RO	A
61973	Wire-reinforcing fabric:					
61974	Iron and steel welded fabric and iron and steel welded mesh (formerly 630988)	Lb.	STEE	500	RO	B
61975	Wire rope and cord, except insulated (report insulated rope and strand in 708195-708197)	Lb.	STEE	500	RO	B
61976	Other uninsulated iron and steel wire rope and cord (formerly 630988)	Lb.	STEE	100	RO	B
61977	Wire strand, including guard rail cable (report strand wire in 630988)	Lb.	STEE	100	RO	A, B, C
61978	Picture cord (formerly 630988)	Lb.	STEE	500	RO	B
61979	Other iron and steel wire strand (formerly 630988)	Lb.	STEE	100	RO	B
61980	Bag and bale ties (all metals) (formerly 630988)	Lb.	STEE	100	RO	B
61981	Wire products, n. e. c., not specially fabricated for particular machines or equipment (specify by name and type of metal) (formerly 630988)	Lb.	STEE	500	RO	B
61982	Metal powders:					
61983	Carbonyl iron powder (for use in the manufacture of magnetic cores for radio and other electrical equipment, and also in pyrotechnics) (formerly 630988) (see § 371.2)	Lb.	STEE	10	RO	A, B
61984	Other carbonyl iron powder (formerly 630988)	Lb.	NONP	10	RO	A, B
61985	Aluminum or aluminum-bronze powders and pastes (aluminum content) (formerly 630988)	Lb.	NONP	25	RO	A, B, C
61986	Beryllium copper (formerly 630988)	Lb.	NONP	None	RO	B
61987	Phosphor copper (specify copper content) (formerly 630988)	Lb.	NONP	25	RO	B
61988	Other copper and copper-base alloys (specify type of metal and copper content) (formerly 630988 and 643988)	Lb.	NONP	100	RO	B
61989	Beryllium and beryllium alloys, except beryllium copper (formerly 630988)	Lb.	MINL	None	RO	B
61990	Molybdenum (formerly 630988)	Lb.	MINL	25	RO	A, B
61991	Molybdenum (formerly 630988)	Lb.	MINL	None	RO	A, B
61992	Tantalum (formerly 630988)	Lb.	MINL	None	RO	A, B
61993	Tungsten (formerly 630988)	Lb.	MINL	None	RO	A, B
61994	Nickel-chrome-boron powder (formerly 630988)	Lb.	NONP	25	RO	B
61995	Selenium (specify selenium content and grade) (formerly 630988)	Lb.	NONP	None	RO	B
61996	Dutch metal; gilding; gold bronze; lead; and nickel flakes (formerly 647988, 651288, and 654688)	Lb.	NONP	100	RO	
61997	Other metal powders (specify type of metal) (formerly 630988 and 630988)	Lb.	NONP	25	RO	
61998	Foil and lead (less than .005 inch in thickness) (report paper-backed foil in 483100):					
61999	Aluminum (formerly 630988)	Lb.	NONP	100	RO	A, B, C
62000	Beryllium foil (formerly 630988)	Lb.	NONP	None	RO	B
62001	Copper or copper-base alloy foil and lead (formerly 630988)	Lb.	NONP	100	RO	A, C
62002	Tin foil (formerly 630988)	Lb.	NONP	25	RO	B
62003	Other foil and lead, except gold and silver (specify type of metal) (see § 370.6)	Lb.	NONP	100	RO	A, B
62004	Types for printing (report type metal in 631510) (formerly 630988)	Lb.	NONP	25	RO	

*The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License G.I.T. See § 371.9 (c).

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Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required	Commodity lists (see heading)
640010	Aluminum ore, concentrates, scrap, and primary forms (See Special Provisions, §§ 373.1, 373.11, 373.15, 373.21)	L. ton	NONF	1,000	RO	A B
640010	Aluminum ore and concentrates: Bauxite and other aluminum ores (formerly 620000)	L. ton	NONF	500	RO	B
640010	Bauxite concentrates, alumina included (formerly 625000)	L. ton	NONF	500	RO	B
640050	Aluminum scrap (new and old) (formerly 600110 and 630070)	Lb.	NONF	25	RO	B
640070	Aluminum metal and alloys in crude form (including ingots, pigs, blooms, and slabs) (formerly 630000)	Lb.	NONF	25	RO	A B C
640010	Aluminum sheets, corrugated	Lb.	NONF	50	RO	A B
640050	Other aluminum plates and sheets, flat and coiled, including strips (.005 inch and over in thickness) (see § 373.21)	Lb.	NONF	50	RO	A B
640010	Aluminum bars and rods, rolled or drawn (.5 inch and over) (report extruded bars and rods in 630250)	Lb.	NONF	100	RO	A B C
640020	Aluminum extruded shapes and tubes (drawn and extruded) (specify by name) (formerly 620000)	Lb.	NONF	100	RO	A B C
640040	Aluminum castings (including forgings, rough and semifinished) (specify by name) (formerly 620000)	Lb.	NONF	100	RO	A B C
640050	Aluminum wire and cable, bare (including aluminum cable steel reinforced—ACSR) (report welding rods and wire (specify by name)—ACSR) (formerly 629500) (report welding rods and wire in 619050)	Lb.	NONF	100	RO	A B C
640050	Aluminum primary forms, n. e. c. (specify by name) (formerly 620000)	Lb.	NONF	100	RO	A B
Copper ore, concentrates, scrap and primary forms (See Special Provisions, §§ 373.1, 373.11, 373.15, 373.24, 373.25, 373.34, 373.35)						
640100	Copper matte, regulus, unrefined copper as blister or converter copper (copper content)	Lb.	NONF	100	RO	A B
640100	Copper ore and concentrates (copper content)	Lb.	NONF	500	RO	A
641200	Refined copper in cathodes, billets, ingots, wire bars and other crude forms (including anodes, formerly 640100) (report copper bars except wire bars in 642800.)	Lb.	NONF	100	RO	A B
641200	Copper scrap (new and old) (see § 373.11 (c)).	Lb.	NONF	100	RO	A B
642000	Copper pipe and tubing	Lb.	NONF	100	RO	A B C
642000	Copper plates, sheets, and strips, including nickel-plated.	Lb.	NONF	100	RO	A B C
642000	Copper rods and bus bars (report copperweld rods in 642510, and wire bars in 641200.)	Lb.	NONF	100	RO	A B C
642510	Copper wire and cable, bare, for electrical conduction only (formerly 642500) (report electrical insulated copper wire in 706510-706550)	Lb.	NONF	50	RO	A B C
642510	Copper wire and cable, bare, other than for electrical conduction (formerly 642500) (report wiring rods and electrodes in 619050)	Lb.	NONF	50	RO	A B C
642500	Copper primary forms: rough forgings and castings (formerly 641200)	Lb.	NONF	100	RO	A C
642500	Other copper primary forms, n. e. c. (specify by name) (formerly 640000)	Lb.	NONF	100	RO	A
Copper-base alloys (including brass and bronze), scrap, and primary forms (See Special Provisions, §§ 373.1, 373.11, 373.15, 373.24, 373.25, 373.34, 373.35)						
644000	Copper-base alloy scrap (new and old) (formerly 644000, 601000, 601950, and 664900). (See § 373.11 (c).)	Lb.	NONF	100	RO	A B
644100	Brass, bronze and nickel silver, or German silver, ingots (formerly 641000 and 601000)	Lb.	NONF	100	RO	A B

*The commodities described in this Positive List entry are exempted from the provisions of General In-Transit License G11. See § 371.9 (c).

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RULES AND REGULATIONS

[A = Import certificate, B = D.L. restrictions, C = Controlled material, Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vali- dated license re- quired	Commod- ity lists (see heading)
	Lead ore, concentrates, scrap, and primary forms— Continued					
645000	Lead sheets, strips, and pipe (include bends)	Lb.	NONP	100	RO	B
645010	Lead plate, including battery plate, not assembled as complete battery units (formerly 64157)	Lb.	NONP	100	RO	B
645110	Typical battery units (formerly 64157)	Lb.	NONP	100	RO	B
645115	Antimonial lead	Lb.	NONP	25	RO	B
645117	Babbit metal (except scrap and dross) (formerly 645000)	Lb.	NONP	100	RO	A B
645119	Lead and lead-base alloy primary forms, u. e. c. (specify by name) (formerly 64158)	Lb.	NONP	100	RO	A B
	Nickel ore, concentrates, scrap, and primary forms (See Special Provisions, §§ 373.1, 373.11, 373.15, 373.24, 373.26)					
645201	Nickel ore, concentrates, and matte	Lb.	NONP	300	RO	A B
645203	Nickel metal in ingots, bars, rods, sheets, strips, and other crude forms (including scrap) (formerly 645200)	Lb.	NONP	None	RO	A B
645207	Nickel alloy metals in ingots, bars, rods, sheets, strips, and other crude forms, including scrap (re- port nickel silver in 644000-645000) (formerly 645205)	Lb.	NONP	100	RO	A B
645208	Nickel-chrome electric resistance wire (formerly 645000)	Lb.	NONP	None	RO	A B
645209	Nickel and nickel alloy primary forms, u. e. c. (specify by name and nickel content) (formerly 645208 and 645108) (report cupro-nickel wire in 645700)	Lb.	NONP	25	RO	A B
	Tin ore, concentrates, scrap, and primary forms (See Special Provisions, §§ 373.1, 373.11, 373.15, 373.24, 373.26)					
645301	Tin ore (formerly 64498)	Lb.	NONP	25	RO	B
645303	Tin alloy scrap (new and old) (including babbitt metal dross and scrap) (formerly 645300 and 64698)	Lb.	NONP	25	RO	B
645307	Tin metal in ingots, pigs, bars, blocks, anodes, cathodes, slabs, and other crude forms (see § 373.1)	Lb.	NONP	25	RO	B
645319	Tin pipe, plates, sheets, tubes, and other primary forms (specify by name) (formerly 645302 and 645308) (report collapsible tubes in 619650)	Lb.	NONP	25	RO	B
	Zinc ore, concentrates, scrap, and primary forms (See Special Provisions, §§ 373.1, 373.11, 373.15, 373.24, 373.26)					
645700	Zinc ore and concentrates (zinc content) (see § 373.11 (f))	C. B.	NONP	500	RO	B
645701	Zinc scrap (zinc content)	C. B.	NONP	100	RO	B
645702	Zinc dust (zinc content) (formerly 645600) (see § 373.11 (f))	C. B.	NONP	25	RO	B
645710	Zinc cast in slabs, pigs, or blocks: Spent in high grade containing not over 0.05% zinc, no aluminum, and at least 99.99% zinc; High grade, containing not over 0.05% lead, not over 0.05% iron, not over 0.05% cadmium, no aluminum, and at least 99.95% zinc	Lb.	NONP	300	RO	B
645715	Prime western, containing not over 1.50% lead and not over 0.98% iron.	Lb.	NONP	300	RO	B
645718	Other zinc cast in slabs, pigs, or blocks (formerly 645705, 645711, 645712, and 645718)	Lb.	NONP	300	RO	B
645728	Zinc rolled in sheets, plates, and strips (formerly 645726 and 645730)	Lb.	NONP	100	RO	B
645735	Zinc alloys, except brass and bronze	Lb.	NONP	100	RO	B
645737	Zinc die castings, unfinished	Lb.	NONP	100	RO	B
645801	Battery shells, and parts, unassembled	Lb.	NONP	100	RO	B
645802	Zinc and zinc alloy primary forms, u. e. c. (including zinc-coated iron and steel products) (specify by name) (formerly 645808)	Lb.	NONP	100	RO	B

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Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vali- dated license re- quired	Commod- ity lists (see heading)
	Other nonferrous ores, concentrates, scrap and primary forms (except precious) (See Special Provisions, §§ 373.1, 373.11, 373.15, 373.24, 373.25, 373.34)					
644301	Antimony	Lb.	MINL	50	RO	B
644302	Ores and concentrates (including antimony matte containing lead)	Lb.	MINL	25	RO	B
644303	Metal and alloys in crude form (including regulus, anode or bicuprated antimony, and antimony-bearing scrap metal) (formerly 644901)	Lb.	MINL	25	RO	B
	Beryllium:					
644305*	Ores and concentrates	Lb.	MINL	None	RO	B
644306*	Metal and alloys (except beryllium copper) in crude form, and scrap (report beryllium copper in 644900) (formerly 644905)	Lb.	MINL	None	RO	B
644307*	Primary forms, u. e. c. (specify by name) (formerly 644901) (report beryllium copper primary forms in 644900-647000)	Lb.	MINL	None	RO	B
	Bismuth:					
644310*	Matte, slimes, residues, and above bullion	Lb.	MINL	50	RO	A B
644311*	Metals and alloys (formerly 644910)	Lb.	MINL	1	RO	A B
644312*	Cadmium dross, blue dust, residues, and scrap (formerly 644310)	Lb.	NONF	None	RO	A B
644314*	Cadmium metals (metallic shapes included) (formerly 644910)	Lb.	NONF	1	RO	A B
644315*	Cadmium alloys (formerly 644917)	Lb.	NONF	50	RO	A B
644317*	Cerium: Ores, metals, and alloys (formerly 644908 and 644915)	Lb.	MINL	None	RO	B
	Chromium or chromite:					
644320	Ores and concentrates	Lb.	MINL	300	RO	B
644322	Metal and chromium-bearing alloys in crude form, and scrap (formerly 644920)	Lb.	MINL	25	RO	B
644323	Primary forms, u. e. c. (specify by name) (formerly 644920)	Lb.	MINL	25	RO	B
	Cobalt:					
644326	Ores, concentrates, metal in crude form, and cobalt-bearing scrap metal (including cobalt alloys and scrap containing 15 percent or more of cobalt by weight) (formerly 644325 and 644925)	Lb.	MINL	None	RO	A B
644329	Primary forms, u. e. c. (specify by name) (formerly 644925)	Lb.	MINL	None	RO	A B
	Columbium or niobium:					
644330	Ores and concentrates	Lb.	MINL	None	RO	A B
644332	Metals and alloys in crude form (formerly 644930)	Lb.	MINL	None	RO	A B
644333	Primary forms, u. e. c. (specify by name) (formerly 644930)	Lb.	MINL	None	RO	A B
	Manganese:					
644340	Ores and concentrates, containing 10 percent or more manganese	Lb.	MINL	300	RO	B
644341	Manganese copper in crude form, and scrap (formerly 644936)	Lb.	NONF	25	RO	A B
644341	Other manganese metal and alloys in crude form, and scrap (containing 10 percent or more manganese) (formerly 644940)	Lb.	MINL	None	RO	A B
644343	Primary forms, u. e. c. (specify by name) (formerly 644940)	Lb.	MINL	None	RO	B
	Magnesium:					
644347	Metal and alloys in crude form, and scrap (formerly 644950)	Lb.	MINL	None	RO	A B
644349	Primary forms, u. e. c. (specify by name) (formerly 644950)	Lb.	MINL	25	RO	A B
	Molybdenum:					
644350	Ore and concentrate (molybdenum content) (formerly 645000) (see § 373.11)	C. B.	MINL	None	RO	A B
644351	Metal and alloys in crude form, and scrap (formerly 644951)	Lb.	MINL	None	RO	A B

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Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated license required	Commodity lists (see heading)
66453	Other nonferrous ores, concentrates, scrap and primary forms (except precious)—Continued					
66453	Molybdenum—Continued					
66453	Molybdenum wire (formerly 66195)	Lb.	MINL	None	RO	A B
66453	Primary forms, n. e. c. (specify by name) (formerly 664945)	Lb.	MINL	None	RO	A B
66453	Radium metal (radium content) (formerly 664503)	C. gram	MINL	None	RO	B
66453	Ores, concentrates, metals and alloys in crude form, and scrap (formerly 664500 and 664800)	Lb.	MINL	None	RO	A B
66453	Tantalum rings and tantalum wire (formerly 665198)	Lb.	MINL	None	RO	A B
66453	Other primary forms, n. e. c. (specify by name) (formerly 664860)	Lb.	MINL	None	RO	A B
664570	Titanium, minerals, and refuse	Lb.	MINL	None	RO	B
664571	Ores and concentrates	Lb.	MINL	None	RO	A B
664573	Metal and alloys in crude form, and scrap (formerly 664966)	Lb.	MINL	None	RO	A B
664573	Primary forms, n. e. c. (specify by name) (formerly 664968)	Lb.	MINL	None	RO	A B
664580	Tungsten:					
664580	Ores and concentrates	Lb.	MINL	None	RO	B
664581	Tungsten metal and alloys in crude form, and scrap (specify by name and tungsten content) (formerly 663900)	Lb.	MINL	None	RO	A B
664583	Tungsten carbide die inserts (specify tungsten content) (formerly 663901)	Lb.	TOOL	5	RO	A B
664583	Other tungsten metal and alloys in primary forms, n. e. c. (specify by name and tungsten content) (formerly 663903)	Lb.	MINL	None	RO	A B
664584	Vanadium:					
664584	Ores and concentrates, vanadic oxide (pentoxide V ₂ O ₅ content) (formerly 663700) (see § 373.11)	C. lb.	MINL	None	RO	A B
664585	Vanadium fine dust (formerly 66188)	Lb.	MINL	25	RO	A B
664585	Metal and alloys in other crude form, and scrap (for primary 664966)	Lb.	MINL	None	RO	A B
664589	Primary forms, n. e. c. (specify by name) (formerly 664969)	Lb.	MINL	None	RO	A B
664596	Zirconium:					
664596	Ores and concentrates (including sand)	Lb.	MINL	None	RO	B
664596	Metal and alloys in crude form, and scrap (formerly 664963)	Lb.	MINL	None	RO	A B
664597	Primary forms, n. e. c. (specify by name) (formerly 664965)	Lb.	MINL	None	RO	A B
664598	Nonferrous ores and concentrates, n. e. c. (specify by name) (report radium ore concentrates for industrial use in 829500)					
664598	Strontium	Lb.	MINL	None	RO	A B
664598	Selenium (specify selenium content and grade)	Lb.	MINL	30	RO	B
664598	Europium rare earth	Lb.	MINL	None	RO	B
664598	Gadolinium rare earth	Lb.	MINL	None	RO	B
664598	Lanthanum rare earth	Lb.	MINL	None	RO	B
664598	Praseodymium rare earth	Lb.	MINL	None	RO	B
664598	Samarium rare earth	Lb.	MINL	None	RO	B
664598	Other rare earths, n. e. c.	Lb.	MINL	None	RO	B
664598	Other ores and concentrates, n. e. c. (except rare earths)	Lb.	MINL	None	RO	B
664998	Nonferrous metal and alloys in primary forms, n. e. c. (specify by name):					
664998	Selenium metal (specify selenium content and grade)	Lb.	MINL	30	RO	B
664998	Calcium metal	Lb.	MINL	30	RO	A
664998	Gallium metal	Lb.	MINL	None	RO	A
664998	Germanium metal	Lb.	MINL	None	RO	A
664998	Radium metal	Lb.	MINL	None	RO	B
664998	Indium metal	Lb.	MINL	None	RO	B
664998	Lead metal	Lb.	MINL	None	RO	B
664998	Platinum metal	Lb.	MINL	None	RO	B
664998	Strontium metal	Lb.	MINL	None	RO	B
664998	Other rare metals, n. e. c.	Lb.	MINL	None	RO	B
664998	Other metals and alloys in primary forms, n. e. c.	Lb.	MINL	None	RO	A

*The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License GIT. See § 371.9 (c).
† Expert authorization for thorium metals and alloys and uranium metal classified under Schedule B No. 664998 is under the exclusive jurisdiction of the Atomic Energy Commission. See § 373.7.

* See § 373.6 (a) for exportations of gold requiring authorization from the Treasury Department.
† See § 373.7 (a) for exportations of gold requiring authorization from the Treasury Department.

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

RULES AND REGULATIONS

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule No. B	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Valued license required	Commodity lists (see footnote)
	Electrical machinery and apparatus—Continued					
	Motors and controls, n. e. c., and parts (report auto-type, seignin and other synchronous transmission systems in 704880) (continued)					
704850	Industrial motor controls (consisting of starting, speed regulating, stopping and protecting devices) and parts—Continued	No.	ELME 1	100	R	A
704850	Other industrial motor controls, n. e. c. for motor, 5 horsepower and over; and specially fabricated parts, n. e. c. (formerly 704800)	No.	ELME 2	100	RO	A
704850	Accessories and parts for reversible-type electric motors over 1,000 horsepower.	No.	ELME 1	100	R	A
704850	Accessories and parts for other electric motors, 5 horsepower and over.	No.	ELME 2	None	RO	A
704850	Electric mining and industrial locomotives (formerly 704500)	No.				
704850	Electric bulbs and tubes (lamps), and parts (report bulb and tube blanks in 52000 and 520400)	No.				
704850	Molybdenum filaments (see § 373.1)	No.	MINL	None	RO	A B
704850	Tungsten contacts and filaments (see § 373.1)	No.	MINL	None	RO	A B
704850	Searchlights and airport beacons (specify by name)	No.	ELME 1	100	R	A
704850	Electric industrial melting and refining furnaces (specify by name) (formerly 707410)	No.	ELME 2	None	RO	A B
707425	Electric industrial heat-treating furnaces (specify by name) (formerly 707400)	No.	ELME 2	100	RO	A
707425	Parts, n. e. c., specially fabricated for electric industrial melting and refining furnaces (formerly 707410)	No.	ELME 2	None	RO	A B
707425	Parts, n. e. c., specially fabricated for electric industrial heat-treating furnaces (formerly 707420)	No.	ELME 2	100	RO	A
707425	X-ray apparatus, and parts, n. e. c.	No.	SATE	None	RO	A B
707425	Medical and dental X-ray tubes 1,000 PKV and over; medical and dental X-ray tubes under 1,000 PKV with effective focal spots 4 mm. square or less (except those 50 PKV to, but not including, 140 PKV) (formerly 707510)	No.	SATE	None	RO	A B
707425	Industrial X-ray tubes 1,000 PKV and over; industrial X-ray tubes under 1,000 PKV with effective focal spots 4 mm. square or less (except those 50 PKV to, but not including, 140 PKV) (formerly 707510)	No.	SATE	None	RO	A B
707500	Beryllium windows (formerly 707500)	No.				
707500	X-ray diffraction units and specially fabricated parts, n. e. c.	No.	SATE	None	RO	A B
707500	Tungsten X-ray targets (see § 373.1)	No.	MINL	None	RO	A B
707500	Short wave diode units, 500 megacycles and over and specially fabricated parts, n. e. c.	No.	SATE	None	RO	A B
707500	Short wave diode units, under 500 megacycles and specially fabricated parts, n. e. c.	No.	SATE	None	R	
707607	Radio and television apparatus	No.				
707607	Radio and television apparatus transmitting equipment, and specially fabricated parts and accessories, n. e. c. (formerly 707615 and 707620)	No.				
707615	Radio communication instruments, n. e. c. (report radar equipment in 708410; broadcast equipment in 707607; automobile and home-type radio receivers in 707635-707710)	No.				
707615	Radio receiver sets, communication-type, shipborne (formerly 707720)	No.	BARA 51	200	R	
707615	Shiphorne (maritime mobile) transmitters and transceivers (transmitter-receivers), and specially fabricated parts and accessories, n. e. c. (formerly 707615 and 707620)	No.	BARA 50	100	R	
707617	Land-type radio communication transmitters and transceivers (transmitter-receivers), and specially fabricated parts and accessories, n. e. c. (formerly 707615 and 707620)	No.	BARA 50	100	R	
707617	Radio receiver sets, communication-type, except airborne and shipborne (formerly 707720)	No.	BARA 51	200	RO	A

*The commodities described in this Positive List entry are exempted from the provisions of General In-Transit License GIT. See § 371.9 (c).

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule No. B	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Valued license required	Commodity lists (see footnote)
	Electrical machinery and apparatus—Continued					
	Switchgear					
700119	Primary switchboards and panels, and specially fabricated parts, n. e. c. (report oil circuit breakers and oil switches in 703000; other power switches and circuit breakers in 703300)	No.	ELME 1	100	R	
703200	Oil circuit breakers and power circuit breakers, n. e. c., and specially fabricated parts, n. e. c.	No.	ELME 1	100	R	
703200	Electrical quantity measuring and testing instruments, and parts	No.	ELME 1	100	R	
703220	Ammeters, ammeters, microammeters, multi-meters, and voltmeters, all standards (formerly 703020 and 919098)	No.	ELME 2	None	RO	A
703220	Other electrical quantity indicating instruments, nonrecording, n. e. c., except battery testers, battery testing voltmeters, and coil testers (specify by name) (formerly 703020 and 919098)	No.	ELME 2	None	RO	A
703700	Electrical quantity recording instruments, n. e. c. (specify by name) (formerly 703700 and 919098)	No.	ELME 2	None	RO	A
703825	Bridges for measuring impedance, capacitance and resistance (formerly 919098)	No.	ELME	200	R	
703825	Spectrum analyzers, for laboratory use (formerly 919098)	No.	ELME	None	RO	A
703825	Other electrical testing instruments, n. e. c., except instruments of laboratory standards (specify by name) (formerly 703830)	No.	ELME 2	None	RO	A
703830	Specially fabricated parts, n. e. c., for bridges for measuring impedance, capacitance and resistance (specify by name) (formerly 919098)	No.	ELME	None	R	
703830	Other parts, n. e. c., specially fabricated or integrating meters, except seat-hour, electrical quantity indicating and recording instruments, and electrical testing instruments, except laboratory standards, (specify by name) (formerly 703820 and 703860)	No.	ELME 2	None	RO	A
704200	Motor and controls, n. e. c., and parts (report auto-type, seignin and other synchronous transmission systems in 704880)	No.				
704300	Motors, except electric propulsion motors for land transport vehicles	No.				
704300	Motors, 5 hp to and including 200 horsepower	No.	ELME 1	100	R	A
704300	Motors, 200 to and including 1,000 horsepower	No.	ELME 2	None	RO	A
704300	Other motors over 300 horsepower	No.	ELME 1	None	R	
704300	Electric propulsion motors, vehicles, and controls for land transport vehicles, and specially fabricated parts and accessories, n. e. c. (specify by name) (formerly 704300)	No.	TRAN	500	R	
704810	Industrial motor controls (consisting of starting, speed regulating, stopping and protecting devices), and parts	No.				
704810	Steel mill and other materials handling equipment controls for reversible-type electric motors over 1,000 horsepower.	No.	ELME 2	100	RO	A
704810	Other steel mill and materials handling equipment controls, for motors, 5 horsepower and over; and specially fabricated parts, n. e. c. (formerly 704800)	No.	ELME 1	100	R	A
704820	Special-purpose controls, n. e. c., for reversible-type electric motors over 1,000 horsepower, and accessories and parts therefor (formerly 704800)	No.	ELME 2	100	RO	A
704820	Other special-purpose controls, n. e. c., for motors, 5 horsepower and over; and specially fabricated parts, n. e. c. (formerly 704800)	No.	ELME 1	100	R	A
704850	Industrial motor controls (consisting of starting, speed regulating, stopping and protecting devices), and parts	No.				
704850	Industrial motor controls, n. e. c., for reversible-type electric motors over 1,000 horsepower, and accessories and parts therefor (formerly 704800)	No.	ELME 2	100	RO	A

*The commodities described in this Positive List entry are exempted from the provisions of General In-Transit License GIT. See § 371.9 (c).

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Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated license required	Commodity list (see heading)
	<i>Electrical machinery and apparatus—Continued</i>					
	Insulated wire and cable (see § 373.1, 373.11, 373.15, 373.24, 373.28): Building wire and cable Weatherproof and slow-burning wire Communication and signal wire Rubber and/or synthetic rubber-sheathed portable cord, wire and cable (specify by name) (formerly 708550)	Lb. Lb. Lb. Lb.	NONF NONF NONF NONF	100 100 100 100	RO RO RO RO	B C B C B C B C
708550	Rubber and/or synthetic rubber-insulated wire and cable (except building wire and cable), with plain, braided, leaded, or armored finishes (specify by name) (formerly 708550)	Lb.	NONF	100	RO	B C
708570	Vacuum-tube-enclosed wire and cable, with braided, leaded, or armored finishes (specify by name) (formerly 708550)	Lb.	NONF	100	RO	B C
708575	Preformed and pressed tubes, with leaded or screened finishes (specify by name) (formerly 708550)	Lb.	NONF	100	RO	B C
708585	Insulated wire and cable, n. e. c. (specify by name) (formerly 708550)	Lb.	NONF	100	RO	B C
709000	Cathode-ray tubes, n. e. c. (report to television cathode-ray tubes in 708215 and 708216) (formerly 709005)	No.	ELME	None	RO	A
709007	Diathermy tubes (formerly 709005)	No.	SATE 52	None	RO	A
709007	Other electronic tubes, n. e. c., commercial and industrial (formerly 709005)	No.	ELME	None	RO	A
709000	Getters (formerly 709005)	No.	RARA	None	RO	A
709000	Tantalum rings, for radio transmitter and radio receiver tubes (formerly 707528 and 707619) (see § 373.1)	No.	MINL	None	RO	A B
709009	Other parts, n. e. c., specially fabricated for radio transmitter tubes (formerly 707528)	No.	RARA 30	100	RO	A
709009	Parts, n. e. c., specially fabricated for electronic and cathode-ray tubes, n. e. c., except parts for radio transmitter tubes, radio receiver tubes, and television picture tubes (formerly 709005)	No.	ELME	None	RO	A
709020	Electrical steel punchings, transformer grades (formerly 603955) (see § 373.2)	Lb.	STEE	100	RO	B O
709020	Other electrical steel punchings except electrical in port iron and steel punchings except electrical in 603955 (see § 373.2)	Lb.	STEE	1,000	RO	B O
709998	Electrical apparatus and parts, n. e. c.:					
709998	Art welding set parts		ELME 1	100	R	A
709998	Bait welding set parts		ELME 1	100	R	A
709998	Decoupling resistors, negative temperature		ELME 1	None	R	A
709998	Dynamometer parts, except metal finishing and electrostatic parts (report metal finishing in 744850)		ELME 1	100	R	A
709998	Electronic amplifiers for use in experimental laboratories (report audio-amplifying in 708800)		ELME 2	None	RO	A
709998	Frequency converter parts		ELME 1	100	R	A
709998	Mercury power rectifier parts		ELME 1	100	R	A
709998	Mercury power rectifier parts		ELME 1	None	R	A
709998	Phase converter parts		ELME 1	None	RO	A
709998	Searchlight mirrors		ELME 2	None	RO	A
709998	Searchlight parts		ELME 2	None	RO	A
709998	Searchlight equipment parts		ELME 1	None	RO	A
709998	Scrubbers, auto gym, and synchro-motors		ELME 1	None	R	A
709998	Welding machine contacts		ELME 1	100	R	A
709998	Welding set brushes (report carbon or graphite brushes in 547400)		ELME 1	100	R	A
709998	Welding set hoods		ELME 1	100	R	A
	<i>Engines, turbines, and parts, n. e. c.</i>					
	<i>(See Special Provisions, § 373.7, 373.24)</i>					
711510	Steam engines and turbines, n. e. c., and parts, n. e. c.	No.	QIEQ	None	RO	A
711410	Water wheels and water turbines (formerly 716300)	No.	ELME 1	None	R	A

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Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated license required	Commodity list (see heading)
	<i>Electrical machinery and apparatus—Continued</i>					
707525	Radio and television apparatus—Continued. Radio beacon (beam) transmitters, under 500 megacycles, n. e. c. (formerly 707540)		RARA 30	None	RO	A
707525	Radio beacon (beam) transmitters, 500 megacycles and over, and specially fabricated parts and accessories, n. e. c. (formerly 708400)		RARA	None	RO	A
707805	Radio and television receiving type tubes (specify by name) (report television picture receiving tubes in 708215) (formerly 707800)	No.	RARA 31	None	R	A
707830	Radio and television transmitting type tubes (specify by name) (report television camera tubes in 708215) (formerly 707810)	No.	RARA 30	None	RO	A
707842	Television camera tubes (cathode ray) (specify by name) (formerly 709995)	No.	ELME	None	RO	A
707812	Television camera tubes (cathode ray) (specify by name) (formerly 709995)	No.	RARA 31	None	R	A
707905	Capacitors (condensers) (specify by name) (formerly 707828 and 707829)	No.	RARA 31	100	R	A
707910	Resistors (specify by name) (formerly 707828 and 707904)	No.	RARA 31	100	R	A
707915	Inductors (including transformers, coils and chokes), for radio transmitters, and transformer-ventilators (formerly 707828)	No.	RARA 30	100	R	A
707915	Choke transformers for radio receiver sets (formerly 707840)	No.	RARA 31	300	R	A
707916	Parts, n. e. c., specially fabricated for radio transmitter set and transmitter-receiver set expeditors (condensers, resistors, inductors, transformers, and coils) (formerly 707828)	No.	RARA 30	100	R	A
708100	Radio and television receiving set accessories, and parts, n. e. c. (specify by name)	No.	RARA 31	200	R	A
708410	Hydrophones (formerly 707720)	No.	RARA	200	RO	A
708410	Other radar straining and detection apparatus, and specially fabricated parts, n. e. c. (specify by name) (formerly 708400 and 708400) (see § 370.5)	No.	RARA	None	RO	A
708450	Carrier current equipment (high frequency wire transmitting and receiving apparatus), n. e. c., and specially fabricated parts, n. e. c., and specially fabricated parts, n. e. c. (specify by name)	No.	ELME 1	None	R	A
708500	Telephone apparatus (wire) n. e. c., and specially fabricated parts, n. e. c. (specify by name)	No.	ELME 1	None	R	A
708500	Telephone instruments	No.	ELME 1	None	R	A
708700	Telephone equipment, n. e. c., and specially fabricated parts and accessories, n. e. c. (specify by name)	No.	ELME 1	None	R	A
708850	Magnetic recorders, disk, tape, and wire, and specially fabricated parts and accessories, n. e. c. (specify by name) (report motion picture sound recording and reproducing equipment in 901000-901100; spare and replacement tubes in 707805, 707810 and 709607) (formerly 708850, 709608, and 777805)	No.	TRAN	300	R	A
709000	Spark plugs, automobile, bus, tractor, truck, and industrial engine type (specify by name) (formerly 715000, 788500, 791200 and 792100)	No.	TRAN	100	RO	B
709200	Starting, lighting, and ignition equipment, n. e. c., and specially fabricated parts and accessories, n. e. c.					
709200	Automobiles, bus, tractor, truck, and industrial engine type (specify by name) (formerly 702600) (report spare parts in 702600) (see § 373.7)					

¹These commodities prior to Oct. 30, 1950, required export authorization from the Department of State. All outstanding licenses for the exportation of these commodities issued by the Department of State remain valid until they expire or are revoked.
²Other television picture tubes classified under Schedule B No. 70815 require export authorization from the Department of State. See § 370.5.

RULES AND REGULATIONS

[A = Import certificate. B = D.L. restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated license re-quired	Commod. by lists (see footnote)
	Engines, turbines, and parts, n. e. c.—Continued					
711510	Steam engines and turbines, n. e. c. and parts, n. e. c.—Continued					
711560	Gas turbines, except aircraft (formerly 719900)	No.	GIEQ	None	R	A
711900	Parts, n. e. c., specially fabricated for steam turbines, 300 horsepower and over (formerly 712900)	No.	GIEQ	100	R	A
	Parts, n. e. c., specially fabricated for water wheels, and water turbines (formerly 719900)		ELME 1	None	R	
	Power boilers (rated capacity, over 15 pounds pressure per square inch), and parts:					
712200	Fire-tube, Scotch type, 3,000 sq. ft. heating surface and over	Sq. ft.	GIEQ	None	RO	
712300	Water-tube, 3,000 sq. ft. heating surface and over	Sq. ft.	GIEQ	None	RO	
712620	Parts, n. e. c., specially fabricated for power boilers, except diffusers, drop plugs, fusible plugs, and steam traps (formerly 713000) (report boiler tubes shipped as spares or replacements under tubular products according to material)		GIEQ	250	EO	A
	Internal-combustion engines, n. e. c., and parts, n. e. c.:					
714220	Gasoline:					
714220	Outboard motors, detachable, over 50 horsepower (formerly 714210)	No.	TRAN	None	RO	A
714260	W aircraft engines, n. e. c., over 100 horsepower (formerly 714250)	No.	TRAN	None	RO	A
714320	Tractor engines, 10 brake horsepower and under (specify brake horsepower) (formerly 714310)	No.	TRAN	200	R	A
714340	Other, including tractor engines, over 10, up to 40 brake horsepower (specify brake horsepower) (formerly 714330)	No.	TRAN	200	R	A
714360	Other, including tractor engines, over 40 brake horsepower (specify brake horsepower) (formerly 714350)	No.	TRAN	250	EO	A
714560	Diesel and semi-diesel:					
714560	Marine, 200 brake horsepower and under (at normal speed), injection type (specify brake horsepower)	No.	TRAN	750	R	
714620	Marine, over 200, up to and including 500 brake horsepower (at normal speed), injection type (specify brake horsepower) (formerly 714610)	No.	TRAN	None	R	
714640	Marine, over 500, up to and including 1,000 brake horsepower (at normal speed), injection type (specify brake horsepower) (formerly 714630)	No.	TRAN	None	R	
714660	Marine, over 1,000 brake horsepower (at normal speed), injection type (specify brake horsepower) (formerly 714650)	No.	TRAN	None	RO	A
	Other, including tractor engines (specify brake horsepower):					
714710	200 brake horsepower and under (at normal speed), injection type	No.	TRAN	None	RO	A
714720	Over 200, up to and including 500 brake horsepower (at normal speed), injection type (formerly 714710)	No.	TRAN	None	RO	A
714740	Over 500, up to and including 1,000 brake horsepower (at normal speed), injection type (formerly 714730)	No.	TRAN	None	RO	A
714760	Over 1,000 brake horsepower (at normal speed), injection type (formerly 714750)	No.	TRAN	None	RO	A
	Excavators:					
714850	Outboard motors, over 50 horsepower, and other watercraft engines, over 100 horsepower (formerly 714210 and 714250)	No.	TRAN	None	RO	A
714920	Tractor engines, not over 10 horsepower (formerly 714310)	No.	TRAN	200	R	A
714930	Other, including tractor engines, over 10 horsepower (formerly 714310)	No.	TRAN	200	EO	A
714940	Other parts and accessories, n. e. c., specially fabricated for internal combustion engines, n. e. c., report tractor engine parts in 709000, 709220, 788000, and 788060		TRAN	250	RO	A
714960	Parts, n. e. c., specially fabricated for internal combustion engines (report H. P. and R.P.M. of turbines requiring parts)		TRAN	300	RO	

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Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated license re-quired	Commod. by lists (see footnote)
	Construction, excavating, mining and related machinery (See Special Provisions, H 371.7, 373.9, 373.16, 373.28, 373.34)					
	Construction power cranes and shovels, new (report used in 720100):					
720112	Crawler or walker mounted, full revolving, convertible, 2½ cu. yd. dipper capacity and under, or 30 net tons maximum rated crane capacity and under, new (formerly 720110)	No.	CONS	None	RO	
720117	Crawler or walker mounted, full revolving, convertible, over 2½ cu. yd. dipper capacity or over 30 net tons maximum rated crane capacity, new (formerly 720120)	No.	CONS	None	RO	B
720122	Rubber tired mounted, including truck or wagon mounted, full revolving, convertible, new (formerly 720115)	No.	CONS	None	RO	
720127	Other, full revolving, unmounted, new (formerly 720100)	No.	CONS	None	RO	
720132	Other, except full revolving, mounted and unmounted, new (formerly 720130)	No.	CONS	None	R	
720137	Trenchers and ditchers, new (report used in 720100) (formerly 720130)	No.	CONS	None	R	
720142	Loaders (loading machines), excavating, new (formerly 720130) (report used in 720100; nonexcavating in 720300)	No.	CONS	None	R	
720147	Dredging machines, new (specify by name) (formerly 720300) (report used in 720100; dredges fully equipped as vessels in 720130)	No.	MINE	100	RO	A
	Power excavators and dredging machines, used and rebuilt (report new in 720115-720147):					
720160	Construction power cranes and shovels, full revolving, new (formerly 720115, 720130, and 720140)	No.	CONS	None	RO	
720160	Construction power cranes and shovels, not full revolving, new (formerly 720130)	No.	CONS	None	R	
720160	Trenchers, ditchers, and excavating-type loaders, used and rebuilt (formerly 720130)	No.	CONS	None	R	
720160	Dredging machines, used and rebuilt (formerly 720300)	No.	MINE	100	RO	A
720210	Parts, accessories and attachments, n. e. c., specially fabricated for power excavators included on the Positive List under Schedule B Nos. 720112 through 720142, and 720160, for which validated license is required to B and O country destinations (specify by name) (formerly 720300)		CONS	100	RO	A
	Parts, accessories and attachments, n. e. c., specially fabricated for dredging machines (specify by name) (formerly 720300)		MINE	100	RO	A
720210	Parts, accessories and attachments, n. e. c., specially fabricated for power excavators included on the Positive List under Schedule B Nos. 720112 through 720142, and 720160, for which validated license is required to B and O country destinations (specify by name) (formerly 720300)		CONS	250	R	
720240	Crushing, pulverizing and screening machines (construction and mining types), and parts (report other types in 720300)		CONS	None	R	
	Crushers (formerly 720200)		MINE	None	RO	
	Grinders, pulverizers, and granulators (specify by name) (formerly 720205 and 720200)		MINE	None	RO	
	Screening machines for silt, scum, and dewatering (formerly 720105)		MINE	None	RO	
	Aggregate crushing-screening outfits (prefabricated or unitized), capacity not exceeding 175 tons per hour, mobile and semi-portable only (formerly 720105)		MINE	None	RO	

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Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated license re-quired	Commod. by lists (see footnote)
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Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vald. dated license required	Commodity lists (see headnote)
720400	Crushing, pulverizing and screening machinery (construction and mining types), and parts (report other types in 720350)—Continued		MINE	100	RO	
721510	Parts, attachments, and accessories, n. e. c., specially fabricated for crushers, pulverizers, grinders, granulators, screening machines, and crushing screening outfits (specify by name) (formerly 722800 and 723500)	No.	CONS	None	RO	B
721530	Bituminous mixing equipment, stationary, mobile, and semi-portable bituminous paving-outlet spreaders and bituminous pavers, and 722810	No.	CONS	None	RO	
721550	Concrete pavers, paving spreaders, and finishers (formerly 721300)	No.	CONS	None	RO	
721555	Concrete mixers (stationary and portable, including truck- and trailer-mounted), and concrete transport truck-mounted agitators, 15 cu. ft. capacity and over (formerly 721000)	No.	CONS	None	RO	
721565	Concrete mixers (stationary and portable, including truck- and trailer-mounted), and concrete transport truck-mounted agitators, under 15 cu. ft. capacity (formerly 721000)	No.	CONS	None	R	
721580	Parts and accessories, n. e. c., specially fabricated for the equipment included on the Positive List under Schedule B Nos. 721010 through 721355 for which validated license is required to R and O country destinations (formerly 722800)	No.	CONS	100	RO	
721590	Parts and accessories, n. e. c., specially fabricated for the equipment included on the Positive List under Schedule B Nos. 721310 through 721335 for which validated license is required to R country destinations (formerly 722800 and 723100)	No.	CONS	100	R	
722010	Scrapers, self-propelled (formerly 722600)	No.	CONS	None	RO	
722012	Scrapers, pull or push type (formerly 722600)	No.	CONS	None	RO	
722015	Graders, self-propelled (formerly 722600)	No.	CONS	None	RO	
722020	Self-propelled, pneumatic-tired, 30 tons and over net vehicle weight (formerly 722600)	No.	CONS	None	RO	A
722025	Self-propelled, pneumatic-tired, under 30 tons net vehicle weight (formerly 722600)	No.	CONS	None	R	
722029	Road rollers, self-propelled, steel-tired types (formerly 722000)	No.	CONS	None	R	
722032	Parts and accessories, n. e. c., specially fabricated for: scrapers, graders, and pneumatic-tired self-propelled, 30 tons and over net vehicle weight (formerly 722600)	No.	CONS	100	RO	A
722035	Parts and accessories, n. e. c., specially fabricated for: pneumatic-tired self-propelled, under 30 tons net vehicle weight, and self-propelled, steel-tired road rollers (formerly 722600)	No.	CONS	None	R	
722037	Parts and accessories, n. e. c., specially fabricated for: self-propelled, pneumatic-tired, 30 tons and over net vehicle weight (formerly 722600)	No.	CONS	None	RO	A
722038	Parts and accessories, n. e. c., specially fabricated for: self-propelled, pneumatic-tired, under 30 tons net vehicle weight (formerly 722600)	No.	CONS	None	R	
722040	Parts and accessories, n. e. c., specially fabricated for: self-propelled, pneumatic-tired, 30 tons and over net vehicle weight (formerly 722600)	No.	CONS	None	R	
722042	Parts and accessories, n. e. c., specially fabricated for: self-propelled, pneumatic-tired, under 30 tons net vehicle weight (formerly 722600)	No.	CONS	None	R	
722045	Parts and accessories, n. e. c., specially fabricated for: self-propelled, pneumatic-tired, 30 tons and over net vehicle weight (formerly 722600)	No.	CONS	None	R	
722048	Parts and accessories, n. e. c., specially fabricated for: self-propelled, pneumatic-tired, under 30 tons net vehicle weight (formerly 722600)	No.	CONS	None	R	
722050	Parts and accessories, n. e. c., specially fabricated for: self-propelled, pneumatic-tired, 30 tons and over net vehicle weight (formerly 722600)	No.	CONS	None	R	
722052	Parts and accessories, n. e. c., specially fabricated for: self-propelled, pneumatic-tired, under 30 tons net vehicle weight (formerly 722600)	No.	CONS	None	R	
722055	Parts and accessories, n. e. c., specially fabricated for: self-propelled, pneumatic-tired, 30 tons and over net vehicle weight (formerly 722600)	No.	CONS	None	R	
722057	Parts and accessories, n. e. c., specially fabricated for: self-propelled, pneumatic-tired, under 30 tons net vehicle weight (formerly 722600)	No.	CONS	None	R	
722060	Parts and accessories, n. e. c., specially fabricated for: self-propelled, pneumatic-tired, 30 tons and over net vehicle weight (formerly 722600)	No.	CONS	None	R	

Construction, excavating, mining and related machinery—Continued

Attachments, n. e. c., for track-laying or wheel-type tractors or trucks (specify by name)—Continued
 Clamshell attachments, hydraulic, and cable excavators, for track-laying tractors, loading attachments, ripper layers, trenching attachments, and winches for track-laying tractors (formerly 723100 and 723300)
 Hydraulic and cable controls for wheel-type tractors and winches for wheel-type tractors (formerly 723000)
 Parts and accessories, n. e. c., specially fabricated for: angle dozers; brush cutters; brushrakes; bulldozers; clamshell attachments; ditching attachments; excavating attachments; hydraulic controls for track-laying tractors; loading attachments; ripper attachments; rooter attachments; snowplow attachments; trailblazers; treaders; trenching attachments; and winches for track-laying tractors (formerly 722800, 723100, 723300, and 723900)
 Parts and accessories, n. e. c., specially fabricated for: hydraulic controls for wheel-type tractors, and winches for wheel-type tractors (formerly 723000).
 Construction and maintenance equipment, n. e. c., and specially fabricated parts, n. e. c. (specify by name):
 File hammers (Diesel-powered), and parts (formerly 723100)
 Power jacks, with lifting capacity of 10 tons or more, and specially fabricated parts (formerly 723100 and 713000)
 Subscribers and inspectors (formerly 722810)
 Logging axes and pitons, and rotary sawblades (formerly 722900 and 722810)
 Specially fabricated parts for: contractor's trucks, dump wagons, quarry trucks, and other off-the-road trucks (formerly 722800)
 Specially fabricated parts for: graders (formerly 722800 and 723100); subgraders (formerly 722800); and rotary mowers (formerly 722800).
 Material handling equipment, and parts:
 Railway cranes (including industrial yard, locomotive and wrecking types) (formerly 723410).
 Cranes, overhead, electric traveling (electric track, mast, and semi-pantograph types) (formerly 723510).
 Whirley cranes, including revolving and rotary cranes, 30 net tons and over maximum rated capacity (including, but not limited to portal, tower, hammerhead, pinfile, and whirley types) (formerly 723410).
 Whirley cranes, including revolving and rotary cranes, 10 tons and under 30 tons maximum rated capacity (including, but not limited to portal, tower, hammerhead, pinfile, and whirley types) (formerly 723410).
 Pillar cranes, 30 net tons and over maximum rated capacity (formerly 723410).
 Pillar cranes, 10 tons and under 30 tons maximum rated capacity (formerly 723410).
 Specially fabricated parts, n. e. c., for cranes included on the Positive List under Schedule B Nos. 723010 through 723070 for which validated license is required to R and O country destinations (formerly 723010).
 Specially fabricated parts, n. e. c., for cranes included on the Positive List under Schedule B Nos. 723010 through 723070 for which validated license is required to R country destinations only (formerly 723010).

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Dept. of Commerce Schedule No. B	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Valued license required	Commodity lists (see footnote)
742040	Construction, excavating, mining and related machinery—Continued		MINE	100	EO	A
742045	Petroleum field production equipment, n. e. c., and specially fabricated parts, n. e. c. (specify by name) (formerly 744770)					
Machine tools						
742045	Power-driven metalworking machine tools (non-portable), and parts—Continued					
742045	Shapers (including slotters) (report gear shapers in 741100)	No.	TOOL	None	EO	A B
742045	Surface grinding machines, gap gauge	No.	TOOL	None	EO	A B
742045	Automatic single spindle surface grinders	No.	TOOL	None	EO	A B
742045	Surface grinding machines, multiple spindle type	No.	TOOL	None	EO	A B
742045	External cylindrical universal grinding machines (formerly 744307) (report universal tool and cutter grinders in 744300)	No.	TOOL	None	EO	A B
742045	External cylindrical grinding machines, except universal (Report universal in 743900)	No.	TOOL	None	EO	A B
742045	Internal grinding machines	No.	TOOL	None	EO	A B
742045	Broach grinders; and gear-cutter grinders	No.	TOOL	None	EO	A B
742045	Gear-tooth grinding machines	No.	TOOL	None	EO	A B
742045	Honing and grinding machines, except gear	No.	TOOL	None	EO	A B
742045	Thread-grinding machines	No.	TOOL	None	EO	A B
742045	Automatic oscillating nose radial grinders; cam grinders; contour profile grinders; jig grinders; and spline grinders	No.	TOOL	None	EO	A B
742045	Other metal-grinding machines, except bench-type and pedestal grinders valued under \$200	No.	TOOL	None	EO	A B
742045	Horizontal boring-drilling-milling machines (combination units)	No.	TOOL	None	EO	A B
742045	Benching machines	No.	TOOL	None	EO	A B
742045	Rifle drilling machines; and gun reaming and drilling machines (formerly 743300)	No.	TOOL	None	EO	A B
742045	Other rifling and rifle-working machines (formerly 744108)	No.	TOOL	None	EO	A B
742045	Gear-honing, lapping and gear-finishing machines, n. e. c. (specify by name)	No.	TOOL	None	EO	A B
742045	Center lathe-turning and/or filing machines	No.	TOOL	None	EO	A B
742045	Shaving machines (except gear)	No.	TOOL	None	EO	A B
742045	Other power-driven metalworking machine tools, n. e. c.	No.	TOOL	None	EO	A B
742045	Parts for metalworking machinery included on the Positive List, classified in Schedule B numbers 742035 through 744319, for which validated license is required to R country destinations only	No.	TOOL	None	EO	A B
742045	Accessories and attachments, n. e. c., for power-driven metalworking machine tools, n. e. c.	No.	TOOL	None	EO	A B
742045	Chucks for machine tools, n. e. c.	No.	TOOL	None	EO	A B
742045	Metal-cutting tools and specially fabricated parts, n. e. c., for machine operation (not incorporating industrial diamonds) (specify by name) (report metal-cutting dies incorporating industrial diamonds in 745300)	No.	TOOL	None	EO	A B
742045	Benching cutters; gear-cutting; lapping; burning; rell sets; all carbide, carbide-tipped, hard-surfaced steel, and tungsten carbide types; and all other metal-cutting tools (not incorporating industrial diamonds) for use on commodities included on the Positive List and classified in Schedule B numbers 742035 through 744319	No.	TOOL	None	EO	A B
742045	Metalworking machines, n. e. c., parts and accessories (including accessories and attachments for machine tools)					
(See Special Provisions, §§ 273.7, 273.9, 273.15, 273.30)						
742045	Accessories and attachments, n. e. c., for power-driven metalworking machine tools, n. e. c.					
742045	Chucks for machine tools, n. e. c.					
742045	Metal-cutting tools and specially fabricated parts, n. e. c., for machine operation (not incorporating industrial diamonds) (specify by name) (report metal-cutting dies incorporating industrial diamonds in 745300)					
742045	Benching cutters; gear-cutting; lapping; burning; rell sets; all carbide, carbide-tipped, hard-surfaced steel, and tungsten carbide types; and all other metal-cutting tools (not incorporating industrial diamonds) for use on commodities included on the Positive List and classified in Schedule B numbers 742035 through 744319					
742045	Power-driven metalworking machine tools (non-portable), and parts—Continued					
742045	Engine lathes, except bench and light duty types (specify by name)	No.	TOOL	None	EO	A B
742045	Vertical turret lathes	No.	TOOL	None	EO	A B
742045	Turret lathes, n. e. c., except bench type (specify by name) (formerly 740269)	No.	TOOL	None	EO	A B
742045	Automatic chucking and between-center lathes	No.	TOOL	None	EO	A B
742045	Gun-boring lathes; cartridge-case trimming lathes; cartridge-head finishing lathes; and shell lathes (specify by name)	No.	TOOL	None	EO	A B
742045	Special spinning lathes for bombs (formerly 740267)	No.	TOOL	None	EO	A B
742045	Automatic screw (bar) machines (formerly 740600)	No.	TOOL	None	EO	A B
742045	Vertical boring and turning mills, except vertical turret lathes (formerly 740497)	No.	TOOL	None	EO	A B
742045	Lathes, n. e. c. (specify by name) (formerly 740311)	No.	TOOL	None	EO	A B
742045	Jig boring machines; special boring machines for aircraft bomb nose and tail; and all precision boring machines	No.	TOOL	None	EO	A B
742045	Cylinder reboring machines, and other reboring machines for garage use (formerly 701380)	No.	TOOL	None	EO	A B
742045	Shed lappers	No.	TOOL	None	EO	A B
742045	Page and/or ripple-throwing machines	No.	TOOL	None	EO	A B
742045	Tapping machines, vertical multiple spindle, adjustable joint	No.	TOOL	None	EO	A B
742045	Knee-type milling machines	No.	TOOL	None	EO	A B
742045	Milling machines, n. e. c.	No.	TOOL	None	EO	A B
742045	Bed-type milling machines	No.	TOOL	None	EO	A B
742045	Combination miller and planer, with double housing and open side, 45 inches and over	No.	TOOL	None	EO	A B
742045	Die-staking machines	No.	TOOL	None	EO	A B
742045	Planer-milling machines, n. e. c.	No.	TOOL	None	EO	A B
742045	Profiling and duplicating machines, except pre-planer	No.	TOOL	None	EO	A B
742045	Planer-milling machines (cutter and grinder)	No.	TOOL	None	EO	A B
742045	Step-milling machines	No.	TOOL	None	EO	A B
742045	Thread-milling machines	No.	TOOL	None	EO	A B
742045	All straight-tooth type gear-cutting and/or gear-cutting machines	No.	TOOL	None	EO	A B
742045	Gear generators and gear-cutting machines, spiral bevel	No.	TOOL	None	EO	A B
742045	Gear hobbers	No.	TOOL	None	EO	A B
742045	Gear shapers	No.	TOOL	None	EO	A B
742045	Drilling machines, upright type, multiple spindle	No.	TOOL	None	EO	A B
742045	Radial drilling machines, plain and traversing type, 13-inch column or over	No.	TOOL	None	EO	A B
742045	Drilling machines, n. e. c. (specify by name) (report rifle drilling machines in 745300)	No.	TOOL	None	EO	A B
742045	Other deep-hole drills and drilling machines; automatic multiple spindle drilling and/or tapping machines (consisting of a cluster of spindles driven from one power unit); and armor-plate-drilling machines	No.	TOOL	None	EO	A B
742045	Drilling machines, unit head and way type, or vertical, inverted spindle type	No.	TOOL	None	EO	A B
742045	Planers, over 72 inches	No.	TOOL	None	EO	A B
742045	Flate planers, double housing and open side, 48 inches and over; and rotary planers, double housing and open side, 48 inches and over	No.	TOOL	None	EO	A B

RULES AND REGULATIONS

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Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Valk. dated license re-quired	Commod. by lists (see heading)
746010	Metalworking machines, n. e. c., parts and accessories (including accessories and attachments for machine tools)—Continued					
746010	Parts for dynamic balancing machines for balancing metal parts (formerly 745998).		TOOL	250	RO	A
746010	Horizontal multiple-slide wire and strip forming machines, and specially fabricated parts, n. e. c. (formerly 745998).		TOOL	25	RO	A
746010	Portable machine tools so designed that they must be attached to the work to operate (formerly 745998).		TOOL	None	R	A
746010	Specially fabricated parts and accessories, n. e. c. for portable machine tools so designed that they must be attached to the work to operate (formerly 745998).		TOOL	250	R	A
	<i>Textile, sewing, and shoe machinery</i> (See Special Provisions, §§ 372.7, 373.34)					
750800	Textile machinery: Spinning and twisting machinery, rayon yarn (re- port filament spinning machinery and spinners for synthetic fibers in 750850).		GIEQ	None	R	A
750850	Rayon filament extrusion and spinning machines, and spinning pumps (formerly 754800).		GIEQ	None	RO	A
750850	Other rayon filament and band forming machinery, and parts, except spinnettes (formerly 754800).		GIEQ	50	R	A
750850	Spinnettes for yarns of 150 denier and greater (for- mally 754800).		GIEQ	None	RO	A
	<i>Other industrial machines and parts</i> (See Special Provisions, §§ 372.7, 373.34)					
761200	Food and beverage processing machines, and parts: Canning machines, and specially fabricated parts, n. e. c.:					
	Piping specially fabricated for canning machines, and made of lined with any corrosion-resistant material as defined in the "General Notes to Appendix A."		GIEQ	25	RO	A
761600	Vegetable-oil mill machines, and specially fabricated parts, n. e. c.:					
	Piping specially fabricated for vegetable-oil mill machines, and made of lined with any corrosion-resistant material as defined in the "General Notes to Appendix A."		GIEQ	25	RO	A
761900	Food-processing machinery, and parts, n. e. c.:					
	Piping specially fabricated for food and beverage processing machines, n. e. c., and made of or lined with any corrosion-resistant material as defined in the "General Notes to Appendix A."		GIEQ	25	RO	A
763000	Rubber tire and tube building machines (specify by name) (formerly 763000).	No.				
763040	Rubber tire repairing, recapping and retreading ma- chines, n. e. c. (specify by name) (formerly 763000).	No.				
763050	Parts, n. e. c., specially fabricated for rubber tire and tube building, tire repairing, recapping and retread- ing machines (specify by name) (formerly 763000).					
763090	Rubber processing machinery, and parts, n. e. c. (formerly 763000).					
763090	Other rubber processing machinery, and parts, n. e. c. (formerly 763000).					
764600	Reciprocating compressor units, over 10 HP, fabri- cated or lined with any corrosion-resistant ma- terial as defined in the "General Notes to Ap- pendix A."	No.				
764600	Reciprocating compressor units, over 10 hp, de- signed for delivery pressure greater than 150 pounds per square inch, gauge reading, and/or with intake capacity greater than 190 cubic feet per minute.	No.				

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Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Valk. dated license re-quired	Commod. by lists (see heading)
744383	Metalworking machines, n. e. c., parts and accessories (including accessories and attachments for machine tools)—Continued					
744383	Accessories and attachments, n. e. c., for power-driven nonportable machine tools, n. e. c.—Continued					
744383	Accessories and attachments, n. e. c., for machine tools and specially fabricated parts, n. e. c.:					
	Cutters at bars, boring bars 4 inches in diameter and over, series machine tool holders, indexing bars and dies, and drilling heads.		TOOL	100	RO	A B
744383	Parts for military-type lathe fixtures.		TOOL	None	RO	A B
744383	Other machine tool accessories included in the Posi- tive List and classified in Schedule B numbers 740035 through 740319 except bench vises; parallelis; vice blocks; tool holders; misalign- ment centers; drill rods and crutch centers; work holding dogs; toe bolts; clamps; and mandrels.		TOOL	None	RO	A B
744383	Driving dogs; toe bolts; clamps; and mandrels.		TOOL	100	RO	A B
744410	Metalworking presses, and specially fabricated parts, n. e. c., except hand-powered presses (formerly 744400).					
744450	Sheet and plate metalworking machines (except presses), n. e. c., and specially fabricated parts, n. e. c. (formerly 744600 and 744498).					
744700	Forging machinery, and specially fabricated parts, n. e. c.:					
	Forging presses, heavy-duty.		TOOL	None	RO	A B
	Forging rolls, and swaging machines.		TOOL	None	RO	A B
	Drop hammers, and forging hammers, air, steam, or mechanical.		TOOL	None	RO	A B
	Headers and forging machines (typesetters).		TOOL	None	RO	A B
	Not-forging machinery.		TOOL	100	RO	A B
	Special forging machines, bomb nose and tail.		TOOL	None	RO	A B
	Parts for special forging machines, bomb nose and tail, and heavy-duty forging presses.		TOOL	None	RO	A B
744700	Parts for other forging machinery included in the Positive List under Schedule B No. 744700.		TOOL	None	RO	A
744800	Rolling mill machines, and specially fabricated parts, n. e. c.					
744850	Automatic continuous electrolytic tinning units and specially fabricated parts (formerly 715060).					
744850	Electroplating equipment, and specially fabricated parts (formerly 730988).					
745000	Forming equipment, and parts: Molding machines; rollover type; or jolting and jarring type.	No.				
745000	Core-making machines (formerly 745098).	No.				
745000	Die-casting machines, and specially fabricated parts, n. e. c. (formerly 745000).					
745000	Centrifugal casting machines, and specially fabri- cated parts, n. e. c. (formerly 745098).					
745110	Blas casting and tumbling machines for castings (formerly 745100).	No.				
745208	Machinery, and parts, for continuous casting of steel.					
745208	Parts and accessories for: Molding machines, roll- ing types; bolting and jarring type; and core- making machines.					
745300	Diamond dies for power-driven metalworking ma- chines (state size). (See §§ 372.1, 373.9.)	No.				
745309	Machinery for drawing wire and tubing.					
745309	Parts and accessories for machinery for drawing wire and tubing.					
745805	Gas welding machines, except hand-operated.					
745805	Parts and accessories for gas welding machines.					
745805	Machines for flame hardening.					
745960	Automatic balancing and correcting machines (for- mally 745011).	No.				
745960	Dynamic balancer machines for balancing metal parts (formerly 745951).	No.				

*The commodities described in this Positive List entry are exempted from the provisions of General In-Transit License GIT. See § 371.9 (c).

(A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column)

(A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column)

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val-dated license required	Commodity lists (see endnote)
Other industrial machines and parts—Continued						
76670	Air-conditioning and refrigerating equipment, n. e. c., and parts, n. e. c. (over, gas, gasoline and kerosene operated)—Continued	No.	GIEQ	None	EO	A
76671	Central refrigerating units incorporating compressors, rotary blowers, exhausters or fans fabricated or lined with any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	GIEQ	None	EO	A
76672	Central refrigerating units designed for delivery pressure of 2 atmospheres or more.	No.	GIEQ	None	EO	A
76673	Self-contained air conditioners, under 2-ton capacity, except window-mounted types.	No.	GIEQ	100	EO	A
76674	Self-contained air conditioners, 2-ton capacity or over.	No.	GIEQ	100	EO	A
76675	Auxiliary and accessory equipment, commercial, n. e. c. except humidifiers, and specially fabricated parts, n. e. c.	No.	GIEQ	100	R	A
76676	Parts, n. e. c., specially fabricated for types of air-conditioning and refrigerating equipment included on the Positive List under Schedule B Nos. 76650 through 76653, and for foreign military equipment of air conditioning and refrigeration equipment.	No.	GIEQ	100	EO	A
76677	Parts, n. e. c., specially fabricated for types of air-conditioning and refrigerating equipment included on the Positive List under Schedule B Nos. 76650 through 76653—for replacement in air conditioning and refrigeration equipment.	No.	GIEQ	25	EO	A
76678	Controls, regulators, indicators, meters, and timers, n. e. c., and specially fabricated parts, n. e. c., for commercial and domestic central and space heating, ventilating, air conditioning and air cooling equipment (specify by name):	No.	GIEQ	None	R	
76679	Temperature regulators, electric (formerly 76699)	No.	GIEQ	100	R	
76680	Temperature regulators, except electric; and specially fabricated parts (formerly 77408)	No.	GIEQ	None	R	
76681	Thermometers, bimetallic and glass remote bulb; and specially fabricated parts (formerly 77409)	No.	GIEQ	None	R	
76682	Controls, regulators, indicators, meters, and timers, for ventilating, air conditioning and air cooling equipment; and specially fabricated parts, n. e. c. (formerly 76810)	No.	GIEQ	100	R	
Industrial process indicating (measuring) recording, and/or controlling instruments, n. e. c., and specially fabricated parts, n. e. c. (for measuring and/or controlling temperatures, pressure, level, flow, humidity, moisture, motion, rotation, gas analysis, chemical properties, and variables) (specify by name):						
76670	Gauges for measuring pressures in excess of 100 atmospheres (gauge pressures of 1,470 pounds per square inch or 103 kilograms per square centimeter) (formerly 77468)	No.	GIEQ	25	EO	A
76671	Parts specially fabricated for gauges for measuring pressures in excess of 100 atmospheres (gauge pressures of 1,470 pounds per square inch or 103 kilograms per square centimeter) (formerly 77469)	No.	GIEQ	None	EO	A
76672	Indicator resistors or counters (over 20 counts per second), and specially fabricated parts (formerly 91908)	No.	GIEQ	None	EO	A B
76673	Optical pyrometers (formerly 91909)	No.	GIEQ	None	EO	A
76674	Radiation pyrometers (formerly 91910)	No.	GIEQ	None	EO	A
76675	Stroboscopes, electronic (formerly 91911)	No.	GIEQ	None	EO	A
76676	Thermocouples manufactured from platinum or platinum alloys (formerly 91908)	No.	GIEQ	None	EO	A
76677	Vacuum gauges, ionization types, for laboratory use (formerly 91908)	No.	GIEQ	None	EO	B
76678	Vacuum gauges, ionization types, except for laboratory use (formerly 77408)	No.	GIEQ	None	EO	B

*The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License GIT. See § 371.9 (e).

Industrial process indicating (measuring) recording, and/or controlling instruments, n. e. c., and specially fabricated parts, n. e. c. (for measuring and/or controlling temperatures, pressure, level, flow, humidity, moisture, motion, rotation, gas analysis, chemical properties, and variables) (specify by name)—Continued

Vacuum measuring gauges, for laboratory use, and specially fabricated parts (formerly 91908)

Other indicating, recording, or controlling instruments for pressure, flow, temperature, humidity, or gas analysis, for laboratory use, and specially fabricated parts (formerly 91908)

Other industrial indicating, recording, or controlling instruments for pressure, flow, temperature, humidity, or gas analysis, and specially fabricated parts, n. e. c. (formerly 77408)

Physical properties testing and recording machines, n. e. c., and specially fabricated parts and accessories, n. e. c.

Diamond penetrators (see § 373.1, 373.2 (formerly 77403))

Parts specially fabricated for diamond penetrators (see § 373.1, 373.2) (formerly 77403)

Dynamometers: hydraulic, electric, and torsion types, n. e. c., and specially fabricated parts (formerly 77405)

Electric strain gauge equipment assemblies for measuring, indicating or recording strains electrically (formerly 77407)

Electric strain gauges (formerly 77407)

Inspection apparatus, magnetic (formerly 70998)

Knock-test engine and motor fuel test units (formerly 91908)

Leak-detecting instruments, for laboratory use, and specially fabricated parts (formerly 91908)

Leak-detecting instruments, for industrial use (formerly 77402)

Metal hardness testers adapted to or incorporating diamond penetrators (indenter-brakes) (formerly 77402)

Parts and accessories specially fabricated for metal hardness testers which incorporate or are adapted to the incorporation of diamond penetrators (indenter-brakes) (formerly 77402)

Radioscopes, ultrasonic or supersonic (formerly 77402)

Parts specially fabricated for ultrasonic or supersonic radioscopes (formerly 77402)

Size measuring machines and instruments, n. e. c., and specially fabricated parts, n. e. c. (specify by name)

Dial indicators (formerly 61780)

Angle computers, micrometers; caliper; dividers; feeler; dial; micrometer; gages; and other measuring instruments, except for measuring and inspecting precision parts; and specially fabricated parts (formerly 61780)

Microscopes, with unit value over \$50, for measuring or inspecting precision parts used in the metal-working industries (formerly 77402)

Microscopes, specially fabricated, for microscopists with unit value not over \$50 (for measuring or inspecting precision parts used in the metal-working industries) (formerly 77402)

Geophysical and mineral prospecting equipment, n. e. c., and specially fabricated parts, n. e. c. (specify by name) (formerly 77400)

Alloy steel ball bearings, and specially fabricated carbon steel ball bearings, and specially fabricated parts, except balls (see § 373.7)

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val-dated license required	Commodity lists (see endnote)
76679	Other industrial machines and parts—Continued	No.	GIEQ	None	EO	
76680	Industrial process indicating (measuring) recording, and/or controlling instruments, n. e. c., and specially fabricated parts, n. e. c. (for measuring and/or controlling temperatures, pressure, level, flow, humidity, moisture, motion, rotation, gas analysis, chemical properties, and variables) (specify by name)—Continued	No.	GIEQ	None	R	
76681	Vacuum measuring gauges, for laboratory use, and specially fabricated parts (formerly 91908)	No.	GIEQ	None	EO	A B
76682	Other indicating, recording, or controlling instruments for pressure, flow, temperature, humidity, or gas analysis, for laboratory use, and specially fabricated parts (formerly 91908)	No.	GIEQ	None	EO	A B
76683	Other industrial indicating, recording, or controlling instruments for pressure, flow, temperature, humidity, or gas analysis, and specially fabricated parts, n. e. c. (formerly 77408)	No.	GIEQ	50	EO	
76684	Physical properties testing and recording machines, n. e. c., and specially fabricated parts and accessories, n. e. c.	No.	GIEQ	None	EO	
76685	Diamond penetrators (see § 373.1, 373.2 (formerly 77403))	No.	GIEQ	None	R	
76686	Parts specially fabricated for diamond penetrators (see § 373.1, 373.2) (formerly 77403)	No.	GIEQ	None	R	
76687	Dynamometers: hydraulic, electric, and torsion types, n. e. c., and specially fabricated parts (formerly 77405)	No.	GIEQ	None	EO	A B
76688	Electric strain gauge equipment assemblies for measuring, indicating or recording strains electrically (formerly 77407)	No.	GIEQ	None	R	
76689	Electric strain gauges (formerly 77407)	No.	GIEQ	None	R	
76690	Inspection apparatus, magnetic (formerly 70998)	No.	GIEQ	None	R	
76691	Knock-test engine and motor fuel test units (formerly 91908)	No.	GIEQ	50	EO	A B
76692	Leak-detecting instruments, for laboratory use, and specially fabricated parts (formerly 91908)	No.	GIEQ	50	EO	A
76693	Leak-detecting instruments, for industrial use (formerly 77402)	No.	GIEQ	None	EO	A B
76694	Metal hardness testers adapted to or incorporating diamond penetrators (indenter-brakes) (formerly 77402)	No.	GIEQ	None	EO	A B
76695	Parts and accessories specially fabricated for metal hardness testers which incorporate or are adapted to the incorporation of diamond penetrators (indenter-brakes) (formerly 77402)	No.	GIEQ	None	EO	
76696	Radioscopes, ultrasonic or supersonic (formerly 77402)	No.	GIEQ	None	EO	
76697	Parts specially fabricated for ultrasonic or supersonic radioscopes (formerly 77402)	No.	GIEQ	None	EO	
76698	Size measuring machines and instruments, n. e. c., and specially fabricated parts, n. e. c. (specify by name)	No.	TOOL	100	R	
76699	Dial indicators (formerly 61780)	No.	TOOL	100	R	
76700	Angle computers, micrometers; caliper; dividers; feeler; dial; micrometer; gages; and other measuring instruments, except for measuring and inspecting precision parts; and specially fabricated parts (formerly 61780)	No.	TOOL	50	R	
76701	Microscopes, with unit value over \$50, for measuring or inspecting precision parts used in the metal-working industries (formerly 77402)	No.	TOOL	50	R	
76702	Microscopes, specially fabricated, for microscopists with unit value not over \$50 (for measuring or inspecting precision parts used in the metal-working industries) (formerly 77402)	No.	MINE	None	EO	A
76703	Geophysical and mineral prospecting equipment, n. e. c., and specially fabricated parts, n. e. c. (specify by name) (formerly 77400)	No.	GIEQ 3	25	EO	A
76704	Alloy steel ball bearings, and specially fabricated carbon steel ball bearings, and specially fabricated parts, except balls (see § 373.7)	No.	GIEQ 4	25	R	

RULES AND REGULATIONS

[A = Import certificate, B = DL restrictions, C = Controlled material, Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val-dated license re-quired	Commod-ity list (see heading)
770615	Other industrial machines and parts—Continued Air compressors—Continued Forcible, capacity 60 cubic feet, and over: Axial flow and positive displacement types of compressors not fabricated of or lined with any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 764100, 775050, and 775098).	No.	CONS	None	RO	A
770615	Centrifugal and mixed flow types of compressors, designed for delivery pressure of 2 atmospheres or more (formerly 764100, 775050, and 775098).	No.	CONS	None	RO	A
770615	Reciprocating compressors, axial flow, centrifugal, mixed flow or positive displacement types of compressors fabricated of or lined with any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 770615, 764100, 775050, and 775098).	No.	CONS	None	RO	A
770615	Reciprocating compressors designed for delivery pressure greater than 150 pounds per square inch, gauge reading, and/or with intake capacity greater than 190 cubic feet per minute (formerly 775050 and 775098).	No.	CONS	None	RO	A
770625	Gas compressors, n. e. c.	No.	CONS	None	RO	A
770625	Axial flow and positive displacement types of compressors not fabricated of or lined with any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 775050 and 775098).	No.	CONS	None	RO	A
770625	Centrifugal and mixed flow types of compressors, designed for delivery pressure of 2 atmospheres or more (formerly 775050 and 775098).	No.	CONS	None	RO	A
770625	Reciprocating compressors, axial flow, centrifugal, mixed flow or positive displacement types of compressors fabricated of or lined with any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 775050 and 775098).	No.	CONS	None	RO	A
770625	Reciprocating compressors designed for delivery pressure greater than 150 pounds per square inch, gauge reading, and/or with intake capacity greater than 190 cubic feet per minute (formerly 775050 and 775098).	No.	CONS	None	RO	A
770700	Blowers, n. e. c.	No.	CONS	None	RO	A
770700	Centrifugal blowers, except turboblowers, fabricated of or lined with any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 764100, 775050 and 775098).	No.	CONS	None	RO	A
770700	Centrifugal blowers, except turboblowers, designed for delivery pressure of 2 atmospheres or more (formerly 764100, 775050 and 775098).	No.	CONS	None	RO	A
770700	Centrifugal blowers, except turboblowers, specially designed for wind tunnels (formerly 764100).	No.	CONS	None	RO	A
770710	Axial blowers, except turboblowers, fabricated of or lined with any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 764100, 775050, and 775098).	No.	CONS	None	RO	A
770710	Axial blowers, except turboblowers, specially designed for wind tunnels (formerly 764100).	No.	CONS	None	RO	A
770720*	Turboblowers (specific type) (formerly 764100, 764170 and 775098).	No.	CONS	None	RO	A
770775	Specially fabricated parts for types of blowers included on the Positive List under Schedule B Nos. 770700, through 770775 (formerly 764100, 775050 and 775098).	No.	CONS	None	RO	A
770790*	Electric precipitators, for air and gas cleaning and purification; and specially fabricated parts (formerly 764100).	No.	CONS	None	RO	A
770830*	Mechanical vacuum pumps capable of producing a vacuum of 2 millimeters or less mercury pressure absolute (specifically millimeter of mercury pressure absolute which pump is capable of producing).	No.	CONS	None	RO	A

*The commodities described in this Positive List entry are expected from the provisions of General In-Transit License GIT. See 1371.9 (c).

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Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val-dated license re-quired	Commod-ity list (see heading)
770900	Other industrial machines and parts—Continued Alloy steel roller bearings, and specially fabricated parts, except rollers (see 1373.7).		GIEQ 3	25	RO	A
770900	Carbon steel roller bearings, and specially fabricated parts, except rollers (see 1373.7).		GIEQ 4	25	R	A
770910	Alloy steel balls for bearings.		GIEQ 3	25	R	A
770915	Carbon steel balls for bearings.		GIEQ 4	25	R	A
770920	Alloy steel rollers for bearings.		GIEQ 4	25	R	A
770930	Plain bearings, n. e. c. (specifically by name): By sinter-brazed bearings, rubber (formerly 209990) Brass and bronze bearings (formerly 647001) Other nonferrous metal bearings (formerly 609196).	Lb.	RUBR GIEQ GIEQ	250 200 25	RO RO RO	A B A
770940	Air compressors: Stationary, capacity not over 25 cubic feet: Axial flow and positive displacement types of compressors not fabricated of or lined with any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 764100, 775050, and 775098).	No.	CONS	None	RO	A
770940	Centrifugal and mixed flow types of compressors, designed for delivery pressure of 2 atmospheres or more (formerly 764100, 775050, and 775098).	No.	CONS	None	RO	A
770940	Reciprocating compressors, axial flow, centrifugal, mixed flow or positive displacement types of compressors fabricated of or lined with any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 770615, 764100, 775050, and 775098).	No.	CONS	None	RO	A
770950	Reciprocating compressors designed for delivery pressure greater than 150 pounds per square inch, gauge reading (formerly 775050, 775098, and 775098).	No.	CONS	None	RO	A
770950	Stationary, capacity over 25 cubic feet: Axial flow and positive displacement types of compressors not fabricated of or lined with any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 764100, 775050, and 775098).	No.	CONS	None	RO	A
770950	Centrifugal and mixed flow types of compressors, designed for delivery pressure of 2 atmospheres or more (formerly 764100, 775050, and 775098).	No.	CONS	None	RO	A
770950	Reciprocating compressors, axial flow, centrifugal, mixed flow or positive displacement types of compressors fabricated of or lined with any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 770615, 764100, 775050, and 775098).	No.	CONS	None	RO	A
770950	Reciprocating compressors designed for delivery pressure greater than 150 pounds per square inch, gauge reading (formerly 775050, 775098, and 775098).	No.	CONS	None	RO	A
770960	Reciprocating compressors designed for delivery pressure greater than 150 pounds per square inch, gauge reading (formerly 775050, 775098, and 775098).	No.	CONS	None	RO	A
770960	Centrifugal and mixed flow types of compressors, designed for delivery pressure of 2 atmospheres or more (formerly 764100, 775050, and 775098).	No.	CONS	None	RO	A
770960	Centrifugal and mixed flow types of compressors, specially designed for wind tunnels (formerly 764100).	No.	CONS	None	RO	A
770960	Axial blowers, except turboblowers, fabricated of or lined with any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 764100, 775050, and 775098).	No.	CONS	None	RO	A
770960	Axial blowers, except turboblowers, specially designed for wind tunnels (formerly 764100).	No.	CONS	None	RO	A
770960	Turboblowers (specific type) (formerly 764100, 764170 and 775098).	No.	CONS	None	RO	A
770960	Specially fabricated parts for types of blowers included on the Positive List under Schedule B Nos. 770700, through 770775 (formerly 764100, 775050 and 775098).	No.	CONS	None	RO	A
770960	Electric precipitators, for air and gas cleaning and purification; and specially fabricated parts (formerly 764100).	No.	CONS	None	RO	A
770960	Mechanical vacuum pumps capable of producing a vacuum of 2 millimeters or less mercury pressure absolute (specifically millimeter of mercury pressure absolute which pump is capable of producing).	No.	CONS	None	RO	A

*The commodities described in this Positive List entry are expected from the provisions of General In-Transit License GIT. See 1371.9 (c).

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required	Commodity list (see heading)
77000	Other industrial machines and parts—Continued Pumping equipment, n. e. c., and parts—Continued Rotary pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 200 pounds per square inch and over; (b) designed to operate continuously at temperatures of 220° F. and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000). Notes to Appendix A* (formerly 735000): Rotary pumps (delivering liquids separately or in combination with solids and/or gases) with all of the following characteristics: (a) designed delivery pressures at pump discharge of 75 to 300 pounds per square inch; (b) designed to operate continuously at temperatures under 220° F.; and (c) not fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000). Displacement pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 75 to 300 pounds per square inch; (b) designed to operate continuously at temperatures under 220° F. and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000).	No.	CONS	None	RO	A
77005	Other industrial machines and parts—Continued Rotary pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 75 to 300 pounds per square inch; (b) designed to operate continuously at temperatures under 220° F.; and (c) not fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000). Notes to Appendix A* (formerly 735000): Rotary pumps (delivering liquids separately or in combination with solids and/or gases) with all of the following characteristics: (a) designed delivery pressures at pump discharge of 75 to 300 pounds per square inch; (b) designed to operate continuously at temperatures under 220° F.; and (c) not fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000). Displacement pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 75 to 300 pounds per square inch; (b) designed to operate continuously at temperatures under 220° F. and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000).	No.	CONS	None	B	A
77000	Other industrial machines and parts—Continued Displacement pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 75 to 300 pounds per square inch; (b) designed to operate continuously at temperatures under 220° F. and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000). Notes to Appendix A* (formerly 735000): Displacement pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 75 to 300 pounds per square inch; (b) designed to operate continuously at temperatures under 220° F.; and (c) not fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000).	No.	CONS	None	RO	A
77003	Other industrial machines and parts—Continued Displacement pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 75 to 300 pounds per square inch; (b) designed to operate continuously at temperatures under 220° F.; and (c) not fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000). Notes to Appendix A* (formerly 735000): Displacement pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 75 to 300 pounds per square inch; (b) designed to operate continuously at temperatures under 220° F.; and (c) not fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000).	No.	CONS	None	B	A
77040	Other industrial machines and parts—Continued Reciprocating steam pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 300 pounds per square inch and over; (b) designed to operate continuously at temperatures of 220° F. and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000). Notes to Appendix A* (formerly 735000): Reciprocating steam pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 300 pounds per square inch and over; (b) designed to operate continuously at temperatures of 220° F. and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000).	No.	CONS	None	RO	A
77040	Other industrial machines and parts—Continued Reciprocating steam pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 300 pounds per square inch and over; (b) designed to operate continuously at temperatures of 220° F. and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000). Notes to Appendix A* (formerly 735000): Reciprocating steam pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 300 pounds per square inch and over; (b) designed to operate continuously at temperatures of 220° F. and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000).	No.	CONS	None	B	A
77050	Other industrial machines and parts—Continued Turbine pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 300 pounds per square inch and over as calculated by the manufacturer under the assumed condition that the bowl assembly is directly connected to the drive shaft assembly without intervening column pipe; (b) designed to operate continuously at temperatures of 220° F. and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000). Notes to Appendix A* (formerly 735000): Turbine pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 300 pounds per square inch and over as calculated by the manufacturer under the assumed condition that the bowl assembly is directly connected to the drive shaft assembly without intervening column pipe; (b) designed to operate continuously at temperatures of 220° F. and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000).	No.	CONS	None	RO	A
77060	Other industrial machines and parts—Continued Turbine pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 75 to 300 pounds per square inch as calculated by the manufacturer under the assumed condition that the bowl assembly is directly connected to the drive shaft assembly without intervening column pipe; (b) designed to operate continuously at temperatures of 220° F. and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000). Notes to Appendix A* (formerly 735000): Turbine pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 75 to 300 pounds per square inch as calculated by the manufacturer under the assumed condition that the bowl assembly is directly connected to the drive shaft assembly without intervening column pipe; (b) designed to operate continuously at temperatures of 220° F. and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 735000).	No.	CONS	None	B	A

*The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License GIT. See § 271.9 (c).
†Centrifugal pumps described in this Positive List entry which are fabricated of, or lined with, stainless steel are excepted from the provisions of General In-Transit License GIT. See § 271.9 (c).
‡Export authorization for diffusion vacuum pumps, 12 inches and larger in diameter, classified under Schedule B number 770676, is under the exclusive jurisdiction of the Atomic Energy Commission. See § 270.7.

RULES AND REGULATIONS

[A = Import certificate, B = DL restrictions, C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

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Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	OLV dollar value limits	Val-dated license re-quired	Commod-ity lists (see footnote)
70680	Other industrial machines and parts—Continued Pumping equipment, n. e. c., and parts—Con- Other reciprocating power pumps (delivering li- quids separately or in combination with solids and/ or gases) with all of the following characteristics: (a) designed delivery pressures as pump discharge of 75 to 300 pounds per square inch; (b) designed to operate continuously at temperatures under 220° F.; and (c) not fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A" (formerly 736100).	No.	CONS	None	R	
70690	Pump, n. e. c. (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed delivery pressures at pump discharge of 300 pounds per square inch and over; (b) designed to operate con- tinuously at temperatures of 220° F. and over; (c) fabricated of, or lined with, any corrosion-resist- ant materials as defined in the "General Notes to Appendix A" (formerly 736100).	No.	CONS	None	RO	A
70680	Pump, n. e. c. (delivering liquids separately or in combination with solids and/or gases) with all of the following characteristics: (a) designed deliv- ery pressures at pump discharge of 75 to 300 pounds per square inch; (b) designed to operate continuously at temperatures of 220° F.; and (c) not fabricated of, or lined with, any corrosion- resistant materials as defined in the "General Notes to Appendix A" (formerly 736100).	No.	CONS	None	R	
70690	Parts, n. e. c., specially fabricated for air compressors included on the Positive List under Schedule B Nos. 70490 through 70915 (formerly 735085)		CONS	100	R	
70690*	Parts, n. e. c., specially fabricated for pumps classified under Schedule B Nos. 70490 through 70915, and 70980, irrespective of delivery pressures, operating temperatures and materials used in their fabrica- tion (formerly 735090).		CONS	100	RO	A B
70690	Parts, n. e. c., specially fabricated for mechanical vac- uum pumps and diffusion vacuum pumps included on the Positive List under Schedule B Nos. 70820 through 70870 for which validated license is re- quired to R or O country destinations (formerly 735088).		GIEQ	None	RO	A
71100	Jet ejector, and condensers (steam, oil, or gas), 4 stages and over, and specially fabricated accessories and parts, n. e. c. (specify by name) (formerly 735089).		GIEQ	None	RO	A
71110	Ejector compressors, under 4 stages, designed for de- livery pressure of 3 atmospheres or more, and spe- cially fabricated parts, n. e. c. (specify by name) (formerly 713500).		GIEQ	None	RO	A
71110	Ejector compressors, under 4 stages, fabricated of or lined with any corrosion-resistant materials as de- fined in the "General Notes to Appendix A", and specially fabricated parts, n. e. c. (formerly 713500).		GIEQ	None	RO	A
71110	Condensers, under 4 stages, delivering liquid or gases 75 to 300 pounds per square inch or more (formerly 713500).		GIEQ	None	RO	A
71110	Other jet-ejectors and condensers (steam, oil, or gas), under 4 stages, and specially fabricated accessories and parts, n. e. c. (specify by name) (formerly 713500).		GIEQ	None	RO	A
71120	Heat exchangers (except refrigeration type), and steam specially heaters, and specially fabricated parts, n. e. c. (specify by name).		GIEQ	100	RO	A
71120	Boiler superheaters, and specially fabricated parts, n. e. c. (formerly 713500).		GIEQ	100	R	A
71120	Feedwater heaters for boilers of 3,000 square feet heating surface or over (formerly 713500).		GIEQ	100	RO	A
71120	Tubular heat exchangers for industrial processes, and specially fabricated parts, n. e. c. (formerly 713500, 72490, 73500, and 73506).		GIEQ	100	RO	A
71130	Other industrial machines and parts—Continued Cooling towers, and specially fabricated parts, n. e. c., for petroleum refinery installations (formerly 73000).		GIEQ	100	RO	A
71130	Cooling towers, and specially fabricated parts, n. e. c., for refrigeration or air conditioning installations, or chemical or pharmaceutical machinery installa- tions (formerly 76000 and 77000).		GIEQ	100	R	
71450	Lead scale weights (formerly 735098).		CDGS	25	RO	
71450*	Manually operated pipe valves and parts: Iron or steel: Valves designed for working pressures of 300 or more pounds per square inch.	No.	GIEQ	None	RO	A B
71450*	Valves and cocks with pressure parts wholly fabricated of, or lined with, any corrosion- resistant material as defined in the "General Notes to Appendix A".	No.	GIEQ	25	RO	A B
71460*	Brass, bronze, or other nonferrous metals, n. e. c.: Valves designed for working pressures of 300 or more pounds per square inch.	No.	GIEQ	None	RO	A B
71460*	Valves and cocks with pressure parts wholly fabricated of, or lined with, any corrosion- resistant material as defined in the "General Notes to Appendix A".	No.	GIEQ	25	RO	A B
71490*	Nonmetal valves: Valves designed for working pressures of 300 or more pounds per square inch.	No.	GIEQ	None	RO	A B
71490*	Valves and cocks with pressure parts wholly fabricated of, or lined with, any corrosion- resistant material as defined in the "General Notes to Appendix A".	No.	GIEQ	25	RO	A B
71490*	Automatic control or regulating valves, n. e. c. (any pipe valve having partially or wholly integral with it a mechanism which automatically regu- lates or controls its operation): Automatic control valves except (a) check, non- return and float valves, (b) pressure relief valves designed for working pressures of less than 300 pounds per square inch, and (c) automatic valves specially designed for milking machines or for household refrigerators and home brewers (specify whether pressure parts are made of or wholly lined with corrosion-resistant material as defined in the "General Notes to Appendix A").	No.	GIEQ	None	RO	A
71500	Extrusion, injection, and other molding machines for plastics (formerly 73000).		GIEQ	None	RO	A
71500	Parts, n. e. c., specially fabricated for extrusion, in- jection, and other molding machines for plastics (formerly 73000).		GIEQ	None	RO	A
71500	Vacuum coating units for optical lenses (formerly 73000).		GIEQ	None	RO	A
71500*	Glass-making tables: Vacuum-table (glass blank) making machinery. (Re- port other vacuum-table manufacturing machinery in 73000).		GIEQ	100	RO	A B
71500	Optical curve generators (grinders, producers and polishers) and parts, capable of producing toric, cylinder, spherical surfaces on glass or other mate- rial without the use of mating surfaces or lags.		GIEQ	100	RO	A
71500	Optical curve generators, cylinder and spherical sur- facing (grinding) and polishing machines, and parts, which use lags or mating surfaces; lap truing ma- chines, and parts; flat grinders, surfacers and pol- ishers, and parts.		GIEQ	100	RO	A
71500	Optical centering, edging and drilling machines, and parts, all types, when incorporating diamonds, Electronic, fluorescent and incandescent bulb and tube (lamp) manufacturing and assembling ma- chines (formerly 73000) (report bulb and tube glass blank making machines in 73000).		GIEQ	100	RO	A B
71500	Petroleum refining equipment, n. e. c., and parts: Bubble towers and distillation columns (formerly 75000).	No.	MINE	100	RO	A
71500	Pipe assemblies, specially fabricated for petroleum refining equipment (formerly 75000).	Lb.	MINE	100	RO	A

*Parts for centrifugal pumps fabricated of, or lined with, stainless steel are exempted from the provisions of General License G1T. See § 371.9 (c).

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Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	G.I.V. dollar value limits	Validated license required	Commodity list (see heading)
775055	Other industrial machines and parts—Continued					
775055	Chemical and pharmaceutical processing and manufacturing machines, n. e. c., and specially fabricated parts, n. e. c. (report spinning pumps in 775055; report furnaces under appropriate Schedule B No. according to type of furnace, e. e., electric melting and refining furnaces for the production of chemicals, 707415)—Continued		GIEQ 1	100	EO	A
775055	Other chemical and pharmaceutical processing and manufacturing machines, and specially fabricated parts, n. e. c. (formerly 773000)		CONS	100	R	
775055	Concrete block machines, high speed (capacity of 200 blocks or more per hour), and specially fabricated parts (formerly 723100)		MINE	100	RO	A
775055	Industrial water-treatment equipment		GIEQ	100	EO	
775055	Lubrication equipment, n. e. c., and specially fabricated parts, and accessories, n. e. c.					
775055	Grease cups, lubricators, nozzles and oil cups, brass and bronze (formerly 647068)					
775055	Non-electric industrial furnaces, kilns, lehrs, and ovens, and parts (report electric furnaces, kilns and ovens in 707415-707497)					
775055	Sintering furnaces (formerly 731000)	No.	MINE	None	EO	A
775055	Metal melting furnaces, non-electric, industrial type, for laboratory use (formerly 773025)	No.	MINE	100	R	
775055	Metal heat treating furnaces, non-electric, industrial type, for laboratory use (specify type) (formerly 773025)	No.	MINE	100	R	
775055	Non-electric industrial furnaces, n. e. c., industrial type, for laboratory use (specify by name) (formerly 773025)	No.	MINE	100	R	
775055	Horizontal rotary cylindrical kilns (formerly 773025)	No.	MINE	100	R	
775055	Rotary kilns, for original cement- and lime-making machinery installations (formerly 773027)	No.	MINE	1,000	R	
775055	Pressure tap equipment for blast furnaces (formerly 773098)		TOOL	None	RO	A
775055	Parts specially fabricated for rotary kilns, for original cement- and lime-making machinery installations (formerly 773027)		MINE	1,000	R	
775055	Parts specially fabricated for horizontal rotary cylindrical kilns (formerly 773025)		MINE	100	R	
775055	Mining machines, n. e. c., and specially fabricated accessories and parts, n. e. c. (specify by name): Colloid mills (formerly 773030)		GIEQ	100	R	
775055	Processing vessels, non-agitated, n. e. c., and specially fabricated accessories and parts, n. e. c. (specify by name):					
775055	Processing vessels, non-agitated, n. e. c., for laboratory use, operating at pressures over 100 pounds per square inch (formerly 990068)		GIEQ	100	EO	A
775055	Pressure vessels and vacuum vessels, for industrial use (formerly 773098)		GIEQ	100	EO	A
775055	Tanks, vats, kettles and allied fixtures made of or lined with any corrosion-resistant material as defined in the "General Notes to Appendix A" (formerly 701250, 702500, 703000, and 773098)		GIEQ	100	EO	A
775055	Distillation equipment made of copper, and designed for usage at pressures of less than 50 pounds per square inch or vacuum less than 30 mm. of mercury absolute (formerly 773098)		GIEQ	100	R	A
775055	Other processing vessels, non-agitated, n. e. c., for industrial use, operating at pressures over 200 psi, and specially fabricated parts, n. e. c. (formerly 701250, 702500, 773000, and 773098)		GIEQ	None	EO	A
775055	Separators and collectors, industrial process type, n. e. c., and specially fabricated accessories and parts, n. e. c. (specify by name): Centrifugal counter-current solvent extractors, and special fabricated parts, n. e. c. (formerly 701500, 773000, and 773098)		GIEQ	None	EO	A
775055	Petroleum refining equipment, n. e. c., and parts—Continued					
775055	Petroleum refining equipment, n. e. c., and specially fabricated parts, n. e. c. (specify by name) (formerly 754000)		MINE	100	EO	A
775055	Soup manufacturing machines, n. e. c., and specially fabricated parts, n. e. c. (formerly 773098)		GIEQ	100	R	
775055	Chemical and pharmaceutical processing and manufacturing machines, n. e. c., and specially fabricated parts, n. e. c. (report spinning pumps in 775055; report furnaces under appropriate Schedule B No. according to type of furnace, e. e., electric melting and refining furnaces for the production of chemicals, 707415)					
775055	Acid concentrating equipment, and specially fabricated parts, n. e. c. (formerly 773000)		GIEQ 2	None	EO	A
775055	Ammonia oxidation equipment (formerly 773030)		GIEQ 2	100	EO	A
775055	Destructive distillation equipment and specially fabricated parts, n. e. c. (formerly 773000)		GIEQ	None	EO	A
775055	Driers specially fabricated for chemical processes of the following types: continuous screens; cylinder drum; rotary spray; vacuum; and specially fabricated parts, n. e. c. (formerly 773030)		GIEQ	25	R	
775055	Equipment especially designed for the extraction of natural sulfur (formerly 773000)		GIEQ 1	100	EO	A
775055	Equipment especially designed for the production of gas-pressed and liquid chlorine (formerly 773000)		GIEQ 1	100	EO	A
775055	After-treatment equipment for filament rayon cake (formerly 773000)		GIEQ	None	EO	A
775055	Steam-jet presses (formerly 773000)		GIEQ	None	EO	A
775055	Xanthation units (oxidation columns) (formerly 773000)		GIEQ	None	EO	A
775055	Colloid mills (formerly 773000)		GIEQ	100	R	
775055	Electrolytic cells for treatment of elemental fluorine (fluorine cells) (formerly 773000)		GIEQ 2	None	EO	B
775055	Equipment for the production or refining of hydrocarbons other than petroleum by processes involving alkylation, thermal or catalytic cracking, isomerization, and hydrofining methods (formerly 773000)		GIEQ 2	100	EO	A
775055	Fractionating, rectifying and dephlegmation columns, and specially fabricated parts, n. e. c. (formerly 773000)		GIEQ	None	R	A
775055	Gas- (including air) liquefying equipment and specially fabricated equipment for handling liquefied gases (formerly 773000)		GIEQ 2	100	EO	A
775055	Hydrogen-producing equipment (water gas, electrolytic, gas-cracking, or gas-extraction processes) (formerly 773000)		GIEQ 2	100	EO	A
775055	Hydrogenation equipment designed to operate under pressure of over 50 pounds per square inch (formerly 773000)		GIEQ 2	100	EO	A
775055	Methanol oxidation equipment (formerly 773000)		GIEQ 2	100	EO	A
775055	Multiple-effect evaporators (formerly 773000)		GIEQ 1	100	EO	A
775055	High vacuum freeze-drying equipment, and specially fabricated parts, n. e. c. (formerly 773000)		GIEQ	None	EO	A
775055	Nitrogen (formerly 773000)		GIEQ 2	100	EO	A
775055	Oxygen-production equipment, and specially fabricated parts, n. e. c. (formerly 773000)		GIEQ	100	EO	A
775055	Penicillin and streptomycin production equipment (formerly 773000)		GIEQ 2	100	EO	A
775055	Pyrolysis roasters (formerly 773000)		GIEQ 1	None	EO	A
775055	Sulfur burners (formerly 773000)		GIEQ	None	EO	A
775055	Piping specially fabricated for chemical and pharmaceutical processing and manufacturing machines and made of or lined with any corrosion-resistant material as defined in the "General Notes to Appendix A" (formerly 773000)		GIEQ	None	EO	A
775055	Vacuum stills (report operating vacuum in millibars, mercury pressure absolute) (formerly 773000)		GIEQ 1	None	R	A

*The commodities described in this F-50 list entry are exempt from the provisions of General In-Transit License G.I.T. See § 271. (c)

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Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Value added license required	Commodity lists (see footnote)
78739	Apicultural machines, implements, and parts	No.	AGMT	100	R	.....
78740	Insecticide sprayers and dusters (report parts in 78739)	No.	AGMT	100	R	.....
78741	Power sprayers, including traction type (formerly 78080)	No.	AGMT	100	RO	.....
78742	Power dusters, including traction type (formerly 78080)	No.	AGMT	100	RO	.....
78743	Portable and semi-portable irrigation systems, farm type (including specially fabricated pipe, sprinklers, nozzles, and connections), and specially fabricated parts, n. e. c. (formerly 78730 and 78740) (report parts in 78080-78088) (see § 391.4, Int. S.)	No.	AGMT	100	RO	.....
78744	Tractors, parts, and accessories	No.	AGMT	100	RO	.....
78745	(See Special Provisions, H 371.7, 371.16, 371.30)	No.	AGMT	100	RO	.....
78746	Tractors (except contract' wheel type, and industrial type) (report horsepower according to National Maximum Test or manufacturer's equivalent) (report contract' wheel type in 72303; industrial type in 72303)	No.	AGMT	100	RO	.....
78747	Track-laying tractors, new:	No.	AGMT	100	RO	.....
78748	Under 35 drawbar horsepower	No.	AGMT	100	RO	.....
78749	35 under 50 drawbar horsepower	No.	AGMT	100	RO	.....
78750	50 under 70 drawbar horsepower	No.	AGMT	100	RO	.....
78751	70 under 95 drawbar horsepower	No.	AGMT	100	RO	.....
78752	95 and over drawbar horsepower	No.	AGMT	100	RO	.....
78753	Track-laying tractors, used and rebuilt:	No.	AGMT	100	RO	.....
78754	Under 35 drawbar horsepower	No.	AGMT	100	RO	.....
78755	35 under 50 drawbar horsepower	No.	AGMT	100	RO	.....
78756	50 under 70 drawbar horsepower	No.	AGMT	100	RO	.....
78757	70 under 95 drawbar horsepower	No.	AGMT	100	RO	.....
78758	95 and over drawbar horsepower	No.	AGMT	100	RO	.....
78759	Wheel-type tractors, new:	No.	AGMT	100	RO	.....
78760	Row-crow type tractors, new:	No.	AGMT	100	RO	.....
78761	8 under 15 belt horsepower	No.	AGMT	100	RO	.....
78762	15 under 25 belt horsepower	No.	AGMT	100	RO	.....
78763	25 under 30 belt horsepower	No.	AGMT	100	RO	.....
78764	30 under 35 belt horsepower	No.	AGMT	100	RO	.....
78765	35 under 45 belt horsepower	No.	AGMT	100	RO	.....
78766	45 under 60 belt horsepower	No.	AGMT	100	RO	.....
78767	60 and over belt horsepower	No.	AGMT	100	RO	.....
78768	Standard wheel type tractors, new:	No.	AGMT	100	RO	.....
78769	8 under 20 belt horsepower	No.	AGMT	100	RO	.....
78770	20 under 25 belt horsepower	No.	AGMT	100	RO	.....
78771	25 under 35 belt horsepower	No.	AGMT	100	RO	.....
78772	35 under 45 belt horsepower	No.	AGMT	100	RO	.....
78773	45 under 60 belt horsepower	No.	AGMT	100	RO	.....
78774	60 and over belt horsepower	No.	AGMT	100	RO	.....
78775	Row-crow and standard wheel type tractors, used:	No.	AGMT	100	RO	.....
78776	Under 60 belt horsepower	No.	AGMT	100	RO	.....
78777	60 and over belt horsepower	No.	AGMT	100	RO	.....
78778	Parts and accessories, n. e. c., specially fabricated for track-laying tractors (report engines in 71629-71430 and 71431-71461 attachments in 72303)	No.	AGMT	100	RO	.....
78779	Parts and accessories, n. e. c., specially fabricated for wheel type tractors (report engines in 71430-71439 and 71471-71493; attachments in 72303; contract' and industrial type tractor parts in 72303 and 72560)	No.	AGMT	100	RO

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Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Value added license required	Commodity lists (see footnote)
77326*	Other industrial machines and parts—Continued					
77327*	Separators and collectors, industrial process type, n. e. c., and specially fabricated accessories and parts, n. e. c. (specify by name)—Continued		GIEQ	None	RO	B
77328*	Centrifuge bowls, stainless steel (formerly 62668, 75030, 78110, 76140, 76100, 76150, 77300, and 77308)		GIEQ	None	RO	B
77329*	Centrifuges, electric, stainless steel, solid-bowl: types (formerly 76110, 76140, 76100, 76150, 77300, and 77308):		GIEQ	100	RO	.....
77330	Electromagnetic separators of the following types: (a) cross-belt types; (b) revolving disc or ring types; (c) induced roll types, either isolated or primary; (d) magnetic pulleys or drums 20 inches in diameter and over, either isolated or primary; (e) specially fabricated parts, n. e. c. (formerly 77370 and 77368)		GIEQ	None	RO	A B
77331*	Electrostatic precipitators, for blowing and venting, n. e. c. (formerly 76100)		GIEQ	None	RO	A
77332	Electrostatic precipitators, except for blowing and venting, n. e. c. (formerly 76100)		GIEQ	None	RO	A
77333	Parts, n. e. c. (formerly 76068, 76300, and 77365)		GIEQ	None	RO	A
77334	Electrostatic separators having a voltage of more than 1,000 volts across the air gap; and specially fabricated parts, n. e. c. (formerly 77368)		GIEQ 1	100	R	.....
77335	Filters, acid-resisting, and chemical (formerly 77303)		GIEQ 1	100	R	.....
77336	Liquid solvent extraction equipment for processing chemicals and pharmaceuticals, except centrifugal counter-current solvent extractors; and specially fabricated parts, n. e. c. (formerly 77303)		GIEQ	None	R	.....
77337	Solvent-recovery machinery for vegetable-oil milks and specially fabricated parts, n. e. c. (formerly 76100)		GIEQ	100	RO	A
77338	High vacuum freeze-drying equipment, and specially fabricated parts, n. e. c. (formerly 77303)		GIEQ	100	R	.....
77339	Crushing, pulverizing and screening machines, n. e. c., and specially fabricated accessories and parts, n. e. c. (specify by name):		GIEQ	100	R	.....
77340	Crushers and grinders (formerly 77307, 77300, 77370, and 77368)		GIEQ	25	R	.....
77341	Specially fabricated parts for crushers and grinders for cement- and lime-making machinery installations (formerly 77307)		GIEQ	100	R	.....
77342	Specially fabricated parts for other crushers and grinders (formerly 77300, 77370, and 77368)		GIEQ	100	R	.....
77343	Variable speed transmissions (formerly 77308)		GIEQ	100	R	.....
77344	Industrial manufacturing and service-industries machines, n. e. c., and specially fabricated parts, n. e. c. (specify by name):		GIEQ 1	100	R	.....
77345	Tablet machines (for compressing tablets and pills) (formerly 77305)		GIEQ	None	RO	A
77346	Piping specially fabricated for industrial manufacturing and service-industries machines, n. e. c., and made of or lined with any corrosion-resistant material as defined in the "General Notes to Appendix A"		GIEQ	None	RO	A
77347	Parts and accessories for industrial manufacturing machinery and specially fabricated parts, n. e. c. (formerly 77308)		GIEQ	100	R	.....

*The commodities described in this Positive List entry are exempted from the provisions of General In-Transit License GIT. See § 371.9 (c).

[A = Import certificate, B = DL restrictions, C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

[A = Import certificate, B = DL restrictions, C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required	Commodity list (see footnote)
	Automobiles, trucks, buses and trailers, parts, accessories, and service equipment—Continued					
790533	Motor buses and bus chassis (new) (specify passenger capacity of body, if mounted)—Continued rear axle drive.	No.	TRAN 2	None	RO	A B
790537	Military, front and rear axle drive, or multiple rear axle drive.	No.	TRAN 5	None	R	A B
790547	Military, front and rear axle drive, or multiple rear axle drive.	No.	TRAN 5	None	RO	A B
790553	Diesel and semi-Diesel (new): Commercial, single rear axle drive only.	No.	TRAN 3	None	R	A B
790553	Commercial, front and rear axle drive, or multiple rear axle drive.	No.	TRAN 4	None	RO	A B
790557	Military, single rear axle drive only.	No.	TRAN 5	None	R	A B
790557	Military, front and rear axle drive, or multiple rear axle drive.	No.	TRAN 5	None	RO	A B
790563	Motor trucks, buses, and chassis, including truck tractors (used): Commercial, all diesel and all gasoline, powered over 10,000 lb. G. V. W., with single rear axle drive.	No.	TRAN	None	R	A
790563	Commercial, all diesel and all gasoline, powered with front and rear axle drive, or multiple rear axle drive.	No.	TRAN	None	RO	A
790567	Military, single rear axle drive only.	No.	TRAN	None	R	A B
790567	Military, front and rear axle drive, or multiple rear axle drive.	No.	TRAN	None	RO	A B
790573	Passenger cars and chassis (new): Nonmilitary, front and rear axle drive only (formerly 790573).	No.	TRAN	None	RO	A B
790573	Military, front and rear axle drive only (formerly 790573).	No.	TRAN	None	RO	A B
790577	Passenger cars and chassis (used): Nonmilitary, front and rear axle drive only (formerly 790577).	No.	TRAN	None	RO	A B
790577	Military, front and rear axle drive only (formerly 790577).	No.	TRAN	None	RO	A B
791103	Special-purpose vehicles, n. e. c. (new): Commercial, single rear axle drive (formerly 790573).	No.	TRAN	None	R	A B
791103	Commercial, front and rear axle drive, or multiple rear axle drive (formerly 790573).	No.	TRAN	None	RO	A B
791107	Military, single rear axle drive (formerly 790573).	No.	TRAN	None	R	A B
791107	Military, front and rear axle drive, or multiple rear axle drive (formerly 790573).	No.	TRAN	None	RO	A B
791137	Special-purpose commercial vehicles, n. e. c. (new) single rear axle drive (formerly 790750).	No.	TRAN	None	R	A B
791137	Special-purpose commercial vehicles, n. e. c. (new) front and rear axle drive or multiple rear axle drive (formerly 790750).	No.	TRAN	None	RO	A B
791160	Special-purpose military vehicles, n. e. c. (new), single rear axle drive, except armored vehicles (formerly 790530).	No.	TRAN	None	R	A B
791160	Special-purpose military vehicles, n. e. c. (new), front and rear axle drive or multiple rear axle drive, except armored vehicles (formerly 790530).	No.	TRAN	None	RO	A B
791153	Used commercial special-purpose vehicles, n. e. c.	No.	TRAN	None	R	A B
791153	Used commercial special-purpose vehicles, n. e. c. single rear axle drive (formerly 791103).	No.	TRAN	None	RO	A B
791157	Used commercial special-purpose vehicles, n. e. c. front and rear axle drive, or multiple rear axle drive (formerly 790530).	No.	TRAN	None	R	A B
791157	Used military special-purpose vehicles, n. e. c. (formerly 790530).	No.	TRAN	None	RO	A B
791157	Used military special-purpose vehicles, n. e. c. front and rear axle drive, or multiple rear axle drive, except armored vehicles (formerly 790530).	No.	TRAN	None	RO	A B
791157	Used military special-purpose vehicles, n. e. c. front and rear axle drive, or multiple rear axle drive, except armored vehicles (formerly 790530).	No.	TRAN	None	RO	A B

[See § 370. A. Note 1, for ordinance vehicles classified in Schedule B nos. 791107-791197 requiring export authorization from the Department of State.]

[See § 370. A. Note 1, for ordinance vehicles classified in Schedule B nos. 791107-791197 requiring export authorization from the Department of State.]

[A = Import certificate, B = DL restrictions, C = Controlled material, Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated license re-quired	Commod. by lists (see heading)
	Coal-tar products (including similar cyclic products derived from petroleum, natural or other source)—Continued					
80210	Coal-tar intermediates, except coal-tar acids	Lb.	COTA 60	100	R	A
80258	Aniline oil and salts	Lb.	COTA 61	100	RO	A
80259	Dimethylamine	Lb.	COTA 61	100	RO	A
80257	Diphenylamine	Lb.	COTA 61	100	RO	A
80261	Phthalic anhydride	Lb.	COTA 61	100	RO	A
80263	Phthalate esters:					
80264	Diethyl phthalate	Lb.	COTA 61	100	R	A
80265	Diocetyl phthalate (formerly 80265)	Lb.	COTA 61	100	R	A
80266	Glycol phthalate	Lb.	COTA 61	100	RO	A
80268	Other phthalate esters	Lb.	COTA 61	100	R	A
80269	Other coal-tar intermediates (specify by name):					
80290	Aminophenol, para type only	Lb.	COTA 61	100	RO	A
80291	Monochlorobenzene	Lb.	COTA 61	100	RO	A
80292	Dibutyl sebacate; and dibenyl sebacate	Lb.	COTA 61	100	RO	A
80293	Dichlorotyrene	Lb.	COTA 61	100	RO	A
80294	Dinitrophenol	Lb.	COTA 61	100	R	A
80295	Dinitrochlorobenzene solids and oils	Lb.	COTA 61	100	RO	A
80296	Ethyl benzene	Lb.	COTA 61	100	RO	A
80297	Methyl cyclohexanol	Lb.	COTA 61	100	R	A
80298	Nitrobenzene	Lb.	COTA 61	100	R	A
80299	Para nitroaniline	Lb.	COTA 61	100	R	A
80300	Para phenylacetamide	Lb.	COTA 61	100	R	A
80301	Phenyl isopropylamine	Lb.	COTA 61	100	RO	A
80302	Formic acid (formerly 80302)	Lb.	COTA 61	100	RO	A
80303	Rosin (formerly 80303)	Lb.	COTA 61	100	RO	A
80304	Styrene	Lb.	COTA 61	100	RO	A
80305	Xylylene	Lb.	COTA 61	100	R	A
80306	Rubber compounding agents of coal-tar origin:					
80307	Accelerators	Lb.	COTA 61	100	RO	A
80308	Antioxidants	Lb.	COTA 61	100	RO	A
80309	Other rubber compounding agents of coal-tar origin, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80310	Phenol	Lb.	COTA 61	100	RO	A
80311	Phenol-formaldehyde resins of coal-tar origin:					
80312	Formaldehyde	Lb.	COTA 61	100	RO	A
80313	Formaldehyde-phenol resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80314	Formaldehyde-urea resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80315	Formaldehyde-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80316	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80317	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80318	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80319	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80320	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80321	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80322	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80323	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80324	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80325	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80326	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80327	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80328	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80329	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80330	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80331	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80332	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80333	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80334	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80335	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80336	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80337	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80338	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80339	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80340	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80341	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80342	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80343	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80344	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80345	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80346	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80347	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80348	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80349	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80350	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80351	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80352	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80353	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80354	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80355	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80356	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80357	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80358	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80359	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80360	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80361	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80362	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80363	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80364	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80365	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80366	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80367	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80368	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80369	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80370	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80371	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80372	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80373	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80374	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80375	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80376	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80377	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80378	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80379	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80380	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80381	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80382	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80383	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80384	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80385	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80386	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80387	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80388	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80389	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80390	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80391	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80392	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80393	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80394	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80395	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80396	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80397	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80398	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80399	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A
80400	Formaldehyde-urea-sulfonamide resins, n. e. c. (specify by name)	Lb.	COTA 61	100	RO	A

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Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated license re-quired	Commod. by lists (see heading)
	Railway transportation equipment—Continued					
76128	Maintenance-of-way and yard cars, self-propelled, new (formerly 76128)	No.	TRAN	None	R	
76132	Self-propelled railway cars (except street, rapid transit, or motor cars), new, n. e. c. (specify type)	No.	TRAN	None	R	
76133	Used and rebuilt: self-propelled street, rapid transit, and motor cars, except electric passenger cars and trackless trolley coaches; railway motor coaches, self-propelled; and other self-propelled railway cars, except maintenance-of-way and yard cars, street, rapid transit, and interurban cars (formerly 76110), used and rebuilt maintenance-of-way and yard cars (formerly 76120)	No.	TRAN	None	R	
76134	Passenger-train cars, and express-train cars, new (formerly 76129)	No.	TRAN	None	R	
76135	Freight cars, railroad, new (formerly 76600 and 76620)	No.	TRAN	None	R	
76136	Maintenance-of-way and yard cars, new, except self-propelled (formerly 76200)	No.	TRAN	None	R	
76140	Street, rapid transit and interurban rail cars, new (formerly 76120)	No.	TRAN	None	R	
76142	Industrial and mine rail cars, new, except self-propelled (formerly 76600 and 76620)	No.	TRAN	None	R	
76144	Railway cars (except self-propelled), new, n. e. c. (specify type) (formerly 76120)	No.	TRAN	None	R	
76146	Used and rebuilt mine, industrial, and other freight cars, except self-propelled (formerly 76600 and 76620)	No.	TRAN	None	R	
76148	Other used and rebuilt railway cars, except self-propelled (specify type) (formerly 76120 and 76620)	No.	TRAN	None	R	
76154	Parts, and accessories, n. e. c. (specify by name) for locomotives and railway cars (report specifications in 61651-61653)	Lb.	TRAN	100	RO	A
76156	Parts, and accessories, n. e. c. (specify by name) for steam locomotives (specify by name) (formerly 71100)	Lb.	TRAN	100	RO	A
76172	Parts, and accessories, n. e. c. (specify by name) for diesel, diesel-electric, and other internal combustion locomotives (specify by name) (formerly 71100)	Lb.	TRAN	100	RO	A
76174	Parts, and accessories, n. e. c. (specify by name) for underground mine locomotives, except steam and electric (specify by name) (formerly 72000)	Lb.	TRAN	100	RO	A
76182	Parts, and accessories, n. e. c. (specify by name) for railway motor cars, except dashlights and parts, for railway motor cars; illuminating lights and parts; pinlock brakes and parts; and release handles and parts (specify by name) (formerly 76900)	Lb.	TRAN	100	RO	A
76184	Railway signals and specially fabricated attachments and parts, n. e. c. (specify by name) (formerly 76700)	Lb.	TRAN	100	RO	A
80000	Benzoic or benzoic acid	Lb.	COTA 60	500	RO	B
80100	Toluene or toluol	Lb.	COTA 60	100	RO	B
80200	Naphthalene (crude and refined)	Lb.	COTA 60	5,000	RO	A

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Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. class license required	Commodity list (see heading)
Chemical specialties—Continued						
82650*	Plastics and resin materials—Continued Laminated and molded laminated plastics made with synthetic resins and varnishes as a binder—Continued Other laminated and molded plastics, including all shapes solely made therefrom:	Lb.	RESN 66	1	RO	A B
82650*	Polytetrafluoroethylene (Teflon) (formerly 826000)	Lb.	RESN	1	RO	A B
82650	Polytrifluoroethylene (Kel-F) (formerly 826000)	Lb.	RESN 66	25	RO	A
82650	Polyethylene (specify whether virgin or scrap) (formerly 826000)	Lb.	RESN 66	100	RO	A
82650	Polyacrylic (formerly 826000)	Lb.	RESN 66	100	RO	A
82650	Synthetic gums and resins, laminated (sheets, plates, strips, rods, and tubes), n. e. c. (formerly 826000)	Lb.	RESN 66	100	RO	A
82650	Celulose plastic materials (report manufactured plastic products in 81150 and 81160)	Lb.	RESN	100	RO	A
82650	Fifty cellulose in all unfinished forms (formerly 826000)	Lb.	RESN 66	100	R	A
82650	Celulose nitrate (nitrocellulose; pyroxylin): Scrap and film scrap	Lb.	RESN 66	100	R	A
82650	Sticks, rods, tubes and similar forms, including film scrap (formerly 826000 and 826400)	Lb.	RESN 66	100	R	A
82650	Celulose acetate cellulose acetate-butylate cellulose acetate-propionate, and other cellulose esters	Lb.	RESN 66	100	R	A
82650	Molding and extrusion compositions (report cellulose acetate flake and powder, and cellulose acetate-butylate flake and powder in 826100)	Lb.	RESN 66	100	R	A
82650	For other uses (including film support and sheeting, cut pieces, and other unfinished forms (formerly 826000): Cellulose acetate electrical insulating material (formerly in 826200 and 826300)	Lb.	RESN	1	RO	A
82650	Organic surface-active agents: Organic surface-active agents, n. e. c. (report weight of active organic ingredient in net quantity) (report compounds principally employed as detergents in 82830-82840): Quaternary ammonium compounds (formerly 828300)	Lb.	PLAT	100	RO	A
82650	Specialty cleaning and washing compounds, n. e. c. (specify by name) (report organic surface-active agents in 82830-82840; soaps in 81130-81200): Rifle cleaning compounds	Lb.	PLAT	1	RO	A
82650	Polishes: Leather dressings, oils, polishes and stains (specify by name): Castor oil, sulfonated	Lb.	LEAT	200	RO	B
82650	Organic rubber compounding agents not of coal-tar origin (report rubber compounding agents of coal-tar origin in 82630-82650): Accelerators	Lb.	COTA	100	RO	A
82650	Antioxidants	Lb.	COTA	100	RO	A
82650	Rubber compounding agents, n. e. c. (specify by name): Airtrock compounds except of petroleum origin	Lb.	PETR	25	RO	A
82650	Jet fuels, all types (total of 42 lbs.)	Bbl.	PETR 1	25	RO	A
82650	Lead gun inhibitors for treating petroleum distillates		DRUG	None	RO	B
82650*	Radiation isotopes, compounds and preparations thereof, radium emanation (Radon), and radium salts and compounds, all forms (including radium needles and radium ore concentrate) (state radium content) (report paints, containing radium in 843800). See 1371.3 (c).					

[A = Import certificate, B = DL restrictions, C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. class license required	Commodity list (see heading)
Chemical specialties—Continued						
82643	Plastics and resin materials—Continued Synthetic resins in all unfinished forms, except laminated (report laminated plastics in 82610 and 82650)—Continued Vinyl and vinylidene polymer and copolymer resins—Continued Compounds in granular, dissolved, or other unfinished forms, based on vinyl or vinylidene chloride resins and their copolymers, plasticized or unplasticized (i. e. extrusion, molding, and coloring compounds, dispersions and solutions) (formerly 826400)	Lb.	RESN 66	100	R	
82645	Film and sheeting, plasticized or unplasticized, based on vinyl or vinylidene chloride resins and copolymers thereof, including printed, embossed, plain, or otherwise treated surface, in any form (formerly 826400) (report manufactured plastic products in 81150 and 81160) and woven fabrics in 826000-826400)	Lb.	RESN 66	100	R	
82647	Other unfinished forms of vinyl chloride, vinylidene chloride and copolymers of vinyl chloride, including extrusions (tubing except laminated), bristles, monofilaments, etc., molded (sheets, castings, etc. (specify form)) (formerly 826400) (report manufactured plastic products in 81150 and 81160; monofilaments for weaving into fabrics in 82600-826400)	Lb.	RESN 66	100	R	
82648	Other vinyl resins (including polyvinyl acetate polyvinyl alcohol, polyvinyl ether, etc.), in all unfinished forms, 826400 line resins and compounds (formerly 826400) (report manufactured plastic products in 81150 and 81160; monofilaments for weaving into fabrics in 82600-826400) and 35402; woven fabrics in 82600-826400)	Lb.	RESN 66	100	R	
82649	Vinyl resin scrap, in any form (formerly 826400 and 826450)	Lb.	RESN 66	100	R	
82650	Synthetic resin, n. e. c. including film, monofilaments, and bristles (report manufactured plastic products in 81150 and 81160; monofilaments for weaving into fabrics in 82600 and 35402; woven fabrics in 82600-826400) (specify by name): Molding and extrusion compounds, including scrap: Plastic-type nylon Polytetrafluoroethylene (Teflon) Polytrifluoroethylene (Kel-F) Polyethylene (specify whether virgin or scrap) Polyacrylate Other molding compositions, except polycarbonate and silicone molding compositions, resins, and adhesives	Lb.	RESN	25	RO	B
82650*	Other unfinished forms:	Lb.	RESN	1	RO	A B
82650*	Polytetrafluoroethylene (Teflon)	Lb.	RESN	1	RO	A B
82650*	Polytrifluoroethylene (Kel-F)	Lb.	RESN	1	RO	A B
82650	Polyethylene (specify whether virgin or scrap)	Lb.	RESN 66	25	RO	A B
82650	Polyacrylate	Lb.	RESN 66	100	R	A
82650	Other molding compositions, except polycarbonate and silicone molding compositions, resins, and adhesives	Lb.	RESN 66	100	R	A
82650	All other unfinished forms:	Lb.	RESN	1	RO	A B
82650*	Polytetrafluoroethylene (Teflon)	Lb.	RESN	1	RO	A B
82650*	Polytrifluoroethylene (Kel-F)	Lb.	RESN	1	RO	A B
82650	Polyethylene (specify whether virgin or scrap)	Lb.	RESN 66	25	RO	A B
82650	Polyacrylate	Lb.	RESN 66	100	R	A
82650	Other molding compositions, except polycarbonate and silicone molding compositions, resins, and adhesives	Lb.	RESN 66	100	R	A
82650	All other unfinished forms, n. e. c.	Lb.	RESN	1	RO	A B
82650	Laminated and molded laminated plastics made with synthetic resins and varnishes as a binder: Phenol formaldehyde and cresol formaldehyde laminated sheets, plates, strips, rods, tubes, and other shapes solely made therefrom, including decorative laminates used for table tops, counters, wall panels, ice cream containers, etc. (formerly 826000) (report decorative laminates in 826000)	Lb.	RESN 66	100	RO	

*The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License GIT. See 1371.3 (c).

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Value dated license required	Commodity lists (see heading)
820580	Industrial chemicals (exclusive of medicinal chemicals, U. S. P. & N. F.)	Lb.	ACID	25	RO	A
820580	Acids and anhydrides—Continued	Lb.	ACID	25	RO	A
820580	Inorganic acids and anhydrides, n. e. c. (specify by name)	Lb.	ACID	25	RO	A
820580	Organic acids and anhydrides, n. e. c. (specify by name)	Lb.	ACID	25	RO	A
820580	Alcohols, n. e. c. (glycols, except ethylene glycol, included)	Lb.	ORGN	100	RO	A
820580	Furfuryl alcohol (furyl carbinol) (formerly 821500)	Lb.	ORGN	100	RO	A
820580	Leuril alcohol (formerly 821500)	Lb.	ORGN	100	RO	A
820580	Penicillantrithiol (penicillantrithiol) (formerly 821500)	Lb.	ORGN	100	RO	A
820580	Tetrahydrofurfuryl alcohol (formerly 821500)	Lb.	ORGN	100	RO	A
820580	Glycols, n. e. c. (formerly 821500)	Lb.	ORGN	100	RO	A
820580	Formaldehyde or formalin, 40 percent solution by volume, 37 percent by weight	Lb.	ORGN	100	RO	A
820580	Synthetic collecting reagents for concentration of ores, metals, or minerals	Lb.	RESN	25	RO	A
820580	Cellulose nitrate lacquer base, wet down or plastic (formerly 820580 and 820900)	Lb.	RESN	25	RO	A
820580	Cellulose acetate films and papers and cellulose butyrate films and papers (excluding molding composition) (formerly 820580)	Lb.	RESN	25	RO	A
820580	Cellulose acetate and cellulose acetate-butyrate in waste or scrap form (formerly 820580)	Lb.	RESN	25	RO	A
820580	Campor, natural and synthetic	Lb.	ORGN	500	RO	A
820580	Organic chemicals not of coal-tar origin, n. e. c. (specify by name)	Lb.	ORGN	100	RO	A
820580	Ammonia	Lb.	ORGN	100	RO	A
820580	Butyl benzoate, sebaceous, diethylbenzyl sebaceous, dibenzyl sebaceous, dimethyl sebaceous, dibenzyl sebaceous and other sebaceous esters	Lb.	ORGN	100	RO	A
820580	Ethyl cellulose	Lb.	ORGN	100	RO	A
820580	Ethylene glycol monoethyl ether (including ethylene glycol)	Lb.	ORGN	100	RO	A
820580	Fluorocarbons (completely fluorinated materials)	Lb.	ORGN	1	RO	B
820580	Furfural	Lb.	ORGN	100	RO	A
820580	Glycol compounds	Lb.	ORGN	100	RO	A
820580	Hexamethylenetetramine	Lb.	ORGN	100	RO	A
820580	Methyl isobutyl ketone (hexone)	Lb.	ORGN	100	RO	A
820580	Methylene chloride	Lb.	ORGN	100	RO	A
820580	Parformaldehyde, solid	Lb.	ORGN	100	RO	A
820580	Tributyl phosphate	Lb.	ORGN	100	RO	A
820580	Triethyl phosphate	Lb.	ORGN	100	RO	A
820580	Aluminum compounds, n. e. c. (specify by name): Aluminum chloride, anhydrous	Lb.	SALT	100	RO	A
820580	Aluminum fluoride	Lb.	SALT	100	RO	A
820580	Calcium carbide	Lb.	SALT	100	RO	A
820580	Cadmium bromide and bromate	Lb.	SALT	25	RO	A
820580	Ethylene dibromide	Lb.	SALT	100	RO	A
820580	Other bromine bromides, and bromates, bromides, iodides and iodates	Lb.	SALT	100	RO	A
820580	Potassium compounds, except fertilizers (report fertilizers and fertilizer materials in 820000-820100): Potassium bitartrate and tartrate	Lb.	SALT	25	RO	A
820580	Potassium carbonate	Lb.	SALT	100	RO	A
820580	Potassium chloride	Lb.	SALT	100	RO	A
820580	Potassium nitrate	Lb.	SALT	100	RO	A
820580	Potassium permanganate and mixtures	Lb.	SALT	100	RO	A
820580	Potassium persulfate	Lb.	SALT	100	RO	A
820580	Potassium sesquioxide	Lb.	SALT	100	RO	A
820580	Potassium tetroxide	Lb.	SALT	None	RO	A

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Value dated license required	Commodity lists (see heading)
820580	Recent chemicals for laboratory use (C. P., U. S. P., N. F., A. C. S., or other recognized recent grades only) (formerly by name) (formerly 820580)	Lb.	DRUG	None	RO	A
820580	Liensans are also required for these recent chemicals for which export controls on other grades are indicated on this list (see § 373.23)	Lb.	DRUG	None	RO	A
820580	Diffusion pump oils (oils enabling the attainment of vacuum of 10 ⁻⁴ millimeters of mercury pressure absolute in a single stage diffusion pump). (In-closure silicone diffusion pump fluids). (In-closure hydraulic fluids and oils, except of petroleum origin (report hydraulic fluids and oils of petroleum origin in 820900))	Gal.	COTA	25	RO	B
820580	Chemical specialty compounds, n. e. c.	Gal.	SALT	100	RO	A
820580	Cadmium plating salts	Lb.	ORGN	25	RO	A
820580	Additives, motor oil, including all agents added to motor oils, engine oils and greases which act as oxidation inhibitors; antioxidants; rust preventatives; inhibitor detergents; viscosity-index improvers; pour depressants; straglines agents; sulfonium agents; antiwear and corrosion inhibitors; film-strength improvers; extreme pressure agents; and metal deactivators	Lb.	ORGN	100	RO	B
820580	Catalysts for petroleum refining	Lb.	ORGN	100	RO	B
820580	Plasticizers containing compounds of sebaceous acid (plasticizers containing butyl benzyl sebaceous, dibenzyl sebaceous, dibenzyl sebaceous, diethylbenzyl sebaceous, dibenzyl sebaceous, dimethyl sebaceous, dibenzyl sebaceous, and other sebaceous esters)	Lb.	ORGN	100	RO	B
820580	Platinum liquids, for decoupling china and glass	Lb.	ORGN	100	RO	B
820580	Polymerochloroethylene (Kel-F) greases, oil, or wax	Lb.	ORGN	100	RO	B
820580	Mixture of diphenyl and diphenyl oxide (Dowtherm)	Lb.	ORGN	100	RO	B
820580	Silicone grease compounds (compounds of organosilicone material) of the following types only: Silicone high-vacuum greases; and stopcock greases, both high-vacuum and regular	Lb.	ORGN	100	RO	B
820580	Liensans are required for any commodity classified under this Schedule B number if it contains 80 percent or more by quantity of any item or items specified elsewhere on the Positive List	Lb.	ORGN	100	RO	B
820580	Industrial chemicals (exclusive of medicinal chemicals, U. S. P. & N. F.)	Lb.	ORGN	100	RO	A
820580	(See Special Provisions, §§ 373.21, 373.22, 373.23, 373.24)	Lb.	ORGN	100	RO	A
820580	Acids and anhydrides:	Lb.	ORGN	100	RO	A
820580	Acetic acid, over 80 percent	Lb.	ORGN	100	RO	A
820580	Acetic anhydride	Lb.	ORGN	100	RO	A
820580	Napthalenic acid	Lb.	ORGN	100	RO	A
820580	Sebaceous acid	Lb.	ORGN	100	RO	A
820580	Inorganic:	Lb.	ORGN	100	RO	A
820580	Chromic	Lb.	ORGN	100	RO	A
820580	Nitric	Lb.	ORGN	100	RO	A
820580	Sulfuric acid, all grades	Lb.	ORGN	100	RO	A
820580	Inorganic acids and anhydrides, n. e. c. (specify by name):	Lb.	ORGN	100	RO	A
820580	Antytrurothylsulfuric acid	Lb.	ORGN	100	RO	A
820580	Calcium hypochlorite	Lb.	ORGN	100	RO	A
820580	Hydrochloric acid	Lb.	ORGN	100	RO	A
820580	Perchloric acid	Lb.	ORGN	100	RO	A
820580	Tungstic acid and anhydride	Lb.	ORGN	25	RO	A

*The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License 011. See § 371.9 (c).
 †The GLV limit applicable, to each chemical within this classification except as indicated, is the value stated elsewhere on the list for the same chemical. A single GLV shipment hereunder may include two or more chemicals, each up to its GLV limit.

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vald. dated license required	Commodity lists (see footnote)
	Industrial chemicals (continue of medicinal chemicals, U. S. F. & N. F.)—Continued					
836000*	Other industrial chemicals:					
836000*	Acetium-bearing salts and compounds.		SALT	None	RO	B
836000*	Beryllium nitrate.		SALT 64	None	RO	A
836000*	Beryllium and beryllium compounds (including but not limited to beryllium oxide, beryllium nitrate, beryllium sulfide, beryllium carbonate, zinc beryllium silicate).		SALT	None	RO	B
836000	Calcium salts and compounds.	Lb.	MINT	25	RO	A
836000	Calcium molybdate.		SALT 64	100	RO	A
836000	Calcium permanganate.		SALT 64	None	RO	A
836000*	Cerium compounds.		DRUG	None	RO	B
836000*	Chemicals containing artificial radioactive isotopes.		SALT	None	RO	B
836000	Chlorates and perchlorates, n. e. c.		SALT	100	RO	B
836000	Chromium compounds.		SALT	100	RO	B
836000	Cobalt compounds (report cobalt salts of organic compounds in 836700; cobalt-containing pigments in 842600; and cobalt-containing paint and varnish driers in 843000).		SALT	100	RO	B
836000	Copper sulfate (including basic and tribasic copper sulfate) (report copper sulfate for agricultural use in 830100).	Lb.	AGCH	100	RO	B
836000*	Deterium and deuterium compounds, including heavy water.		SALT	None	RO	B
836000	Didymium carbonate.		SALT	None	RO	B
836000*	Gallium salts and compounds.		SALT	None	RO	B
836000	Lanthanum ammonium nitrate.		SALT	None	RO	B
836000	Lanthanum oxide.		RESN.	None	RO	A
836000	Lead sulfide (formerly 807900).	Lb.	SALT 64	None	RO	A
836000	Lead thiocyanate.		SALT 64	None	RO	A
836000	Mercury (mercuric) iodide.	Lb.	SALT 64	None	RO	A
836000	Methylamine salts and compounds, n. e. c.		SALT	None	RO	A
836000	Metaphosphoric acids and mixtures containing much inorganic phosphorus, and mixtures containing much inorganic phosphorus and trace amounts of arsenic in 836000; and triphthalic acid salts and mixtures containing such salts in 837150).		SALT	None	RO	A
836000	Nickel compounds.		SALT 65	100	RO	A
836000	Phosphor powder.		SALT 65	100	RO	R
836000	Phosphor triarsenate.		SALT 65	100	RO	R
836000	Phosphor triiodide.		SALT 65	100	RO	R
836000	Phosphor trioxide.		SALT 65	100	RO	R
836000	Phosphor tri-sulfide.		SALT 65	100	RO	R
836000	Phosphor tri-sulfide.		SALT 65	100	RO	R
836000	Phosphor tri-sulfide.		SALT 65	100	RO	R
836000	Platinum salts and compounds.		SALT 62	None	RO	B
836000*	Potassium-bearing salts and compounds.		SALT 64	None	RO	B
836000	Rare earth compounds, n. e. c.		SALT 64	None	RO	B
836000	Rhodium chloride.		SALT 65	100	RO	R
836000	Selenium compounds.		SALT 64	100	RO	R
836000	Selenium dioxide.		SALT 65	25	RO	A
836000	Tellurium bromide.		SALT 65	100	RO	A
836000	Tellurium tetrachloride.		SALT 65	100	RO	A
836000	Tungsten chlorides, oxides, salts, and all compounds.		SALT 65	25	RO	A
836000	Tungsten compounds.		SALT 65	25	RO	A
836000*	Zirconium oxides in all forms.		SALT	1	RO	A
836000*	Zirconium silicates.		SALT	1	RO	A
836000	Other zirconium compounds.		SALT 64	1	RO	A
	Pigments, paints, and varnishes					
	(See Special Provisions, § 371.1, 371.21)					
842310	Carbon black.	Lb.	PLAT 72	100	RO	A
842310	Carbon black, furnace (specialty grade).	Lb.	PLAT 72	100	RO	A
842300	Carbon black, furnace (specialty grade).	Lb.	SALT	100	RO	A
842300	Carbon black, furnace (specialty grade).	Lb.	SALT	25	RO	A
842300	Carbon black, furnace (specialty grade).	Lb.	SALT	100	RO	A
842300	Carbon black, furnace (specialty grade).	Lb.	SALT	None	RO	A
842300	Carbon black, furnace (specialty grade).	Lb.	SALT	100	RO	R
842300	Carbon black, furnace (specialty grade).	Lb.	PLAT	None	RO	A
842300	Carbon black, furnace (specialty grade).	Lb.	PLAT	None	RO	A

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Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vald. dated license required	Commodity lists (see footnote)
	Industrial chemicals (continue of medicinal chemicals, U. S. F. & N. F.)—Continued					
836700	Boron trifluoride.	Lb.	SALT	100	RO	
836800	Sodium compounds:					
836800	Sodium acetate, anhydrous or soda ash.	Lb.	SALT	1,000	R	
836800	Sodium carbonate, anhydrous.	Lb.	SALT	1,000	RO	
836800	Sodium bicarbonate and chromate.	Lb.	SALT	100	RO	A
836800	Sodium cyanide.	Lb.	SALT	100	RO	
837100	Sodium hydroxide or caustic soda, except in packages of less than 50 pounds in 837300.					
837100	Sulfid.					
837100	Liquid (report dry weight content as net quantity).	Lb.	SALT	1,000	R	
837100	Sodium acetate (formerly 807900).		SALT	1,000	R	
837100	Sodium chlorate and perchlorate.	Lb.	RESN	None	RO	A
837100	Sodium fluoride.	Lb.	SALT 65	100	RO	
837100	Sodium nitrate, except as explosive or fertilizer or medicinal (report explosives in 830100-830700; fertilizer in 830700; and medicinal in 813300).	Lb.	FERT	300	RO	
837100	Sodium peroxide.	Lb.	SALT 65	100	R	
837100	Sodium persulfate.	Lb.	SALT	100	RO	
837100	Tin compounds.	Lb.	SALT	100	RO	
838400	Ammonium compounds, except fertilizers (report fertilizers and fertilizer materials in 830300-830300):					
838400	Ammonium nitrate.	Lb.	FERT	100	RO	A
838400	Ammonium molybdate.	Lb.	SALT	25	RO	A
838400	Ammonium perchlorate.	Lb.	SALT	100	RO	A
838400	Ammonium phosphate.	Lb.	FERT	300	RO	A
838400	Ammonium sulfide.	Lb.	FERT	300	RO	A
838400	Ammonium sulfate.	Lb.	SALT	100	RO	A
838400	Ammonium thiocyanate.	Lb.	SALT	100	R	A
838400	Diethylamine.	Lb.	SALT	100	RO	A
838400	Diethylamine nitrate.	Lb.	SALT	100	RO	A
838400	Hydrazine, hydrazine hydrate, and hydrazine salts.	Lb.	SALT	None	RO	A
838400	Nitroguanidine (formerly 807900).	Lb.	RESN	None	RO	A
838400	Urea.	Lb.	FERT	300	RO	A
839100*	Gases, compressed, liquefied, and solidified, except liquefied petroleum gases (report liquefied petroleum gases in 840300):					
839100*	Acetylene.					
839100*	Carbon dioxide.					
839100*	Chloroform.					
839100*	Chloroform (specify by name):					
839100*	Other chloroformethanes (Freon 11); and dichloroformethanes (Freon 12).					
839100*	Other chloroformethanes (Freons).					
839100*	Methyl chloride.					
839100*	Military gases:					
839100*	Gasoxen.					
839100*	Antimony salts and compounds:					
839100*	Antimony oxides (tri-, tetra-, penta-).					
839100*	Antimony sulfide.					
839100*	Other antimony salts and compounds, except sodium meta-antimonate.					
839100*	Hydrogen peroxide or dioxide (over 95% strength).					
839100*	Metal salts of organic compounds (specify by name):					
839100*	Chromium acetate (formerly 832900).					
839100*	Other chromium salts of organic compounds (formerly 832900).					
839100*	Cerium acetate (formerly 832900).					
839100*	Cerium sulfate (formerly 832900).					
839100*	Other cobalt salts of organic compounds (formerly 832900).					
839100*	Other cobalt salts of organic compounds (formerly 832900).					
839100*	Nickel acetate (formerly 832900).					
839100*	Nickel sulfate (formerly 832900).					
839100*	Strontium acetate (formerly 832900).					

*The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License GIT. See § 371.9 (c).
 † Report value of metal shipping containers separately in commodity numbers 619011 or 619012, but include weight of containers with gross weight of their contents.
 ‡ Many of the gases classified under Schedule B No. 838400 require export authorization from the Department of State. See § 370.5 and Note.

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Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated license re-quired	Commodity lists (see footnote)
	<i>Paints, paints, and varnishes—Continued</i>					
84380*	Paints containing radium	Gal.	PLAT 0	None	RO	B
84380	Anti-rust paints, including all paints containing cuprous oxide	Gal.	PLAT	100	R	
84380	Polytetrahydroethylene (Teflon) finishes and enamels	Gal.	PLAT	1	RO	A B
84380	Polytrifluorochloroethylene (Kel-F) dispersion	Gal.	PLAT	1	RO	A
	<i>Fertilizers and fertilizer materials</i>					
	(See Special Provisions, § 373.1, 373.24)					
	Nitrogenous fertilizer materials (report nitrogenous phosphoric types in § 373.1, 373.24):					
83030	Nitrogenous chemical materials	Lb.	FERT	300	RO	
83030	Ammonium sulfate	Lb.	FERT	300	RO	A
83030	Sodium nitrate, n. e. c.	Lb.	FERT	300	RO	A
83030	Ammonium nitrate	Lb.	FERT	300	RO	A
83030	Nitrogenous chemical materials, n. e. c. (specify by name and state percentage of nitrogen)	Lb.	FERT	300	RO	
83190	Phosphatic fertilizer materials	Lb.	FERT	300	RO	B
83190	Normal (standard) superphosphate, containing not more than 2% available phosphoric acid (state percentage of P ₂ O ₅)	Lb.	FERT	300	RO	B
83190	Concentrated superphosphate, containing more than 25% available phosphoric acid (state percentage of P ₂ O ₅)	Lb.	FERT	300	RO	B
83200	Potassium chloride	Lb.	FERT	300	RO	B
83210	Potassium sulfate	Lb.	FERT	300	RO	B
83430	Nitrogenous phosphatic types	Lb.	FERT	300	RO	
83430	Ammonium phosphates (state percentage of N and P ₂ O ₅)	Lb.	FERT	300	RO	
83430	Nitrogenous phosphatic types, n. e. c. (specify by name and state percentage of N and P ₂ O ₅)	Lb.	FERT	300	RO	
83430	Prepared fertilizer mixtures (specify by name and state percentage of N, K ₂ O, and P ₂ O ₅)	Lb.	FERT	300	RO	
	<i>Explosives, fuses, and blasting caps</i>					
	(See Special Provisions, § 373.1, 373.24)					
80400	Explosives	Lb.	ORGN	100	R	A
80400	Dynamite	Lb.	ORGN	100	R	A
80400	Nitroglycerin explosives, except dynamite (formerly 80050) (report dynamite in 80040)	Lb.	ORGN	100	R	A
80400	Explosives, n. e. c. (including blasting agents) (specify by name)	Lb.	ORGN	None	RO	
	<i>Photographic and projection goods</i>					
90000	Accessories and parts, n. e. c., specially fabricated for photomicrographic, ocelligraph, and similar cameras		FILM	100	R	
91170	Motion-picture films, unexposed:	Lin. ft.	FILM			
91170	Sensitized, 35 mm.	Lin. ft.	FILM	25	R	
91170	Negative film	Lin. ft.	FILM	25	R	
91170	Sensitized, 16 mm.	Lin. ft.	FILM	25	R	
91170	Negative film	Lin. ft.	FILM	25	R	
91200	Other sensitized films, unexposed:	Sq. ft.	FILM	25	R	
91200	Carriage or rail	Sq. ft.	FILM	25	R	
91200	X-ray film, all types (medical, dental, or industrial) sheet, pack, or roll	Sq. ft.	FILM	25	R	

*The commodities described in this Positive List entry are exempted from the provisions of General In-Transit License GIT. See § 371.9 (c).
 † Many of the explosives classified under Schedule B No. 800700 require export authorization from the Department of State. See § 373A, Note 1.

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated license re-quired	Commodity lists (see footnote)
	<i>Scientific and professional instruments, apparatus, and supplies, n. e. c.</i>					
	(See Special Provisions, § 373.1, 373.24)					
91490*	Microscopes, and specially fabricated accessories and parts, n. e. c.		SATE	None	RO	A B
91490*	Metallographs and specially fabricated parts, n. e. c. (formerly 91008)		SATE	None	RO	A B
91490*	Metallurgical microscopes and specially fabricated parts, n. e. c. (electron microscopes, and specially fabricated parts, n. e. c.)		SATE	None	R	
91490*	Other microscopes, specially fabricated parts and accessories, n. e. c., except dismicroscopes, microprojectors, and microscope slides		SATE	None	R	
91500*	Dental instruments, equipment, supplies, and parts: Diamond disk points and other dental instruments containing diamonds. (See § 371.1, 373.3)		CDGS	None	RO	A B
91500	Dental alloys and amalgams containing cobalt (see § 371.1)	Lb.	MINL	None	RO	
91500	Antirusts for operation at pressures over 100 pounds per square inch		SATE	100	RO	A
91540	Surgical and medical instruments and parts: Warburg apparatus for the examination of living tissue and specially fabricated parts, n. e. c. (formerly 91070 and 91008)		SATE	None	RO	A
91625	Map reproduction equipment; stereoscope plotting and photo interpretation equipment and specially fabricated parts, n. e. c.		SATE 03	None	R	
91630	Depth recorder and fathometer and specially fabricated parts, n. e. c. (formerly 91008)		SATE	None	RO	A
91900	Meteorological sounding balloons (formerly 91008)		RUBR	None	RO	A
91900	Other meteorological instruments and specially fabricated parts, n. e. c., and specially fabricated parts (formerly 91008)		SATE	100	R	
91900*	Spectrophotometers, and specially fabricated parts, n. e. c. (including spectroscopes, spectrometers (including X-ray types), diffraction gratings (primary standards), and infra-red absorption meters) (formerly 91008)		SATE	None	RO	A B
91900*	Analytical balances, including semi-micro balances, micro-chemical balances, assay balances, quartz fiber micro-balances, and electronic balances (formerly 91008)	No.	SATE	None	RO	A B
91900*	Basic research laboratory apparatus and equipment, n. e. c., and specially fabricated parts, n. e. c. (including automatic fractionation apparatus, specially fabricated parts, n. e. c. (formerly 91008), Biotrons and specially fabricated parts, n. e. c. (formerly 91008), Colorimeters and specially fabricated parts, n. e. c. (formerly 91008), Densitometers and specially fabricated parts, n. e. c. (formerly 91008), Electrometers, and specially fabricated parts, n. e. c., except student type (formerly 91008), Electronic computers and specially fabricated parts, n. e. c. (formerly 91008), Electrophoresis apparatus and specially fabricated parts, n. e. c. (formerly 91008), Fluorophotometers and specially fabricated parts, n. e. c. (formerly 91008), Microphotometers, and specially fabricated parts, n. e. c. (formerly 91008), Refractometers and specially fabricated parts, n. e. c. (formerly 91008), Spectrographs; mono-chromators; and specially fabricated parts, n. e. c. (formerly 91008)		SATE	None	R	
91900*	Basic research laboratory apparatus and equipment, n. e. c., and specially fabricated parts, n. e. c. (including automatic fractionation apparatus, specially fabricated parts, n. e. c. (formerly 91008), Biotrons and specially fabricated parts, n. e. c. (formerly 91008), Colorimeters and specially fabricated parts, n. e. c. (formerly 91008), Densitometers and specially fabricated parts, n. e. c. (formerly 91008), Electrometers, and specially fabricated parts, n. e. c., except student type (formerly 91008), Electronic computers and specially fabricated parts, n. e. c. (formerly 91008), Electrophoresis apparatus and specially fabricated parts, n. e. c. (formerly 91008), Fluorophotometers and specially fabricated parts, n. e. c. (formerly 91008), Microphotometers, and specially fabricated parts, n. e. c. (formerly 91008), Refractometers and specially fabricated parts, n. e. c. (formerly 91008), Spectrographs; mono-chromators; and specially fabricated parts, n. e. c. (formerly 91008)		SATE	None	RO	B
91900*	Basic research laboratory apparatus and equipment, n. e. c., and specially fabricated parts, n. e. c. (including automatic fractionation apparatus, specially fabricated parts, n. e. c. (formerly 91008), Biotrons and specially fabricated parts, n. e. c. (formerly 91008), Colorimeters and specially fabricated parts, n. e. c. (formerly 91008), Densitometers and specially fabricated parts, n. e. c. (formerly 91008), Electrometers, and specially fabricated parts, n. e. c., except student type (formerly 91008), Electronic computers and specially fabricated parts, n. e. c. (formerly 91008), Electrophoresis apparatus and specially fabricated parts, n. e. c. (formerly 91008), Fluorophotometers and specially fabricated parts, n. e. c. (formerly 91008), Microphotometers, and specially fabricated parts, n. e. c. (formerly 91008), Refractometers and specially fabricated parts, n. e. c. (formerly 91008), Spectrographs; mono-chromators; and specially fabricated parts, n. e. c. (formerly 91008)		SATE	300	R	
91900*	Basic research laboratory apparatus and equipment, n. e. c., and specially fabricated parts, n. e. c. (including automatic fractionation apparatus, specially fabricated parts, n. e. c. (formerly 91008), Biotrons and specially fabricated parts, n. e. c. (formerly 91008), Colorimeters and specially fabricated parts, n. e. c. (formerly 91008), Densitometers and specially fabricated parts, n. e. c. (formerly 91008), Electrometers, and specially fabricated parts, n. e. c., except student type (formerly 91008), Electronic computers and specially fabricated parts, n. e. c. (formerly 91008), Electrophoresis apparatus and specially fabricated parts, n. e. c. (formerly 91008), Fluorophotometers and specially fabricated parts, n. e. c. (formerly 91008), Microphotometers, and specially fabricated parts, n. e. c. (formerly 91008), Refractometers and specially fabricated parts, n. e. c. (formerly 91008), Spectrographs; mono-chromators; and specially fabricated parts, n. e. c. (formerly 91008)		SATE	None	RO	A B
91900*	Basic research laboratory apparatus and equipment, n. e. c., and specially fabricated parts, n. e. c. (including automatic fractionation apparatus, specially fabricated parts, n. e. c. (formerly 91008), Biotrons and specially fabricated parts, n. e. c. (formerly 91008), Colorimeters and specially fabricated parts, n. e. c. (formerly 91008), Densitometers and specially fabricated parts, n. e. c. (formerly 91008), Electrometers, and specially fabricated parts, n. e. c., except student type (formerly 91008), Electronic computers and specially fabricated parts, n. e. c. (formerly 91008), Electrophoresis apparatus and specially fabricated parts, n. e. c. (formerly 91008), Fluorophotometers and specially fabricated parts, n. e. c. (formerly 91008), Microphotometers, and specially fabricated parts, n. e. c. (formerly 91008), Refractometers and specially fabricated parts, n. e. c. (formerly 91008), Spectrographs; mono-chromators; and specially fabricated parts, n. e. c. (formerly 91008)		SATE	None	RO	A B

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required	Commodity list (see heading)
982001	Manufactures commodities, n. e. c.—Continued Paint brushes, all types, using hog bristles in lengths longer than 3½ inches. Commodities exported for relief or charity by individuals and private agencies (the following classifications are not used for exports for relief or charity by governmental agencies (United States, foreign, and international) except for exports of clothing and such agencies, including clothing and footwear) (see 982002). All other commodities (including new clothing) by private agencies are reported under their specific Schedule B number: Food Clothing Blankets and bedding Drugs and biological supplies Surgical, sanitary, and hospital supplies, equipment and parts Ambulances and other motor equipment, and parts (specify by name) Commodities exported for relief or charity by individuals and private agencies, n. e. c. (specify by name) General merchandise valued at less than \$25. This commodity number is applied to: (a) All single items of Schedule B commodities valued at less than \$25. (b) All totals of Schedule B commodities, single items for which are valued at less than \$25, including shipments to postmasters or other agents for distribution at destination. Military apparel of all types and materials, including insignia, and footwear (new and used) (see § 373.30). Miscellaneous military and naval equipment, n. e. c., and specially fabricated parts, n. e. c. (specify by name).	Doz.	CDGS	50	RO	B

however, the pipe is being shipped separately from the pump, a validated license is required for the full amount of the shipment if it exceeds the GLV value of the commodity.

INTERPRETATION 2: EXPORT OF MACHINES CONTAINING A TOOL OR DEVICE INCORPORATING DIAMONDS

(1) Machines containing as an integral part thereof a tool or device incorporating diamonds are included on the Positive List, and a validated license is required for export of such a machine to any foreign destination.

(2) This interpretation in no way changes the special provisions for diamonds set forth in § 373.9 of this subchapter.

INTERPRETATION 3: BALL AND ROLLER BEARINGS AND SPECIALLY FABRICATED PARTS

(1) A ball or roller bearing physically incorporated in a segment of a machine or in a complete machine prior to shipment loses its identity as a bearing and the machine or segment of machinery containing the bearing is the item subject to export license requirements.

(2) A ball or roller bearing not incorporated in a segment of a machine prior to

[A = Import certificate. B = DL restrictions. C = Controlled material. Note following "General Notes to Appendix A" for explanation of symbols in this column]

Dept. of Commerce Schedule No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required	Commodity list (see heading)
919070	Scientific and professional instruments, apparatus, and supplies, n. e. c.—Continued Basic research laboratory apparatus and equipment, n. e. c., and specially fabricated parts, n. e. c.—Continued Supersonic generators for operation at 17,000 cycles per second or over (except military types) and specially fabricated parts, n. e. c. (formerly 919068). Synchrotrons and specially fabricated parts, n. e. c. (formerly 919068). Secondary research laboratory apparatus and equipment, n. e. c., and specially fabricated parts, n. e. c. Laboratory centrifuges, electric, stainless steel, solid bowl type (formerly 919068). Centrifuge bowls, stainless steel, specially fabricated for laboratory centrifuges (formerly 919068). Laboratory furnaces of the following types only: muffle furnaces; combustion furnaces; and crucible furnaces, and specially fabricated parts, n. e. c. (formerly 919062 and 919068). Parts specially fabricated for analytical balances (including parts for semi-micro balances, micro-chemical balances, assay balances, quartz fiber micro-balances, and electronic balances (formerly 919068)). pH meters, noncontinuous and specially fabricated parts, n. e. c. (formerly 919068). Viscosimeters, noncontinuous and specially fabricated parts, n. e. c. (formerly 919068).		SATE	None	RO	B
919080	Ordnance and pyrotechnics (See Special Provisions, H 373.1, 373.34)			None	RO	A B
947400	Parts and accessories, n. e. c., specially fabricated for small arms		NONF	100	RO	A
947500	Parts and accessories, n. e. c., specially fabricated for artillery and naval guns, mortars, rocket and missile launchers, except self-propelled		NONF	100	RO	A
948100	Gun part fabrications, brass and bronze		NONF	100	RO	A
948100	Components and parts, n. e. c., specially fabricated for small arms ammunition		NONF	100	RO	A
948200	Brass and bronze manufactures for munitions components, including thin fabrications, brass and bronze		NONF	100	RO	A
948200	Cartridge cases, brass		NONF	100	RO	A
948200	Cartridge cases, brass, n. e. c., specially fabricated for artillery, naval gun and mortar ammunition		NONF	100	RO	A
948200	Artillery, naval gun and mortar ammunition, brass and bronze manufactures for munitions components, n. e. c.		NONF	None	RO	A
948200	Copper plating bands for shells, and other copper munitions components		NONF	100	RO	A
948200	Gas checks, copper		NONF	100	RO	A

★The commodities described in this Positive List entry are exempted from the provisions of General In-Transit License G117. See § 373.9 (b) for military surplus generator classified in Schedule B, No. 919070 and ordnance fire-control equipment classified in Schedule B, No. 916030 requiring export authorization from the Department of State.

§ 399.2 Appendix B—commodity interpretations.

The commodity interpretations set forth herein are for use in determining (1) the appropriate Schedule B number under which certain commodities are classified, or (2) the validated license requirements for these commodities. They are intended to clarify the question of control where it has been demonstrated that such clarification may prove helpful to the export community, and where such control is not apparent from the Positive List and the regulations.

INTERPRETATION 1: PIPE; OIL COUNTRY OR LINE FOR PUMP INSTALLATION PURPOSES

A maximum of 250 feet of oil country pipe or line pipe, classified in Schedule B Nos. 63210-63280, may be exported under general license, except to Subgroup A, Hong Kong, and Macao (see Parts 371 and 384 of this subchapter); provided such pipe accompanies the pump requiring its use for installation purposes, and also provided such pipe is of appropriate size and type for use with that pump. A validated license is required for any quantity in excess of 250 feet. If,

shipment but shipped as a component of a complete unassembled (knocked-down) machine is considered a component of the machine, and the complete machine is the item subject to export license requirements.

(3) Ball and roller bearings shipped as spares or replacements are classified in Schedule B Nos. 769100-769315 (ball and roller bearings and specially fabricated

parts). This applies to separate shipments of ball and roller bearings and ball and roller bearings shipped with machinery or equipment for which they are intended to be used as spares or replacement parts.

INTERPRETATION 4: THERMOMETERS

[Deleted April 1, 1952.]

INTERPRETATION 5: PORTABLE AND SEMI-PORTABLE IRRIGATION SYSTEMS, FARM TYPE

Commodity	Schedule B No.
Portable and semiportable irrigation systems, farm type, including specially fabricated pipe ¹ (not to exceed 8 inches in diameter) and specially fabricated fittings.	787005
Pipe as spares or replacements:	
Specially fabricated ¹	787005
Not specially fabricated.....	Report in tubular products according to material (e. g., aluminum, 630320).
Fittings as spares or replacements:	
Specially fabricated for irrigation systems.....	787005
Not specially fabricated for irrigation systems:	
If identifiable as pipe fittings.....	Report as "pipe fittings," according to type and material (e. g., aluminum, 618959).
If not identifiable as pipe fittings.....	Report as "manufactures," according to material (e. g., aluminum, 619950).
Pumps, whether or not shipped with the irrigation system.....	Report in appropriate pump classification (770900-770950).

¹ At least one of the following descriptions shall be applicable in describing portable and semiportable irrigation pipe in order to consider it "specially fabricated": (1) Permanently attached handles for easy handling; (2) attached quick-action couplings; (3) punched, drilled, beaded and/or cupped pipe ends for special adapters; (4) 10 percent or more of pipe area perforated.

INTERPRETATION 6: MACHINERY AND PARTS

(1) Where an assembled machine or unit of equipment is being exported. Where one or more assembled machines or units of equipment are being exported, the individual component parts which are physically incorporated into the machine or equipment do not require a separate validated export license. The validated license or the general license under which the complete machine or unit of equipment is exported will also cover its component parts, provided that: No special provisions or interpretations obtain (for example, as in the case of certain tools containing diamonds); that the parts are normal and usual components of the machine or equipment being exported; or the physical incorporation is not used as a device to evade the requirement for a validated export license.

(2) Where parts are exported as spares, replacements, for resale, or for stock. Where parts are exported as spares, replacements, for resale, or for stock, a validated export license is required if the particular part is on the Positive List to the intended destination.

INTERPRETATION 7: PARACHUTES, PARTS, AND FITTINGS

Parachutes, parts and fittings are considered implements of war and exportations thereof are controlled by the Department of State and not the Department of Commerce (see § 370.5 of this subchapter). These include complete parachutes, canopies (parachutes with the shroud lines removed), shroud lines, pilot chutes, containers, harnesses, or parts and fittings therefor. Export licenses issued by the Secretary of State are required for such exportations, including those sent as gifts.

INTERPRETATION 8: QUARTZ CRYSTAL PLATE

Quartz crystal plate is a piece of quartz crystal cut in such a way as to be active piezo-electrically. It may or may not be mounted with metal electrodes applied to its surfaces.

All quartz crystal plates, mounted or unmounted, are classified under Schedule B No. 595090, and are subject to the export control regulations applicable thereto.

INTERPRETATION 9: STEEL SPRINGS

Commodity	Schedule B No.
Steel springs, specially fabricated: ¹	
Spare or replacement parts for a machine.....	Report in Schedule B class provided for "parts" for the specific machine.
Spare or replacement parts for an article other than a machine.....	Report in Schedule B class provided for "parts" of the specific commodity. If no such class is provided, report in 613830.

¹ A "specially fabricated" spring is one which has been so constructed as to be usable with only one machine or type of machine for which a single classification is provided in Schedule B, or for a well-defined group of the same type of machines, involving more than one Schedule B classification.

§ 399.3 Appendix C — Commodity Processing Codes.

The following commodity processing code symbols shall be used by applicants in preparing applications for export licenses:

Schedule B No.	Commodity group	Processing Code
001000-001600	Animals, edible	MEAT
001910-001990		DAPF

Schedule B No.	Commodity group	Processing Code
002000-003800	Meat and meat products	MEAT
003901		DAPF
003903-003909		MEAT
004010-004050		DAPF
004500-004998		MEAT
005000-005600	Animal oil and fats, edible	FATS
006000-006998	Dairy products	DAPF

Schedule B No.	Commodity group	Processing Code
007000-008900	Fish and fish products	DAPF
009200-009390	Other edible animal products	DAPF
009400-009900		MEAT
020102-025098	Hides and skins raw, except furs	LEAT
030050-035000	Leather	LEAT
050000-069000	Leather manufactures	LEAT
071300-075000	Furs and manufactures	TEXT
080300-085898	Animal and fish oils and greases, inedible	FATS
090000-090900	Other inedible animals and animal products	MEAT
092300-093500		TEXT
094205-094298		CDGS
099005		NATS
099920-099930		DAPF
099995		MEAT
101100	Grains and preparations	SEED
101100 (Barley, for seed)		SEED
101100 (Barley, except for seed)		CERL
101200-101300		CERL
102100 (Buckwheat for seed)		SEED
102100 (Buckwheat, except for seed)		CERL
103150		CERL
103170		SEED
103210-103900		CERL
104100 (Oats for seed)		SEED
104100 (Oats, except for seed)		CERL
104300-104400		CERL
105500 (Paddy or rough rice for seed)		SEED
105500 (Paddy or rough rice, except for seed)		CERL
105710-105750		CERL
106100 (Rye for seed)		SEED
106100 (Rye, except for seed)		CERL
107100 (Wheat for seed)		SEED
107100 (Wheat, except for seed)		CERL
107300-109000		CERL
110100-119000	Fodders and feeds n. e. c.	CERL
120120-120140	Vegetables and preparations, edible	VEGT
120150		SEED
120213 (Cowpeas for seed)		SEED
120213 (Cowpeas, except for seed)		VEGT
120215 (Chickpeas for seed)		SEED
120215 (Chickpeas, except for seed)		VEGT
120220-120230		VEGT
120250		SEED
120710-121000		VEGT
121100 (Potatoes, white, for seed)		SEED
121100 (Potatoes, white, except for seed)		VEGT
121300-122400		VEGT
122470 (Sweet potatoes, for seed)		SEED
122470 (Sweet potatoes, except for seed)		VEGT
122490-125600		VEGT
125911-125915		CERL
125920-125998		VEGT
130100-135098	Fruits and preparations	VEGT
137400	Nuts and preparations	SUBT
137510 (Peanuts, shelled, for seed)		SEED
137510 (Peanuts, shelled, except for seed)		SUBT
137550 (Peanuts, not shelled, for seed)		VEGT
137550 (Peanuts, not shelled, except for seed)		SUBT
137610-137998		SUBT
143010-143000	Vegetable oils, fats, and wares, refined	FATS
150100-151390	Cocoa, coffee, tea, and substitutes	SUBT
154901-154998	Spices	SUBT
161905-163700	Sugar and related products	SUBT
170100-178000	Beverages	SUBT
200100-209900	Rubber (natural, allied gums, and synthetics) and manufactures	RUBR

Schedule B No.	Commodity group	Processing Code
<i>Neal stores, gums, and resins</i>		
21100-21250	AGCH
21800	SUBT
21800-21898	AGCH
<i>Drugs, herbs, leaves, and roots, crude</i>		
220100-220904	DRUG
220600	AGCH
220988	DRUG
<i>Oilseeds</i>		
221000-222098	FATS
<i>Vegetable oils, fats, and waxes, crude</i>		
223000-224998	FATS
226800-227998	DRUG
228000	FATS
<i>Vegetable dyeing and tanning extracts</i>		
233100-233998	LEAT
<i>Seeds, except oilseeds</i>		
240100-247500	SEED
<i>Nursery and floral stock</i>		
250903-250998	SEED
<i>Tobacco and manufactures</i>		
260110-262950	TOBC
<i>Miscellaneous vegetable products, inedible</i>		
263100	TEXT
265100	SUBT
269998	VEGT
<i>Cotton, unmanufactured</i>		
300005-300400	TEXT
<i>Cotton semifinances</i>		
300900-301320	TEXT
<i>Cotton manufactures</i>		
301510-319900	TEXT
<i>Vegetable fibers and manufactures</i>		
320505-349998	TEXT
<i>Wool, Unmanufactured</i>		
360903-360911	TEXT
<i>Wool semifinances</i>		
362200-363300	TEXT
<i>Wool manufactures</i>		
364230-368998	TEXT
<i>Hair and manufactures, n. e. c.</i>		
360070-369900	TEXT
<i>Silk and manufactures</i>		
370200-379900	TEXT
<i>Man-made (synthetic) fibers and manufactures</i>		
384020-385900	TEXT
<i>Miscellaneous textile products</i>		
390100-395900	TEXT
396300	CDGS
397000-399000	TEXT
<i>Wood, unmanufactured</i>		
400100-403900	LUMB
<i>Sawmill products</i>		
405111-415920	LUMB
<i>Wood manufactures</i>		
416000-418000	LUMB
419104-420900	CONT
421001-422800	CDGS
423990-424070	BLDG
424300-429900	CDGS
<i>Cork and manufactures</i>		
430000-430900	CORK
<i>Paper base stocks</i>		
460000-462000	PULP
462200	TEXT
469803-469998	PULP
<i>Paper, related products and manufactures</i>		
480100-486400	PULP
487110-487500	CONT
487900-489900	PULP
<i>Coal and related fuels</i>		
500100-500400	COAL
<i>Petroleum and products</i>		
501100-504720	PETR
504800	COAL
508900	PETR

Schedule B No.	Commodity group	Processing Code
<i>Stone, hydraulic cement and lime</i>		
510100-517000	BLDG
517100	AGCH
<i>Glass and products</i>		
521210-522010	BLDG
523098	CDGS
523110-523130	SATE
523150	BLDG
523210-523600	CONT
523710-529100	CDGS
529200	ELME
529300-529900	CDGS
<i>Clay and products</i>		
530300-530912	MINL
532010-532050	CDGS
533210-533400	BLDG
533510-533610	ELME
533700-533800	CDGS
536100-537600	BLDG
537800	CDGS
<i>Other nonmetallic minerals (precious included)</i>		
540000-540905	TOOL
540910	CDGS
540930-540940	MINL
540950	CDGS
540990-541140	MINL
541150	CDGS
541210-541220	TOOL
541400-542000	CDGS
542010	STEE
545110-545150	MINL
545400-545550	BLDG
545930-545910	TRAN
545960-546000	BLDG
547000	MINL
547100	BLDG
547210-547300	MINL
547400	ELME
547800	FILM
548030	MINL
548998	PETR
548998	(Graphite greases and lubricants)
548998	(Other carbon and graphite products)
548350-549010	MINL
551000-551300	BLDG
571410-571500	MINL
572230	SALT
572400	MINL
572400	SUBT
573600-573700	MINL
588000	CDGS
590330-590390	RARA
590012-590020	MINL
590025	COAL
590031-590095	MINL
590098	(Iron pyrites; cuprous pyrites; crude sulfur of less than 85% sulfur content; and sulfur ore)
590098	(Other nonmetallic mineral products)
590098	SALT
590098	MINL
590098	CDGS
<i>Iron ore and concentrates</i>		
600100	STEE
<i>Pig iron</i>		
600700	STEE
<i>Iron and steel scrap</i>		
601010-601050	STEE
601150-601160	TNPL
601170	STEE
<i>Iron bars, sheet and pipe</i>		
601201-601211	STEE
601213	BLDG
<i>Steel mill products, semifinished</i>		
601602-601600	STEE
<i>Steel mill products, rolled, finished</i>		
602010-603910	STEE
604010-604170	TNPL
604180-604190	STEE
604510-609195	STEE
<i>Castings and forgings</i>		
610000-610495	STEE
<i>Railway car and locomotive wheels, tires, and axles (rolled and forged)</i>		
610516-610538	STEE
<i>Metal manufactures</i>		
611200-612370	CDGS
612380	TNPL
612910-613710	CDGS
613810-613830	STEE
614310-615298	BLDG
615310-615350	CDGS
615450-615520	TOOL
615598-617898	CDGS
617901	TOOL
617903-617905	MINL
617910-618150	BLDG

Schedule B No.	Commodity group	Processing Code
<i>Metal manufactures—Continued</i>		
618210	STEE
618230-618250	BLDG
618261	STEE
618263-618265	BLDG
618267	STEE
618269	BLDG
618271	STEE
618273-618855	BLDG
618857-618859	CDGS
618910	STEE
618920	BLDG
618930-618951	STEE
618957	NONF
618959	(Aluminum, copper, lead, and zinc)
618959	(Other metal)
618961-618973	STEE
618974	BLDG
618975-618976	STEE
618977	BLDG
618979	STEE
618981-618983	BLDG
618984-618985	NONF
618986	BLDG
618987-618988	NONF
618991	CDGS
618992-618993	NONF
618994	GIEQ
618995-618996	CDGS
619011	STEE
619012	(Milk cans)
619012	(Other filled shipping containers)
619021	STEE
619022	(Milk cans)
619022	(Steel shipping containers, unfilled, except milk)
619022	(Other shipping containers, unfilled)
619031-619033	STEE
619034	NONF
619037-619039	MINL
619047	STEE
619051	BLDG
619052-619053	NONF
619054-619055	BLDG
619056	GIEQ
619057	CDGS
619058	STEE
619059	CDGS
619061	STEE
619063	CDGS
619065	STEE
619066	CDGS
619067-619120	STEE
619130-619140	NONF
619151-619157	MINL
619159-619850	NONF
619864	BLDG
619865-619885	CDGS
619910	(Punchings, iron and steel, except electrical steel; steel shot; flexible tubing, except electrical; stainless steel packing; and tubular steel scaffolding equipment)
619910	(Other iron and steel manufactures)
619930	(Anti-friction manufactures; anti-mony manufactures; Babbitt metal manufactures; bimetallic brake linings, clutch facings, and friction material; brass or bronze lawn sprinklers; Invar metal manufactures; and monel metal manufactures)
619950	(Aluminum and aluminum-base alloy manufactures; beryllium copper manufactures; brass or bronze manufactures, n. e. c.; copper manufactures; lead manufactures; nickel manufactures; tin manufactures; and zinc manufactures)
619950	(Other metal manufactures, except precious metals)
<i>Ferroalloys</i>		
621303-622098	MINL
<i>Aluminum ores, concentrates, scrap, and primary forms</i>		
630010-630650	NONF
<i>Copper ores, concentrates, scrap and primary forms</i>		
640100-642900	NONF
<i>Copper base alloys (including brass and bronze), scrap and primary forms</i>		
64000-647950	NONF
<i>Lead ores, concentrates, scrap and primary forms</i>		
650406-651519	NONF
<i>Nickel ores, concentrates, scrap and primary forms</i>		
654501-654509	NONF
<i>Tin ores, concentrates, scrap and primary forms</i>		
656501-656519	NONF
<i>Zinc ores, concentrates, scrap, and primary forms</i>		
657010-658005	NONF

Schedule B No.	Commodity group	Processing Code
<i>Other nonferrous ores, concentrates, scrap and primary forms (except precious)</i>		
664501-664512	MINL
664514	NONF
664517-664540	MINL
664541 (Manganese copper)	NONF
664541 (Other manganese metal and alloys)	MINL
664543-664581	MINL
664583 (Tungsten carbide die inserts)	TOOL
664583 (Other tungsten metal and alloys in primary forms, n. e. c.)	MINL
664584-664598	MINL
<i>Precious metals and plated ware, n. e. c.</i>		
681900-681980 (Licensed by Treasury Department)	MINL
692000-692590	MINL
693610-693710	ODGS
<i>Electrical machinery and apparatus</i>		
700000-701200	ELME
701300	TRAN
701400	ELME
701500-701800	ODGS
701910-702300	ELME
702310	ODGS
702320-704300	ELME
704330	TRAN
704810-708705	ELME
708715-708535	ODGS
708590	MINL
706900	ELME
706912-707280	ODGS
707395-707492	ELME
707505-707540	SATE
707550 (Tungsten X-ray targets)	MINL
707550 (Other X-ray apparatus)	SATE
707590	SATE
707607-707810	RARA
707812	ELME
707815-708410	RARA
708491-708500	ELME
709020 (Licensed by State Department)	TRAN
709030	TRAN
709210 (Licensed by State Department)	TRAN
709220	TRAN
709419-709490	TRAN
709495	ELME
709500-709605	BLDG
709610	ODGS
709620	BLDG
709630	ODGS
709640	ELME
709680	ODGS
709810-709885	NONF
709903	ELME
709907 (Diathermy tubes)	SATE
709907 (Other electronic tubes n.e.c.)	ELME
709909 (Getters)	RARA
709909 (Tantalum rings)	MINL
709909 (Other parts, n.e.c. for radio transmitter tubes)	RARA
709909 (Parts, n.e.c. for other electronic and cathode-ray tubes n.e.c.)	ELME
709920	STEE
709998	ELME
<i>Engines, turbines and parts, n.e.c.</i>		
711110-711310	GIEQ
711410	ELME
711510	GIEQ
711900 (Parts for steam turbines)	GIEQ
711900 (Parts for turbines and water wheels)	ELME
713200-713920	GIEQ
714220-715900	TRAN
716000	GIEQ
<i>Construction, excavating, mining, and related machinery</i>		
720112-720142	CONS
720147	MINE
720160 (Power excavators, used and rebuilt)	CONS
720160 (Dredging machines, used and rebuilt)	MINE
720210 (Parts, accessories and attachments for power excavators)	CONS
720210 (Parts, accessories and attachments for dredging machines)	MINE
720240	CONS
720310-720490	MINE
721510-722027	CONS
722030 (Attachments for wheel-type tractors)	AGMT
722030 (Attachments for trucks and track-laying tractors)	CONS
722035 (Parts and accessories for wheel-type tractor attachments)	AGMT
722035 (Parts and accessories for truck and track-laying tractor attachments)	CONS
722040	GIEQ
722045-723080	CONS
723090	TOOL
723125-724920	MINE
724925 (Slack-line and tower excavators and parts)	CONS
724925 (Other cableways and parts)	MINE
724935-724965	MINE

Schedule B No.	Commodity group	Processing Code
<i>Construction, excavating, mining, and related machinery—Continued</i>		
725003-725020	CONS
725035	GIEQ
725050	CONS
730800-733950	MINE
<i>Machine tools and parts</i>		
740005-740010	TOOL
<i>Textiles, sewing, and shoe machinery</i>		
750050-751000	GIEQ
756105-756107	CDGS
755205-757500	GIEQ
<i>Other industrial machines and parts</i>		
760010-763000	GIEQ
764905	CDGS
764615-766990	GIEQ
766993	TOOL
766995	MINE
767100-769320	GIEQ
770400-770775	CONS
770790-770870	GIEQ
770900-770970	CONS
770975	TRAN
770980	CONS
770990 (Parts for mechanical vacuum pumps and diffusion vacuum pumps)	GIEQ
770990 (Parts for measuring and dispensing pumps)	TRAN
770990 (Parts for other pumps and compressors)	CONS
771100-774200	GIEQ
774300-774570	ODGS
774490-775040	GIEQ
775045-775049	MINE
775052-775060	GIEQ
775075	MINE
775080	GIEQ
775090	MINE
775100-775140	MINE
775150 (Pressure top equipment for blast furnaces)	TOOL
775150 (Other parts and accessories for non-electric industrial furnaces, kilns, lehrs and ovens)	MINE
778210-778998	GIEQ
<i>Office machines and parts</i>		
776010-777990	CDGS
<i>Printing and bookbinding machinery</i>		
779000-779510	PRIN
<i>Agricultural machines, implements and parts</i>		
780130-787100	AGMT
<i>Tractors, parts and accessories</i>		
787310-787597	CONS
787610-787880	AGMT
788901	CONS
788905	AGMT
<i>Automobiles, trucks, busses and trailers, parts accessories, and service equipment</i>		
790013-792730	TRAN
793185 (Jacks for garage use)	CONS
793185 (Other automobile, truck, bus, and truck-tractor service appliances and parts)	TRAN
<i>Aircraft parts and accessories</i>		
793210-794900 (Licensed by State Department)	TRAN
794900 (Landing mats, aircraft)	STEE
794900 (Test kits for aircraft instruments; and test sets for ignition harnesses)	ELME
794900 (Other aircraft training, ground handling and maintenance equipment)	TRAN
<i>Watercraft</i>		
795100-795150 (Export authorization required by Maritime Commission)	TRAN
795155	TRAN
795160 (Licensed by State Department)	TRAN
795165 (Turrets, armor plate; mine layer parts and accessories; mine sweeper parts and accessories; licensed by State Department)	TRAN
795165 (Other parts and accessories for naval craft)	TRAN
795170	TRAN
<i>Railway transportation equipment</i>		
796102-796112	TRAN
796114	MINE
796117 (Underground mine locomotives, used and rebuilt)	MINE
796117 (Other locomotives, used and rebuilt)	TRAN
796118-796168	TRAN

Schedule B No.	Commodity group	Processing Code
<i>Railway transportation equipment—Continued</i>		
796172 (Parts and accessories for underground mine locomotives)	MINE
796172 (Parts and accessories for other locomotives)	TRAN
796182-796198	TRAN
<i>Other vehicles and parts</i>		
797100-797105	CDGS
797110-797130	TRAN
797100-799990	ODGS
<i>Coal-tar products</i>		
800500-800600	COTA
800700	COAL
801000-806998	COTA
<i>Medicinal and pharmaceutical preparations</i>		
811100	DRUG
811300	PETR
811910-818000	DRUG
<i>Chemical specialties</i>		
820010-820590	AGCH
820600	COTA
820900	AGCH
823000	CERL
823300-825000	SALT
825100-827210	RESN
827300-829000	PLAT
829100	CDGS
829200	LEAT
829300-829400	PLAT
829510-829530	ORGN
829540	NATS
829555-829600	SUBT
829700	SALT
829810-829890	COTA
829910-829920	PETR
829930	ORGN
829930	NATS
829970 (Sodium bismuthate)	DRUG
829970 (Other reagent chemicals)	ORGN
829980	COTA
829984	SALT
829990	ORGN
<i>Industrial chemicals (exclusive of medicinal chemicals, U. S. P. and N. F.)</i>		
830010-830300	ORGN
830700	ACID
830910	SALT
830930-830980	ACID
831000-832500	ORGN
832700-832800	RESN
832910-832970	ORGN
832980	SALT
832990	ORGN
833000-837950	SALT
837990 (Sodium nitrate)	FERT
837990 (Other sodium compounds, n. e. c.)	SALT
838100	SALT
838400	FERT
838500 (Ammonium phosphate; ammonium sulfate; and urea)	FERT
838500 (Other ammonium compounds, except fertilizers, n.e.c.)	SALT
839000-839750	SALT
839900 (Calcium molybdate)	MINL
839900 (Chemicals containing artificial radioactive isotopes; radium ore concentrates; and radium salts and compounds)	DRUG
839900 (Other industrial chemicals)	SALT
<i>Pigments, paints, and varnishes</i>		
840100-840500	PLAT
841100-841400	SALT
841900-842350	PLAT
842400-842900	SALT
843000-844500	PLAT
<i>Fertilizers and fertilizer materials</i>		
850500-855100	FERT
<i>Explosives, fuses, and blasting caps</i>		
860100-862800	ORGN
<i>Soap and toilet preparations</i>		
871100-872600	FATS
873400-877000	DRUG
<i>Photographic and projection goods</i>		
900050-914000	FILM
<i>Scientific and professional instruments, apparatus and supplies, n. e. c.</i>		
914200-914908	SATE
915000	CDGS
915200-915350	SATE
915300	MINL
915610-916050	SATE
919010 (Meteorological sounding balloons)	RUBR
919010 (Other meteorological instruments, and parts)	SATE
919060-919080	SATE

[6th Gen. Rev. of Export Regs., Amdt. P. L. 1.]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 Appendix A—Positive List of Commodities is amended in the following particulars:

1. The following commodities are deleted from the Positive List:

Dept. of Commerce Schedule B No.	Commodity
612034	Wire products, n. e. c. (report wire nails, staples, and spikes in 61237-61239); Wire cloth; Vinylresin (formerly 524200).

This part of the amendment shall become effective as of June 12, 1952.

2. The following commodities are accepted from the General In-Transit License (GIT) procedure (§ 371.9 (c)). These commodities are identified on the Positive List by the symbol ★.

Dept. of Commerce Schedule B No.	Commodity
529770★	Reagent chemicals for laboratory use (C. P., U. S. P., N. F., A. C. S., or other recognized reagent grades only) (specify by name) (formerly 511300); Sodium bisulfite; Polystyrenechloroethylene (K&F) dispenser.
940800★	

This part of the amendment shall become effective as of 12:01 a. m., June 26, 1952.

3. The following commodities are added to the Positive List:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val.-dated license required
919060★	Secondary research laboratory apparatus and equipment, n. e. c., and specially fabricated parts, n. e. c.; Laboratory sub-sieve particle-size analyzers, and specially fabricated parts, n. e. c. ¹	.....	SATE	None	EO

★ The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License GIT. See § 371.9 (c) of this subchapter.

¹ The commodities covered by this Positive List entry require import certificates (see § 373.24 of this subchapter.)

² Part 1 of this amendment was published in Current Export Bulletin No. 670, dated June 12, 1952. Parts 2 and 3 were published in Current Export Bulletin No. 671, dated June 19, 1952.

Kong" as part of discharge or "Hong Kong in-transit to Singapore", or any other similar designation indicating Hong Kong as port of discharge, may not be cleared without a validated export license specifically authorizing transshipment at Hong Kong.

Thereafter, effective February 14, 1952, the above instructions were modified to provide that shipment of all commodities under General License GRO may be transhipped at Hong Kong without the necessity of obtaining a validated license, provided (1) such transshipments are made under a through bill of lading to a destination outside of Subgroup A, Hong Kong, or Macao, and (2) the shipment is maintained in the custody of the originating or on-forwarding carrier at all times.

Effective June 19, 1952, the instructions are further modified to provide that, subject to the provisions shown above in (1) and (2), commodities shipped under a license validated for an ultimate destination other than Hong Kong may be transhipped at Hong Kong without the necessity of obtaining specific authorization from the Office of International Trade on the validated license.

For purposes of this note, a through bill of lading includes a contract of carriage with a carrier for transportation from the United States of the commodities to the country of ultimate destination named on the authenticated shipper's export declaration. The actual transportation may be made by more than one carrier and may involve more than one transportation document.

This part of the amendment shall become effective as of June 19, 1952.

(Sec. 3, 63 Stat. 7; 65 Stat. 49; 50 U. S. C. App. Supp. 2023, E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR 1948 Supp.)

KARL L. ANDERSON,

Acting Director,

Office of International Trade.

[F. R. Doc. 52-7686; Filed, July 14, 1952; 8:46 a. m.]

b. The following submission dates for the Third Quarter 1952 are added thereto:

Dept. of Commerce Schedule B No.	Commodity	Submission Dates Third Quarter 1952
664529 615590	Cast cobalt-chromium dental alloys; Dental alloys and amalgams containing cobalt.	June 30-July 11, 1952 Do.

c. The submission dates for the Third Quarter 1952 for Secondary tinplate products (Controlled Materials) are amended to read as follows:

June 2-July 18, 1952.

This part of the amendment shall become effective as of June 12, 1952, for the commodities under Schedule B Nos. 571500 and 830960, and as of June 19, 1952, for the commodities under Schedule B Nos. 664529 and 915590, and secondary tinplate products.

8. Section 382.51 Table of compliance orders currently in effect denying export privileges, paragraph (b) Table of compliance orders is amended in the following particulars:

a. The following orders are added:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Registration
Elkan, H. & Co., 82 Broadway, New York, N. Y.	5-16-52	7-15-52	General and validated licenses, all commodities, any destination.	17 F. R. 6720, 5-25-52
Levinson & Co., 209 Broadway, New York, N. Y.	6-1-52	9-1-52	Validated licenses, all commodities, any destination.	17 F. R. 6721, 5-25-52
Levinson, Jacques, 209 Broadway, New York, N. Y.	6-1-52	9-1-52	do.	17 F. R. 6722, 5-25-52
Levinson, Kalman, 209 Broadway, New York, N. Y.	6-1-52	9-1-52	do.	17 F. R. 6723, 5-25-52
Levinson, Elva, 209 Broadway, New York, N. Y.	6-1-52	9-1-52	do.	17 F. R. 6724, 5-25-52
Westheimer, Sidney, 453 East Beach St., Long Beach, N. Y.	5-21-52	5-21-52	General and validated licenses, all commodities, any destination.	17 F. R. 4836, 5-27-52

b. The following corrected entry is substituted for the corresponding entry presently shown:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Registration
Stuwarders, Opelaar, Controle en Expeditiebedrijf, "Rynbaven" N. V., Veerhaven 14-15, Rotterdam, Netherlands.	9-24-51	Duration	General and validated licenses, all commodities, any destination (company related to Leopold L. Kollich, which see).	16 F. R. 10088, 10-3-51.

9. The note following § 334.5 Order re-toking certain general licenses to mainland of China (including Manchuria), Hong Kong, and Macao is amended to read as follows:

NOTE: The Office of International Trade issued instructions to collectors of customs, effective January 5, 1951, as follows: General and validated license shipments, which are manifested for Singapore or other parts outside Subgroup A, Hong Kong, and Macao and which proceed through Hong Kong only for the purpose of exchanging bills of lading so as to obtain a bill of lading from Hong Kong to Singapore, etc., but which are not to be discharged, offloaded, or transhipped at Hong Kong, may proceed without the necessity of bonding such shipments against discharge in Hong Kong provided they are manifested to and the bill of lading calls for discharge at Singapore, etc. Bills of lading clause so as to permit discharge only at an unrestricted port by the use of a statement such as "Singapore via Hong Kong" may be cleared without bond. However, shipments which are either manifested or under bills of lading calling for "Hong

This part of the amendment shall become effective as of 12:01 a. m., June 26, 1952. Shipments of any commodities removed from general license to Country Group R or Country Group O destinations as a result of changes set forth in Parts 2 and 3 of this amendment, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., June 26, 1952, may be exported under the previous general license provisions up to and including July 19, 1952. Any shipment not laden aboard the exporting carrier on or before July 19, 1952, requires a validated license for export.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR 1948 Supp.)

KARL L. ANDERSON,
Acting Director,
Office of International Trade.

[F. R. Doc. 52-7667; Filed, July 14, 1952;
8:46 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

SCHOOL SUPERINTENDENT, INSTRUCTOR, SCHOOL ACTIVITIES, ARMY AND NAVY CIVILIAN SCHOOLS

Section 24.13 is amended to read as follows:

§ 24.13 *School Superintendent, GS-1710-12, Instructor, School Activities (Principal, GS-9; High School Teacher, GS-5-7; Elementary Teacher, GS-5), GS-1710-5-9, Army and Navy Civilian Schools—(a) Educational requirement.* The educational requirements for these positions are the current educational requirements of the States in which the positions are located.

(b) *Duties.* The duties of these positions are to serve as school superintendent or principal or as elementary or high school teacher in Army or Navy schools for children or personnel of the armed forces.

(c) *Knowledge and training requisite for performance of duties.* The enrollment in schools maintained by the Army and the Navy Departments is extremely transient because of the frequent shifting of Army and Navy personnel from one assignment to another. In order that students may transfer from these schools without loss of educational credits, the Army and Navy schools must have approval or certification from the State Board of Education in which the school is located. (There is reciprocity between the States in the acceptance of students from an approved or certified school.) Qualifications of superintendents, principals, and teachers in these schools must, therefore, be

the current requirements of the State in which the school is located.

(Sec. 11, 58 Stat. 390; 5 U. S. C. 860. Interpretations or applies sec. 5, 58 Stat. 388; 5 U. S. C. 853)

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

[F. R. Doc. 52-7686; Filed, July 14, 1952;
8:47 a. m.]

TITLE 6—AGRICULTURAL CREDIT

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

Subchapter C—Loans, Purchases, and Other Operations

PART 619—FRUITS AND BERRIES, CANNED

SUBPART—CANNED SOUR CHERRY PURCHASE PROGRAM TMP 96A1

§ 619.1 *Canned sour cherries, program TMP 96a1.* In order to encourage the domestic consumption of sour cherries by diverting them from the normal channels of trade and commerce in accordance with section 32, Public Law 320, 74th Congress, approved August 24, 1935, as amended, the Production and Marketing Administration will offer to purchase canned sour cherries from United States processors on the offer and acceptance basis and will accept offers to the extent that industry marketing needs require, subject to limitations imposed by the capacity of available outlets to utilize supplies without waste and by the amount of funds available for such purchases. Specifications of the purchase will be contained in announcements which will be issued by the Fruit and Vegetable Branch, Production and Marketing Administration, Department of Agriculture, Washington 25, D. C., during the period July 7, 1952, to and including July 30, 1952.

(Sec. 32, 49 Stat. 774, as amended; 7 U. S. C. and Sup. 612c)

Done at Washington, D. C., this 9th day of July 1952.

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

[F. R. Doc. 52-7688; Filed, July 14, 1952;
8:47 a. m.]

TITLE 7—AGRICULTURE

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

[Plum Order 5, Amdt. 1]

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

REGULATION BY GRADES AND SIZES

a. *Findings.* (1) Pursuant to the marketing agreement, as amended, and Or-

der 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 Plum 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 plums of the variety hereinafter set forth, and in the manner herein 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 amendment 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 amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of Tragedy plums grown in the State of California.

b. It is therefore ordered as follows: The provisions of paragraph (b) (2) of § 936.427 (Plum Order 5; 17 F. R. 5635) are hereby amended to read as follows:

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 5 x 6 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 6 x 6 standard pack in a standard basket if said quantity does not exceed fifty (50) percent of the number of the same type of packages or containers of plums which are of a size that will pack a 5 x 6 standard pack, as aforesaid. The aforesaid 5 x 6 standard pack and 6 x 6 standard pack are defined more specifically in subparagraphs (4) and (5), respectively, of this paragraph.

c. Nothing contained herein shall be construed (1) as affecting or waiving any right, duty, obligation, or liability which has arisen or which, prior to the effective time hereof, may arise in connection with any provisions of said Plum Order 5; or (2) as releasing or extinguishing any violation of said Plum Order 5 which has occurred or which, prior to the effective time hereof, may occur.

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

Done at Washington, D. C., this 9th day of July 1952, to become effective at 12:01 a. m., P. s. t., July 10, 1952.

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

[F. R. Doc. 52-7690; Filed, July 14, 1952;
8:47 a. m.]

RULES AND REGULATIONS

[Plum Order 7, Amdt. 1]

PART 936—FRESH BARTLETT PEARS, PLUMS,
AND ELBERTA PEACHES GROWN IN CALI-
FORNIA

REGULATION BY GRADES AND SIZES

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 Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitations of shipments of plums of the variety hereinafter set forth, and in the manner herein 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 amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of Duarte plums grown in the State of California.

b. It is, therefore, ordered as follows: The provisions in paragraph (b) (2) of § 936.429 (Plum Order 7; 17 F. R. 5636) are hereby amended to read as follows:

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 5 x 5 standard pack in a standard basket if said quantity does not exceed fifty (50) percent of the number of the same type of packages or containers of plums which are of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid. The aforesaid 4 x 5 standard pack and 5 x 5 standard pack are defined more specifically in subparagraphs (4) and (5), respectively, of this paragraph.

c. Nothing contained herein shall be construed (1) as affecting or waiving any right, duty, obligation, or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provision of Plum Order 7; or (2) as releasing or extinguishing any violation of said Plum Order 7 which has occurred or which, prior to the effective time of the provisions hereof, may occur.

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

Done at Washington, D. C., this 9th day of July 1952, to become effective at 12:01 a. m., P. s. t., July 10, 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 52-7691; Filed, July 14, 1952; 8:48 a. m.]

[Plum Order 8, Amdt. 1]

PART 936—FRESH BARTLETT PEARS, PLUMS,
AND ELBERTA PEACHES GROWN IN CALI-
FORNIA

REGULATION BY GRADES AND SIZES

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 Plum 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 plums of the variety hereinafter set forth, and in the manner herein 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 and engage in public rule making procedure, and postpone the effective date of this amendment 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 amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of Burbank plums grown in the State of California.

b. It is therefore ordered as follows: The provisions of paragraph (b) (1) of § 936.430 (Plum Order 8; 17 F. R. 5637) are hereby amended to read as follows:

(1) such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

c. Nothing contained herein shall be construed (1) as affecting or waiving any right or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provisions of said Plum Order 8, or (2) as releasing or extinguishing any violation of said Plum Order 8, which has occurred or which, prior to the effective time of the provisions hereof, may occur.

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

Done at Washington, D. C., this 9th day of July 1952, to become effective at 12:01 a. m., P. s. t., July 10, 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 52-7692; Filed, July 14, 1952; 8:48 a. m.]

[Plum Order 10, Amdt. 1]

PART 936—FRESH BARTLETT PEARS, PLUMS,
AND ELBERTA PEACHES GROWN IN CALI-
FORNIA

REGULATION BY GRADES AND SIZES

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 Plum 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 plums of the variety hereinafter set forth, and in the manner herein 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 amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of Gaviota plums grown in the State of California.

b. It is therefore ordered as follows: The provisions of paragraph (b) of § 936.432 (Plum Order 10; 17 F. R. 5638) are hereby amended to read as follows:

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 10, 1952, and ending at 12:01 a. m., P. s. t., November 1, 1952, no shipper shall ship from any shipping point during any day any package or container of Gaviota plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) Such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket. The aforesaid 4 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 4 x 5 standard pack is defined more

specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter, (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{9}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(3) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *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 Plum Commodity Committee, may make the particular shipment without inspection; but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

c. Nothing contained herein shall be construed (1) as affecting or waiving any right, duty, obligation, or liability which has arisen or which, prior to the effective time hereof, may arise in connection with any provisions of said Plum Order 10; or (2) as releasing or extinguishing any violation of said Plum Order 10 which has occurred or which, prior to the effective time hereof, may occur.

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

Done at Washington, D. C., this 9th day of July 1952, to become effective at 12:01 a. m., P. s. t., July 10, 1952.

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

[F. R. Doc. 52-7693; Filed, July 14, 1952; 8:48 a. m.]

[Plum Order 12, Amdt. 1]

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

REGULATION BY GRADES AND SIZES

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 Plum 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 plums of the variety hereinafter set forth, and in the manner herein 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 amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of Wickson plums grown in the State of California.

b. It is, therefore, ordered as follows: The provisions in paragraph (b) (2) of § 936.434 (Plum Order 12; 17 F. R. 5806) are hereby amended to read as follows:

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 5 x 5 standard pack in a standard basket if said quantity does not exceed fifty (50) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 4 x 5 standard pack, as aforesaid. The aforesaid 4 x 5 standard pack and 5 x 5 standard pack are defined more specifically in subparagraphs (4) and (5), respectively, of this paragraph.

c. Nothing contained herein shall be construed (1) as affecting or waiving any right, duty, obligation, or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provision of Plum Order 12; or (2) releasing or extinguishing any violation of said Plum Order 12 which has occurred or which, prior to the effective time of the provisions hereof, may occur.

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

Done at Washington, D. C., this 9th day of July 1952, to become effective at 12:01 a. m., P. s. t., July 10, 1952.

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

[F. R. Doc. 52-7694; Filed, July 14, 1952; 8:48 a. m.]

[Plum Order 13]

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

REGULATION BY GRADES AND SIZES

§ 936.436 Plum Order 13—(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 Plum 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 plums of the variety hereinafter set forth, and in the manner herein 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 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 July 15, 1952. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 8, 1952, recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 8, 1952, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 15, 1952, and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation there-

for 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., July 15, 1952, and ending at 12:01 a. m., P. s. t., November 1, 1952, no shipper shall ship from any shipping point during any day any package or container of Sugar plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 5 x 5 standard pack in a standard basket.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 5 x 5 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 5 x 6 standard pack in a standard basket if said quantity does not exceed thirty-three and one-third (33 $\frac{1}{3}$) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 5 x 5 standard pack, as aforesaid. The aforesaid 5 x 5 standard pack and 5 x 6 standard pack are defined more specifically in subparagraphs (4) and (5), respectively, of this paragraph.

(3) If any shipper, during any two (2) consecutive days of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 5 x 5 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack a 5 x 5 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(4) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(5) As used in this section, the aforesaid 5 x 6 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(6) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *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 Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(7) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 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 11th day of July 1952.

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

[P. R. Doc. 52-7807; Filed, July 14, 1952;
9:31 a. m.]

[Plum Order 14]

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

REGULATION BY GRADES AND SIZES

§ 936.437 Plum Order 14—(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 Plum 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 plums of the variety hereinafter set forth, and in the manner herein 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 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 July 15, 1952. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 8, 1952, recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 8, 1952, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 15, 1952, and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section 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., July 15, 1952, and ending at 12:01 a. m., P. s. t., November 1, 1952, no shipper shall ship from any shipping point during any day any package or container of Late Tragedy plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerance permitted for such grade: *Provided*, That gum spots which do not cause serious damage shall not be considered a grade defect with respect to such grade; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 5 x 6 standard pack in a standard basket.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 5 x 6 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a

6 x 6 standard pack in a standard basket if said quantity does not exceed twenty-five (25) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 5 x 6 standard pack, as aforesaid. The aforesaid 5 x 6 standard pack and 6 x 6 standard pack are defined more specifically in subparagraphs (4) and (5), respectively, of this paragraph.

(3) If any shipper, during any two (2) consecutive days of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 5 x 6 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack a 5 x 6 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(4) As used in this section, the aforesaid 5 x 6 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{3}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(5) As used in this section, the aforesaid 6 x 6 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{3}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(6) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *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 Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(7) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

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

Done at Washington, D. C., this 11th day of July 1952.

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

[F. R. Doc. 52-7808; Filed, July 14, 1952;
9:31 a. m.]

[Plum Order 15]

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

REGULATION BY GRADES AND SIZES

§ 936.438 Plum Order 15—(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 Plum 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 plums of the variety hereinafter set forth, and in the manner herein 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 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 July 15, 1952. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 8, 1952; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 8, 1952, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 15, 1952, and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section 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., July 15, 1952, and ending at 12:01 a. m., P. s. t., November 1, 1952, no shipper shall ship from any shipping point during any day any package or container of Sharkey plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) Such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket. The aforesaid 4 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{3}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(3) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *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 Plum Commodity Committee, may make the particular shipment without inspection; but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 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 11th day of July 1952.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 52-7809; Filed, July 14, 1952;
9:32 a. m.]

[Plum Order 16]*

PART 936—FRESH BARTLETT PEARS, PLUMS,
AND ELBERTA PEACHES GROWN IN CALI-
FORNIA

REGULATION BY GRADES AND SIZES

§ 936.439 Plum Order 16—(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 Plum 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 plums of the variety hereinafter set forth, and in the manner herein 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 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 July 15, 1952. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 8, 1952; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 8, 1952, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 15, 1952, and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section 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., July 15, 1952, and ending at 12:01 a. m., P. s. t., November 1, 1952, no shipper shall ship from any shipping point during any day any package or container of Diamond plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) Such plums are of a size not smaller than a size that will pack a 5 x 5 standard pack in a standard basket. The aforesaid 5 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(3) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *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 practi-

cable, 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 Plum Commodity Committee, may make the particular shipment without inspection; but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 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 11th day of July 1952.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 52-7810; Filed, July 14, 1952;
9:32 a. m.]

[Plum Order 17]

PART 936—FRESH BARTLETT PEARS, PLUMS,
AND ELBERTA PEACHES GROWN IN CALI-
FORNIA

REGULATION BY GRADES AND SIZES

§ 936.440 Plum Order 17—(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 Plum 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 plums of the variety hereinafter set forth, and in the manner herein 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 must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is per-

mitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than July 15, 1952. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 8, 1952; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 8, 1952, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 15, 1952, and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section 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., July 15, 1952, and ending at 12:01 a. m., P. s. t., November 1, 1952 no shipper shall ship from any shipping point during any day any package or container of Late Santa Rosa plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of fifteen (15) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) Such plums are of a size not smaller than a size that will pack a 5 x 5 standard pack in a standard basket. The aforesaid 5 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(3) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *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 Plum Commodity Committee, may make the particular shipment without inspection; but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 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 11th day of July 1952.

[SEAL]

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

[P. R. Doc. 52-7811; Filed, July 14, 1952;
9:35 a. m.]

[Plum Order 18]

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

REGULATION BY GRADES AND SIZES

§ 936.441 *Plum Order 18*—(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 Plum 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 plums of the variety hereinafter set forth, and in the manner herein 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 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 July 15, 1952. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 8, 1952; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 8, 1952, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 15, 1952, and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section 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., July 15, 1952, and ending at 12:01 a. m., P. s. t., November 1, 1952, no shipper shall ship from any shipping point during any day any package or container of Kelsey plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of fifteen (15) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 4 x 4 standard pack in a standard basket.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 4 x 5 standard pack in a standard basket if said quantity does not exceed thirty-three and one-third (33 $\frac{1}{3}$) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 4 x 4 standard pack, as aforesaid. The aforesaid 4 x 4 standard pack and 4 x 5 standard pack are defined more specifically in subparagraphs (4) and (5), respectively, of this paragraph.

(3) If any shipper, during any two (2) consecutive days of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will

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pack 4 x 4 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(4) As used in this section, the aforesaid 4 x 4 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(5) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(6) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *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 Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(7) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 603c)

Done at Washington, D. C., this 11th day of July 1952.

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

[F. R. Doc. 52-7812; Filed, July 14, 1952;
9:36 a. m.]

[Plum Order 19]

PART 936—FRESH BARTLETT PEARS, PLUMS,
AND ELBERTA PEACHES GROWN IN CALI-
FORNIA

REGULATION BY GRADES AND SIZES

§ 936.442 Plum Order 19—(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 Plum 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 plums of the variety hereinafter set forth, and in the manner herein 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 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 July 15, 1952. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 8, 1952; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 8, 1952, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 15, 1952, and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and

compliance with the provisions of this section 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., July 15, 1952 and ending at 12:01 a. m., P. s. t., November 1, 1952, no shipper shall ship from any shipping point during any day any package or container of Ace plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of fifteen (15) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 4 x 4 standard pack in a standard basket.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 4 x 5 standard pack in a standard basket if said quantity does not exceed one hundred (100) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 4 x 4 standard pack, as aforesaid. The aforesaid 4 x 4 standard pack and 4 x 5 standard pack are defined more specifically in subparagraphs (4) and (5), respectively, of this paragraph.

(3) If any shipper, during any two (2) consecutive days of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(4) As used in this section, the aforesaid 4 x 4 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(5) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained

in such pack measure not less than $1\frac{1}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(6) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *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 Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(7) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 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 11th day of July 1952.

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

[F. R. Doc. 52-7813; Filed, July 14, 1952; 9:36 a. m.]

[Plum Order 20]

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

REGULATION BY GRADES AND SIZES

§ 936.443 Plum Order 20—(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 Plum

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 plums of the variety hereinafter set forth, and in the manner herein 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 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 July 15, 1952. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 8, 1952; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 8, 1952, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 15, 1952, and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section 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., July 15, 1952, and ending at 12:01 a. m., P. s. t., November 1, 1952, no shipper shall ship from any shipping point during any day any package or container of Emily plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, but are not of a size smaller than a size that will pack

a 5 x 5 standard pack in a standard basket if said quantity does not exceed thirty-three and one-third ($33\frac{1}{3}$) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 4 x 5 standard pack, as aforesaid. The aforesaid 4 x 5 standard pack and 5 x 5 standard pack are defined more specifically in subparagraphs (4) and (5), respectively, of this paragraph.

(3) If any shipper, during any two (2) consecutive days of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(4) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(5) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{1}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{1}{16}$ inches in diameter.

(6) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *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 state-

ment to the Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(7) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 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 11th day of July 1952.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 52-7814; Filed, July 14, 1952;
9:37 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

Subchapter C—Personnel

PART 713—NAVAL RESERVE

MISCELLANEOUS AMENDMENTS

1. Section 713.4106 is amended to read as follows:

§ 713.4106 *Transfers of enlisted personnel between classes of naval reserve.* (a) Commandants of Naval Districts, Potomac River Naval Command, and the Chief of Naval Air Reserve Training are authorized to transfer enlisted personnel from one class to another for which qualified subject to the following restrictions:

(1) Transfers to Class 01, 02, V1, and V2 shall be made only within authorized allowances and quotas.

(2) Enlisted men of Classes 02 and V2 must qualify by physical examination for aviation duties as required by the Manual of the Medical Department for unclassified personnel ordered to duty involving flying.

(3) Personnel of other classes whose computed age (see § 713.2402 (d)) is over the age limit for enlistment in Classes 01, 02, V1, or V2 shall not be transferred to these classes unless they have had previous active Naval or Coast Guard service, and their calendar age is under 40 years.

(4) Personnel originally enlisted in another class in a rate higher than that normally authorized for first enlistment in the Organized Reserve may be transferred to Classes 01, 02, V1, or V2 with the condition that retention in the Organized Reserve is dependent upon satisfactory completion of substantiating examinations in military and professional requirements for the rate held within a period of one year. Personnel

who were enlisted in Class V3 under provisions of § 713.2411 and who are transferred to the Organized Reserve before their rates have been substantiated by examination shall be required to fulfill this condition except that they may be examined for advancement to a rate within the limits prescribed in § 713.2411.

(b) Enlisted personnel of the Fleet Reserve and Merchant Marine Reserve shall not be transferred to other classes of the Reserve without special authority from the Bureau of Naval Personnel.

2. Section 713.5401 (a) is amended to read as follows:

§ 713.5401 *U. S. Naval Correspondence Course Center.* (a) The U. S. Naval Correspondence Course Center is established by the Secretary of the Navy to administer naval correspondence courses and to assist the Bureau of Naval Personnel in the preparation and evaluation of correspondence courses.

(Sec. 9, 52 Stat. 1177, as amended; 34 U. S. C. 853g)

DAN A. KIMBALL,
Secretary of the Navy.

JULY 8, 1952.

[F. R. Doc. 52-7677; Filed, July 14, 1952;
8:46 a. m.]

PART 720—PROCEEDINGS IN CIVIL COURTS REVISION

Part 720 is revised to read as follows:

Sec.	
720.1	Delivery when personnel beyond territorial limits of the State.
720.2	Delivery when personnel within territorial limits of the State.
720.3	Agreement required prior to delivery to State authorities.
720.4	Form of agreement as to expenses.
720.5	Delivery of personnel to Federal authorities.
720.6	Agreement not required of Federal authorities.
720.7	Personnel released by civil authorities on bail.
720.8	Naval prisoners as witnesses or parties in civil courts.
720.9	Service of subpoena or other civil process upon persons in the Navy.
720.10	Leave of absence to be granted persons subpoenaed or otherwise served with process.

AUTHORITY: §§ 720.1 to 720.10 issued under R. S. 161; 5 U. S. C. 22.

NOTE: §§ 720.1 to 720.10 are also contained in Chapter VII Naval Supplement to the Manual for Courts Martial, United States, effective May 31, 1951.

§ 720.1 *Delivery when personnel beyond territorial limits of the State.* In all cases in which the delivery of any person in the Navy or Marine Corps is wanted by State or Local civil authorities for trial, and such person is not attached to or serving at a Naval or Marine Station or other Naval or Marine place within the State, or aboard a ship within the territorial waters of said State, a requisition for the delivery of the person must be made by the Governor or Chief Executive of such State, addressed to the Secretary of the Navy, showing that the

person desired is charged with a crime in that State for which he could be extradited under the Constitution of the United States, the enactments of Congress, or the laws of the State desiring his delivery. Such requisition should be forwarded to the Secretary of the Navy (Judge Advocate General) for examination, together with the appointment of the agent of the State to whom delivery is to be made. If the papers allege that the person is a fugitive from the justice of that State and that he is charged with an extraditable crime, as aforesaid, and the papers are otherwise found to be in due form, the Secretary of the Navy will send the necessary authorization to the designated agent permitting him to take the person into custody upon compliance with § 720.3.

§ 720.2 *Delivery when personnel within territorial limits of the State.* In cases in which the delivery of any person in the Navy or Marine Corps is requested by civil authorities within the Continental United States, Alaska, Hawaii, the Canal Zone or Puerto Rico, and such person is attached to or serving at a Naval or Marine Station or other Naval or Marine place within a State, Territory or Possession, or aboard a ship within the territorial waters of such State, Territory or Possession, commanding officers are authorized to deliver such person when a proper warrant is presented. Warrants reciting that the individual is a fugitive from another State or jurisdiction (commonly known as fugitive warrants) are considered an attempt to circumvent the procedure described in § 720.1 and are not "proper warrants" within the meaning of this section; delivery will be refused upon presentation thereof.

§ 720.3 *Agreement required prior to delivery to State authorities.* In every case in which the delivery of any person in the Navy or Marine Corps to the civil authorities of a State, for trial, is authorized, such person's commanding officer will, before making such delivery, obtain from the Governor or other duly authorized officer of such State a written agreement that he will be informed of the outcome of the trial and that the person so delivered will be returned to the naval authorities at the place of his delivery or issued transportation to the nearest receiving ship or station (or marine barracks in the case of Marines) without expense to the United States or to the person delivered immediately upon the completion of his trial for the alleged misconduct which occasioned his delivery to the civil authorities, in the event that he is acquitted, or immediately upon satisfying the sentence of the court in the event that he is convicted and a sentence imposed, or upon other disposition of his case: *Provided*, That the naval authorities shall then desire his return.

§ 720.4 *Form of agreement as to expenses.* (a) The following is suggested as a form of agreement acceptable to the Department in the cases referred to in § 720.3:

In consideration of the delivery of _____, United States Navy (or United States Marine Corps), to _____ at _____, for trial upon the charge of _____, I hereby agree, pursuant to the authority vested in me as _____, that the commanding officer of the _____ will be informed of the outcome of the trial and that said _____ will be returned to the naval authorities at the aforesaid place of his delivery or issued transportation to the nearest receiving ship or station (or marine barracks, in the case of Marines) without expense to the United States or the person delivered immediately upon the completion of his trial, or immediately upon satisfying the sentence of the court in the event that he is convicted and a sentence imposed, or upon other disposition of his case, provided that the naval authorities shall then desire his return.

(b) The Department considers this agreement substantially complied with when the man is furnished transportation back to his station and necessary cash to cover his incidental expenses en route thereto, and the Navy Department so informed.

§ 720.5 *Delivery of personnel to Federal authorities.* Commanding officers are authorized to deliver personnel to Federal authorities on presentation of a proper warrant in all cases except where disciplinary proceedings are pending or the person is undergoing a sentence of a court martial or when in the opinion of the commanding officer unusual circumstances exist which warrant reference of the matter to the Secretary of the Navy (Judge Advocate General).

§ 720.6 *Agreement not required of Federal authorities—(a) Expenses when personnel are delivered to Federal authorities.* An agreement as to expenses will not be exacted as a condition to the delivery of personnel to Federal authorities for trial. Men desired by Federal authorities for trial will be called for and taken into custody by a United States marshal or deputy marshal. If the man is not convicted, or if the case is dismissed, or, provided naval authorities desire his return, immediately upon satisfying the sentence of the court in the event he has been convicted and sentenced, the man will be returned to the naval service and the necessary expenses paid from an appropriation under the control of the Department of Justice.

(b) *Payment of expenses of witnesses appearing in Federal court under official orders.* When naval personnel are required to appear as witnesses in Federal court, under official orders, the charge for this type of temporary additional duty travel will be borne by the activity to which the serviceman is attached. If the required witness is to appear in a case where the Department of the Navy is not a party in interest, the Navy will be reimbursed by the Department of Justice upon submission of reimbursement form 1080 prepared in accordance with NAVCOMP Notice 710 of May 9, 1951. Payments to witnesses will be as provided by the Joint Travel Regulations and U. S. Navy Travel Instructions.

§ 720.7 *Personnel released by civil authorities on bail.* Where a person in

the Navy or Marine Corps is arrested by Federal or State authorities for trial and returns to his ship or station on bail, the commanding officer shall normally grant him leave of absence to appear for trial on the date set, upon verification of the attending facts, date of trial and approximate length of time that should be covered by the leave of absence; provided, such absence will not prejudice the interest of the naval service.

§ 720.8 *Naval prisoners as witnesses or parties in civil courts.* If Federal or State authorities desire the attendance of a naval prisoner as a witness in a criminal case pending in a civil court, upon the submission of such a request to the Secretary of the Navy, authority will be given in a proper case for the production of the man in court without resort being had to a writ of *habeas corpus ad testificandum*. The Department, however, will not authorize the attendance of a naval prisoner in a Federal or State court, either as a party or as a witness in private litigation pending before such court, as in such cases the court may grant a postponement or a continuance of the trial; but the Department will allow the deposition of such naval prisoner to be taken in the case.

§ 720.9 *Service of subpoena or other civil process upon persons in the Navy—*

(a) *Within the jurisdiction.* Commanding officers afloat or ashore are authorized to permit, and under normal conditions shall permit, service of subpoena or other civil process of Federal, State, Territorial or Local courts upon naval personnel or civilians named therein and located within the jurisdiction of the court out of which the process issues, but such service should not be allowed without the permission of the commanding officer first being obtained. (Personnel serving aboard vessels located within the territorial waters of the State out of which the process issues are considered within the jurisdiction of the court for the purpose of service of process.) In cases wherein the exigencies of the service would jeopardize or limit personnel from defending themselves in litigation, service of process will not be allowed until conditions permit. The commanding officer shall permit the service of process except in unusual cases where compliance with the mandate of the process would seriously prejudice the public interest. Where service is refused, reports of such refusal and the reasons therefor shall be forwarded by letter to the Office of the Judge Advocate General. Where practicable, commanding officers will require that the process be served in their presence, or that of an officer designated by them. Where service of process by mail is legally sufficient, however, the process may be mailed to the person named therein. In all cases commanding officers will insure that the nature of the process is explained to the man concerned.

(b) *Beyond the jurisdiction.* Where a person in the naval service, or a civilian, is beyond the jurisdiction of the

court issuing process against him, the commanding officer will permit service or delivery of the process under the same conditions as noted in paragraph (a) of this section for whatever legal effect it may have. At the same time he will advise the person being served that he is not required to indicate acceptance of service in writing, or otherwise, although he may do so voluntarily, and further advise him to consult legal counsel. Where process is forwarded to a commanding officer with the request that it be delivered to a person within his command, he may deliver it to the person named therein provided he voluntarily accepts it. In such cases the commanding officer will insure that the serviceman or civilian is informed that he is not required to accept service of the process but may do so voluntarily. The commanding officer is not required to act as a process server, and when the person named in the process does not voluntarily accept the process it should be returned to the forwarder with advice that the person named therein refuses to accept it.

(c) *Suits against the United States.* Where it appears that a subpoena relates to a suit against the United States under the Public Vessels Act dispatch advice shall be requested of the Judge Advocate General in view of the requirements of section 784, Title 46, U. S. Code. Similar action shall be taken in case of suit against the United States under any other act.

§ 720.10 *Leave of absence to be granted persons subpoenaed or otherwise served with process.* In such cases the commanding officer is authorized and will normally grant leave of absence to the person subpoenaed or upon whom the process is served in order to permit him to obey the same, unless the public interest would be seriously prejudiced by his absence, in which case full report of the matter should be made to the Department.

DAN A. KIMBALL,
Secretary of the Navy.

JULY 8, 1952.

[F. R. Doc. 52-7678; Filed, July 14, 1952; 8:46 a. m.]

Subchapter D—Procurement, Property, Patents, and Contracts

PART 738—PAYMENT OF FAIR COMPENSATION UNDER DEFECTIVE INFORMAL AND QUASI CONTRACTS

REVOCATION OF PART

1. The following part of Subchapter D is hereby revoked:

a. Part 738—Payment of Fair Compensation Under Defective Informal and Quasi Contracts.

(R. S. 161; 5 U. S. C. 22)

DAN A. KIMBALL,
Secretary of the Navy.

JULY 3, 1952.

[F. R. Doc. 52-7676; Filed, July 14, 1952; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Overriding Regulation 7, Amdt. 2
to Revision 1]

GOR 7—EXEMPTIONS AND SUSPENSIONS OF CERTAIN FOOD AND RESTAURANT COM- MODITIES

STATUTORY DECONTROL

Pursuant to the Defense Production Act of 1950, as amended, and Economic Stabilization Agency General Order No. 2, this Amendment 2 to General Overriding Regulation 7, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

The Congress of the United States has enacted the Harrison Amendment to the Defense Production Act which exempts fruits and vegetables in fresh or processed form from price controls. This amendment to General Overriding Regulation 7 adds a new article to that regulation which will be used to implement this mandate of Congress.

In respect of certain products, the decontrol amendment has a clear and unequivocal meaning. The exact limits of the amendment, however, are not clearly defined and questions have arisen as to the point at which Congress intended to draw the line of decontrol. The Office of Price Stabilization is currently studying the decontrol amendment in order to ascertain its scope. In the meantime, and for the convenience of those who are affected by the decontrol amendment, the Office of Price Stabilization has decided to add an article to GOR 7 by this amendment which contains a list of products clearly and unequivocally within the coverage of the decontrol amendment.

For the sake of clarity and in order to avoid any misunderstanding, it was deemed necessary to repeat in this list certain products which have been decontrolled in part by earlier amendments to GOR 7. For example, all canned plums, except purple prune plums, were decontrolled by Amendment 1 to GOR 7, Revision 1. Rather than list purple prune plums alone in this amendment, it was decided to list all canned plums with no exceptions.

The inclusion of products in the list of this Article IV to GOR 7 does not relieve sellers of their responsibility to maintain the records they have established for these products for the period of time specified in the regulations which formerly governed them.

It is realized that this action may result in higher prices for a number of items which play an important part in the cost of living, but, under the terms of the Harrison Amendment, the agency has no alternative but to remove ceilings from the products covered.

Special circumstances have made it impracticable to consult with industry representatives, including trade association representatives, before the issuance of this amendment. In the judgment of the Director of Price Stabilization, this amendment is necessary to comply

with the provisions of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

General Overriding Regulation 7, Revision 1, is amended by adding Article IV to read as follows:

ARTICLE IV—STATUTORY DECONTROL

SEC. 30. *Processed fruits and vegetables removed from price control pursuant to section 402 (d) (3) of the Defense Production Act of 1950, as amended.* On and after July 1, 1952, no ceiling price regulation issued by the Office of Price Stabilization shall apply to the following processed fruits and vegetables which are removed from price control in accordance with the provisions of section 402 (d) (3) of the Defense Production Act of 1950, as amended. This section applies to sales of the products listed which were heretofore subject to price control at the manufacturing or processing level under the specific ceiling price regulation listed below, the General Ceiling Price Regulation and supplementary regulations thereto, or under the Manufacturers' General Ceiling Price Regulation (CPR 22). This section also applies to all sales of the listed products at wholesale or retail governed by Ceiling Price Regulations 14, 15 or 16, the General Ceiling Price Regulation and supplementary regulations thereto. Finally, it also applies to all sales of the commodities listed below and governed by Ceiling Price Regulations 31 and 61.

(a) The following canned vegetable products covered by Ceiling Price Regulation 42:

(1) Canned asparagus.

(b) The following canned vegetable products covered by Ceiling Price Regulation 55:

- (1) Canned beans, lima.
- (2) Canned beans, snap (green and wax).
- (3) Canned beets.
- (4) Canned carrots.
- (5) Canned corn, sweet.
- (6) Canned fresh field peas and fresh shelled beans (all varieties).
- (7) Canned mixtures of vegetables.
- (8) Canned mushrooms.
- (9) Canned okra.
- (10) Canned onions.
- (11) Canned peas, fresh green.
- (12) Canned peppers.
- (13) Canned pimientos.
- (14) Canned potatoes, white.
- (15) Canned potatoes, sweet.
- (16) Canned pumpkin.
- (17) Canned spinach.
- (18) Canned squash.
- (19) Canned succotash.
- (20) Canned tomatoes.
- (21) Canned turnip greens.
- (22) Canned vegetable juices and mixtures thereof.

(c) The following canned fruits and berries (including mixtures of fruits) covered by Ceiling Price Regulation 56:

- (1) Canned apples.
- (2) Canned applesauce.
- (3) Canned apricots.
- (4) Canned berries (all varieties).
- (5) Canned cherries, sweet.
- (6) Canned cherries, sour.
- (7) Canned cranberries.
- (8) Canned figs.
- (9) Canned fruit cocktail.

(10) Canned fruit for salad (including canned fruit mixtures).

(11) Canned fruit and berry juices and mixtures thereof.

(12) Canned peaches (all varieties).

(13) Canned pears (all varieties).

(14) Canned plums.

(15) Canned prunes (fresh).

(d) The following frozen vegetables covered by Ceiling Price Regulation 81:

1. All frozen vegetables, including frozen cooked squash and frozen cooked pumpkin, but excluding French fried, diced or whipped white potatoes. (As to French fried, diced or whipped white potatoes, see paragraph (g) of this section.)

(e) The following frozen fruits and berries covered by Ceiling Price Regulation 82:

1. All frozen fresh fruits or berries but excluding frozen citrus fruits. (As to frozen citrus fruits, see paragraph (f) of this section.)

(f) The following fruits, berries and vegetables covered by the General Ceiling Price Regulation or supplementary regulations thereto:

1. All of the products listed under paragraphs (b) and (c) of this section for which the processor has previously elected, under section 1 (a) of CPRs 55 or 56, to remain under the General Ceiling Price Regulation.

2. All canned and frozen citrus fruits, juices and concentrates (including mixtures thereof) and all other frozen fruit and berry concentrates.

3. All dried fruits (including mixtures thereof).

4. Canned pineapple and pineapple juice.

5. The following canned baby or junior foods:

- (i) Applesauce.
- (ii) Apricot-applesauce.
- (iii) Beets.
- (iv) Carrots.
- (v) Green beans.
- (vi) Peas.
- (vii) Peaches.
- (viii) Pears.
- (ix) Pears and pineapple.
- (x) Prunes.
- (xi) Spinach.
- (xii) Squash.
- (xiii) Sweet potatoes.

(g) The following fruits, berries and vegetables covered by the Manufacturers' General Ceiling Price Regulation (CPR 22):

1. Frozen French fried, diced or whipped white potatoes.

2. Peeled, whole or sliced chemically treated white potatoes.

3. Shoestring and julienne potatoes and potato chips.

4. Sauerkraut and sauerkraut juice.

5. Cherries in brine.

(h) The following fruits, berries and vegetables covered by Ceiling Price Regulation 31:

1. Pineapple.
2. Cherries in brine.

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

Effective date. This amendment shall become effective as of July 1, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JULY 14, 1952.

[F. R. Doc. 52-7823; Filed, July 14, 1952;
9:29 a. m.]

[Ceiling Price Regulation 9, Revision 1, Correction]

**CPR 9—TERRITORIES AND POSSESSIONS
CORRECTION**

Reference is made in paragraph (c) (2) of section 3 of Ceiling Price Regulation 9, Revision 1, to "section 15" in which the term "category" is defined. This is a clerical error. Reference should be to "section 16", so that the last line of the first paragraph of paragraph (c) (2) of section 3 should read: "The term 'category' is defined in section 16 of this regulation."

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

ELLIS ARNALL,
Director of Price Stabilization.

JULY 14, 1952.

[F. R. Doc. 52-7849; Filed, July 14, 1952; 4:00 p. m.]

[Ceiling Price Regulation 22, Supplementary Regulation 30]

**CPR 22—MANUFACTURERS' GENERAL
CEILING PRICE REGULATION**

SR 30—TRANSLATION OF F. O. B. INTO DELIVERED CEILING PRICES FOR CERTAIN CONSUMER DURABLE GOODS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to Ceiling Price Regulation 22 provides a method whereby manufacturers of certain consumer durable goods items may apply to have ceiling prices established under CPR 22 for sales on an f. o. b. shipping point basis translated into ceiling prices for sales on a delivered basis.

The need for this supplementary regulation has arisen from the fact that under Ceiling Price Regulation 22, which is the Manufacturers' General Ceiling Price Regulation, each manufacturer is frozen to the terms and conditions of sale he had in effect during his base period. His base period is the period April 1 through June 24, 1950, or any previous calendar quarter ended not earlier than September 30, 1949 which he elects to use. This means that if a manufacturer prior to Korea sold exclusively on an f. o. b. shipping point basis he must continue to do so under CPR 22. This requirement has meant that manufacturers who, for reasons totally unrelated to price control, had shifted from an f. o. b. shipping point basis to a delivered basis in the long interval between the outbreak of hostilities in Korea and the time CPR 22 became effective as to them were forced by CPR 22 to revert to the method of doing business which they had deliberately discarded. It has also meant that other manufacturers who may have desired to make a change from an f. o. b. shipping point basis to a delivered basis

have not been able to do so. Particularly in those industries where sales on a delivered basis are the most common this restriction has been productive of considerable hardship.

In order that the manufacturer's freedom of action shall be limited to the least extent compatible with price control this regulation provides a method whereby manufacturers of certain consumer durable goods items who have established ceiling prices under CPR 22 or under one of the supplementary regulations to CPR 22 may calculate and apply for ceiling prices for sales made on a delivered basis. This regulation is limited at present to those areas where relief appears to be most greatly needed and where the method of calculation provided by this regulation can be used. New areas will be included within this supplementary regulation as need for relief in such areas is shown and as additional methods of calculation are developed.

Any application under this supplementary regulation must cover all commodities within a single category.

A manufacturer who wishes to convert f. o. b. ceiling prices to delivered ceiling prices under this supplementary regulation first calculates what it would have cost him per hundredweight during a previous twelve month period to ship the category for which he is applying to the particular zone or area in which he wishes to establish a uniform delivered price. If the number of points to which he shipped within the zone or area are so numerous as to make this calculation too difficult he is permitted to use a sampling technique.

If the manufacturer has established his ceiling prices under CPR 22 he makes his calculations on the basis of the freight rates in effect on March 15, 1951. This date is used because sellers who sold on a delivered basis during the CPR 22 base period may reflect in their ceiling prices increases in transportation cost only up to that date. Consequently, if a later date were employed, the seller who was now first applying for delivered ceiling prices under CPR 22 would be placed in a better position than sellers who had already established delivered ceiling prices. If the applicant, however, has established his f. o. b. ceiling prices under either SR 17 to CPR 22 or SR 18 to CPR 22 (the Capehart regulations), he makes his calculations upon the basis of the freight rates in effect on July 26, 1951. He is permitted this later date to place him in an equal position with sellers who have already established delivered ceiling prices under these regulations.

After the manufacturer has calculated what his freight bill would have been for a twelve month period preceding the application, on the basis of the rates in effect on whatever date he is required to use, he divides this amount by the weight of the commodities in the category sold during the period. This will give him a dollar-and-cents amount per hundredweight. He multiplies this amount by the weight of the commodity for which he is establishing a ceiling price to find the amount which, when

added to his f. o. b. ceiling price for the commodity, will convert it to a delivered ceiling price.

If a manufacturer elects to avail himself of the relief provided by this supplementary regulation he must thereafter make all sales of commodities in the same category on a delivered basis.

FINDINGS OF THE DIRECTOR

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

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

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

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. How you apply for delivered ceiling prices.
3. How you calculate delivered ceiling prices.
4. Alternate method for calculating delivered ceiling prices.
5. Modification of ceiling prices by the Director of Price Stabilization.
6. Application.
7. Records.

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, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. What this supplementary regulation does. This supplementary regulation provides a method by which you may calculate and apply for delivered ceiling prices to replace your present f. o. b. ceiling prices established under CPR 22, or under any supplementary regulation to CPR 22, for the consumer durable goods items listed in Appendix A. After you have sold any commodity at a delivered ceiling price exceeding your former f. o. b. ceiling price, you may not thereafter sell any commodity in the same category on an f. o. b. shipping point basis.

Sec. 2. How you apply for delivered ceiling prices. (a) You apply for delivered ceiling prices under this supplementary regulation by making the calculations described in section 3, or those approved under section 4, and by mailing the application required by section 6 to the Consumer Durable Goods Division, Office of Price Stabilization, Washington 25, D. C. Your application must cover a category. A "category" is defined in

section 5 of CPR 22. This application must be sent by registered mail, return receipt requested.

(b) Thirty days after the Office of Price Stabilization has received your report, as shown by your return postal receipt, you may sell at the delivered ceiling prices you have calculated unless the Office of Price Stabilization has notified you not to do so or has asked for additional information. If, within this thirty day period, OPS has asked you for more information you may not sell at your delivered ceiling prices until thirty days after the Office of Price Stabilization has received the requested information. You must mail the information by registered mail, return receipt requested.

(c) The Director of Price Stabilization may, in writing, permit you to use your delivered ceiling prices before the expiration of the thirty day waiting period after receipt of your application.

SEC. 3. How you calculate delivered ceiling prices. (a) You calculate delivered ceiling prices under this section upon the basis of your sales experience during a past twelve month period. For convenience, the period is referred to as your "transportation base period." Use as your transportation base period the last twelve month period preceding your application (ending not earlier than December 31, 1950) for which you have records. You will be unable to use this section for any category not dealt in by you during the entire transportation base period. If you wish to establish delivered ceiling prices for a category which is different from any dealt in by you during the entire transportation base period you will have to establish delivered ceiling prices under section 4.

(b) The first step in calculating a uniform delivered ceiling price is to determine each zone or area within which you wish to establish a uniform delivered price. A zone or area is a single integrated geographical area. It may encompass the entire United States or any part thereof. You will have to repeat the calculations outlined in the next paragraph for each zone or area within which you wish to establish a uniform delivered price.

(c) If all the commodities in the category have the same rate of transportation you perform the following steps only once for each zone or area. However, if the commodities in the category have different rates of transportation you will have to make a calculation for each group of commodities within the category which carries the same rate of transportation.

(d) The second step, after you have determined an area or zone within which you wish to establish a uniform delivered price, is to find the total number of receiving points within the zone or area to which you sent shipments during the transportation base period of commodities having the same rate of transportation per hundredweight in the category for which you wish to establish a delivered ceiling price. A "receiving point" is the city, town or village in which is located the unloading terminal of the common carrier which received the shipment. If the total

number of these receiving points is 25 or less you have completed this second step. If the total number of these points is 26 or more you may, for ease of calculation, if you so desire, drop some of these receiving points from your calculations. You do so as follows: List and number these points in alphabetical order. If the total number of receiving points is between 26 and 50, inclusive, strike from the list every fifth receiving point starting with the number 5. If the total number of receiving points is between 51 and 100, inclusive, strike every other receiving point starting with the number 2. If the total number is between 101 and 300, inclusive, leave on the list every third receiving point starting with the number 1 and strike all other receiving points. If the total number is more than 500 leave on the list every tenth receiving point starting with the number 1 and strike all other receiving points.

(e) The third step, after you have made your list of receiving points under Step 2, is to find the total weight of the commodities having the same rate of transportation per hundredweight, which you sent to each receiving point on the list during the transportation base period, in the category for which you wish to establish a delivered ceiling price.

(f) You are now ready for the fourth step. If you have established your ceiling price under CPR 22, multiply the weight sent to each receiving point on your list during the transportation base period by the lowest common carrier rate per hundredweight, including transportation tax, in effect on March 15, 1951, between that receiving point and the plant or warehouse used by you as a shipping point which has the lowest rate of transportation to that receiving point. If you have established your ceiling prices under either SR 17 to CPR 22 or SR 18 to CPR 22, make the same calculation but substitute July 26, 1951 for March 15, 1951. In making this calculation exclude any charge for services, such as consolidation, breaking, bulk, loading, unloading, warehousing, or any other service in connection with or identical to the transportation. Add the amounts calculated under this paragraph.

(g) For the fifth step, divide the total dollar-and-cents amount found under the preceding paragraph by the total weight sent to all the receiving points on your list. This will give you a dollar-and-cents amount. This dollar-and-cents amount is your adjustment per hundredweight for all commodities having the same rate of transportation per hundredweight in the category for which you wish to establish delivered ceiling prices.

(h) You are now ready for the last step. Find your CPR 22 ceiling price (or your SR 17 or your SR 18 ceiling price, if you are using one of these regulations to establish your ceiling prices) f. o. b. shipping point for the commodity for which you wish to establish a delivered

ceiling price. Use the shipping point which has the lowest transportation cost to the zone or area within which you are establishing a uniform delivered price. Multiply the dollar-and-cents amount found under the preceding step by the number of hundredweight or fraction thereof of the commodity. Add this amount to the f. o. b. ceiling price of the commodity. The result is a uniform delivered ceiling price for that commodity within the zone or area for which you are establishing a uniform delivered price.

Example. You wish to calculate delivered ceiling prices for the category "refrigerators". You have established adjusted ceiling prices under SR 17 to CPR 22. Your first step is to find the area or zone within which you wish to establish a uniform delivered ceiling price. In this example the zone is the entire United States. The following table shows how you determine your adjustment per hundredweight for refrigerators.

Second step Receiving points in United States	Third step Total hundred- weight sent each receiving point	Carlot freight rate per hundred- weight as of July 26, 1951, in- cluding transporta- tion tax	Fourth step (B×C)
A	B	C	(B×C)
Atlanta.....	15,000	\$1.49	\$22,350
Chicago.....	25,000	.98	24,500
Dallas.....	20,000	2.11	42,200
Los Angeles.....	70,000	2.98	207,200
New York.....	65,000	1.73	112,450
Total.....	195,000		408,200

Fifth step: $\frac{408,200}{195,000 \text{ cwt.}} = \2.09 per cwt.

Sixth step: Your ceiling price for Model 100, a new model refrigerator, calculated under section 17 of SR 17 to CPR 22, f. o. b. your factory, which is your only shipping point in the United States, is \$150. This model weighs 300 pounds. Three times \$2.09 is \$6.27. Therefore, the uniform delivered ceiling price for your Model 100 refrigerator throughout the United States is \$156.27.

SEC. 4. Alternate method for calculating delivered ceiling prices. (a) If you find that you are unable to calculate delivered ceiling prices under the previous section for any commodity covered by this supplementary regulation you may apply to the Consumer Durable Goods Division, Office of Price Stabilization, Washington 25, D. C., for permission to use another method. Your application should be sent by registered mail and should be identified as filed under this supplementary regulation and this section.

(b) State in your application the reasons why you cannot calculate delivered ceiling prices under this supplementary regulation and describe in detail the method by which you propose to calculate delivered ceiling prices. Do not use the proposed method until you are notified in writing by the Director of Price Stabilization that you may do so. Before approving or disapproving your proposed method, the Director of Price Stabilization may request additional information.

SEC. 5. Modification of ceiling prices by the Director of Price Stabilization. The Director of Price Stabilization may at any time disapprove or revise ceiling prices proposed to be used or being used under this supplementary regulation so as to bring them in line with the level

of ceiling prices otherwise established by CPR 22, by any regulation supplementary thereto, or by any other applicable regulation.

Sec. 6. Application. (a) An application for delivered ceiling prices calculated under section 3 must contain the following information:

(1) The names of the commodity or commodities for which you are calculating delivered ceiling prices.

(2) A description of the geographical limits of each zone or area within which you wish to establish uniform delivered ceiling prices.

(3) Your ceiling price f. o. b. each plant or warehouse having the lowest rate of transportation on the cut-off date (March 15 or July 26, 1951) to each zone or area named in subparagraph (2) of this paragraph, for each commodity covered by your application, to your largest buying class of purchaser. This term is defined in section 47, CPR 22.

(4) The period you have used as the transportation base period.

(5) Your calculations under section 3 shown in the detail given in the example at the end of that section.

(6) Your delivered ceiling price, to your largest buying class of purchaser, in each zone or area for each commodity covered by your application.

(b) If you have applied under section 4 for an alternate method to calculate delivered ceiling prices and have received approval of that method from the Director of Price Stabilization, your application must contain all the information called for in subparagraphs (1), (2), (3) and (6) of paragraph (a) of this section and your calculations of your delivered ceiling prices.

(c) Applications filed under either paragraph (a) or (b) of this section must be filed by the person subject to the ceiling price regulation, personally, if an individual; if a partnership, by a partner; or if an association or corporation, by a duly authorized officer. The person signing the application must certify that the information contained therein is true to the best of his knowledge or of his information and belief.

Sec. 7. Records. In addition to all records required by CPR 22 and other applicable OPS regulations, every manufacturer who establishes a delivered ceiling price under the provisions of this supplementary regulation shall keep for inspection by the Director of Price Stabilization for a period of two years the worksheets showing how he calculated his delivered ceiling prices.

Effective date. This supplementary regulation is effective July 14, 1952.

NOTE: The record-keeping and reporting requirements of this supplementary 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.

JULY 14, 1952.

APPENDIX A

Refrigerators.
Home Freezers.

[F. R. Doc. 52-7853; Filed, July 14, 1952; 4:00 p. m.]

[Ceiling Price Regulation 24, Amdt. 11, Corr.]
CPR 24—CEILING PRICE OF BEEF SOLD
AT WHOLESALE

CORRECTION

Due to a clerical error, Amendment 11 to CPR 24 issued June 12, 1952, contains a misprint in Appendix 11, at page 3.

Accordingly, Appendix 11 is corrected by substituting the numerals 0.70 for the symbol (1) in the column headed Commercial, Utility, Canner, and Cutter, for St. Louis, and St. Louis County, Missouri.

ELLIS ARNALL,
Director of Price Stabilization.

[F. R. Doc. 52-7848; Filed, July 14, 1952; 11:13 a. m.]

[Ceiling Price Regulation 34, Supplementary
Regulation 21]

CPR 34—SERVICES

SR 21—POWER LAUNDRIES IN THE GREATER
CINCINNATI, OHIO, TRADING AREA

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 21 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 21 to Ceiling Price Regulation 34 permits an increase in ceiling prices for power laundry services supplied by power laundries situated in the Greater Cincinnati, Ohio, Trading Area. This supplementary regulation does not permit the increase to be applied to the diaper supply, linen supply and dry cleaning services of such laundries.

An OPS study of the operating costs and profit margins of a representative number of the power laundries in the Greater Cincinnati, Ohio, Trading Area accounting for over 88 percent of the total sales of these services which, it is estimated, amounted to about 5 million dollars in 1951, reveals that increased labor and material costs incurred between June 24, 1950 and January 1, 1952 have impaired the pre-Korean earnings of such laundries. In addition, in April 1952 a one year wage contract was entered into with labor unions representing the employees of these laundries granting substantial wage increases to production workers. These wage increases all have received WSB approval or are within the formula of Wage Stabilization Board regulations; with the result that the earnings of the laundries will be further impaired. The increase in ceiling prices granted herein has been determined to be the minimum necessary to maintain the financial stability of these laundries and to assure a continued supply of these essential services. The action taken herein with respect to the group of power laundry operators gives effect to the standards for individual adjustments of section 20 (a) of CPR 34.

Under the provisions of this supplementary regulation, ceiling prices of such power laundries may be increased by not

more than 7 percent, such adjustment to be applied to the total amount of each invoice rendered to the customer and identified as the "OPS permitted price increase." If this method is used to apply the amount of the increase, the seller need not make the supplementary filing required by section 18 (c) of CPR 34. At the option of the individual laundry, however, the ceiling price for each article may be increased by not more than 7 percent. Adjusted ceiling prices must within ten days after their determination be filed with the appropriate Office of Price Stabilization district office.

In the future, power laundries subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for power laundry services under section 20 of CPR 34. In addition, adjustments previously granted any of them under that section are automatically revoked by this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increase permitted by this supplementary regulation is generally fair and equitable and necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

- Sec.
1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR 1950 Supp.

SECTION 1. Purpose. This supplementary regulation permits power laundries whose plants are located in the Greater Cincinnati, Ohio, Trading Area to increase their ceiling prices for power laundry services by 7 percent. This supplementary regulation shall not apply to the diaper supply, linen supply and dry cleaning services of power laundries.

Sec. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation, shall remain in effect.

Sec. 3. Adjustment of ceiling prices. You may, to the extent you supply power laundry services from plants located in the Greater Cincinnati, Ohio, Trading Area, increase your ceiling prices by 7 percent for power laundry services, except diaper supply, linen supply and dry cleaning services, thus supplied, by either of the following methods:

(a) You may apply such an adjustment to the total amount of each invoice rendered to the customer, provided you

shall clearly write or stamp on each such invoice the words "OPS permitted price increase". If you use this method of applying your price increase, you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

(b) You may, in lieu of the method provided in paragraph (a) of this section, increase by 7 percent the ceiling prices of each power laundry services article, except a diaper supply, linen supply and dry cleaning services article. Within ten days after your prices are established under this paragraph you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required under section 18 of Ceiling Price Regulation 34. You may not establish prices under paragraph (a) of this section once you have elected to establish prices under this paragraph.

(c) If the price increase computed in paragraphs (a) or (b) of this section results in a fraction of a cent, the price increase must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

Sec. 4. Application of section 20 of Ceiling Price Regulation 34. No seller subject to this supplementary regulation may, after the effective date of this supplementary regulation, apply for an adjustment of any of his ceiling prices for power laundry services except diaper supply, linen supply and dry cleaning services under section 20 of Ceiling Price Regulation 34, as amended. All orders establishing ceiling prices for any power laundry subject to this supplementary regulation issued under either section 20 (a), 20 (b) or 20 (c) of Ceiling Price Regulation 34 are hereby revoked, upon the effective date of this regulation.

Sec. 5. Definitions. (a) "Power laundry" or "power laundries" as used in this regulation are laundries which in the laundry trade are customarily known and designated as such, and do not include hand laundries, launderettes or laundries using home-type laundry equipment to supply laundry services.

(b) "The Greater Cincinnati, Ohio, Trading Area", as used in this regulation is the area comprising Hamilton County in the State of Ohio and the Counties of Boone, Kenton and Campbell in the State of Kentucky.

Effective date. This Supplementary Regulation 21 to Ceiling Price Regulation 34 shall become effective July 19, 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.

JULY 14, 1952.

[F. R. Doc. 52-7852; Filed, July 14, 1952;
4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 55, Revision 1]

G CPR, SR 55—SUSPENSION OF SAWMILL LOGS PRODUCED IN ALASKA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Revision 1 to Supplementary Regulation 55 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This Revision 1 of Supplementary Regulation 55 extends indefinitely the exemption of sawmill logs established by Supplementary Regulation 55, as amended, to the General Ceiling Price Regulation. Supplementary Regulation 55, as amended, exempts from the provisions of the General Ceiling Price Regulation, until June 30, 1952, the sale and purchase in Alaska of sawmill logs produced and used in Alaska.

As the Office of Price Stabilization pointed out in the Statement of Considerations accompanying Amendments 1 and 2 to this supplementary regulation, the reversion of sawmill logs to the control of the General Ceiling Price Regulation would create a chaotic condition in the industry. New contracts have been entered into by the sawmills and loggers and are based upon prices in effect under this suspension and, therefore, somewhat above the General Ceiling Price Regulation level. The Office of Price Stabilization is not yet ready to take final action in this matter inasmuch as the prevailing practice of establishing prices by negotiation, as in the past, has served to keep the price level considerably below that prevailing in the Pacific northwest.

In the judgment of the Director of Price Stabilization, the action taken in this revision is generally fair and equitable and is necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization has given due consideration to the National defense efforts to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended.

In the formulation of this regulation, there has been consultation with industry representatives and consideration has been given to their recommendations.

REGULATORY PROVISIONS

- Sec.**
1. What this supplementary regulation does.
 2. Suspension.
 3. Geographic applicability.
 4. Records.
 5. Definitions.

AUTHORITY: Sections 1 to 5 Issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. What this supplementary regulation does. The purpose of this supplementary regulation is to suspend indefinitely from the provisions of the General Ceiling Price Regulation sales and purchases in Alaska of sawmill logs produced and used in Alaska.

SEC. 2. Suspension. The provisions of the General Ceiling Price Regulation shall not apply to sales and purchases of sawmill logs produced in Alaska: *Provided*, That such sawmill logs are delivered during the period in which this supplementary regulation is effective to a lumber mill situated in Alaska for manufacture into lumber.

SEC. 3. Geographic applicability. This supplementary regulation is applicable in Alaska.

SEC. 4. Records. Records of sales and purchases made pursuant to this supplementary regulation shall be maintained in the manner provided in section 16 of the General Ceiling Price Regulation.

SEC. 5. Definitions. When used in this supplementary regulation, the terms:

(a) "Sawmill log" means a tree of any species which has been severed from the stump in Alaska, trimmed of its branches, and cut into lengths suitable for manufacture into lumber.

(b) "Delivered" means receipt by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

Effective date. This Revision 1 of Supplementary Regulation 55 to the General Ceiling Price Regulation is effective as of July 1, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JULY 14, 1952.

[F. R. Doc. 52-7851; Filed, July 14, 1952;
4:00 p. m.]

[Ceiling Price Regulation 94, Amtd. 4]

CPR 94—SALES OF USED PASSENGER AUTOMOBILES

ESTABLISHING CEILING PRICES IN TERRITORY OF ALASKA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 4 to Ceiling Price Regulation 94 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 4 to Ceiling Price Regulation 94 changes that regulation so that it also establishes ceiling prices for the sale of used passenger automobiles in the Territory of Alaska.

Sales of used automobiles in the Territory of Alaska have been covered by the General Ceiling Price Regulation which established ceiling prices based on the highest price charged during the base period December 19, 1950, to January 25, 1951, and Ceiling Price Regulation 9 for the sale of used automobiles purchased in the continental United States for resale in Alaska, which established ceiling prices based on the percentage markup used during the same base period. This period is not representative, as the used automobile business in Alaska is almost dormant during this period due to the severe cold weather which usually necessitates the storage of automobiles for

protection. Used automobiles therefore, are not usually sold during this period and prices for the few sales that were made during the base period of the General Ceiling Price Regulation are not representative. In addition, a considerable number of used automobiles are sold by individual owners, who, of course, have no base period on which to base their ceiling prices.

This Amendment 4 to Ceiling Price Regulation 94 utilizes the ceiling prices established under Ceiling Price Regulation 94, as amended, for the sale of a used automobile in Region C of the continental United States and provides an allowance for transportation to Alaska which may be added to those ceiling prices in computing the ceiling price for the sale of a used automobile in Alaska.

The used automobile business in Alaska urgently needs the stabilization which would be brought about by the establishment of this method of fixing ceiling prices due to the lack of uniformity in the existing ceiling prices for used automobiles in Alaska. This amendment will establish a uniform graduated ceiling price pattern for Alaskan used automobile sellers.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

1. Section 1 is amended by changing paragraph (a) to read as follows:

(a) This regulation applies to you if you sell a used passenger automobile in the continental United States, the District of Columbia or the Territory of Alaska, whether as a retail dealer, wholesaler, or as an individual. The provisions of this regulation supersede, in their entirety, those provisions of the General Ceiling Price Regulation, Supplementary Regulation 5 to the General Ceiling Price Regulation and Ceiling Price Regulation 9 covering the sale of used passenger automobiles.

2. Section 2 is amended by changing paragraph (a) to read as follows:

(a) (1) Ceiling prices for the sale of used automobiles established by this regulation are set forth in Appendix A for the geographic regions of the continental United States specified. This appendix also specifies the amount that may be added to the price of the automobile for automatic transmissions or drives. Your ceiling price for any used automobile in the region in which you are selling the automobile is the price specified in Appendix A for that region for that make, model, line, or series and body style. It includes all standard equipment on the automobile, radio, heater, and other items of equipment except automatic transmissions or drives, or the air-conditioning unit specified in paragraph (f) of this section, when such equipment is installed on the automobile at the time the seller has received title to the automobile.

(2) The ceiling price for the sale of any used automobile in the Territory of

Alaska is the price specified in Appendix A for Region C for that particular make, model, line, or series and body style, plus the appropriate allowance for transportation to Alaska listed in Appendix B.

3. Ceiling Price Regulation 94 is amended by inserting following Appendix A the following new Appendix B.

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

Effective date. This Amendment 4 to Ceiling Price Regulation 94 is effective July 19, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JULY 14, 1952.

APPENDIX B—ALLOWANCE FOR TRANSPORTATION TO ALASKA

	Your allowance for transportation to Alaska will be found in the table below. Select the appropriate figure considering the age of the vehicle									
	Age in model years of vehicle—									
	1	2	3	4	5	6	7	8	9	10 and over
\$50 and \$70.....	\$50	\$45	\$40	\$35	\$30	\$25	\$20	\$15	\$10	\$5
\$70 and \$80.....	60	54	48	42	36	30	24	18	12	6
\$80 and \$90.....	70	63	56	49	42	35	28	21	14	7
\$90 and \$100.....	80	72	64	56	48	40	32	24	16	8
\$100 and \$110.....	90	81	72	63	54	45	36	27	18	9
\$110 and \$120.....	100	90	80	70	60	50	40	30	20	10
\$120 and \$130.....	110	99	88	77	66	55	44	33	22	11
\$130 and \$140.....	120	108	96	84	72	60	48	36	24	12
\$140 and \$150.....	130	117	104	91	78	65	52	39	26	13
\$150 and \$160.....	140	126	112	98	84	70	56	42	28	14
\$160 and \$170.....	150	135	120	105	90	75	60	45	30	15
\$170 and \$180.....	160	144	128	112	96	80	64	48	32	16
\$180 and \$190.....	170	153	136	119	102	85	68	51	34	17
\$190 and \$200.....	180	162	144	126	108	90	72	54	36	18
\$200 and \$210.....	190	171	152	133	114	95	76	57	38	19
\$210 and \$220.....	200	180	160	140	120	100	80	60	40	20
\$220 and \$230.....	210	189	168	147	126	105	84	63	42	21
\$230 and \$240.....	220	198	176	154	132	110	88	66	44	22
\$240 and \$250.....	230	207	184	161	138	115	92	69	46	23
\$250 and \$260.....	240	216	192	168	144	120	96	72	48	24
\$260 and \$270.....	250	225	200	175	150	125	100	75	50	25
\$270 and \$280.....	260	234	208	182	156	130	104	78	52	26
\$280 and \$290.....	270	243	216	189	162	135	108	81	54	27
\$290 or over.....	280	252	224	196	168	140	112	84	56	28

NOTES

1. How to use Appendix B—This schedule is to be used in conjunction with Appendix A of this regulation to compute OPS ceiling prices of used passenger automobiles offered for sale in Alaska. The seller should locate the proper listed prices for the used passenger automobile in Appendix A, compute the current price by reducing that figure by 2 percent for each quarter which has elapsed since this regulation became effective, (beginning with Jan. 1, 1952) and adding the appropriate figure found in Appendix B to the resulting figure.

2. It will be necessary for each seller covered by this regulation, to ascertain freight charges by the most direct route from Seattle, Washington, to area of sale in the Territory of Alaska for each used passenger automobile being priced.

3. The allowance for transportation to Alaska is limited to the highest figure shown on this table. For used passenger automobiles the age of which is more than 10 years, the allowance specified in the column headed, 10 and over, should be used.

4. Example of computing age of used passenger automobiles: If you price a 1946 model during the calendar year 1952, the vehicle will be considered to be 6 years old for the entire 1952 calendar year. On January 1, 1953, the vehicle will be considered 7 years of age for the purpose of this regulation, and will be considered so for the entire calendar year 1953. This system of aging will continue as long as this regulation is in effect. A current year model used passenger automobile shall not be considered as being one year of age until the end of the current calendar year.

[F. R. Doc. 52-7850; Filed, July 14, 1952; 4:00 p. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts, Department of Labor

PART 201—GENERAL REGULATIONS

REGULAR DEALER IN PETROLEUM UNDER THE PUBLIC CONTRACTS ACT

Section 201.101 contains a definition of regular dealer in terms of one who "owns, operates, or maintains a store, warehouse or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the contract are bought, kept in stock, and sold to the public in the usual course of business." In addition to this general definition of regular dealer, a number of special types of regular dealers are also defined in this section.

Having found that the general method of operation of dealers in the petroleum distribution industry requires a special definition applicable to such dealers notice is hereby given that § 201.101 is amended by adding a new subparagraph

designated § 201.101 (b) (7) to read as follows:

§ 201.101 *Manufacturer or regular dealer.* * * *

(b) * * *

(7) A regular dealer in petroleum may be a person who owns, operates, or maintains petroleum distribution equipment and a store, warehouse, or other place of business in which petroleum products of the general character described by the specifications and required under the contract are bought for the account of such person and sold to the public in the usual course of business, and whose principal business is such purchase and sale of such petroleum products.

This amendment to be effective upon publication in the FEDERAL REGISTER.

(Sec. 4, 49 Stat. 2038; 41 U. S. C. 38)

Signed at Washington, D. C., this 9th day of July 1952.

MAURICE J. TOBIN,
Secretary of Labor.

[F. R. Doc. 52-7675; Filed, July 14, 1952; 8:45 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order No. 2508, Amdt. 5]

BUREAU OF INDIAN AFFAIRS

DELEGATION OF AUTHORITY

1. In section 13 *Lands and minerals*, paragraph (h) is revised to read as follows:

(h) The approval and certification of applications for allotments on the public domain under authority of the act of February 8, 1887 (25 U. S. C. sec. 334), or the acts of February 28, 1891 and June 25, 1910 (25 U. S. C. sec. 336), and in the national forests pursuant to the act of June 25, 1910 (25 U. S. C. sec. 337).

2. The following is added to Section 13, *Lands and minerals*:

(u) The approval of assignments and the issuance of certificates of assignment to Minnesota Mdewakanton Sioux Indians of land acquired by the United States pursuant to the acts of March 2, 1889 (25 Stat. 992) and August 19, 1890 (26 Stat. 349).

(v) Soil and moisture conservation operations on Indian lands, pursuant to the President's Reorganization Plan No. IV, of 1940 (54 Stat. 1235), and the Soil Conservation Act of April 27, 1935 (16 U. S. C. sec. 590a), and subject to the coordination and general supervision of the Office of the Secretary.

3. Section 25 *Subdelegation* is amended to read as follows:

Sec. 25. *Redelegation*. The authority conferred upon the Commissioner in the preceding sections of this order may be redelegated by him to the Associate Commissioner, Assistant Commissioners, Executive Officer, Director, Division of Program, Chief Counsel, Associate Chief Counsel, Assistant Chief Counsel, Branch Chiefs, Area Directors, Superintendents or Officers in Charge of Agencies and Local Facilities, and such other officers of the Bureau of Indian Affairs as are designated by him. The Commissioner may also redelegate to such officials the authority conferred upon him by the general regulations appearing in Title 25, Code of Federal Regulations, insofar as such authority relates to action in individual cases. The Commissioner may authorize officials who may have a redelegation of authority under this section to redelegate such authority to employees of the Bureau designated by them. Appeal from an action taken by the Superintendent or other officer of an agency pursuant to a redelegation of authority under this section shall be taken to the Area Director and thence to the Commissioner. Appeal from an action taken by any other officer of the Bureau of Indian Affairs pursuant to a redelegation of authority under this section shall be taken to the Commissioner.

Appeals from the Commissioner shall be taken to the Secretary of the Interior.

(5 U. S. C. 1946 ed., sec. 22; 25 U. S. C. 1946 ed., secs. 1a, 2, 2a; sec. 2, Reorg. Plan No. 3 of 1950, 15 P. R. 3174)

4. The following new section 27 *Withdrawal and restoration of authority*, is added:

Sec. 27. *Withdrawal and restoration of authority*. The Commissioner, or any Area Director with the approval of the Commissioner, may upon written notice to a Superintendent or other official withdraw from such official any authority directly delegated to him under the general regulations appearing in Title 25, Code of Federal Regulations, and thereafter the authority so withdrawn shall be exercised by the Area Director or such other official as may be designated in writing by or with the approval of the Commissioner. The authority so withdrawn from a Superintendent or other official may be restored by the Commissioner, or the Area Director with the approval of the Commissioner.

5. The following new section 28 *Action as duly authorized representative*, is added:

Sec. 28. *Action as duly authorized representative*. The Commissioner is authorized to take any action which under the general regulations appearing in Title 25, Code of Federal Regulations, may be taken by the Secretary of the Interior or his duly authorized representative, and which is not otherwise authorized by a delegation of authority to the Commissioner.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JULY 9, 1952.

[F. R. Doc. 52-7674; Filed, July 14, 1952;
8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2901 et al.]

NORTHWEST AIRLINES, INC., ET AL., PORTLAND-SEATTLE SERVICE CASE

NOTICE OF HEARING

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 401, and 1001 of the act, that a hearing in the above-entitled proceeding is assigned to be held on August 11, 1952, at 10:00 a. m., P. d. s. t., in Room 414, U. S. Courthouse, Seattle, Washington, before Examiner F. Merritt Ruhlen.

Without limiting the scope of the issues presented in this proceeding particular attention will be directed to the following matters:

1. Do the public convenience and necessity require the alteration, amendment or modification of the following certificates in the manner indicated:

(a) Northwest's certificate for Route No. 3 so as to authorize air transportation between the points, Seattle, Washington, and Portland, Oregon?

(b) United's certificate for Route No. 1 to include Spokane, Washington, as an intermediate point on segment 1 thereof between the intermediate point Pendleton, Oregon, and the intermediate point Boise, Idaho, so as to allow the provision of direct service (including nonstop service) between Spokane, on the one hand, and Seattle, Portland, Boise, and other points on segment 1 of Route No. 1, on the other hand, without the necessity of making the compulsory stop now required at Pendleton?

(c) Western's certificate for Route No. 63 so as to eliminate therefrom the restriction that flights between Portland and Seattle shall originate or terminate at Oakland or San Francisco, or a point south thereof?

2. If the public convenience and necessity require the alteration, amendment, or modification of Northwest's, United's, and Western's certificates of public convenience and necessity for Routes 3, 1, and 63, respectively, are these air carriers fit, willing, and able to perform the services contemplated in (a), (b), and (c) above?

3. In the event the public convenience and necessity require any or all of the proposed services, what terms and conditions should be imposed with respect to the conduct of such services?

For further details of the services proposed and the route modifications requested interested parties are referred to the prehearing conference report of the Examiner, the Board's orders, the applications and other pleadings which are on file with the Civil Aeronautics Board.

Notice is further given that any person other than parties on record desiring to be heard in this proceeding must file with the Civil Aeronautics Board on or before August 11, 1952, a statement setting forth the issues of fact or law he desires to controvert.

Dated at Washington, D. C., this 10th day of July 1952.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 52-7703; Filed, July 14, 1952;
8:45 a. m.]

[Docket No. SA-261]

ACCIDENT OCCURRING AT DALLAS, TEX.

NOTICE OF HEARING

In the matter of investigation of accident involving air collision between aircraft of United State Registry N-90750 and N-3858K at Dallas, Texas, June 28, 1952.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that

hearing is hereby assigned to be held on Tuesday, July 15, 1952, at 9:00 a. m. (local time) in the Auditorium, Mercantile Bank Building, 106 South Ervay Street, Dallas, Texas.

Dated at Washington, D. C., July 8, 1952.

[SEAL] EVERETT S. BOSWORTH,
Presiding Officer.

[F. R. Doc. 52-7702; Filed, July 14, 1952; 8:45 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[CDHA 60]

FINDING AND DETERMINATION OF CRITICAL DEFENSE HOUSING AREAS UNDER DEFENSE HOUSING AND COMMUNITY FACILITIES AND SERVICES ACT OF 1951

JULY 14, 1952.

Upon a review of the construction of new defense plants and installations, and the reactivation or expansion of operations of existing defense plants and installations, and the in-migration of defense workers or military personnel to carry out activities at such plants or installations, and the availability of housing and community facilities and services for such defense workers and military personnel in each of the areas set forth below, I find that all of the conditions set forth in section 101 (b) of the Defense Housing and Community Facilities and Services Act of 1951 (Pub. Law 139, 82d Cong., 1st sess.) exist.

Accordingly, pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951 and by virtue of the authority vested in me by paragraph number 1 of Executive Order 10296 of October 2, 1951, I hereby determine that each of said areas is a critical defense housing area.

Corning-Painted Post, New York Area: (The area consists of the towns of Thurston, Campbell, Hornby, Rathbone, Addison, Erwin, Corning, Woodhull, Tuscarora, Lindley and Caton, the City of Corning and the Villages of Painted Post, Woodhull, Addison, Riverside and South Corning, all in Steuben County, New York.)

JOHN R. STEELMAN,
Acting Director of
Defense Mobilization.

[F. R. Doc. 52-7846; Filed, July 14, 1952; 10:55 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES AT FIXED PRICES

DOMESTIC AND EXPORT PRICE LISTS FOR JULY 1952

Pursuant to the Pricing Policy of Commodity Credit Corporation issued March 22, 1950 (15 F. R. 1583), and subject to the conditions stated therein, the following commodities are available for sale in the quantities and at the prices stated:

JULY 1952 DOMESTIC PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Nonfat dry milk solids, in carload lots only, 1951 production, 2,000,000 pounds; 1952 production, 10,000,000 pounds.	Spray process, U. S. Extra Grade, 1951 production, 17 cents per pound; 1952 production, 18 cents per pound. Prices apply "in store" at location of stock in any State ("in store" means at the processor's plant or in storage at warehouse, but with any prepaid storage and out-handling charges for the benefit of the buyer).
Cottonseed oil, bleachable prime summer yellow, 85,000,000 pounds. ¹	Market price or 17 3/4 cents per pound, whichever is higher, f. o. b. tank cars at points of storage locations.
Linseed oil, raw, 108,000,000 pounds	Market price on date of sale. (See note on Ceiling Price Certification at the end of this price list.)
Dry edible beans.....	On all beans, for areas other than those shown below, adjust prices upward or downward by an amount equal to the price support program differential between areas. Where no price support differential occurs, the price listed will apply. For other grades of all beans, adjust by market differentials. Prices listed below, on all beans, are at point of production. Amount of paid-in freight to be added, as applicable.
Pinto, bagged, 640,000 per hundredweight.	No. 1 Grade, 1949 ¹ crop: \$8.21 per 100 pounds, basis f. o. b. Denver rate area; \$7.51 per 100 pounds, basis f. o. b. Idaho area.
Great Northern, bagged, 745,000 per hundredweight.	No. 1 Grade 1948 ¹ , 1949, 1950, and 1951 crops: \$8.22 per 100 pounds, basis f. o. b. Twin Falls, Idaho, area; \$8.59 per 100 pounds, basis f. o. b. Morrill, Nebr., area.
Baby Lima, bagged, 460,000 per hundredweight.	No. 1 Grade 1949 ¹ crop: \$7.39 per 100 pounds, basis f. o. b. California area.
Cranberry beans, bagged, 13,000 per hundredweight.	No. 1 Grade 1949 crop: \$9.66 per 100 pounds, basis f. o. b. Michigan area.
Small Red, bagged, 18,000 per hundredweight.	No. 1 Grade 1951 crop: \$9.12 per 100 pounds basis f. o. b. Portland, Oreg., area.
Small White, bagged, 100,000 per hundredweight.	No. 1 Grade 1951 crop: \$8.96 per 100 pounds basis f. o. b. California area.
Pink, bagged, 171,000 per hundredweight.	No. 1 Grade 1951 crop: \$9.06 per 100 pounds basis f. o. b. Portland, Oreg., and California areas.
Pea, bagged, 1,000,000 per hundredweight.	No. 1 Grade 1950 ¹ and 1951 crop: \$8.80 per 100 pounds f. o. b. Michigan area.
Austrian winter pea seed, bagged, 2,100,000 per hundredweight.	\$4 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
Austrian winter peas, bagged, not certified for purity or germination, 1,708,000 per hundredweight. ¹	In Portland, Oreg., and San Francisco areas only. The domestic market price for feed but not less than \$3.50 per 100 pounds, f. o. b. point of storage, plus paid-in freight, as applicable. Purchaser must certify that commodity will be used for feed purposes only.
Blue Lupine seed, bagged, 1,142,000 per hundredweight.	\$4 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
Common and Willamette vetch seed, bagged; 130,000 hundredweight.	\$7 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
Red Clover seed (uncertified), bagged, 48,990 hundredweight.	\$7.65 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
Red Clover seed (certified), bagged: Cumberland, 1,000 hundredweight; Kenland, 30 hundredweight; Midland, 1,530 hundredweight.	\$42.30 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
Ladino Clover seed, bagged, certified, 40,000 hundredweight.	\$105.32 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
White Clover seed, bagged, 20 hundredweight.	\$52.80 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable; New Orleans PMA Commodity Office.
Huban Sweet Clover seed, bagged, 60 hundredweight.	\$10.80 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable.
Crimson Clover seed, bagged, 200 hundredweight.	\$18 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable.
Mixed Biennial Sweet Clover seed, bagged, 5,640 hundredweight.	\$9.75 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable.
Alfalfa seed (certified), bagged, registered African, 5,702 pounds, certified Hairy Peruvian, 10,878 pounds.	\$23.40 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable.
Smooth Bromegrass (Manchar certified), bagged, 110 hundredweight.	\$21.33 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable.
Mountain Bromegrass (Bromar certified), bagged, 530 hundredweight.	Do.
Sudan grass seed, bagged, 7 hundredweight.	\$3.93 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable; Chicago PMA Commodity Office.
Hairy Vetch seed, bagged, 70,660 hundredweight.	\$15.75 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable.
Birdsfoot Trefol seed, bagged, 140 hundredweight.	\$79.65 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable.
Rough Pea seed, bagged, 8 hundredweight.	\$7 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable; Portland, Oreg., PMA Commodity Office.
Wheat, bulk, 25,000,000 bushels ¹	Basis in store, the market price but in no event less than the applicable 1952 loan rate for the class, grade, quality and location, plus: (1) 18 cents per bushel if received by truck, or (2) 13 cents per bushel if received by rail or barge. Examples of minimum prices, per bushel: Kansas City, No. 1 HW, ex rail or barge, \$2.62; Minneapolis, No. 1 HDNS, ex rail or barge, \$2.65; Chicago, No. 1 RW, ex rail or barge, \$2.66.
Oats, bulk, 4,700,000 bushels ¹	At points of production, basis in store, the market price but not less than the applicable 1952 county loan rate plus: (1) 8 cents per bushel if received by truck, or (2) 6 cents per bushel if received by rail or barge. At other points, the foregoing plus average paid-in freight.
Barley, bulk, 8,000,000 bushel ¹	Examples of minimum prices, per bushel: Chicago, No. 3 or better, ex rail or barge, 97 cents; Minneapolis, No. 3 or better, ex rail or barge, 92 cents.
Grain Sorghums, bulk, 1,000,000 hundredweight.	Basis in store, the market price but in no event less than the applicable 1952 loan rate for the class, grade, quality and location, plus: (1) 12 cents per bushel if received by truck, or (2) 8 cents per bushel if received by rail or barge. Examples of minimum prices per bushel: Minneapolis, No. 1 Barley, ex rail or barge, \$1.50; San Francisco, No. 1 Western Barley, ex rail or barge, \$1.54.
	Basis in store, the market price but in no event less than the applicable 1952 loan rate for the class, grade, quality and location, plus: (1) 20 cents per hundredweight if received by truck, or (2) 15 cents per hundredweight if received by rail or barge.
	Examples of minimum prices per hundredweight: Kansas City, No. 2 Grain Sorghums, ex rail or barge, \$2.99; ex truck \$3.04.

JULY 1952 DOMESTIC PRICE LIST—Continued

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Corn, bulk, 50,000,000 bushels ¹	At points of production, basis in store, the market price but not less than the applicable 1951 county loan rate for No. 3 yellow plus: (1) 27 cents per bushel if received by truck, or (2) 24 cents per bushel if received by rail or barge. At other locations, the foregoing plus average paid-in freight. Examples of minimum prices per bushel: Chicago, No. 3 yellow, \$1.99; St. Louis, No. 3 yellow, \$2.01; Minneapolis, No. 3 yellow, \$1.90; Omaha, No. 3 yellow, \$1.92; Kansas City, No. 3 yellow, \$1.97; for other classes, grades, and quality, market differentials will apply.
Rice, rough, bagged, 163,000 hundredweight.	Per 100 pounds—\$0.40 plus 105 percent of 1951 support price for class, grade and yield plus paid-in freight and/or bags, if applicable.

¹ These same lots also are available at export sales prices announced today.

² Ceiling Price Certification. Any purchaser from CCC of raw linseed oil, must be able and will be required to certify that the price paid to CCC does not exceed the highest ceiling price he could pay any of his usual suppliers for the commodity in the quantity and at the place and season that delivery is made.

JULY 1952 EXPORT PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Export price list
Cottonseed oil, bleachable prime summer yellow, 85,000,000 pounds. ¹	Market price f. o. b. tank cars at points of storage locations.
Dry edible beans.....	No. 1 Grade delivered on track present location, on basis costs and freight paid to f. a. s. vessel at locations shown below.
Peas, bagged, 1950 crop, 11,000 hundredweight. ^{1,2}	For export to Western Hemisphere countries—\$6.50 per 100 pounds East Coast ports; for export to other than Western Hemisphere countries—\$5.50 per 100 pounds, East Coast ports.
Great Northern, bagged, 1948 crop, 265,000 hundredweight. ^{1,2}	\$6.60 per 100 pounds, U. S. Gulf ports (see note below).
Baby Lima, bagged, 1949 crop, 490,000 hundredweight. ¹	\$4 per 100 pounds, San Francisco Bay area.
Pinto, bagged, 1949 crop, 640,000 hundredweight. ^{1,2}	\$5.50 per 100 pounds Portland, Oreg., and Gulf ports; \$7 per 100 pounds Mexico border points.
Austrian winter peas, bagged, not certified for purity or germination 1,708,000 hundredweight. ¹	NOTE: Available at PMA commodity offices at: (1) Portland, Oreg., for West Coast shipments and Mexico border points, Nogales and Points West; (2) Dallas, Tex. for Mexico border—Nogales to El Paso, inclusive; (3) Kansas City, Mo., for Texas—Mexico border points and Gulf ports.
Wheat, bulk, 25,000,000 bushels ^{1,2}	NOTE: "U. S. Gulf ports" means ports with freight rates not greater than to New Orleans. Any excess freight will be for account of the buyer.
Oats, bulk, 4,700,000 bushels ¹	Discounts for grades on all beans: No. 2, 25 cents less than No. 1; No. 3, 50 cents less than No. 1; appropriate discounts will also be given for "off-color" beans.
Barley, bulk, 8,000,000 bushels ¹	At CCC's option, 1949 crop beans may be furnished in place of 1948 beans in instances where stocks of 1948 beans of the type and grade desired are exhausted.
Corn, bulk, 50,000,000 bushels ^{1,2}	In Portland, Oreg., and San Francisco areas only, the domestic market price for feed but not less than \$3.50 per 100 pounds, f. o. b. point of storage plus paid-in freight, as applicable.

¹ These same lots are available at domestic sales prices announced today.

² Ceiling Price Certification. Any purchaser from CCC of Pinto or Great Northern beans for export, or of Pea beans for export to Western Hemisphere countries, must be able and will be required to certify that the price paid to CCC does not exceed the highest ceiling price he could pay any of his usual suppliers for the commodity in the quantity and at the place and season that delivery is made.

Issued July 9, 1952.

[SEAL]

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-7689; Filed, July 14, 1952; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 7-1432, 7-1433, 7-1434]

BURLINGTON MILLS CORP. ET AL.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 8th day of July A. D. 1952.

In the matter of application by the Philadelphia-Baltimore Stock Exchange for unlisted trading privileges in Burlington Mills Corporation, Common Stock, \$1 Par Value, 7-1432; Minnesota Mining & Mfg. Co., Common Stock, No Par Value, 7-1433; Northern States Power Company (Minn.), Common Stock, \$5 Par Value, 7-1434.

The Philadelphia-Baltimore Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$1 Par Value, of Burlington Mills Corporation, listed and registered on the New York Stock Exchange; the Common Stock, No Par Value, of Minnesota Mining & Mfg. Co., listed and registered on the New York Stock Exchange; and the Common Stock, \$5 Par Value, of Northern States Power Company (Minn.), listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available

for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to August 5, 1952, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 52-7679; Filed, July 14, 1952; 8:46 a. m.]

[File Nos. 54-170, 54-172]

NIAGARA HUDSON POWER CORP.

INTERIM ORDER APPROVING PAYMENT OF A FEE

JULY 8, 1952.

The Commission having on August 25, 1949 issued its order approving plans filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") by Niagara Hudson Power Corporation ("Niagara Hudson"), a registered holding company, providing for the consolidation of Niagara Hudson's three major subsidiaries into a single new operating utility company, Niagara Mohawk Power Corporation ("Niagara Mohawk"), and for the dissolution of Niagara Hudson; and

Said order having reserved, among other things, jurisdiction over the reasonableness and appropriate allocation of all fees and expenses incurred and to be incurred by Niagara Hudson in connection with the plans and the transactions incident thereto; and Niagara Hudson having been dissolved pursuant to said plans and Niagara Mohawk having assumed the liabilities of Niagara Hudson; and

Applications for fees and expenses having been filed by various participants in the proceedings, hearings having been held and the Division of Public Utilities having filed its recommendation for findings and opinion to be issued by the Commission with respect to such fee applications; and

E. Ralph Sterling, financial adviser to the Committee for First Preferred Stockholders of Niagara Hudson, having amended his application for a fee for services rendered in the proceedings to reduce the requested amount from \$12,500 to \$10,000 in accordance with the recommendations of the Division of Public Utilities, and having requested that an order be entered directing the payment of such fee; and

All other fee applicants having objected to the recommendations of the Division of Public Utilities and having filed briefs in support thereof; and

The Commission having considered the record including a statement from Niagara Mohawk agreeing to pay this fee at this time, and finding that the services rendered by E. Ralph Sterling were necessary and of a benefit to the estate of Niagara Hudson and that the requested fee in the amount of \$10,000 is not unreasonable:

It is ordered, That the payment by Niagara Mohawk of the fee of E. Ralph Sterling in the amount of \$10,000 be, and hereby is, approved, and said company, be, and hereby is, authorized and directed to make payment of such amount to E. Ralph Sterling:

It is further ordered, That jurisdiction is reserved with respect to all other fees and expenses to be paid in connection with this proceeding.

By the Commission,

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 52-7681; Filed, July 14, 1952;
8:46 a. m.]

[File No. 70-2682]

PUBLIC SERVICE CO. OF NEW HAMPSHIRE

MEMORANDUM OPINION AND ORDER AUTHORIZING ISSUANCE AND SALE OF SHARES OF PREFERRED STOCK AND GRANTING EXEMPTION FROM RULE U-50

JULY 9, 1952.

On June 16, 1952, this Commission issued its order (Holding Company Act Release No. 11322) granting an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act"), of Public Service Company of New Hampshire ("Public Service"), a public-utility subsidiary of New England Public Service Company, a registered holding company, for exemption from the provisions of sections 6 (a) and 7 of the act of the issuance and sale by Public Service at competitive bidding pursuant to Rule U-50 of 50,000 shares of its cumulative 6 percent preferred stock, \$100 par value. Our order contained the condition, among others, that the sale should not be consummated until the results of the competitive bidding had been made a matter of record herein and a further order issued in connection therewith.

Public Service has now filed an amendment to its application proposing the sale of such preferred stock privately through negotiated dealings and requesting that the Commission exempt such issuance and sale from the competitive bidding requirements of Rule U-50. The Commission by order dated July 3, 1953, directed that a hearing be held on the application as amended. Having considered the record, the Commission makes the following findings:

Pursuant to the authorization granted by our order of June 16, 1952, Public Service duly published invitations for the submission of sealed bids, to be opened on June 23, 1952, for the purchase of said 50,000 shares of preferred stock. Prior to that date, two underwriting syndicates, one headed by Kidder, Peabody & Co. and Blyth & Co., Inc.

and the other by R. W. Pressprich & Co. and Spencer, Trask & Co., ("Pressprich Group"), qualified with the company in accordance with the invitations for bids. However, the only bid received was submitted by the syndicate headed by Kidder, Peabody & Co. and Blyth & Co., Inc. That bid specified a price to Public Service of \$100.02 per share of its preferred stock and a dividend rate therefor of 5.60 percent, resulting in a cost of money of 5.599 percent. After opening the bid, Public Service rejected it, deeming it to be unsatisfactory.

On May 20, 1952, prior to the invitation for sealed bids for the purchase of Public Service's preferred stock, the New Hampshire Public Utilities Commission (State Commission) authorized Public Service in a pending rate proceeding, to submit for consideration and approval revised rate schedules designed to produce, on the basis of 1951 consumption, additional gross revenues of \$1,344,750.¹ The State Commission order also provided for a temporary surcharge designed to permit recovery by the Company of \$320,871 and certain other amounts to be approved by that Commission. On June 9, 1952 Public Service submitted revised rates to the State Commission and on the following day the Commission approved such rates to become effective as of June 9, 1952.

Counsel for the State of New Hampshire, for the Office of Price Stabilization and certain industrial customers filed motions for rehearing on June 6, 1952, which motions were denied by the State Commission on June 16, 1952, the day preceding the publication of invitations for bids for Public Service's preferred stock. On June 20, 1952, the State of New Hampshire, among others, filed an appeal to the Supreme Court of New Hampshire from the order of the State Commission and requested the Supreme Court to exercise its authority to suspend the rate order pending determination of the appeal.

After being informed of the rate litigation the Pressprich Group informed Public Service that it probably would not submit a bid.

Subsequent to its decision to reject the bid, Public Service requested authorization from this Commission to conduct negotiations for the sale of the stock, and the Commission informally authorized such negotiations, other than with Public Service's financial adviser, The First Boston Corporation.

The record shows that following our informal authorization, Public Service conducted conversations looking to a negotiated sale of its preferred stock with representatives of the two syndicates which had qualified with the company. Both groups indicated to Public Service their general price ideas as a basis for negotiations. The views expressed by the Pressprich Group were, in the management's opinion, more favorable to the company. Public Service so informed the Kidder-Blyth group and continued

¹This figure includes, and in effect made permanent from the effective date of the new rates, a temporary rate increase of \$703,736 which has been in effect since November 30, 1951.

negotiations with the Pressprich Group. The agreement reached by Public Service with the latter group provides that the price to be paid to the company for preferred stock with a dividend rate of 5.40 percent will be \$100.20 a share plus accrued dividends, resulting in a cost of money to the company of 5.3892 percent. The agreement also provides that the stock will be offered to the public at a price of \$102.85 a share, resulting in an underwriting spread of \$2.65 a share.

Orders have been issued by the New Hampshire Public Utilities Commission and the Vermont Public Service Commission authorizing the issuance and sale of the preferred stock in the manner and under the terms now proposed.

In view of the particular circumstances of this case, including pendency of rate litigation and the evidence adduced by Public Service to demonstrate that competitive conditions have been maintained, we are of the opinion that the requested exemption from the competitive bidding requirements of Rule U-50 should be granted.

In our order of June 16, 1952, we reserved jurisdiction over all legal fees and expenses of counsel for Public Service and the underwriters in connection with the sale of the preferred stock. The record now shows that the estimated legal fees and expenses to be incurred and paid by Public Service in this transaction aggregates \$12,775, including a fee of \$9,000 payable to Ropes, Gray, Best, Coolidge & Rugg, and \$2,100 payable to Sulloway, Jones, Hollis, and Godfrey; and that a legal fee of \$4,000 is to be paid by the purchasers of the preferred stock to their counsel, Choate, Hall & Stewart. These fees and expenses do not appear to be unreasonable.

On the basis of the record herein we conclude that the application, as amended, should be granted effective forthwith without the imposition of terms or conditions, other than those specified in Rule U-24:

Wherefore it is ordered, That the jurisdiction heretofore reserved with respect to fees and expenses be, and the same hereby is, released, and that, pursuant to the applicable provisions of the act, said application, as amended, including the request for exemption from the competitive bidding requirements of Rule U-50, be and it hereby is granted effective forthwith, subject to the terms and conditions contained in Rule U-24.

By the Commission,

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 52-7685; Filed, July 14, 1952;
8:47 a. m.]

[File No. 70-2681]

GEORGIA POWER CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER RESULTS OF BIDDING IN SALE OF BONDS AND OVER FEES AND EXPENSES

JULY 9, 1952.

Georgia Power Company ("Georgia"), a public utility subsidiary of the Southern Company, a registered holding com-

pany, having filed an application, with amendments thereto, pursuant to section 6 (b) of the act, with respect to the issuance and sale by Georgia, pursuant to the competitive bidding requirements of Rule U-50, of \$20,000,000 principal amount of First Mortgage Bonds -- Percent Series, due 1982; and

The Commission having, by order dated June 26, 1952, granted said application, as amended, except that the issuance and sale of the bonds were not to be consummated until the results of competitive bidding, pursuant to Rule U-50, were made a matter of record in this proceeding and a further order issued, for which purpose jurisdiction was reserved; and

Jurisdiction also having been reserved in said order of June 26, 1952, with respect to all fees and expenses incurred in connection with the proposed transactions; and

Georgia having filed a further amendment to the application in which it is stated that, in accordance with the permission granted by the said order of the Commission dated June 26, 1952, it offered such bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

Bidder	Annual interest rate (percent)	Price to company ¹ (percent of principal)	Annual cost to company (percent)
The First Boston Corp.	3½	100.4199	3.3527
Union Securities Corp. and Equitable Securities Corp.	3½	100.19	3.3649
Halsey, Stuart & Co., Inc.	3½	100.067	3.3714
Harriman Ripley & Co., Inc.	3½	102.27	3.3790
Lehman Bros.	3½	101.9059	3.3822
Shields & Co. and Salomon Bros. & Hutzler	3½	101.88	3.3996
Kuhn, Loeb & Co., Blyth & Co., Inc., and Kidder, Peabody & Co.	3½	101.71	3.4085

¹ Plus accrued interest from July 1, 1952, to the date of delivery of and payment for the bonds.

Said amendment having further stated that Georgia has accepted the bid of the First Boston Corporation for the purchase of the bonds, as set forth above, and that the bonds will be offered for sale to the public at a price of 101.039 percent of the principal amount thereof, plus accrued interest from July 1, 1952, resulting in an underwriter's spread of 0.6191 percent of the principal amount of the bonds, or an aggregate amount of \$123,820; and

The record having been completed with respect to the fees and expenses incurred in connection with the proposed transactions, which are estimated as follows:

Federal original issue tax.....	\$22,000.00
S. E. C. filing fee.....	2,060.00
Charges of trustee.....	12,000.00
Listing on New York Stock Exchange.....	2,400.00
Cost of temporary and definitive bonds.....	11,000.00
Printing.....	20,000.00
Recording supplemental indentures.....	4,000.00

Winthrop, Stimson, Putnam & Roberts, counsel:	
Fee.....	\$10,000.00
Expenses.....	100.00
Arthur Andersen & Co., accountants:	
Fee.....	5,985.00
Expenses.....	75.00
Southern Services, Inc., mutual service company.....	6,000.00
Miscellaneous.....	3,000.00
	<hr/>
	98,620.00

It appearing that the proposed fee and estimated expenses of Simpson Thacher & Bartlett, counsel for the purchaser of the bonds, which are to be paid by said purchaser, are \$7,000.00 and \$350.00 respectively; and

The Commission having examined the record in the light of said amendment, and observing no basis for imposing terms and conditions with respect to the price to be received by Georgia for the bonds, the interest rate, the underwriter's spread, or otherwise; and it appearing to the Commission that the above fees and expenses are not unreasonable provided they do not exceed the amounts estimated, and it appearing appropriate to the Commission that the jurisdiction heretofore reserved over the results of competitive bidding and over all fees and expenses, be released:

It is ordered, That the application, as further amended, be, and the same hereby is, granted forthwith, and that the jurisdiction heretofore reserved with respect to the results of competitive bidding, and over the fees and expenses incurred in connection with the proposed transactions, be and the same hereby is, released, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P. R. Doc. 52-7684; Filed, July 14, 1952; 8:47 a. m.]

[File No. 70-2892]

OHIO POWER CO. AND AMERICAN GAS AND ELECTRIC CO.

ORDER CONCERNING ISSUANCE OF NOTES TO BANKS AND SALE OF COMMON STOCK BY SUBSIDIARY TO PARENT

JULY 8, 1952.

American Gas and Electric Company ("American Gas"), a registered holding company, and its electric utility subsidiary, the Ohio Power Company ("Ohio"), having filed a joint application-declaration, and an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6, 7, and 10 thereof with respect to the following proposed transactions:

Ohio proposes to issue and sell, and American Gas proposes to purchase, 300,000 shares of Ohio's no par value common stock for a cash consideration of \$14,500,000. The funds proposed to be used by American Gas for this purpose will be derived from the proceeds of

its sale of common stock and debentures (File No. 70-2878).

Ohio has established a line of credit with six banking institutions pursuant to which Ohio proposes to borrow not to exceed \$18,000,000 from time to time prior to March 31, 1953. Such borrowings will be evidenced by the issuance and sale of promissory notes by Ohio bearing interest from the date thereof at the then current prime credit rate and maturing 270 days after the date of such issuance.

Of the \$18,000,000 proposed to be borrowed, Ohio had, as of March 31, 1952, borrowed \$5,000,000 from such banks and had issued its notes in evidence thereof. It is further stated that additional borrowings of not to exceed \$6,000,000 may be made prior to the effective date of the declaration. These borrowings are stated to be exempt from the provisions of section 6 (a) by reason of the provisions of section 6 (b).

The application-declaration states that at least five days prior to each borrowing or renewal made subsequent to the effective date of the joint application-declaration, an amendment will be filed setting forth the amount of said proposed borrowing and the annual rate of interest thereon. Ohio requests that such amendment or amendments become effective five days after the filing thereof provided no action is taken with respect thereto within such five-day period by the Commission.

The application-declaration further states that the notes may be repaid from time to time in whole or in part without premium.

Proceeds from the proposed sale of securities will be used by Ohio in connection with its construction program which, it is presently estimated, will require the expenditure of approximately \$47,500,000 in 1952 and \$51,000,000 in 1953.

Said application-declaration having been filed on June 12, 1952, an amendment thereto having been filed on June 27, 1952, notice of said filing having been given in the form and manner required by Rule U-23 promulgated pursuant to said act, the Commission not having received a request for hearing within the time specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the issuance and sale of securities by Ohio are for the purpose of financing the business of Ohio as a public utility company, that the issuance and sale of the common stock has been authorized by the Public Utilities Commission of Ohio, the State in which Ohio is organized and doing business, the Commission finding that the proposed transactions are in accordance with the applicable standards of the act, and that no adverse findings are necessary thereunder, and the Commission deeming it appropriate that the said application-declaration, as amended, should be granted and permitted to become effective without the imposition of terms or conditions:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions

contained in Rule U-24 that said application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 52-7682; Filed, July 14, 1952;
8:46 a. m.]

[File No. 70-2893]

APPALACHIAN ELECTRIC POWER CO. AND
AMERICAN GAS AND ELECTRIC CO.

ORDER CONCERNING ISSUANCE OF NOTES TO
BANKS AND SALE OF COMMON STOCK BY
SUBSIDIARY TO PARENT

JULY 8, 1952.

American Gas and Electric Company ("American Gas"), a registered holding company, and its electric utility subsidiary, Appalachian Electric Power Company ("Appalachian"), having filed a joint application-declaration, and an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6, 7, and 10 thereof with respect to the following proposed transactions:

Appalachian proposes to issue and sell, and American Gas proposes to purchase, 300,000 shares of Appalachian's no par value common stock for a cash consideration of \$9,000,000. The funds proposed to be used by American Gas for this purpose will be derived from the proceeds of its sale of common stock and debentures (File No. 70-2878).

Appalachian has established a line of credit with four banking institutions pursuant to which Appalachian proposes to borrow not to exceed \$25,000,000 from time to time prior to May 31, 1953. Such borrowings will be evidenced by the issuance and sale of promissory notes by Appalachian bearing interest from the date thereof at the then current prime credit rate and maturing 270 days after the date of such issuance.

Of the \$25,000,000 proposed to be borrowed, Appalachian had, as of May 31, 1952, borrowed \$8,000,000 from such banks and had issued its notes in evidence thereof. It is further stated that additional borrowings of not to exceed \$4,500,000 may be made prior to the effective date of the declaration. These borrowings are stated to be exempt from the provisions of section 6 (a) by reason of the provisions of section 6 (b).

The application-declaration states that at least five days prior to each borrowing or renewal made subsequent to the effective date of the joint application-declaration, an amendment will be filed setting forth the amount of said proposed borrowing and the annual rate of interest thereon. Appalachian requests that such amendment or amendments become effective five days after the filing thereof provided no action is taken with respect thereto within such five-day period by the Commission.

The application-declaration further states that the notes may be repaid from time to time in whole or in part without premium.

Proceeds from the proposed sale of securities will be used by Appalachian in connection with its construction program which, it is presently estimated, will require the expenditure of approximately \$42,000,000 in 1952 and \$37,000,000 in 1953.

Said application-declaration having been filed on June 13, 1952, an amendment thereto having been filed on June 27, 1952, notice of said filing having been given in the form and manner required by Rule U-23 promulgated pursuant to said act, the Commission not having received a request for hearing within the time specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the issuance and sale of securities by Appalachian are for the purpose of financing the business of that company as a public utility company, that the transactions have been approved by the State Corporation Commission of the State of Virginia, the State in which Appalachian is organized and one of the States in which it is doing business, that the transactions have not as yet been authorized by the Public Service Commission of West Virginia and the Tennessee Railroad and Public Utilities Commission, the State Commissions of the other States in which Appalachian does business; the Commission finding that the proposed transactions are in accordance with the applicable standards of the act and that no adverse findings are necessary thereunder; and the Commission deeming it appropriate that said application-declaration, as amended, be granted and permitted to become effective upon the granting of the requisite authorization by the appropriate State Commissions and notification of such authorizations to this Commission;

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions contained in Rule U-24, that said application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective upon notification to this Commission of appropriate authorizations by the Public Service Commission of West Virginia and the Tennessee Railroad and Public Utilities Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 52-7683; Filed, July 14, 1952;
8:46 a. m.]

[File No. 811-52]

SELECTED CUMULATIVE SHARES

NOTICE OF APPLICATION

JULY 8, 1952.

Notice is hereby given that Selected Cumulative Shares of Chicago has filed an application pursuant to section 8 (f) of the Investment Company Act of 1940 for an order of the Commission declaring that it has ceased to be an investment company within the meaning of the act.

Upon consideration of the application, it appears to the Commission that Selected Cumulative Shares was organized under and pursuant to a trust agreement, dated as of June 30, 1931, by and between Selected Shares Corporation, as depositor, the Central Republic Bank and Trust Company, as trustee, and the bearers from time to time of the certificates of Selected Cumulative Shares, under which City National Bank and Trust Company of Chicago thereafter became successor trustee; that Selected Cumulative Shares is registered under the Investment Company Act of 1940 as a unit investment trust and has not offered its shares to the public since July 1933.

It further appears that in accordance with the provisions of said trust agreement, Selected Cumulative Shares expired by its terms on July 1, 1951, and the trustee proceeded to sell the trust property and completed the liquidation of the assets within the time limitation; that shareholders were notified by the trustee of said termination and liquidation and were requested to present and surrender their certificates for their pro rata amount of the proceeds amounting to \$15.500537 per share; that as of June 5, 1952, certificate holders of 12,550 shares out of the 13,610 outstanding shares have presented their certificates to the trustee for payment, and 1,060 shares remain outstanding representing less than 7 percent of the total outstanding at the date of termination; that the trustee will hold in trust the sum of \$16,431.50 required for the payment of the remaining outstanding shares pending presentation and surrender of outstanding certificates.

For a more detailed statement of the matters of fact and law asserted, all interested persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application may be issued by the Commission at any time on or after July 28, 1952, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than July 25, 1952, at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 52-7680; Filed, July 14, 1952;
8:46 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 756, Amdt. 1]

SUNBEAM CORP., ELECTRIC APPLIANCE DIVISION

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. Special Order 756 under section 43, Ceiling Price Regulation 7, established retail and wholesale ceiling prices for toasters, mixers, waffle irons, coffee makers, egg cookers, irons, bottle warmers, hedge trimmers, sprinklers and animal clippers manufactured by Sunbeam Corporation, Electric Appliance Division and having the brand name "Sunbeam".

This amendment establishes new retail ceiling prices for certain of the applicant's branded articles. It appears that the ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7. The retail ceiling prices are established by incorporating into the special order the amended application dated March 4, 1952.

Amendatory provisions. Special Order 756 under Section 43 of Ceiling Price Regulation 7 is amended in the following respects:

1. In paragraph 1, after the words "in its application dated November 12, 1951," insert the words "as supplemented and amended by its application dated March 4, 1952".

2. Insert following paragraph 1 now appearing in the special order the following:

The prices listed in the manufacturer's supplemental application dated March 4, 1952 shall become effective on receipt of a copy of the notice for such articles, but in no event later than July 15, 1952.

Effective date. This amendment shall become effective July 2, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JULY 2, 1952.

[F. R. Doc. 52-7445; Filed, July 2, 1952; 4:53 p. m.]

[CPR 7, Section 43; Revocation of Special Order 457, as amended]

CROWN FASTENERS CORP. CEILING PRICES AT RETAIL

Statement of considerations. Special Order 457, as amended, issued under section 43 of Ceiling Price Regulation 7, establishes ceiling prices for sales at retail of slide fasteners manufactured by the Crown Fasteners Corporation, Warren, Rhode Island, having the brand name "Crown." Amendment 2 to Special Order 457 modified the marking and tagging requirements of section 43 to permit the Crown Fasteners Corporation to use until June 30, 1952, a label, tag or ticket stating the retail ceiling price of the "Crown" brand slide fastener without the additional statement required by section 43, "OPS—Sec. 43—CPR 7." This

amendment provided, however, that on and after June 30, 1952, no retailer may offer or sell any "Crown" brand slide fastener at the ceiling price established by Special Order 457 unless it is marked or tagged as required by section 43 of CPR 7.

The Crown Fasteners Corporation has now informed the Director of Price Stabilization that it will not be practicable for it to change its labels, tags or tickets on and after June 30, 1952, or at any later date, so as to meet the requirements of section 43 of CPR 7. In view of these facts the Crown Fasteners Corporation requests that Special Order 457, as amended, be revoked. In the judgment of the Director such a revocation should be granted.

Revocation. 1. For the reasons set forth in the Statement of Considerations and pursuant to the request of the Crown Fasteners Corporation, Special Order 457, as amended, issued to Crown Fasteners Corporation under section 43 of Ceiling Price Regulation 7, effective August 17, 1951, establishing ceiling prices for sales at retail of slide fasteners having the brand name "Crown," is hereby revoked.

2. Within 30 days after the effective date of this order of revocation, the Crown Fasteners Corporation must send a copy of this order of revocation to all purchasers for resale to whom it has given notice of Special Order 457, as amended.

Effective date. This order shall become effective July 2, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JULY 2, 1952.

[F. R. Doc. 52-7444; Filed, July 2, 1952; 4:53 p. m.]

[Delegation of Authority No. 61, Revision 1] DIRECTORS OF THE REGIONAL OFFICES DELEGATION OF AUTHORITY TO ACT UNDER CPR 134

By virtue of the authority vested in me as 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 General Order No. 2, as amended (16 F. R. 738, 11626), this revised Delegation of Authority is hereby issued.

1. *Authority to act under CPR 134.* Authority is hereby delegated to the Directors of the Regional Offices, Office of Price Stabilization, to act under sections 4 (a) (6), 6 (c), 6 (d), 7, 9 (b) (3), 10, 14 (f), 16 (b), and 21 of CPR 134.

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

This revised delegation of authority shall take effect on July 15, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JULY 14, 1952.

[F. R. Doc. 52-7847; Filed, July 14, 1952; 11:13 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Supplemental Vesting Order 18948]

JOEL B. WOLFE

In re: Trust under will of Joel B. Wolfe, deceased. File No. D-66-110; E. T. sec. 1893.

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 9889 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Rudolf Udo Slattery, whose last 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 all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the trust created under the will of Joel B. Wolfe, deceased, 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 the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by the United States Trust Company of New York, as trustee, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

4. 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 July 10, 1952.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 52-7631; Filed, July 14, 1952; 8:45 a. m.]