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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 27—EXCLUSION FROM PROVISIONS OF THE FEDERAL EMPLOYEES PAY ACT OF 1945, AS AMENDED, AND THE CLASSIFICATION ACT OF 1949, AS AMENDED, AND ESTABLISHMENT OF MAXIMUM STIPENDS FOR POSITIONS IN GOVERNMENT HOSPITALS FILLED BY STUDENT OR RESIDENT TRAINEES

ST. ELIZABETHS HOSPITAL

1. Effective August 1, 1952, the list of positions excluded from the provisions of the Federal Employees Pay Act and the Classification Act in § 27.1 is amended by the following addition, restatement and change of title, respectively:

§ 27.1 *Exclusion from provisions of Federal Employees Pay Act and Classification Act.*

Chaplain resident, second year of clinical training following completion of four or more years of approved postgraduate theological training.

Chaplain intern, first year of clinical training following completion of three or more years of approved postgraduate theological training.

Chaplain student intern, approved training during second year of approved postgraduate training.

2. Effective August 1, 1952, the list of positions for which maximum stipends have been prescribed in § 27.2 is amended by adding a maximum stipend for chaplain resident at St. Elizabeths Hospital and by changing the titles and maximum stipends previously established for chaplain interns at St. Elizabeths Hospital to read as follows:

§ 27.2 *Maximum stipends prescribed.*

Chaplain resident—St. Elizabeths Hospital: Second year of clinical training following completion of four or more years of approved postgraduate theological training. \$2,800
 Chaplain intern—St. Elizabeths Hospital: First year of clinical training following completion of three or more years of approved postgraduate theological training. 2,600

Chaplain student intern—St. Elizabeths Hospital: Approved training during second year of approved postgraduate theological training, per month. \$183

(61 Stat. 737; 5 U. C. C. 1051-1058)

UNITED STATES CIVIL SERVICE COMMISSION,
 [SEAL] C. L. EDWARDS,
Executive Director.

[F. R. Doc. 52-9063; Filed, Aug. 15, 1952; 8:56 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter A—Farm Housing Loans and Grants
 [FHA Instruction 424.13]

PART 304—CONSTRUCTION AND REPAIR

Subchapter B—Farm Ownership Loans
 [FHA Instruction 424.3]

PART 324—CONSTRUCTION AND REPAIR (FARM OWNERSHIP AND FARM HOUSING PROGRAMS)

CONSOLIDATION OF CERTAIN FARM OWNERSHIP AND FARM HOUSING REGULATIONS

In order to consolidate regulations with respect to performing farm development in the Farm Ownership and Farm Housing Programs and to incorporate current amendments, Parts 304 and 324, Chapter III, Title 6, Code of Federal Regulations, are changed as set forth herein.

1. Part 304 is revoked.

NOTE: The material contained in §§ 304.41 through 304.46 is amended and consolidated with similar regulations concerning the Farm Ownership Program in §§ 324.41 through 324.45 of this chapter.

2. The title of Part 324 is changed to: "Construction and Repair (Farm Ownership and Farm Housing Programs)."

3. Subpart C, Part 324, Title 6, Code of Federal Regulations, as amended (13 F. R. 9406; 15 F. R. 4366, 6308, 9353), is revised as follows:

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Code of Federal Regulations

REVISED BOOKS

Title 32, containing the regulations of the Department of Defense and other related agencies has been completely revised and reissued as two books as follows:

Parts 1-699 (\$5.00)

Part 700 to end (\$5.25)

Title 32A, containing NPA, OP5, and other regulations under the Defense Production Act together with the amended text of the act and related Executive orders:

Chapter 1 to end (\$6.50)

These books contain the full text of regulations in effect on December 31, 1951

Order from
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SUBPART C—FARM OWNERSHIP AND FARM HOUSING PROGRAMS; PERFORMING FARM DEVELOPMENT

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AUTHORITY: §§ 324.41 to 324.45 issued under sec. 41 (1), 60 Stat. 1066, sec. 510 (g), 63 Stat. 438; 7 U. S. C. 1015 (1), 42 U. S. C. 1480 (g). Interpret or apply sec. 3 (b) (4), 12 (c) (4), 44 (b), 60 Stat. 1074, 1076, 1069,

secs. 502 (b) (4), 506 (a), 63 Stat. 433, 435; 7 U. S. C. 1003 (b) (4), 1005b (c) (4), 1018 (b), 42 U. S. C. 1472 (b) (4), 1476 (a). Other statutory provisions interpreted or applied are cited to text in parentheses.

SUBPART C—FARM OWNERSHIP AND FARM HOUSING PROGRAMS; PERFORMING FARM DEVELOPMENT

§ 324.41 *General.* All farm development work planned and agreed upon on Form FHA-643, "Farm Development Plan," will be performed in accordance with this subpart.

(a) *Time of starting farm development.* All farm development work will be started as soon as practicable after the disbursement of funds is authorized. Prior to this time, no commitments with respect to performing farm development will be made by the County Supervisor or the borrower, and the borrower will not be authorized to incur debts with respect to planned farm development.

(b) *Checking cost estimates prior to performing work.* Before authorizing the borrower to start any item of farm development work or to award a contract, the County Supervisor should be reasonably sure that the item can be completed according to plans and specifications and within available funds. If at this time it appears that sufficient funds are not available to complete all the farm development as planned on Form FHA-643 and the borrower cannot furnish the additional funds needed without jeopardizing his farming operation or repayment ability, the County Supervisor will request the services of the Engineer. The Engineer and the County Supervisor will contact the borrower and consider revising the plans and specifications or Form FHA-643 in such a way that the planned items of farm development can be completed satisfactorily and consistent with minimum standards. When additional funds are to be furnished by the borrower or revisions are to be made in the plans and specifications or Form FHA-643, change orders will be processed in accordance with §§ 324.42 (i) and 324.45 as appropriate. If the borrower cannot furnish the additional funds or if satisfactory revisions cannot be made, consideration should be given to making a subsequent loan.

(c) *Use of supervised bank account.* Before the loan or grant is closed, the County Supervisor will make sure that the borrower understands the use of the supervised bank account in connection with disbursing funds for farm development purposes.

(d) *Real property insurance.* The County Supervisor will be responsible for seeing that the borrower obtains property insurance.

§ 324.42 *Farm development performed by the contract method.* Farm development performed by the contract method means performance of work in accordance with an executed Form FHA-296, "Construction Contract." Preferably one or more items of farm development will be included in one contract. However, in those instances where it is desirable, the performance of any item of farm development may be divided between two or more contractors, each of whom will execute a separate Form FHA-296.

(a) *Contract provisions.* When farm development work is to be performed under the contract method, the following determinations will be made regarding the special conditions which will be provided for in the particular contract involved:

(1) *Time for performance of the work.* The borrower and the County Supervisor will agree upon the desired dates to be inserted in the contract for starting and completing the work.

(2) *Liquidation damages.* The borrower and the County Supervisor will determine what amount, if any, should be inserted in paragraph III of the "General Conditions" as liquidated damages for each calendar day of delay in completing the work. Such amount must represent the best estimate it is possible to make of the damages which delay in completing the work will cause to the borrower.

(3) *Method of payment.* The borrower and County Supervisor will make a preliminary determination as to the method of payment which will be used. The method of payment to be used will be either one of the following three methods:

(i) *Payment in one lump sum upon completion of all of the work.*

(ii) *Partial payments as the work progresses in the amount of 60 percent of the value of work in place.*

(iii) *Partial payments as the work progresses in the amount of 90 percent of the value of work in place and of the value of material suitably stored at the site.*

(b) *Surety bond.* Surety bond will be required in any case where partial payments are to be made to the contractor in excess of 60 percent of the value of the work in place, or whenever in the opinion of the Engineer or the County Supervisor it appears advisable to require surety bond in order to insure the borrower against possible loss through default of the contractor. Surety bond may also be required in the event that the borrower requests this guaranty in connection with any contract work on his farm. When surety bond is to be required in connection with a contract, such bond will be obtained from a bonding company legally doing business in the State and will be furnished on Form FHA-200, "Performance and Payment Bond."

(c) *Obtaining bids.* The borrower will be advised to obtain bids on the farm development work to be performed by the contract method from as many qualified contractors as practicable. This will be accomplished by inviting bids or by direct negotiation. When it is necessary for the County Supervisor to assist the borrower in obtaining bids, invitations to bid will be issued to as many qualified contractors as practicable. Each bidder will be notified of the time and place the bids will be opened. Form FHA-927, "Invitation for Bid and Bid Form," may be used in obtaining bids on farm development work. All contractors from whom bids are requested will be informed regarding surety bond requirements, time for performance of the work, liquidated damages, and method of payment. A copy of contract Form FHA-926 will also be provided for their information.

(d) *Selection of contractor.* When bids on the farm development work have been obtained, the borrower, with the assistance of the County Supervisor, will consider the bids and the contractors' qualifications to perform the work and, on the basis of these considerations, will select a contractor.

(e) *Preparation of contract.* After the contractor has been selected, Form FHA-296 will be prepared. The payment clause to be inserted in paragraph C of the contract will depend upon whether or not surety bond is to be required.

(1) *Surety bond required.* When surety bond is required in connection with contract work, the following payment clause will be inserted in paragraph C of the contract:

Partial payments will be made at intervals of ----- week(s) in the amount of 90 percent of the value of the work in place and the value of materials suitably stored at the site less the aggregate of previous payments. All estimates will be made by the Representative. Estimates of the value of the work in place will be based on the approved breakdown of contract price. Upon acceptance by the Owner and the Representative of all work required hereunder, the amount due the Contractor will be paid.

(2) *Surety bond not required.* When surety bond is not required in connection with the contract, the clause to be inserted in paragraph C will depend on the method of payment agreed upon by the contractor and the borrower as follows:

(i) *When lump sum payment has been agreed upon, insert:*

Payment will be made only in one lump sum for the whole contract upon acceptance by the Owner and the Representative of all work required hereunder.

(ii) *When partial payments have been agreed upon, insert:*

Partial payments will be made at intervals of ----- week(s), in the amount of 60 percent of the value of the work in place less the aggregate of previous payments. Estimates of the value of the work in place will be made by the Representative based on the approved breakdown of contract price. Upon acceptance by the Owner and the Representative of all work required hereunder, the amount due the Contractor will be paid.

(f) *Approval of contract.* Before a contract is awarded, it must be reviewed and approved by the Engineer, except that a contract in the amount of \$500 or less may be approved by the County Supervisor. The official authorized to approve the contract will consider the qualifications of the contractor, the proposed price for doing the work, time limits, the method of payment, and surety bond requirements. He will also make certain that the plans and specifications fully describe the work and are properly identified in the contract. If the contract is satisfactory with respect to these conditions, he will approve the contract.

(g) *Awarding the contract.* After approval of the contract, the signatures of the contractor and the borrower will be obtained on an original and two copies of Form FHA-296. When surety bond is required, the contractor will furnish the County Supervisor with a properly executed bond before the borrower signs the contract. A signed copy of Form FHA-296 will be delivered to the

contractor and he will be instructed to proceed with the work.

(h) *Schedule of prices of partial payments.* When partial payments are provided for in the contract, the contractor will be required, at a time prior to receiving payment, to submit for the approval of the official authorized to approve the contract, a breakdown of his contract price on Form FHA-983, "Schedule of Prices for Contract Payments," in an original and three copies.

(i) *Effecting changes in the contract.* Changes in the contract may be made at the request of the borrower and with the approval of the County Supervisor and agreement by the contractor. Form FHA-925, "Contract Change Order," will be processed before such changes are made by the contractor. Form FHA-925 will not be approved by the County Supervisor when such changes will significantly alter the farm development as planned on Form FHA-643 until Form FHA-924, "Request for Development Changes," has been processed in accordance with § 324.45. However, when the change involves any transfer of funds, Form FHA-924 will be processed.

(j) *Recommendation of engineer.* The recommendation of the Engineer will be required on Form FHA-925 when a change in construction or land development requiring technical engineering is involved or a substitution of materials is involved.

(k) *Preparation of Form FHA-925.* The original and all copies will be signed as follows: The borrower will sign as requesting the change; the contractor will sign as accepting the change; the Engineer will sign as recommending the change, if the nature of the change requires his recommendations; and the County Supervisor will sign if he approves the change.

(l) *Payment of contract work.* Prior to countersigning the check covering final payment on any contract, the County Supervisor will have in his possession Form FHA-232 (Form Letter—Certificate of Contractor's Release) executed by the contractor and a Form FHA-205, "Release by Claimants," executed by all persons who furnished materials or labor in connection with the contract.

§ 324.43 *Farm development performed by the borrower method.* Farm development performed by the borrower method means performance of work by or under the direction of the borrower using one or more of the ways specified in paragraph (a) of this section. The borrower should understand that no changes will be made in Form FHA-643 without prior approval of the Farmers Home Administration.

(a) *Ways of performing the work.* The borrower will accomplish the work by one or more of the following ways:

(1) He will purchase the material and do the work himself.

(2) He will purchase the material and hire qualified workman on an hourly or daily basis to do the work under his direction.

(3) He will purchase the material and hire labor on the basis of written lump sum agreements acceptable to the County Supervisor for:

(i) Minor items of work, the total cost of which does not exceed \$500, such as the labor for the construction of a barn, or the labor and material for small service buildings, small repair jobs, and items of land development, or

(ii) Material or equipment which involves a single trade and is to be installed by the seller, such as the purchase and installation of heating facilities, electric wiring, painting, liming, sodding, and so forth.

(b) *Payment for work done by the borrower method.* Payment will be made by check signed by the borrower and countersigned by the County Supervisor.

(1) *Payments for labor.* Before the County Supervisor countersigns checks for payment of labor, he will require the borrower to submit a completed Form FHA-997, "Statement of Labor Performed," for each hired workman performing labor during the pay period. Ordinarily, checks drawn in payment for labor will be made payable to the workman involved. However, under justifiable circumstances, when the borrower has made payment for labor with personal funds and has obtained signatures of the workmen on Form FHA-997 as having received payment, the County Supervisor may countersign a check made payable to the borrower reimbursing him for these expenditures. Reimbursements may be made only with respect to farm development items planned at the time of expenditure. Reimbursements may not be made for expenses paid before the disbursement of loan funds is authorized except under circumstances similar to those described in § 301.1 (e) (1) of this chapter. Under no circumstances will the County Supervisor permit funds to be withdrawn from the supervised bank account to pay the borrower for his own labor.

(2) *Payments for material.* Before the County Supervisor countersigns checks in payment for materials, he will have in his possession an itemized statement from the creditor covering the materials purchased. Such statement will be signed by the borrower. Ordinarily, checks drawn in payment for material will be made payable to the seller. However, under justifiable circumstances, when the borrower has made payment for material with personal funds and has obtained an itemized receipted statement from the seller certified by the borrower as being correct and received, the County Supervisor may countersign a check made payable to the borrower reimbursing him for these expenditures. Reimbursements may be made only with respect to farm development items planned at the time of expenditure. Reimbursements may not be made for expenses paid before the disbursement of loan funds is authorized except under similar circumstances to those described in § 301.1 (e) (1) of this chapter.

(3) *Payments under lump sum agreements.* Payments for material or labor furnished under a lump sum agreement will be made only when all such material or labor has been received as provided in the agreement and the borrower has signed the lump sum agreement as accepting the material or labor furnished under the agreement.

(4) *Additional requirements applicable to all payments made under borrower method.* Whenever in connection with any payment, the County Supervisor has reason to believe that there may be danger of claims because of disputes, dissatisfactions, or other causes, he will require the borrower to secure the signatures of appropriate lienors or claimants on Form FHA-205, before countersigning the check.

§ 324.44 *Inspection of farm development work.* The following policies will govern the inspection of farm development work performed by the contract method or the borrower method.

(a) *Responsibility for inspection—(1) Periodic inspections.* Periodic inspections of all farm development work in progress will be made.

(2) *Final inspections.* The County Supervisor may make a final inspection of any item of farm development the estimated cash cost of which is \$1,000 or less, except that the Engineer will make the inspection in those cases in which the nature and character of the work requires inspection by the Engineer. The Engineer will make the final inspection of any item of farm development the estimated cash cost of which is more than \$1,000.

(b) *Frequency of inspection.* Farm development work will be inspected as frequently as necessary to assure that construction and land development conform with plans and specifications. A final inspection will be made at the earliest possible date after completion of each item of farm development.

(c) *Follow-up on deficiencies.* It will be the responsibility of the County Supervisor to follow up on the correction of deficiencies. When the inspections of work performed by the borrower method indicate that actual costs are in excess of estimated costs to the extent that farm development cannot be completed in accordance with Form FHA-643 and the borrower cannot furnish the additional funds needed without jeopardizing his farming operations or repayment ability, the County Supervisor will request the services of the Engineer. The Engineer and the County Supervisor will contact the borrower and consider revising the plans and specifications on Form FHA-643 in a way that the planned items of farm development can be completed satisfactorily and consistent with minimum standards. When additional funds are to be furnished by the borrower or revisions are to be made in the plans and specifications or Form FHA-643, change orders will be processed in accordance with § 324.45. If the borrower cannot furnish the additional funds or if satisfactory revisions cannot be made, consideration should be given to making a subsequent loan.

§ 324.45 *Effecting changes in Form FHA-643.* If a subsequent loan is not required, changes in farm development planned on Form FHA-643, regardless of the method of performance, may be made at the request of the borrower and with the consent of the County Supervisor or the State Field Representative as hereinafter provided. All such changes will be recorded and approved on Form FHA-924. If the change in

Form FHA-643 involves work being performed by the contract method, Form FHA-924 must be approved before Form FHA-925 is processed.

(a) *Limitations.* The County Supervisor and the State Field Representative are authorized to approve changes in Form FHA-643, as specified in paragraphs (b) and (c) of this section provided that the following limitations are complied with:

(1) *Limitations applicable to both Farm Ownership and Farm Housing Programs.* (i) Such a change is for an authorized purpose.

(ii) Such a change has been discussed with and approved in writing by the County Committee in the case of any basic change which affects substantially the method of operation of the farm or the Government's security.

(iii) Sufficient funds have been deposited in the borrower's supervised bank account to cover the contemplated change when the change involves additional funds to be furnished by the borrower.

(iv) The recommendation of the Engineer has been secured when a change in construction or land development requiring technical engineering is involved, a substitution of materials is involved, or a change in the method of performing farm development is involved.

(v) The recommendation of the appraiser has been secured when an appreciable change in land development is involved.

(2) *Limitations applicable to the Farm Ownership Program.* (i) If the change involves the use of additional funds to be furnished by the borrower for the completion of planned items of farm development which will not change the fair and reasonable value of the farm when completed, and which is occasioned by necessary substitution of materials or equipment, costs in excess of estimates, errors in design or other factors beyond the control of the borrower, then, notwithstanding the limitation in § 311.26 (b) (1) of this chapter, the additional investment and change may be approved by the loan approval official.

(ii) If the change involves the use of additional funds to be furnished by the borrower for items of farm development other than those which were considered by the County Committee in connection with its certification of the fair and reasonable value of the farm, the change may be approved by the loan approval official only upon the following conditions:

(a) The County Committee reconsider the fair and reasonable value of the farm as improved, including the proposed change, and recertify such value on a revised Form FHA-491.

(b) The recertified value of the farm does not exceed the average value for the county.

(c) The revised total investment does not exceed the recertified value of the farm.

(d) The revised total investment does not exceed the total investment limit established for the county or the limit

established for the farm pursuant to § 311.28 of this chapter.

(3) *Limitations applicable to the Farm Housing Program.* (i) Such a change does not involve a transfer of funds from land to building or from building to land items.

(ii) Such a change does not involve a transfer of funds from fees to a land item or from a land item to fees.

(b) *Changes authorized by County Supervisor.* Subject to the limitations set forth in paragraph (a) of this section, the County Supervisor is authorized to approve changes which involve:

(1) Extensions of time within the 15 month maximum limit for completion of farm development. Before granting such extensions of time, a definite understanding must be reached for completion of the work within the additional time allotted.

(2) Minor changes of items in Form FHA-643 which do not affect the method of operation of the farm or the Government's security.

(3) A change in the method of performing farm development work.

(4) An increase in cost of planned farm development to be paid from the borrower's funds which will not affect the method of operation of the farm or the Government's security.

(5) Transfer of unexpended funds from completed farm development items to uncompleted items to the extent necessary to meet the differences between estimated costs on Form FHA-643 and actual costs.

(6) Transfer of funds between uncompleted farm development items to the extent necessary to meet the difference between estimated costs on Form FHA-643 and actual costs, provided that sufficient funds remain available to complete the items as originally planned and that such a transfer does not reduce the item more than 10 percent.

(7) Transfers of funds planned for refinancing, farm development items, and fees as follows:

(i) From unexpended amount planned for refinancing to farm development items or to the item of fees to the extent necessary to meet the difference between estimated costs and actual costs.

(ii) From unexpended amount planned for fees to farm development items or to the item of refinancing to the extent necessary to meet the difference between estimated costs and actual costs.

(iii) From any farm development items to the item of refinancing or to the item of fees to the extent necessary to meet the difference between estimated costs and actual costs, provided that it is determined that adequate funds are available to complete all the planned farm development, the amount transferred from any one item does not exceed 10 percent of the amount planned for that item, and the total amount transferred from all farm development items does not exceed \$100.

(c) *Changes authorized by State Field Representative.* Subject to the limitations set forth in paragraph (a) of this section, the State Field Representative

is authorized to approve changes which involve:

(1) Extensions of time beyond the maximum limit. Before granting such extensions of time, a definite understanding must be reached for completion of the work within the additional time allotted.

(2) Basic changes in Form FHA-643 which affect the method of operation of the farm or the Government's security.

(3) An increase in cost of planned farm development to be paid from the borrower's funds which will affect the method of operation of the farm or the Government's security.

(4) Transfer of funds between uncompleted farm development items to the extent necessary to meet the differences between estimated costs on Form FHA-643 and actual costs when such transfers will result in decreasing the funds for any item more than 10 percent.

(5) A transfer of funds from any farm development items to the item of refinancing or to the item of fees to the extent necessary to meet the difference between estimated costs and actual costs when the amount to be transferred from any one item exceeds 10 percent of the amount planned for that item or when the total amount to be transferred from all farm development items exceeds \$100: *Provided*, That it is determined that adequate funds are available to complete all the planned farm development.

(6) Transfer of funds remaining after completion of all planned items to additional items not previously planned: *Provided*, That:

(i) All planned items have been completed in accordance with the approved plans and specifications and the final inspections have been made.

(ii) The excess funds will be used for an authorized loan purpose for the type of loan received by the borrower.

(iii) The excess funds will be disbursed in the same manner as though the additional item had been included in the original plan.

(iv) The plans and specifications for the additional item of farm development comply with minimum standards.

(v) In cases where the amount of funds to be transferred exceeds \$300, the written approval of the County Committee is obtained, and in the case of a Farm Ownership loan, the County Committee further certifies in writing that after the expenditure the fair and reasonable value of the farm based upon earning capacity will not exceed the county average value.

(Secs. 2 (a), (b), 3 (a), 60 Stat. 1073, 1074, sec. 508 (b), 63 Stat. 436; 7 U. S. C. 1002 (a), (b), 1003 (a), 42 U. S. C. 1478 (b))

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

AUGUST 5, 1952.

Approved: August 12, 1952.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-9046; Filed, Aug. 15, 1952;
8:52 a. m.]

TITLE 7—AGRICULTURE

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

[Lemon Regulation 448]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.555 *Lemon Regulation 448*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on August 13, 1952; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., August 17, 1952, and ending at 12:01 a. m., P. s. t., August 24, 1952, is hereby fixed as follows:

- (i) District 1: Unlimited movement;
 - (ii) District 2: 300 carloads;
 - (iii) District 3: Unlimited movement.
- (2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 447 (17 F. R. 7274) and made a part hereof by this reference.

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

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

Done at Washington, D. C., this 14th day of August 1952.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 52-9152; Filed, Aug. 15, 1952;
9:37 a. m.]

PART 959—IRISH POTATOES GROWN IN THE COUNTIES OF CROOK, DESCHUTES, JEFFERSON, KLAMATH, AND LAKE IN OREGON, AND MODOC AND SISKIYOU IN CALIFORNIA

LIMITATION OF SHIPMENTS

§ 959.308 *Limitation of shipments*—(a) *Findings.* (1) Pursuant to Marketing Agreement No. 114 and Order No. 59, as amended (7 CFR Part 959), regulating the handling of Irish potatoes grown in the counties of Crook, Deschutes, Jefferson, Klamath, and Lake in the State of Oregon, and Modoc and Siskiyou in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Oregon-California Potato Committee, established under said marketing agreements and amended order, and other available information, it is hereby found that such limitation of shipments as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby 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 thirty days after publication thereof in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (1) shipments of the 1952 crop of Irish potatoes grown in the production area will have begun, (ii) more orderly marketing in the public interest than would otherwise prevail will be promoted by limiting in

the manner set forth below shipments of potatoes on and after the effective date hereinafter provided, (iii) information regarding the committee's recommendation has been made available to producers and handlers in the production area, (iv) compliance with this regulation will not require any preparation on the part of handlers which cannot be completed by such effective date and (v) a reasonable time is permitted under the circumstances, for such preparation.

(b) *Order.* (1) During the period from August 18, 1952, to June 30, 1953, both dates inclusive, no handler shall ship potatoes grown in the production area which do not meet the following requirements: (i) U. S. No. 2 or better grade, and not smaller than 1 7/8 inches minimum diameter or 3 ounces in weight, or (ii) U. S. No. 1 grade, size B, as such grades and sizes are defined in the U. S. Standards for Potatoes (7 CFR 51.360), including the tolerances set forth therein.

(2) Pursuant to § 959.54, each handler may make one shipment of not in excess of five hundredweight of potatoes per week without regard to the limitations set forth in subparagraph (1) of this paragraph, and §§ 959.41 and 959.60.

(3) During the period from August 18, 1952, to November 30, 1952, both dates inclusive, no handler shall ship any lot of potatoes which are more than slightly skinned, which means that not more than 10 percent of the potatoes in any lot may have more than one-fourth of the skin missing or feathered, as such terms are used in the U. S. Standards for Potatoes: *Provided*, That one lot of not to exceed 100 hundredweight of each variety of potatoes of each producer may be handled every seven days without regard to the aforesaid maturity requirements if the handler thereof reports prior to such handling the name and address of the producer of each such lot and each such lot is handled as an identifiable entity: *Provided further*, That the provisos set forth in subparagraph (1) of this paragraph will be equally applicable to potatoes shipped under the maturity requirements set forth in this subparagraph.

(4) Pursuant to § 959.55, the limitations set forth in subparagraph (1) of this paragraph shall not be applicable to: (i) Shipments of potatoes for grading or storing in the production areas; (ii) shipments of potatoes for distribution by relief agencies, or for consumption by charitable institutions; (iii) shipments of potatoes for manufacturing or conversion into starch, flour, alcohol, dehydrated products, canned products, frozen products, and potato chips; (iv) shipments of potatoes for livestock feed; and (v) shipments of seed potatoes.

(5) Each handler making shipments of potatoes pursuant to subparagraph (4) of this paragraph shall (except for shipments of potatoes for grading or storing in the production area and shipments of potatoes for livestock feed within the production area) (i) file an application with the committee pursuant to § 959.104 for permission to make, such shipments, (ii) pay assessments on such shipments pursuant to § 959.41, and (iii) have such shipments (except shipments of seed potatoes) inspected pur-

suant to § 959.60, and for each shipment made pursuant to subdivisions (ii) and (iii) of subparagraph (4) of this paragraph shall furnish a record of shipment applicable thereto to the committee: *Provided*, That each application to ship potatoes made pursuant to subdivisions (ii) and (iii) of subparagraph (4) of this paragraph shall be accompanied by the applicant handler's certification and the buyers certification that the potatoes to be shipped are to be used for the purpose stated in the application: *Provided further*, That each shipment for livestock feed, made pursuant to subdivision (iv) of subparagraph (4) of paragraph (b), which leaves the production area shall be appropriately marked with dye as required by the committee.

(6) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 114 and Order No. 59 (7 CFR 959.1 et seq.) and the aforementioned grades and sizes shall have the same meanings assigned to these terms in the U. S. Standards for Potatoes (7 CFR 51.366), including the tolerances set forth therein.

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

Done at Washington, D. C., this 14th day of August 1952 to become effective August 18, 1952.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 52-9087; Filed, Aug. 15, 1952;
8:59 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

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

Subchapter C—Office of International Trade

[6th Gen. Rev. of Export Regs., Amdt. 8¹]

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 380—AMENDMENTS, EXTENSIONS, TRANSFERS

PART 382—DENIAL OR SUSPENSION OF EXPORT PRIVILEGES

PART 398—PRIORITY RATINGS AND SUPPLY ASSISTANCE

MISCELLANEOUS AMENDMENTS

1. Section 372.3 *How to file an application for export license* is amended in the following particular:

Note 6. *Inquiries and correspondence following paragraph (c) Information required* is amended to read as follows:

6. *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 3 weeks after receipt of returned acknowledgment card, Form IT-116, or, in case of commodities with established filing dates, 3 weeks after close of such filing period, 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, exporters should submit to Exporters' Service Section, Office of International Trade, Department of Commerce, Washington 25, D. C., Form IT-743-A, in duplicate, in accordance with the instructions contained thereon.² After receipt of the form and a determination of the status of an application, OIT will return the form, indicating thereon a statement of the desired information. A separate form must be submitted for each application. For convenience of mailing, the form is designed for use in a standard window envelope.

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.

This part of the amendment shall become effective as of August 7, 1952.

2. Section 373.11 *Special provisions for ferrous or nonferrous commodities, including ores, concentrates, or unrefined*

products is amended in the following particulars:

a. Paragraph (f) *Zinc scrap* is renumbered paragraph (g) *Zinc scrap*.

b. A new paragraph (f) is added to read as follows:

(f) *Copper refinery shapes*. All applications for license to export copper refinery shapes, Schedule B No. 641200, shall include, in the commodity description column of Form IT-419, a statement indicating the origin, U. S. or foreign, of the ores and concentrates from which the copper shapes covered by the application were produced.

This part of the amendment shall become effective as of August 7, 1952.

3. Section 373.24 *Statement of past participation in exports for certain commodities*, paragraph (b) *Commodities requiring statement of past participation* is amended by adding thereto a new subparagraph (6) to read as follows:

(6) *Cobalt-chromium dental alloys and dental alloys and amalgams containing cobalt*, Schedule B Nos. 664529 and 915590. A separate report on Form IT-821 shall be filed for each Schedule B number and shall cover the quantity, in pounds, of exports from the United States made during each of the calendar years 1949 and 1950, where the combined total of such exports for both commodities was \$500 or more for any one year.

This part of the amendment shall become effective with the submission of applications for the fourth quarter 1952, for which filing dates will be announced in the near future. However, exporters may submit Form IT-821 at any time.

4. Section 373.51 *Supplement No. 1: Time schedules for submission of applications for licenses to export certain Positive List commodities* is amended in the following particulars:

a. For the third quarter 1952 the entry for "Copper and manufactures" under "Commodities other than controlled materials" is amended to read as follows:

Copper and manufactures except refined copper, Schedule B No. 641200.

b. For the fourth quarter 1952 the following entries and related submission dates are added:

Dept. of Commerce Schedule B No.	Commodity	Submission dates—fourth quarter 1952
641300	Copper and copper-base alloy scrap (except No. 1 copper scrap and brass	Sept. 1-Sept. 15, 1952.
644000	mill scrap).	
644100	Copper-base alloy, ingot form	

This part of the amendment shall become effective as of August 7, 1952.

5. Section 380.1 *Transfer of licenses* is corrected in the following particulars:

a. In subparagraph (4) of paragraph (b) *When transfer may be granted* the last word of the subparagraph "approved" is corrected to read as follows: "disapproved".

b. In the first unnumbered subparagraph of paragraph (d) *Information from transferee* the word "license" is corrected to read as follows: "licensee".

6. 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:

¹ This amendment was published in Current Export Bulletin No. 675, dated August 7, 1952, with the exception of the corrections to § 380.1.

² Filed as part of the original document. Form IT-743-A may be obtained at all Department of Commerce field offices and from the Office of International Trade, Department of Commerce, Washington 25, D. C.

The following entries are added:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
"Hantra" Transit-Handelsgesellschaft, St. Jakobstrasse 21, Basel, Switzerland.	7-18-52	7-18-55	General and validated licenses, all commodities, any destination; also exports to Canada.	17 F. R. 6796, 7-24-52.
Hausfader, Ozyash B., 220 Broadway, New York 7, N. Y.	7-18-52	7-18-55	do.	17 F. R. 6796, 7-24-52.
Hausfader, O. B. Co., 220 Broadway, New York 7, N. Y.	7-18-52	7-18-55	do.	17 F. R. 6796, 7-24-52.
von Hornung, Gustav, "Hantra" Transit-Handelsgesellschaft, St. Jakobstrasse 21, Basel, Switzerland.	7-18-52	7-18-55	do.	17 F. R. 6796, 7-24-52.

This part of the amendment shall become effective as of August 7, 1952.

7. Section 398.1 DO (priority) ratings for foreign aircraft is amended to read as follows:

§ 398.1 DO (priority) ratings and allotment symbols (CMP) for foreign aircraft—(a) Delegation of authority. (1) The Civil Aeronautics Administration has delegated to the Office of International Trade, Department of Commerce, the right to assign DO ratings, using defense program symbols, on purchase orders for maintenance, repair, and operating supplies, and supporting navigational aids 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 established by the National Production Authority, and limited in total dollar value for each calendar quarter.

(2) The Office of International Trade is further authorized to assign allotment symbols for the procurement of controlled materials (CMP) for commercial transport aircraft of civil air carriers registered in foreign countries other than those listed in paragraph (c) of this section.

(b) Programs. (1) The Office of International Trade will consider requests under the Civil Air Carrier Program for Foreign Aircraft for the assignment of:

(i) Allotment symbols for the procurement of controlled materials, and
(ii) DO ratings for commodities other than controlled materials.

(2) When such requests are approved, OIT will assign the appropriate allotment symbol or rating, using the following Department of Defense program identification symbols:

(i) A-1 Aircraft Program;
(ii) A-7 Electronics and Communications Equipment Program;
(iii) B-9 Production Equipment Program;

(iv) C-9 Miscellaneous Program;
(c) Ratings not assigned by OIT.

Requests for DO ratings or allotment symbols on purchase orders for delivery of maintenance, repair and operating supplies and supporting navigational aids to foreign civil air carriers registered in any of the following countries shall be submitted to the Industrial Commodities Division, Mutual Security Agency, 806 Connecticut Avenue NW., Washington 25, D. C.

EUROPEAN COUNTRIES

Austria.
Belgium-Luxembourg Economic Union.
Denmark.

France (including the Saar).
Germany (Federal Republic).
Greece.
Iceland.
Ireland.
Italy.
Netherlands.
Norway.
Portugal.
Sweden.
Switzerland.
Trieste, Free Territory of.
Turkey.
United Kingdom (including the Channel Islands).
Yugoslavia.

OVERSEAS TERRITORIES

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.
Zanzibar and Pemba.
Somaliland.
Basutoland, Bechuanaland, Swaziland.
St. Helena, Ascension Island.
Mauritius and Dependencies.
Seychelles.
Aden (Colony and Protectorate).
Bahrein Island, Kuwait, Qatar and Trucial Oman.
British Malaya (including Singapore).
British Borneo (North Borneo, Sarawak, and Brunei).
Hong Kong.
Fiji Islands.
Other British Islands of the Pacific.
Bermuda.
Bahamas.
Jamaica and Dependencies.
Windward Islands (including Dominica).
Leeward Islands.
Barbados.
Trinidad and Tobago.
British Honduras.
British Guiana.
Falkland Islands and Dependencies.
French Overseas Territories:
Tunisia.
Algeria.
Morocco.
Somaliland.
French West Africa.
Togoland.
French Equatorial Africa.
The Cameroons.
Madagascar and Comoro Islands.
Saint Pierre and Miquelon.
New Caledonia and Dependencies.
French Oceania.
French E. Indian Possessions.
Reunion Island.

French Overseas Territories—Continued

Guadeloupe.
Martinique.
French Guiana.
Italian Overseas Territories:
Somaliland.
Netherlands Overseas Territories:
Surinam.
Curacao.
Portuguese Overseas Territories:
Angola (Port. West Africa).
Mozambique (Port. East Africa).
Cape Verde Islands and Portuguese Guinea.
Sao Thome and Principe.
Timor.
Macao.
Portuguese East India.

FAR EAST COUNTRIES

China (Taiwan).
Indochina.
Thailand.
Philippines.
Korea, Republic of.

(d) Submission of requests for assignment of DO ratings or allotment symbols. Requests to the Office of International Trade to assign DO ratings or allotment symbols 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 purchase order or bill of materials 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 of the Air Carrier;
(iv) Total dollar value; and
(v) End delivery date.

(2) A statement that the supplier will not deliver the material without a DO rating or allotment symbol and that the air carrier cannot obtain the material from any other source.

(3) In the case of commodities other than controlled materials, 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 a license is required from the Department of Commerce, submit either Form IT-419, or the OIT case number or export license number; if from the Department of State, furnish the license application number or the export license number.

(4) In the case of controlled materials, the request for allotment symbol must be submitted simultaneously with the application for export license, Form IT-419, when a license is required under the export control regulations.

In cases when an exporter desires to make shipment of a controlled material not requiring an individual export license (under General Licenses GLV, GO or GRO), the request for the allotment symbol shall specify the net weight, type of controlled material, and Schedule B number.

Suppliers may also request DO ratings or allotment symbols 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 a request for DO rating or allotment symbol 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.

This part of the amendment shall become effective as of August 7, 1952.

8. Section 398.7 *Supply assistance for foreign mining operations*; MRO and capital additions, paragraph (f) *Requests for supply assistance in obtaining materials for major capital additions or other equipment costing more than \$5,000* is amended in the following particular:

The second sentence of the text following the headline is amended to read as follows: "Such applications are filed with OIT on Form IT-835 in accordance with the procedure specified in § 398.4, except where the applications form part of a large new construction or expansion project, in which case applications are filed according to the procedure set forth in § 398.9."

This part of the amendment shall become effective as of August 7, 1952.

9. Section 398.8 *Supply assistance for foreign petroleum operations*, paragraph (f) *Instructions for Form PAD-26A and IT-824* is amended in the following particulars:

Subparagraph (3) is amended to read as follows:

(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 the following controlled materials: Oil country tubular goods, large and small diameter line pipe, plate, structurals, tinplate, and nickel stainless steel. 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.)

This part of the amendment shall become effective as of August 7, 1952.

10. Part 398, *Priority Ratings and Supply Assistance*, is amended by adding thereto a new § 398.9 to read as follows:

§ 398.9 *Supply assistance for large foreign enterprises—(a) Scope.* (1) When assistance in obtaining supplies and equipment to construct or expand large foreign facilities is required (except petroleum operations,^{*}) a single integrated presentation must be made to the Office of International Trade if:

(i) Such project is located in a friendly foreign country; and

(ii) The Office of International Trade has been authorized to act as claimant agency for the export requirements of that country;[†] and

^{*} Requests for supply assistance for all foreign petroleum operations are filed in accordance with procedures established in § 398.8 rather than under the provisions of this section.

[†] For countries in which the Mutual Security Agency has aid programs established (refer to listing given in § 398.1 (c)), requests for supply assistance should be ad-

(iii) The delivery of all materials and equipment is required according to a fixed construction or erection schedule in order to create a functioning unit abroad; and

(iv) The nature of the operation as well as the size and variety of materials and equipment needed require a single decision by the appropriate government agencies on the matter of priority assistance for the entire proposal.

(2) Examples of such foreign enterprises are: A new sulfuric acid plant, a pharmaceutical plant, a national railways rehabilitation program, expansion of a copper mine or smelting plant.

(3) Such enterprises generally will be covered by OIT Special Project (SP) Licenses as established in Part 374 of this subchapter, but may be covered by individual licenses.^{*} They may or may not be privately financed and may or may not be Government-sponsored or covered by one or more export license applications Form IT-419.

(b) *Who may submit requests.* (1) Requests may be submitted under this section by any person subject to the jurisdiction of the United States, who is in fact the exporter, or by his duly authorized agent, according to the provisions of § 372.2 of this subchapter.

(2) Alternatively, where a number of exporters and/or manufacturers are filling the orders for the materials required by the foreign enterprise, the request for supply assistance may be submitted by a duly authorized agent (subject to the jurisdiction of the United States) of the foreign consignee; or by a representative in the United States of the foreign government in whose country the foreign enterprise is located.

(c) *Where requests are submitted.* Requests for supply assistance submitted under this section should be addressed to the Director, Projects and Technical Data Division, Office of International Trade, Department of Commerce, Washington 25, D. C. For enterprises for which a project license has not been requested or issued, a request for supply assistance should be addressed to the licensing division, OIT, identified by processing code, responsible for the major items of the enterprise for which supply assistance is requested.

(d) *When requests may be submitted.* Requests for supply assistance may be made at any time: Prior to, subsequent to, or at the time of filing the necessary export license applications. It is urged, however, that all persons requesting supply assistance under this section submit their requests, at the earliest possible date, preferably in advance of the filing of license applications, so that a decision

addressed to the Mutual Security Agency, Malatico Building, Washington 25, D. C., according to procedures established by that agency.

^{*} In some instances, requests for assistance submitted by large foreign enterprises for which a project license has not been requested or issued may be considered in accordance with this procedure; in such cases a request for supply assistance should be addressed, by processing code, to the licensing division responsible for the major items of the enterprise for which supply assistance is requested.

on the request can be made before construction is commenced or far advanced, or before substantial procurement of materials available without supply assistance or from non-U.S. sources is undertaken. This recommendation is made to protect the interests of the person requesting supply assistance in the event his request is denied, and thus to prevent immobilization of materials and investment in an enterprise which cannot be completed according to the original schedule.

(e) *Procedure for submittal of requests.* (1) Requests for supply assistance for a foreign enterprise under this section are made by letter addressed to the Office of International Trade. Complete details explaining and justifying the request must be set forth, as listed in form titled "Required Data, Supply Assistance for Large Foreign Enterprises."^{*}

(2) It is necessary for the Office of International Trade to receive complete information on the status and requirements of the foreign project, including availability from other sources, degree of completion, immediate and long-range effects upon the economy of the importing country of completion or delay in completion of the enterprise. The person submitting the request should furnish to OIT all relevant background information which will assist in evaluation of the enterprise. Separate schedules showing bills of materials, for example, and very often maps, charts, construction schedules, supplementary tables, and blueprints will need to be attached to the letter of request, as well as the information required by form titled "Required Data, Supply Assistance for Large Foreign Enterprises."

(3) In the interests of expediting the handling of such request, personal conferences are recommended between the person submitting the request and the appropriate officials of the commodity division concerned, the Projects and Technical Data Division, Office of International Trade, in Washington, D. C., or appropriate officials of Department of Commerce field offices, before submitting the data indicated above.

(4) The letter of request must be signed by an authorized official and must include the following certification:

The undersigned hereby certifies that the information furnished is correct and complete to the best of his knowledge and belief.

Signature of
authorized official

Title of
authorized official

(f) *Action by the Office of International Trade.* (1) The Office of International Trade will review the request in the light of availability in the United States of the materials needed, as well as the availability of such materials from possible alternative sources, and will determine the extent to which the foreign

^{*} This form may be obtained at all Department of Commerce field offices and from the Office of International Trade, Department of Commerce, Washington 25, D. C.

project will contribute to any of the following programs:

(i) Defense program of friendly countries.

(ii) Promotion of increased supplies of all materials essential to strengthening the free world.

(iii) Maintenance and necessary expansion of essential services and production facilities, and maintenance of minimum essential civilian consumption requirements of the free world.

(iv) Reduction of dependence of the importing country upon the U. S. for military and economic assistance.

(v) Decreased dependence upon the Soviet Bloc of the importing country or other friendly countries.

(2) The OIT will consult informally with other interested U. S. Government agencies, with foreign government representatives in the United States, and with U. S. representatives abroad, as appropriate, in arriving at a decision as to the essentiality of the project. Further information may be required from the person submitting the request.

(3) If the request is approved, the Office of International Trade will present the request to and will sponsor it before the National Production Authority, recommending that the requested supply assistance be authorized.

(g) *Nature of supply assistance granted on approved requests.* (1) A request may be approved in whole or in part by the National Production Authority. If approved, NPA may grant a single DO-W-2 or DO-Z-1 priority rating to the person whose request is approved or to his supplier(s) individually in terms of total dollar value for a specified listing of materials and products for the project; NPA may issue a series of DO-W-2 and/or DO-Z-1 ratings to the person whose request is approved and/or his suppliers; NPA may provide informal assistance in placing orders for the person whose request is approved without use of a priority rating; it may authorize production scheduling of certain types of equipment (e. g. power or transportation equipment) under the applicable "M" orders; or it may on occasion issue directives to producers to secure the required delivery.

(2) In any case, once a foreign enterprise has received official approval as a unit, the required supply assistance is generally provided without any further screening as to essentiality within the limits of U. S. availabilities and competing demands.

NOTE: Requirements of the foreign enterprise for controlled materials and other items under export allocation must be charged to OIT's normal quarterly quotas, and approval of the request for priority assistance to a foreign enterprise under this section does not generally mean any increase in OIT's quotas. Thus, if such quotas are heavily over-subscribed, there may be some delay in authorizing particular items for the foreign enterprise, but it would normally be expected that requirements of enterprises for which assistance is approved would be considered as among the most essential claimants for the export quotas and would be approved at the earliest possible date. Delivery dates of other equipment may therefore be determined by the delivery dates of controlled materials.

This part of the amendment shall become effective as of August 7, 1952.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 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.)

LORING K. MACY,
Director,
Office of International Trade.

[F. R. Doc. 52-9068; Filed, Aug. 15, 1952;
8:57 a. m.]

[6th Gen. Rev. of Export Regs.,
Amdt. P. L. 4¹]

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 added to the Positive List:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
839600	Other industrial chemicals: Selenium dioxide ¹		SALT	10	RO

¹ This commodity is subject to dollar-limit (DL) restrictions (see § 374.2 (c) of this subchapter).

This part of the amendment shall become effective as of 12:01 a. m., August 14, 1952.

2. The following revisions are made in commodity descriptions. These revisions include changes in validated license control where indicated:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
200100	Crude natural rubber and allied gums (report compounded on semi-processed in 200800):				
200100	Natural pale crepe, Types I, IX, and II ¹	Lb.	RUBR 2	100	RO
	Other crude natural rubber (report natural liquid latex in terms of total dry latex solids (TDLSS)). ¹	Lb.	RUBR 2	250	RO
618976	Buildings, prefabricated and knockdown, with or without appurtenances:				
	Iron and steel, except corn cribs, grain bins, and silos (specify by name). ^{1,2}	Lb.	STEE	1,000	RO
619110	Metal powders:				
	Carbonyl iron powders for all purposes (see § 373.2). ^{1,2,3}	Lb.	STEE	10	RO
	Metal manufactures, n. e. c., not specially fabricated for particular machines or equipment (see § 399.2):				
	Other metals, except precious (specify by name and type of metal):				
619550	Brass or bronze bushings ¹	Lb.	GIEQ	200	RO
619550	Other brass or bronze manufactures, n. e. c. ¹	Lb.	CDGS	100	RO
657307	Zinc die castings (specify whether finished or unfinished). ^{1,2}	Lb.	NONF	100	RO
664550	Molybdenum:				
	Ore and concentrates (molybdenum content) (formerly 669600 and 830960) (see § 373.11 of this subchapter). ^{1,2,3}	C. lb.	MINL	None	RO
703825	Electrical quantity measuring and testing instruments, and parts:				
703830	Electrical testing instruments, n. e. c. (specify by name). ^{1,2}	No.	ELME 2	None	RO
	Parts, n. e. c., specially fabricated for integrating meters (except watt-hour), electrical quantity indicating and recording instruments, and electrical testing instruments (specify by name). ^{1,2}	-----	ELME 2	None	RO
703560	Electric mining and industrial locomotives, underground type. ^{1,2}	No.	MINE	None	RO
703560	Electric mining and industrial locomotives, surface type. ^{1,2}	No.	TRAN	None	RO
707625	Radio and television apparatus:				
	Radio beacon (beam) transmitters, and specially fabricated parts and accessories, n. e. c. ^{1,2,3}	-----	RARA	None	RO
708460	Carrier current equipment (high frequency wire transmitting and receiving apparatus), n. e. c., and specially fabricated parts, n. e. c. (see § 379.5 of this subchapter). ^{1,2}	-----	ELME 1	None	R
760990★	Physical properties testing and inspecting machines, n. e. c., and specially fabricated parts and accessories, n. e. c., and metal hardness testers adapted to or incorporating diamond penetrators (indenters-brakes) and specially fabricated parts and accessories, n. e. c. (See §§ 373.1, 373.9 of this subchapter). ^{1,2,3}	-----	GIEQ	None	RO
770335★	Electronic, fluorescent and incandescent bulb and tube (lamp) manufacturing and assembling machines, and specially fabricated parts, n. e. c. (report bulb and tube glass blank-making machines in 770330). ^{1,2,3}	-----	GIEQ	100	RO
775400	Pillow blocks assembled with ball or roller bearings (specify type and size of bearing). ^{1,2,3}	-----	GIEQ 3	25	RO
792610	Parts for commercial automobiles, trucks and buses:				
	Parts and accessories, n. e. c., specially fabricated for assembly, except: air cleaners; ammeters; brake extension handles; bumpers; clearance lights; dashboard plugs; door locks; fog lights; heaters; horns; hub caps; hydraulic truck dumping hoists; lighters; oil filter clamps; oil filters; oil pressure switches; oil purifiers; oil rectifiers; parking lights; power take-offs for trucks; radiator caps; radiator ornaments; reflex signals; road traffic; shock absorbers; speedometers; spotlights; stop lights; taxicab meters; thermostats; third axle assemblies; tire locks; windshield wipers; and specially fabricated parts for the excepted items (excludes accessories and complete knockdown vehicles; complete knockdown vehicles should be reported in the proper car, truck, or bus classification, whether the integral components are shipped simultaneously or in a series of partial shipments). ^{1,2}	-----	TRAN	500	R

See footnotes at end of table.

¹ This amendment was published in Current Export Bulletin No. 675, dated August 7, 1952.

* The above two entries are substituted for the entry presently on the Positive List under Schedule B No. 70560. The effect of this revision is to change the processing code from ELM to MINE for new underground-type electric locomotives and from ELM to TRAN for new surface-type electric locomotives. Both types are subject to the IC/DV procedure (§ 373.34 of this subchapter).

† The above revised entry is substituted for the two entries presently on the Positive List under Schedule B No. 70725. No substantive change is made by combining these two entries.

‡ The above revised entry is substituted for the entry presently on the Positive List under Schedule B No. 70400. Since telemeasuring equipment is essentially a receiver and transmitter, this revision merely clarifies the description without making substantive change. Military telemeasuring equipment requires export authorization from the Department of State. (See § 370.3 of this subchapter Note 1.)

§ The above revised entry is substituted for the second, third, and fourth entries presently on the Positive List under Schedule B No. 70690. The effect of this revision is to combine these entries without making substantive change.

¶ The above revised entry is substituted for the entry presently on the Positive List under Schedule B No. 77003. The effect of this revision is to add to the Positive List specially fabricated parts for electronic equipment, and including descent bulbs and tube (lamp) manufacturing and assembling machines, making the parts subject to the same licensing requirements as the machines.

‡ The above entry is added to the Positive List under Schedule B No. 77400. This amendment makes no substantive change in validated license control, as the commodity was on the Positive List under Schedule B No. 70200 and 70200 prior to the 1952 revision of the Schedule B Commodity Classification and was inadvertently omitted from the revised Positive List, Amendment P, L. 68 (Fifth General Revision). Exports are now required to specify the size and the type of bearing.

§ The above two revised entries are substituted for the entries presently on the Positive List under Schedule B Nos. 70230 and 70230. This amendment makes no substantive change in validated license control. Hydraulic truck damping bolts, formerly under Schedule B No. 70230 and not included on the Positive List prior to the 1952 revision of the Schedule B Commodity Classification, are now classified under Schedule B Nos. 70230 and 70230, and are added to the lists of commodities excepted from the Positive List under these Schedule B numbers.

¶ The above entry is substituted for the two entries presently on the Positive List under Schedule B Nos. 70214 and 70214. The effect of this revision is to change the controls from R to RO on underground mine locomotives, other steam and electric (both of which are presently under RO control) and to place these locomotives under DL restrictions (§ 373.26 of this subchapter). The commodities listed under this entry are subject to the IC/DV procedure (§ 373.34 of this subchapter).

‡ The above two entries are substituted for the two entries presently on the Positive List under Schedule B Nos. 70217 and 70217. The effect of this revision is to change the controls from R to RO and the processing code from TRAN to MINE on used and rebuilt underground mine locomotives, except steam and electric (both of which are presently under RO control), and to change the processing code from MINE to TRAN on the used and rebuilt surface-type steam locomotives. The net result of these changes is to place under MINE all underground types of locomotives, and under TRAN all surface-type locomotives, with the same controls on each type. The commodities listed under these entries are subject to the IC/DV procedure (§ 373.34 of this subchapter).

§ The above two entries are substituted for the three entries presently on the Positive List under Schedule B Nos. 70217, 70217, and 70217. The effect of this revision is (1) to change the controls from R to RO on parts and accessories specially fabricated for locomotives, and (2) to increase the GLV dollar-value limit from \$300 to \$500 on the "parts and accessories specially fabricated for underground mine locomotives, except steam and electric (both of which are presently under RO control)," and (3) to change the processing code from TRAN to MINE on parts and accessories specially fabricated for steam, diesel, diesel-electric, and other internal combustion locomotives, underground mine locomotives, and similar TRAN all parts and accessories for surface-type locomotives. The commodities listed under these entries are subject to the IC/DV procedure (§ 373.34 of this subchapter).

¶ The above revised entry is substituted for the entry presently on the Positive List under Schedule B No. 70282. This amendment makes no substantive change in validated license control. Maintenance car parts and inspection car parts, formerly under Schedule B No. 70200, and pressed steel wheels, formerly under Schedule B No. 70600, are not included on the Positive List prior to the 1952 revision of the Schedule B Commodity Classification.

‡ The commodities included in this Positive List entry are subject to the IC/DV procedure (see § 373.34 of this subchapter).

§ The commodities included in this Positive List entry are subject to dollar-limit (DL) restrictions (see § 374.2 of this subchapter).

¶ The effect of this revision is to clarify the coverage of the entry and makes no substantive change.

This part of the amendment shall become effective as of 12:01 a. m., August 14, 1952.

3. The dollar value limit in the column headed "GLV dollar-value limit" set forth opposite the commodities listed below is amended to read as follows:

Dept. of Commerce Schedule B No.	Commodity	GLV dollar-value limit
20925	Rubber or balata belts and belting; V-belts, except home appliance (report automotive in 20920); Compounded or semi-processed natural and/or synthetic rubbers (dry or liquid latex) and allied gums, for further manufacture (specify type);	100
20930	Phenolic	100
20930	Liquid rubber compounds; and liquid rubber, drum compounded	100
20930	Attachments, n. e. c., for track-laying or wheel-type tractors, or trucks (specify by name); Clamshell attachments; conveying attachments; encasing attachments; hydraulic cable controls for track-laying tractors, loading attachments; pipe layers; trenching attachments; and winches for track-laying tractors.	None

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar-value limit	Validated license required
70030	Parts, n. e. c., specially fabricated, for spares, replacement, or manufacture, of: larger components, except air cleaners; brake extending handles; bumper; door locks; horns; hub caps; hydraulic truck damping bolts; oil filter; oil pump; oil filter; oil radiator; oil recirculator; parking lights; radiator case; radiator ornaments; reflex signals; road train; stop lights; thermostat; third axle assemblies; windshield wipers; and specially fabricated parts for the excepted items (see § 373.7 of this subchapter).		TRAN 6	500	R
70614	Locomotives, underground mine (except electric), new				
70617	Used and rebuilt locomotives (except electric), underground type	No.	MINE	None	RO
70617	Used and rebuilt locomotives (except electric), surface type	No.	MINE	None	RO
70617	Parts and accessories, n. e. c., specially fabricated for underground-type locomotives	No.	TRAN	500	RO
70617	Parts and accessories, n. e. c., specially fabricated for surface-type locomotives	No.	TRAN	500	RO
70632	Parts, for locomotives and railway cars: report electric propulsion motors, generators, and controls in 70420; wheels and axles in 61032-61038;				
70632	Parts, and accessories, n. e. c., specially fabricated for railway cars, except: dashlights and parts; illuminating lights and parts; pinhook brakes and parts; release handles and parts; pressed steel wheels; maintenance car parts; and inspection car parts (specify by name);				
70632	Controls, regulators, indicators, meters, and timers, for ventilating, air conditioning, commercial refrigeration and air cooling equipment; and specially fabricated parts, n. e. c.				
70690	Parts, n. e. c.				

* The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License G1T. See § 371.9 (c) of this subchapter.

† The above two entries are substituted for the entry presently on the Positive List under Schedule B No. 20040. The effect of this revision is to reduce the GLV dollar-value limit for natural pale crepe Types I, IX, and II, from \$250 to \$100; and to indicate that natural pale crepe, Types I, IX, and II, are subject to the DL restrictions (see § 374.2 of this subchapter) by showing the letter "B" in the column headed "Commodity List."

‡ The above revised entry is substituted for the entry presently on the Positive List under Schedule B No. 61897. This amendment makes no substantive change in validated license control. Prefabricated and knockout corn cribs, grain bins, and also were classified under Schedule B No. 78130 prior to Jan. 1, 1952, and were not included on the Positive List at the time they were reclassified. The unit, "pound," has been added.

§ The above revised entry is substituted for the entry presently on the Positive List under Schedule B No. 61910 and 61910. The amendment corrects the present Positive List entries by substituting "pound" for "metric ton" in the description of the commodity.

¶ The above two entries are substituted for the two entries presently on the Positive List under Schedule B Nos. 61910 and 61910. The effect of this revision is to change the processing code from TRAN to G1EQ and to reduce the GLV dollar-value limit for the commodity from \$200 to \$100; and to add the unit, "pound," to the above second entry, thereby indicating that license applications for export of such commodities should be shown in pounds.

‡ The above revised entry is substituted for the entry presently on the Positive List under Schedule B No. 61737. The amendment corrects the present Positive List entry without making substantive change. Prior to Jan. 1, 1952, unfinished die castings were included on the Positive List under Schedule B No. 61737, and finished zinc die castings were included under Schedule B No. 61928.

§ The above revised entry is substituted for the entry presently on the Positive List under Schedule B No. 64450. The effect of this amendment is to reduce the GLV dollar-value limit of molybdenum acid from \$25 to none, and molybdenum trioxide, molybdenum oxide, and molybdenum trioxide briquettes, and molybdenum trioxide from \$100 to none. Prior to Jan. 1, 1952, these commodities were included on the Positive List under Schedule B No. 61928.

¶ The above entry is substituted for the three entries presently on the Positive List under Schedule B Nos. 70325, 70325, and 70325. The effect of this revision is (1) to change the controls from R to RO; (2) to add such bridges to the list of commodities subject to the IC/DV procedure (§ 373.34 of this subchapter); and (3) to extend the coverage, including taxes, and resistance from \$300 to none.

‡ The above entry is substituted for the two entries presently on the Positive List under Schedule B Nos. 70380 and 70380. The effect of this revision is (1) to change the controls from R to RO on specially fabricated parts for bridges for measuring impedance, capacitance, and resistance and to add them to the list of commodities subject to the IC/DV procedure (§ 373.34 of this subchapter); and (2) to extend the Positive List coverage, including applicability of IC/DV procedure, to include specially fabricated parts for all electrical quantity-measuring and testing instruments classified under Schedule B No. 70380, except parts for watt-hour meters.

§ The exportation of (1) bridges for measuring impedance, capacitance, and resistance, and (2) electrical testing instruments "of laboratory standards," and (3) their specially fabricated parts, become subject to the IC/DV procedure effective Sept. 29, 1952.

This part of the amendment shall become effective as of 12:01 a. m., August 14, 1952.

4. The following commodities are deleted from the Positive List:

Dept. of Commerce Schedule B No.	Commodity
211710 211720	Naval stores: Pine oil. Pine tar (formerly 211800).

This part of the amendment shall become effective as of August 7, 1952.

5. The following commodities are made subject to the IC/DV procedure (see § 373.34 of this subchapter). Accordingly, the Positive List is amended by adding opposite the commodity entries listed below the letter "A" in the column headed "Commodity Lists".

Dept. of Commerce Schedule B No.	Commodity
650630	Aluminum scrap (new and old).

This part of the amendment shall become effective as of September 22, 1952. Shipments of any commodities removed from general license to Country Group R or Country Group O destinations, or whose GLV dollar-value limits were reduced, as a result of changes set forth in Items 1, 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., August 14, 1952, may be exported under the previous general license provisions up to and including September 6, 1952. Any such shipment not laden aboard the exporting carrier on or before September 6, 1952, requires a validated license for export.

(Sec. 8, 63 Stat. 7; 65 Stat. 43; 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.)

LORING K. MACY,
Director,
Office of International Trade.

[F. R. Doc. 52-9069; Filed, Aug. 15, 1952;
8:57 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 70, Amdt. 1]

CPR 70—RENTAL OF CERTAIN TYPES OF COMMERCIAL MOTOR VEHICLES

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), Amendment 1 to Ceiling Price Regulation 70 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 70 is intended to conform certain provisions of the regulation to practices existing in the motor vehicle rental industry. The changes made by the amendment, refer primarily to the provisions of section 5 *Service not furnished during the "base period"*, and to section 7 *Exemption of certain rental-purchase option agreements*, of the regulation.

The first change in section 5 is concerned with the 30-day waiting period provided for in the last two paragraphs of that section. Inasmuch as the Office of Price Stabilization has determined that it can complete its action in connection with reports filed under this section within a shorter period than the 30-day period now provided and, as a shorter period would serve the best interests of the industry by expediting the establishment of ceiling rates in many instances, this section is amended to provide for a 15-day waiting period.

The second change in section 5 provides that rates proposed may be charged pending consideration of them by the Office of Price Stabilization. Since the equipment for which rates are proposed is generally in the possession of the lessor during the time the rates are being considered, and since a large percentage of the truck and car rental business is transient, a provision for open billing pending OPS action is not practicable. Therefore, it is the opinion of the Director that it will be more equitable to allow the collection of the proposed rates, provided ample safeguards are made for refunding any amounts in excess of the finally approved rates.

The six changes in section 7 of the regulation are intended to conform its provisions to long-established trade practices in the industry.

The first of these changes revises the wording of the regulation to provide that an option to purchase may be exercised only after cancellation or termination of the rental agreement.

Secondly, the method of computing the ceiling price of a vehicle in cases where the lessee exercises his right to purchase has been revised. This change was deemed necessary because, in its present form, the provision creates the possibility of vehicles being purchased at prices that may result in lessors finding themselves in the automotive sale business rather than in the rental business.

The depreciation factor contained in section 7 (a) (2) has been changed from 2 percent to 1½ percent of the retail ceiling price to conform with long established practice in the industry.

In addition to the above-described changes, two new paragraphs have been added to section 7. Since the exemption provisions of this section might be used as a guise for evading other regulations of the Office of Price Stabilization, paragraph (b) limits the exemption to truck and car rental operators who were doing business as such when Ceiling Price Regulation 70 was originally issued. All other lessors must first receive approval of the Director of Price Stabilization for inclusion within the exemption. Such approval will be granted upon a showing that the lessor is doing business as a

bona fide truck or car rental operator. Paragraph (c) makes the amended section applicable to rental-purchase option agreements executed since the issuance of Ceiling Price Regulation 70. It further limits the effect of the exempting provision to January 1, 1953.

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.

The changes effected in Ceiling Price Regulation 70 by this amendment are, in large part, the result of informal suggestions of the industry affected. While formal Industry Advisory Committee consultation with representatives of the industry was not practicable, it is the opinion of the Director of Price Stabilization that these changes reflect, generally, the views of the industry. In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 70 is amended in the following respects:

1. The last two paragraphs of section 5 are amended to read as follows:

The respective District Directors are hereby delegated authority to act upon and to handle to final conclusion all reports filed pursuant to the provisions of this section. Fifteen days after the report has been received by the appropriate District Office of the Office of Price Stabilization, or 15 days after the receipt of such additional information as may be requested, the proposed ceiling rate shall be deemed approved unless the lessor is advised by the Office of Price Stabilization that the proposed rate has been disapproved or modified.

Upon receipt of the report by the appropriate District Office the service may be furnished and the proposed rate may be charged, provided the lessor maintains complete records of all persons using the service, and all rental agreements expressly provide that any amount collected in excess of the rate approved by the Office of Price Stabilization will be refunded to the lessees.

2. Section 7 is amended to read as follows:

Sec. 7. *Exemption of certain rental-purchase option agreements.* (a) Services offered under a rental-purchase option agreement, having a term of not less than 1 year and granting to the lessee upon its termination or cancellation after 1 year an option to purchase the vehicle or vehicles covered by the agreement, are exempt from the other provisions of this regulation, provided the purchase price specified in the option agreement does not exceed (1) in the case of trucks, tractors, trailers, semi-trailers and busses, other than school busses, the Office of Price Stabilization retail ceiling price for the same type of vehicle at the time the lease was executed plus make-ready costs minus a deduction of 1 percent of the total of such ceiling price and make-ready costs for each 30-day period from

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the date of execution of the lease until the date the purchase option is exercised; or (2) in the case of passenger automobiles and taxicabs, the OPS retail ceiling price for the same type of vehicle at the time the lease was executed plus make-ready costs minus a deduction of 1¼ percent of the total of the retail ceiling price and make-ready costs for each 30-day period from the date of execution of the lease until the date the purchase option is exercised, and the rental rate under such rental-purchase option agreement does not exceed the lessor's transient ceiling rate for such vehicle or vehicles.

(b) The exemption contained in this section applies only to (1) lessors who were in the business of renting vehicles on or before September 12, 1951; or (2) lessors to whom this exemption is extended by specific authorization of the Director of Price Stabilization. Requests for such authorization shall be made in writing to the Office of Price Stabilization, Services, Transportation and Foreign Trade Division, Washington 25, D. C., and shall contain a detailed justification for such authorization.

(c) The provisions of this section shall apply to rental-purchase option agreements executed since September 12, 1951, but its provisions shall expire on January 1, 1953, unless extended by a subsequent amendment to this regulation.

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

Effective date. This Amendment 1 to Ceiling Price Regulation 70 shall become effective August 20, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.
AUGUST 15, 1952.

[F. R. Doc. 52-9184; Filed, Aug. 15, 1952;
12:03 p. m.]

[Ceiling Price Regulation 7, Collation 3]

CPR 7—RETAIL CEILING PRICES FOR CERTAIN CONSUMER GOODS

COLL. 3—INCLUDING AMENDMENTS 1-22

Ceiling Price Regulation 7 is republished to incorporate the text of the Corrections issued February 27, 1951, and of Amdts. 1 through 22, inclusive. Ceiling Price Regulation 7 was issued February 26, 1951 (16 F. R. 1872). Statements of Consideration for Ceiling Price Regulation 7, and for Amdts. 1-22, inclusive, as previously published, are applicable to this republication. The effective dates of this regulation, and of the amendments are shown in a note preceding the first section of the regulation.

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2. What sales are covered.
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- 39c. A seller with a single unit who wishes to open another unit and to establish prices for the new unit centrally and uniformly.
- 39d. A seller who has previous experience and wishes to open a new unit or to add a category.
- 39e. When to use Appendix E markups.
- 39f. Applications by certain sellers who sell exclusively in sets (groups of articles) to which services have been added.
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40. "Upstream" and "cross stream" sales and sales of "cross stream" articles to ultimate consumers.
41. Pricing methods for certain chain stores, and mail order establishments.
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50. How to treat taxes.
51. Marking, tagging, or posting.
52. Records.
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55. What acts are prohibited by this regulation.
56. Enforcement.
57. Petitions to amend this regulation.
58. Supplementary regulation modifying this regulation.
59. Definitions.

AUTHORITY: Sections 0 to 59 issued under 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.

DERIVATION: Sections 0-59 contained in Ceiling Price Regulation 7, February 26, 1951 (16 F. R. 1872), except as otherwise noted in brackets following text affected.

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

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

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

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

Amendment 4, April 27, 1951, 16 F. R. 3949.

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

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

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

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

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

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

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

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

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

Amendment 14, February 12, 1952, 17 F. R. 1212.

Amendment 15, March 3, 1952, 17 F. R. 1749.

Amendment 16, March 26, 1952, 17 F. R. 2494.

Amendment 17, March 29, 1952, 17 F. R. 2563.

Amendment 18, April 5, 1952, 17 F. R. 2812.

Amendment 19, June 3, 1952, 17 F. R. 4927.

Amendment 20, June 28, 1952, 17 F. R. 5650.

Amendment 21, July 14, 1952, 17 F. R. 6196.

Amendment 22, July 14, 1952, 17 F. R. 6196.

Article I—Scope of Regulation

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

[Last sentence above added by Amdt. 2]

Article I tells you the scope of this regulation.

Article II tells you how to prepare your charts.

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

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

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

SEC. 1. What commodities are covered. This regulation applies only to sales at retail of the articles listed in Appendix B. This includes a wide variety of consumer goods. They are grouped into categories and each category is given a category number. For example, men's and boys' underwear and nightwear constitute category 116.

From time to time articles not listed may be added by amendments to this regulation.

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

Sec. 2. What sales are covered. This regulation applies to sales at retail. It applies to all sales to ultimate consumers of all kinds (including individual, commercial, and industrial users¹) of articles which are "bought and sold in substantially the same form." (See definition in section 59.) It applies to sales to persons other than ultimate consumers (such as other retailers and wholesalers) if those sales customarily amount to less than 10 percent of the retailer's total sales of articles covered by this regulation and the retailer's ceiling prices for those sales are fixed by Section 40.

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

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

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

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

[Subparagraph (3) amended by Amdt. 8]

(i) If your² annual net dollar volume of total sales of articles in those categories which you buy and sell in substantially the same form in all your departments taken together to individual ultimate consumers amounts to less than \$60,000 or

(ii) If your² annual net dollar volume of total sales in all departments taken

¹ Examples of ultimate consumers who are not individual ultimate consumers are hospitals, schools, and clubs.

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

together of all merchandise which you buy and sell in substantially the same form amounts to less than \$100,000.

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

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

[Paragraph (a) amended by Amdt. 5]

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

(4) A selling outlet which has received, from a seller from whom it purchases articles on consignment, a copy of an order issued by OPS pursuant to section 5 (b) of Supplementary Regulation 1, by the terms of which that outlet is constituted a separate seller, is a separate seller to the extent provided in that order.

[Subparagraph (4) added by Amdt. 17]

[Paragraph (b) amended by Amdt. 3]

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

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

Sec. 5. When to begin using pricing rules. (a) (1) You may begin to use the applicable pricing rules after you file

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

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

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

[Subparagraph (2) added by Amdt. 8]

(b) If you operate a mail order establishment as defined in section 59 of this regulation you are not required to observe the pricing rules of this regulation as to any mail order sales of articles covered by any of your catalogs, booklets, circulars, flyers, or other forms of printed lists which were printed before the list date. Your ceiling prices for such sales continue to be established by the General Ceiling Price Regulation for so long as the printed price lists remain in effect or until you establish a price for an article pursuant to the pricing rules of this regulation. However, you are required to observe the other requirements of this regulation and to price new articles, new catalogs, booklets, circulars, flyers or other forms of printed price lists on the basis of the pricing rules in this regulation.

Article II—Pricing Charts

Sec. 11. Filing of charts. (a) If you are a seller subject to this regulation you must prepare two copies of a list date pricing chart. The chart must be dated and must be signed by one of your officers or owners. A chart for an outlet which is itself a separate seller under this regulation or a department in a departmentalized establishment may be signed by the store manager or department head. One copy of the chart must be kept for your use and for inspection by the Office of Price Stabilization and the other must be filed with your OPS office³ on or before May 30, 1951.

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

³ Your OPS office is the office having jurisdiction over the area in which your place of business is located. If you are a chain which under this regulation is a single seller and if your principal office and all of your outlets for all your groups or zones taken together, or, if you are a person who sells through salesmen making sales at uniform prices and your principal office and all of your branch offices taken together (1) are located within an OPS district, your OPS office is the district office of the OPS for that district; (2) are located in more than one OPS district within an OPS region, your OPS office is the district office of the OPS having jurisdiction over the area in which your principal office is located; or (3) are located in more than one OPS region, your OPS office is the Wholesale and Central Pricing Branch, Office of Price Stabilization,

(b) You may at your option prepare a separate list date chart for Categories 860-895; 901-924 and 940-985, and file that as a supplemental chart instead of including those categories as part of the initial list date chart prepared in accordance with this regulation. If you file a supplemental chart, you must prepare it in accordance with this regulation, numbering the pages as if they followed the last page of your original chart. One copy of this supplemental chart must be kept with your original list date chart for your use and for inspection by the OPS, and the other must be filed with your OPS office² on or before May 30, 1951.

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

(c) If, by the addition to this regulation of Categories 860-895; 901-924; and 940-985 you are a seller subject to this regulation, you must prepare two copies of a list date pricing chart in accordance with this regulation. One copy of the chart must be kept for your use and for inspection by the OPS and the other must be filed with your OPS office² on or before May 30, 1951.

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

(d) If you are a seller who has already filed a pricing chart, and by the addition of categories to this regulation you are required to file a chart for the new categories, you must prepare two copies of a supplemental chart for the new categories in accordance with this regulation, numbering the pages as if they followed the last page of the chart already filed. One copy of the supplemental chart must be kept for your use and for inspection by the OPS and the other must be filed with your OPS office² within 3 months after the effective date of the amendment which adds the categories.^{2a}

[Paragraph (d) added by Amdt. 8]

(e) If by the addition of categories to this regulation you are for the first time a seller subject to this regulation,

Washington 25, D. C. If you are a single seller as to any category, each unit (or in a departmentalized establishment each department) covered by the single seller chart shall use as its OPS office for all its categories the OPS office in which you are required to file the single seller chart under the foregoing rules.

If you are a mail order establishment, your OPS office is the Wholesale and Central Pricing Branch, Office of Price Stabilization, Washington 25, D. C. If you are a consignee, an order issued pursuant to section 5 (b) of Supplementary Regulation 1 to CFR 7 may provide that for specific purposes your OPS office is the Wholesale and Central Pricing Branch, Office of Price Stabilization, Washington 25, D. C.

[Footnote 2 amended by Amdts. 6, 17 and 19]

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

[Footnote 2a added by Amdt. 8]

you must prepare two copies of a list date pricing chart for all categories in accordance with this regulation. One copy of the chart must be kept for your use and for inspection by the OPS and the other must be filed with your OPS office² within 3 months after the effective date of the amendment which adds the categories.^{2a}

[Paragraph (e) added by Amdt. 8]

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

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

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

[Paragraph (b) added by Amdt. 8]

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

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

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

(2) It is June 23, 1951 for Categories 610 through 620 or for all categories (except Categories 1050 through 1070) if you first become subject to or first elect to become subject to the regulation on or after June 30, 1951.

(3) It is December 10, 1950 for Categories 1050 through 1070.^{2a}

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

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

(c) Your type of store.³ First, state whether it is a mail order establishment,

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

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

[Paragraph (c) amended by Amdt. 3]

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

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

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

[Paragraph (d) amended by Amdt. 6]

(e) Number each page of your chart.

SEC. 14. *Contents of charts; related general information.* This section tells what the chart must contain about the costs and offering prices of each category which you offered for sale on the list date. List the information in five (5) columns below the general information called for in the preceding section. List an article as "offered for sale on the list date" if it was in your store, unpacked, and available for sale on that date. (If you are a mail order establishment list an article as "offered for sale on the list date" if it was listed in one of your catalogs, booklets, circulars, flyers, or other printed price lists in effect on that date.)

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

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

When the phrase "you offered" is used in this regulation it means "you offered

for sale on the list date." Before you begin to prepare your list date chart study the sample charts in Appendix A for the appropriate form. (The OPS will not supply chart forms.)

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

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

[Above Paragraph added by Amdt. 8]

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

(a) Find your "net cost" by deducting all discounts (including cash discounts)¹ from the invoice cost on the last invoice you received² before the list date for a particular article, style, model or lot number which you have listed. In order that markups on your chart may as nearly as possible reflect your normal markups, if your last invoice was received after January 1, 1951 and your selling price on the list date was unchanged from your initial offering price based on the next to the last invoice which you had received for that article prior to February 24, 1951, you may list the net cost on the next to the last invoice received prior to February 24, 1951. Deduct discounts you could have taken whether you took them or not. No freight, handling charge, OPS adjustment charge, or other similar charge may be added.³

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

¹ An alternative method for preparing charts for and pricing Categories 940 through 943 and 970 through 985 which permits discounts for prompt payment (cash discounts) not to be deducted from net invoice cost and which permits the use of a cost record other than an invoice in certain instances is provided in Supplementary Regulation 2 to this regulation.

[Footnote 3a added by Amdt. 6]

² If you are an outlet of a chain not included in a group of outlets for which your central office is permitted to use the same pricing chart in accordance with section 3 (b) of this regulation, you may use the invoice furnished by your central office.

³ An alternative method for preparing charts for and pricing categories 701 to 752, which permits freight to be reflected is provided in Supplementary Regulation 2 to this regulation.

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

(c) List each different net cost separately even though you bought other articles, styles, models, or lot numbers in the category for the same gross invoice cost. Thus, if you bought three different articles, styles, models, or lot numbers in a category at \$3.50, 8/10 EOM,⁴ \$3.50, 3/10 EOM, or \$3.50 net, list each of these net costs separately as \$3.22, \$3.40, and \$3.50, respectively.

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

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

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

(g) You may round your cost to the nearest cent. Thus, you may list \$1.735 as \$1.74 and \$1.734 as \$1.73.⁵

SEC. 17. Column 3: Offering prices. In the third column from the left, list opposite each net cost shown in column 2, each different price at which you offered to your most numerous class of purchaser⁶ an article of that category having that net cost. Follow these directions for listing offering prices:

(a) Do not list offering prices which are higher than your ceiling price for the article on the list date. If your offering price was higher than your ceiling price on the list date you must list your ceiling price.

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

⁴ "8/10 EOM" means 8 percent discount if paid within 10 days after the end of the month.

⁵ You may, if you wish, list your gross invoice cost per dozen, per gross, or per hundred, and your purchase discounts, in parenthesis, following the net unit cost. Thus, you might list \$1.29 (\$16.00, 3/10 EOM per doz.).

⁶ This will be the class containing the greatest number of purchasers. However, if your most numerous class of purchaser is one to whom accommodation sales are made, you may prepare your chart based on your offering prices to the most numerous class other than accommodation purchasers, but you must state in a footnote any differentials you have for your accommodation sales. If you have more than one class of purchaser, use a footnote to show the class of purchaser used in preparing your chart. Section 30 provides that other classes of purchasers must get their customary differentials.

[Footnote 8 amended by Amdt. 22]

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

(d) To avoid the distortion caused by your having initially marked an article since December 1, 1950, at a price greater than that at which you normally would have marked that article you must list in column 3 the price at which you normally would have marked that article (as, for example, if you had marked the article in anticipation of an increase in replacement cost). You must put the actual price at which you offered the article on the list date in parentheses beside the net cost in column 2 and place a letter "R" after each such price listed in column 3.

(e) If your offering price includes a tax on a particular sale or delivery (such as a sales tax or a compensating use tax) which the law permits you to state separately from the price, you must deduct the full amount of such tax included in your offering price before you list it. You need not deduct from your offering price any tax which you stated separately from and in addition to your offering price.

(f) You will find that in some cases you have listed more than one offering price opposite a single net cost in a particular category. You must draw a circle around one of these prices; section 19 tells you which offering price to circle. To select your circled price you first have to find your average percentage markup for the category. Section 18 explains how to find a category average percentage markup.

SEC. 18. Category average percentage markup. Compute your average percentage markup for a category as follows:

Step 1. Add together all the net costs listed for that category in column 2. To find the correct average, you must, of course, add together an equal number of costs and offering prices. Therefore, just for purposes of this step (you should use a separate work sheet), you must add in each net cost as many times as you have listed different offering prices opposite it;

Step 2. Add together all the offering prices listed in column 3 for that category;

Step 3. Subtract the total of the net costs found in Step 1 from the total of the offering prices found in Step 2;

Step 4. Divide the remainder found in step 3 by the total of the net costs found in Step 1. The result is your average percentage markup on cost.⁷ When you have found your average percentage markup for a category, enter it in column 1 for that category.

Example: The way to compute average percentage markup for men's and boys'

⁷ You may, if you wish, figure your percentage markups as "margins on selling price" instead of on your net cost, but you must use the same method of figuring all percentage margins and average percentage margins. If you have chosen to list margins on selling price, you must state this on your chart, and must use margins on offerings (or selling) price wherever this regulation refers to a markup over net cost.

shirts, category 117, may be illustrated as follows:

Total the net costs	Total the offering prices
\$1.21	\$1.98
1.25	1.98
1.38	2.25
	2.50
	2.98
1.94	3.50
3.64	5.95
(3.64)	6.95
5.34	7.95
(5.34)	8.95
26.94	44.99

(Note that the costs in parentheses appear only on your work sheet. They do not appear on your chart.)

Subtract the total of the net costs from the total of the offering prices (\$44.99-\$26.94=\$18.05). Divide the remainder, \$18.05 by the total of the costs, \$26.94 (\$18.05÷\$26.94=67%). The result, 67 percent, is the average percentage markup on cost for category 117. Enter 67% in column 1.

Sec. 19. Circled price. Where you have listed more than one offering price opposite a single net cost in a particular category, you must draw a circle around the offering price which comes closest to reflecting the average percentage markup for the category. If the price you get is midway between two offering prices, draw a circle around the lower of the two.

Example. You have listed offering prices of \$2.88, \$3.00 and \$3.25 for a net cost of \$2.00 in category 202, and your average percentage markup for category 202 is 52%. To apply this rule multiply \$2.00 by 52% (\$2.00×0.52=\$1.04) and add \$2.00 to the result (\$2.00+\$1.04=\$3.04) resulting in a price of \$3.04. When you look at the three offering prices which you have listed for a \$2.00 net cost, you find that the offering price closest to \$3.04 is \$3.00. Therefore, \$3.00 is the "circled" price.

If your average percentage markup had been 47% you would have found a price of \$2.94 (\$2.00×0.47=\$0.94; \$2.00+\$0.94=\$2.94). Since \$2.94 is midway between your listed offering prices of \$2.88 and \$3.00, you would have selected the lower of the two, and \$2.88 would have been your circled price.

Sec. 20. Column 4: Percentage mark-ups. In the fourth column from the left, list the percentage markup for each different net cost listed in column 2. If more than one offering price is listed opposite the same net cost in a category, you list the percentage markup for the circled price only. To figure a percentage markup, subtract the net cost listed in column 2 from the offering price listed opposite it in column 3, and divide the difference by the net cost. Round the result to one decimal place. For example, you should list 53.72 percent as 53.7 percent and 53.75 percent as 53.8 percent.

Example. If you have listed a net cost of \$3.22 and an offering price of \$4.95, you subtract \$3.22 from \$4.95 (\$4.95-\$3.22=\$1.73) and divide the difference, \$1.73, by the net cost, \$3.22 (\$1.73÷\$3.22=0.53773). Your percentage markup over cost for your \$3.22 net cost is, therefore, 53.8%. Enter 53.8% in Column 4 opposite the \$3.22 net cost.

Sec. 21. Column 5: List of invoices—(a) What invoices must be listed. In the fifth column from the left, list one invoice for every offering price shown in

column 3. The invoice you list must cover your purchase at the corresponding net cost listed in column 2 for an article of that category which you offered at that price. If pursuant to section 16 (a) you have listed in column 1 a net cost from an invoice other than the last invoice you got before the list date, you must place a letter "E" beside the invoice listed in column 5.

(b) **How to list an invoice.** State your supplier's name and the date and number of the invoice. In parenthesis following the listing of the invoice you must identify the article the purchase of which at the cost shown in column 2 is covered by the invoice. (An alternative method of listing invoices is provided in Supplementary Regulation 2 to this regulation.)

(c) **Inspection of invoices.** On request you must supply for examination to the OPS or its agent any invoice which you have listed in column 5.

Sec. 22. Amendment of charts—(a) Amendment by seller. (1) If you find that you have filed an incorrect chart you must file an amendment to your chart with the OPS office where you filed your original chart and you must attach to the amendment a statement explaining why the changes conform your chart to the requirements of the regulation.

Example. If you wish to amend an inaccurate offering price listed on your original chart, you must also recompute your average percentage markup for that category, and reexamine your circled prices for that category to see if the new category average percentage markup requires a change in any of them. If changes are required, the amendment to your chart must show all the corrections which were necessary.

You may not use the amendment to your chart in fixing ceiling prices until you have received acknowledgment from your OPS office of receipt of the amendment.

[Subparagraph (1) redesignated by Amdt. 8]

(2) Whenever under a provision of Ceiling Price Regulation 7 added to this regulation after May 30, 1951, you are required or permitted to amend your chart, you must file the amendment to your chart with your OPS office on or before the thirtieth day following the effective date of that provision. You must attach to the amendment a statement which will designate under what provision you are filing.

Example of statement. This amendment is filed pursuant to Amendment 8 to Ceiling Price Regulation 7, effective June 30, 1951. This amendment allows retailers to handle each classification in Category 908 and Category 919 as a separate category.

You must, when you amend your chart, pursuant to this subparagraph, use the amendment to your chart in fixing ceiling prices after the date you file the amendment to your chart. You may not offer, sell, or deliver any article covered by the amendment to your chart after thirty days from the date you file your amendment unless you have received an acknowledgment from your OPS office of receipt of the amendment.

[Subparagraph (2) added by Amdt. 8]

(b) **Amendment by Office of Price Stabilization.** The OPS may at any time issue an order amending your chart to bring your mark-ups into line with

mark-ups established by this regulation for sellers of the same class. Also, upon examination of your chart and any amendment thereto if the records necessary to substantiate information appearing on your chart or the amendment are inadequate the OPS may issue an order amending your chart to bring the mark-ups in line with the level of mark-ups established under this regulation.

Article III—Computing Ceiling Prices

Sec. 30. How to compute ceiling prices. To compute your ceiling price for the sale to an ultimate consumer, of an article covered by this regulation, refer to your chart and use the first applicable pricing rule found below in this Article III. (Note that sales covered by this regulation to persons other than ultimate consumers must be priced under section 40, "Upstream" and "Cross Stream" Sales and sales of "Cross Stream" articles to ultimate consumers.)

In applying these rules, you must compute your ceiling price for each article to the class of purchaser you used in preparing your chart and apply your customary differentials to that price to find your ceiling price to all other classes of purchasers. You may not change the terms, allowances, discounts, or differentials which you customarily gave to various classes of purchasers, if the change would result in a higher net price.

Wherever this regulation refers to a list date chart it means only a chart correctly prepared in accordance with sections 13 to 21 of this regulation. If your chart is improper or inaccurate, your ceiling prices shall be prices computed on the basis of a correct chart.

Sec. 30a. "Permitted increase." Various OPS regulations may provide for increases in your supplier's ceiling prices. Some of these regulations may require your supplier to break down his price to you into two parts, the first part being the basic price and the second part a "permitted increase" (that is, the portion of the increase granted your supplier which the regulation allows you to pass on to the consumer). You must use the basic price (without adding the "permitted increase") to find your net cost for determining your ceiling price under this regulation. Then you may add the amount designated as a "permitted increase" to your ceiling price as otherwise determined under this regulation.

[Sec. 30 (a) added by Amdt. 2]

Sec. 31. Net cost: OPS adjustment charge. "Net cost," in this regulation means net unit cost of an article after deducting all discounts you could have taken,⁶⁶ or your supplier's ceiling price⁶⁷

⁶⁶ An alternative method for pricing Categories 940 to 943 and 970 to 985 which permits discounts for prompt payment (cash discounts) not to be deducted is provided in Supplementary Regulation 2 to this regulation.

[Footnote 9a added by Amdt. 6]

⁶⁷ If you operate an outlet of a chain not included in a group of outlets for which your central office is permitted to use the same pricing chart in accordance with section 3(b), and if your chart was not prepared on the basis of net cost of articles to your central office, "your supplier's ceiling price" for ar-

for the article, whichever is lower. (You may round your cost to the nearest cent.) You may not include in "net cost" any item on an invoice received by you labelled "OPS adjustment charge." Freight, handling charge, or other similar charges may not be added."

SEC. 32. Rule 1: Articles belonging to a category on your chart and with a net cost listed on your chart. If the article you are pricing is in a category listed in Column 1 of your chart, and if it has a net cost listed in column 2, its ceiling price is the offering price you listed in column 3 for that net cost and category. If you have a circled price for that net cost and category, the circled price is the ceiling price for the article.

Example. You wish to price a pair of men's pajamas which cost you \$1.29 net. On your chart you have listed offering prices of \$2.00 and \$2.24 for a \$1.29 net cost in category 116. You have circled \$2.00. Therefore, your ceiling price for these pajamas is \$2.00 per pair.

If you had listed only one price \$2.24 for a \$1.29 net cost, your ceiling price would be, of course, \$2.24.

SEC. 33. Rule 2: Articles belonging to a category listed on your chart but having a net cost lower than the lowest cost listed for that category. If the article you are pricing has a net cost lower than the lowest net cost listed for that category in column 2 of your chart, you compute your ceiling price by multiplying the net cost of the article by the average of the percentage markups in column 4 of the two lowest costs shown on the chart for that category, and adding the result to the net cost.

Example. You wish to price a girl's sweater having a \$1.94 net cost. The two lowest net costs on your chart for category 208 are \$2.07 and \$2.26. The percentage markups listed for the last two are 55.6% and 54% respectively. You average the last two ($55.6 + 54 = 109.6 \div 2 = 54.8$) and find that 54.8% is the average. The ceiling price for the sweater is found by multiplying \$1.94 by 54.8 ($1.94 \times 54.8 = 1.06$) and adding the result, \$1.06 to \$1.94 ($1.94 + 1.06 = 3.00$). The total, \$3.00 is your ceiling price.

SEC. 34. Rule 3. Articles belonging to a category listed on your chart, but having a net cost higher than the highest cost listed for that category. If the article you are pricing has a net cost higher than the highest net cost listed for that category in column 2 of your chart, you compute your ceiling price by multiplying the net cost of the article by the lower of (a) the average of the percentage markups listed in column 4 for the two highest costs shown on the chart for that category, or (b) the average percentage markup for the category, and adding the result to the net cost.

Example. You wish to price a woman's slip having a \$7.95 net cost. The two highest net costs on your chart for category 211 are \$6.95 and \$5.95. The percentage markups listed for the last two are 67.6% and 63.5%, respectively. You average the last two ($67.6 + 63.5 = 131.1 \div 2 = 65.6$) and find 65.6%. The category average percentage markup for

category 211 is 67%. Since the average of the percentages for the two highest cost lines (65.6%) is lower than the category average (67%), you use 65.6% to find the ceiling price of the slip. The ceiling price for the slip is found by multiplying \$7.95 by 65.6 ($7.95 \times 65.6 = 5.22$) and add the result \$5.22 to the net cost, \$7.95 ($7.95 + 5.22 = 13.17$). The total, \$13.17 is the ceiling price.

SEC. 35. Rule 4: articles belonging to a category listed on your chart but having a net cost between two net costs listed for that category. If the article you are pricing has a net cost between two net costs listed for that category in Column 2 of your chart, you compute your ceiling price by multiplying the net cost of the article by the average of the percentage markups listed in Column 4 for the next higher net cost and the next lower net cost than the one you are pricing, and by adding the result to the net cost.

Example. You wish to price a woman's dress with a net cost of \$7.75 and you have not listed any net cost of \$7.75 for Category 1010. The next higher net cost on your chart for Category 1010 is \$8.75, and the next lower net cost is \$6.75. The percentage markups listed for the last two are 59.4% and 62.2%, respectively. You average the last two ($59.4 + 62.2 = 121.6 \div 2 = 60.8$) and find that 60.8% is the average. The ceiling price for the woman's dress is found by multiplying \$7.75 by 60.8 ($7.75 \times 60.8 = 4.71$) and adding the result, \$4.71, to \$7.75 ($7.75 + 4.71 = 12.46$). The total \$12.46 is your ceiling price.

Until July 31, 1951, you may, when pricing under Rule 4 is called for, use Rule 4 as it existed prior to June 18, 1951.

[Section 35 amended by Amdts. 1 and 7]

SEC. 36. Rule 5: Articles belonging to a category comparable to a category listed on your chart. If the article you are pricing does not belong to a category which is listed in column 1 of your chart, look in Appendix C where you will find for each category a list of other categories which are "comparable" to that category. See whether column 1 of your chart contains the first comparable category listed in Appendix C for the category to which the article you are pricing belongs. If it does not contain the first comparable category, see whether you have listed in column 1 the second, then the third, and so on until you find a comparable category which is listed on your chart. Then compute your ceiling price by applying Rules 1, 2, 3, or 4, as if the article you are pricing belonged in that comparable category.

Example. You have not listed category 701 on your chart, but now purchase a bedroom suite at a net cost of \$85.00. You look in Appendix C and find that categories 706, 708, 714, 703, and 710 are listed as comparable to category 701. When you look in column 1 of your chart, see whether you have listed any of these categories. You have not listed category 706 on your chart, but you have listed category 708. Rule 5 requires you to figure your ceiling price for this bedroom suite as if it belonged to category 708. You find that you have listed a net cost of \$85.00 in column 2 for category 708, and an offering price of \$150.00 in column 3 for that net cost. You therefore apply Rule 1 and your ceiling price for the bedroom suite is \$150.00.

SEC. 37. Rule 6. Articles belonging to a category where your chart has at least three categories in the same group of

categories. If the article you are pricing is not in a category on your chart and you have no comparable category but you do have on your chart at least three categories in the same group¹ of categories, you compute your ceiling price under this rule. (If you cannot price under this rule you determine your price under section 39 which provides for the use of a markup table or in special instances for application for a pricing method.)

(a) *Groups of categories.* All categories are divided into the following groups:

Group I—Categories 101-607.
Group II—Categories 701-752.
Group III—Categories 801-854.
Group IV—Categories 1001-1030.
Group V—Categories 880-883, 890-891, 905, 915-916, 922-923.

Group VI—Categories 871-876, 878, 884, 892, 894, 906, 908, 919-921, 924, 940, 942, 950, 984-985, 1050-1058, 1062-1064.

Group VII—Categories 860-861, 877, 893, 895, 901-904, 907, 917-918, 941, 943-946, 951, 970-983, 1059-1061, 1070.

[Paragraph (a) amended by Amdt. 13]

(b) *Pricing method.* (1) *List the appropriate categories and category average percentages.* If you have at least three categories of the appropriate group² on your chart, you list as many of these categories as you have on your chart, setting forth opposite each, your average percentage markup³ for each category. Note: You may not use this rule for a category in Group II (701-752) if your chart for these categories was prepared pursuant to the alternative method provided in Section 5 of Supplementary Regulation 2 to this regulation.

(2) *Compute the "group average" for these categories.* You do this by adding together all the average markups for the categories you have listed and dividing this sum by the number of categories which you have listed.

(3) *Apply table in Appendix D.* Turn to the table in Appendix D. The top row of the table is divided into a series of percentage brackets. In the first column to the left find the category number which includes the article you are pricing. Follow this category number across and find the markup which appears in the column under the percentage bracket which includes the "group average" which you computed under subparagraph (2). This is your percentage markup over cost for the new category.

(4) *Multiply the net cost of the article you are pricing by this percentage markup.* Add the result to the net cost of the article. This final result is your ceiling price for the article you are pricing.

¹ "Group" as defined for this purpose includes any category which appears in the appropriate series of category numbers excluding categories 105A, 105B, 105C, 105D, 204, 214, 353, and 803D.

² Computations under this section are based on markups over cost. If you are on the "retail system," that is, if your chart markups are expressed as percentages of selling prices, you must convert your category markups to markups over cost. You do this by subtracting your average percentage margin on selling price for the category from 100%. You divide the result thus obtained into your percentage margin on selling price. After the percentage margin on selling price for all your categories have been converted to markups on cost you proceed as set forth above.

articles shipped to you by your central office is the amount shown on your central office's invoice to you correctly prepared under Supplementary Regulation 1 to this Regulation.

³ An alternative method for pricing categories 701-752 which permits freight to be reflected is provided in Supplementary Regulation 2 to this regulation.

Example. You wish to price a set of boy's ear muffs on which your net cost is 50 cents. Ear muffs belong to category 123 on the CPR 7 chart. You find, on examining your chart, that neither this category, nor any one of the "comparable" categories is listed on your chart.

Since category 123 belongs to the group of categories numbered from 101-607, inclusive, you look on your chart to find whether you have listed at least three categories in this group. If you do not have at least three such categories listed on your chart (excluding categories 105A, 105B, 105C, 105D, 204, 214 and 353), you cannot use this pricing rule and the ear muffs must be priced under section 39.

Let us assume that actually you have listed on your chart articles belonging to eight categories of this group of numbers. These categories have percentage markups over cost as follows:

Category:	Average percentage markup	Category:	Average percentage markup
102-----	63	215-----	62
105-----	63	217-----	68
110-----	63	302-----	65
116-----	65	304-----	60

You must compute your "group average" for all these categories by adding the average markups for these categories and dividing the result by the number of categories which you have listed above (509+8). Your "group average" is 63.825%.

You next turn to the table in Appendix D. In the first column to the left you will find a series of category numbers. Follow this column downward until you reach category 123.

Follow this row across the table until you come to the percentage bracket appearing in the top row of the table which includes your "group average"—in this case the bracket designated "over 62 including 65." At this point you will find that the allowable percentage markup for category 123 is 65.7%. This is your percentage markup for this category and for the article you are pricing.

You next multiply the net cost of the article you are pricing by this percentage markup ($50 \times .657 = \$3.28$). Add this figure to your net cost of the article you are pricing ($50 + 3.28 = \$53$). The result, \$53, is your ceiling price for the article you are pricing.

(5) **Group averages above table in Appendix D.** If, in pricing a category included in Group I (101-607), your group average is over 101 percent; in Group II (701-752) over 127 percent; Group III (801-854) over 101 percent; Group IV (1001-1030) over 109 percent; Group V (880-882, 890-891, 905, 915-916, 922-923) over 72 percent; Group VI (871-876, 878, 884, 892, 894, 906, 908, 919-921, 924, 940, 942, 950, 984-985, 1050-1058, 1062-1064) over 101 percent; and, Group VII (860-861, 877, 893, 895, 901-904, 907, 917-918, 941, 943-946, 951, 970-983, 1059-1061, 1070) over 128 percent, you find your percentage markup over cost by multiplying your group average by the multiplier listed for that category in Appendix F.

[Subparagraph (5) amended by Amdt. 13]

Example. If you are a house to house seller and have a "group average" of 150% for your categories in the group 101 to 607, inclusive, and you now wish to sell handbags (category 218) which you find you must price under this rule, you determine your markup over net cost as follows: refer to the multiplier opposite category 218 in Appendix F. There you will find the figure 1.045. This means that your markup on cost for handbags is 156.8% ($150 \times 1.045 = 156.75$).

(c) **Articles which cannot be priced under Rule 6.** If the article you are

pricing is included in categories 204, 214, 353 and 803D; or if your chart for categories 701-752 was prepared pursuant to the alternative method provided in section 5 of Supplementary Regulation 2 to this regulation; or if you do not have three categories in the appropriate group on your chart, you price such article under section 39.

Departments in departmentalized establishments are provided with methods additional to those set forth in pricing rules 1 through 6. These rules which are set forth in section 8 of Supplementary Regulation 1 to this regulation must be used before such a seller resorts to section 39.

[Above paragraph added by Amdt. 14]

[Paragraph (c) amended by Amdt. 13]

Sec. 38. Rule 7: Pricing method for repaired or reconditioned items. If in the course of your business you regularly buy used or imperfect articles (including such articles when received as trade-ins) for the purpose of repairing and reconditioning them and selling them as reconditioned or repaired, and your chart as filed indicates that such articles have been omitted, you may compute a price for such a used or imperfect article which you have repaired or reconditioned in the following manner: (a) add to the net cost of the article the net cost of reconditioning or repairing the article) but not a cost greater than that required to restore the article to a factory standard article of the same type; (b) multiply the total thus obtained by the category average percentage markup for the category including the article you are pricing; and (c) add the result to the total found in (a). If your chart has no markup for that category you use the markup for the category in Appendix E.

[Sec. 38 amended by Amdt. 1]

Sec. 38a. Rule 8: Pricing method for articles acquired before February 27, 1951, and for which seller has no cost record. If the article you are pricing is one which you acquired prior to February 27, 1951, and for which you have no cost record, your ceiling price for that article is the ceiling price as determined under the General Ceiling Price Regulation. This pricing method may not be used for any article acquired after February 27, 1951.

[Section 38a added by Amdt. 6]

Sec. 38b. Alternative pricing methods to avoid having different ceiling prices for units of the same article offered for sale at the same time. When you have in stock units of the same article¹ for which you would otherwise have different ceiling prices by the application of Rules 1 to 8, you may determine a single ceiling price for all units of the article offered for sale at any one time by using either of the following methods:

(a) **First-in, first-out (Fifo).** To use the "Fifo" method you proceed as follows:

(1) Determine how many units of the article you have in stock.

¹ "Same article," as used in this section, is defined in paragraph (c).

(2) Determine, in the following manner, how many units are covered by each of the invoices for that article: If the number of units on hand is less than or equal to the number of units covered by the last (most recent) invoice, all the units on hand are deemed covered by the last invoice; if the number of units on hand is more than the number of units covered by the last invoice, a number of units equivalent to the number of units in the last invoice is deemed covered by the last invoice; the remaining units to the extent that they do not exceed the number in the next-to-the-last invoice are deemed covered by the next-to-the-last invoice; if there are any remaining units, they are deemed covered in the same way by previous invoices, proceeding in order from the more recent to the less recent invoices.

(3) When you have determined how many units of the article in your inventory are covered by the respective invoices you mark all of the units in your inventory at or below the ceiling price based on the earliest invoice until you have sold a quantity equal to the number of units covered by that invoice.

(4) You then mark the balance of the units in your inventory at or below the ceiling price based on your next invoice until you have sold a quantity equal to the number of units on that invoice. You follow the same procedure with each successive invoice in chronological order.

(b) **Averaging of ceiling prices.** This method permits you to sell all units of the same article in stock at the same time at a ceiling price which is the same for all articles in stock.

(1) **First use of averaging.** You find this ceiling price as follows:

(i) Determine how many units of the article you have in stock.

(ii) Determine, in the following manner, how many units are covered by each of the invoices for that article: If the number of units on hand is less than or equal to the number of units covered by the last (most recent) invoice, all the units on hand are deemed covered by the last invoice; if the number of units on hand is more than the number of units covered by the last invoice, a number of units equivalent to the number of units in the last invoice is deemed covered by the last invoice; the remaining units to the extent that they do not exceed the number in the next-to-the-last invoice are deemed covered by the next-to-the-last invoice; if there are any remaining units, they are deemed covered in the same way by previous invoices, proceeding in order from the more recent to the less recent invoices.

(iii) Multiply the number of units covered by each invoice by the ceiling price based on that invoice.

(iv) Add the amounts found in step (iii) and divide the sum by the total number of units in stock. The resulting amount is your new ceiling price.

(2) **Continued use of averaging.** Whenever you receive additional units of the article, you determine a new ceiling price as follows:

(i) Multiply the number of units already in stock by their ceiling price as previously determined.

(ii) Multiply the number of units on the new invoice by the ceiling price based on that invoice.

(iii) Add the results of (i) and (ii) and divide the sum by the total of the units in (i) and (ii). The resulting amount is your new ceiling price.

Example. You have in stock 50 units of an article with a ceiling price of \$5.00 each and you receive 75 additional units of the same article with a ceiling price of \$4.75 each. You multiply \$5.00 by 50 (total \$250.00) and \$4.75 by 75 (total \$356.25). You add the dollar-and-cents amount (\$250.00 + \$356.25 = \$606.25). You also add the number of units (50 + 75 = 125). You divide the dollar-and-cents sum (\$606.25) by the number of units (125) to find your new ceiling price (\$4.85).

Now assume that you have sold 35 of your 125 units when you receive an additional 60 units of the same article with a ceiling price of \$4.95 each. You multiply \$4.85 by 90, the number of units in stock (total \$436.50) and \$4.95 by 60 (total \$297.00). You divide the dollar-and-cents sum (\$436.50 + \$297.00 = \$733.50) by the unit sum (90 + 60 = 150) to find your new ceiling price (\$4.89).

[Above example corrected by Amdt. 22]

(3) *Changing methods.* After establishing your ceiling prices by this method, you may continue to use it each time you receive additional units of the article or you may segregate the additional units, treat the number of units for which ceiling prices have already been determined under this paragraph as if they were covered by one invoice on the basis of which the ceiling price would be the last average ceiling price, and use either the "Fifo" method or the other methods of pricing provided in this regulation.

(c) *When two articles are the same article under this section.* Two articles are the same article (for the purposes of this section) if they meet all six of the following tests:

(1) They serve the same purpose.

(2) They are made of the same basic materials of equivalent quality and construction.

(3) They consume substantially the same quantities of these basic materials for the same size.

(4) They have the same grade, quality, and type of construction.

(5) They are interchangeable in trade and consumer acceptance.

(6) Retailers of the same class, handling both articles at the same time, in actual practice would customarily have sold both at the same price under the same conditions.

(d) *Record-keeping.* Whenever you use the method of paragraph (a) or (b) of this section, you must record the method used, a reference to the invoices covering the units of the article in stock when you begin to use it, and the number of units covered by each invoice together with the ceiling price based on that invoice. When you receive additional units, you must record the number of each new invoice, the number of units of the article covered by the new invoice, and the ceiling price based on that new invoice. If you use the method of paragraph (b) of this section, you must also

keep a record of your computations, showing clearly how you figured your ceiling prices.

[Section 38b added by Amdt. 18]

Sec. 39. Ceiling prices for new sellers or for sellers who cannot price under other sections of the regulation. You determine your ceiling prices under sections 39a-39g^{13b} if you are a new seller; or if you are unable to establish your ceiling prices pursuant to sections 30-38a; or if you elected to remain under the General Ceiling Price Regulation and thereafter you take on articles in a CPR 7 category and prior to taking on such articles you did not handle any articles in that category pursuant to the General Ceiling Price Regulation.

If you are a chain which prices centrally and uniformly and you are adding a new unit, you use section 39a. If you are a chain which does not price centrally and uniformly and you are adding a new unit, you use section 39b. If you are a seller with a single unit for which you have filed a chart and you wish to add another unit for which you will determine prices centrally and uniformly with your existing unit, you follow section 39c. If you are a seller who had previous experience in handling articles covered by CPR 7 at markups higher than those in Appendix E or related articles at prices which for those articles are higher than those received by the average seller and you wish to open a unit or to add a category handling CPR 7 articles at markups higher than Appendix E, you follow section 39d. In all other instances a seller uses section 39e.

All applications, notifications, and reports required by section 39a through 39g must be signed by the applicant or a duly authorized officer or agent.

[Section 39 amended by Amdts. 3, 6, 9 and 12]

Sec. 39a. Adding a unit to a chain which prices centrally and uniformly. A chain or group of stores which constitutes a single seller under section 3 (b) (3), or which has become a chain pursuant to section 39c or pursuant to section 7 of Supplementary Regulation 1 to this regulation, may include in the chain or group any new unit opened by it and may determine prices for sales from that unit pursuant to the chart filed for the chain or group if prior to opening the unit the chain or group sends a notification containing the information described below to its OPS office and receives an acknowledgment thereof from the OPS.

[Above paragraph amended by Amdts. 19 and 22]

(a) *Notification.* The notification must include the following information:

^{13b} Any seller who prior to December 31, 1951, filed a report or application pursuant to section 39 may apply or report in accordance with sections 39a through 39d inclusive and must add to any report or application otherwise required by these sections a notation that it intends its prior application, report or order to be superseded under whichever one of these sections it applies or reports.

[Footnote 13b amended by Amdt. 22]

(1) The name of the chain or group and the address of its principal office;

(2) The name and address of the new unit;

(3) The date of opening the new unit; and

(4) A statement:

(i) That central and uniform pricing with other members of the chain or group is to be maintained in the new unit;

(ii) That the new unit will be the same type of operation; will extend the same services; provide the same class of merchandise; and cater to the same class of purchaser, as the units comprising the chain or group immediately prior to January 26, 1951 (or the units comprising the chain created pursuant to section 39c or any unit in the chain created pursuant to section 7 of Supplementary Regulation 1).

(b) *Authorization.* The OPS will acknowledge a notification containing the information set forth in paragraph (a) of this section. Two copies of the acknowledgment of notification will be sent to the applicant, one to be retained in the principal office of the chain and the other to be kept in the new unit for inspection by the OPS.

[Paragraph (b) amended by Amdt. 22]

[Section 39a added by Amdt. 12]

Sec. 39b. Adding a new unit to a chain which does not price centrally and uniformly. A chain which does not constitute a single seller under section 3 (b) (3) (i. e., a chain which does not price centrally and uniformly), and which is opening a new unit may file an application to use the chart of another unit in the chain to determine ceiling prices for sales from that new unit.

(a) *Application.* The application must be filed with the District Office having jurisdiction over the area in which the unit to be opened will be located and must include:

(1) The name and address of the principal office of the chain;

(2) The name and address of the new unit and date of opening;

(3) A list of the categories proposed to be handled in the new unit;

(4) A statement of the type of supplier from whom merchandise is to be purchased (e. g., wholesalers, distributors, jobbers, manufacturers, etc.);

(5) The name and address of the unit the chart of which is sought to be used and the address of the OPS District Office with which that chart was filed;

(6) The names and addresses of the three (3) closest competitors (if three are available);

(7) Information showing that the unit to be opened and the unit the chart of which is sought to be used will:

(i) Be the same type of operation;

(ii) Extend the same services and provide the same class of merchandise;

(iii) Cater to the same class of purchasers; and

(iv) Be located in similar trading areas and in comparable locations within those trading areas.

(b) *Authorization.* (1) The OPS may, by order, authorize the use of a chart already filed for another unit of the chain if the new unit and the one

whose chart is sought to be used meet the requirements of paragraph (a) (7) above.

(2) If the new unit and the one whose chart is sought to be used do not meet the requirements of paragraph (a) (7) above, the OPS may, by order, authorize the use of the chart of the unit named under paragraph (a) (5) or of another unit of the chain if the chart results in markups in line with or lower than those of the closest competitors, (three (3), if available).

(3) If the new unit is to carry categories not on the chart sought to be used, or if any categories on the chart sought to be used under sub-paragraph (2) of this paragraph have markups in excess of those of competitors, then for such categories the OPS may authorize the use of the chart, if any, for that particular category of some other unit in the chain which would result in markups in line with or lower than those of competitors. The OPS in such case will give you an opportunity to produce such a chart for the particular categories, indicating the acceptable category average for each. Thereafter, if no chart for the particular category is produced, the OPS will authorize the use of a markup for the category in line with those of the competitors.

[Section 39b added by Amdt. 12]

Sec. 39c. A seller with a single unit who wishes to open another unit and to establish prices for the new unit centrally and uniformly. A seller who has a single unit and wishes to open a new unit and to establish prices for that new unit centrally and uniformly with the unit for which he has filed a chart may do so if prior to opening the new unit he sends a notification containing the information described below to his OPS office and receives an acknowledgment thereof from OPS.

[Above paragraph amended by Amdts. 19 and 22]

(a) **Notification.** The notification must include the following information:

(1) His name and address and the name and address of the unit for which he has already filed a chart;

(2) The name and address of the unit to be opened;

(3) The proposed date of opening; and

(4) A statement:

(i) That central and uniform pricing is to be maintained in the two units;

(ii) That the new unit will be the same type of operation, will extend the same services, provide the same class of merchandise, and cater to the same class of purchaser as the existing unit.

(b) **Authorization.** The OPS may authorize a seller with one unit to become a chain, centrally and uniformly pricing, if the notification includes the information set forth in paragraph (a) of this section. Two copies of the acknowledgment of notification will be sent to the applicant, one to be retained in the principal office of the chain and the other to be kept in the new unit for inspection by the OPS.

[Paragraph (b) amended by Amdt. 22]

[Section 39c added by Amdt. 12]

Sec. 39d. A seller who has previous experience and wishes to open a new unit or to add a category. If you are a seller not covered by sections 39a, 39b or 39c, who has the experience qualifications described in paragraph (a) below, you may use this section when opening a new unit or when adding a category which you are unable to price under prior sections of this regulation. If you are adding a category or opening a new unit under this section, you apply for authorization to use category markups in line with or lower than those of sellers carrying on business most nearly like that in which you propose to use the markups (i. e., with your closest competitors).

(a) **Eligibility.** You may apply for authorization under this section if:

(1) You already own one or more establishments selling articles covered by Ceiling Price Regulation 7 which have ceiling prices higher than those yielded by markups in Appendix E; or

(2) You already own one or more establishments selling articles related to those covered by Ceiling Price Regulation 7 which have ceiling prices which for such articles are higher than the average ceiling prices received by sellers of the articles in the trading area; or

(3) You (if you are an individually owned establishment) or any of the principal stockholders or partners actually engaged in the business or the manager of the business had previous merchandising experience as owner, officer, principal, or employee in an executive or managerial capacity in a business handling articles covered by CPR 7 at prices higher than those yielded by Appendix E markups (or if handling related articles not covered by CPR 7, at prices which for such articles are higher than average). For the purpose of this sub-paragraph, experience for more than a year as a route salesman or door-to-door salesman shall be considered the equivalent of managerial experience in processing applications to establish markups for that type of seller.

[Subparagraph (3) amended by Amdt. 22]

(b) **Application to establish a new unit.** If you are opening a new unit pursuant to this section, your application must be filed with the District Office having jurisdiction over the area in which the unit to be opened will be located and must include:

(1) The name and address of the applicant and proposed name and address of the establishment; the names and addresses of all owners, stockholders, and officers of the business establishment. (Stockholders holding less than 10 percent of the total number of shares of corporations need not be listed.)

(2) Evidence to establish eligibility under paragraph (a) above. If the claim of eligibility is made under paragraph (a) (3), the statement must include the names of persons upon whose past experience the claim for eligibility rests and evidence of such qualifying experience, including the name and address of the store (or stores) in which the experience was gained (if that store is no longer in existence, the name and address of the store which was its closest competitor); and the dates of the peri-

ods in which such experience was acquired.

(3) The date or proposed date of opening of the new unit.

(4) A list of categories (identified by the appropriate Appendix B category number) intended to be handled, indicating as to each the category markup requested.

(5) The type of unit the applicant intends to operate (for example, dry goods, furniture, men's furnishings, specialty shop, department store, etc.).

(6) Customer services which will be offered (installment selling, charge accounts, free delivery service, free alterations, etc.).

(7) If applicant is a leased department, the name and address of the prior lessee; if the department was operated by the lessor this should be stated.

(8) The names and addresses of the three (3) closest competitors.

(9) A statement of the types of suppliers from whom merchandise is to be purchased (e.g., wholesalers, distributors, jobbers, manufacturers, etc.).

(c) **Application to add a new category.** If pursuant to this section, you are adding a category which you are unable to price under prior sections of the regulation, your application must be filed with your OPS Office and must include:

(1) Your name and address and the name and address of the unit to which the category is to be added;

(2) The category number and description of the category to be added and the markup requested;

(3) A statement that the category cannot be priced pursuant to the prior sections of the regulation; and

(4) The names and addresses of the three (3) closest competitors handling the category.

[Paragraph (c) amended by Amdt. 19]

(d) **Authorization.** Upon application made pursuant to paragraph (b) or (c) the OPS may, by order, authorize you to use markups for each category in line with (or, if requested, lower than) those of three (3) competitors (if three are available) not exceeding your own past experience as established under paragraph (b) (2) or (c) above.

(e) **Reports of changes in ownership.** Any seller who has received an order authorizing him to establish prices under this section must report to the District Office which granted the order any change in ownership or management occurring subsequent to the filing of the application involving persons named in the application under paragraph (b). However, if the seller is a corporation, only transfers of more than 10 percent of corporate stock to any individual need be reported. The report should include the name of any new owner, partner or principal stockholder or managing officer actually engaged in the business and, of that person replacing the person or persons upon whose experience eligibility was established under paragraph (b) (2) above, a statement of the previous business connections with respect to CPR 7 articles or related commodities which would qualify him.

[Section 39d added by Amdt. 12]

Sec. 39e. When to use Appendix E markups. If you cannot determine your ceiling prices under any previous section of this regulation or under section 39f or section 39g, you use Appendix E markups.

(a) **Pricing method.** You find your ceiling price for all articles which must be priced under this section as follows by using the table in Appendix E. On the left side is listed a column of category numbers; opposite each category number is a percentage markup. Find the percentage markup for the category to which the article you are pricing belongs. Multiply the net cost of the article you are pricing by this percentage markup. Add the result so obtained to the net cost of the article. The amount so arrived at is your ceiling price for the article you are pricing.

(b) **Reports.** You may not sell or deliver any article which you are required to price under this section until you have filed whichever of the following reports is applicable with your OPS office:

(1) You must file a statement that you have filed a list date pricing chart (if that is a fact) and a list of the categories you intend to price under paragraph (a) of this section; or

(2) If you have not filed a list date pricing chart, you must file a statement containing the following information:

(i) Your name and address or your proposed name and address and the names and addresses of all owners, stockholders, or officers of the business establishment. (Owners holding less than 10 percent of the total number of shares of corporations preparing this statement need not be listed.)

(ii) The date or the proposed date of the organization of the business establishment.

(iii) A list of the categories which you intend to price under this section.

(iv) The type of store you operate or intend to operate (dry goods, furniture, men's furnishings, specialty shop, etc.).

(v) Customer services which you offer or intend to offer (installment selling, charge accounts, free deliveries, etc.).

(vi) If you are a leased department, the name and address of the prior lessee; if the department was previously operated by the lessor, this should be stated.

[Paragraph (b) amended by Amdt. 22]

(c) **Reduction of Appendix E markups.** If you use Appendix E markups, the OPS may, by order, reduce your markups to bring your markups into line with markups for sellers of the same class.

[Section 39e added by Amdt. 12]

Sec. 39f. Applications by certain sellers to sell exclusively in sets (groups of articles) to which services have been added.—(1) **Eligibility.** If prior to your list date, you have been engaged in the business of assembling, packaging, and selling sets (groups of articles) to which you have added services the cost of which is more than 10 percent of the total of the net costs of the constituent articles of the assembled sets, you may apply to your OPS office for a pricing

method for the sale of your assembled sets. You must file two (2) copies of an application containing the following information:

(i) Your name and address;
(ii) Date when you entered business;
(iii) Description of manner in which you conduct your business (indicating whether you are a department store, a leased department, a specialty store, or other; cash, installment or other terms; and class of merchandise you handle);
(iv) A list of all sets offered by you for sale on the list date, enumerating for each the articles included in each set, the cost of each set, the cost of each article, the cost of services added by you on each set, and the selling price of each set on the list date; and
(v) Substantiating evidence such as advertisements, catalogs, or prospectuses to show that you sold or offered for sale the sets (listed under (iv)) on the list date.

(2) **Authorization.** Upon application made pursuant to subparagraph (2), the OPS may, by order, permit you to add to the total of the net costs of the constituent articles the cost of the services you provide (packaging, monogramming, etc.) and a markup in line with the level of prices established by this regulation.

[Section 39f amended by Amdt. 8; redesignated by Amdt. 12]

Sec. 39g. Applications by sellers who repair or recondition. If you do not have a list date pricing chart and you are in or propose to enter the business of regularly buying (or taking in as trade-ins) used or imperfect articles for the purpose of reconditioning them and selling them as reconditioned or repaired, you may apply to your OPS office for a pricing method which will reflect your costs of repairing or reconditioning the articles which you sell. In such a case the OPS may, by order, permit you to add to the ceiling price established under this regulation the actual net cost of reconditioning or repairing the articles which you sell. In no case shall the cost of reconditioning or repairing include a cost greater than that required to restore the article to a factory standard article of the same type.

[Section 39g redesignated by Amdt. 12]

Article IV—Ceiling Prices in Special Cases

Sec. 40. "Up stream" and "cross stream" sales and sales of "cross stream" articles to ultimate consumers. If your sales to persons other than ultimate consumers constitute less than 10% of your total sales of articles covered by this regulation you are governed by this regulation as to those sales and your ceiling prices for those sales are computed under this section.

(a) **Ceiling prices for "up stream" sales.** Your ceiling price for a sale of any article covered by this regulation to any person other than an individual ultimate consumer, another retailer, or an industrial, commercial, or institutional user, is the net cost of that article to you.

(b) **Ceiling prices for "cross stream" sales.** (1) Your ceiling price for a sale to another retailer of any article covered by this regulation shall be the sum of the following items:

(i) the net cost of the article to you (which, as defined in Section 31 excludes any freight, OPS adjustment charge or handling charge);

(ii) the incoming freight allocable to that article which you have paid in addition to the net cost;

(iii) the OPS adjustment charge, if any, shown on the invoice received by you;

(iv) the handling charge, if any, which you customarily made when selling articles covered by this regulation to another retailer immediately prior to January 26, 1951. In no event, however, may your handling charge exceed 10 percent of the net cost of the article to you.

You must give to the buyer an invoice which must state separately each item making up your costs as itemized in this subparagraph (1) and, in addition, must contain the following notice:

NOTICE

You must compute the price for resale of the above articles pursuant to section 40 (c) of Ceiling Price Regulation 7.

(2) If you customarily made sales of commodities covered by this regulation to other retailers immediately prior to January 26, 1951, on which you figured your price by granting a specific discount from your retail price, you may continue to make such sales (excepting sales of articles purchased by you from other retailers). On such sales you must furnish the buyer with an invoice, which, in addition to showing your retail price as established by this regulation and the discount you granted, must contain the following notice:

NOTICE OF CEILING PRICE

Under Section 40 of Ceiling Price Regulation 7 you may not sell the above articles to consumers at prices higher than our retail ceiling shown on this invoice.

(c) **Ceiling prices for sales to ultimate consumers of articles purchased from other retailers.** (1) If you purchase articles covered by this regulation from another retailer and pay the seller his costs permitted to him under paragraph (b) (1), you must determine your ceiling price for sales of these articles to ultimate consumers in accordance with the pricing rules of this regulation taking your net cost from your supplier's invoice and excluding all freight, OPS adjustment charge and handling charges.

(2) If you purchase articles covered by this regulation and pay the seller his retail price less a specified discount, you must use as your ceiling price for sales of those articles to ultimate consumers the seller's retail price as stated on his invoice to you.

(d) **Articles acquired by transfer from another seller in the same selling establishment.** If one department or part of the same legal entity acquired an article by a transfer from another part of the same legal entity, the transferee pricing such an article must use as his net cost the net cost determined from the invoice received by the transferor.

The document covering the transfer must show the original invoice cost and must be preserved for inspection by the OPS.

Sec. 41. Additional and alternative methods provided in supplementary regulations. Methods of preparing pricing charts and methods of determining

ceiling prices additional or alternative to those specified in this regulation are provided in supplementary regulations as follows:

(a) Special pricing methods for certain chain stores, mail order establishments, departmentalized establishments, and consignor and consignee-outlets are set forth in Supplementary Regulation 1.

(b) Alternative and special methods for preparing list date charts and pricing in certain cases are set forth in Supplementary Regulation 2.

(c) Supplementary Regulation 3 provides the method for establishment of ceiling prices by wholesalers and retailers for certain home canning supplies.

(d) Supplementary Regulation 4 provides a method for the establishment by manufacturers and wholesalers of uniform dollar-and-cent ceiling prices for retail or wholesale and retail sales of certain branded articles.

(e) A method for deleting "unrepresentative" category charts is set forth in Supplementary Regulation 6.

[Section 41 amended by Amdts. 17 and 20]

SEC. 42. Transfers of business—(a) How a transferee fixes his ceiling prices. This section applies to you if:

(1) After the list date, you purchase or otherwise acquire a substantial part of the business, assets, or stock in trade of any business which sells or sold any articles covered by this regulation at retail; and

(2) You carry on the business or continue to sell at retail articles in any category covered by this regulation and sold by your transferor before the transfer; and

(3) You carry on the business or continue to sell in a store separate from any other store previously owned or operated by you for the sale of such articles at retail. If this section applies to you, your ceiling prices are the same as those which your transferor would have had if the transfer had not taken place (except as provided in paragraph (c) of this section). Your obligation to keep records sufficient to verify such prices shall be the same as if the transfer had not taken place. The transferor must either preserve and make available to you or turn over to you all records of transactions before the transfer which you need to comply with this regulation.

(b) **Filing charts.** If your transferor has not already filed a chart, you must prepare a chart based on his experience on the list date, using the list date which he would have used if no transfer had occurred. If your transferor has filed a chart, you must file a statement showing your business name and address and the date of the transfer. (You must attach a copy of this statement to the chart in your possession.) If the transferor's records are not available to you, you must fix your ceiling prices under section 39.

(c) **Mergers and combinations.** If, after the list date, two or more sellers merge, consolidate, or combine and continue operations as one seller, the seller who continues to operate shall fix his ceiling prices under this regulation on the same basis as that which the seller who had the largest dollar volume of sales of articles covered by this regulation during the 12 months immediately preceding the merger or combination would have had to follow.

SEC. 43. Uniform dollar-and-cents ceiling prices for certain articles. A special method of establishing uniform dollar-and-cents ceiling prices for certain branded articles is provided in Supplementary Regulation 4 to this regulation. After March 26, 1952, the provisions of this section 43 as they existed prior to that date shall remain in effect only to the limited extent provided in Supplementary Regulation 4, except that applications for orders filed before December 17, 1951 may be granted until April 1, 1952.

[Section 43 amended by Amdts. 4, 11 and 16]

Article V—General Provisions

SEC. 50. How to treat taxes. The ceiling prices determined under the pricing rules in this regulation are your ceiling prices exclusive of tax. If a tax on a particular sale or delivery such as a sales tax or a compensating use tax is imposed and the tax law permits the tax to be separately stated, you may charge or collect the tax on the sale or delivery of the article in addition to the ceiling price fixed under the pricing rules.

[Section 50 amended by Amdt. 6]

SEC. 51. Marking, tagging or posting. On and after July 1, 1951, you may not offer or sell any article covered by this regulation unless it is marked or tagged with the selling price in a manner plainly visible to, and understandable by, the purchasing public. If, however, you become subject to the regulation after June 30, 1951, as to particular categories, you may not offer or sell any article in those categories after the last date for filing your chart, unless it is marked or tagged in accordance with this section.

[Above paragraph amended by Amdt. 8]

(a) **Marking.** You may mark the selling price on the shelf, bin, rack, or other holder or container upon or in which the article is kept provided all the articles kept on, or in the shelf, bin, rack, holder or container have the same selling price.

(b) **Tagging.** If you do not wish to mark the prices as described in (a) you must mark the selling price on each article itself by writing the price directly on the article or by attaching to the article a tag or ticket stating the selling price.

(c) **Posting.** On and after July 1, 1951, you may not offer or sell any article covered by this regulation unless you post in a prominent and clearly visible position in your store, a sign stating the following:

NOTICE

The prices of merchandise in this store are no higher than the OPS ceiling prices of the articles.

(d) **Rule for mail order establishments.** Mail order establishments must mark their ceiling prices for articles listed in printed price lists which have been printed after the list date in either of the following ways:

(1) State the ceiling price for each article covered by this regulation and listed in the price list, at the place in the publication where the article is listed.

(2) Print on the front cover of each printed price list (or on the front page of any list that has no cover) the following statement:

No price for any article listed or described herein exceeds the ceiling price for that article, as determined under the applicable OPS ceiling price regulation.

SEC. 52. Records. The records required by this section must be kept for as long as the Defense Production Act of 1950 remains in effect and for two years thereafter. All such records must be kept at your store, except in the case of certain chain stores for which special record keeping requirements are provided in Supplementary Regulation 1 to this regulation.

(a) **List date records.** You must preserve for inspection by the OPS:

(1) All records which you were required to prepare and preserve pursuant to section 16 (a) (1) and (4) of the General Ceiling Price Regulation relating to articles covered by this regulation;

(2) All records relating to articles covered by this regulation which you were required to prepare and keep pursuant to section 16 (b) of the General Ceiling Price Regulation from January 26, 1951, to the date you begin pricing under this regulation, not later than the date you are required to begin using the pricing rules under section 5 (a) of this regulation;

[Subparagraph (2) amended by Amdts. 1, 4 and 8]

(3) The last invoice which you received before the list date for each kind, style, model, or lot number of the articles offered for sale by you on the list date, and all other invoices which you used in preparing your list date chart; and

(4) All other records and data, such as sales slips, inventory records or work sheets, used by you in preparing your

"The pertinent section of the General Ceiling Price Regulation is as follows:

"Sec. 16. Records. This section tells you what records you must preserve and what additional records you must prepare.

"(a) **Base period records.**

"(1) You must preserve and keep available for examination by the Director of Price Stabilization those records in your possession showing the prices charged by you for the commodities or services which you delivered or offered to deliver during the base period, and also sufficient records to establish the latest net cost incurred by you prior to the end of the base period in purchasing the commodities (if you are a wholesaler or retailer). . . .

"(4) You must also prepare and preserve a statement of your customary price differentials for terms and conditions of sale and classes of purchasers, which you had in effect during the base period."

"The pertinent section follows: "(b) **Current records.** If you sell commodities or services covered by this regulation you must prepare and keep available for examination by the Director of Price Stabilization for a period of two years, records of the kind which you customarily keep showing the prices which you charge for the commodities or services. In addition, you must prepare and preserve records indicating clearly, the basis upon which you have determined the ceiling price for any commodities or services not delivered by you or offered for delivery during the base period. If you are a retailer you are required to preserve your purchase invoices and to record thereon both your initial selling price and the section of this regulation under which you have determined your ceiling price."

chart or showing your costs and offering prices on the list date.

(b) *Current records*—(1) *Obtaining and preserving invoices.* On and after the effective date of the regulation or any amendment applicable to you, you must obtain a purchase invoice (or some other record of cost) and preserve the purchase invoices (or other cost record) which you received for all articles covered by this regulation. You must keep these invoices according to some recognized filing system, such as alphabetical, numerical, or chronological order. Upon request of any authorized agent of the OPS, you must let him examine your purchase invoices for any articles covered by this regulation.

[Subparagraph (1) amended by Amdt. 8]

(2) *"Retailing" invoices.* Before selling or offering for sale any article covered by this regulation which is delivered to you on or after the effective date of the regulation or any amendment applicable to you, you must "retail" the invoice, that is, you must mark your first selling price for each article on the invoice covering your purchase of the article, and the number of the section or the pricing rules under this regulation, or the special order or other order under which you figured your ceiling price for the article. The pricing rule and method may be stated merely as "Rule 1" or "Rule 3" or "Rule 6."

If the invoice does not state the quantity of each article, style, model or lot number which it covers, you must also enter the quantity on each invoice.

[Subparagraph (2) amended by Amdt. 8]

(3) *Preserving sales slips.* If you customarily prepared your sales slips in more than one copy, you must preserve for at least six months after delivery a duplicate copy of each sales slip delivered by you pursuant to section 54.

(4) *Listing items in General Category not enumerated in category or on chart.* If you fix ceiling prices for articles in a "general" category (as described in Appendix B) not specifically listed in that category and not offered for sale by you on the list date, you must prepare and preserve with your chart a list of such articles designating as to each the general category in which you placed the item.

Sec. 53. *Records and reports of initial markups or gross margins*—(a) *Records and reports of initial percentage markups*—(1) *Records.*

(i) *Base period records of initial percentage markups.* If you use the so-called "retail method" of accounting, or if you have other records from which the following information can be readily computed, you must preserve for inspection the data showing for each of the smallest subdivisions of your business (such as department, subdepartment, or store) for which you have such records:

(a) Your initial percentage markup on total purchases (not including opening inventory) for the calendar quarter beginning July 1, 1949 (or if your fiscal quarters begin on some other date, the fiscal quarter beginning nearest to July 1, 1949); and

(b) The corresponding initial percentage markup for each of the subsequent three calendar or fiscal quarters.

[Subdivision (ii) deleted by Amdt. 15]

(2) Reports.

(i) *Base period reports of initial percentage markups.* If you have the records required by paragraph (a) (1) (i) above you must prepare two copies of a report labelled "Initial Percentage Markups Report," listing your name and address and the initial percentage markup for each subdivision of your business for which you have such records for the periods described in paragraph (a) (1) (i). You must file one copy of this report with your list date chart and keep the other available for inspection by the OPS.

[Subdivision (ii) deleted by Amdt. 15]

(b) *Records and reports of gross margin*—(1) *Records*—(i) *Base period records of gross margin.* If you do not keep the records described in paragraph (a) (1) (i) above and your annual dollar volume of articles covered by this regulation exceeds \$50,000.00 for the calendar year 1949 or your fiscal year beginning nearest to June 1, 1949, you must preserve for inspection the data showing for each of the smallest subdivisions of your business (such as department, subdepartment or store) for which you have such records, as follows:

(a) Your quarterly percentage of gross margin for the calendar quarter beginning July 1, 1949 (or if your fiscal quarter begins on some other date, the fiscal quarter beginning nearest to July 1, 1949).

(b) The corresponding percent of gross margin for each of the subsequent three calendar or fiscal quarters.

(c) If you do not have monthly or quarterly records of gross margin your percentage of gross margin for the calendar year 1949 or your fiscal year beginning nearest to June 1, 1949.

"Gross margin" as used in this regulation is found as follows:

Step 1. Add the invoice cost of your beginning inventory for the reporting period and the invoice cost of your total purchases for the reporting period.

Step 2. Subtract the cost of your ending inventory from the total found in Step 1. The result is cost of goods sold.

Step 3. Subtract the cost of goods sold found in Step 2 from your total sales. The result is your dollar gross margin.

Step 4. Divide the dollar gross margin by your total sales. This is your percentage gross margin on sales.

Example: Period—January 1, 1949–December 31, 1949.

Step 1:	
Beginning inventory.....	\$100,000
Total purchases.....	250,000
Total	350,000
Step 2:	
Ending inventory.....	—90,000
Cost of goods sold.....	260,000
Step 3:	
Total sales.....	395,000
Cost of goods sold.....	—260,000
Gross dollar margin.....	135,000
Step 4: $135,000 \div 395,000 = 34.2\%$ = Percentage gross margin on sales.	

[Subdivision (ii) deleted by Amdt. 15]

"This report may be filed on OPS Public Form No. 3, available at OPS district or regional offices.

[Footnote 16 amended by Amdt. 22]

(2) *Reports*—(i) *Base period reports of gross margin.* If you are covered by paragraph (b) (1) (i) above you must prepare two copies of a report labelled "Gross Margin Report," listing your name and address and the gross margin percentages for each of the subdivisions of your business for which you have such records for the periods described in that paragraph. You must file one copy of this report with your list date chart and keep the other available for inspection by the OPS.

[Subparagraph (2) amended by Amdt. 1; Subdivision (ii) deleted by Amdt. 15]

Sec. 54. *Sales slips.* If you customarily gave your customers a sales slip, receipt, or similar evidence of purchase you must continue to do so. Upon request from a customer, regardless of previous custom, you shall give the purchaser a receipt showing the date, your name and address, a description of each article sold and the price received for it.

Sec. 55. *What acts are prohibited by this regulation.* On and after February 27, 1951, regardless of any contract or other obligation, the following practices are forbidden:

(a) *Charging more than ceiling prices.* You are prohibited from selling or delivering any article at a price higher than the ceiling price permitted by this regulation. A lower price may, of course, be charged.

(b) *Buying for more than ceiling price.* You are prohibited from buying or receiving, in the course of trade or business, any article sold in violation of any of the provisions of this regulation.

(c) *Changing customary terms of sale.* You are prohibited from changing your customary terms, discounts, allowances, or price differentials on sales of articles, if the change results in a higher net price. This includes differentials allowed to cash purchasers by sellers who customarily extend credit.

(d) *Combination sales.* You are prohibited from requiring any purchaser to buy or agree to buy any other article, service, package, or wrapper in connection with the sale or delivery of any article covered by this regulation. Every person is likewise prohibited from making a sale of articles which is conditioned directly or indirectly on the purchase of any other commodity or service. (Sets of articles, however, if designed for sale at a unit price, and so purchased by you, may be sold at a unit price; matched groupings of furniture articles (covered by categories 701-752) may also be sold at a unit price as suites or sets, if all the articles in the groupings were produced by the same manufacturer; and sets priced pursuant to section 39 (c) may be sold at a unit price.)

[Paragraph (d) amended by Amdt. 13]

(e) *Indirect price increases.* You are prohibited from doing any other act which directly or indirectly increases, above the ceiling price, the consideration paid for any article or delivery of any article, or, for the purposes of evading the price limitations set forth in this

"This report may be filed on OPS Public Form No. 3, available at OPS district or regional offices.

[Footnote 17 amended by Amdt. 22]

regulation, to purchase, deliver, contract, deal or otherwise operate with or through any other person under common control with, controlled by, controlling or otherwise affiliated with you. You shall not do any other act which directly or indirectly increases the consideration paid for any article. Any practice which is a device to secure the effect of a higher-than-ceiling price is as much a violation as an outright sale above the ceiling price.

(f) *Attempts to violate.* Every person is prohibited from agreeing, offering, soliciting, or attempting to do any of the acts prohibited by this regulation.

(g) *Changing delivery practices.* It shall not be deemed a violation of this section for a retailer to discontinue a practice of delivering parcels which are sufficiently small and light in weight to be carried in hand from the store by the purchaser.

[Paragraph (g) added by Amdt. 21]

SEC. 56. Enforcement. Any person who violates any provision of this regulation is subject to the criminal penalties, civil enforcement actions and suits for damages, provided by the Defense Production Act of 1950.

SEC. 57. Petitions to amend this regulation. Any person may file a petition for an amendment of general applicability to any provision of this regulation in accordance with the provisions of Price Procedural Regulation No. 1.

SEC. 58. Supplementary regulations modifying this regulation. The provisions of this regulation, as applied to certain commodities or persons subject to this regulation, may be modified by Supplementary Regulations issued under this section.

SEC. 59. Definitions:

"Accommodation sale" means a sale made entirely without profit, solely for the benefit or convenience of the purchaser. For example, a sale by an employer to his employees, or by a school to its students—and not for the purpose of promoting trade is an accommodation sale. It does not include sales by co-operative, nonprofit, or other organizations which make sales initially above cost, but later give refunds, bonuses, dividends, or other allowances to purchasers.

"Buy and sell in substantially the same form." An article is bought and sold in substantially the same form if the article which you sell belongs to the same category as the article you bought and, except as provided in section 38 and section 39 (d) (pricing of repaired or reconditioned articles) if, before offering it for sale you have not added to the article you sell, materials which cost you more than 10 percent of the net cost (as defined in section 31) of the original article.

"Consignor" means a person subject to this regulation who sells articles to ultimate consumers through outlets the ownership of which is not in the same legal entity as his own and who retains title to such articles until the articles are sold to ultimate consumers. The words "consignment," "sale on consignment," "purchase on consignment," "consignment outlet" and "consignee" shall be construed accordingly.

APPENDIX A

EXAMPLES OF A LIST DATE PRICING CHART

(a) Men's Furnishings Department List Date Pricing Chart

Men's Furnishings Department (Dept. No. 21) in Chain Store (Statement of Total Store Volume Filed Separately)
ABC Department Store, 123 Maine Street, New City, Kansas

Category	Net cost (per unit)	Offering price (per unit)*	Percentage markup on cost	Supporting invoice
(1)	(2)	(3)	(4)	(5)
Category 116, Underwear and Nightwear (Sleeping Shorts).	\$0.32 (4.00, 3/10 EOM, per dozen)...	\$0.40	53.1	#12345 ABC Underwear Co., 2/1/51 (boy's undershirt).
	\$0.34 (4.25, 3/10 EOM, per dozen)...	.50	73.5	#23456 XYZ Underwear Co., 2/5/51 (man's undershirt).
	\$0.36 (4.50, 3/10 EOM, per dozen)...	.50	63.9	#34567 CBA Underwear Co., 12/15/50 (man's undershirt).
Average percentage markup 70.9%.	\$0.44 (5.50, 3/10 EOM, per dozen)...	.79M	79.5	#45678 ZYX Underwear Co., 10/8/50 (man's undershirt).
	\$0.46 (5.75, 3/10 EOM, per dozen)...	.79	71.7	#56789 ABC Underwear Co., 11/10/50 (man's undershirt).
	\$0.49 (6.00, 3/10 EOM, per dozen)...	.79	61.2	#67890 XYZ Underwear Co., 1/18/51 (boy's undershirt).
	\$0.57 (7.00, 3/10 EOM, per dozen)...	1.00	75.4	#54321 ABC Underwear Co., 1/15/51 (T Shirt).
	\$0.58 (7.00, net, per dozen).....	1.00	72.4	#65432 ZYX Underwear Co., 2/6/51 (man's undershirt).
	\$0.77 (9.50, 3/10 EOM, per dozen)...	1.39	80.5	#78901 ABC Underwear Co., 1/26/51 (man's union suit).
	\$0.85 (10.50, 3/10 EOM, per dozen)...	1.49	75.3	#87654 ABC Underwear Co., 12/19/50 (boy's union suit).
	\$1.01 (12.50, 3/10 EOM, per dozen)...	1.69U	67.3	#98765 XY Underwear Co., 2/14/51 (boy's union suit).
	\$1.52 (22.50, 3/10 EOM, per dozen)...	2.98	63.7	#13579 MNO Pajama Co., 1/17/51 (man's sleeping short).
	\$2.43 (30.00, 3/10 EOM, per dozen)...	2.08R	63.8	#35791 MNO Pajama Co., 12/19/50 (man's pajama).
	\$2.79 (34.50, 3/10 EOM, per dozen)...	4.98	78.5	#57913 MNO Pajama Co., 12/28/50 (man's pajama).
	\$2.88 (34.50 net, per dozen).....	4.98	72.9	#79135 S. & L. Pajama Co., 2/7/51 (man's pajama).
[Category 116 amended by Amdt. 1]				
Category 117, Shirts..	\$1.21 (15.00, 3/10 EOM, per dozen)...	1.98	63.6	#91357 Ace Shirt Co., 1/17/51 (man's business shirt).
Average percentage markup, 67%.	\$1.25 (15.50, 3/10 EOM, per dozen)...	1.98	58.4	#9781 Excellent Shirt Co., 1/6/51 (boy's business shirt).
	\$1.38 (16.50 net, per dozen).....	(2.50)	63.0	#7319 Top Shirt Co., 12/26/50 (man's business shirt).
		2.50		#5107 Ace Shirt Co., 1/4/51 (man's business shirt).
	\$1.82 (22.50, 3/10 EOM, per dozen)...	2.98M	63.7	#31978 Ace Shirt Co., 12/6/50 (man's business shirt).
	\$1.94 (24.00, 3/10 EOM, per dozen)...	3.50	80.4	#19753 Top Shirt Co., 12/19/50 (man's business shirt).
	\$3.64 (3.75, 3/10 EOM).....	(8.50)	63.5	#2490 Sportswear, Inc., 1/24/51 (Boy's sport shirt).
		6.95		#46802 X Sport Shirts, Inc., 2/8/51 (man's sport shirt).
	\$3.34 (5.50, 3/10 EOM).....	7.95		#68024 Sportswear, Inc., 2/5/51 (man's sport shirt).
		(8.50)	67.6	#80246 X Sport Shirts, Inc., 1/11/50 (man's sport shirt).
[Category 117 amended by Amdt. 1]				
Category 118, Hosiery.	\$0.22 (2.75, 3/10 EOM, per dozen)...	.35	59.1	#23451 E. & F. Hosiery Co., 1/3/51 (anklets).
Average percentage markup, 63.7%.	\$0.24 (3.00, 3/10 EOM, per dozen)...	.39	62.5	#34513 Stockings, Inc., 2/2/51 (boy's socks).
	\$0.26 (3.00, 2/10 EOM, per dozen)...	.39	56.0	#45123 G. & H. Hosiery Mills 2/5/51 (men's socks).
	\$0.30 (3.75, 3/10 EOM, per dozen)...	.49	63.3	#51234 E. & F. Hosiery Co., 12/11/50 (men's socks).
	\$0.34 (4.25, 3/10 EOM, per dozen)...	.59	73.5	#43215 Stockings, Inc., 12/20/50 (sweat socks).
Category 119, Handkerchiefs, scarves, mufflers, (neckkerchiefs).	\$0.10 (1.25, 3/10 EOM, per dozen)...	.15	50.0	#94326 Handkerchiefs, Inc., 2/2/51 (handkerchiefs).
	\$0.12 (1.50, 3/10 EOM, per dozen)...	.19M	55.3	#45170 P. & Q. Handkerchief Co., 1/10/51 (handkerchiefs).
Average percentage markup 85.5%.	\$0.14 (1.75, 3/10 EOM, per dozen)...	.25	78.6	#16201 Smith Handkerchief Co., 10/18/50 (handkerchiefs) E.
	\$0.15 (1.85, 3/10 EOM, per dozen)...	.25	66.7	#24900 Handkerchief Inc., 11/14/50 (handkerchief).
	\$0.53 (6.50, 3/10 EOM, per dozen)...	1.00	88.7	#15880 M & S Knitting Co., 2/2/51 (scarf).
	\$0.55 (6.75, 3/10 EOM, per dozen)...	1.00	81.5	#16541 T & U Mills, Inc., 2/3/51 (scarf).
	\$0.57 (7.00, 3/10 EOM, per dozen)...	1.00	75.4	#15642 Jones Company, 12/19/50 (neckkerchief).
	\$1.09 (13.50, 3/10 EOM, per dozen)...	2.00	83.5	#17760 T & U Mills, Inc., 12/19/50 (scarf).
	\$1.21 (15.00, 3/10 EOM, per dozen)...	(F.00)	63.3	#19143 R. & S. Knitting Co., 2/6/51 (scarf).
		2.50		#15098 Jones Co., 2/4/51 (scarf).
	\$1.25 (15.00 net, per dozen).....	2.50	100.0	#18709 T & U Mills, Inc., 8/16/50 (scarf).
[Category 119 amended by Amdt. 1]				
Category 120, Ties (Tie and handkerchief set).	\$0.52 (6.75, 7/10 EOM, per dozen)...	1.00	92.3	#2154 JKL Neckwear Co., 12/12/50 (bow tie).
	\$0.54 (7.00, 7/10 EOM, per dozen)...	1.00	85.3	#21543 Ties, Inc., 1/16/51 (four-in-hand tie).
Average percentage markup 92.3%.	\$0.75 (9.50, 7/10 EOM, per dozen)...	1.50U	102.7	#15432 JKL Neckwear Co., 2/6/51 (bow tie).
	\$0.81 (10.50, 7/10 EOM, per dozen)...	1.50	85.2	#34152 Fashion Neckwear, 2/7/51 (four-in-hand tie).
	\$1.05 (13.50, 7/10 EOM, per dozen)...	2.00	90.5	#78201 Ties, Inc., 12/18/50 (four-in-hand tie).
	\$1.16 (15.00, 7/10 EOM, per dozen)...	(F.00)	72.4	#64790 JKL Neckwear Co., 1/6/51 (ascot tie).
		2.50		#72195 Ties Inc., 1/17/51 (tie and handkerchief set).

APPENDIX A—Continued
EXAMPLES OF A LIST DATE PRICING CHART

Category (1)	Net cost (per unit) (2)	Offering price (per unit)* (3)	Percentage markup on cost (4)	Supporting invoice (5)
Category 122, Gloves and mittens.	\$1.70 (21.00, 3/10 EOM, per dozen)	\$2.98	75.3	#12660 Superior Gloves, 11/6/50 (leather glove).
	\$1.82 (22.50, 3/10 EOM, per dozen)	2.98R	63.7	#10660 Brown Knitting Co., 2/2/51 (crocheted glove).
Average percentage markup, 71.2%.	\$2.18 (27.00, 3/10 EOM, per dozen) (\$.60)	3.98	82.6	#18605 Green Mills Inc., 11/21/50 (wool lined gloves).
	\$2.43 (30.00, 3/10 EOM, per dozen)	3.98	63.8	#18031 Superior Gloves, 2/9/51 (leather glove).

*Based on sales to cash customers.

Percentage markups on offering prices may be listed if so labeled in this column.

Signed: ABC DEPARTMENT STORE, DEPARTMENT 21,
By: JOHN DOE, Dept. Head.

[Category 122 amended by Amdt. 1]

(b) Furniture Store—List Date Pricing Chart for Store including Freight in determining Markups
LM Furniture Co., 1115 Massachusetts Ave., Barre, Vermont

[Type of store—Independent furniture store. Total retail sales 100,000-200,000]

Category (1)	Net cost (per unit) (2) (Freight)	Offering price (per unit)* (3)	Percentage markup on cost (4)	Supporting invoices (5)
Category 701, Wood bedroom suites.	\$32.34 (33.00, 2/10) 3.10	\$56.85	75.8	F. C. Mfg. Co., #1134, 1/2/51 (3 pc. maple).
	\$39.20 (40.00, 2/10) 3.50	66.45	69.5	K. F. Furniture Co., #6910, 11/12/50 (3 pc. walnut veneer).
F	\$41.16 (42.00, 2/30) 3.90	70.00	71.5	C. B. Furniture Co., #7315, 12/18/50 (3 pc. maple).
Average percentage markup 76.1%.	\$47.04 (48.00, 2/10) 5.50	84.00	78.6	K. F. Furniture Co., #6010, 1/14/51 (3 pc. walnut veneer).
	6.00	92.00		T. H. Jones Co., #142, 11/17/50 (5 pc. maple).
	\$55.00 (net)	95.00	72.7	S. W. Mfg. Co., #23691, 1/25/51 (3 pc. mahogany).
	\$61.74 (63.00, 2/10) no freight	109.00	76.6	T. Smith Industries Inc., #29, 1/5/51 (5 pc. walnut veneer).
	\$63.70 (65.00, 2/10) 7.40	111.60R	75.2	A. B. Bedroom Co., #4210, 1/18/51 (3 pc. mahogany).
	\$98.00 (100.00, 2/30) 6.00	173.00	76.5	XY Mfg. Co., #25498, 2/5/51.
	\$103.88 (106.00, 2/10) 7.50	181.50	74.7	S. A. Mfg. Co., #54691, 10/12/50 (5 pc. mahogany).
	\$151.90 (150.50, 5/10) 11.15	267.85	76.3	H. M. Co., #4359, 10/9/50 (7 pc. bleached mahogany).

Signed: L. M. FURNITURE COMPANY,
By: CHARLES COE, President.

[Category 701 amended by Amdt. 1]

(c) Furniture Store—List Date Pricing Chart for Store not including Freight in determining Markups
XY Furniture Co., 1610 Pennsylvania Ave., Rutland, Vermont

[Type of store—Independent furniture store. Total retail sales 300,000-400,000]

Category (1)	Net cost (per unit) (2)	Offering price (per unit)* (3)	Percentage markup on cost (4)	Supporting invoice (5)
Category 706, Upholstered chairs and rockers.	\$4.50 (net)	\$7.95	76.7	Brown Furniture Company #6789, 2/2/51 (occasional).
	\$6.37 (6.50, 2/10)	10.95	71.9	Smith Furniture Company #1234, 12/18/50 (occasional).
Average percentage markup 82.5%.	\$8.33 (8.50, 2/10)	14.95	79.5	Jones Mfg. Co., #2345, 9/13/50 (maple).
	\$11.27 (11.50, 2/10)	19.95M	77.0	Brown Furniture Co., #6789, 10/24/50 (Gounge).
	\$13.72 (14.00, 2/30)	24.95	81.9	Brown Furniture Co., #6789, 1/17/51 (Gounge).
	\$16.17 (16.50, 2/15)	29.50	82.4	Northern Furniture Co., #10123, 12/6/50 (cogswell).
	\$17.15 (17.50, 2/10)	29.50		Smith Furniture Co., #6213, 10/14/50 (barrell).
		82.60	80.5	L. & W. Chair Co., #3435, 1/12/51 (wing chair).
	\$21.50 (22.00, 2/10)	39.50	83.2	Brown Furniture Co., #6910, 1/30/51 (channel back).
	\$24.01 (24.50, 2/10)	44.50	85.3	Northern Mfg. Co., #8724, 9/21/50 (platform rocker).
	\$32.34 (33.00, 2/10)	59.00U	84.0	L. & W. Chair Company, #2478, 10/10/50 (club).
	\$37.34 (38.00, 2/10)	69.50	86.6	Smith Furniture Company, #6533, 2/7/51 (barrell).
	\$38.00 net	69.50	82.9	Upholstered Furniture Co., 2/2/51, #4025 (channel back).
	\$43.12 (44.00, 2/10)	79.50	84.4	W. K. Sales Company, #251, 10/11/50 (wing).

*These prices are for sales to customers who pay cash. Credit sales made on basis of additional charge of 6% per annum of unpaid balance.

Percentage markups on offering prices may be listed if so labeled in this column.

Signed: XY FURNITURE COMPANY,
By: RICHARD ROE, President.

[Above definition added by Amdt. 17]

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

[Above definition amended by Amdt. 22]

"Mail order establishment" means a person who regularly makes deliveries by mail to individual ultimate consumers in response to orders received by mail on the basis of catalogs, booklets, circulars, flyers or other forms of printed price lists.

"Office of Price Stabilization." Whenever the Office of Price Stabilization (OPS) is referred to in connection with some action to be taken it means action by the Director of Price Stabilization.

"Person." A person includes an individual, corporation, partnership, association or other organized groups of persons, legal successor or representative of any of the foregoing and includes the United States, any agent thereof, any other government, or any of its subdivisions, and any agency of the foregoing.

"Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution or individual consumer) or for purchasers located in different areas or for purchasers of different quantities or grades or under different conditions of sale.

"Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

"Sale at retail" or "retailer." "Selling at retail" means a sale or selling to an ultimate consumer (including an industrial or commercial user) of an article which you buy and sell in substantially the same form. A seller who in the regular course of business makes sales at retail is a retailer.

"Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly. Nothing in this regulation shall be construed to prohibit the making of a contract to sell an article at a price not to exceed the ceiling price at the time of delivery.

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

ELLIS ARNALL,
Director of Price Stabilization.
By JOSEPH L. DWYER,
Recording Secretary.

RULES AND REGULATIONS

APPENDIX B

What Commodities Are Covered by This Regulation

This appendix describes the articles covered by this regulation. These articles are grouped into "categories," each of which is given a number in this appendix. Paragraph (A) lists some categories of apparel and apparel accessories. Paragraph (B) lists the categories of piece goods and certain household textile commodities covered. Paragraph (C) lists the categories of certain consumer durable goods covered. Paragraph (D) lists women's, misses', teens', girls' and toddlers' apparel.

Each category is intended to be a "general" category unless designated as "specific" category. A "specific" category is one which includes only the articles that are specifically listed for that category. A "general" category is one which includes not only the articles that are specifically listed for that category but also all other related articles that fall within the general category description and are not listed in any other category in this appendix. In making your chart you must include in a "general" category all the articles listed in that category; you must include in addition all other related articles that fall within the general description and are not listed in any other category.

If you buy together at a unit price two or more articles (unless the combination is listed in a particular category) place the combination in the category of the article which bears the greatest percentage of the cost price of the combination.

(A) Categories of Apparel and Apparel Accessories

(1) Masculine Apparel and Apparel Accessories

Certain categories are for men only and certain ones for boys only. There are some categories that apply to both men and boys apparel, and some categories which apply to men, women and children. No categories include sizes commonly known as toddlers' or infants'.

Category 101—Men's Tailored Topcoats and Overcoats

This category does not include any military or civilian uniform overcoats, topcoats, raincoats or other coats covered by categories 105, 105A, 106, 107. Among the articles included are:

- Tailored topcoats and overcoats.
- Tailored fingertip-length coats, and tailored rain and reversible coats of all lengths.
- Detachable coat linings.

Category 102—Men's Suits and Sport Coats

This category does not include any garments covered by categories 104, 105, 105A, 106 and sport and utility heavy outerwear covered by Category 107. Among the garments included are:

- Tailored suits made of cotton, rayon, wool, or other fibres, or of mixtures.
- Separate tailored sport coats.

Category 103—Men's Trousers and Related Items

This category does not include any staple work clothing or any garments covered by categories 105, 105A, 106, 107. Among the garments included are:

- Separate trousers, pants, and slacks.
- Breeches, riding pants and jodhpurs.
- Knickers and walking shorts.
- Vests made of woven cloth.

Category 104—Men's Slack Suits

Category 105—Men's Civilian Uniforms

Among the garments included are:

- Uniform suits (such as conductors', chauffeurs', policemen's, firemen's, bands, military schools, etc.).

- Uniform overcoats and topcoats.
- Uniform jackets.
- Uniform trousers.
- Uniform hats and caps.

Category 105A—Men's Overalls, including Bib and Dungarees, and Overall Jackets

Category 105b—Men's Work Shirts, Work Pants and Match Sets, including Work Uniforms

Category 105C—Men's Work Accessories, including gloves, bandannas, hosiery, caps and hats (including straw) which are used primarily as work or farm hats

Category 105D—Men's One-piece Work Suits and Men's Smocks

Category 106—Men's U. S. Regulation Military Uniforms

- Suits, topcoats and overcoats.
- Fingertip length coats and rain and reversible coats of all lengths.
- Separate jackets, middies, and blouses made in the manner commonly used for jackets.
- Separate trousers, breeches, and tropical shorts.

Category 107—Men's Sports and Utility Heavy Outerwear

- Sport and loafer jackets and non-tailored coats except water repellent jackets and sleeveless styles.
- Leather coats and jackets.
- Combination leather and fabric coats and jackets.
- Wool coats and jackets made of woven cloth (such as mackinaws, parkas, loafer coats, swagger coats, melton jackets).
- Ski and skating jackets and pants.

Category 107A—Hunting and Fishing Apparel (Men, Women and Children)

- Cotton shell coats, jackets and vests (lined and unlined).
- Hunting and fishing coats, jackets, breeches, vests and caps.

Category 107B—Men's Raincoats and Water Repellent Garments

- Jackets, such as water repellent poplin.
- Non-tailored raincoats, rain caps and hats.
- Suits.
- Pants.
- Overalls.
- Aprons.
- Vests.
- Leggings.

Category 108—Juvenile and Boy's Topcoats and Overcoats, sizes 3 to 10 and 6 to 16.

This category does not include uniform overcoats and topcoats covered by Categories 111, 112, 112A. Among the garments included are:

- Tailored topcoats and overcoats.
- Tailored fingertip-length coats and tailored rain and reversible coats of all lengths.
- Detachable coat linings.

Category 108A—Topcoats and Overcoats, Cadets' sizes 10 to 20 and Students'

This category does not include uniform overcoats or topcoats covered by Categories 111, 112, 112A. Among the garments included are:

- Tailored topcoats and overcoats.
- Tailored fingertip-length coats and tailored rain and reversible coats of all lengths.
- Detachable coat linings.

Category 109—Juvenile and Boys' Suits and Sport Coats Sizes 3 to 10 and 6 to 16

This category does not include any garments covered by Categories 111, 112, 112A. Among the garments included are:

- Tailored suits, including tailored sport suits made of cotton, rayon, wool, or other fibres or of mixtures.
- Separate tailored sport coats.

Category 109A—Suits and Sport Coats, Cadets' sizes 10 to 20 and students'

This category does not include any garment covered by categories 111, 112, 112A. Among the garments included are:

- Tailored suits, including tailored sport suits made of cotton, rayon, wool or other fibres or of mixtures.
- Separate tailored sport coats.

Category 110—Juvenile and Boys' Trousers and Related Items, Sizes 3 to 10 and 6 to 16

This category does not include any staple work clothing covered by category 111 or any garments covered by Categories 111, 112 and 112A. Among the garments included are:

- Separate trousers, pants, and slacks.
- Breeches, riding pants, and jodhpurs.
- Knickers and outer shorts.
- Vests made of woven cloth.

Category 110A—Trousers and Related Items, Cadets' sizes 10 to 20 and Students'

This category does not include any staple work clothing covered by 111A or any garment covered by Categories 111, 112, 112A.

- Separate trousers, pants and slacks.
- Breeches, riding pants, and jodhpurs.
- Knickers and outer shorts.
- Vests made of woven cloth.

Category 111—Boys' Civilian Uniforms

Uniform suits (such as messenger boys', ushers', bellhops', busboys', boy scouts', etc.).

- Uniform overcoats and topcoats.
- Uniform jackets.
- Uniform trousers.
- Uniform hats and caps.

Category 111A—Boys' Work Clothes

This includes dungarees, coveralls, overalls and similar garments:

- Work suits.
- Work shirts.

[Title of Category 111A amended by Amdt. 13]

Category 112—Boys' Sport and Utility Heavy Outerwear

- Leather coats and jackets.
- Combination leather and fabric coats and jackets.
- Wool coats and jackets made of woven cloth (such as mackinaws, parkas, loafer coats, swagger coats, melton jackets).
- Sport and loafer jackets and non-tailored sport coats except water repellent types.
- Ski and skating jackets and pants.
- Snow suits, legging sets and separate leggings.

Category 112A—Boys' Raincoats and Water Repellent Garments

This category includes:

- Jackets such as water repellent poplin.
- Non-tailored raincoats.
- Caps, hats.
- Suits, jackets, pants, overalls, aprons, vests, and leggings.

Category 113—Boys' Play Clothes

- Slack suits.
- Play suits and play clothes.
- Wash suits.
- Cowboys', soldiers', sailors', firemen's, and related suits.

[Title of Category 113 amended by Amdt. 13]

Category 114—Men's and Boys' Bathing Wear

Bathing suits and trunks.

Category 115—Men's and Boys' Sweaters

This category includes all knitted outerwear and garments combined of knitted and other fabrics. Among the garments included are:

Sweaters.
Sweater vests.
Sweater coats.
Knitted pull-overs.
Knitted cardigans.

Category 116—Men's and Boys' Underwear and Nightwear

This category includes all underwear and nightwear garments made of either knitted or woven fabrics. Among the garments included are:

Union suits.
Shorts, drawers, and briefs.
Undershirts and T shirts.
Pajamas.
Nightshirts and sleeping coats.

Category 117—Men's and Boys' Shirts

This category includes all types of shirts made from all fabrics, except that it does not include any staple work shirts which are covered by Categories 105B and 111A. It includes military shirts. Among the garments included are:

Dress shirts.
Neck-band shirts.
Collar-attached shirts.
Business shirts.
Sport shirts.
Polo and basque shirts.
Boys' blouses.
Sweat shirts.

Category 118—Men's and Boys' Hosiery

This category includes:

Regular length socks.
Golf socks.
Slack socks.
Crew or sweat socks.
Work socks.
Ankle socks.
Full length stockings.

Category 119—Men's and Boys' Handkerchiefs, Scarves, and Mufflers

Among the articles included are:

Pocket handkerchiefs.
Sport handkerchiefs.
Fancy handkerchiefs.
Woolen mufflers and scarves.
Knitted mufflers and scarves.

Category 120—Men's and Boys' Neckties

Among the articles included are:

Bow ties. Cravats.
Four-in-hand ties. Ascot ties.

Category 121—Men's and Boys' Sundries

The articles included are:

Suspenders, garters, and arm bands.
Belts.
Separate collars.
Spats.
Men's Wallets.

[Category 121 amended by Amdt. 1]

Category 122—Men's and Boys' Gloves and Mittens

This category does not include any staple work gloves or athletic gloves covered by categories 105C and 351.

Among the articles included are:

Gloves. Mittens.

Category 123—Men's and Boys' Hats (other than Straws)

This category does not include any military or civilian uniform hats and caps covered by Categories 105, 105C, 106 and 111, or hats and caps covered by Categories 107B and 112A. It includes:

Hats and caps. Hoods.
Helmets. Ear muffs.

Category 123A—Men's and Boys' Straw Hats

This is a "specific" category. It covers all types of summer straw hats, except those

covered by Category 105C. It includes soft styles and stiff styles that are made of woven straw, grass fibres or any imitation thereof and any combination of these materials with any other material.

Category 124—Men's and Boys' Lounging Wear

Among the garments included are:

Bathrobes, beach robes, beach coats, and dressing gowns.
Smoking jackets and coats.
Cocktail and lounging jackets and coats.

(2) Feminine Apparel and Apparel Accessories.

Note: Categories 201 to 206 include apparel only in women's, misses', and juniors' size ranges. These are called "women's" categories.

Categories 207 to 209 include apparel only in teen age, girls', children's, and toddlers' size ranges. These are called "children's" categories.

Categories 210 to 218 include feminine apparel and accessories in all size ranges except infants' size ranges. These are called "women's and children's" categories:

Coats.	Skirts.
Suits.	Blouses.
Dresses.	Slacks.
Jackets.	Ski Suits.

To price these articles refer to Group 4, Women's, Teen's, Children's and Toddlers' Ready to Wear Categories 1001 through 1030.

Category 201—Women's Sportswear and Beachwear

This category does not include items covered by Category 405—Women's and Growing Girls' Shoes.

Among the articles included are:

Shorts, culottes and pedal pushers.
Playsuits, sunsuits, and halters.
Polo shirts and basque shirts.
Bathing suits.
Beach coats, robes, and capes.
Beach pajamas.
Beach bags.
Bathing and shower caps.
Sweat shirts.

[Category 201 amended by Amdt. 13]

Category 202—Women's Knitted Outerwear

This category does not include garments which are covered by Categories 1006, 1007, 1010, 1011, 1011A, 1014 and 1017.

Among the garments included are:

Sweaters, sweater coats, jackets, and cardigans.
Jerkens and vestees.
Dresses, skirts, and suits.

Category 203—Women's Rainwear

This category does not include uniform rainwear covered by Category 205 or any garment which does not have as its chief use protection against rain. (Excluded are garments covered by Categories 1001, 1002, 1003 and 1014.)

Among the garments included are:

Raincoats.	Rain hats.
Raincapas.	Rain hoods.
Rain jackets.	

Category 204—Women's Foundation Garments

Among the articles included are:

Corsets, girdles, and corselettes.
Brassieres.
Garters and garter belts.
Sanitary belts and aprons.
Combinations or all-in-ones.
Supports.
Leg shields.

Bust forms.

Bust developing and slenderizing appliances.

Category 205—Women's Military Uniforms

This is a "specific" category. It includes uniforms for all the armed services and the Red Cross. The articles covered are:

Coats, capes, and suits.
Separate uniform jackets and skirts.
Uniform blouses.
Uniform dresses.
Uniform hats and caps.
Uniform slacks.
Raincoats and capes and rain hats and hoods.

Category 206—Women's and Girls' Civilian Uniforms and Washable Service Apparel

Among the garments included are:

Uniforms (such as elevator operators', usherettes', nurses', waitresses', maids', messengers', beauticians', laundry workers', etc.) and separate parts of uniforms.
Uniform coats and capes.
Uniform dresses.
Uniform blouses.
Uniform hats and caps.
Uniform slacks and overalls.
Uniform aprons.
Separate uniform jackets and skirts.
Work and shop aprons, frocks, dresses, brunch coats, smocks, gowns, jackets, coats, slacks, coveralls, hats, caps, work gloves, etc.
All other aprons and Hooverettes.

Category 207—Children's Sportswear and Beachwear

Among the articles included are:

Shorts and culottes and pedal pushers.
Playsuits, sunsuits, and halters.
Polo shirts and basque shirts.
Beach coats, robes, and capes.
Beach pajamas.
Beach bags.
Bathing caps.
Sweat shirts.
Bathing suits.

Category 208—Children's Knitted Outerwear

This category does not include garments which are covered in categories 1005, 1009, 1013, 1016, 1019. Among the garments included are:

Sweaters, sweater coats, jackets, and cardigans.
Jerkens and vestees.
Dresses, skirts, and suits.
Knitted coats and legging sets.

Category 209—Children's Rainwear

This category excludes any garment which does not have as its chief use protection against rain. (Such garments are covered by categories 1005 and 1006.) Among the garments included are:

Raincoats.	Rain hats.
Raincapas.	Rain hoods.
Rain jackets.	

Category 210—Women's and Children's Riding Wear and Jackets

Among the garments included are:

All riding breeches and jodhpurs.
All plastic and all leather and imitation leather coats, windbreakers, jackets and vests.

Category 211—Women's and Children's Woven Underwear and Nightwear

Among the garments included are:

Union suits and combinations.
Undershirts and vests.
Bloomers, panties and briefs, drawers, and step-ins.
Slips and petticoats.
Chemises and camisoles.
Dance sets.
Sleeping pajamas and sleepers.

Nightgowns.
Bed jackets and shoulderettes.

Category 211A—Women's and Children's Knitted Underwear and Nightwear

Union suits and combinations.
Undershirts and vests.
Bloomers, panties and briefs, drawers, and step-ins.
Slips and petticoats.
Chemises and camisoles.
Dance sets.
Sleeping pajamas and sleepers.
Nightgowns.
Bed jackets and shoulderettes.

Category 212—Women's and Children's Lounging Wear

It includes garments made from both woven and knitted fabrics. Among the garments included are:

Housecoats.
Negligees and bathrobes.
Dressing gowns and lounging robes.
Hostess gowns.
Lounging or hostess tunics and slacks.
Cocktail coats.
Lounging pajamas.

Category 212—Women's and Children's Hosiery

Among the articles included are:

Full length stockings.
Knee length stockings and socks.
Other socks.
Anklets.
Peds and sockettes.
Bed socks and foot warmers.

Category 214—Women's and Children's Millinery

Among the articles included are:

Hats. Bonnets.
Berets. Bridal veils.

Category 215—Women's and Children's Gloves and Mittens

This category does not include any work gloves which are covered by category 206 or any athletic gloves covered by category 351. Among the articles included are:

Gloves.
Mittens.
Mitts.
Appliances to hold gloves to handbags.

Category 216—Women's and Children's Handkerchiefs and Related Items

This category includes:

Pocket handkerchiefs.
Fancy handkerchiefs.
Evening handkerchiefs.
Sport handkerchiefs.

Category 217—Women's and Children's Neckwear and Related Items

This category includes:

Artificial flowers or ornaments for hair, dresses or coats, scarves and kerchiefs.
Dickies, vestees, gilets, and bligs.
Collars, cuffs, and collar and cuff sets.
Fascinators, parkas, and babushkas.
Ties.
Ruchings and edgings.
Blouses.

Category 218—Women's and Children's Handbags

This category does not include items covered by Category 201—Women's Sportswear and Beachwear.

This category includes:

Handbags, purses, and pocketbooks.
Muff bags.
Belts.
Wallets, keyholders, etc.
Appliance to attach handbag to a table.

[Category 218 amended by Amdt. 13]

(3) Infants' Apparel and Accessories

Note: Categories 301-307 include apparel in infants' size ranges for both sexes and accessories designed for use by infants.

Category 301—Infants' Coats, Snowsuits, and Leggings

This category includes garments made of either knitted or woven fabric, or made of leather, plastic, or other materials. Among the articles included are:

Coats and coat sets.
Snowsuits and snowsuit sets.
Separate leggings.

Category 302—Infants' Knitted and Crocheted Outerwear

This category does not include any knitted coats, snowsuits, or leggings. Among the articles included are:

Sweaters, sweater sets, and knitted suits.
Jackets. Shawls and scarves.
Mittens and gloves. Booties.

Category 303—Toddlers' Woven Outerwear

This category does not include any coats, snowsuits, or leggings.

Among the articles included are:

Rompers, creepers, and crawlers.
Sunsuits and playsuits.
Dresses and wash suits.
Overalls (long and short).
Woven jackets.

Category 304—Infants' Headwear

This category includes all crocheted, knitted, and woven hats. Among the articles included are:

Hats. Caps.
Bonnets. Hoods.

Category 305—Infants' Dresses, Underwear and Nightwear

Among the articles included in this category are:

Panties.
Gowns and sleepers.
Kimonos, wrappers, and bath robes.
Sacques.
Dresses, slips and gertrudes.
Training pants and training suits.
Socks, stockings, and anklets.
Bands.
Soakers.
Plastic or rubber lined diapers and diaper protectors.

[Category 305 amended by Amdt. 1]

Category 306—Infants' Bedding and Related Items

This category includes:

Tick or sateen covered pillows.
Crib sheets, pillow cases, and blankets.
Other infants' blankets.
Rubber sheets.
Pads (including pads for cribs, high chairs, play pens, baskets, bassinets, and nursery floor pads).
Diaper bags.
Buntings and carriage suits.
Infants' towels and wash cloths.
Mattress pads and similar quilted pads.

Category 306A—Diapers

This category includes diapers of birds eye, cheese cloth, and all other materials, including disposable types.

Category 307—Miscellaneous Infants' Items

This category does not include any article that can be priced under categories 308, 309 and 310. Among the articles included are:

Carriage covers.
Blanket covers.
Infants' quilts.
Bibs.
Crib and carriage spreads.
Fancy pillows.
Trimmed baskets and bassinets.

Category 308—Infants' Metal and Wood Wheel Goods and Other Metal Goods

Some of the items included in this category are:

Strollers.
Walkers.
Collapsible carriages.
Swings.
Automobile and carrying baskets.

[Category 308 corrected by Amdt. 13]

Category 309—Infants' Staple Accessories

Among the items included in this category are:

Staple notions.
Infant toiletries.
Bottles and nipples.
Reed and metal hampers.
Diaper pails.
Untrimmed baskets (except metal covered by category 308).

Category 310—Infants' Novelties

Included in this category are such items usually designated as gifts. Some of the items included are:

Comb and brush sets.
Record books.
Baby scales.
Bottle warmers.
Bottle sterilizers.
Food dishes.
Rattles.
Teethers.
Ear conformers.
Thumb guards.
Safety straps.

(4) Masculine and Feminine Apparel

Note: Categories 351-353 include apparel and accessories for men and women and girls and boys in all size ranges except infants' size ranges.

Category 351—Athletic Clothing and Accessories

Among the articles included in this category are:

All athletic uniforms (such as baseball, softball, football, basketball, and related suits and separate parts of suits).
Gym, track, and related suits.
Colored warm-up suits.
Tennis, boxing, track, and related shorts.
Bloomers (for girls and women).
Abdominal, athletic, ankle, and similar supporters.
Special athletic hose (such as baseball and football hose).
Knee, shoulder, chest, hip, and similar pads, guards, and protectors.
Athletic gloves.

Category 352—Umbrellas and Canes

This is a "specific" category. The articles covered are:

Umbrellas.
Parasols and sunshades.
Umbrella cases and separate umbrella covers.
Canes.

Category 353—Miscellaneous Clothing

Among the garments included in this category are:

Costumes.
Regalia.
Baptismal suits.
Ecclesiastical vestments and habits.
Academic gowns.
All other related garments.

(5) Footwear

Note: Categories 401-410 include footwear of all descriptions and in all sizes for both sexes, including corrective footwear.

Category 401—Men's Dress Shoes

Street shoes.
Sport shoes.
Evening pumps and shoes.
High top street shoes.
Low-cut shoes or oxfords, other than work oxfords.
Sandals, casuals, and moccasins for outdoor wear.

Category 402—Men's Work Shoes

This does not include shoes priced under category 402A, 402B and 410. Among the shoes included are:

High top work shoes.
Low-cut oxford type work shoes.
Logger boots, utility cowboy boots, and men's high-cut laced boots.
Shearling or felt shoes (other than slippers).

Category 402A—Overshoes for Men, Women and Children

This category does not include any shoes in category 402B; it does include:

Rubbers.
Rubber boots.
Rubber overshoes.
Similar articles made of plastic or other materials.

Category 402B—Men's, Women's and Children's Rubber-Soled Canvas Shoes

This category includes all shoes commonly known as tennis shoes or sneakers.

Category 403—Little Gents', Youths' and Boys' Shoes

Among the shoes included are:

Street shoes.
Sport shoes.
High top shoes.
Low-cut shoes or oxfords.
Sandals, casuals, and moccasins for outdoor wear.
Work shoes.

Category 405—Women's and Growing Girls' Shoes

This category does not include any shoes covered by 402A, 402B or 409 or any safety shoes covered by category 410. Among the shoes included are:

Street shoes.
Sport shoes.
Evening slippers.
Pumps and step-ins.
Strap shoes.
Ties and oxfords.
High top shoes.
Sandals, casuals, and moccasins for outdoor wear.
Beach shoes, clogs, and sandals.
Play shoes.
Stadium boots.

Category 406—Misses' and Children's Shoes

This category does not include any shoes covered by Category 402A, 402B, 409 and 410. It includes shoes in sizes only up to and including size 3. Among the shoes included are:

Street shoes.
Pumps and step-ins.
Strap shoes.
Ties and oxfords.
High top shoes.
Sandals, casuals, and moccasins for outdoor wear.
Play shoes.

Category 407—Infants' Shoes

Among the shoes included are:

Soft-soled shoes.
Hard-soled shoes.
Sandals.
High top shoes.
Strap shoes.
Ties or oxfords.

Category 408—Men's, Women's and Children's and Infants' House Slippers

This category includes house shoes and slippers made of all materials in all size ranges and for both sexes. Not included are footwarmers covered in Category 213. Among the shoes and slippers included are:

Bedroom slippers.
House slippers.
Mules.
Scuffs.
Hard-soled house shoes and slippers.
Soft-soled house shoes and slippers.
Romeos.
Pullman slippers.
Jullets.
Lounging shoes and slippers for indoor wear.
Moccasins for indoor wear.
Leather and other fabric soles with knitted socks attached.

Category 409—Men's, Women's and Children's Athletic Shoes

This category includes shoes in all size ranges and for both sexes. Among the shoes included are:

Baseball, basketball, football, soccer, track, tennis, and related athletic shoes.
Gym shoes.
Spiked Golf shoes.
Golfing shoes.
Skating shoes.
Boxing shoes.
Ski boots.
Riding boots and jodhpur boots.

Category 410—Men's, Women's and Children's Safety Shoes

This category includes safety shoes for both men and women. Among the shoes included are:

Shoes having steel box toes.
Industrial protective footwear.

(B) *Categories of Household Textile Commodities, Drapery Hardware, Certain Yard Goods, Hand Knitting Yarn and Crochet Thread, Laces and Trimmings, and Ribbons.*

[Above title amended by Amdt. 8]

(1) *Certain Household Textile Commodities and Certain Yard Goods*

Category 501—Bed Linens

This is a "specific" category. It does not include any crib sheets, pillow cases, or rubber sheets, pillow cases covered by category 306, or rubber sheets covered by category 505. It includes articles made of all types of fabrics. The articles covered are:

Bed sheets.
Pillow slips and cases.

Category 502—Blankets and Electric Blankets

This category does not include any infants' or crib blankets covered by categories 306 and 307. Among the articles included are:

Electric blankets.
Blankets.
Blanketing and blanket robe cloth.
Auto robes.
Steamer rugs.
Afghans and throws.

Category 502A—Quilts

This category does not include any infants' or crib quilts covered by categories 306 and 307. Among the articles included are:

Comforts.
Quilts.

Category 502B—Spreads

This category does not include any infants' or crib spreads covered by categories 306 and 307. Among the articles included are:

Chenille spreads.
Woven spreads.
Ready-made spreads of all fabrics.
Matching ensembles of a spread and window drape.

Category 502C—Bed Pillows

This category includes all bed pillows regardless of cover and contents, except that it does not include any infants' or crib pillows covered by categories 306 and 307. Among the articles included are:

Feather pillows. Cotton pillows.
Kapok pillows. Rubber pillows.

Category 503—Bath and Kitchen Linens and Accessories

This category does not include any infants' towels or wash cloths covered by category 306. It includes articles as listed below whose value has not been enhanced by printing, hemstitching, embroidery or other embellishment.

Turkish or terry cloth towels, towel sets, and toweling.
Huck towels, towel sets, and toweling.
Kitchen towels and toweling.
All other towels and toweling.
Wash cloths.
Dish cloths.
Bath mats, not covered by category 803A.

Category 504—Fancy Table and Household Linens

In this category are items made of woven materials, plastics, cork, etc., whose value has been enhanced by printing, embroidery, hemstitching, or other embellishments. Among the articles included are:

Table cloths.
Woven table cloth material.
Napkins.
Table cloth and napkin sets.
Table pads and padding.
Bridge sets.
Dollies and dolly sets.
Place mats and luncheon sets.
Fancy linens other than bed linens.
Dresser sets.
Scarves and runners.
All towels not covered by category 503.

Category 504A—Staple Table and Household Linens

In this category are items made of woven materials, plastics, cork, etc., whose value has not been enhanced by printing, embroidery, hemstitching, or other embellishments. Among the articles included are:

Table cloths.
Woven table cloth material.
Napkins.
Table cloth and napkin sets.
Table pads and padding.
Bridge sets.
Dollies and dolly sets.
Place mats and luncheon sets.
Fancy linens other than bed linens.
Dresser sets.
Scarves and runners.

Category 505—Domestics

Among the articles covered are:

Sheeting materials, bleached and unbleached, narrow and wide width.
Pillow covers.
Mattress covers.
Ticks and ticking.
Batts and batting.
Blanket covers and quilt covers.
Waterproofed sheets and sheeting.
Bed pads.
Duck and khaki.

Category 506—Curtains and Drapes

Among the articles in this category are:

Window and door curtains.
Ready-made draperies.
Kitchen curtains and cottage sets.

Category 506A—Ready-Made Slip Covers (for Chairs, Sofas, Studio Couches, etc.)

Among the articles in this category are:
Slip covers of all fabrics.
Knitted slip covers.
Woven slip covers.
Plastic slip covers.

Category 506B—Shower Curtains and Drapes

Included in this category are items made of all materials including plastics:

Shower curtains.
Matching window drapes, not covered by Category 506.
Sets or combinations of the above.

Category 507—Curtain, Drapery, and Upholstery Fabrics

Included in this category are the following:
Curtain fabrics.
Drapery fabrics.
Upholstery fabrics.
Slip-cover fabrics.
Drapery lining and interlining.

Category 508—Drapery Hardware

This category includes all articles made of metal, plastic, or other hard materials designed to make possible the hanging of curtains or drapes, or to improve the appearance of the curtains or drapes or the opening to which the drapery or curtain is attached. Among the items included are:

Solid and extending rods.	Poles.
Traversal rods and track.	Pulls.
Hooks.	Traversal cords.
Tie-backs.	Chains.
Cornices.	Traversal pulleys.
	Pleaters.

Category 509—Window Shades and Venetian Blinds

In this category are included:

Window shades of paper.
Window shades of cloth.
Window shades of other materials.
Window shades of shade cloth.
Shade rollers.

All types of Venetian blinds (wood, metal, paperboard or any other material).

Category 510—Outdoor Shades and Awnings

In this category are included all types of rigid, roll-up and other styles used outside of windows and doors or on porches. Included are:

Canvas awnings and shades.
Metal awnings.
Bamboo shades.

(2) Certain Yard Goods

Category 601—White and Solid Colored Cottons, Linens and Plastics

This category covers all cotton yard goods, linens and plastic yard goods of all weaves and constructions that are either all white or a solid color unless otherwise covered by Categories 502, 503, 503A, 505, 507 and 607. This category also covers all yard goods that contain 50% or more by weight of cotton, linen or plastic and less than 25% by weight of wool. Some of the items included are:

Cheesecloth.	Terrycloth for apparel.
Nainsooks.	Denims.
Batistes.	Linings.
Dimities.	Sateens.
Lawns.	Handkerchief linens.
Combed muslins.	Dress linens.
Organdies.	Jerseys.
Percales.	Solid colored cotton suitings.
Broadcloths.	
Flannelettes.	
Corduroy and velveteen.	

Category 602—Fancy Yard Goods (Cottons, Linens, Plastics)

This category includes all types of yard goods described in Category 601 but which have printed, embroidered or woven patterns in different colors or other embellishments. Some of the items included are:

Nainsooks.	Terrycloth for apparel.
Embroidered batiste.	Denims.
Dimities.	Linings, sateens.
Lawns.	Handkerchief linens.
Combed muslins.	Dress linens.
Organdies.	Woven ginghams.
Printed percales.	Dotted Swisses.
Striped flannelettes.	Jacquards.
Corduroy and velveteen.	Matelasses.

Category 603—All Wool Yard Goods Costing Over \$2.45 Net Per Yard

This category does not include any blanketing covered by category 502 or drapery or upholstery fabrics covered by category 507. It includes all woolen and worsted yard goods, woven or knitted of yarns containing 25 percent or more by weight of wool fibers. Any yard goods having less than 25 percent wool are to be priced in the category that governs the yarn which by weight forms the greatest percentage of the total contents. Among the fabrics included are:

Woven woolen and worsted yard goods.
Knitted woolen and worsted yard goods.

Category 603A—All Wool Yard Goods Costing \$2.45 Net or Less Per Yard

This category does not include any blanketing covered by category 502 or drapery or upholstery fabrics covered by category 507. It includes all woolen and worsted yard goods, woven or knitted of yarns containing 25 percent or more by weight of wool fibers. Any yard goods having less than 25 percent wool are to be priced in the category that governs the yarn which by weight forms the greatest percentage of the total contents. Among the fabrics included are:

Woven woolen and worsted yard goods.
Knitted woolen and worsted yard goods.

Category 605—Solid Color Rayon, Silk, and Synthetic Fiber Yard Goods, Pile Fabrics and Mixtures

This category includes all types and weaves of woven and knitted fabrics made of these yarns or mixtures of more than 50 percent of weight of these yarns combined with cottons, linens and plastics. Excluded are fabrics covered by categories 601, 603A, 605A and 606. Among the fabrics included are:

Flat crepes.	Spun types and flannel.
Surface interest crepes.	Butcher Rayon.
Taffeta.	Shantung.
Bengaline.	Gabardine.
Satin.	Suitings.
Faille.	Synthetic and silk corduroys.
Jersey.	Transparent velvet.
Romain.	
Alpaca.	

Category 605A—Fancy Rayon, Silk, and Synthetic Fiber Goods, Pile Fabrics and Mixtures

This category includes all types of yard goods described in category 605 but which have printed or embroidered patterns or patterns woven in different color or any other embellishment. Jacquards and matelasse are included.

Category 606—Sheers, Lace, Net, and Miscellaneous Fancy Fabrics

This category includes woven, knitted, and crocheted fabrics. Included are:

Marquisette, chiffon, georgette, nets, made of cotton, rayon, nylon, or other synthetic fiber.
Burnt sheers made of rayon or nylon.
Organdies made of rayon or nylon.
Velvare made of rayon or nylon.
Embroidered sheers of all above types.
Laces (35" and wider).
Tulle, maline, tarlatan.

Category 607—Coated Fabrics

Oil cloth.
Rubberized fabrics.
Pyroxylin coated fabrics.

(3) Hand Knitting Yarn and Crochet Thread, Laces and Trimmings, and Ribbons.

Category 610—Hand Knitting Yarn and Crochet Thread.

Category 615—Laces and Trimmings. Examples of articles included are:

Laces up to 35" wide (See Category 606 for width 35" or over).
Val lace.
Venice lace.
Irish crochet.
Alencon.
Frogs, fringes, braids.
Plumes and feather trimmings.
Veils and veiling.
Fur fabric trimming.

[Category 615 amended by Amdt. 13]

Category 620—Ribbons.

The articles included are ribbons of all materials and all widths.

[Subparagraph (3) added by Amdt. 8]

(C) Categories of Consumer Durable Goods and Related Articles

[Headnote (C) amended by Amdt. 2]

(1) Household furniture.

Category 701—Bedroom Suites and Open Stock Pieces

Wood and metal bedroom suites and open stock bedroom pieces including:

Beds.	Vanities.
Chest of drawers.	Vanity benches.
Dressers.	Wardrobes.
Night tables.	Chiffoniers.

Category 703—All Other Metal and Wood Beds and Bedroom Pieces That You Did Not Buy Matched with a Bed and At Least One Other Piece to Make a Three-Piece Ensemble Possible

Among the pieces included are:

Individual beds.	Vanity benches.
Vanities.	Night tables.
Chest of drawers.	Chiffoniers.
Dressers.	

Category 704—Boudoir Chairs

Furniture distinguished by its construction and coverings as intended for use in bedrooms including:

Boudoir chairs and rockers.
Chaise longues.
Ottomans.

Category 705—Cedar Chests

This category includes any wood finished cedar or cedar-lined chests.

Category 706—Dining Room Suites and Open-Stock Pieces

This category includes wood dining-room suites, dinette suites, and all open stock of dining room and dinette pieces:

Dining and dinette tables.	
Buffets.	Servers.
Credenzas.	China closets.
Chairs.	Cupboards.
Cabinets.	Hutches.

Category 706A—Metal Dinette Suites and Separate Pieces

All metal tables or metal combined with any other material, for example, metal legs with wood tops and suites containing tables:

Chairs, all metal or metal combined with other materials. All metal dinette pieces including tables, buffets, credenzas, chairs, cabinets, servers, china closets, cupboards, hutches, and benches.

Category 708—Individual Pieces of Dining-room Furniture

Pieces not bought as matched sets (a table, chairs, and at least one other article) which are commonly offered as individual pieces:

Chairs.	Cupboards.
China cabinets.	Cabinets.
Buffets.	Servers.
Tables.	Hutches.
Benches.	

Category 709—Chairs and Rockers

All wood chairs, all over-stuffed chairs, all upholstered or combination type including those known as pull-up, occasional, and desk chairs. This category includes chaise longues and ottomans. It does not include dining room and dinette chairs, boudoir chairs, kitchen or bathroom chairs or chairs in Categories 717 and 717A.

Category 710—Upholstered Suites, Sofas and Love Seats

This category includes suites containing a sofa or love seat and one or more matching chairs. Does not include any sofa or suite in Categories 717 and 717A.

Category 712—Upholstered Dual Purpose Sleeping Equipment

This category includes upholstered sofa-beds, single and double studio couches, love seats, chairs, davenports, etc., which open into beds and a suite of these articles with one or more chairs.

Category 713—Living-Room Tables of All Types

This category includes cocktail, end, coffee, gate-leg, lamp, drop-leaf, etc., tables made of wood, glass, plastic, etc., non-folding rigid bridge tables and complete rigid bridge sets.

Category 714—Desks, Secretaries and Break-Fronts**Category 715—Living-Room Novelty Pieces**

This category includes smokers, cellarets, magazine racks, bookcases, record cabinets, sewing cabinets, telephone sets, costumes and stools, portable and stationary bars, bar stools and bar benches.

Category 716—Kitchen and Utility Cabinets, Kitchen Tables, Chairs and Stools

This category includes kitchen cabinets of all kinds, kitchen tables, kitchen chairs, kitchen stools, utility cabinets, kitchen step stools, electric roaster base cabinets, sink cabinet bases without plumbing, storage hampers, bath room stools and chairs.

Category 717—Furniture for Outdoor Use and Bridge Tables

Included in this category are all items that may be used outdoors.

This category includes porch and lawn furniture, whether made of wood, metal, reed fiber, rattan or any combination of these. Included here are chairs, rockers, tables, settees, garden and beach umbrellas, gliders, swings, garden umbrella sets, collapsible folding chairs, Adirondack chairs, rustic chairs, etc., all folding bridge tables, folding bridge chairs, and combinations of bridge tables and chairs.

Category 717A—Sun Parlor Furniture

Suites and individual pieces made of wood, metal, reed, fiber, rattan or any combina-

tion of these whether upholstered or not but which cannot remain outdoors without damage; also suites and pieces made of wood including oak, maple or other wood usually displayed with wood fronts. Included are:

Chairs.	Settees.
Tables.	Chaise longues.
Sofas.	

Category 718—Juvenile Furniture

This category includes all articles of infants', nursery, and youths' furniture. Among these are:

Bassinets.	High chairs.
Cribs.	Bathinets.
Play yards.	Nursery seats.
Porch gates.	Juvenile tables.
Chests.	Chairs.
Dressers.	Rockers, etc.
Chiffonobes.	

Category 719—Unfinished Furniture

This category includes all unfinished furniture such as unfinished kitchen sets, tables and chairs, bookcases, chests, dressers, beds, magazine racks, record cabinets, etc. A coat of shellac, varnish or other surface covering material merely to prevent soiling of this furniture does not remove it from this category.

Category 720—Pictures and Mirrors

Included in this category are all framed and unframed pictures and mirrors.

(2) Bedding

These categories do not cover household textile commodities such as sheets, pillow cases, mattress protectors, blankets, comforters, etc., which are included in Paragraph (b) of this appendix, nor pillows.

Category 751—Mattresses, Springs, Mattress Pads, and Headboards

This category includes mattresses, springs, box springs, mattress pads, rubber mattresses, upholstered and non-upholstered headboards of all types and materials. It also includes box springs on legs, set combinations of a matching mattress and box spring on legs, headboard sets (consisting of a headboard and box spring with or without a mattress), etc.

Category 752—Wood and Metal Cots

This category includes folding and non-folding cots of all kinds and any combination set consisting of a cot and mattress or mattress pad.

(3) Floor coverings and certain wall covering

All floor coverings are included in these categories.

[Category 752 amended by Amdt. 1]**Category 801—Soft Surface Carpeting by the Yard and Rugs Made of This Carpeting**

This category includes all kinds of carpeting made of cotton (except those covered in category 803A and 803C), wool, jute, rayon, or other fibers or any combination of these materials, which is sold on the basis of the price per yard or square yard and is to be cut from the bolt. Also all rugs made of this carpeting cut from the bolt in all sizes.

Category 802—Soft Surface Larger Rugs

This category includes all kinds of rugs, 4' x 6' or larger, made of cotton (except those covered by category 803A or 803C), wool, jute, rayon, or other fibers or any combination of these materials, which you buy on the basis of the price per rug.

Category 803—Soft Surface Smaller Rugs

This category includes all kinds of rugs smaller than 4' x 6', made of cotton (except those covered by Category 803A or 803C), wool, jute, rayon, or other fibers or any combination of these materials, which

are sold on the basis of the price per rug. This does not include any rug in Category 803A or 803C.

[Category 803 amended by Amdt. 22]

Category 803A—String and Chenille Cotton Rugs

All string rugs.
Looped pile.
Cut pile.
Chenille rugs. Also bolt materials of the above descriptions.
Rugs and toilet lid cover sets.
Separate toilet lid covers.

Category 803B—American, Chinese or Japanese Hooked Rugs of all Sizes (if not imported by seller)

This category also includes numdah type rugs.
Animal skin rugs.

Category 803C—Miscellaneous Floor Covering and Linings

This category includes all yard goods and rugs not covered by Categories 803, 803A, 803B. Included are: rugs made of rags, braid, waste, felted materials, cocoa and other door mats, stair pads, carpet pads, padding and carpet paper. Also included are rugs and tiles made of grass, fiber, etc., most frequently designated as summer rugs.

Category 803D—Genuine Oriental Rugs

Included are rugs of all sizes commonly known as Genuine or Real Orientals that are not imported by you.

Category 804—Hard Surface Floor Covering

This category includes all kinds of hard surface floor covering and wall covering, in-laid linoleum, felt base linoleum, rubber and plastic sold by square yard from bolts; also tiles of linoleum, rubber, asphalt, plastic, etc., sold by square foot, square yard or by tile.

Category 805—Hard Surface Rugs

This category includes all kinds of hard surface floor covering (linoleum, felt base, etc.), which is bought by you on the basis of the price per rug.

(4) Lamps and Lamp Shades**Category 851—Floor Lamps**

This category includes floor lamps, reflector lamps, bridge lamps, etc., of all types and materials.

Category 852—Table and Desk Lamps costing over \$2.94.

The price of \$2.94 is net cost to you f. o. b. factory and includes packing charges. This category includes all lamps not priced under categories 851 and 852A.

Category 852A—Table and Desk Lamps costing \$2.94 and under

The price of \$2.94 is net cost f. o. b. factory and includes package charges. This category includes all lamps not priced under categories 851 and 852.

Category 854—Lamp Shades and Covers

This category covers lamp shades of all types, sizes and materials and all styles of lamp shade covers.

(5) Categories of Musical Instruments**Category 860—Pianos, Electric Organs and Electronic Attachments for Pianos or Organs**

This is a "specific" category.

Category 861—Other Musical Instruments

This category includes all musical instruments other than those in Category 860. Including but not limited to the following:

RULES AND REGULATIONS

Strings
Violins
Violas
Cellos
Double Basses
Mandolin
Guitar
Wood Winds
Clarinet
Saxophones
Oboes
Bassoons
English Horns
Flutes
Piccolos
Brasses
Trumpets
Cornets

Brasses—Con.

Trombones
Baritone
Euphonium
Sousaphones
French Horns

Percussion

Drums (kettle, bass, and snare)
Drummers' accessories such as gourds, cymbals, and maracas

Miscellaneous

Harp
Marimbas
Xylophones

(5) Radios

Category 871—Table Radios
Category 872—Portable Radios
Category 873—Table Radio-Phonograph Combinations
Category 874—Amateur or Communications Type Short-Wave Table Radios
Category 875—Console and Consolette Radios
Category 876—Console Radio-Phonograph Combinations, with a net cost of less than \$225
Category 877—All types of radios and radio-phonograph combinations (custom cabinet, etc.) with a net cost of \$225 or more
Category 878—Radio Replacement Parts

(7) Television Sets and Television Accessories

Category 880—Table Television Sets
Category 881—Console Television Sets up to and including 16" Picture Tube
Category 882—Console Television Sets, 17" Picture Tube and Larger
Category 883—All Television Combinations
Examples: Television-Radio Combinations
Television-Radio-Phonograph Combinations
Category 884—Television Antennae, Boosters, Accessories, Replacement Parts

(8) Phonographs and Recorders

Combinations are covered by categories 873, 876, 877, and 883.
Category 890—Record Player Attachments with a net cost of less than \$17
Category 891—Record Player Attachments with a net cost of \$17 and over
Category 892—Portable Phonographs and Separate Phonographs
Category 893—Magnetic Recorders, Tape or Wire (not including office equipment for recording correspondence)
Category 894—Phonograph Records (all types)
Category 895—Tape and Wire for Magnetic Recording

(9) Housewares

Categories 901 to 908 include certain houseware categories similar to those found in the housewares department of a department store or the housewares section of a hardware store. Kitchen furniture which is covered by categories 706 and 706A is not included in these categories. Category 908, a single category, covers 20 classifications of housewares.

Category 901—Household Cleaning Brushes

This category includes all types of household cleaning brushes. Excluded are personal brushes such as toilet brushes, hair

brushes, etc. Examples of the articles included are:

Scrubbing brushes
Vegetable brushes
Sink brushes
Radiator brushes

Category 902—Fireplace Equipment

Examples of the articles included are:

Mantels
Screens
Andirons
Pokers
Fireplace shovels
Artificial fireplaces
Electric logs, etc.

Category 903—Household Thermometers

This category includes all types of household thermometers. Excluded from this category are clinical thermometers. Examples of the articles included are:

Oven thermometers
Outdoor thermometers
Room thermometers
Meat thermometers
Candy thermometers
Deep fat thermometers, etc.

Category 904—Kitchen Cutlery

This category includes all types of kitchen cutlery. Excluded from this category is silver cutlery which is covered by category 940. Examples of the articles included are:

Kitchen forks
Kitchen knives
Slicers
Carving sets and carving aids
Knife and fork sets
Steak sets
Kitchen shears
Kitchen saws
Food choppers
Poultry shears
Boning shears

Category 905—Power Lawn Mowers

This is a "specific category." Hand lawn mowers (not power driven) are covered by category 908.

Category 906—Small Electrical (Houseware) Appliances

This category includes all types of small electrical houseware appliances. Excluded are large major appliances, such as refrigerators.

Examples of the articles included are:

Electric toasters
Electric mixers
Electric grills
Electric waffle irons
Electric irons (including steam iron and travel irons)
Electric heating pads
Electric coffeemakers
Electric fans
Electric ventilators
Electric juicers
Electric sun lamps
Electric broilers
Electric hot plates
Electric roasters
Electric portable heaters
Electric bottle warmers
Electric curling irons
Electric hair dryers
Electric casseroles
Electric chafing dishes
Electric corn poppers
Electric egg cookers
Electric teakettles, etc.

Category 907—Utility Cabinets (Movable)

This category covers movable utility cabinets. Excluded are composition wardrobes which are covered by category 919. Examples of the articles included are:

Steel wardrobes and chests
Steel shelf cabinets
Broom cabinets
Wall cabinets
Base cabinets, etc.

Category 908—General Housewares

The following 20 classifications of housewares are all covered by this one category. Items not to be included in this category are noted following each classification. Each of the classifications may, at your option, be used as a separate category. If you elect to divide this category, you will list the categories on your chart by adding to the present category number a dash followed by the classification number and designation, for example, 908-4-Cleaning Supplies.

[Above paragraph amended by Amdt. 8]

1. Bathroom Accessories

Not included in Bathroom Accessories are: shower curtains and matching draperies covered by category 506B; bathroom rugs, toilet lid covers and lid cover sets covered by categories 803A and 503; and bathroom stools and chairs covered by category 716.

Examples of the articles included in Bathroom Accessories are:

Shelves
Towel bars
Soap dishes
Racks
Glass rods
Bathroom tumblers
Bathroom scales
Hampers, etc.

2. Door Chimes

3. Cleansing Equipment

Not included in Cleansing Equipment are: dish cloths covered by category 503; and household brushes covered by category 901.

Examples of the articles included in Cleansing Equipment are:

Brooms
Mops
Dust pans
Sponges
Carpet sweepers
Dusters, etc.

4. Cleaning Supplies

Examples of the articles included are:

Waxes
Polishes
Cleaners
Deodorizers
Steel wool
Cleansing cloth, etc.

[Above list amended by Amdt. 6]

5. Cooking Utensils (pots and pans)

Examples of the articles included are:

Aluminum ware cooking utensils
Cast iron ware cooking utensils
Tin ware cooking utensils
Copper ware cooking utensils
Glass ware cooking utensils
Enamel ware cooking utensils
Stainless steel cooking utensils
Plastic cooking utensils, etc.

6. Food Bags and Covers

Examples of the articles included are:

Bowl covers
Bowl cover sets
Food bags
Appliance covers, etc.

[Subparagraph 7 deleted by Amdt. 13]

8. Food Preparation Devices—Kitchen Aids and Gadgets and Kitchen Tools

Examples of the articles included are:

Cookie cutters
Corks
Moulds
Cake turner
Can opener
Strainers
Spatulas
Measuring cup
Basters
Peelers
Mashers
Cork screws
Ladles
Sifters
Slicers
Choppers
Juicers
Grapefruit knife
Cheese knife
Ice picks
Ice crushers
Beaters
Bottle openers
Shredders
Salt and pepper shakers
Tea balls
Nut crackers
Peppermills
Knife sharpeners
Kitchen scales
Ice-cream dippers
Butter churns
Food mills
Kitchen tools, etc.

[Subparagraph 8 amended by Amdt. 13]

9. Galvanized Ware

Examples of the articles included are:

Ash cans
Garbage cans
Washtubs
Water pails
Wash boilers, etc.

10. Garden Equipment

Not included in Garden Equipment are power lawn mowers which are covered by category 905.

Examples of the articles included in Garden Equipment are:

Weeders	Pruning shears
Rakes	Hand lawn mowers
Spades	Garden hose
Garden shovels	Sprinklers, etc.
Garden hoes	

11. Grocery Carts

12. Miscellaneous Household Equipment, Window Ventilators, Radiator Shields

Examples of the articles included are:

Humidifiers	Ventilators
Air Moistener pans	Trays
Radiator shields	Waste baskets, etc.

13. Kitchen Glassware and Pottery (including plastics)

Examples of the articles included are:

Waterbottles	Bowls and Bowl sets
Butterdishes	
Cocktail shakers	Coffeemakers (not electric)
Range sets	Refrigerator sets, etc.
Servers	
Casseroles	

14. Miscellaneous Kitchen Utensils

Examples of the articles included are:

Basins	Percolators
Double boilers	Pitchers
Colanders	Ovens
Teakettles and tea-pots	Canning accessories, etc.

15. Kitchen Wooden Ware (plain)

Examples of the articles included are:

Rolling pins	Spoons
Knife and fork boxes	Potato mashers
Knife racks	Cutting or bread boards, etc.
Pastry boards	

16. Laundry Equipment

Examples of the articles included are:

Outdoor dryers	Washboards
Indoor dryers	Wringers
Clothes baskets	Laundry bags
Clothes props	Ironing boards
Clothes pins	Sleeve boards
Clothes pin bags	Pads and covers
Curtain stretchers	Ladders, etc.

17. Oilcloth and Paper Household Needs

This category does not include paper household needs covered by Category 915.

Examples of the articles included are:

Chair pads	Paper doilies
Paper napkins	Paper drapes, etc.
Paper bags	

[Classification 17 amended by Amdt. 3]

18. Pantry Ware

Examples of the articles included are:

Cake box	Cookie jars
Canister sets	Vegetable bins
Bread boxes	Dust pans
Step-on cans	Stove mats, etc.
Floor cans	

19. Picnic Supplies

Examples of the articles included are:

Picnic jugs	Paper plates
Picnic grills	Paper cups
Picnic baskets	Vacuum bottles
Fitted picnic suit cases	

20. Rubber Kitchen Ware and Rubber Covered Wire Goods

All kinds of rubber mats and rubber implements for sink and kitchen. Rubber covered wire goods.

(10) Categories of Notions

Category 915—Sanitary Napkins, Tampons, Toilet Tissues and Other Paper Items

This category does not include paper household needs included in Category 908.

Classification 17. Examples of the articles included are: Sanitary napkins, Tampons, Facial Tissue, Toilet Tissue, Paper Towels, Wax paper.

[Category 915 amended by Amdt. 3]

Category 916—Threads and Similar Items

Examples of articles included are:

Mercerized threads	Mending and Darning Cottons
Sewing Silks	Buttonhole Twists
Cottons	Carpet Threads
Basting	

Category 917—Hair Goods

Examples of articles included are:

Make-up capes	Slumber caps
Shower caps	Hair nets
Curriers and clips	Comb cleaners
Curling irons	Bobble Pins
Barrettes	Metallic Braids
Wire and bone hair pins	Wigs—Toupees
Combs of all types	Hair Rats and Switches
Wave caps	Hair Braids

Category 918—Staple and Novelty Buttons and Buckles

This category includes all buttons and buckles.

Category 919—General Notions

The following 14 classifications of notions are covered by this one category. Items not to be included in this category are noted following each classification. Each of the classifications may, at your option, be used as a separate category. If you elect to divide this category, you will list the categories on your chart by adding to the present category number a dash followed by the classification number and designation, for example, 919-2—Closet Shop Accessories.

[Above paragraph amended by Amdt. 8]

1. Bathing Accessories

Examples of the articles included are:

Bathing belts
Rubber flowers
Rubber and wooden beach sandals
Cosmetic cases

2. Closet Shop Accessories

Examples of the articles included are:

Garment bags	Glove boxes
Shoe bags	Jewelry boxes
Laundry bags	Handkerchief boxes
Hat boxes	Shelf edging
Blanket boxes	Shoe, mittens, hat stands
Blanket bags	
Paper or plastic covered utility shoe chests	Pants, coat, suit, dress, skirt and blouse hangers
Composition wardrobes	Shoe racks
Hose boxes	Tie racks

3. Elastics and garters

Examples of the articles included are:

Elastic by yard (all widths)
Round garters
Girdle supporters
Hank elastic

4. Household Notions

Examples of the articles included are:

Rubber gloves
Mending cement and glue
Pressure adhesive tapes
Moth preventatives

5. Identification Tapes

This category includes all identification tapes, such as embroidered or printed name tape, tape with initials, etc.

6. Notion Novelties

Examples of articles included are:

Powder puffs	Carry-alls
Sachets	Card table covers
Wooden novelties	Plastic table covers

7. Sanitary Goods

This category does not include the following items covered by Category 204: girdles, brassieres, garter belts, sanitary aprons, and sanitary belts and supports; nor the following items covered by Category 915: sanitary napkins, tampons, facial tissue.

Examples of articles included are:

Dress shields	Rubber bloomers
Back shields	Sanitary petticoats
Chafe guards	Sanitary step-ins

8. Sewing Boxes and Stands

Examples of articles included are:

Spool holders
Knitting boxes and bags
Sewing kits

9. Sewing and gift cutlery sets

This category does not include poultry, boning and other shears which are included in Category 904.

Examples of articles included are:

All scissors, shears
Manicure scissors
Pedicure scissors
Baby scissors
Scissor sets for sewing uses
Scissor sets for manicure uses

10. Replacement Sewing Needs

Examples of articles included are:

Collars	Leather patches
Cuffs	Knitted cuffs
Neck bands	Press on mending tapes
Pockets	

11. Sewing Supplies

Examples of articles included are:

Snaps	Pins
Fasteners by cards or yard; hook and eye tape	Darners
Carpet Binding	Tape measures
Blanket Binding	Press weights
Beltting	Collar supports
Bias tape	Shoulder pads
Skirt markers	Pin cushions
Featherboning	Brassiere straps & replacement parts
Seam binding	Other small sewing needs
Thimbles	
Needles	

12. Shoe Findings and Accessories

Examples of articles included are:

Shoelaces
Polishes
Dyes
Suede Brushes
Shoe trees (Men's and Women's)
Shoe polishing brushes and cloths
Shoe horns
Boot calks

13. Dryer forms

This category includes all sweater, glove and hose dryers.

14. Zippers and other slide fasteners

(11) Luggage and Sporting Goods

Category 920—Luggage and Related Items

Included are men's and women's hard-side and soft-side luggage and other related articles made of plastic, canvas, leather, fiber, nylon, etc. Not included are golf bags included in category 921.

Examples of the articles included are:

Animal carriers	Kit bags
Attache cases	Laundry cases
Binocular and	Lockers
Camera cases	Nurses bags
Boston bags	One suiters
Bottle cases	Overnight and
Brief bags and	weekend bags
cases	and cases
Club bags	Physicians' bags
Companion bags	Pullman cases
Duffle bags and	Sample cases
cases	Tourists' cases
Fitted cases	Trunkcases
Fiber cases	Trunks
Fishing rod cases	Two-suiters
Gladstone bags	Wardrobe bags and
Gun cases	cases
Hat and shoe bags	Zipper envelopes
Jackknife cases	

Category 921—Sporting Goods

This sporting goods category does not include the following: golf and tennis balls, which are included in category 922; bicycles which are included in category 923; all athletic clothing, shoes, and accessories which are included in categories 351 and 409.

Examples of articles included are:

Archery equipment
Badminton equipment
Bags (caddy, golf, punching, etc.)
Baseball equipment (bats, balls, masks, etc.)
Basket balls
Boxing, wrestling and striking bag equipment
Croquet sets and equipment
Fishing tackle
Fishing rods
Other fishing accessories
Football equipment
Golf clubs
Handball equipment
Helmets (athletic)
Hockey equipment
Lacrosse equipment
Shuffle board equipment
Shuttle cock
Skates (ice and roller)
Ski equipment (skis, poles, binding, etc.)
Snowshoes
Soccer balls
Softball equipment (balls, bats and masks)
Squash equipment
Surf boards
Table tennis equipment
Tennis rackets
Toboggans, bob-sleds and equipment
Volley ball equipment

Category 922—Golf and Tennis Balls

This is a "specific" category.

Category 923—Bicycles

This is a "specific" category.

Category 924—Bicycle Accessories

Examples of articles included are:
Horns
Bells
Lights, etc.

(12) Silverware, China and Glassware

Category 940—Sterling Flatware

Examples of articles included are:
Cutlery (sets and separate pieces)
Flatware (sets and individual pieces)
Serving pieces

Category 941—Plated Flatware

Examples of articles included are:
Flatware (individual pieces or sets)
Serving pieces
Cutlery with plated blades or handles (sets or separate pieces)

Category 942—Sterling or Plated Hollowware

This category includes articles of hollowware which are sterling silver, silver-plated,

chromium plated, or plated with other materials.

Examples of articles included are:

Butter dishes
Vegetable dishes
Water pitchers
Cheese and cracker dishes
Casseroles
Ice buckets
Cocktail shakers
Salad sets
Salt and pepper shakers
Bowls
Candle holders
Candelabras
Trays and platters
Sugar and creamers

Category 943—Silverware Accessory Items

Examples of articles included are:

Silverware chests
Covered bags for silverware
Silverware Polishing Cloths

Category 944—China, Earthenware and Plastic Sets

Examples of articles included are:

China and earthenware and plastic sets for table use.

Category 945—China, Earthenware and Plastic, Open Stock or Individual Pieces

This category includes open stock and individual pieces of china, earthenware and plastic for table use.

Category 946—China and Earthenware Giftware

This category includes individual decorative items made of china and earthenware.

Examples of articles included are:

Vases	Ash trays
Figurines	Artificial fruit
Cigarette sets	Plaques
Bowls	

Category 950—Machine-made Glassware Sets and Individual Glass Pieces

This category does not include glass cooking ware which is covered by category 908.

Examples of articles included are:

Tumblers
Drinkware sets or separate pieces
Salt and pepper sets
Dinner, bridge and luncheon sets
Console sets and individual pieces of these sets.

Category 951—Handmade Glassware Sets and Individual Glass Pieces

This category includes hand-pressed, hand-blown and hand-molded glassware sets and individual glass pieces; and hand-cut, hand-etched, hand-painted and engraved stemware, drinkware items and individual pieces.

(13) Jewelry, Watches, and Clocks

NOTE. Categories 970-985 do not include articles described here as "precious jewelry," "Precious jewelry" when the value of the "precious stone" (or "precious stones") exceeds the value of the total of the other component parts of the finished article, includes the following:

(1) Any article a component part of which is a "precious stone" (or "precious stones"); or

(2) A mounting into which a "precious stone" (or "precious stones") is set.

A "precious stone" for this purpose means a natural pearl, diamond, ruby, sapphire or emerald. The term "precious stone" also includes the following when the selling price for the item by the cutter, wholesale dealer or importer is \$25.00 or more:

(1) Any other genuine stone, including a semi-precious stone.

(2) Any synthetic stone.

(3) Any cultured pearl or group of cultured pearls (combined in a single article). [Headnote to Categories 970-985 amended by Amdt. 3]

Category 970—Precious Metal Jewelry (Gold, platinum, etc.)

This precious metal jewelry category does not include sterling silver jewelry which is included in Category 971.

Examples of articles included are:

Rings	Pendants
Bracelets	Brooches
Necklaces	Lavallieres
Earrings	Charms
Locketts	Emblem Pins

[Category 970 amended by Amdt. 13]

Category 971—Costume Jewelry

This category includes articles which are gold filled or gold or silver plated, or are made of base metals.

Examples of articles which are included are:

Rings	Lavallieres
Bracelets	Charms
Necklaces	Emblem Pins
Earrings	Simulated pearl jewelry
Locketts	Bead jewelry
Pendants	Plastic jewelry
Brooches	

Category 972—Ring Mountings and Mountings for Other Jewelry Items

This category includes all mountings for jewelry made from gold, platinum, silver, or any other metal. (Note the exception in the headnote preceding section 970.)

Category 973—Wedding Rings

This category includes all wedding rings made of gold, platinum, silver, or any other metal.

Category 974—Religious Jewelry

Category 975—Watch attachments (Precious Metal)

This category includes articles made of gold, platinum and sterling silver.

Examples of articles included are:

Watch Bands
Watch Fobs
Watch Charms

Category 976—Watch Attachments (Other Than Precious Metal)

This category includes gold-filled, gold-plated, silver-plated, base metal, leather, plastic and any other watch attachments. Not included are watch attachments made of precious metals which are included in Category 975.

Examples of articles included are:

Watch Fobs
Watch Charms
Watch Bands

Category 977—Precious Metal Unfitted Compacts, Cigarette Cases and Miscellaneous Cases

This category includes unfitted compacts, cigarette cases and miscellaneous cases made of gold, sterling silver, platinum and other precious metals.

Examples of articles included are:

Compacts (unfitted)	Match cases
Cigarette cases	Pill boxes
Cigar cases	Snuff boxes

Category 978—Unfitted Compacts, Cigarette Cases and Miscellaneous Cases (Other Than Precious Metal)

This category includes gold-filled, gold-plated, silver-plated unfitted compacts, cigarette cases, and miscellaneous cases, and all such cases made of any base metal, plastic,

wood or any other material. Excluded from this category are such cases made of precious metal which are included in Category 977.

Examples of articles included are:

Compacts	Snuff boxes
(unfitted)	Match cases
Cigarette cases	Pill boxes

Category 979—Dresser Sets and Military Sets (Precious Metal)

This category includes dresser sets and military sets made of gold, sterling silver and platinum. Excluded are infants' sets which are covered by Category 310.

Category 980—Dresser Sets and Military Sets (Other Than Precious Metal)

This category includes dresser sets and military sets made of any material other than precious metals. Excluded are the articles covered by Category 979; also excluded are infants' sets, which are covered by Category 310.

Category 981—Watches

This category includes all watches.

Category 982—Men's Jewelry (Precious Metal)

This category includes articles made of gold, sterling silver, platinum, or other precious metal.

Examples of articles included are:

Cuff links	Tie ornaments
Tie clips	Pins
Tie holders	Collar buttons

Category 983—Men's Jewelry (Other Than Precious Metal)

This category includes articles made of any material other than precious metals. Excluded are the articles made of precious metals which are included in Category 982.

Examples of articles included are:

Cuff links	Tie ornaments
Tie clips	Pins
Tie holders	Collar buttons

Category 984—Clocks (Electric)

This category includes all electric clocks.

Examples of articles included are:

Desk and table clocks	Novelty clocks
Kitchen clocks	"Grandfather" clocks
Alarm clocks	

Category 985—Clocks (Non-Electric)

This category includes all non-electric clocks.

Examples of articles included are:

Desk and table clocks	Novelty clocks
Kitchen clocks	"Grandfather" clocks
Alarm clocks	

[Categories 860-985, inclusive, added by Amdt. 2]

(D) Women's, Teen's, Children's and Toddlers' Ready to Wear Group

Note: For other items of apparel and accessories refer to categories 201 through 218.

Category 1001—Women's Fur Trimmed and Fur Lined Coats

Included are all coats not covered by categories 201, 203, 205, 206, 351, 353 and 1014. It includes coats for women, misses and jr. misses commonly bought in sizes 7 to 17 size range:

Fur trimmed coats.
Fur lined coats.
Coats with removable fur linings.
Removable fur linings.

Category 1002—Women's Untrimmed Coats

This includes all coats for women, misses and jr. misses usually bought in sizes 7 to 17, but does not include any coats covered by categories 201, 203, 205, 351, 353 and 1014.

Category 1004—Teen Age and Girls' Coats

This includes all coats in sizes 10 to 16 and 7 to 14 not covered by categories 206, 207, 209, 351, 353 and 1015.

Category 1005—Girls' and Toddlers' Coats

This includes all coats size 6x and smaller except those covered by Categories 303 and 1016. Also included are coat and leggings sets, coat, hat and leggings sets other than those covered by Category 302.

(1) Women's and Girls' Suits

For this regulation a suit consists of a coat and skirt priced together, or a coat with two or more skirts, or a coat, vest and skirt or skirts, provided they are bought as a unit and priced as a unit. The intent is to separate clearly in your chart suits from two-piece dresses which are to be priced under categories 1010 to 1013. One definition of a suit is a two-piece garment, the skirt of which may be worn without the coat in combination with a blouse.

Category 1006—Women's Suits

Included are all women's suits usually brought in the size range of 32's, 34's, etc., women's half sizes, women's extra large or extra long suits. Not included are suits covered by categories 201, 205, 206, 351, 353, 1023 and 1026.

Category 1007—Misses' and Jr. Misses' Suits

Included in this category are all suits bought in sizes 10 to 20 and 7 to 17, but does not include any suit in categories 201, 205, 206, 351, 353, 1023 and 1026.

Category 1008—Teen Age and Girls' Suits

This includes all suits for girls in size 7 to 14 and 10 to 16 except those covered in categories 205, 206, 207, 351 and 353.

Category 1009—Girls' and Toddlers' Suits

This includes all suits for both boys and girls both in size ranges 3 to 6x but does not include boys' suits that are usually bought in size ranges from 3 to 8 or 3 to 12 which are priced under categories 109, 113 and 303.

(2) Dresses

These categories cover dresses for all ages and sizes for girls and women. All style dresses are covered including one- and two-piece models, the latter consisting of a skirt and a separate blouse or a separate unlined jacket sold at one unit price. The intent of this regulation is to price two-piece dresses under these categories and not under suit Categories 1006, 1007 and 1008. Excluded are all women's dresses covered by Categories 202, 205 and 206, and girls' dresses covered by Categories 202, 206 and 208, and toddlers' dresses covered by Category 303 and all infants' dresses. All other dresses of all materials are included, such as: Street dresses, afternoon dresses, party dresses, formal, house dresses, jumpers and pinafores.

Category 1009A—Wedding Dresses

Included are: All wedding dresses in women's, misses', and juniors' sizes. One characteristic of dresses in this category is long sleeves or a long-sleeved jacket that is sold with the dress. This category does not include formal which are covered by Categories 1010 and 1011.

Category 1010—Women's Dresses Costing Over \$2.53

All dresses in women's sizes, such as 36's, 38's, etc., all half-sizes, all extra sizes, with a cost at source of over \$2.53 after all discounts have been deducted.

[Category 1010 amended by Amdt. 1]

Category 1010A—Jr. Size Dresses costing over \$2.53

This category covers all dresses bought in jr. sizes (7 to 17), costing at source over \$2.53 after all discounts have been deducted.

[Category 1010A amended by Amdt. 1]

Category 1011—Misses' Dresses Costing Over \$2.53

Included are all dresses bought in misses' sizes (10 to 20) and costing at source, \$2.53 net after all discounts have been deducted.

Category 1011A—Dresses Costing \$2.53 and Less

Included in this category are dresses of all descriptions bought in women's sizes, misses' sizes and jr. sizes (7 to 17) costing at the source \$2.53 and less after all discounts have been deducted.

Category 1012—Teen Age and Girls' Dresses

This category covers dresses of all descriptions for teen age girls usually bought in size scale 10 to 16 and girls' sizes 7 to 14.

Category 1013—Small Girls' and Toddlers' Dresses

This category includes all dresses for toddlers and girls in size 6x and smaller.

(3) Jackets, Vests and Ski Clothes

Separate jackets are garments which can be opened from neck to bottom, with or without sleeves, which ordinarily are not worn tucked into skirts, slacks or shorts. Included in these categories are ski jackets, ski pants, ski suits, snow suits, skating jackets and jackets of all types. These categories cover jackets made of all materials including leather, artificial leather, plastics and knitted yard goods. Not included are garments covered by Categories 202, 203, 1023, 1024 and 1025.

Category 1014—Women's Jackets

Included are jackets bought in sizes 36's, 38's, etc., misses' jackets bought in sizes 10 to 20 and jackets bought in jr. sizes 7 to 17.

Category 1015—Teen Age and Larger Girls' Jackets

This category covers jackets for girls usually bought in sizes 7 to 14 and in teen age sizes 10 to 16.

Category 1016—Girls' and Toddlers' Jackets

This includes jackets bought in size 6x and smaller. Excluded are all apparel for boys bought in 3 to 8 and 3 to 12 ranges which are covered by categories 112 and 112A.

[Category 1016 amended by Amdt. 13]

(4) Separate Skirts.

Categories 1017 to 1019 cover separate skirts for women and girls, made of all materials except those covered by categories 202, 205, 206 and 208.

Category 1017—Women's and Misses' Skirts

This category includes skirts bought in women's sizes, misses' sizes and in jr. sizes, 7 to 17, also in waist sizes corresponding to these sizes.

Category 1018—Girls' and Teen Age Skirts

This category covers all skirts bought to fit teen age girls, sizes 10 to 16 and girls' sizes 7 to 14 and in waist band sizes to correspond to these sizes.

Category 1019—Girls' and Toddlers' Skirts

This covers all skirts bought for girls in size 6x and smaller.

(5) Blouses and Shirts.

Categories 1020 through 1022 cover all types of blouses and shirt waists made of all materials except those garments covered by categories 201, 202, 205, 206, 207 and 208.

Category 1020—Women's and Misses' Blouses

This category covers blouses usually bought in sizes 34's, 36's, etc., sizes 10 to 20 and 7 to 17 and in any sizes that correspond to these.

Category 1021—Teen Age and Girls' Blouses

This category covers all blouses bought in sizes 10 to 16 and 7 to 14 and in any size range that corresponds to these sizes.

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Category 1022—Girls' and Toddlers' Blouses

This category covers blouses bought in size 6x or smaller. Excluded are all boys' blouses and shirts bought in 3 to 12 year size range which are covered by category 117 and toddler garments that are covered by category 303.

(6) Slacks and Slack Suits

Categories 1023, 1024 and 1025 cover separate slacks, slack suits and slack sets made of all materials in sizes for women, girls and children. A slack suit is a combination of a slack (covered by this category) and a separate jacket, separate blouse or attached blouse sold as a unit. Excluded are items covered by Category 206. Some of the garments included are overalls (other than work clothes), slacks, jodhpurs, slack suits, slack sets. Garments covered by this category are full-length garments and excludes all garments that are covered by categories 201, 205, 206 and 207.

Category 1023—Women's Slacks and Slack Suits

Included are garments in all sizes for women, misses and juniors, sizes 7 to 17 and in waist sizes equivalent to these sizes.

Category 1024—Girls' and Teen Age Girls' Slacks

This category covers garments in girls' sizes 7 to 14 and teen age sizes 10 to 16 and garments bought in waist sizes equivalent to these.

Category 1025—Girls' and Toddlers' Slack Suits

This includes all garments bought in sizes 6x and smaller except toddler garments covered by category 303 and except boys' garments covered by categories 110, 111, 112 and 113.

(7) Ski and Snow Suits

Categories 1026 and 1027 cover ski and snow suits of all materials for women, misses, girls and teenage girls. All one-piece and two-piece snow suits and ski suits with separate or attached hood are included when sold at a unit price.

Category 1026—Women's Ski and Snow Suits

Included are garments in all sizes for women, misses and juniors, and in waist sizes equivalent to these sizes.

Category 1027—Girls' and Teen-Age Ski and Snow Suits

This category covers garments in girls' sizes 7 to 14 and teenage sizes 10 to 16 and garments bought in waist sizes equivalent to these.

(8) Legging Sets and Separate Leggings

The following category covers legging sets and separate leggings for girls, children and toddlers. Included are all sets consisting of coats or jackets with leggings, with or without hats, hoods, or caps sold at a unit price.

Category 1028—Legging Sets and Separate Leggings

This category includes legging sets for girls, children and toddlers (sizes 1-14) and separate leggings (sizes 1-14, inclusive).

(9) Separate Ski Pants for Women and Children

Category 1029—Women's, Misses' and Junior Misses' Separate Ski Pants

Category 1030—Toddler, Girls' and Teen-Age Separate Ski Pants

[Categories 1026-1030, inclusive, added by Correction]

(E) Toys, Games, and Christmas Decorations.

Category 1050—Dolls.

Examples of articles included are:

- Dolls.
- Doll accessories.
- Stuffed toys.

Category 1051—Toy Miniature Movie Projectors and Toy Cameras.

Examples of articles included are:

- Toy slides.
- Toy movie projectors.
- Films for toy projectors.
- Toy cameras.

Category 1052—Box Goods.

Examples of articles included are:

- Games.
- Kindergarten materials.
- Paint sets.
- Cut outs.
- Crayons.
- Clay.
- Coloring books.
- Blocks.

Category 1053—Toy Phonographs, Toy Musical Instruments, and Musical Toys.

Examples of articles included are:

- Toy phonographs.
- Musical tops.
- Toy drums.
- Musical toys.
- Toy horns.

Category 1054—Electric Trains and Accessories.

Category 1055—Construction Toys and Scientific Toys.

Examples of articles included are:

- Chemical sets.
- Construction toys.
- Scientific toys.

Category 1056—Toy Guns and Related Items.

Examples of articles included are:

- Toy guns.
- Toy holsters.
- Toy pistols.

Category 1057—Masks and Masquerade Outfits.

This category does not include costumes described in Category 113.

Category 1058—Plastic and Rubber Toys.

This category includes plastic and rubber toys and all kinds of infants' novelty toys.

other than those you listed under Category 810 on your chart.

Category 1059—Large Juvenile Toys.

Examples of articles included are:

- Pool tables.
- Hobby horses.
- Blackboards.
- Shooflies.

Category 1060—Wheel Toys and Sleds.

This category does not include bicycles which are covered in Category 923.

Examples of articles included are:

- Doll carriages.
- Scooters.
- Velocipedes.
- Autos.
- Tricycles.
- Hand cars.
- Wagons.
- Sleds.

Category 1061—Wood and Hobby Toys.

Examples of articles included are:

- Pre-school toys.
- Doll house furniture.
- Pull toys.
- Aeroplane kits.
- Doll houses.
- Kites.

Category 1062—Small Metal Toys.

Examples of articles included are:

- Mechanical toys.
- Mechanical trains and accessories (non-electric).
- Metal doll houses.
- Cast iron toys.
- Service stations.

Category 1063—Athletic Toys.

Category 1064—Toy Housewares.

Examples of articles included are:

- Toy laundry.
- Toy cleaning equipment.
- Toy cooking and tableware items.

Category 1070—Christmas Home Decorations.

Examples of articles included are:

- Tree ornaments.
- Stands.
- Lights (electric).

[Paragraph (E) added by Amdt. 8]

APPENDIX C

Category you are pricing	Comparable categories								
	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth
101	102	107	108A	108	109A	109	112	117	1007
102	101	109A	109	108A	108	107	112	117	1007
103	110A	110	107	112	115	117	102		
104	103	115	117	114	116	110	1023		
105	107	112	103	110	206				
105A									
105B	105C								
105C									
105D	105A	201							
106	102	101	108	109	109A	108A	205		
107	112	102	101	108	106				
107A	107B	107	112	109	104				
107B	112A	107A	112	102	101	108	109		
108	109	108A	109A	101	102	109	107	1005	
108A	109A	108A	109	108	101	102			
109	108	102	101	112	107B				
109A	108A	109	108	1068					
110	110A	103	112	107		1014	1018		
110A	110	103	112	107A	115	1014	1018		
111	101	109	105	107A	112				
111A	105B								
112	107	108	109	102	101				
112A	107B	107A	112	109	107	107			
113	110	107A	117	202	111				
114	115	113	201	202	117				
115	107	202	208	117					
116	118	115	211	211A	117				
117	115	201	116						
118	116	119	213						
119	118	216	120	122	217				
120	119	122	217						
121	119	120	216						
122	215	119	120	121					
123	103	107	112						
123A	*123	107A	112						
124	212	107A	112						
201	202	207	208	115	117	1020	1017	1023	
202	201	208	207	115	1020	1017			
203	209	112A	107B	1014					
204									
205	106	203							
206	1011	1014							
207	208	201	202	114	209	213	1020	1017	
208	207	202	201	115	114				
209	207	203	112A	201	202				
210									
211	211A	201	212	207					
211A	211	201	212	207	116				
212	211	202	124	117	116				

See footnotes at end of table.

APPENDIX C—Continued

Category you are pricing	Comparable categories								
	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth
213	116	117	217	216					
214									
215	217	211	122	117					
216	119	217	120	121	218				
217	215	216	119	213	120	121			
218	405	211	107						
301	208	302	303	202	1005	1028	108		
302	208	202	115	301	1005	1028	112		
303	207	201	113	302	1005	1028	202		
304	123	218	214	204					
305	211	116	1013	1022	201	202			
306	205	303	307						
306A									
307	306	305							
308									
309									
310									
351									
352	215	122	218	1020	202				
353									
401	403	402	406	123					
402	410	403	401	123					
402A									
402B									
403	406	401	113						
405	406	407	408						
406	403	401	218						
407	406	408	302	305	218				
408	406	407	403	202	1020				
409	401	403	408	107	112	351			
410	111A	105	107						
501									
502									
502A	502B	502C	504A						
502B	502C	502A	504A						
502C	502A	502B							
503	505								
504	506								
504A	502C	502B	502A						
505	503	502A	502B						
506	504	506A							
506A	506B	506	504						
506B	506	507	506A						
507	506	506A	506B						
508	507								
509	508								
510	509								
601	602	605	605A	606					
602	601	605	605A						
603	605	605A	602						
603A									
605	605A	602	601	606					
605A	605	602	606	601					
606	605A	605	602	601					
607	602	605	605A						
610									
615									
620									
701	706	708	714	703	710				
703	708	709	713	712	706A				
704	703	705	709	712	720				
705	704	708	714						
706	701	708	714	713					
706A	716	703	712						
708	704	703	705	714	713				
709	712	710	704	703					
710	712	709	714	704					
712	710	709	704	711					
713	703	715	709						
714	701	708	700						
715	713	709	703						
716	718	719							
717	715	713	717A						
717A	717	715	713						
718	716								
719	716	718	706A						
720	708	704							
751	709	712	710						
752	751	722							
801	802								
802	801								
803	803C	803A	803B						
803A	803C	803	803B						
803B	803C	803	803A						
803C	803	803A	803B						
804	801	805							
805	806	802							
851	852	801	802	803	751				
852	851	801	802	803	751				
852A	854	803A							
854	805	803A	902	971					
860	861								
861	863	865							
871	872	873	906						
872	873	871	906						
873	872	871	909						
874	872	873	873	871	906				
875	871	862	872	873					
876	874	873	872						
877	902	941	970	971	854	852A			
878	884	874	876	984	985				
880	881	882							
881	882	880							
882	881	880							
883	881	882							
884	878	874	879	984	985				

See footnotes at end of table.

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APPENDIX C—Continued

Category you are pricing	Comparable categories								
	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth
890									
891	892	875							
892	891	875							
893	895	861	719						
894	904	920							
895	893	861							
901	903	902	941	943	977	981			
902	877	941	970	854	852A				
903	901	943	977	981					
904	908	920	891						
905	923	922	871	875					
906	923	922	804	717A	752	804			
907	945	752	924						
908	919	921							
915	915								
916	915								
917	919								
918	951	974	975	978	979	980	214		
919	908	940	942	904	601	921			
920	904	940	942	911	218				
921	908	924	940	942	409	351			
922	923	906							
923	922	906							
924	921	908	874	876					
940	942	904	920	908	921	919			
941	971	970	944	902					
942	940	904	920	908	919				
943	977	982	983	981	941	901			
944	946	902	877	973					
945	976	950	907						
946	944	902	877	973					
950	908	984	985						
951	978	979	980	918	974	975			
970	971	941	973	977	902				
971	970	941	973	977	902				
972	975	978	979	980	974				
973	970	971	941	946	944				
974	975	978	973	951	980				
975	974	978	973	951	979				
976	972	945							
977	982	943	983	981					
978	979	980	974	975	951	918			
979	978	980	974	975	951	918			
980	979	978	974	975	951	918			
981	977	943	982	983					
982	983	977	943	981					
983	982	977	943	981					
984	985	876	874						
985	984	876	874						
1001	1002	1005	1007	1010	1020				
1002	1001	1005	1007	1010	1011				
1004	1008	1012	1014	1002	1011	1020	1009		
1005	1009	1016	1019	1013	1022	1012	1011		
1006	1007	1002	1001	1014	1017	1010	1010		
1007	1006	1002	1014	1001	1011	1010	1020	1008	
1008	1004	1015	1012	1021	1011	1010	1020		
1009	1005	1016	1019	1013	1022	1008	1012	1028	1011
1009A	1011								
1010	1011	1001	1002	1006	1014	1007	1017	202	
1010A	1011	1010	1008						
1011	1010	1007	1017	1014	1006	1020	1021	1002	202
1011A	1012	1013	1021						
1012	1018	1015	1005	1004	1021	1011	1017	1014	1007
1013	1019	1016	1009	1005	1028	1022	1030		
1014	1007	1002	1017	1005	1010	1011	1020		
1015	1008	1004	1018	1012	1021	1014	1011	1020	
1016	1009	1005	1019	1013	1022	1015	1028		
1017	1014	1007	1011	1020	202	1010	1002		
1018	1015	1008	1004	1012	1021	1017	1011	202	
1019	1016	1009	1013	1005	1022	1018	1012	1015	1028
1020	202	1017	1014	1023	1006	1011	1021	1010	
1021	202	1018	1015	1024	1012	1011	1020	1004	
1022	1013	1019	1016	1028	1030	1025	1009	1005	
1023	1017	1020	202	1014	1003	1019	1011	1026	1002
1024	1018	1015	1007	1027	1021	1012	1011	1004	202
1025	1030	1028	1019	1016	1009	1005	1022	1013	
1026	1023	1017	1014	1005	202	1020	1001	1010	1011
1028	1024	1028	1015	1018	1008	1004	1012	202	1021
1027	1019	1009	1016	1005	1013	1022	1030	1025	
1028	1026	1023	1017	1014	1006	202	1020	1010	1011
1029	1027	1024	1028	1029	1018	1016	1019	1005	
1030	1058	1052	308	301	620	1009	121		
1050	1055	981	120						
1051	1058	1050	308	301	620	1009	121		
1052	1052	1058	301	308	121	1009	620		
1053	1056	1052	121	308					
1054	1051	981	903	120					
1055	1052	1058	121	301	308				
1056	209	1019	211	304					
1058	1052	1050	301	121	620	1009			
1059	1060	1061	718	716	717				
1060	1059	1061	718	717	716				
1061	1060	1059	718	716	717				
1062	1063	852A							
1063	1062	852A	971						
1064	1053	1050	1009	301	620				
1070	1059	1061	980	978					

¹No comparable categories.

*You establish a price for a straw hat (Category 123A) by pricing it as if it belonged to Category 123. After you have found the price under the appropriate pricing rule as if the straw hat belonged to Category 123, you may add 8% of that selling price to the selling price and the result is your ceiling price for the straw hat.

Example: If you are pricing a straw hat, Category 123A, having a net cost of \$3.00, you look at your chart for Category 123. Assume there is a net cost of \$3.00 and an offering price of \$5.00 on your chart for Category 123. Your ceiling price for the straw hat will be \$5.00 plus 8% of \$5.00 (\$5.00 + .40). Thus the ceiling price will be \$5.40.

[Appendix C amended by Amdts. 1, 6, 9, 10, 13, and 22]

APPENDIX D
TABLE FOR FIXING IN-LINE CATEGORY MARK-UPS UNDER RULE 6 (SECTION 37)

Category Group 1	Under and including 35	Over 35 including 38	Over 38 including 41	Over 41 including 44	Over 44 including 47	Over 47 including 50	Over 50 including 53	Over 53 including 56	Over 56 including 59	Over 59 including 62	Over 62 including 65	Over 65 including 68	Over 68 including 71	Over 71 including 74	Over 74 including 77	Over 77 including 80	Over 80 including 83	Over 83 including 86	Over 86 including 89	Over 89 including 92	Over 92 including 95	Over 95 including 98	Over 98 including 101
101	36.3	39.8	42.7	45.0	46.2	52.4	55.6	58.8	62.0	65.3	68.5	71.7	74.9	78.1	81.4	84.5	87.8	91.0	94.2	97.4	100.7	103.9	107.1
102	34.4	37.4	40.5	43.5	46.6	49.6	52.7	55.7	58.8	61.8	64.9	67.9	70.9	73.9	76.9	79.9	82.9	85.9	88.9	91.9	94.9	97.9	100.9
103	32.9	35.8	38.7	41.6	44.5	47.4	50.3	53.2	56.1	59.0	61.9	64.8	67.7	70.6	73.5	76.4	79.3	82.2	85.1	88.0	90.9	93.8	96.7
104	35.0	38.1	41.2	44.3	47.5	50.6	53.7	56.8	59.9	63.0	66.1	69.2	72.3	75.4	78.5	81.6	84.7	87.8	90.9	94.0	97.1	100.2	103.3
105	30.2	33.2	36.3	39.3	42.4	45.4	48.5	51.5	54.6	57.6	60.7	63.7	66.8	69.8	72.9	75.9	78.9	81.9	84.9	87.9	90.9	93.9	96.9
105A	16.0	17.4	18.8	20.3	21.7	23.1	24.5	25.9	27.3	28.8	30.2	31.6	33.0	34.4	35.9	37.3	38.7	40.1	41.5	42.9	44.4	45.8	47.2
105B	23.8	26.0	28.1	30.2	32.3	34.4	36.5	38.6	40.8	42.9	45.0	47.1	49.2	51.3	53.4	55.5	57.6	59.7	61.8	63.9	66.0	68.1	70.2
105C	23.8	26.0	28.1	30.2	32.3	34.4	36.5	38.6	40.8	42.9	45.0	47.1	49.2	51.3	53.4	55.5	57.6	59.7	61.8	63.9	66.0	68.1	70.2
105D	20.7	22.9	24.9	26.9	28.9	30.9	32.9	34.9	36.9	38.9	40.9	42.9	44.9	46.9	48.9	50.9	52.9	54.9	56.9	58.9	60.9	62.9	64.9
106	33.4	36.4	39.3	42.3	45.3	48.3	51.3	54.3	57.3	60.3	63.3	66.3	69.3	72.3	75.3	78.3	81.3	84.3	87.3	90.3	93.3	96.3	99.3
107	31.7	34.6	37.4	40.2	43.0	45.8	48.6	51.4	54.2	57.0	59.8	62.6	65.4	68.2	71.0	73.8	76.6	79.4	82.2	85.0	87.8	90.6	93.4
107A	35.0	38.1	41.2	44.3	47.5	50.6	53.7	56.8	59.9	63.0	66.1	69.2	72.3	75.4	78.5	81.6	84.7	87.8	90.9	94.0	97.1	100.2	103.3
107B	35.0	38.1	41.2	44.3	47.5	50.6	53.7	56.8	59.9	63.0	66.1	69.2	72.3	75.4	78.5	81.6	84.7	87.8	90.9	94.0	97.1	100.2	103.3
108	34.4	37.4	40.5	43.5	46.6	49.6	52.7	55.7	58.8	61.8	64.9	67.9	70.9	73.9	76.9	79.9	82.9	85.9	88.9	91.9	94.9	97.9	100.9
108A	33.9	36.9	39.9	42.9	45.9	48.9	51.9	54.9	57.9	60.9	63.9	66.9	69.9	72.9	75.9	78.9	81.9	84.9	87.9	90.9	93.9	96.9	99.9
109	33.9	36.9	39.9	42.9	45.9	48.9	51.9	54.9	57.9	60.9	63.9	66.9	69.9	72.9	75.9	78.9	81.9	84.9	87.9	90.9	93.9	96.9	99.9
109A	34.4	37.4	40.5	43.5	46.6	49.6	52.7	55.7	58.8	61.8	64.9	67.9	70.9	73.9	76.9	79.9	82.9	85.9	88.9	91.9	94.9	97.9	100.9
110	31.2	34.0	36.8	39.5	42.3	45.1	47.9	50.6	53.4	56.2	58.9	61.7	64.5	67.2	70.0	72.8	75.5	78.3	81.1	83.9	86.6	89.4	92.2
110A	31.9	34.7	37.5	40.2	42.9	45.6	48.3	51.0	53.7	56.4	59.1	61.8	64.5	67.2	70.0	72.8	75.5	78.3	81.1	83.9	86.6	89.4	92.2
111	23.8	26.0	28.1	30.2	32.3	34.4	36.5	38.6	40.8	42.9	45.0	47.1	49.2	51.3	53.4	55.5	57.6	59.7	61.8	63.9	66.0	68.1	70.2
111A	23.8	26.0	28.1	30.2	32.3	34.4	36.5	38.6	40.8	42.9	45.0	47.1	49.2	51.3	53.4	55.5	57.6	59.7	61.8	63.9	66.0	68.1	70.2
112	31.7	34.6	37.4	40.2	43.0	45.8	48.6	51.4	54.2	57.0	59.8	62.6	65.4	68.2	71.0	73.8	76.6	79.4	82.2	85.0	87.8	90.6	93.4
112A	31.7	34.6	37.4	40.2	43.0	45.8	48.6	51.4	54.2	57.0	59.8	62.6	65.4	68.2	71.0	73.8	76.6	79.4	82.2	85.0	87.8	90.6	93.4
113	31.8	34.6	37.4	40.2	43.0	45.8	48.6	51.4	54.2	57.0	59.8	62.6	65.4	68.2	71.0	73.8	76.6	79.4	82.2	85.0	87.8	90.6	93.4
114	35.9	39.1	42.3	45.4	48.6	51.8	54.9	58.1	61.2	64.4	67.5	70.7	73.8	76.9	80.0	83.1	86.2	89.3	92.4	95.5	98.6	101.7	104.8
115	32.8	35.7	38.6	41.5	44.4	47.3	50.3	53.2	56.1	59.0	61.9	64.8	67.7	70.6	73.5	76.4	79.3	82.2	85.1	88.0	90.9	93.8	96.7
116	33.1	36.0	38.9	41.8	44.7	47.6	50.5	53.4	56.3	59.2	62.1	65.0	67.9	70.8	73.7	76.6	79.5	82.4	85.3	88.2	91.1	94.0	96.9
117	32.3	35.2	38.1	41.0	43.9	46.8	49.7	52.6	55.5	58.4	61.3	64.2	67.1	70.0	72.9	75.8	78.7	81.6	84.5	87.4	90.3	93.2	96.1
118	33.2	36.2	39.1	42.0	44.9	47.8	50.7	53.6	56.5	59.4	62.3	65.2	68.1	71.0	73.9	76.8	79.7	82.6	85.5	88.4	91.3	94.2	97.1
119	35.3	38.4	41.5	44.6	47.7	50.8	53.9	57.0	60.1	63.2	66.3	69.4	72.5	75.6	78.7	81.8	84.9	88.0	91.1	94.2	97.3	100.4	103.5
120	39.1	42.6	46.1	49.6	53.0	56.5	60.0	63.5	67.0	70.4	73.9	77.4	80.9	84.3	87.8	91.3	94.8	98.3	101.7	105.2	108.7	112.1	115.6
121	37.4	40.7	44.0	47.3	50.7	54.0	57.3	60.6	63.9	67.3	70.6	73.9	77.2	80.5	83.8	87.2	90.5	93.8	97.1	100.4	103.7	107.0	110.3
122	25.8	29.0	32.2	35.4	38.6	41.8	45.0	48.2	51.4	54.6	57.8	61.0	64.2	67.4	70.6	73.8	77.0	80.2	83.4	86.6	89.8	93.0	96.2
123	34.8	37.9	41.0	44.1	47.2	50.3	53.4	56.5	59.6	62.7	65.8	68.9	72.0	75.1	78.2	81.3	84.4	87.5	90.6	93.7	96.8	99.9	103.0
123A	34.8	37.9	41.0	44.1	47.2	50.3	53.4	56.5	59.6	62.7	65.8	68.9	72.0	75.1	78.2	81.3	84.4	87.5	90.6	93.7	96.8	99.9	103.0
124	39.2	42.4	45.6	48.8	52.0	55.2	58.4	61.6	64.8	68.0	71.2	74.4	77.6	80.8	84.0	87.2	90.4	93.6	96.8	100.0	103.2	106.4	109.6
201	37.8	41.1	44.4	47.8	51.1	54.5	57.8	61.2	64.5	67.9	71.2	74.6	78.0	81.3	84.7	88.0	91.3	94.7	98.0	101.4	104.7	108.1	111.4
202	35.7	38.7	42.1	45.2	48.4	51.6	54.8	58.0	61.2	64.4	67.6	70.8	74.0	77.2	80.4	83.6	86.8	90.0	93.2	96.4	99.6	102.8	106.0
203	38.4	41.8	45.2	48.6	52.0	55.4	58.8	62.2	65.6	69.0	72.4	75.8	79.2	82.6	86.0	89.4	92.8	96.2	99.6	103.0	106.4	109.8	113.2
205	34.5	37.6	40.6	43.7	46.8	49.9	53.0	56.1	59.2	62.3	65.4	68.5	71.6	74.7	77.8	80.9	84.0	87.1	90.2	93.3	96.4	99.5	102.6
206	34.4	37.4	40.5	43.5	46.6	49.6	52.7	55.7	58.8	61.8	64.9	67.9	70.9	73.9	76.9	79.9	82.9	85.9	88.9	91.9	94.9	97.9	100.9
207	33.0	35.9	38.8	41.8	44.7	47.6	50.6	53.5	56.4	59.3	62.3	65.2	68.1	71.1	74.0	76.9	79.8	82.7	85.6	88.5	91.4	94.3	97.2
208	32.8	35.7	38.6	41.5	44.4	47.3	50.3	53.2	56.1	59.0	61.9	64.8	67.7	70.6	73.5	76.4	79.3	82.2	85.1	88.0	90.9	93.8	96.7
209	35.2	38.2	41.4	44.5	47.7	50.8	53.9	57.0	60.1	63.3	66.4	69.5	72.6	75.7	78.8	81.9	85.0	88.1	91.1	94.2	97.3	100.4	103.5
210	36.5	39.7	43.0	46.2	49.4	52.7	55.9	59.2	62.4	65.6	68.9	72.1	75.3	78.5	81.7	84.9	88.1	91.3	94.5	97.7	100.9	104.1	107.3
211	34.7	37.8	40.8	43.9	46.9	50.0	53.1	56.2	59.3	62.3	65.4	68.5	71.6	74.7	77.8	80.9	84.0	87.1	90.2	93.3	96.4	99.5	102.6
211A	36.9	40.2	43.4	46.7	50.0	53.3	56.5	59.8	63.1	66.4	69.7	72.9	76.2	79.4	82.7	85.9	89.2	92.4	95.7	98.9	102.2	105.4	108.7
212	37.4	40.7	44.0	47.3	50.7	54.0	57.3	60.6	63.9	67.2	70.5	73.8	77.1	80.4	83.7	87.0	90.3	93.6	96.9	100.2	103.5	106.8	110.1
213	33.9	36.9	39.9	42.9	45.9	48.9	51.9	54.9	57.9	60.9	63.9	66.9	69.9	72.9	75.9	78.9	81.9	84.9	87.9	90.9	93.9	96.9	99.9
215	34.7	37.8	40.9	44.0	47.1	50.2	53.3	56.4	59.5	62.6	65.7	68.8	71.9	75.0	78.1	81.2	84.3	87.4	90.5	93.6	96.7	99.8	102.9
216	35.5	38.6	41.8	44.9	48.1	51.2	54.4	57.5	60.7	63.8	66.9	70.1	73.2	76.4	79.5	82.6	85.7	88.8	91.9	95.0	98.1	101.2	104.3
217	36.3	39.4	42.5	45.6	48.7	51.8	54.9	58.0	61.1	64.2	67.3	70.4	73.5	76.6	79.7	82.8	85.9	89.0	92.1	95.2	98.3	101.4	104.5
218	35.2	38.3	41.4	44.5	47.6	50.7	53.8	56.9	60.0	63.1	66.2	69.3	72.4	75.5	78.6	81.7	84.8	87.9	91.0	94.1	97.2	100.3	103.4
301	36.2	39.3	42.4	45.5	48.6	51.7	54.8	57.9	61.0	64.1	67.2	70.3	73.4	76.5	79								

RULES AND REGULATIONS

APPENDIX D—Continued

TABLE FOR FIXING IN-LINE CATEGORY MARK-UPS UNDER RULE 6 (SECTION 37)

Category Group II*	Under and including 62	Over 62 including 65	Over 65 including 68	Over 68 including 71	Over 71 including 74	Over 74 including 77	Over 77 including 80	Over 80 including 83	Over 83 including 86	Over 86 including 89	Over 89 including 92	Over 92 including 95	Over 95 including 98	Over 98 including 101	Over 101 including 104	Over 104 including 107	Over 107 including 110	Over 110 including 113	Over 113 including 116	Over 116 including 119	Over 119 including 122	Over 122 including 125	Over 125 including 127
701	64.9	68.1	71.3	74.5	77.7	80.9	84.1	87.4	90.6	93.8	97.0	100.2	103.5	106.7	109.9	113.1	116.3	119.5	122.8	126.0	129.2	132.4	135.6
703	60.8	63.8	66.8	69.8	72.8	75.8	78.8	81.9	84.9	87.9	90.9	93.9	96.9	99.9	102.9	105.9	108.9	111.9	114.9	117.9	120.9	123.9	126.9
704	63.4	66.6	69.7	72.8	76.0	79.1	82.3	85.4	88.6	91.7	94.9	98.0	101.1	104.2	107.3	110.4	113.5	116.6	119.7	122.8	125.9	129.0	132.1
705	65.1	68.4	71.6	74.8	78.0	81.3	84.5	87.7	91.0	94.2	97.4	100.6	103.8	107.0	110.2	113.4	116.6	119.8	123.0	126.2	129.4	132.6	135.8
706	71.4	75.0	78.5	82.0	85.6	89.1	92.7	96.2	99.7	103.2	106.7	110.2	113.7	117.2	120.7	124.2	127.7	131.2	134.7	138.2	141.7	145.2	148.7
706A	59.8	62.8	65.8	68.7	71.7	74.7	77.6	80.6	83.6	86.5	89.5	92.5	95.4	98.4	101.4	104.3	107.3	110.3	113.2	116.2	119.2	122.2	125.1
708	63.4	66.6	69.7	72.8	76.0	79.1	82.3	85.4	88.6	91.7	94.9	98.0	101.1	104.2	107.3	110.4	113.5	116.6	119.7	122.8	125.9	129.0	132.1
709	59.2	62.2	65.1	68.1	71.0	73.9	76.9	79.8	82.7	85.6	88.5	91.4	94.3	97.2	100.1	103.0	105.9	108.8	111.7	114.6	117.5	120.4	123.3
710	65.7	69.0	72.2	75.4	78.6	81.8	85.0	88.2	91.4	94.6	97.8	101.0	104.2	107.4	110.6	113.8	117.0	120.2	123.4	126.6	129.8	133.0	136.2
712	62.1	65.2	68.2	71.3	74.4	77.5	80.6	83.6	86.7	89.7	92.8	95.8	98.9	101.9	104.9	107.9	110.9	113.9	116.9	119.9	122.9	125.9	128.9
713	59.0	62.0	64.9	67.8	70.8	73.7	76.6	79.5	82.5	85.4	88.3	91.3	94.2	97.1	100.0	102.9	105.8	108.7	111.6	114.5	117.4	120.3	123.2
714	64.9	68.1	71.3	74.5	77.7	80.9	84.1	87.4	90.6	93.8	97.0	100.2	103.5	106.7	109.9	113.1	116.3	119.5	122.8	126.0	129.2	132.4	135.6
715	60.6	63.6	66.6	69.6	72.6	75.6	78.6	81.6	84.6	87.6	90.6	93.6	96.6	99.6	102.6	105.6	108.6	111.6	114.6	117.6	120.6	123.6	126.6
716	62.7	65.7	68.7	71.7	74.7	77.7	80.7	83.7	86.7	89.7	92.7	95.7	98.7	101.7	104.7	107.7	110.7	113.7	116.7	119.7	122.7	125.7	128.7
717	58.2	61.1	64.0	66.9	69.8	72.7	75.6	78.5	81.4	84.3	87.2	90.1	93.0	95.9	98.8	101.7	104.6	107.5	110.4	113.3	116.2	119.1	122.0
717A	58.2	61.1	64.0	66.9	69.8	72.7	75.6	78.5	81.4	84.3	87.2	90.1	93.0	95.9	98.8	101.7	104.6	107.5	110.4	113.3	116.2	119.1	122.0
718	51.4	54.0	56.5	59.1	61.6	64.2	66.7	69.3	71.8	74.4	76.9	79.5	82.1	84.6	87.2	89.7	92.3	94.8	97.4	99.9	102.5	105.0	107.6
719	54.4	57.1	59.8	62.5	65.2	67.9	70.6	73.3	76.0	78.7	81.4	84.1	86.8	89.5	92.2	94.9	97.6	100.3	103.0	105.7	108.4	111.1	113.8
720	62.5	65.6	68.7	71.8	74.9	78.0	81.1	84.2	87.3	90.4	93.5	96.6	99.7	102.8	105.9	109.0	112.1	115.2	118.3	121.4	124.5	127.6	130.7
731	55.6	58.4	61.1	63.9	66.6	69.4	72.2	74.9	77.7	80.4	83.2	85.9	88.7	91.5	94.2	97.0	99.7	102.5	105.2	108.0	110.8	113.5	116.3
732	59.4	62.4	65.3	68.3	71.2	74.2	77.1	80.1	83.0	86.0	88.9	91.9	94.8	97.8	100.7	103.7	106.6	109.6	112.5	115.5	118.4	121.3	124.3

*These mark-ups are to be applied to net cost of item excluding freight charges.

Category Group III	Under and including 35	Over 35 including 38	Over 38 including 41	Over 41 including 44	Over 44 including 47	Over 47 including 50	Over 50 including 53	Over 53 including 56	Over 56 including 59	Over 59 including 62	Over 62 including 65	Over 65 including 68	Over 68 including 71	Over 71 including 74	Over 74 including 77	Over 77 including 80	Over 80 including 83	Over 83 including 86	Over 86 including 89	Over 89 including 92	Over 92 including 95	Over 95 including 98	Over 98 including 101
801	35.4	38.6	41.8	44.9	48.1	51.3	54.5	57.6	60.8	64.0	67.2	70.3	73.5	76.7	79.8	83.0	86.2	89.4	92.5	95.7	98.9	102.0	105.2
802	35.1	38.2	41.4	44.5	47.7	50.8	53.9	57.1	60.2	63.4	66.5	69.7	72.8	75.9	79.1	82.2	85.4	88.5	91.7	94.8	97.9	101.0	104.2
803	35.1	38.2	41.4	44.5	47.7	50.8	53.9	57.1	60.2	63.4	66.5	69.7	72.8	75.9	79.1	82.2	85.4	88.5	91.7	94.8	97.9	101.0	104.2
803A	31.4	34.6	37.0	39.8	42.7	45.5	48.3	51.1	53.9	56.7	59.5	62.3	65.2	68.0	70.8	73.6	76.4	79.2	82.0	84.8	87.7	90.5	93.3
803B	34.5	37.6	40.7	43.8	46.9	50.0	53.0	56.1	59.2	62.3	65.4	68.5	71.6	74.7	77.8	80.9	83.9	86.9	90.0	93.0	96.1	99.1	102.2
803C	28.4	31.0	33.5	36.1	38.6	41.2	43.7	46.3	48.8	51.4	53.9	56.5	59.0	61.5	64.1	66.6	69.2	71.7	74.3	76.8	79.4	81.9	84.5
804	36.3	39.6	42.8	46.1	49.3	52.6	55.8	59.1	62.3	65.6	68.8	72.1	75.3	78.6	81.8	85.1	88.3	91.6	94.9	98.1	101.3	104.6	107.8
805	31.0	33.8	36.6	39.4	42.1	44.9	47.7	50.5	53.3	56.0	58.8	61.6	64.4	67.2	69.9	72.7	75.5	78.3	81.1	83.9	86.6	89.4	92.2
851	35.4	38.6	41.7	44.9	48.1	51.2	54.4	57.6	60.7	63.9	67.1	70.2	73.4	76.6	79.7	82.9	86.1	89.2	92.4	95.6	98.8	101.9	105.1
852	35.4	38.6	41.7	44.9	48.1	51.2	54.4	57.6	60.7	63.9	67.1	70.2	73.4	76.6	79.7	82.9	86.1	89.2	92.4	95.6	98.8	101.9	105.1
852A	31.4	34.2	37.0	39.8	42.7	45.5	48.3	51.1	53.9	56.7	59.5	62.3	65.2	68.0	70.8	73.6	76.4	79.2	82.0	84.8	87.7	90.5	93.3
854	31.1	33.9	36.7	39.5	42.3	45.0	47.8	50.6	53.4	56.2	59.0	61.8	64.6	67.3	70.1	72.9	75.7	78.5	81.3	84.1	86.9	89.7	92.4

[Category Group III amended by Amdt. 13]

Category Group IV	Under and including 37	Over 37 including 40	Over 40 including 43	Over 43 including 46	Over 46 including 49	Over 49 including 52	Over 52 including 55	Over 55 including 58	Over 58 including 61	Over 61 including 64	Over 64 including 67	Over 67 including 70	Over 70 including 73	Over 73 including 76	Over 76 including 79	Over 79 including 82	Over 82 including 85	Over 85 including 88	Over 88 including 91	Over 91 including 94	Over 94 including 97	Over 97 including 100	Over 100 including 103	Over 103 including 106	Over 106 including 109
1001	32.4	35.9	39.3	42.8	46.3	49.8	53.3	56.7	60.2	63.7	67.2	70.6	74.1	77.6	81.1	84.6	88.0	91.5	95.0	98.5	101.9	105.4	108.9	112.4	115.9
1002	32.5	36.0	39.6	43.1	46.6	50.1	53.7	57.2	60.7	64.2	67.7	71.3	74.8	78.3	81.8	85.3	88.9	92.4	95.9	99.4	102.9	106.4	109.9	113.4	116.9
1004	30.4	33.8	37.1	40.4	43.8	47.1	50.5	53.8	57.2	60.5	63.9	67.8	71.3	74.8	78.3	81.7	85.2	88.7	92.2	95.7	99.2	102.7	106.2	109.7	113.2
1005	30.4	33.7	37.1	40.4	43.8	47.1	50.5	53.8	57.2	60.5	63.9	67.8	71.3	74.8	78.3	81.7	85.2	88.7	92.2	95.7	99.2	102.7	106.2	109.7	113.2
1006	32.6	36.1	39.7	43.3	46.8	50.4	53.9	57.5	61.1	64.6	68.2	71.7	75.3	78.9	82.5	86.0	89.6	93.2	96.7	100.3	103.9	107.4	111.0	114.6	118.1
1007	32.5	36.0	39.6	43.1	46.6	50.1	53.6	57.2	60.7	64.4	67.7	71.3	74.8	78.3	81.8	85.3	88.9	92.4	95.9	99.4	102.9	106.4	109.9	113.4	116.9
1008	30.3	33.7	37.0	40.3	43.6	46.9	50.2	53.5	56.8	60.1	63.4	66.7	70.0	73.3	76.6	79.9	83.2	86.5	89.8	93.1	96.4	99.7	103.0	106.3	109.6
1009	30.4	33.7	37.1	40.4	43.8	47.1	50.5	53.8	57.2	60.5	63.9	67.2	70.5	73.9	77.2	80.6	83.9	87.3	90.6	94.0	97.3	100.6	104.0	107.4	110.7
1009A	33.8	37.5	41.2	44.9	48.6	52.3	56.0	59.7	63.4	67.1	70.8	74.5	78.2	81.9	85.6	89.3	93.0	96.7	100.4	104.1	107.8	111.5	115.2	118.9	
1010	33.2	36.7	40.3	43.9	47.4	51.0	54.5	58.1	61.7	65.2	68.8	72.4	75.9	79.5	83.1	86.6	90.2	93.8	97.3	100.9	104.5	108.1	111.7	115.3	118.9
1010A	31.7	35.2	38.7	42.1	45.5	48.9	52.4	55.8	59.2	62.7	66.1	69.5	73.0	76.4	79.8	83.3	86.7	90.1	93.6	97.0	100.4	103.8	107.2	110.6	114.0
1011	32.8	36.3	39.9	43.4	46.9	50.4	53.9	57.5	61.0	64.5	68.0	71.5	75.0	78.5	82.0	85.5	89.0	92.5	96.0	99.5	103.0	106.5	110.0	113.5	117.0
1011A	30.4	33.8	37.2	40.6	44.0	47.4	50.8	54.2	57.6	61.0	64.4	67.8	71.2	74.6	78.0	81.4	84.8	88.2	91.6	95.0	98.4	101.8	105.2	108.6	112.0
1012	30.3	33.7	37.0	40.3	43.6	46.9	50.2	53.5	56.8	60.1	63.4	66.7	70.0	73.3	76.6	79.9	83.2	86.5	89.8	93.1	96.4	99.7	103.0	106.3	109.6
1013	27.4	30.3	33.3	36.2	39.1	42.0	44.9	47.8	50.7	53.6	56.5	59.4	62.3	65.2	68.1	71.1	74.0	77.0	80.0	82.9	85.8	88.7	91.6	94.5	97.4
1014	31.3	34.7	38.1	41.5	44.9	48.3	51.7	55.1	58.4	61.8	65.2	68.6	72.0	75.4	78.8	82.2	85.6	89.0	92.4	95.7	99.1	102.5	105.9	109.3	112.7
1015	30.3	33.7	37.0	40.3	43.6	46.9	50.2	53.5	56.8	60.1	63.4	66.7	70.0	73.3	76.6	79.9	83.2	86.5	89.8	93.1	96.4	99.7	103.0	106.3	109.6
1016	30.4	33.7	37.1	40.4	43.8	47.1	50.5	53.8	57.2	60.5	63.9	67.2	70.6	73.9	77.2	80.6	83.9	87.3	90.6	94.0	97.3	100.6	104.0	107.4	110.7
1017	31.7	35.2	38.7	42.1	45.5	48.9	52.4	55.8	59.2	62.7	66.1	69.5	73.0	76.4	79.8	83.3	86.7	90.1	93.6	97.0	100.4	103.8	107.2	110.6	114.0
1018	30.3	33.7	37.0	40.3	43.6	46.9	50.2	53.5	56.8	60.1	63.4	66.7	70.0	73.3	76.6	79.9	83.2	86.5	89.8	93.1	96.4	99.7	103.0	106.3	109.6
1019	29.1	32.3	35.5	38.7	41.9	45.2	48.4	51.6	54.8	58.0	61.2	64.5	67.7	71.0	74.3	77.5	80.8	84.0	87.2	90.4	93.6	96.9	100.1	103.3	106.5
1020	31.0	34.4	37.8	41.2	44.6	48.0	51.4	54.8	58.1	61.5	64.9	68.3	71.7	75.1	78.5	81.9	85.3	88.7	92.1	95.4	98.8	102.2	105.6	109.0	112.4
1021	30.3	33.7	37.0	40.3	43.6	46.9	50.2	53.5	56.8	60.1	63.4	66.7	70.0	73.3	76.6	79.9	83.2	86.5	89.8	93.1	96.4	99.7	103.0	106.3	109.6
1022	26.9	30.0	33.0	36.2	39.4	42.6	45.8	49.0	52.2	55.4	58.6	61.7	64.9	68.1	71.3	74.5	77.7	80.8	84.0	87.2	90.4	93.6	96.8	100.0	103.2
1023	31.7	35.0	38.3	42.1	45.5	48.9	52.4	55.8	59.2	62.7	66.1	69.5	73.0	76.4	79.8	83.3	86.7	90.1	93.6	97.0	100.4	103.8	107.2	110.6	114.0
1024	31.7	35.2	38.6	42.1	45.5	48.9	52.4	55.8	59.2	62.7	66.1	69.5	73.0	76.4	79.8	83.3	86.7	90.1	93.6	97.0	100.4	103.8	107.2	110.6	114.0
1025	32.3	34.7	37.0	40.3	43.6	46.9	50.2	53.5	56.8	60.1	63.4	66.7	70.0	73.3	76.6	79.9	83.2	86.5	89.8	93.1	96.4	99.7	103.0	106.3	109.6
1026	30.3	33.7	37.0	40.3	43.6	46.9	50.2	53.5	56.8	60.1	63.4	66.7	70.0	73.3	76.6	79.9	83.2	86.5	89.8	93.1	96.4	99.7	103.0	106.3	109.6
1027	31.7	35.2	38.6	42.1	45.5	48.9	52.4	55.8	59.2	62.7	66.1	69.5	73.0	76.4	79.8	83.3	86.7	90.1	93.6	97.0	100.4	103.8	107.2	110.6	114.0
1028	29.1	32.3	35.5	38.7	41.9	45.2	48.4	51.6	54.8	58.0	61.2	64.5	67.7	71.0	74.3	77.5	80.8	84.0	87.2	90.4	93.6	96.9	100.1	103.3	106.5
1029	31.7	35.0	38.3	42.1	45.5	48.9	52.4	55.8	59.2	62.7	66.1	69.5	73.0	76.4	79.8	83.3	86.7	90.1	93.6	97.0	100.4	103.8	107.2	110.6	114.0
1030	29.1	32.3	35.5	38.7	41.8	45.0	48.2	51.4	54.5	57.7	60.9	64.1	67.2	70.4	73.6	76.7	79.9	83.1	86.3	89.4	92.6	95.8	99.0	102.1	105.3

APPENDIX D—Continued

TABLE FOR FIXING IN-LINE CATEGORY MARKUPS UNDER RULE 6 (SEC. 37)

Category Group V	16 through 18	19 through 21	22 through 24	25 through 27	28 through 30	31 through 33	34 through 36	37 through 39	40 through 42	43 through 45	46 through 48	49 through 51	52 through 54	55 through 57	58 through 60	61 through 63	64 through 66	67 through 69	70 through 72
880.....	12.1	14.4	16.8	19.1	21.4	23.7	26.0	28.4	30.7	33.0	35.3	37.6	40.0	42.3	44.6	46.9	49.2	51.6	53.9
881.....	12.1	14.4	16.8	19.1	21.4	23.7	26.0	28.4	30.7	33.0	35.3	37.6	40.0	42.3	44.6	46.9	49.2	51.6	53.9
882.....	14.3	17.1	19.8	22.6	25.3	28.0	30.8	33.5	36.3	39.0	41.7	44.5	47.2	50.0	52.7	55.4	58.2	60.9	63.7
883.....	15.8	18.8	21.9	24.9	27.9	30.9	33.9	37.0	40.0	43.0	46.0	49.0	52.1	55.1	58.1	61.1	64.1	67.2	70.2
884.....	9.3	11.0	12.8	14.5	16.3	18.0	19.8	21.5	23.3	25.0	26.7	28.5	30.2	32.0	33.7	35.5	37.2	39.0	40.7
885.....	18.0	21.5	24.9	28.4	31.8	35.2	38.7	42.1	45.6	49.0	52.4	55.9	59.3	62.8	66.2	69.6	73.1	76.5	80.0
905.....	17.3	20.6	23.9	27.2	30.5	33.8	37.1	40.4	43.7	47.0	50.3	53.6	56.9	60.2	63.5	66.8	70.1	73.4	76.7
915.....	9.3	11.0	12.8	14.5	16.3	18.0	19.8	21.5	23.3	25.0	26.7	28.5	30.2	32.0	33.7	35.5	37.2	39.0	40.7
916.....	9.3	11.0	12.8	14.5	16.3	18.0	19.8	21.5	23.3	25.0	26.7	28.5	30.2	32.0	33.7	35.5	37.2	39.0	40.7
922.....	18.0	21.5	24.9	28.4	31.8	35.2	38.7	42.1	45.6	49.0	52.4	55.9	59.3	62.8	66.2	69.6	73.1	76.5	80.0
923.....	18.0	21.5	24.9	28.4	31.8	35.2	38.7	42.1	45.6	49.0	52.4	55.9	59.3	62.8	66.2	69.6	73.1	76.5	80.0

[Category Group V added by Amdt. 10]

Category Group VI	33 through 35	36 through 38	39 through 41	42 through 44	45 through 47	48 through 50	51 through 53	54 through 56	57 through 59	60 through 62	63 through 65	66 through 68	69 through 71	72 through 74	75 through 77	78 through 80	81 through 83	84 through 86	87 through 89	90 through 92	93 through 95	96 through 98	99 through 101
871.....	28.2	30.7	33.2	35.8	38.3	40.8	43.4	45.9	48.4	50.9	53.5	56.0	58.5	61.1	63.6	66.1	68.7	71.2	73.7	76.2	78.8	81.3	83.8
872.....	33.8	36.8	39.8	42.8	45.9	48.9	51.9	54.9	57.9	61.0	64.0	67.0	70.0	73.0	76.0	79.1	82.1	85.1	88.1	91.2	94.2	97.2	100.2
873.....	33.8	36.8	39.8	42.8	45.9	48.9	51.9	54.9	57.9	61.0	64.0	67.0	70.0	73.0	76.0	79.1	82.1	85.1	88.1	91.2	94.2	97.2	100.2
874.....	33.8	36.8	39.8	42.8	45.9	48.9	51.9	54.9	57.9	61.0	64.0	67.0	70.0	73.0	76.0	79.1	82.1	85.1	88.1	91.2	94.2	97.2	100.2
875.....	28.2	30.7	33.2	35.8	38.3	40.8	43.4	45.9	48.4	50.9	53.5	56.0	58.5	61.1	63.6	66.1	68.7	71.2	73.7	76.2	78.8	81.3	83.8
876.....	33.8	36.8	39.8	42.8	45.9	48.9	51.9	54.9	57.9	61.0	64.0	67.0	70.0	73.0	76.0	79.1	82.1	85.1	88.1	91.2	94.2	97.2	100.2
877.....	33.8	36.8	39.8	42.8	45.9	48.9	51.9	54.9	57.9	61.0	64.0	67.0	70.0	73.0	76.0	79.1	82.1	85.1	88.1	91.2	94.2	97.2	100.2
878.....	33.8	36.8	39.8	42.8	45.9	48.9	51.9	54.9	57.9	61.0	64.0	67.0	70.0	73.0	76.0	79.1	82.1	85.1	88.1	91.2	94.2	97.2	100.2
884.....	33.8	36.8	39.8	42.8	45.9	48.9	51.9	54.9	57.9	61.0	64.0	67.0	70.0	73.0	76.0	79.1	82.1	85.1	88.1	91.2	94.2	97.2	100.2
892.....	27.2	29.6	32.0	34.5	36.9	39.4	41.8	44.2	46.7	49.1	51.6	54.0	56.4	58.9	61.3	63.8	66.2	68.7	71.2	73.7	76.2	78.8	81.3
894.....	33.8	36.8	39.8	42.8	45.9	48.9	51.9	54.9	57.9	61.0	64.0	67.0	70.0	73.0	76.0	79.1	82.1	85.1	88.1	91.2	94.2	97.2	100.2
906.....	28.2	30.7	33.2	35.8	38.3	40.8	43.4	45.9	48.4	50.9	53.5	56.0	58.5	61.1	63.6	66.1	68.7	71.2	73.7	76.2	78.8	81.3	83.8
908.....	37.8	41.2	44.6	48.0	51.3	54.7	58.1	61.5	64.9	68.2	71.6	75.0	78.4	81.8	85.1	88.5	91.9	95.3	98.7	102.0	105.4	108.8	112.2
919.....	30.3	32.5	34.8	37.0	39.3	41.5	43.8	46.0	48.3	50.5	52.8	55.0	57.3	59.5	61.8	64.0	66.3	68.5	70.8	73.0	75.3	77.5	79.8
920.....	37.8	41.2	44.6	48.0	51.3	54.7	58.1	61.5	64.9	68.2	71.6	75.0	78.4	81.8	85.1	88.5	91.9	95.3	98.7	102.0	105.4	108.8	112.2
921.....	33.8	36.8	39.8	42.8	45.9	48.9	51.9	54.9	57.9	61.0	64.0	67.0	70.0	73.0	76.0	79.1	82.1	85.1	88.1	91.2	94.2	97.2	100.2
924.....	33.8	36.8	39.8	42.8	45.9	48.9	51.9	54.9	57.9	61.0	64.0	67.0	70.0	73.0	76.0	79.1	82.1	85.1	88.1	91.2	94.2	97.2	100.2
940.....	36.3	39.5	42.8	46.0	49.3	52.5	55.8	59.0	62.3	65.5	68.8	72.0	75.3	78.5	81.8	85.0	88.3	91.5	94.8	98.0	101.2	104.5	107.8
942.....	37.8	41.2	44.6	48.0	51.3	54.7	58.1	61.5	64.9	68.2	71.6	75.0	78.4	81.8	85.1	88.5	91.9	95.3	98.7	102.0	105.4	108.8	112.2
950.....	33.8	36.8	39.8	42.8	45.9	48.9	51.9	54.9	57.9	61.0	64.0	67.0	70.0	73.0	76.0	79.1	82.1	85.1	88.1	91.2	94.2	97.2	100.2
984.....	33.8	36.8	39.8	42.8	45.9	48.9	51.9	54.9	57.9	61.0	64.0	67.0	70.0	73.0	76.0	79.1	82.1	85.1	88.1	91.2	94.2	97.2	100.2
985.....	33.8	36.8	39.8	42.8	45.9	48.9	51.9	54.9	57.9	61.0	64.0	67.0	70.0	73.0	76.0	79.1	82.1	85.1	88.1	91.2	94.2	97.2	100.2
1050.....	34.7	37.8	40.9	44.0	47.2	50.3	53.4	56.5	59.6	62.8	65.9	69.0	72.1	75.2	78.4	81.5	84.6	87.7	90.8	94.0	97.1	100.2	103.3
1051.....	36.3	39.5	42.8	46.0	49.3	52.5	55.8	59.0	62.3	65.5	68.8	72.0	75.3	78.5	81.8	85.0	88.3	91.5	94.8	98.0	101.2	104.5	107.8
1052.....	34.7	37.8	40.9	44.0	47.2	50.3	53.4	56.5	59.6	62.8	65.9	69.0	72.1	75.2	78.4	81.5	84.6	87.7	90.8	94.0	97.1	100.2	103.3
1053.....	34.7	37.8	40.9	44.0	47.2	50.3	53.4	56.5	59.6	62.8	65.9	69.0	72.1	75.2	78.4	81.5	84.6	87.7	90.8	94.0	97.1	100.2	103.3
1054.....	34.7	37.8	40.9	44.0	47.2	50.3	53.4	56.5	59.6	62.8	65.9	69.0	72.1	75.2	78.4	81.5	84.6	87.7	90.8	94.0	97.1	100.2	103.3
1055.....	36.3	39.5	42.8	46.0	49.3	52.5	55.8	59.0	62.3	65.5	68.8	72.0	75.3	78.5	81.8	85.0	88.3	91.5	94.8	98.0	101.2	104.5	107.8
1056.....	34.7	37.8	40.9	44.0	47.2	50.3	53.4	56.5	59.6	62.8	65.9	69.0	72.1	75.2	78.4	81.5	84.6	87.7	90.8	94.0	97.1	100.2	103.3
1057.....	33.3	36.3	39.3	42.2	45.2	48.2	51.2	54.1	57.1	60.1	63.0	66.0	69.0	71.9	74.9	77.9	80.9	83.8	86.8	89.8	92.7	95.7	98.7
1058.....	34.7	37.8	40.9	44.0	47.2	50.3	53.4	56.5	59.6	62.8	65.9	69.0	72.1	75.2	78.4	81.5	84.6	87.7	90.8	94.0	97.1	100.2	103.3
1062.....	37.8	41.2	44.6	48.0	51.3	54.7	58.1	61.5	64.9	68.2	71.6	75.0	78.4	81.8	85.1	88.5	91.9	95.3	98.7	102.0	105.4	108.8	112.2
1063.....	37.8	41.2	44.6	48.0	51.3	54.7	58.1	61.5	64.9	68.2	71.6	75.0	78.4	81.8	85.1	88.5	91.9	95.3	98.7	102.0	105.4	108.8	112.2
1064.....	34.7	37.8	40.9	44.0	47.2	50.3	53.4	56.5	59.6	62.8	65.9	69.0	72.1	75.2	78.4	81.5	84.6	87.7	90.8	94.0	97.1	100.2	103.3

[Category Group VI added by Amdt. 10]

Category Group VII	72 through 74	75 through 77	78 through 80	81 through 83	84 through 86	87 through 89	90 through 92	93 through 95	96 through 98	99 through 101	102 through 104	105 through 107	108 through 110	111 through 113	114 through 116	117 through 119	120 through 122	123 through 125	126 through 128
860.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
861.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
877.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
893.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
895.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
901.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
902.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
903.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
904.....	66.4	69.3	72.1	75.0	77.8	80.6	83.5	86.3	89.2	92.0	94.8	97.7	100.5	103.4	106.2	109.0	111.9	114.7	117.6
907.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
915.....	59.2	61.8	64.3	66.8	69.4	71.9	74.4	76.9	79.5	82.0	84.5	87.1	89.6	92.1	94.7	97.2	99.7	102.2	104.8
917.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
941.....	66.4	69.3	72.1	75.0	77.8	80.6	83.5	86.3	89.2	92.0	94.8	97.7	100.5	103.4	106.2	109.0	111.9	114.7	117.6
943.....	64.3	67.0	70.0	72.5	75.3	78.0	80.8	83.5	86.3	89.0	91.8	94.5	97.3	100.0	102.8	105.5	108.3	111.0	113.8
944.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
945.....	88.0	91.8	95.5	99.3	103.1	106.9	110.7	114.4	118.2	122.0	125.8	129.6	133.3	137.0	140.7	144.5	148.3	152.2	156.0
946.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
951.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
970.....	66.4	69.3	72.1	75.0	77.8	80.6	83.5	86.3	89.2	92.0	94.8	97.7	100.5	103.4	106.2	109.0	111.9	114.7	117.6
971.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
972.....	81.6	85.1	88.6	92.1	95.6	99.0	102.5	106.0	109.5	113.0	116.5	120.0	123.5	127.0	130.5	134.0	137.5	141.0	144.5
973.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
974.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
975.....	66.4	69.3	72.1	75.0	77.8	80.6	83.5	86.3	89.2	92.0	94.8	97.7	100.5	103.4	106.2	109.0	111.9	114.7	117.6
976.....	99.6	103.8	108.1	112.4	116.7	120.9	125.2	129.5	133.7	138.0	142.3	146.5	150.8	155.1	159.4	163.6	167.9	172.2	176.4
977.....	64.3	67.0	70.0	72.5	75.3	78.0	80.8	83.5	86.3	89.0	91.8	94.5	97.3	100.0	102.8	105.5	108.3	111.0	113.8
978.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
979.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
980.....	72.2	75.3	78.4	81.5	84.6	87.6	90.7	93.8	96.9	100.0	103.1	106.2	109.3	112.4	115.5	118.5	121.6	124.7	127.8
981.....	64.3	67.0	70.0	72.5	75.3	78.0	80.8	83.5	86.3	89.0	91.8	94.5	97.3	100.0	102.8	105.5	108.3	111.0	113.8
982.....	66.4	69.3	72.1	75.0	77.8	80.6	83.5	86.3	89.2	92.0	94.8	97.7	100.5	103.4	106.2	109.0	111.9	114.7	117.6
983.....	66.4	69.3	72.1	75.0	77.8	80.6	83.5	86.3	89.2	92.0	94.8	97.7	100.5	103.4	106.2	109.0	111.9	114.7	117.6
1059.....	56.4	58.8	61.3	63.6	66.0	68.4	70.8	73.2	75.6	78.0	80.4	82.8	85.2	87.6	90.0	92.4	94.8	97.2	99.6
1060.....	56.4	58.8	61.3	63.6	66.0	68.4	70.8	73.2	75.6	78.0	80.4	82.8	85.2	87.6	90.0	92.4	94.8	97.2	99.6
1061.....	56.4	58.8	61.3	63.6	66.0	68.4	70.8	73.2	75.6	78.0	80.4	82.8	85.2	87.6	90.0	92.4	94.8	97.2	99.6
1070.....	58.5	61.0	63.3	65.6	68.5	71.0	73.5	76.0	78.5	81.0	83.5	86.0	88.5	91.0	93.5	96.0	98.5	101.0	103.5

RULES AND REGULATIONS

APPENDIX E—TABLE FOR FIXING CATEGORY MARKUPS UNDER SECTION 39

Category you are pricing	Percentage markup on cost	Category you are pricing	Percentage markup on cost
101	67.7	502B	61.1
102	64.1	502C	60.2
103	61.6	503	62.2
104	65.3	504	63.0
105	57.9	504A	59.2
105A	30.2	505	58.0
105B	45.0	506	66.3
105C	45.0	506A	65.9
105D	39.0	506B	65.9
106	63.0	507	69.4
107	60.1	508	65.9
107A	66.1	509	60.2
107B	66.1	510	61.0
108	64.9	601	66.7
108A	63.8	602	61.9
109	63.8	603	62.6
109A	64.9	603A	55.3
110	59.5	605	66.4
110A	60.2	605A	64.9
111	46.1	606	69.6
111A	51.4	607	58.9
112	60.2	610	69
112A	59.9	615	69
113	60.2	620	69
114	66.0	701	98.1
115	62.1	703	91.9
116	62.4	704	95.9
117	61.3	705	98.5
118	62.6	706	108.0
119	65.9	708A	90.5
120	72.1	708	95.9
121	69.2	709	89.6
122	66.5	710	99.4
123	66.6	712	93.9
123A*		713	89.3
124	66.9	714	98.2
201	72.3	715	87.3
202	67.0	716	79.7
203	72.2	717	79.7
204	72.5	717A	88.0
205	65.1	718	77.8
206	64.9	719	82.3
207	63.3	720	94.5
208	62.9	751	84.1
209	66.8	752	89.9
210	68.9	801	84.7
211	65.6	802	83.9
211A	69.5	803	83.9
212	70.0	803A	75.1
213	62.9	803B	82.5
214	82.6	803C	68.0
215	67.5	803D	78.0
216	67.1	804	86.8
217	67.8	805	74.2
218	66.2	851	84.6
301	67.8	852	84.6
302	62.9	852A	75.1
303	61.1	854	74.4
304	65.7	860	85
305	61.9	861	81
306	62.0	871	54
306A	47.8	872	56
307	62.8	873	56
308	69.1	874	58
309	62.3	875	51
310	67.9	876	58
351	63.7	877	75
352	63.5	878	58
353	74.2	880	39
401	63.7	881	39
402	58.2	882	39
402A	61.2	883	42
402B	58.2	884	58
403	58.2	890	25
405	63.4	891	49
406	62.2	892	51
407	62.2	893	81
408	60.2	894	66
409	60.7	895	81
410	54.0	901	72
501	47.8	902	75
502	57.3	903	72
502A	58.4	904	66

*Use mark-up for category 123 and add 8 percent to retail price thus obtained.

APPENDIX E—TABLE FOR FIXING CATEGORY MARKUPS UNDER SECTION 39—Continued

Category you are pricing	Percentage markup on cost	Category you are pricing	Percentage markup on cost
905	47	970	75
906	50	971	75
907	88	972	85
908	61	973	78
915	22	974	81
916	22	975	81
917	66	976	92
918	81	977	72
919	63	978	81
920	66	979	81
921	61	980	81
922	49	981	72
923	49	982	72
924	61	983	72
940	63	984	58
941	75	985	58
942	63	1001	72.1
943	72	1002	72.8
944	78	1004	68.1
945	92	1005	68.6
946	78	1006	73.3
950	58	1007	72.8
951	81	1008	68.0

APPENDIX E—TABLE FOR FIXING CATEGORY MARKUPS UNDER SECTION 39—Continued

Category you are pricing	Percentage markup on cost	Category you are pricing	Percentage markup on cost
1009	68.5	1027	71.0
1009A	75.0	1028	65.7
1010	73.9	1029	71.0
1010A	70.2	1030	65.2
1011	73.1	1050	69
1011A	60.4	1051	72
1012	68.0	1052	69
1013	69.4	1053	69
1014	70.0	1054	69
1015	68.0	1055	72
1016	68.6	1056	69
1017	71.0	1057	66
1018	68.0	1058	69
1019	65.7	1059	78
1020	69.7	1060	78
1021	68.0	1061	78
1022	62.9	1062	75
1023	71.0	1063	75
1024	71.0	1064	69
1025	68.0	1070	81
1026	68.0		

[Appendix E amended by Amdts. 2, 3, 8, 9, and 13]

APPENDIX F

GROUP I

[Multipliers for Group Averages over 101 for categories in Groups I and III; for Group Average over 127 for categories in Group II; for Group Average over 109 for Categories in Group IV of Appendix D]

Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier
101	1.078	111A	.809	207	.981	308	1.090	502C	.948
102*	1.021	112	.928	208	.975	309	.981	503	.979
103	.976	112A	.943	209	1.045	310	1.069	504	.991
104	1.041	113	.945	210	1.084	351	1.003	504A	.932
105	.896	114	1.066	211	1.030	352	1.000	505	.960
105A	.475	115	.975	211A	1.062	401	1.005	506	1.042
105B	.708	116	.984	212	1.110	402	.916	506A	1.038
105C	.708	117	1.161	213	1.096	402A	.964	506B	1.038
105D	.614	118	.987	215	1.032	402B	.916	507	1.086
106	.493	119	1.050	216	1.054	403	.919	508	1.038
107	.947	120	1.104	217	1.069	405	.999	509	.948
107A	1.047	121	1.111	218	1.045	406	.964	510	.954
107B	1.041	122	1.065	301	1.075	407	.979	601	1.038
108	1.021	123	1.035	302	.962	408	.948	602	.967
108A	1.006	124	1.071	303	.954	409	.955	603	.982
109	1.006	201	1.122	304	1.020	501	.850	603A	.902
109A	1.021	202	1.062	305	.967	502	.752	605	1.039
110	.928	203	1.142	306	.969	502A	.902	605A	1.023
110A	.948	205	1.026	306A	.752	502B	.917	606	1.096
111	.708	206	1.021	307	.981	502B	.960	607	.928

[Group I amended by Amdts. 1, 3, and 9]

GROUP II

Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier
701	1.072	706A	.990	713	.976	717A	.963
703	1.005	708	1.048	714	1.074	718	.850
704	1.048	709	.979	715	.954	719	.809
705	1.077	710	1.086	716	.871	720	1.033
706	1.181	712	1.026	717	.871	751	.919

GROUP III

Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier
801	1.057	803A	.937	804	1.084	852	1.056
802	1.048	803B	1.030	805	.926	852A	.937
803	1.048	803C	.850	851	1.056		

[Group III amended by Amdt. 13]

GROUP IV

Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier
1001	1.011	1009	.961	1013	.851	1020	.976
1002	1.018	1009A	1.064	1014	.981	1021	.954
1004	.955	1010	1.035	1015	.954	1022	.850
1005	.961	1010A	1.004	1016	.961	1023	.924
1006	1.026	1011	1.023	1017	.904	1024	.994
1007	1.018	1011A	.974	1018	.954	1025	.954
1008	.954	1012	.954	1019	.770	1026	.954

[Group IV amended by Amdts. 9 and 13]

GROUP V

Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier
880	0.773	883	1.006	905	1.100	922	1.146
881	.773	890	.853	915	.883	923	1.146
882	.913	891	1.146	916	.883		

[Group V added by Amdt. 10 Correction]

APPENDIX F—Continued

GROUP VI

Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier	Category you are pricing	Multiplier
871	0.843	884	1.006	921	1.006	1050	1.040	1056	1.040
872	1.006	892	.813	924	1.006	1051	1.110	1057	1.900
873	1.006	894	1.006	940	1.083	1052	1.040	1058	1.040
874	1.006	906	.843	942	1.126	1053	1.040	1062	1.100
875	.843	908	1.126	950	1.006	1054	1.040	1063	1.100
876	1.006	919	1.083	984	1.006	1055	1.110	1064	1.040
878	1.006	920	1.126	985	1.006				

[Group VI added by Amdt. 10 Correction]

GROUP VII

860	1.030	904	0.946	946	1.030	976	1.423	1059	.800
861	1.030	907	1.030	951	1.030	977	.916	1060	.800
877	1.030	917	.843	970	.946	978	1.030	1061	.800
893	1.030	918	1.030	971	1.030	979	1.030	1070	.833
895	1.030	941	.946	972	1.163	980	1.030		
901	1.030	943	.916	973	1.030	981	.916		
902	1.030	944	1.030	974	1.030	982	.946		
903	1.030	945	1.260	975	.946	983	.946		

[Group VII added by Amdt. 10 Correction]

[F. R. Doc. 52-9130; Filed, Aug. 14, 1952; 4:57 p. m.]

[Ceiling Price Regulation 9, Revision 1, Supplementary Regulation 2, Revision 1, Amdt. 1]

CPR 9—TERRITORIES AND POSSESSIONS

SR 2—CEILING PRICES FOR MANUFACTURERS MAKING SALES SUBJECT TO CPR 9

PASS THROUGH OF FREIGHT INCREASES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 1 to Supplementary Regulation 2, Revision 1, to Ceiling Price Regulation 9, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 2, Revision 1, to Ceiling Price Regulation 9, Revision 1, establishes ceiling prices for mainland manufacturers selling commodities which at the time of sale are located in one of the territories or possessions of the United States.

In computing his ceiling price under this supplementary regulation, the manufacturer is permitted to reflect shipping costs in the period December 19, 1950 to January 25, 1951, if during that period he included such costs in his territorial selling price.

Since that base period, however, there have been several increases in shipping rates to most of the territories and in the cost of preparation for shipment and the result has been a narrowing of the margins of manufacturers.

Since under Ceiling Price Regulation 9 or Ceiling Price Regulation 61, the export regulation, a seller is permitted his customary markup over landed costs, the Office of Price Stabilization considers it necessary to permit manufacturers covered by this supplementary regulation to include the increase in freight charges in their ceiling prices. Accordingly, this amendment provides that manufacturers subject to Supplementary Regulation 2, Revision 1, to Ceiling Price Regulation 9, Revision 1, may add to their ceiling prices established under the supplementary regulation, the difference between base

period shipping charges and charges for preparation for shipment, and the current charges incurred.

In the formulation of this amendment, it has been impracticable due to the nature of the action taken, to consult with industry representatives, including trade association representatives. However, recommendations have been received from several manufacturers covered by the supplementary regulation and full consideration has been given to their recommendations. In the opinion of the Director, this amendment is fair and equitable and is necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

1. Section 2 of Supplementary Regulation 2, Revision 1, to Ceiling Price Regulation 9, Revision 1, is amended to read as follows:

SEC. 2. *Ceiling prices.* If you are a manufacturer, your ceiling price for a sale subject to CPR 9, Revision 1, is the sum of the following amounts:

(a) An amount equal to your current ceiling price for the commodity computed under the applicable ceiling price regulation (other than CPR 61) to the same class of purchaser at the port of shipment.

(b) An amount equal to your customary markup for the commodity for sales in the particular territory in which the commodity is located, computed in accordance with section 3 of this supplementary regulation. If you made a sale of the commodity in the base period, but customarily had no differential between port of shipment selling prices and territorial selling prices, your ceiling price for the commodities, established under this supplementary regulation, may not include any amount under this paragraph.

(c) The difference between the base period cost of shipment and preparation for shipment, and the current cost of shipment and preparation for shipment

actually incurred by you on the commodity for which the ceiling price is established by this supplementary regulation.

The term "base period," as used in this regulation, means the period December 19, 1950-January 25, 1951.

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

Effective date. This Amendment 1 to Supplementary Regulation 2, Revision 1, to Ceiling Price Regulation 9, Revision 1, is effective as of June 28, 1952.

JOSEPH H. FREEHILL,
Acting Director of
Price Stabilization.

AUGUST 15, 1952.

[F. R. Doc. 52-9180; Filed, Aug. 15, 1952;
12:01 p. m.]

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

CPR 9—TERRITORIES AND POSSESSIONS

SR 4—SPECIAL PROVISIONS FOR INCREASING CEILING PRICES OF SELLERS WHOSE COSTS ARE INCREASED BY WEST COAST STRIKE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Revision 1 of Supplementary Regulation 4 to Ceiling Price Regulation 9, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 4 to Ceiling Price Regulation 9, Revision 1, was issued by the Office of Price Stabilization in order to afford some relief for sellers of food products in the Territory of Hawaii, who, because of the maritime strike on the west coast of the United States, necessarily incurred increased shipping costs. As stated in the Statement of Considerations, food products of necessity would have to be shipped from ports in the continental United States other than west coast ports. Supplementary Regulation 4 permitted sellers of food products in the Territory of Hawaii to pass through any increase in overland or ocean freight charges incurred by reason of such shipments.

This Revision 1 of Supplementary Regulation 4 to Ceiling Price Regulation 9, Revision 1, extends to all sellers in the Territory of Hawaii covered by Ceiling Price Regulation 9, Revision 1, the privilege of passing through the increased freight charges previously authorized only for sellers of food products. This action is deemed necessary because the continuance of the maritime strike on the west coast has exhausted the inventories of sellers of all types of merchandise usually shipped to Hawaii through west coast ports.

When the strike emergency has ended the Office of Price Stabilization anticipates the revocation of this supplementary regulation as to all commodities not actually delivered or in transit at that time.

Because of the nature of this supplementary regulation special circum-

RULES AND REGULATIONS

stances have rendered consultation with industry representatives, including trade association representatives, impracticable.

REGULATORY PROVISIONS

Sec.

1. Freight increases.
2. Invoices.
3. Applicability of Ceiling Price Regulation 9, Revision 1.

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

SECTION 1. Freight increases. (a) If you sell a commodity for which a ceiling price is established by Ceiling Price Regulation 9, Revision 1, and if, because of the maritime strike on the west coast of the United States the commodity was shipped from a port in the continental United States other than the port from which your supplier customarily ships to you, your ceiling price is that price which would otherwise be your ceiling price under Ceiling Price Regulation 9, Revision 1, plus an amount not to exceed the difference between (1) the cost of shipping charges actually incurred by you on the last shipment of the commodity shipped from the continental United States prior to May 26, 1952, which was included in your direct cost for the purpose of computing your ceiling price and (2) shipping charges incurred by you on the shipment of the commodity covered by this supplementary regulation, provided that such additional amount which you charge the buyer is shown on your invoice, for all sales except sales at retail, as the amount of shipping charges passed on by you as required by section 2 of this regulation.

(b) If you sell any commodity for which a ceiling price is established by Ceiling Price Regulation 9, Revision 1, and if, because of the maritime strike on the west coast of the United States increased shipping charges authorized by paragraph (a) of this section are passed on to you by your supplier under this regulation, you must, in determining your ceiling price for the commodity under the applicable ceiling price regulation, exclude from your direct cost the amount listed on your supplier's invoice to you as the amount of shipping charges passed on to you for the commodity. You may then charge the buyer, in addition to such ceiling price, an amount not to exceed the amount of shipping charges passed on to you by your supplier as shown by your supplier's invoice for the commodity, provided that such additional amount which you charge the buyer is shown on your invoice, for all sales except sales at retail, as the amount of shipping charges passed on by you, as required by section 2 of this regulation.

SEC. 2. Invoices. If you sell any commodities under this supplementary regulation you must furnish each purchaser, except a retail purchaser, an invoice stating separately for each commodity the amount of the increased shipping charges passed on by you under this supplementary regulation. This information may be included on the invoice you

customarily furnish or which you are required to furnish under Ceiling Price Regulation 9, Revision 1.

SEC. 3. Applicability of Ceiling Price Regulation 9, Revision 1. All of the provisions of Ceiling Price Regulation 9, Revision 1, except as modified by this supplementary regulation continue in full force and effect.

Effective date. This Revision 1 of Supplementary Regulation 4 to Ceiling Price Regulation 9, Revision 1, is effective August 15, 1952.

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

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

AUGUST 15, 1952.

[F. R. Doc. 52-9182; Filed, Aug. 15, 1952;
12:02 p. m.]

[Ceiling Price Regulation 22, Amdt. 54]

**CPR 22—MANUFACTURERS' GENERAL
CEILING PRICE REGULATION**

**EXEMPTION FOR PRODUCERS WHOSE GROSS
SALES DO NOT EXCEED \$25,000**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts small manufacturers from coverage by CPR 22 with certain exceptions. Any manufacturer whose gross sales of commodities manufactured by him did not exceed \$25,000 in his last complete fiscal year prior to July 1, 1952, for all manufacturing units under his ownership and control is exempted. The exemption is also extended to any new manufacturer who has not completed a fiscal year but who expects his gross sales during his first complete fiscal year not to exceed \$25,000 for all manufacturing units under his ownership and control. In any event, the exemption ceases if sales reach \$25,000 during the seller's first complete fiscal year ending after July 1, 1952. The reasons for this action are spelled out more fully in the Statement of Considerations to Amendment 33 to the General Ceiling Price Regulation issued concurrently herewith.

In view of the nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Appendix A, paragraph (a), is amended by adding a subparagraph numbered "4" reading as follows:

(4) (1) Sales or deliveries of commodities made or produced by a seller whose gross sales of such commodities did not exceed \$25,000 in his last complete fiscal year prior to July 1, 1952 for all manufacturing units under his ownership and control.

(2) Sales or deliveries of commodities made or produced by a seller who did not complete a fiscal year prior to July 1, 1952 whose gross sales of such commodities are not expected to exceed \$25,000 in his first complete fiscal year for all manufacturing units under his ownership and control.

(3) In the event that the gross sales for all manufacturing units under the ownership and control of a seller exempt under the preceding subparagraphs (1) and (2) of this paragraph reach \$25,000 during the seller's first fiscal year ending after July 1, 1952, the exemption under this paragraph ceases immediately.

(4) The preceding subparagraphs of this general exemption do not apply to sales or deliveries by producers of saw logs, pulpwood, wooden mine materials, ties, poles and piling, and related forest products.

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

Effective date. This amendment is effective August 20, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

AUGUST 15, 1952.

[F. R. Doc. 52-9181; Filed, Aug. 15, 1952;
12:02 p. m.]

[Ceiling Price Regulation 22, Amdt. 1 to
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**

ADDITIONS TO APPENDIX

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2 this Amendment 1 to Supplementary Regulation 30, Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

The statement of considerations which was issued to Supplementary Regulation 30 to Ceiling Price Regulation 22 stated, in part, as follows:

"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."

It has now been ascertained that certain manufacturers of electric and gas cooking stoves are in need of the relief afforded by SR 30, CPR 22. It has also been ascertained that the method of calculating the adjusted delivered ceiling prices set forth in SR 30 may readily be used by these manufacturers. Accordingly, this amendment is being issued.

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

AMENDATORY PROVISIONS

Supplementary Regulation 30 to Ceiling Price Regulation 22 is amended by addition of the consumer durable goods item "Gas and Electric Cooking Stoves", so that Appendix A to SR 30, CPR 22, shall read as follows:

APPENDIX A

Refrigerators.
Home freezers.
Gas and electric cooking stoves.

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

Effective date. This Amendment 1, Supplementary Regulation 30 to Ceiling Price Regulation 22, is effective August 20, 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.

AUGUST 15, 1952.

[F. R. Doc. 52-9183; Filed, Aug. 15, 1952;
12:02 p. m.]

[General Ceiling Price Regulation, Amdt. 33]

GENERAL CEILING PRICE REGULATION EXEMPTION FOR PRODUCERS WHOSE GROSS SALES DO NOT EXCEED \$25,000

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

STATEMENT OF CONSIDERATIONS

Numerous requests to the Office of Price Stabilization by small producers for relief from the administrative burdens of ceiling price regulations inspired a re-examination of section 14 (n) of the General Ceiling Price Regulation. That section exempted sales or deliveries of commodities made or produced by the seller at his own home, solely for his own account, without the assistance of hired employees, if the total of such sales or deliveries did not exceed \$1,000 in any one calendar month.

It was determined that the restrictive terms of the section substantially frustrated the original intent to exempt commodities made and sold by small producers. The use of a calendar month, the \$1,000 limitation, and the defining of the locale of production as the home eliminated a large number of small producers from the relief the exemption was designed to give.

This amendment eliminates the restrictive features formerly contained in the exemption and broadens it to include all producers whose gross sales are less than \$25,000 a year for all units under their ownership and control with the exceptions noted. Exemption of these small producers will have no appreciable effect on the cost of living, the defense effort or the level of current industrial costs. The retention of controls on these small producers simply imposes a record keeping burden on them which is diffi-

cult to discharge and an unwarranted administrative burden on OPS.

This amendment deletes the requirement that commodities to be exempt as the products of small business must be made in the seller's home and without the assistance of hired employees. The commodities of any producer who did not complete a fiscal year by July 1, 1952 are exempt if he does not expect his gross sales for his first complete fiscal year to reach \$25,000 for all units under his ownership and control. If a producer's gross sales exceed \$25,000 during his first fiscal year ending after July 1, 1952, the sales of his commodities are thereafter no longer exempt from price control.

It has been determined that this exemption shall not apply to saw logs, pulpwood, wooden mine materials, ties, poles and piling, and related forest products. Because of the insufficiency of data and information relating to the major economic implications of exempting these commodities, the Director of Price Stabilization has deemed it inadvisable that they should be covered by this vehicle at this time. However, further study and consideration is being devoted in regard to the feasibility of their eventual exemption.

In view of the nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Section 14 (n) is amended to read as follows:

(n) (1) Sales or deliveries of commodities made or produced by a seller whose gross sales of such commodities did not exceed \$25,000, in his last complete fiscal year prior to July 1, 1952, for all units under his ownership and control.

(2) Sales or deliveries of commodities made or produced by a seller who did not complete a fiscal year prior to July 1, 1952 whose gross sales of such commodities are not expected to exceed \$25,000 in his first complete fiscal year for all units under his ownership and control.

(3) In the event that the gross sales for all units under the ownership and control of a seller exempt under the preceding subparagraphs (1) and (2) of this paragraph reach \$25,000 during the seller's first fiscal year ending after July 1, 1952, the exemption under this paragraph ceases immediately.

(4) The preceding subparagraphs of this general exemption do not apply to sales or deliveries by producers of saw logs, pulpwood, wooden mine materials, ties, poles and piling, and related forest products.

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

Effective date. This amendment is effective August 20, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

AUGUST 15, 1952.

[F. R. Doc. 52-9186; Filed, Aug. 15, 1952;
12:03 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 63, Amdt. 1 to Area Milk Price Regulation 18]

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 18—MILK MARKETING AREAS 3, 4 AND 5, STATE OF NEW JERSEY

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), Delegation of Authority 41 (16 F. R. 12679), and Redelegation of Authority No. 18 (16 F. R. 12913), this Amendment 1 to Area Milk Price Regulation 18 (17 F. R. 3204) pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation, as amended (16 F. R. 9559; 17 F. R. 446, 893), is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment is issued in compliance with a directive of August 1, 1952, issued by the Director of Price Stabilization. In the opinion of the Director of Price Stabilization the increase in the differential between home delivered milk and milk sold by retail stores, which results from the provisions of AMPR 18 as originally issued, is sufficient to disturb normal marketing practices in the areas covered by this regulation. He has accordingly directed, in order to maintain normal marketing practices, that AMPR 18 be amended to provide for an increase of $\frac{1}{8}$ cent per quart over GCPR ceiling prices on sales to distributors and subdealers and $\frac{1}{2}$ cent per quart on all other sales.

Experience in administering AMPR 18 indicates that the use of a uniform adjustment of GCPR ceiling prices rather than specific dollars and cents ceiling prices would be the more equitable method of applying the granted increase. The use of specific dollars and cents ceiling prices in this regulation was based on the desire to facilitate enforcement and to satisfy the request of the industry and of the Office of Milk Industry of the State of New Jersey for this type of regulation. The effect has been to give unjustified increases in some instances and to work undue hardships in others. A review of the reports submitted under the provisions of section 5 reveals that there is much less uniformity of price, particularly on sales to subdealers, than the Office of Price Stabilization had reason to believe. While the prices specified by section 4 are representative, they permit some processors to increase their subdealer prices and require others to reduce theirs. This effect was not intended, and this amendment, therefore, substitutes uniform adjustments of GCPR ceiling prices for specific dollars and cents ceiling prices.

This method of establishing ceiling prices permits the reporting requirements of the regulation to be simplified.

Except as modified by the foregoing, the statement of considerations set forth in AMPR 18 applies to this amendment.

AMENDATORY PROVISIONS

Area Milk Price Regulation No. 18 to Supplementary Regulation 63 to GCPR is hereby amended in the following respects:

RULES AND REGULATIONS

1. The first and second sentences of section 1 *What this area milk price regulation does* are amended to read as follows: "This area milk price regulation, issued pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation, as amended, provides uniform adjustments of ceiling prices determined under section 3 of the General Ceiling Price Regulation (hereinafter referred to as GCPR base period prices) for fluid milk, as defined in section 13 (hereinafter referred to as milk), when sold in Milk Marketing Areas 3, 4 and 5 as fixed by the Office of Milk Industry of the State of New Jersey. It provides adjustments for milk in designated types and sizes of containers."

2. Section 4 is deleted and a new section 4 is added to read as follows:

SEC. 4. Ceiling prices.—(a) *Ceiling prices of milk sold by processors to distributors and subdealers.* Your ceiling prices for milk sold to distributors and subdealers shall be your GCPR base period prices for the same type of milk when delivered in the same size and type of container to a purchaser of the same class, plus the following uniform adjustments:

Size container:	Adjustment (cent)
½ pint.....	½¢
1 pint.....	¾¢
1 quart.....	1¢
All other sizes (per quart).....	¾¢

(b) *Ceiling prices of milk sold by processors, distributors and subdealers to all other classes of purchasers.* Your ceiling prices for milk sold to all other classes of purchasers shall be your GCPR base period prices for the same type of milk when delivered in the same size and type of container to a purchaser of the same class, plus the following uniform adjustments:

Size container:	Adjustment (cent)
½ pint.....	¾¢
1 pint.....	1¢
1 quart.....	1½¢
All other sizes (per quart).....	¾¢

(c) *Price differentials.* Ceiling prices established pursuant to sections 4 (a) and 4 (b) must be modified by price differentials which existed between your GCPR base period prices and which resulted from discounts, allowances, premiums, extras, locations of purchasers and terms and conditions of sale or delivery.

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

3. Section 5 is deleted and a new section 5 is added to read as follows:

Sec. 5. Reporting of GCPR prices. Within five days after the effective date of this amendment you shall submit to the District Office of the Office of Price Stabilization, 200 East State Street, Trenton, N. J., by registered mail, return receipt requested, your price lists in effect during any part or all of the GCPR base period, including the time during which

they were in effect, unless you have previously mailed such price lists by registered mail to the Director who is issuing this amendment to the regulation. You shall not sell at the ceiling prices computed pursuant to section 4 until the Office of Price Stabilization has received the report required by this paragraph as shown by your return postal receipt.

4. Section 6 (a) is amended to read as follows:

(a) *How you determine your ceiling price.* If you cannot determine a ceiling price under section 4, your ceiling price for the sale of milk to any class of purchaser is the ceiling price determined under this regulation for the sale of the same milk in the same size and type of container by your most closely competitive seller of the same class (as defined in section 22 of GCPR, as amended) to the same class of purchaser.

5. The first sentence of section 7 (a) *How to obtain your ceiling price* is amended to read as follows: "If you cannot determine a ceiling price under section 4 or section 6, you must apply to the District Director of the Office of Price Stabilization who issued this regulation for the establishment of a ceiling price for sales by you of that milk."

6. The first sentence of section 8 (a) is amended to read as follows: "The following prices are the prices for raw milk on which are based the uniform adjustments specified in or determined pursuant to section 4 of this area milk price regulation."

Effective date. This Amendment 1 to Area Milk Price Regulation No. 18 under Supplementary Regulation 63 of the General Ceiling Price Regulation, as amended, is effective as of August 15, 1952.

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

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

HARRY A. WALSH,
District Director,
Office of Price Stabilization.

AUGUST 15, 1952.

[F. R. Doc. 52-9187; Filed, Aug. 15, 1952; 12:04 p. m.]

[General Overriding Regulation 9, Amdt. 24]

GOR 9—EXEMPTIONS OF CERTAIN INDUSTRIAL MATERIALS AND MANUFACTURED GOODS

SUSPENSION OF APPLICATION OF CPR TO SALES AND CONVERSION OF CERTAIN SHIPS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 24 to General Overriding Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment suspends from price control sales or deliveries, by the builder, of new ships, motor boats, rowboats, sailboats, or other marine craft 65 feet and under in size, whether propelled manu-

ally, by sail, by motive power, or towed by other craft.

Sales of ships over 65 feet are already suspended from price control. This amendment by placing all shipbuilding into the same category will remove the differentiation now being made between shipyards building larger vessels and those making small craft. It has been determined that the problems faced by shipbuilders which motivated the suspension of large ships are also encountered by small shipyards and that in fact many shipyards build both large and small vessels.

The repair and conversion of vessels 65 feet and under are unaffected by this amendment. These services will continue to be subject to CPR 34.

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

General Overriding Regulation 9 is amended in the following respects:

Subparagraph (4) of Section 2 (b) is amended to read as follows:

(4) *Ships.* Sales or deliveries, by the builder, of any new ship, boat, barge, canal boat, lighter or tug, or other marine craft whether propelled manually, by sail, by motor power or towed by other craft.

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

Effective date. This amendment shall become effective August 15, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

AUGUST 15, 1952.

[F. R. Doc. 52-9188; Filed, Aug. 15, 1952; 12:04 p. m.]

[General Overriding Regulation 9, Amdt. 25]

GOR 9—EXEMPTIONS OF CERTAIN INDUSTRIAL MATERIALS AND MANUFACTURED GOODS

EXEMPTION OF EXPERIMENTAL METALS, METAL ALLOYS, SINTERED METAL CARBIDES AND METALLIC CARBIDES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 25 to General Overriding Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to GOR 9 suspends from price control sales by producers of experimental metals, metal alloys, sintered metal carbides, and metallic carbides until such sales total \$25,000 for any commodity or \$100,000 for any category.

This amendment was issued for the same reasons and accomplishes the same objectives as Amendment 17 to General Overriding Regulation 9. Accordingly the statement of considerations involved in the issuance of that

amendment is equally applicable to this amendment.

In view of the nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

GOR 9 is amended in the following respects:

Section 2 (b) (7) is amended to read as follows:

(7) *Experimental metals, metal alloys, sintered metal carbides and metallic carbides.* Sales and deliveries by producers of experimental metals, metal alloys, sintered metal carbides or metallic carbides so long as the total sales of any such commodity do not exceed \$25,000 and the total sales of all such commodities falling within the same category do not exceed \$100,000. A commodity is "experimental" only where it is the resulting product of research, testing and sampling done in a laboratory or pilot-plant, or both. When a commodity ceases to be experimental or when sales of any commodity reach \$25,000, or when the total sales of all such commodities falling within the same category reach \$100,000, future sales shall be subject to the General Ceiling Price Regulation or the applicable numbered ceiling price regulation.

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

Effective date. This Amendment 25 to the General Overriding Regulation 9 shall become effective August 15, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

AUGUST 15, 1952.

[F. R. Doc. 52-9189; Filed, Aug. 15, 1952; 12:04 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-25, Amendment 1 of August 15, 1952]

M-25—CANS

CANS MADE OF CERTAIN SPECIFIED MATERIALS EXEMPTED FROM CAN MATERIAL SPECIFICATIONS AND CAN QUOTAS

This amendment to NPA Order M-25 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

NPA Order M-25, as amended May 14, 1952, is hereby further amended in the following respect:

Subparagraph (1) of paragraph (b) of section 9 is amended to read as follows:

(b) *Can materials.* (1) the can material specifications and the quantity usage limitations of this order do not apply to cans or parts of cans made en-

tirely of any of the following materials or entirely of any combination thereof:

Mill accumulation plate.
Unassorted temper tin plate.
Unmended menders.
Tin plate waste-waste.
Tin plate waste.
Terneplate waste-waste.
Terneplate waste.
Black plate.
Black plate rejects.
Black plate waste-waste.
Black plate wasters.
Black plate waste.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This amendment shall take effect August 15, 1952.

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

[F. R. Doc. 52-9172; Filed, Aug. 15, 1952; 11:25 a. m.]

[NPA Order M-50, as Amended Aug. 15, 1952]

M-50—ELECTRIC UTILITIES

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of the Defense Production Act of 1950 as amended. In the formulation of this order, as amended, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

EXPLANATORY

This amendment affects NPA Order M-50 as amended April 16, 1952, as follows: Paragraphs (1), (m), (n), and (o) of section 2 are revised; a new paragraph (q) is added to section 2; paragraph (d) of section 21 and sections 33, 43, and 45 are amended; Appendices A, B, C, D, and E are revised to provide the full fourth quarter 1952 quotas of controlled materials for minor requirements and to authorize advance allotments for minor requirements for the first three quarters of 1953.

As amended, NPA Order M-50 reads as follows:

REGULATORY PROVISIONS

ARTICLE I—GENERAL PROVISIONS

Sec.

1. What this order does.
2. Definitions.
3. Applications for adjustment or exception.
4. Records and reports.
5. Communications.
6. Violations.

ARTICLE II—PROCUREMENT OF CONTROLLED MATERIALS GENERALLY

21. Effect on other orders.
22. Restrictions on receipt of controlled materials.
23. Use of allotment numbers, rating designations, and certifications.

ARTICLE III—MAJOR PLANT ADDITIONS

31. Restrictions on construction.
32. Construction schedules and allotments for major plant additions.
33. Required use of excess inventory.

Sec.

34. Authorization to use DO rating to obtain products and materials other than controlled materials for major plant additions.

ARTICLE IV—MINOR REQUIREMENTS

41. Allotments of controlled materials for minor requirements.
42. Quarterly controlled material quotas for minor requirements.
43. Applications for increased controlled materials quotas.
44. Authorization to use DO ratings to obtain products and materials other than controlled materials for minor requirements.
45. Inventory restrictions.

AUTHORITY: Sections 1 to 45 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. What this order does. This order provides rules of special application to the procurement and use of materials by electric utilities. It sets forth the procedure by which electric utilities procure materials under the Controlled Materials Plan. It modifies the application to electric utilities of CMP Regulations Nos. 2 and 6, as well as other orders and regulations of the National Production Authority.

Sec. 2. Definitions. (a) "Electric utility" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories or possessions, supplying, or having facilities built for supplying, electric power, directly or indirectly, for general use by the public or, in the case of a cooperative, for use by its members. If an electric utility is engaged in the supply of electric power and in other activities, this order shall apply only to the procurement and use of materials required directly or indirectly for the supply of electric power.

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

(c) "Maintenance" means the continuation of any plant, facility, or equipment in sound working condition; and "repair" means the restoration of any plant, facility, or equipment to sound working condition when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts, or the like. "Maintenance" and "repair" include the replacement of any equipment regardless of its accounting classification, but neither "maintenance" nor "repair" includes the improvement of any plant, facility, or equipment, or the replacement of material which is in sound working condition with material of a better kind, quality, design, or of greater capacity.

(d) "Operating supplies" means material, other than fuel, which is consumed in the course of an electric utility.

ty's operations, except in maintenance, repair, and plant additions.

(e) "Gross weight of conductor" means, in the case of overhead lines, the weight of conductor as installed, including steel content in the case of conductor containing steel, without deduction for material salvaged; and in the case of underground lines the copper and aluminum content only, without deduction for material salvaged.

(f) "Line construction" means construction of both overhead and underground lines.

(g) "Net material cost" means the cost of all material, including any commodity, equipment, accessory, part, assembly, or product of any kind, incorporated in plant, less the cost of all material removed from plant, priced in accordance with the electric utility's regular accounting practice.

(h) "Plant addition" means the construction or installation of new facilities or the replacement of existing facilities with facilities of greater capacity. Single plant additions may not be combined or subdivided for purposes of affecting their classification as "major plant additions," as defined in this section. To assist in determining whether particular construction constitutes one or more than one plant addition, it shall be considered that a single plant addition consists of:

(1) Any construction of related facilities, excluding maintenance and repair work, which is completed during a continuous period of construction, not interrupted by periods of time such as months or years, except where such interruption is caused by uncontrollable forces, such as adverse weather conditions.

(2) In the case of line construction, a single continuous integrated system of lines, with necessary connected substations. (Thus, several sections of line emanating from different points on a utility's system would be several plant additions, not one plant addition.)

(i) "Major plant addition" means any plant addition which involves one or more of the following:

(1) Line construction designed for operation at more than 15 kv where the plant addition requires more than 10,000 pounds gross weight of conductor; or

(2) Line construction designed for operation at 15 kv or less where the plant addition has a net material cost exceeding \$50,000; or

(3) Nonline construction necessary for the generation, transmission, and distribution of electric power, where the plant addition has a net material cost over \$50,000, excluding construction of facilities for use as a garage, warehouse, operating headquarters, office building, administrative building, or other similar use, unless such facilities are essential for the generation, transmission, and distribution of electric power.

(j) "Approved major plant addition" means any major plant addition in which DEPA has authorized commencement or continuation of construction.

(k) "Minor requirements" means electric utility requirements of controlled materials and other materials for all purposes (including MRO) except major

plant additions, and except construction of facilities for use as a garage, warehouse, office building, administrative building, or other similar use, unless such facilities are essential for the generation, transmission, and distribution of electric power.

(l) "Inventory" of any item of controlled material means new or salvaged controlled material in the possession of an electric utility, unless physically incorporated in plant, without regard to its accounting classification, excluding, however:

(1) Any controlled material specifically set aside on April 1, 1951, for use in time of emergency, and replacement thereof; and

(2) Any controlled material set aside on July 17, 1951, or thereafter, for use in an approved major plant addition. Any controlled material set aside for use in any such major plant addition shall be returned to inventory as soon as it becomes apparent that such controlled material will not be used in such major plant addition.

(m) "Practicable minimum working inventory" means the smallest quantity of controlled material from which an electric utility can reasonably supply its services on the basis of its currently scheduled method and rate of operation. In the absence of unusual circumstances, an electric utility's inventory will be considered in excess of a practicable minimum working inventory if the ratio of its inventory to its currently scheduled operations is substantially greater than the ratio which it normally maintained between its inventory and its operations during any reasonably representative period in the 6 months ending June 30, 1950.

(n) "Permissible inventory" of any item of controlled material means the quantity of such controlled material which is necessary for use in supplying electric service on the basis of an electric utility's scheduled method and rate of operation pursuant to this order during the succeeding 90-day period, or a practicable minimum working inventory, whichever is less.

(o) "Excess inventory" of any item of controlled material means that part of an electric utility's inventory of such item which exceeds its permissible inventory of such item.

(p) "Commence construction," "authorized construction schedule," "controlled material," "allotment," "Class A product," "Class B product," "delivery order," and "authorized controlled material order" shall have the meanings respectively assigned to such terms in Revised CMP Regulation No. 6; "repairman" shall have the meaning assigned to such term in CMP Regulation No. 7.

(q) "Controlled material" means steel, copper, and aluminum, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1, as modified by Direction 9 to CMP Regulation No. 1.

Sec. 3. *Applications for adjustment or exception.* (a) Any electric utility affected by any provision of this order may file a request for adjustment or exception on the ground that such provision works an undue or exceptional hardship

upon such utility not suffered generally by other electric utilities, or that its enforcement against such utility would not be in the interest of national defense or in the public interest. Each request shall be in writing, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

(b) Each such request shall be addressed to DEPA and, if approved, DEPA will grant an appropriate adjustment or exception.

Sec. 4. *Records and reports.* (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Authority or DEPA, at the usual place of business where maintained.

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

Sec. 5. *Communications.* All communications concerning this order shall be addressed to the Defense Electric Power Administration, Washington 25, D. C., Ref: NPA Order M-50.

Sec. 6. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority, or who wilfully conceals a material fact or furnishes false information in the course of operation under this order, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials, or of using facilities under priority or allocation control, and to deprive him of further priorities assistance.

ARTICLE II—PROCUREMENT OF CONTROLLED MATERIALS GENERALLY

Sec. 21. *Effect on other orders.* (a) This order modifies the application of Revised CMP Regulation No. 6 (Construction) to electric utilities and supercedes any conflicting provisions in Revised CMP Regulation No. 6. All of the provisions of Revised CMP Regulation No. 6 apply to electric utilities except as modified by this order.

(b) The provisions of CMP Regulation No. 5 shall not apply to electric utilities.

Electric utilities shall procure materials for maintenance, repair, and operating supplies in the manner provided in Article IV of this order.

(c) The provisions of CMP Regulation No. 7 apply to repairmen doing work for an electric utility. A repairman must use the H-4 allotment symbol to obtain the controlled materials needed to do repair work for an electric utility. Controlled materials so ordered shall constitute a charge against the utility's minor requirements allotments. Controlled materials necessary for the repair of utility customers' electric appliances shall not be ordered by use of the H-4 allotment symbol. Instead, such controlled materials shall be obtained in the manner provided in CMP Regulation No. 7.

(d) The inventory provisions of this order supersede any conflicting provisions in CMP Regulation No. 2 or any other order concerning inventory of controlled materials. For products and materials other than controlled materials, the inventory limitations in NPA Reg. 1 and any other National Production Authority order or regulation are applicable to electric utilities.

SEC. 22. Restrictions on receipt of controlled materials. Unless prior authorization is granted by DEPA, no electric utility shall receive any controlled materials which were not ordered pursuant to an allotment made by DEPA.

SEC. 23. Use of allotment numbers, rating designations, and certifications. Authorized controlled materials orders for major plant additions shall show the allotment number H-3; authorized controlled material orders for minor requirements shall show the allotment number H-4. Such orders shall also show the calendar quarter in which the allotment is valid. For example, a delivery order for controlled materials placed pursuant to an allotment valid for the first quarter of 1952 shall be designated as follows:

For major plant additions—
H-3-1Q52
For minor requirements—
H-4-1Q52

In addition, each authorized controlled material order shall be certified as follows:

Certified under Revised CMP Regulation No. 6 and NPA Order M-50 and shall be signed as provided in NPA Reg. 2. DO-H-3 rated orders and DO-H-4 rated orders shall also be certified and signed in such manner.

ARTICLE III—MAJOR PLANT ADDITIONS

SEC. 31. Restrictions on construction. No electric utility may commence construction of any major plant addition or use any controlled material in any major plant addition without specific authorization from DEPA. DEPA authorization to commence or continue construction does not necessarily mean that DEPA will allot materials in the amounts requested by any electric utility.

SEC. 32. Construction schedules and allotments for major plant additions. A construction schedule for each major plant addition will be authorized by

DEPA on Form DEPA 7. Construction schedules will be authorized on the basis of information furnished by electric utilities on Form DEPA 9 submitted for such major plant addition, or pursuant to application made in such manner as DEPA may hereafter require.

SEC. 33. Required use of excess inventory. Any electric utility which has an excess inventory of any controlled material shall use such material in approved major plant additions to the extent, and on the earliest date, that such material is required in any approved major plant addition. In filing applications for allotments of controlled materials for major plant additions, excess inventories shall be taken into account, and in stating its requirements of controlled materials for any major plant addition no electric utility shall include in its requirements any quantity of controlled material which is available in excess inventory.

SEC. 34. Authorization to use DO rating to obtain products and materials other than controlled materials for major plant additions. Subject to any special provisions contained in any appendix to this order, a DO-H-3 rating is hereby assigned to each authorized construction schedule for a major plant addition. This rating may be used only to acquire products and materials other than controlled materials in the minimum practicable amounts required and on a date or dates no earlier than required to fulfill such schedule or to replace in inventory products and materials other than controlled materials used to fulfill authorized construction schedules for major plant additions.

ARTICLE IV—MINOR REQUIREMENTS

SEC. 41. Allotments of controlled materials for minor requirements. Subject to the restrictions contained in section 45 of this order, each electric utility is hereby granted an allotment of controlled materials for minor requirements in the amount of its quota for each controlled material as provided in section 42 of this order, and is authorized to use such allotment for minor requirements. No electric utility shall place authorized controlled material orders for minor requirements of any controlled material in excess of its quota for such controlled material. Each authorized controlled materials order for minor requirements shall contain the allotment number H-4 as provided in section 23 of this order.

SEC. 42. Quarterly controlled material quotas for minor requirements. Unless DEPA has prescribed otherwise, an electric utility may elect to use either a standard quota or an alternative quota, but may not thereafter change from one quota to the other without the express approval of DEPA.

(a) **Standard quota.** An electric utility's standard quota for any controlled material for any calendar quarter is the percentage specified in the applicable appendix to this order of the quantity of such material which was used for minor requirements in the calendar year 1950 (or, if it operated on a fiscal year basis, in its fiscal year ending nearest to December 31, 1950).

(b) **Alternative quota.** An electric utility's alternative quota for any controlled material for any calendar quarter is the percentage specified in the applicable appendix to this order of the quantity of such material which it used in the corresponding calendar quarter of 1950 (or, if it operated on a fiscal year basis, in the corresponding quarter of its fiscal year ending nearest to December 31, 1950).

(c) **Quota where 1950 base inapplicable.** An electric utility not in operation throughout the year 1950 (calendar or fiscal) shall establish its standard or alternative controlled material quota in accordance with this section by adjusting, in direct proportion, its actual use of such controlled material for part of the year to an annual basis. To determine an alternative quota in such cases, the adjusted annual use may be unequally distributed among four quarters to reflect seasonal variations. An electric utility not in operation throughout 1950 shall report to DEPA the controlled material quota which it establishes in accordance with this section. If an electric utility was not in operation during any part of the year 1950 (calendar or fiscal), it may apply to DEPA for a controlled material quota supplying, in detail, information pertinent to a proper evaluation of its application.

(d) **Quotas established by DEPA.** DEPA may, by notice addressed to individual electric utilities, prescribe quarterly controlled material quotas for minor requirements greater or less than such utility's standard or alternative quotas.

(e) **Emergency excess of quotas.** If an electric utility has so far exhausted its minor requirements allotment that an insufficient allotment remains in any quarter to procure necessary controlled material for maintenance or repair of its equipment or property, other than buildings, which is damaged or destroyed by extraordinary cause such as explosion, fire, sabotage, act of the public enemy, flood, storm, or similar catastrophe, the utility may exceed its minor requirements allotment for that quarter to the extent necessary to procure such controlled material: *Provided, however,* That any such excess of minor requirements allotment must be immediately reported, together with the reasons therefor, to DEPA.

SEC. 43. Applications for increased controlled materials quotas. Each application for an increased controlled material quota shall contain the following information:

(a) Statement of the amount of any special authorization which the utility has received.

(b) Statement of the total amount, in pounds or tons, of each controlled material requested to be authorized for use in minor requirements during each quarter, including the base-period quota permitted by the applicable appendix to this order.

(c) Detailed statement of necessity for larger quota.

(d) Quantity in inventory of the items applied for, and any additional informa-

tion which may be pertinent to proper evaluation of the application.

SEC. 44. Authorization to use DO ratings to obtain products and materials other than controlled materials for minor requirements—(a) Assignment of DO-H-4 ratings. Subject to any special provisions in any appendix to this order, and subject to the provisions of paragraph (b) of this section, each electric utility is hereby authorized to use a DO-H-4 rating to order products and materials other than controlled materials necessary for use in connection with any minor requirements project which involves the use of any portion of its minor requirements allotment of any controlled material, and to order such additional amounts of products and materials other than controlled materials as are necessary for the operation, maintenance, and repair of its electric system.

(b) Restrictions on the use of the DO-H-4 rating. Use of the DO-H-4 rating by electric utilities is subject to the following restrictions:

(1) The DO-H-4 rating may be used only to acquire products and materials other than controlled materials in the minimum practicable amounts required, and on a date or dates no earlier than required, for the purposes specified in paragraph (a) of this section, or to replace in stock products and materials other than controlled materials used for such purposes.

(2) No electric utility shall use the DO-H-4 rating to obtain any item costing more than \$10,000 without specific authorization by DEPA. (For the purposes of this subparagraph, two or more single-phase transformers to be operated in one bank shall constitute a single item.) Requests for such authorization may be made by letter setting forth a complete description of the equipment, number of units, name of supplier, purchase value, and utility's order number if the order has been placed, and the present and estimated future loads to be served from the installation for which such item is ordered. In addition, the request shall describe the location and facility where the equipment will be installed, such as "69/4.2 kv Bolmer Substation in Fisk, Iowa." If the equipment is for replacement, explain why existing equipment is inadequate. When the equipment is to be used as spare or stand-by facilities such as spare transformers, oil circuit breakers, and generator windings, the request shall clearly indicate that such equipment is spare, and shall justify its proposed use on the basis of previous experience, operating characteristics, and the number of installations for which the item will serve as spare and for which no other adequate spare facilities are available, and shall set forth any other information pertinent to proper evaluation of such request.

(3) No electric utility shall use the DO-H-4 rating to obtain any materials on lease.

(4) No electric utility shall use the DO-H-4 rating to obtain any material listed in Schedules I and II of CMP Regulation No. 5, as amended from time to time.

SEC. 45. Inventory restrictions. No electric utility shall place delivery orders for, or accept delivery of, any item of controlled material if its inventory of such item is, or by receipt of such material would become, in excess of a permissible inventory. If an electric utility would be authorized by this section to place a delivery order for a quantity of any item of controlled material less than the minimum sales quantity of such item, it may accept delivery of the minimum sales quantity of such item. The minimum sales quantity of any item of controlled material shall be the quantity designated in Schedule IV of CMP Regulation No. 1.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

The issuance of this amended order does not in any way affect M-50, Direction 1 of July 22, 1952.

This order as amended shall take effect August 15, 1952.

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

APPENDIX A OF NPA ORDER M-50—ALUMINUM

1. Definition. "Aluminum" means aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. Aluminum quotas for minor requirements for third quarter of 1952.

	Percent
Standard quota.....	20.0
Alternative quota.....	80.0

3. Aluminum quotas for minor requirements for fourth quarter of 1952.

	Percent
Standard quota.....	22.5
Alternative quota.....	90.0

4. Advance aluminum quotas for minor requirements.

	Percent
(a) First quarter, 1953:	
Standard quota.....	18.0
Alternative quota.....	72.0
(b) Second quarter, 1953:	
Standard quota.....	16.9
Alternative quota.....	67.5
(c) Third quarter, 1953:	
Standard quota.....	13.5
Alternative quota.....	54.0

5. Exemption from quantity restrictions. The quantity restrictions applicable to aluminum shall not apply to any electric utility which orders for delivery, in any calendar quarter, a weight of aluminum which does not exceed 1,000 pounds.

6. Special provisions for ACSR. Delivery orders for Aluminum Conductor Steel Reinforced shall bear the allotment symbol H-3 for major plant additions and H-4 for minor requirements, plus the appropriate quarter's designation. Orders so placed shall constitute a charge against each utility's aluminum allotment in the amount of the aluminum content of ACSR, but shall not constitute a charge against its steel allotment.

APPENDIX B OF NPA ORDER M-50—COPPER

1. Definition. "Copper" means the shapes and forms indicated in Schedule I of CMP Regulation No. 1 under the headings "Copper and copper-base alloy brass mill products," "Copper wire mill products," and "Copper and copper-base alloy foundry products and powder."

2. Copper quotas for minor requirements for third quarter of 1952.

	Percent
Standard quota.....	12.5
Alternative quota.....	50.0

3. Copper quotas for minor requirements for fourth quarter of 1952.

	Percent
Standard quota.....	12.5
Alternative quota.....	50.0

4. Advance copper quotas for minor requirements.

	Percent
(a) First quarter, 1953:	
Standard quota.....	10.0
Alternative quota.....	40.0
(b) Second quarter, 1953:	
Standard quota.....	9.4
Alternative quota.....	37.5
(c) Third quarter, 1953:	
Standard quota.....	7.5
Alternative quota.....	30.0

5. Exemption from quantity restrictions. The quantity restrictions applicable to copper shall not apply to any electric utility which orders for delivery in any calendar quarter a quantity of copper which does not exceed 1,000 pounds in the aggregate.

6. Special provisions for Amerduct and Copperweld conductor. Delivery orders for Amerduct and Copperweld conductor shall bear the allotment symbol H-3 for major plant additions and H-4 for minor requirements, plus the appropriate quarter's designation. Orders so placed shall constitute a charge against each utility's copper allotment in the amount of the copper content of Amerduct or Copperweld conductor, but shall not constitute a charge against its steel allotment.

APPENDIX C OF NPA ORDER M-50—CARBON STEEL

1. Definition. "Carbon steel" means carbon steel, including wrought iron, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. Carbon steel quotas for minor requirements for third quarter of 1952.

	Percent
Standard quota.....	18.75
Alternative quota.....	75.0

3. Carbon steel quotas for minor requirements for fourth quarter of 1952.

	Percent
Standard quota.....	15.0
Alternative quota.....	60.0

4. Advance carbon steel quotas for minor requirements.

	Percent
(a) First quarter, 1953:	
Standard quota.....	14.0
Alternative quota.....	56.0
(b) Second quarter, 1953:	
Standard quota.....	11.25
Alternative quota.....	45.0
(c) Third quarter, 1953:	
Standard quota.....	11.25
Alternative quota.....	45.0

5. Exemption from quantity restrictions. The quantity restrictions applicable to carbon steel shall not apply to any electric utility which orders for delivery in any calendar quarter a quantity of carbon steel which does not exceed 1,000 pounds.

APPENDIX D OF NPA ORDER M-50—ALLOY STEEL (EXCEPT STAINLESS STEEL)

1. Definition. "Alloy steel" means alloy steel in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. Alloy steel quotas for minor requirements for third quarter of 1952.

	Percent
Standard quota.....	18.75
Alternative quota.....	75.0

3. Alloy steel quotas for minor requirements for fourth quarter of 1952.

	Percent
Standard quota.....	15.0
Alternative quota.....	60.0

4. Advance alloy steel quotas for minor requirements.

(a) First quarter, 1953:	Percent
Standard quota.....	14.0
Alternative quota.....	55.0
(b) Second quarter, 1953:	
Standard quota.....	11.25
Alternative quota.....	45.0
(c) Third quarter, 1953:	
Standard quota.....	11.25
Alternative quota.....	45.0

APPENDIX E OF NPA ORDER M-50—STAINLESS STEEL

1. Definition. "Stainless steel" means a stainless steel, wrought, cast, or sintered, containing 1 percent or more of nickel.

2. Special provisions for stainless steel. The quotas expressed in this appendix are percentages of base-period use of stainless steel as reported on Form DEPA-8, Revision 1, even though such usage may have included stainless steel containing less than 1 percent of nickel.

3. Stainless steel quotas for minor requirements for the third quarter of 1952.

	Percent
Standard quota.....	11.25
Alternative quota.....	45.0

4. Stainless steel quotas for minor requirements for fourth quarter of 1952.

	Percent
Standard quota.....	9.4
Alternative quota.....	37.5

5. Advance stainless steel quotas for minor requirements.

(a) First quarter, 1953:	Percent
Standard quota.....	4.7
Alternative quota.....	18.25
(b) Second quarter, 1953:	
Standard quota.....	2.5
Alternative quota.....	10.0
(c) Third quarter, 1953:	
Standard quota.....	2.5
Alternative quota.....	10.0

[F. R. Doc. 52-9173; Filed, Aug. 15, 1952; 11:25 a. m.]

[NPA Order M-50, Direction 2 of August 15, 1952]

M-50—ELECTRIC UTILITIES

DIR. 2—TEMPORARY REDUCTION OF MAXIMUM INVENTORY LIMITATIONS ON STEEL

This direction under NPA Order M-50 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action.

REGULATORY PROVISIONS

Sec.

1. What this direction does.
2. Suspension of inventory limitations.
3. Relation to NPA Order M-50.

AUTHORITY: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 81; 3 CFR, 1951 Supp.; sec. 402, 465, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. What this direction does. The purpose of this direction is to reduce temporarily the permissible inventories of certain steel items held by electric utilities.

SEC. 2. Reduction of permissible inventories of steel. At no time during the period September 1, 1952, through December 31, 1952, shall an electric utility accept delivery of any item of steel listed in Schedule I of CMP Regulation No. 1, if its inventory of such items is, or by such receipt would become, in excess of the quantity of such item necessary for use in supplying electric service on the basis of its scheduled method and rate of operation during the succeeding 60-day period, or a practicable minimum working inventory, whichever is less.

SEC. 3. Relation to NPA Order M-50. This direction, in effect, temporarily, amends in part the definition of "permissible inventory" contained in section 2 (n) of NPA Order M-50, and thereby modifies the inventory restrictions set forth in section 45 of NPA Order M-50.

This direction shall take effect August 15, 1952.

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

[F. R. Doc. 52-9174; Filed, Aug. 15, 1952; 11:25 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 70 to Schedule A]

[Rent Regulation 2, Amdt. 68 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

PENNSYLVANIA

Effective August 16, 1952, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 13th day of August 1952.

WILLIAM G. BARR,
Acting Director of
Rent Stabilization.

Schedule A, Item 272, is amended to describe the counties in the defense-rental area as follows:

In Lycoming County, the City of Williamsport, the Boroughs of Duboisstown, Montgomery, Montoursville and South Williamsport, and the Townships of Armstrong, Clinton, Loyalsock and Old Lycoming.

In Montour County, the Borough of Danville, and the Township of Mahoning; in Northumberland County, the Cities of Shamokin and Sunbury, the Boroughs of Northumberland and Riverside, and the Townships of Coal, Gearhart, Point, Rockefeller and Upper Augusta; in Snyder County, the Borough of Selinsgrove, and the Townships of Monroe and Penn including Shamokin Dam; and in Union County, the Borough of Lewisburg, and the Townships of Buffalo and East Buffalo.

In Clinton County, the City of Lock Haven, the Boroughs of Flemington, Mill Hall and Renovo, and the Townships of Allison, Bald Eagle, Castanea, Dunnstable, Pine Creek, Wayne and Woodward.

This recontrols the Borough of Danville and the Township of Mahoning in Montour County, Pennsylvania, and the Borough of Riverside and the Township of Gearhart in Northumberland County, Pennsylvania, portions of the Williamsport, Pennsylvania Defense-Rental Area, which localities had previously been decontrolled as of December 21, 1949.

[F. R. Doc. 52-9071; Filed, Aug. 15, 1952; 8:58 a. m.]

[Rent Regulation 1, Amdt. 15 to Schedule B]

[Rent Regulation 2, Amdt. 15 to Schedule B]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE RENTAL AREAS OR PORTIONS THEREOF

PENNSYLVANIA

Effective August 16, 1952, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 13th day of August 1952.

WILLIAM G. BARR,
Acting Director of
Rent Stabilization.

1. A new item 60 is added to Schedule B of Rent Regulation 1, reading as follows:

60. Provisions relating to the recontrol of the Borough of Danville and the Township of Mahoning in Montour County, Pennsylvania, and the Borough of Riverside and the Township of Gearhart in Northumberland County, Pennsylvania, portions of the Williamsport, Pennsylvania, Defense-Rental Area (Item 272 of Schedule A):

Effective August 16, 1952, the provisions of this regulation shall apply to housing accommodations in the territory to which this item of Schedule B relates, except as modified by the following provisions:

(a) All orders in effect on December 20, 1949, in accordance with this regulation shall be in full force and effect.

(b) Section 81 and those which precede section 91, relating to the establishment of maximum rents, shall be applicable and sections 91 and those which follow, relating to the establishment of maximum rents, shall be inapplicable.

(c) If on August 16, 1952, there was a ground for adjustment under sections 126 to 141 for which no order had previously been issued, and a petition for adjustment is filed on or before September 30, 1952, the adjustment shall be effective as of August 16, 1952.

(d) In section 140 wherever the date July 31, 1951, appears, the date August 16, 1952 shall be substituted.

(e) If, on August 16, 1952, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore or maintain such minimum services or file a petition on or before September 30, 1952, requesting approval of the decreased services. If, on August 16, 1952, the furniture, furnishings, or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before September 30, 1952, a

written report showing the decrease in furniture, furnishings, or equipment. Except as modified by this paragraph (e), the provisions of sections 146 to 149 shall be applicable to all such cases.

(f) In the case of any action which on August 16, 1952, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from August 16, 1952.

2. A new item 66 is added to Schedule B of Rent Regulation 2, reading as follows:

66. Provisions relating to the reconrol of the Borough of Danville and the Township of Mahoning in Montour County, Pennsylvania, and the Borough of Riverside and the Township of Gearhart in Northumberland County, Pennsylvania, portions of the Williamsport, Pennsylvania, Defense-Rental Area (Item 272 of Schedule A):

Effective August 16, 1952, the provisions of this regulation shall apply to housing accommodations in the territory to which this item of Schedule B relates, except as modified by the following provisions:

(a) All orders in effect on December 20, 1949, in accordance with this regulation shall be in full force and effect.

(b) Section 81 and those which precede section 91, relating to the establishment of maximum rents, shall be applicable and sections 91 and those which follow, relating to the establishment of maximum rents, shall be inapplicable.

(c) If, on August 16, 1952, there was a ground for adjustment under sections 126 to 137 for which no order had previously been issued, and a petition for adjustment is filed on or before September 30, 1952, the adjustment shall be effective as of August 16, 1952.

(d) In section 137 wherever the date July 31, 1951, appears, the date August 16, 1952, shall be substituted.

(e) If, on August 16, 1952, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before September 30, 1952, requesting approval of the decreased services. If, on August 16, 1952, the furniture, furnishings, or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before September 30, 1952, a written report showing the decrease in furniture, furnishings, or equipment. Except as modified by this paragraph (e), the provisions of sections 146 to 149 shall be applicable to all such cases.

(f) In the case of any action which on August 16, 1952, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from August 16, 1952.

[F. R. Doc. 52-9070; Filed, Aug. 15, 1952; 8:58 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

PART 19—WAIVERS OF NAVIGATION AND VESSEL INSPECTION LAWS AND REGULATIONS

ALIENS SERVING AS LICENSED OFFICERS ON MERCHANT VESSELS

CROSS REFERENCE: For revocation of § 19.15 *Employment of aliens as watch officers on United States merchant vessels* see F. R. Doc. 52-9077, Title 46, Chapter I, Part 154, *infra*.

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

AUSTRALIA

a. In § 127.34 *Recall and change of address* amend paragraph (f) by inserting the following phrase immediately after "Australia": "(applies only to regular-mail articles)".

b. In § 127.71 *Sealing* amend paragraph (a) by inserting, in proper alphabetical order, "Australia (insured)" in the list of countries shown therein.

c. In § 127.76 *Group shipments* amend paragraph (b) by inserting, in proper alphabetical order, "Australia" in the list of countries shown therein.

d. In § 127.82 *Recall and change of address* delete "Australia" from the list of countries shown in the second paragraph.

e. In § 127.102 *Special provisions applicable to international insurance service* add "Australia" in alphabetical order to the list of countries in paragraph (a).

f. In § 127.209 *Australia (States of New South Wales, Queensland, South Australia, Tasmania, Victoria and Western Australia; also Lord Howe Island, Thursday Island, and Norfolk Island)* make the following changes:

1. In the tabulated information appearing under subdivision (ii) of paragraph (b) (1), make the following changes:

a. Amend "Sealing: Optional" to read "Sealing: Insured parcels must, and ordinary parcels may, be sealed".

b. Amend "Group shipments: No" to read "Group shipments: Yes. (See § 127.76)".

c. Amend "Insurance: No" to read "Insurance: Yes".

2. Amend paragraph (b) (2) to read as follows:

(2) *Indemnity*. See subparagraph (4) of this paragraph.

3. In paragraph (b), redesignate subparagraphs (4) and (5) as (6) and (7), respectively, and insert new subparagraphs (4) and (5) to read as follows:

(4) *Insurance*. Parcel-post packages may be insured subject to the following limits of indemnity when prepaid at the appropriate postage rates in addition to the insurance fees mentioned hereunder:

Limit of indemnity:	Fee (cents)
Not over \$10.....	20
From \$10.01 to \$25.....	25
From \$25.01 to \$50.....	35
From \$50.01 to \$100.....	55
From \$100.01 to \$165.....	60

(5) *Insurance return receipt*. Requested at time of mailing, 5 cents; after mailing, 10 cents. (See § 127.102 (d).)

4. Add the following new subdivisions to paragraph (b) (6) *Observations*:

(vii) Each insured parcel must be marked to show (both in arabic figures and in roman letters spelled out in full) in United States currency the amount for which the parcel is insured. (See § 127.102 (b) (5).)

(viii) Parcels containing bank notes, currency notes, or any kind of securities payable to bearer; platinum, gold or silver (whether manufactured or unmanufactured); precious stones, jewelry, or other precious articles must not be accepted for mailing unless they are insured.

For further information concerning insurance service, see Subpart C of this part.

(R. S. 161, 396, 398; secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL]

V. C. BURKE,
Acting Postmaster General.

[P. R. Doc. 52-9080; Filed, Aug. 15, 1952; 8:59 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 860]

KANSAS

TRANSFERRING JURISDICTION OVER THE OIL AND GAS DEPOSITS IN CERTAIN LANDS OWNED BY THE UNITED STATES

Whereas the hereinafter-described lands, title to which has been acquired by the United States, comprising the warehouse site of the Smoky Hill Air Force Base, Kansas, are reported to be subject to drainage of their oil and gas deposits by wells on adjacent lands in private ownership; and

Whereas it is necessary in the public interest that such protective action be taken as will prevent loss to the United States by reason of the drainage or threatened drainage from the said lands; and

Whereas, in order to facilitate such action, it is considered advisable that jurisdiction over the oil and gas deposits in such lands be transferred from the Department of the Air Force to the Department of the Interior; and

Whereas such transfer has the concurrence of the Secretary of the Air Force:

Now, therefore, by virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F. R. 4831) it is ordered as follows:

1. The jurisdiction over the oil and gas deposits in the following-described lands is hereby transferred from the Department of the Air Force to the Department of the Interior:

SIXTH PRINCIPAL MERIDIAN

T. 15 S., R. 4 W.

A certain parcel of land lying in sec. 24, as shown on map entitled "Smoky Hill A. F. B. Warehouse Site, October 19, 1949, Installation No. 2795, Drawing No. Kansas 13-A", a copy of which is on file in the Bureau of Land Management, Department of the Interior, Washington, D. C., and more particularly described as follows:

Beginning at a point 2,350 feet east of the southwest corner of said sec. 24, thence:
North, 950 feet;
East, 300 feet;
N. 58° E., 940 feet;
N. 36½° W., 470 feet to a point on the south line of McArthur Avenue;

N. 55½° E., 2,260 feet along south line of McArthur Avenue;

N. 34½° W., 365 feet to a point on the south line of Newton Street;

N. 55½° E., 635 feet along south line of Newton Street;

S. 34½° E., 365 feet to a point on the south line of McArthur Avenue; thence

Northeasterly and easterly 5,480 feet along south line of McArthur Avenue to the corner of secs. 17, 18, 19, and 20, T. 15 S., R. 3 W.;

South, 300 feet to the northerly right-of-way of Missouri Pacific Railroad;

Southwesterly, 9,350 feet along the northerly right-of-way of Missouri Pacific Railroad to a point on the south boundary of sec. 24, T. 15 S., R. 4 W.;

West, 250 feet on south boundary of sec. 24 to the point of beginning.

The area as described contains 221.10 acres.

2. The Secretary of the Interior shall take such action as may be necessary to protect the United States from loss on account of drainage or threatened drainage of oil and gas from such land.

3. The jurisdiction of the Department of the Interior over such lands shall be subject to the primary jurisdiction of the Department of the Air Force over the lands for air force purposes.

4. Prior to any advertisement for bids to lease any of the lands mentioned herein, the Department of the Air Force shall be given the opportunity to indicate any further restrictions that it deems necessary to be incorporated in the proposed lease or leases.

5. All moneys received as royalties under leases, or otherwise, on account of oil and gas extracted from such land shall be paid into the Treasury of the United States and credited to miscellaneous receipts.

JOEL D. WOLFSOHN,
Acting Secretary of the Interior.

AUGUST 12, 1952.

[F. R. Doc. 52-9025; Filed, Aug. 15, 1952; 8:46 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

Subchapter O—Regulations Applicable to Certain Vessels During Emergency

[CGFR 52-42]

PART 154—WAIVERS OF NAVIGATION AND VESSEL INSPECTION LAWS AND REGULATIONS¹

PART 155—LICENSED OFFICERS AND CERTIFICATED MEN REGULATIONS DURING EMERGENCY

ALIENS SERVING AS LICENSED OFFICERS ON MERCHANT VESSELS

The purpose of this document is to revoke the waiver order designated as 46 CFR 154.15, as well as 33 CFR 19.15, and the regulations in 46 CFR Part 155, regarding employment of aliens as watch officers on United States merchant vessels and the qualifications for alien officers.

It has been determined upon investigation that there is sufficient experienced personnel in the merchant marine industry to meet the requirements of

¹ Also codified as 33 CFR Part 19.

certain navigation and vessel inspection laws relating to manning of merchant vessels and to meet the citizenship requirements for watch officers in the United States merchant marine. Therefore, the waiver order designated as 46 CFR 154.15, as well as 33 CFR 19.15, and the regulations in 46 CFR Part 155 relating to aliens serving as licensed officers on merchant vessels are no longer necessary. It is hereby found that compliance with the notice of proposed rule making, public rule making procedure thereon, and effective date requirements of the Administrative Procedure Act is contrary to the public interest.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by an order of the Acting Secretary of the Treasury, dated January 23, 1951, identified as CGFR 51-1, and published in the FEDERAL REGISTER dated January 26, 1951 (16 F. R. 731), the following waiver order and regulations are revoked effective upon the date of publication of this document in the FEDERAL REGISTER.

1. Section 154.15 *Employment of aliens as watch officers on United States merchant vessels* is revoked.

2. Sections 155.01-1 to 155.10-50, inclusive, which comprise the entire Part 155, are revoked.

(Secs. 1, 2, 64 Stat. 1120; 46 U. S. C. Sup. note prec. 1)

Dated: August 11, 1952.

[SEAL] MERLIN O'NEILL,
Vice Adm., U. S. Coast Guard,
Commandant.

[F. R. Doc. 52-9077; Filed, Aug. 15, 1952; 8:59 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—PRACTICE AND PROCEDURE FORMS

In the matter of amendment of FCC Forms 301, 303, 314 and 315.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of August 1952.

It appearing, that the statement of program service required of television applicants by paragraphs 1 through 7 of section IV of FCC Form 301 (Revised 3-21-52) duplicates the substance of information required by paragraph 10 of this section which may thus be deleted; and

It further appearing, that the corresponding paragraphs 1 through 7 of section IV of FCC Forms 303, 314 and 315, respectively (Revised 6-16-48), are inapplicable to television applicants and should be made applicable thereto in conformity with FCC Form 301 by amending these paragraphs pursuant to which the corresponding paragraph 10 of this section of FCC Forms 303, 314, and 315, respectively, may be deleted for the reason above stated; and

It further appearing, that in the light of the nature of the amendments adopted herein the provisions of section IV of the

Administrative Procedure Act with respect to notice of proposed rule making are inapplicable, and that the amendment may be effective immediately; and

It further appearing, that the authority for the amendments adopted herein is contained in sections 4 (i), 301 and 303 of the Communications Act of 1934, as amended;

It is ordered, That effective immediately FCC Form 301, "Application for Authority to Construct a New Broadcast Station or Make Changes in an Existing Station" is amended by the deletion of paragraph 10 of section IV; and FCC Form 303 "Application for Renewal of Broadcast Station License", FCC Form 314 "Application for Consent to Assignment of Radio Broadcast Station Construction Permit or License", and FCC Form 315 "Application for Consent to Transfer of Control of Corporation Holding Radio Broadcast Station Construction Permit or License" are amended as follows:

1. Delete the language of Instruction 1 of section IV and substitute the following: "Both parts of this section are to be completed by all applicants".

2. Delete paragraph 10 of section IV.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 301, 48 Stat. 1081, sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 301, 303)

Released: August 7, 1952.

FEDERAL COMMUNICATIONS
COMMISSION,
WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 52-9027; Filed, Aug. 15, 1952; 8:46 a. m.]

[Docket Nos. 8736, 8975, 8976, 9175]

PART 3—RADIO BROADCAST SERVICES

AVAILABILITY OF CHANNELS

By the Commission. Commissioner Sterling not participating. Commissioner Jones dissenting.¹

In the matters of amendment of § 3.606 of the Commission's rules and regulations, Docket Nos. 8736 and 8975; amendment of the Commission's rules, regulations and Engineering Standards Concerning the Television Broadcast Service, Docket No. 9175; utilization of frequencies in the band 470 to 890 mcs. for Television Broadcasting, Docket No. 8976.

The Commission has before it for consideration a Petition for Reconsideration and Modification of § 3.607 (b) in the above entitled proceeding filed June 18, 1952 by South Jersey Broadcasting Company, Camden, New Jersey.

In the Third Notice of Further Proposed Rule Making (FCC 49-948) issued on March 22, 1951 in these proceedings the Commission proposed with reference to the Table of Assignments of television channels that a channel assigned to a community should be available, without the necessity of rule making proceedings, to any unlisted community located within 15 miles of the assigned community provided the minimum separations

¹ The dissenting opinion of Commissioner Jones filed as part of the original document.

were met. In the Sixth Report and Order in these proceedings the Commission adopted § 3.607 (b) of the rules governing television stations which provides in part that "A channel assigned to a community listed in the Table of Assignments is available upon application in any unlisted community which is located within 15 miles of the listed community." Assignment separations and station separations are prescribed in another section of these rules. In the Third Notice of Further Proposed Rule Making the Commission did not propose the assignment of any channels to Camden, New Jersey, thus Camden was unlisted in the proposed Table of Assignments. In the Sixth Report and Order, the Commission on the basis of the record in these proceedings assigned Channel 80 to Camden and reserved that channel exclusively for non-commercial educational use with the result that Camden is listed in the Table of Assignments which was adopted. Camden is within 15 miles of Philadelphia, Pennsylvania.

Petitioner requests that § 3.607 (b) of the Commission's rules and regulations be modified by adding after the final sentence thereof language to the following effect: "For the purpose of this section a community shall be deemed unlisted if no commercial television channel has been allocated thereto."

In support of its request petitioner states that the Commission's action assigning Channel 80 to Camden and reserving that channel exclusively for non-commercial educational use acts to preclude an applicant for a television station in Camden from applying for a Philadelphia channel; that it believes such result inadvertent and, if not, then arbitrary, contrary to the public interest and in contravention of section 307 (b) of the Communications Act; that the County of Camden has a population of 301,000; that Camden is the 5th largest city in New Jersey with a population of 125,000; that petitioner's study of assignments shows there is no availability of an additional channel for assignment to Camden under the provisions of § 3.609 (c) of the rules governing television stations; that under § 3.607 (b) as now worded applicants may file for the Philadelphia channels in various small suburban communities near Philadelphia but this same privilege is denied applicants from Camden because of the reserved channel; that the types of service to be provided by commercial and non-commercial educational licensees are not similar; and that Camden, considering its size and its location across the Delaware River in a different State with differing political, economic, and social interests, should at least have the opportunity to compete in a comparative proceeding for channels allocated to the Philadelphia area.

We have reexamined and reconsidered the effect of § 3.607 (b) of the rules as adopted in these proceedings. It is our view that the assignment of a single television channel to a community and the reservation of that channel exclusively for non-commercial educational use should not preclude the availability to that community of other television channels which would otherwise be

available to it under § 3.607 (b) and that this section of the rules should be revised in keeping with this view. A revision in the nature, if not in the exact wording, of that requested by petitioner should thus be adopted.

In view of the foregoing, the above named petition is hereby granted, in substance and it is ordered that effective September 15, 1952 § 3.607 (b) of the rules governing television stations is amended as follows:

§ 3.607 Availability of channels.

(b) A channel assigned to a community listed in the Table of Assignments is available upon application in any unlisted community which is located within 15 miles of the listed community. In addition, a channel assigned to a community listed in the Table of Assignments and not designated for use by non-commercial educational stations only, is available upon application in any other community within 15 miles thereof which, although listed in the Table, is assigned only a channel designated for use only by noncommercial educational stations. Where channels are assigned to two or more communities listed in combination in the Table of Assignments the provisions of this paragraph shall apply separately to each community so listed. The distance between communities shall be determined by the distance between the respective coordinates thereof as set forth in the publication of the United States Department of Commerce entitled "Air Line Distance Between Cities in the United States."¹ If said publication does not contain the coordinates of either or both communities, the coordinates of the main post office in either or both of such communities shall be used. The method to be followed in making the measurements is set forth in § 3.611 of this subpart.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 301, 48 Stat. 1081, sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 301, 303)

Adopted: August 6, 1952.

Released: August 7, 1952.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 52-9026; Filed, Aug. 15, 1952; 8:46 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

PART 95—CAR SERVICE

[Rev. S. O. 889]

RAILROAD FREIGHT CARS TO BE STOPPED TO COMPLETE LOADING

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of August A. D. 1952.

¹ This publication may be purchased from the Government Printing Office, Washington, D. C.

It appearing, that upon representations of the Defense Transport Administration there is a critical shortage of railroad freight cars suitable for the transportation of lumber and/or lumber products; that shippers are appropriating such cars and shipping them almost empty to other points to complete loading; that such practice is wasteful and aggravates the car shortage, depleting and diminishing the use, control, supply, distribution and interchange of such cars; the Commission is of the opinion that an emergency requiring immediate action exists in the States of Oregon and Washington: It is ordered, that:

§ 95.889 Railroad freight cars to be stopped to complete loading—(a) Movement of cars loaded with lumber or lumber products. No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, or transport or move, any railroad freight car, which car is loaded with lumber, and/or lumber products, in Oregon or Washington and tendered to be forwarded to another point to be stopped off to complete the loading thereof, unless or until the lumber, and/or lumber products loaded in the car at the first loading point equals or exceeds fifty percent of the marked capacity of the car used. Partially loaded cars arriving at stop-off point to complete loading shall be charged against the total daily distributive share of cars available for the final shipper's loading.

(b) Special and general permits; appointment of agent. (1) Paragraph (a) of this section shall be subject to any special or general permits issued by the Permit Agent named in this section.

(2) Charles W. Taylor, Director, Bureau of Service, Interstate Commerce Commission, Washington 25, D. C., is hereby designated and appointed as Permit Agent of the Interstate Commerce Commission with authority to issue special or general permits to meet exceptional circumstances.

(c) Application. The provisions of this section shall apply to intrastate and foreign commerce as well as interstate commerce.

(d) Regulations suspended, announcement required. The operation of all rules, regulations and practices, insofar as they conflict with the provisions of this section is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing such suspension.

(e) Effective date. This section shall become effective at 12:01 a. m., August 15, 1952.

(f) Expiration date. This section shall expire at 11:59 p. m., December 31, 1952, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that a copy of this order and direction be served upon the State railroad regulatory bodies of each State and upon the Association of

American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies secs. 1, 15, 24 Stat. 379, as amended, 384, as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 52-9060; Filed, Aug. 15, 1952;
8:56 a. m.]

Subchapter C—Carriers by Water

PART 324—UNIFORM SYSTEM OF ACCOUNTS FOR CARRIERS BY INLAND AND COASTAL WATERWAYS

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 4th day of August A. D. 1952.

The matter of modifying the "Uniform System of Accounts for Carriers by Inland and Coastal Waterways," being under consideration pursuant to the provisions of section 20 of part I and section 313 of part III of the Interstate Commerce Act, as amended (54 Stat. 917 and 944, 49 U. S. C. 20 (3) and 313 (c); and,

It appearing, that a notice dated June 25, 1952, was served on all carriers by inland and coastal waterways subject to provisions of the act, to the effect that certain modifications had been approved, such notice also being published in the FEDERAL REGISTER on July 8, 1952 (17 F. R. 6116) pursuant to provisions of section 4 of the Administrative Procedure Act; and,

It further appearing, that the notice provided for written views or arguments to be filed by any interested person on or before July 31, 1952, and consideration having been given to all representations so received: It is ordered, that:

(1) *Effective date.* The modifications which are set forth below and made a part hereof, relating to the subject matter of said notice, shall become effective January 1, 1953.

(2) *Notice.* A copy of this order including the modifications set forth below shall be served on every carrier by inland and coastal waterway subject to the Act and on every trustee, receiver, executor, administrator, or assignee of any such carrier, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,
Secretary.

No. 161—8

1. Cancel paragraph (b) of § 324.45 *Water-line property acquired* and substitute the following for it:

(b) When the assets acquired include not only transportation property but also securities and other assets, a reasonable estimate, as nearly as determinable of the value inherent in such securities and other assets, except intangible assets, shall be deducted from the total cash cost and the remainder shall be included in account 151, "Acquisition adjustment." The values assigned to the securities and other assets acquired shall be included in the accounts appropriate for such assets. The cost of intangible assets such as operating rights shall be retained in account 151, "Acquisition adjustment." (See account 223, "Amortization reserves—Intangible assets.") The par or recorded value of any securities issued and the cash value at date of contract of other liabilities assumed shall be included in determining the cost of the transportation property acquired with contra credit to the appropriate liability accounts. Any necessary adjustment between par value and cash value of securities issued shall be included in the appropriate premium or discount accounts.

2. In paragraph (c) of § 324.1-151 *Acquisition adjustment* change the designation to read paragraph (d); cancel the last sentence of the paragraph and substitute the parenthetical instruction: "(See § 324.49.)" for that sentence.

3. Insert the following to be designated paragraph (c) of § 324.1-151 *Acquisition adjustment*:

(c) This account shall also include the cost of operating rights and other intangible assets. (See account 223, "Amortization reserves—Intangible assets.")

4. Following § 324.1-175 *Other deferred assets* change the center heading "Intangible Assets" to read: "Organization."

5. In § 324.1-180 *Organization* change the headnote of the section to read: "§ 324.1-180 *Organization expenses*," and cancel paragraph (c), substituting the following for it:

(c) Charges to income under a program to amortize organization expenses shall be credited to account 223, "Amortization reserves—Intangible assets."

6. In § 324.1-223 *Other reserves* redesignate this section as § 324.1-229 *Other reserves* and insert the following additional section ahead of it:

§ 324.1-223 *Amortization reserves; intangible assets.* (a) This account shall be credited with amounts charged to account 531, "Miscellaneous amortization charges to income," which will equitably distribute the cost of intangible assets over a definite period. When an intangible asset is sold or relinquished, or otherwise expires or is abandoned, the reserve shall be charged with the balance therein with respect to such asset and

the remainder of the cost of the asset shall be charged to account 531.

(b) This account shall be maintained so that a separate reserve is stated for each item of intangible property.

7. In paragraph (c) of § 324.7-452 *Loss and damage; freight* correct the reference to "account 223, 'Other reserves,'" to read: "229, 'Other reserves.'"

8. In paragraph (c) of § 324.7-455 *Injuries to persons* correct the reference to "account 223, 'Other reserves,'" to read: "229, 'Other reserves.'"

[F. R. Doc. 52-9061; Filed, Aug. 15, 1952;
8:56 a. m.]

TITLE 50—WILDLIFE

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

Subchapter C—Management of Wildlife Conservation Areas

PART 33—CENTRAL REGION

LONG LAKE NATIONAL WILDLIFE REFUGE, NORTH DAKOTA; FISHING

Basis and purpose. On the basis of observations and reports of field representatives of the Fish and Wildlife Service, it has been determined that a relaxation of the existing restriction regarding the use of boats can be effected without interfering with the primary purpose for which the refuge was established. It has been further determined to be desirable to modify the periods during which fishing can be permitted, including a liberalization to permit winter fishing.

Since the following regulations generally are relaxations of existing restrictions regarding fishing within the refuge, publication prior to the effective date is not required (60 Stat. 237; 5 U. S. C. 1001, et seq.).

Effective immediately upon publication in the FEDERAL REGISTER, §§ 33.96 and 33.98 are revised to read as follows:

§ 33.96 *Fishing permitted.* Noncommercial fishing is permitted during the daylight hours of the period May 1 to September 30 of each year, and from December 15 to February 28 of the following year, on those areas of the Long Lake National Wildlife Refuge which are designated by suitable posting by the officer in charge in accordance with the provisions of §§ 33.97 to 33.99, inclusive.

§ 33.98 *Use of boats.* The use of boats while fishing within certain areas of the refuge as designated by suitable posting by the officer in charge is permitted. The use of outboard motors of not to exceed 5-horsepower in conjunction with boats used only for fishing also is permitted.

(Sec. 10, 45 Stat. 1224; 16 U. S. C. 7151)

Dated: August 11, 1952.

O. H. JOHNSON,
Acting Director.

[F. R. Doc. 52-9020; Filed, Aug. 15, 1952;
8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P. & S. Docket No. 457]

MARKET AGENCIES OPERATING AT NORTH SALT LAKE UNION STOCK YARDS

NOTICE OF PETITION FOR MODIFICATION OF RATE ORDER

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), an order was issued on January 18, 1952 (11 A. D. 15), continuing through March 7, 1953, an authorization to assess the current rates and charges. The rates currently authorized are set forth in an order dated October 21, 1948 (7 A. D. 947).

On August 5, 1952, respondents filed a petition requesting authority to put into effect a new schedule of rates and charges, filed with the petition, which contains certain modifications of the currently authorized schedule.

The proposed new schedule of rates and charges is set forth below:

DEFINITIONS

Article I

Calves are animals of the bovine species, weighed in drafts, the average weight of the animals in which is 450 pounds or under.

Cattle are animals of the bovine species, weighed in drafts, the average weight of the animals in which is over 450 pounds.

Bulls are uncastrated male animals of the bovine species, weighed in drafts, the average weight of the animals in which is over 600 pounds.

Hogs are swine, weighed in drafts, irrespective of weight.

Sheep are animals of the ovine species, irrespective of weight, including lambs and goats.

A consignment, for the purpose of assessing selling charges, is all of the livestock of one species delivered in the name of one person to the market agency to be offered for sale during the trading hours of one day.

Purchase order, for the purpose of assessing buying charges, is all of the livestock of one species bought at one time but shipped or delivered to one person on one market day.

A draft is all the animals in one consignment or purchase order weighed as a single sales or purchase classification.

A person is either an individual, a partnership, a corporation or an association of any such acting as a unit.

Article 2

SECTION A

Straight car—single ownership:

Cattle and calves:	Per car
Single deck.....	\$32.00
Double deck.....	40.00
Swine:	
Single deck.....	32.00
Double deck.....	40.00
Sheep:	
Single deck.....	26.00
Double deck.....	36.00

NOTE: All species of livestock arriving by rail in trailer cars shall carry the charges set out in Section A of Article 2 as follows: Livestock arriving in double deck trailer shall be charged one double deck carload commission; livestock arriving in single deck trailer shall be charged one single deck commission.

SECTION B

Other modes of arrival:

Cattle and calves:

Calves:	Per head
Consignments of 1 head.....	\$0.85
Consignments of more than 1 head:	
1 to 15 head, inclusive.....	.65
Each head over 15.....	.50

Cattle:

Consignments of 1 head.....	1.20
Consignments of more than 1 head:	
1 to 15 head, inclusive.....	1.00
Each head over 15.....	.90

Bulls:

Over 600 pounds.....	1.50
Pure bred bulls or cows of any weight sold for breeding purposes.....	5.00

Exhibition livestock—All livestock entered in the livestock show which is consigned to a commission firm for care and sold in regular Livestock Show Auction Sale of Exhibition Livestock:

Calves or cattle.....	1.50
Hogs.....	.85
Sheep.....	.50

Hogs:

Consignments of 1 head.....	.60
Consignments of more than 1 head:	
First 10 head.....	.50
Next 15 head.....	.45
Each head over 25.....	.35

Sheep:

Consignments of 1 head.....	.50
Consignments of more than 1 head:	
First 10 in each 250 head.....	.40
Next 50 in each 250 head.....	.25
Next 60 in each 250 head.....	.15
Next 130 in each 250 head.....	.10

Article 3

SECTION A

Selling Charges

Drafts: On consignments where more than three drafts are necessary or requested 25 cents per draft in excess of three, maximum of \$3.00 will be charged.

SECTION B

Buying Charges

The rates for buying livestock shall be the same as selling like species except as follows:

When a commission firm weighs up livestock destined for slaughter or of a consignment, then no buying commission shall be charged on that transaction, but a service charge of \$9.00 per car shall be assessed against the buyer.

When livestock consigned to a commission firm is sold to a buyer and who issues out of town drafts or checks in payment for same, service charges of $\frac{1}{10}$ of 1 percent of the gross cost of livestock shall be charged to the buyer.

If authorized, the proposed rates and charges will produce additional revenue for the respondent market agencies and increase the cost of marketing livestock. Accordingly, it appears that this public notice should be given of the petition and its contents in order that all interested persons may have an opportunity to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25,

D. C., within 15 days from the date of publication of this notice.

Done at Washington, D. C., this 13th day of August 1952.

[SEAL]

AGNES B. CLARKE,
Hearing Clerk.

[F. R. Doc. 52-9047; Filed, Aug. 15, 1952; 8:53 a. m.]

[7 CFR Part 907]

[Docket No. AO-212-A4 (2d Part)]

HANDLING OF MILK IN MILWAUKEE, WIS., MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER AMENDING ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Milwaukee, Wisconsin, on May 19-20, 1952, pursuant to notice thereof which was issued on May 8, 1952 (17 F. R. 4353).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Secretary on June 13, 1952, filed with the Hearing Clerk, United States Department of Agriculture, a decision on several of the issues which required emergency action and for which a final order was issued on June 26, 1952 (17 F. R. 5796). The remaining issues are dealt with in the present decision. With respect to such issues, the Assistant Administrator, Production and Marketing Administration, on July 11, 1952, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision. Notice of such recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on July 17, 1952 (17 F. R. 6563). No exceptions were filed.

The material issues and the findings and conclusions of the recommended decision (F. R. Doc. 52-7856; 17 F. R. 6563) are hereby approved and adopted as the findings and conclusions of this decision as if set forth in full herein, subject to the following revisions:

1. Delete all findings and conclusions relating to issue No. 3 as set forth in Columns 1 and 2, 17 F. R. 6564, and substitute therefor the following:

(1) The "butter-cheese" price formula employed as a basic price formula should be deleted; the cheese price formula proposed to replace the butter-cheese price formula should not be adopted at this time (issue No. 3).

The basic formula price used to determine Class I and Class II prices is currently the highest of three formula prices computed for the preceding month. The formulas involved are: The

average condensary pay price, the butter-nonfat dry milk solids formula, and the butter-cheese formula. Class I and Class II prices for the month are determined by adding to this basic formula price the appropriate Class I and Class II price differentials subject to an adjustment based on changes in the supply-demand relationship. A proposal was made to introduce an additional basic price formula based on cheese price quotations as follows: 2.75 times the simple average, as published by the Department, of prices per pound for "Cheddars" on the Wisconsin Cheese Exchange at Plymouth, Wisconsin, for the trading days that fall within the month, with the result multiplied by 3.5.

The record shows that the proposal is intended to produce a formula which will correspond to competitive prices paid to dairy farmers by Wisconsin cheese factories for milk used in the manufacture of cheese. It was stated that the factor 2.75 is intended to be a figure which when multiplied by the Wisconsin Cheese Exchange quotation for Cheddars will approximate the price per pound of butterfat paid to farmers by competitive cheese factories. Considerable evidence was submitted for the record which related this formula price to the average price paid farmers by Wisconsin cheese factories as reported by the Department and by the Wisconsin State Department of Agriculture. In essence this formula is designed to measure the value of milk used for cheese from the standpoint of competitive "pay" prices as differentiated from a "cost and yield" method. Reduced to its simplest form, this formula is 9.625 times the average Cheddar cheese price (3.5 times 2.75=9.625).

Since the production of cheese has been increasing in recent years and represents a major use of milk in the State of Wisconsin and the Milwaukee supply area, a formula based on Cheddar cheese would be appropriate as one of the basic price formulas under the Milwaukee order. Statistical examination of the proposed formula indicates, however, that prior to its adoption as a basic price formula further consideration of its effects in relation to shortrun variations in cheese prices is desirable. In view of this it is concluded that the formula should not be incorporated into the order at this time.

Under current conditions as shown by the record, the butter-cheese formula does not reflect the value of milk utilized by cheese factories in the production area and therefore does not adequately serve its intended purpose. For this reason it is concluded that the latter formula should be deleted.

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

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the marketing area, and the

minimum prices specified in the tentative marketing agreement and in the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

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

Determination of representative period. The month of March 1952 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order, as amended, regulating the handling of milk in the Milwaukee, Wisconsin, marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such marketing order, as amended.

Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Milwaukee, Wisconsin, Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Milwaukee, Wisconsin, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 13th day of August 1952.

[SEAL]

CHARLES F. BRANNAN,
Secretary of Agriculture.

**Order¹ Amending the Order, as Amended
Regulating the Handling of Milk in
the Milwaukee, Wisconsin, Marketing
Area**

§ 907.0 Findings and determinations. The findings and determinations herein-after set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amend-

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

ments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) **Findings upon the basis of the hearing record.** Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") (7 U. S. C. 601 et seq.), and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Milwaukee, Wisconsin, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

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

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which hearings have been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Milwaukee, Wisconsin, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

1. Add to the Introductory language of § 907.33 (preceding paragraph (a)) following the word "handler" the phrase, "including any producer-handler."

2. Delete from § 907.45 (a) the phrase "except a producer-handler" and substitute therefor the phrase "including a producer-handler."

3. Delete § 907.45 (c).

4. Delete § 907.50 (b).

5. Delete at the end of § 907.90 the phrase "except as provided in § 907.10" and add the following: "except where the text of such section(s) of the order indicate that such section(s) should apply and except as provided in § 907.10."

6. Delete the semicolon and the word "or" at the end of § 907.91 (a) (1) and substitute in lieu thereof a period.

Order of the Secretary Directing That a Referendum Be Conducted Among the Producers Supplying Milk in the Milwaukee, Wisconsin, Marketing Area, and Designation of Agent to Conduct Such Referendum

Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (19)), it is hereby directed that a referendum be conducted among the producers (as defined in the order as amended, regulating the handling of milk in the Milwaukee, Wisconsin, marketing area) who, during the month of March 1952, were engaged in the production of milk for sale in the marketing area specified in the aforesaid order to determine whether such producers favor the issuance of the order (amending the aforesaid order) which is a part of the decision of the Secretary of Agriculture filed simultaneously herewith.

H. H. Erdmann is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders as published in the FEDERAL REGISTER on August 10, 1950 (15 F. R. 5177).

[F. R. Doc. 52-9084; Filed, Aug. 15, 1952; 8:59 a. m.]

[7 CFR Part 924]

[Docket No. AO-225-A2]

HANDLING OF MILK IN DETROIT, MICH., MARKETING AREA

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

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed marketing agreement and a proposed order, regulating the handling of milk in the Detroit, Michigan, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business the 20th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing, on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order, as amended, were formulated, was conducted at Detroit, Michigan on May 12-16, 1952, pursuant to notice thereof which was issued on April 17, 1952 (17 F. R. 3415). A decision

with respect to proposed amendments to certain classification and pricing provisions of the order considered at the hearing was filed June 13, 1952 (17 F. R. 5524) and an order on such amendments was issued June 19, 1952 (17 F. R. 5634). The findings and conclusions with respect to the issues dealt with herein were specifically deferred pending further study and consideration.

The material issues remaining for consideration are concerned with the following:

(1) A reduction or, alternatively, an expansion in the extent of the marketing area;

(2) Revision of the determination of milk to be priced under the order, with respect to the designation of health authorities, handler qualifications, and the level of sales at which handler exemption should be determined;

(3) Provision for a separate classification for milk utilized as fluid cream and the assignment of inventory variation to the lowest class instead of to Class I;

(4) Changes in the pricing provisions which would (a) alter the basic formula by (i) increasing the number of local plants, (ii) deleting all basic formula prices except the local plants, and (iii) substituting a cheese pricing formula for the butter-cheese formula; (b) alter Class I pricing by (i) using the basic formula prices for the previous month, (ii) providing for seasonal variation in the Class I price differential, and (iii) modifying various features of the supply-demand adjustment; (c) alter Class II pricing by (i) eliminating the butter-powder formula pricing alternative and (ii) providing transportation credits on milk moved for manufacture; (d) establish appropriate prices for milk in the proposed new classifications; and (e) revise the butterfat differentials and location adjustments.

(5) The substitution of individual handler pooling for marketwide pooling and modification of various features of the base rating plan for distributing returns to the producers; and

(6) Modification of administrative provisions of the order relating to administrative assessments, marketing service payments, and reporting dates.

Findings and conclusions. The following findings and conclusions on the issues decided herein are hereby made upon the basis of the record of the hearing:

(1) **Marketing area.** The marketing area should remain unchanged. A group of 9 handlers who operate primarily in Ann Arbor, Ypsilanti and the adjacent territory proposed eliminating from the marketing area the townships of Ann Arbor, Superior, and Ypsilanti in Washtenaw County and Canton, Van Buren and Sumpter townships in Wayne County. The latter three townships are east of Ann Arbor and Ypsilanti and between these cities and Detroit. The proposal which called specifically for the elimination for these six townships further provided that the market area include only an adjacent and contiguous territory within which the population is not less than 7,500 persons per township. This would have eliminated Ann Arbor and Ypsilanti and also would have

eliminated the townships in the North-eastern portion of the marketing area and the city of Port Huron. As an alternative to this proposed reduction to the marketing area, these handlers proposed adding 49 townships situated west of the present marketing area.

These proposals and the testimony of the proponents do not conform to the economic standards on which a marketing area should be determined. The marketing area specified in the Detroit order includes the metropolis of Detroit and the immediately adjacent cities, the comparatively much smaller but still sizeable nearby cities of Ann Arbor, Ypsilanti, Pontiac, and Port Huron, and those of the townships lying between these cities and the central metropolitan area in which milk distribution is significant. Within this area the marketing of milk is of a sufficiently uniform and interrelated character to make a single system of pricing and pooling effective and desirable.

On the supply side these homogeneous elements include the Michigan Milk Producers Association, the largest organization of producers in the territory with a membership accounting for 85 percent of all producers supplying milk to the marketing area, and a common milkshed within which farmers supplying plants located in Ann Arbor or Ypsilanti are intermingled with farmers supplying plants in other portions of the marketing area. Milk from farms approved for shipment to Detroit is acceptable for shipment to Ann Arbor and Ypsilanti, and during the period September 1951 through April 1952, Detroit-approved sources furnished one-fourth as much milk to handlers located in Ann Arbor and Ypsilanti as was received by them directly from producers.

There are also many elements of milk distribution which are common to all parts of the marketing area. Two of the major handlers in Ann Arbor are subsidiaries of firms which are also distributors of milk in the city of Detroit. One handler whose plant is located in Ypsilanti has a sizable proportion of his total business in territory which would remain in the marketing area after the proposed deletions. There is also a substantial and growing distribution of milk throughout the marketing area from pasteurization and bottling plants located in the city of Detroit. Milk distributed from such plants competes actively with milk from plants in all other portions of the marketing area except within the city limits of Ann Arbor and Port Huron where health ordinances require that milk be pasteurized within the city or a limited adjacent area.

A milk marketing area need not be composed of contiguous territory and the marketing areas defined in several of the Federal orders are composed of two or more physically separate entities such as municipalities and public institutions.

Even if the Detroit marketing area were to be defined in terms of the territory within the boundaries of the incorporated municipalities now included in the marketing area, the reasons for including Ann Arbor and Ypsilanti in such a marketing area would be virtually the same as those which prompted the inclu-

sion of these cities in the contiguous area defined in the order.

With regard to the proponents' alternative proposal to greatly expand the marketing area, no detailed testimony was offered on the nature of milk supplies and distribution in the additional townships. There is, therefore, no basis for judging whether milk marketing conditions in such townships are such as to make it necessary or desirable to include them in the marketing area.

(2) *Milk to be priced.* The handler definition should be modified to include Wayne County Health Department approval.

The Wayne County Health Department enforces the provisions of local health ordinances for those communities in the county which do not have a health officer. The model Michigan milk ordinance serves as the basis for interpretation of the local ordinances by the County Health Department. Inasmuch as the area in which the proponent distributes milk does not come under the jurisdiction of any of the Health Departments specified in the order, Wayne County Health Department approval should also be permitted. Such a provision would tend to assure the market of a more adequate supply of pure and wholesome milk.

Proposals were put forward to modify the qualifications for maintaining status as a handler. The order now provides that a person who operates a country plant (one from which no milk is distributed on routes in the marketing area) must move 10 percent or more of the milk received from dairy farmers at such plant to a city plant in November and December to remain a handler. The three proposals to modify this qualification ranged from a requirement that the country plant supply the market with 50 percent of its receipts during the 4-month period, October-January, to a requirement that a country plant continue to qualify on the basis of formal offers to ship milk to city plants during the shortage season at specified prices and terms of sale.

The evidence failed to show any present necessity either for making it more difficult or easier to maintain handler status. No plant engaged primarily in supplying other markets was meeting the minimum qualifications as handlers merely to participate in the pool on a year-round basis. Neither had any of the handlers experienced nor did they foresee undue difficulty in meeting the 10-percent requirement. In the circumstances, it is concluded that no change be made in the handler qualification until further experience under the order or more specific developments in the market clearly indicate a need for modification.

To facilitate administration the current order exempts from all but the reporting and auditing provisions of the order those handlers who operate bottling plants outside the marketing area and dispose of not more than 600 pounds of Class I milk per day in the marketing area as prices that might be appropriate in the marketing area might not be appropriate in the localities where most of the sales of these distributors might be

made. Testimony does not warrant modification of this provision.

One proposal would exclude from order provisions those handlers who distribute less than 50,000 pounds of milk per day in the marketing area. However, this would eliminate so large a percentage of handlers as to render the order inoperative. Another proposal would exclude from order provisions those handlers who are located within the marketing area and dispose of not more than 4,000 pounds of Class I milk per day for any month in which the total Class I disposition of such handlers does not exceed 1 3/4 percent of the total Class I disposition of all handlers. This would mean that the individual handler would not know if he were subject to the order for a given month until the total Class I sales for the month were determined. If the group of handlers with sales of 4,000 pounds or less represented over 1 3/4 percent of the total Class I sales, the group would be reduced to 1 3/4 percent by eliminating from the exempt list those handlers with the largest Class I sales. Individual handlers would not plan a consistent marketing program because of this monthly uncertainty of not knowing until the following month if they had been subject to the order the preceding month.

(3) *Classification.* Skim milk and butterfat utilized in fluid cream and cream products containing in excess of 6 percent butterfat should not be classified separately from that used in other Class II products.

Testimony disclosed that fluid cream priced under the order must compete directly with cream from unregulated sources which is available to handlers and also may be sold directly at wholesale and retail in the marketing area. There was no showing that the marketing of fluid cream is sufficiently different from that of most other Class II products to result in significant price differences; separate classification would, therefore, be meaningless.

Variations in handlers' month-end inventories are currently included in Class I under the order, since they are not specifically defined in Class II. Handlers proposed that these inventory variations be assigned and priced as Class II as a matter of proper inventory accounting practice and to reduce the valuation of any increase in inventory. The compelling objection to this proposal is that many handlers have no producer milk left in Class II after allocating other source milk. This is particularly likely in the late fall season of shortest supplies and on the part of handlers who purchase milk from a producers' cooperative association in quantities calculated to just cover their Class I requirements. The impossibility of treating all handlers alike if inventory variations were assigned to Class II and the fact that the financial gains and losses resulting from increases and decreases in inventories tend to balance out over a period of time, make it desirable to continue to classify them as Class I utilization.

(4) *Class prices.* The order should be amended to provide for adoption of a revised cheese formula, an increase of

the number of local plants to 9, use of the basic formula prices for the previous month to determine Class I prices, revision of the supply-demand formula, a Class II price equal to the local plant prices, the same butterfat differentials to handlers on Class I and Class II sales as that now applicable to producers, and an extension of the location adjustment rate schedule applicable to Class I and producer prices.

(a) *Basic formula prices.* The Class I price should continue to be based on a formula representing the highest value for milk for manufacturing as determined by four alternative basic formulas: prices paid dairy farmers at 18 Midwest dairy manufacturing plants, prices paid dairy farmers at 9 Michigan dairy manufacturing plants, a butter-powder formula price, and a revised cheese formula.

Distributors proposed that only the average paying price of local Michigan dairy manufacturing plants be used in determining the Class I price. They directed considerable testimony toward the elimination of the butter-powder formula as one of the basic formulas. However, it must be recognized that more butterfat and skim milk is manufactured into butter and nonfat dry milk solids, respectively, than into any other manufactured dairy product, that these two products and cheddar cheese are the only products directly eligible for Federal price support, and that the numerous interrelationships between Detroit and other markets under Federal order make it important that changes in basic price levels be closely similar. In the circumstances, the butter-powder formula should be retained as one of the basic formula prices.

Distributors consider the butter-cheese formula antiquated and therefore requested the elimination of such a formula. Although producers and handlers stated at the hearing that they had had insufficient time to analyze the revised cheese formula as introduced and explained at the hearing by the Dairy Branch, it seems desirable to include the revised cheese formula in the order since it would more directly reflect the value of milk used for cheese making than the present butter-cheese formula.

Although the distributors' proposal was to eliminate the average price of the 18 Midwest dairy manufacturing plants as one of the basic formulas, there was no specific testimony directed towards such an elimination. It should be retained in order that the basic formula will continue to represent the broadest possible coverage of nationally determined values of manufacturing milk.

The number of local Michigan dairy manufacturing plants should be raised to 9. In order to increase the number of local plants the same consideration governing the selection of the original five should govern the selection of the additional plants, namely:

(1) Cooperative plants should not be included as their reported pay price does not usually represent the entire return to farmers.

(2) Plants operated by a handler under the order should not be included.

(3) The plants selected should represent a wide variety of manufactured products.

(4) Plants selected should be representative of the entire milkshed. The following 4 Michigan plants appear to most nearly meet these requirements and should be added to the present 5 plants, thereby increasing the number of plants used in determining a basic formula price to 9. The larger number of local Michigan manufacturing plants should yield a more representative price for local manufactured milk. The four additional plants are:

Nestle Co., Ubly, Mich.
Kraft Cheese Co., Pinconning, Mich. Borden Co., Perrinton, Mich. Carnation Co., Sparta, Mich.

(b) *Class I price.* The Class I price should be determined by adding the Class I differential to the basic formula price of the previous month. Using the basic formula price for the previous month instead of for the current month will enable handlers to know this major element of their cost of Class I milk at the beginning of each month.

The current relationship between market supply and market demand in the supply-demand adjustment should be based on the most recent two-month period, the first and second months preceding the month for which a price is being computed. Both producers and handlers are of the opinion that the one-month lag between the period used for computing the supply-demand utilization and the month in which the adjustment becomes effective in the present order is unnecessary and is not the most accurate means of estimating current and prospective supply and demand conditions. The advantages of more nearly current computation of the adjustment were generally felt to outweigh the fact that the amount of the adjustment in any given month cannot be known until the middle of that month. It is therefore concluded that the current relationship between market supply and market demand should be based on the ratio of total producer receipts to gross Class I sales in the first and second months preceding the month for which a price is being computed. Assurance to producers that prices will be changed promptly in response to any change in the relationship between market supply and demand for milk should encourage them to continue to supply milk to the market.

It was suggested that bulk sales of Class I milk outside the market area be excluded from the supply-demand adjustment. Historically, such sales have been small in this market so that their inclusion or exclusion would have had little effect in adjusting prices. Ideally, the adjustment should reflect all sales which represent regular outlets for the milk supply of the market. The difficulty of defining and computing those sales which could be considered as irregular, together with the comparatively small volumes involved, leads to the conclusion that bulk sales of Class I milk outside the marketing area should be included in computation of the supply-demand adjustment. Similarly, a proposal to exclude inventory variations

from the computation of the supply-demand adjustment should be denied. These variations may be sizeable in the case of an individual handler but they are of an essentially random character and offsetting adjustments would tend to leave only insignificant variations in the marketwide data.

The base schedule of the adjustment should be revised to reflect more recent experience including that obtained while operating under the order. The base period should reflect the seasonal pattern both of production and of sales. Adjusting the producer receipts and Class I sales of the May 1948-July 1951 period for trend appears to provide the most accurate measure of the seasonality of utilization. This is the most recent period for which consistent data covering a large proportion of receipts and sales in the market are available. Experience in the fall of 1951 under the order indicates that when utilization for a month dropped below 112.5 percent, the supply of milk is not sufficient because of the daily and weekly variations in receipts and sales, and allocation of milk supplies among dealers becomes necessary. A supply of more than 122.5 percent of Class I utilization in the shortest supply month enhances the possibility of burdensome increases in the amount of reserve milk in the flush period. The base supply-demand ratio for other months which would correspond to 117.5 percent, the midpoint of the 112.5 percent-122.5 percent range in November, which is normally the shortest supply month, may therefore be computed by adjusting this ratio by a seasonal variation in utilization computed in the above prescribed manner.

The range within which no supply-demand adjustment is effected is reduced from 7.5 percentage points up or down from the midpoint to 5 percentage points in this recommended schedule. The three cents per percentage point remains a desirable rate of supply-demand adjustment of the Class I price differential and a price change of 15 cents is applied for the first 5 percentage points variation in the ratio. Inasmuch as the supply-demand adjustment based upon the revised schedule cannot result in a succeeding change in the opposite direction unless the ratio varies at least 10 percentage points there appears to be little justification for continuing the additional one-half percentage point which is now required to bring about a succeeding change in the opposite direction.

Handlers' proposals for a seasonal variation in the Class I differential should be denied as testimony by distributors and producers clearly indicates that the majority in the market wish to continue the base-excess plan as a method of leveling-out production. Seasonal variation in pricing is an alternative means of encouraging a more even seasonal distribution of production. If the Class I differential was varied seasonally while continuing the base plan, it would reduce the difference between the base and excess prices during the flush season, thereby reducing the price reward for the producer who achieved a high base the previous fall while correspondingly reducing the

price penalty on the uneven, low-base producer.

(c) *Class II prices.* The Class II price should be based solely on the average of the prices paid by the 9 Michigan dairy manufacturing plants used as one of the alternative basic formula prices.

Both handlers and producers concurred that by increasing the number of local plants and eliminating the butter-powder price a Class II price would result that would more closely represent the value of milk which is not used for fluid milk sales in the marketing area. Increasing the number of local plants minimizes the danger of the prices paid by the local plants being lower than the market prices of manufactured dairy products would justify. The butter-powder formula should be eliminated as a measure of the value of milk disposed of as Class II except as a measure of the credit allowed on milk disposed of specifically as butter and powder in the months of May, June, and July which became a part of the order June 20, 1952, on the basis of testimony taken at the same hearing upon which this decision is based.

(d) *Handler butterfat differentials.* The handler butterfat differentials applicable to Class I and Class II prices should be the same as the producer butterfat differential.

Inasmuch as the sales of low testing milk products are increasing and the sales of high butterfat content products are decreasing, it seems desirable to transfer more of the Class I butterfat differential from the fat to the skim. With respect to Class II, the butterfat differential now contained in the order is not greatly different from the producer butterfat differential and the latter appears to be an adequate measure of the relative values of fat and skim in Class II uses.

(e) *Location adjustments.* The present schedule in the order should be extended at an additional 1 cent per hundredweight for each 8-mile zone to a limit of 26 cents, which applies to any location beyond 137 miles.

The cooperative which proposed to extend the schedule of location adjustments recognized that a longer haul in view of the expanding boundaries of the milkshed, necessitates a higher transportation cost on the part of handlers. Therefore it appears that the zones with respect to freight rates should be extended in order to insure the marketing area of an adequate future supply of milk.

A proposal which would enable handlers who receive milk from producers at a plant more than 29 miles from the Detroit City Hall to receive a credit with respect to such milk disposed of as Class I should be denied. Competition among marketing area handlers both for sales and supply has increased since the promulgation hearing and this development supports the principle that the price for Class I milk should be the same for all handlers located within the defined marketing area.

The schedule of producer location adjustments should continue to be the same as handler location adjustments. Therefore the revised schedule discussed above

should also be adopted as the schedule of producer location adjustments.

The handlers' request for a transportation credit on Class II milk moved from point of delivery by producers to a manufacturing plant should be denied. The Class II prices recommended in this decision are designed to cover the cost of converting reserve milk into manufactured dairy products irrespective of the method of reserve disposal. In the Detroit area there are different types of distributors ranging from those who have a full supply contract with a producers cooperative association and virtually no disposal problem to distributors who receive all their milk supply from producers, either at a city bottling plant or at country plants, and manufacture the receipts in excess of their fluid milk needs into dairy products. Certain handlers manufacture Class II milk at point of receipt while other handlers turn the milk back to the cooperative or move it to a manufacturing plant at the distributors' expense. These are normal competitive differences in the handling of excess milk and should not be altered by allowing credits to the particular group who transport the milk for manufacture. Each distributor should continue to be obligated to pay the same Class II price to producers and dispose of his Class II milk to the best possible advantage.

(5) *Payments to producers.* Market-wide pooling should be maintained. The base plan should be modified to permit any producer to receive the uniform price in lieu of base and excess prices for the remaining months of 1952, to permit the establishment of new bases at 90 percent of deliveries during October, November, and December, to provide for payment of all producers at the base or uniform price during any of the months of August through December (the base-forming period) that the supply-demand adjustment operates to increase the Class I price, and to allow to a producer who relinquishes his old base in order to establish a new one beginning August 1 or September 1 the same credit from such new base as one who does not relinquish his old base.

One handler proposed that producers be paid on the basis of the classified utilization of milk by the individual handler to whom the milk is delivered rather than on the average utilization of all handlers. The cost of milk to handlers is, of course, not affected since each pays for milk in accordance with his utilization. However, the substitution of individual-handler pooling for marketwide pooling would tend to bring about a generally uneconomic reorganization of the milk marketing structure. Each handler would have to care for any seasonal or daily excess of milk not needed for fluid use, either by establishing manufacturing facilities or delivering the excess milk to a manufacturing plant. Under the marketwide pool, producers throughout the territory receive uniform prices while manufacturing operations are concentrated in comparatively few plants at which volume, location, and variety of equipment all contribute to operating efficiency.

Several proposals were made to modify the base-excess plan which returns sales

proceeds to the individual producer in accordance with the seasonality of his production.

One would give any producer the option of receiving the uniform price in lieu of base and excess prices throughout 1952. It was recognized at the hearing that much of the year would have passed before the proposed amendment could become effective. However, even during the remainder of 1952 the option would benefit producers who are establishing or expanding their bases for next year and will thereby encourage a maximum production of milk during the fall months.

A second proposed modification of the base plan would allow producers to establish base during any 5 months of the period August through February. This proposal would extend the base-forming period into months during which market supplies are normally more than sufficient to meet requirements. The standard base-making period of August through December is already modified in favor of those producers whose production is temporarily low by allowing a full base for 122 days delivery, and by allowing a producer to relinquish his old base and establish a new one. The latter choice should be further modified by permitting new bases to be established at 90 percent of deliveries during October, November, and December, the 3 months of shortest supply, instead of at 80 percent of deliveries, as now provided by the order. This will benefit any new producer or an old one whose cows fail to freshen or whose production is otherwise unavoidably low on August 1 but has reached more volume by October 1. This modification will achieve many of the same benefits as the proposal to establish bases during any 5 months of the August-February period.

It was proposed that payments on base and excess prices be suspended and all producers be paid the uniform price whenever there was a plus supply-demand price adjustment in operation during the base-forming period. The supply-demand adjustment operates to increase the Class I price whenever there is a definite indication of shortage of milk to meet market requirements. Any such indication in the fall months is of immediate importance and all producers should be encouraged to maximize production, regardless of their previously established bases, by being paid the uniform price rather than continuing to be paid at base and excess prices.

The order now provides that any producer who enters the August-December base-making period with a base made either during the corresponding months of the previous year or during a subsequent 3-month period but who fails to make as large a new base shall receive a credit up to 10 percent of his old base. In other words he keeps his old base so long as the new one is 90 percent or more of the old one. If the new one is less than 90 percent of the old one, he gets a carryover credit of 10 percent of the old base to be added to the new one. Producers proposed that this same credit be extended to a producer who had established a new base during August,

September, and October by relinquishing his old base as of August 1. Under the present order such a producer would use his new, 3-month base during October-January, and for the year beginning February 1 would be assigned a new base equal to his deliveries during the entire August-December period. The credit would be of benefit to him for the year starting February 1 in the event his full 5-month base was less than the 3-month base. It is concluded that such credit should be allowed on bases established either during August, September, and October or on those established September, October, and November as well as on previously established bases carried into the new base-forming period.

One proposal would give each producer an annual option of being paid either at the uniform price or under base and excess prices. Such an option would be virtually certain to destroy the plan. Producers with the most uneven seasonal pattern would have the greatest incentive to choose to be paid at the uniform price rather than on base and excess. The removal from the base plan of those producers with the most uneven seasonal production pattern would, of course, defeat the primary objective of achieving an even seasonality of production. Since the base plan is the means chosen to regulate seasonality of production in this market, the option to be paid at the uniform price cannot be granted.

The proposal that a producer be allowed to transfer his base with the sale of the herd is also denied. Unless an entire herd is transferred to a single buyer, the base goes with the last cow disposed of, and the administrative problem of identifying bases with individual cows would be formidable. Furthermore, the fact that bases are reestablished annually and that, in addition, each producer may relinquish his base and establish a new one once each 12 months, minimizes any need which might otherwise exist for transfers of base upon sale of the herd.

(6) *Administrative provisions.* Additional time should be allowed the handlers and the market administrator for the submission of reports, computation of marketwide prices, and preparation of producer payrolls. In order to avoid a large portion of the expenses and inconvenience involved in having uniform, base, and excess prices announced by the 11th and in making payments to producers by the 15th of the month following the delivery month, these dates are changed to the 12th and 17th, respectively. The problem has been particularly acute when holidays occur during the first 15 days of the month and will be substantially relieved by the extension of time.

The administrative expenses of the order should continue to be defrayed by an assessment of not to exceed 2 cents on all milk received from producers instead of at a correspondingly higher rate on Class I sales only, as proposed by certain handlers. The slight differences in the relative position of handlers under the proposed change do not appear to warrant the additional administrative measures which would be involved.

A proposal that deductions for marketing services be made only upon spe-

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cific authorization of the individual producers should not be adopted. It is an essential part of the verification of proper payments by handlers to producers that weighing, testing, and similar services be carried out, either by the market administrator or by a qualified association.

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

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

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

Rulings on proposed findings and conclusions. Briefs were filed on behalf of producers and certain handlers. The briefs contained proposed findings of fact, conclusions and argument with respect to the proposals discussed at the hearing. Every point covered in the briefs was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that such suggested findings and conclusions contained in the briefs are inconsistent with the findings and conclusions contained herein the request to make such findings or to reach such conclusions are denied on the basis of the facts found and stated in connection with the conclusions in this decision.

Recommended marketing agreement and order as amended. The following amendments to the order, as amended, are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The proposed marketing agreement is not included because the regulatory provisions thereof would be the same as those contained in the order, as amended, and as proposed to be further amended:

1. In § 924.6 (b) insert "or of Wayne County" following "Port Huron".

2. Delete § 924.22 (j) (1) and substitute therefor the following:

(1) On or before the 5th day of each month, the basic formula price, the Class II price, and the Class II butterfat differential for the preceding month computed according to § 924.50, § 924.52, and § 924.53 (b) respectively; and on or before the 15th day of each month the Class I price and the Class I butterfat differential for the current month computed according to § 924.51 and § 924.53 (a), respectively.

3. In § 924.22 (j) (2) delete "11th day" and substitute therefor "12th day".

4. In § 924.31 (b) delete "20th day" and substitute therefor "22nd day".

5. In § 924.65 delete "11th day" and substitute therefor "12th day".

6. In § 924.80 delete "15th day" and substitute therefor "17th day".

7. In §§ 924.84, 924.86, and 924.87 delete "13th day" and substitute therefor "14th day".

8. In § 924.86 delete "13th day" and substitute therefor "14th day".

9. In § 924.50 delete "and (d)" and insert the word "and" between "(b)" and "(c)".

10. Delete § 924.50 (c) and substitute therefor the following:

(b) The price per hundredweight resulting from the following formula:

(1) Multiply by 8.53 the average of the daily prices per pound of cheese at Wisconsin Primary Markets ("Cheddars", f. o. b. Wisconsin assembling points, cars or truckloads) as reported by the U. S. D. A. during the month;

(2) Add 0.902 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the U. S. D. A. during the month; and

(3) Subtract 34.3 cents.

11. Add the following plants to the list contained in § 924.50 (d):

Borden Co., Perrinton, Mich.
Carnation Co., Sparta, Mich.
Kraft Cheese Co., Pinconning, Mich.
Nestle Co., Ubly, Mich.

12. In § 924.51 (a) insert the phrase "for the preceding month" between the phrase "basic formula price" and the phrase "plus \$1.35."

13. Delete § 924.51 (b) and substitute therefor the following:

(b) The percentage which total receipts of producer milk by all handlers during the next two preceding months is of total Class I utilization of all handlers during such period shall be computed each month by the market administrator and for the month in which the computation is made the Class I price shall be decreased 15 cents if such percentage is 5.0 percentage points or more above the average of the percentages for the corresponding months in the following schedule and increased 15 cents if such percentage is 5.0 percentage points or more below the average of the percentages for the corresponding months in such schedule and the Class I price shall be decreased or increased an additional 15 cents for each additional full 5 percentage points which such ratio of producer milk receipts to Class I utilization is above or below such average percentage:

Month:	Percentages
January	121.3
February	123.1
March	129.6
April	138.1
May	152.6
June	156.3
July	142.9
August	140.1
September	129.6
October	121.7
November	117.5
December	122.3

14. Delete § 924.52 and substitute therefor the following:

§ 924.52 *Class II milk price.* (a) The minimum price per hundredweight to be paid by each handler f. o. b. his plant as described in § 924.6 for milk of 3.5 percent butterfat content received from producers or from a cooperative association during the month, which is classified as Class II utilization, shall be the price per hundredweight as described in § 924.50 (c): *Provided*, That for the months of May, June and July, there shall be credited to each handler with respect to butterfat used in the manufacture of butter and skim milk used in the manufacture of non-fat dry milk solids in the handler's plant, or transferred to and so used in a plant not operated by a handler after first allocating such butterfat and skim milk to any uses in such plant other than for the manufacture of butter and non-fat dry milk solids, (1) an amount per pound of butterfat equal to the excess of the Class II price determined under this paragraph over a formula price hereinafter described, such excess to be multiplied by 0.18, and, (2) an amount per hundredweight of skim milk equal to such excess multiplied by 0.36.

(b) The formula price per hundredweight of milk, referred to above shall be computed by multiplying the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by U. S. D. A. during the month by 4.2; adding 8.2 times the simple average of the weighted average carlot prices per pound of non-fat dry milk solids, spray and roller process respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the U. S. D. A.; and subtracting 67 cents.

15. Delete paragraphs (a) and (b) of § 924.53 and substitute therefor the following:

(a) *Class I milk.* The producer butterfat differential applicable to milk delivered in the previous month.

(b) *Class II milk.* The producer butterfat differential applicable to milk delivered in the current month.

16. In § 924.60 (c) delete from the tabulation appearing at the end of the section the reference to zone 8 and add the following:

Zone No.	Shortest road distance from Detroit City Hall	Rate per hundredweight
8	More than 97 miles but not more than 103 miles	\$0.21
9	More than 103 miles but not more than 113 miles	.22
10	More than 113 miles but not more than 121 miles	.23
11	More than 121 miles but not more than 129 miles	.24
12	More than 129 miles but not more than 137 miles	.25
13	More than 137 miles	.26

17. In § 924.64 (b) delete "§ 924.70 (b)" and insert "§ 924.70 (b), (c), and (d)".

18. In § 924.70 substitute "on December 1" for "previous to August 1".

19. In the next to the last sentence of § 924.70 (b) delete the phrase "August through December by .8" and substitute therefor the phrase "August and September by .8 and October, November and December by .9".

20. Delete § 924.70 (c) and substitute therefor § 924.70 (c) and § 924.70 (d) as follows:

(c) From the effective date of this part, as amended, amendment through December 1952, each producer shall have the option, upon request to the market administrator, of being paid at the uniform price for all milk delivered.

(d) Whenever, during the months of August through December, the Class I price for the month is increased pursuant to § 924.51 (b), all producers and cooperative associations shall be paid the uniform price for all milk delivered.

Filed at Washington, D. C., this 12th day of August 1952.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 52-9082; Filed, Aug. 15, 1952;
8:59 a. m.]

[7 CFR Part 941]

[Docket No. AO-101-A14]

HANDLING OF MILK IN CHICAGO, ILL., MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER AMENDING ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Chicago, Illinois, on April 14-17, 1952, pursuant to notice thereof which was issued on March 24, 1952 (17 F. R. 2683).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Assistant Administrator, Production and Marketing Administration, on July 8, 1952, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision. Notice of such recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on July 12, 1952 (F. R. Doc. 52-7634) (17 F. R. 6276).

The material issues and the findings and conclusions of the recommended decision (F. R. Doc. 52-7634, 17 F. R. 6276) are hereby approved and adopted as the findings and conclusions of this decision as if set forth in full herein subject to the following revisions:

1. Delete the fifth paragraph beginning in Column 2, 17 F. R. 6278 and substitute therefor the following:

A suggestion was made to remove Shelby County, Illinois, from the presently defined surplus milk manufacturing area. Recently a plant located in this county which had been a "pool plant" became an unregulated plant. However, the record does not indicate that the facilities at such plant will not continue to be available for the disposal of reserve quantities of milk from pool plants. This county should be retained for the present as part of the surplus milk manufacturing area.

2. Delete the third, fourth, fifth, and sixth paragraphs in Column 3, 17 F. R. 6278, all of Column 1, 17 F. R. 6279, and Column 2, 17 F. R. 6279 as far as the third paragraph beginning in such column and substitute therefor the following:

(5) A milk price formula based on Cheddar cheese price quotations should not be adopted at this time as one of the basic formula prices in the Chicago order; the butter-cheese formula should be deleted from the basic formula price provisions; and milk utilized in the manufacture of cheese (other than cottage cheese) should continue to be priced under the present Class IV (butter-nonfat dry milk solids) price formula.

The basic formula price used to determine Class I and Class II prices is presently the higher of either the Class III or Class IV prices as computed for the preceding month. Specifically, this may be one of three formula prices which are: The average condensery pay price, the butter-nonfat dry milk solids formula, or the butter-cheese formula. Class I and Class II prices for the month are determined by adding to this basic formula price the appropriate Class I and II price differentials subject to an adjustment based on changes in the supply-demand relationship.

The present provisions of Order 41 classify all milk used in the manufacture of cheese other than cottage cheese as Class IV milk and as such its price is established each month by the butter-nonfat dry milk solids formula.

There were two proposals submitted relating to a cheese price formula. One producer association proposed that the formula be 2.75 times the simple average, as published by the Department, or prices per pound for "Cheddars" on the Wisconsin Cheese Exchange at Plymouth, Wisconsin, for the trading days that fall within the month, with the result multiplied by 3.5. It was proposed that the price resulting from this formula be substituted for the butter-cheese formula as a basic formula price and that in addition it be used to price milk utilized in Class IV for the manufacture of cheese. The second proposal was made by another producer association and in effect stated that in the event that milk used in cheese were to be classified and priced separately such milk should be priced by the following formula: 9.745 times the average price of Cheddars on the Wisconsin Cheese Exchange as now published by the market administrator plus 0.28 times the average price of 92-score butter at Chicago plus 85 percent of the price per hundredweight for whey reported for the month by the Western Condensing Com-

pany at Appleton, Wisconsin. From this amount subtract \$0.494 per hundredweight and the result would be the price per hundredweight, on a 3.5 percent butterfat basis, for milk utilized in cheese.

The record shows that the first proposal is intended to produce a price level which will correspond closely to the average of prices paid to dairy farmers by Wisconsin cheese factories for milk used in the manufacture of cheese. It was stated that the factor 2.75 is intended to be a figure which when multiplied by the Wisconsin Cheese Exchange quotation for Cheddars will approximate the price per pound of butterfat paid to farmers by cheese factories. Considerable evidence was submitted for the record which related this formula price to the average price paid farmers by Wisconsin cheese factories as reported by the Department and by the Wisconsin State Department of Agriculture. In essence this formula is designed to measure the value of milk used for cheese from the standpoint of competitive "pay" prices as differentiated from the "cost and yield" method. Reduced to its simplest form this formula is 9.625 times the average Cheddar cheese price (3.5 times 2.75=9.625).

The second cheese formula is designed to measure the value of milk used in the manufacture of Cheddar cheese by the use of a cost and yield method. Evidence submitted by the cooperative proposing this formula included cost data from its own plant to substantiate a \$0.494 per cwt. manufacturing allowance. At the same time proponents testified that they were not proposing to substitute their formula to lower the Class IV price if the present Class IV formula could continue as the basis for pricing milk utilized in cheese manufacture. Their formula was offered for consideration in the event it were decided that milk used for cheese should be classified and priced separately from milk used for butter and other Class IV milk products. The proponents of this formula offered no criticism of pricing milk used for cheese at the butter-nonfat dry milk solids formula price other than that market fluctuations in prices between butter and cheese cause returns from a cheese operation to fluctuate widely in some months when the milk is so priced.

Since the production of cheese has been increasing in recent years and represents a major use of milk in the Chicago supply area, a formula based on Cheddar cheese would be appropriate as one of the basic price formulas under the Chicago order. Under current conditions the butter-cheese formula does not fully reflect the value of milk utilized by cheese factories in the production area. Proponents of the first cheese formula discussed above have focused attention upon the growing importance of cheese manufacture as a factor in the determination of the price level for manufacturing milk to which Chicago milk prices are related. As a basic price formula their suggested cheese formula would employ a factor to relate market prices for cheese to prices paid to dairy farmers by representative cheese factories based upon the average relationship between

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the two price series over a considerable period of time. Statistical examination indicates that important short-run relationships of cheese prices to farm prices for milk manufactured into cheese may not be reflected by the suggested formula to the degree desired in establishing a basic formula price by this method. It is concluded that prior to the adoption of the formula as one of the alternates for computing the basic formula price it be further reviewed in hearing when the opportunity is presented. For these reasons the cheese price formula should not be incorporated in the order at this time.

The pricing of milk under the order which is utilized in the manufacture of cheese by either of the suggested formulas presents certain problems, among which is the pricing of milk used for cheeses not of the Cheddar type. At present all cheese other than cottage cheese is classified as Class IV milk and is priced at the butter-nonfat dry milk solids formula price. While the present record contains evidence pertaining to Cheddar cheese, it is concluded that the method of pricing other cheeses of the speciality type which represent a large proportion of the total quantity of cheese made from Order 41 milk should be given more consideration at a subsequent hearing before any change in the pricing of milk going into cheese is made.

3. Delete the third, fourth, fifth, and sixth paragraphs beginning in Column 1, 17 F. R. 6281 and substitute therefor the following:

(10) The average wholesale price of cheese (Cheddars) at Wisconsin primary markets should not be utilized at this time in connection with price formulas included in the order.

It was testified that price quotations are reported four days a week (excluding Fridays) for "Wisconsin primary markets" which are based on actual sales of cheese. There have been only a few instances in the past several years when sufficient sales have not been made on the Wisconsin primary markets on which to base a report. The Wisconsin Cheese Exchange at Plymouth, Wisconsin, on the other hand meets each Friday so that a quotation is available for only one day of each week. The volume of cheese sold on the Wisconsin Exchange is small in relation to the total volumes of cheese sold on Wisconsin primary markets. Moreover, there have been numerous occasions when no sales of cheese were made through the Wisconsin Cheese Exchange and at times such conditions have existed for a considerable period. It has been necessary therefore in connection with price formulas in the order to use prices for weeks when no sales were reported which were derived from either bids or offers rather than from actual sales. It appears that for the purposes of price formulas employing cheese prices the price of cheese at Wisconsin primary markets would be more satisfactory than the Exchange price. However, since the cheese formula proposed has not been adopted and the butter-cheese formula currently in the order is deleted in the

attached amending order, there is no need for a revised cheese price quotation.

Rulings on exceptions. Exceptions relating to the findings, conclusions and amendment action recommended by the Assistant Administrator with respect to the recommended decision (F. R. Doc. 52-7634) were filed by the following parties:

1. Beatrice Foods Company et al.
2. Consolidated Badger Cooperative et al.
3. Baldwin Cooperative Creamery et al.
4. Galesburg Pure Milk Association.
5. Associated Milk Dealers, Inc.
6. Pure Milk Association.

In arriving at the findings, conclusions and amendment action decided in this decision, each of these exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings, conclusions, and amendment action decided upon herein are at variance with the exceptions, such exceptions are overruled.

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

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

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

Determination of representative period. The month of February 1952 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such marketing order, as amended.

Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Chicago, Illinois, Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Chicago, Illinois, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered. That all of this decision, except the attached marketing agreement, be published in the *FEDERAL REGISTER*. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C. this 13th day of August 1952.

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

Order Amending the Order, as Amended, Regulating the Handling of Milk in the Chicago, Illinois, Marketing Area

§ 941.0 Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) **Findings upon the basis of the hearing record.** Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") (7 U. S. C. 601 et seq.), and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

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

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which hearings have been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Chicago, Illinois, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

1. Add the following as § 941.17:

§ 941.17 *Commercial food processor.* "Commercial food processor" means any person engaged in processing food other than milk or cream in fluid form or ice cream.

2. Delete in the introductory language of § 941.40 the phrase "paragraph (b) of this section" and substitute therefor the reference "§ 941.41".

3. Delete § 941.40 (b) and substitute therefor the following:

(b) Any milk moved as milk or skim milk in fluid form, or as bulk condensed or concentrated milk containing not less than 2 percent nor more than 12 percent butterfat, from a regulated plant to any plant located outside the following area, referred to in this subpart as the "surplus milk manufacturing area", shall be classified as Class I milk, any milk so moved as cream in fluid form, frozen cream, other cream frozen, plastic cream, powdered cream, or any cream product in fluid form, including any bulk condensed, concentrated or evaporated milk product containing more than 12 percent butterfat, shall be classified as Class II milk, and any milk so moved as any other milk product containing butterfat shall be classified according to the form in which it leaves the plant of shipment: The State of Wisconsin; the counties of Stark, Marshall, Woodford, Livingston, Ford, Iroquois, Jo Daviess, Stephenson, Winnebago, Boone, McHenry, Lake, Carroll, Ogle, De Kalb, Kane, Cook, Du Page, Whiteside, Lee, Rock Island, Henry, Bureau, Putnam, La Salle, Kendall, Grundy, Will, Kankakee, Peoria, McLean, Champaign, Shelby, and Knox, in the State of Illinois; the Counties of Benton, White, Cass, Miami, Howard, Carroll, Tippecanoe, Tipton, Clinton, Fountain, Warren, Parke, Vermillion, Vigo, Sullivan, Lake, Newton, Porter, Jasper, La Porte, Starke, Pulaski, St. Joseph, Marshall, Fulton, Kosciusko, Wabash, and Elkhart, in the State of Indiana; the Counties of Ottawa, Kent, Allegan, Barry, Calhoun, St. Joseph, Van Buren, Kalamazoo, Cass, and Berrien, in the State of Michigan; and the County of Van Wert in the State of Ohio: *Provided*, That any handler who causes producer milk to be delivered to a plant located outside the surplus milk manufacturing area during the period of a work stoppage at regulated plants due to a labor dispute between employer and employee, may re-

quest the market administrator in writing to classify such milk according to its utilization at the unregulated plant and the milk so delivered shall be classified under § 941.41 according to its utilization at the latter plant if (1) the market administrator determines that the volume of the Class I milk packaged by all pool plants as described in § 941.66 (a) has been reduced not less than 50 percent by such work stoppage, and (2) the unregulated plant makes its books and records of milk utilization available to the market administrator for audit verification purposes and the market administrator determines to his satisfaction that utilization of the milk so delivered can be established on the basis of adequate daily records. If the conditions described under subparagraphs (1) and (2) of this paragraph do not prevail the milk so delivered shall be classified as Class I milk.

4. Delete § 941.40 (d) and substitute therefor the following:

(d) Any milk moved as milk or skim milk in fluid form from a regulated plant to any unregulated plant located within the surplus milk manufacturing area which did not manufacture any of the products named in paragraph (c) of this section during the delivery period shall be classified as Class I milk, and any milk so moved as cream in fluid form shall be classified as Class II milk: *Provided*, That if such unregulated plant receives no milk, skim milk or cream from sources other than a regulated plant(s) and if satisfactory proof is furnished to the market administrator that any such milk, skim milk, or cream was in excess of the total amount used in Class I milk or Class II milk items, respectively (as defined in § 941.41) at the latter plant, such excess shall be classified according to its utilization.

5. Delete § 941.41 (c) (1) and substitute therefor the following:

(1) Condensed milk (sweetened or unsweetened) disposed of to commercial food processors located within the surplus milk manufacturing area, sweetened condensed milk in hermetically sealed cans, evaporated milk, whole milk powder, nonfat dry milk solids, and condensed skim milk (the products specified in this subparagraph are referred to in this subpart as Class III (a) milk);

6. Delete from the introductory language of § 941.52 (c) the phrase "the highest of the prices resulting from the respective formulas set forth in subparagraphs (1) and (2) of this paragraph" and substitute therefor the following: "the higher of the prices resulting from the formulas set forth in subparagraph (1) of this paragraph."

a. Delete § 941.52 (c) (2).

7. Delete in § 941.61 the reference "§ 971.70" and substitute therefor the reference "§ 941.70".

8. Replace the period at the end of § 941.61 with a colon and add the following proviso: "*Provided*, That if no source is indicated by the handler which may be verified by the market administrator, the milk or milk products shall be deemed to be 'overrun' and subject to

the provisions of § 941.62 rather than to the conditions of this section."

9. Delete the third proviso of § 941.66 (c).

10. Delete § 941.67 and substitute therefor the following:

§ 941.67 *Suspension of pool plants.* (a) Any plant described in § 941.66 (b) shall be suspended automatically as a pool plant, such suspension to be effective during each of the delivery periods of March through July inclusive of the next succeeding year, unless:

(1) At least 50 percent of the butterfat in milk or at least 50 percent of the pounds of milk received from producers at such plant during each of the delivery periods of September, October and November is (i) shipped as milk, skim milk or cream in fluid form to a regulated plant(s), or (ii) disposed of from such plant as Class I milk or Class II milk within the surplus milk manufacturing area other than to a regulated plant; or

(2) Such plant gives notice to the market administrator in writing that during each of the delivery periods of September, October and November, it is willing to ship an amount of milk in fluid form to any regulated plant(s) which together with such amount of milk, skim milk and cream as it disposes of as Class I milk or Class II milk within the surplus milk manufacturing area (including shipments to any such plant(s)) in said delivery period shall include not less than 50 percent of the butterfat or not less than 50 percent of the pounds of milk received from producers during the delivery period to which said offer applies: *Provided*, That:

(i) Said notice shall contain at least the following information: The specific days on which the milk will be available; the amount of milk available on each of such days with the butterfat content thereof, and if such plant intends to offer its entire supply of milk for a particular day, the offer shall so state; and the price to be charged for the milk offered and the terms of sale;

(ii) Only those amounts of milk offered for sale on days that are at least 9 full days after the date on which said notice is postmarked shall be included in computing the total amount offered for the delivery period;

(iii) Only such amount of butterfat or product pounds which is sold on any day within the surplus milk manufacturing area as Class I milk or Class II milk as is in excess of the amount offered for sale on said day by said notice shall be considered in computing the amount actually sold on such day, but the entire amount of butterfat or product pounds so sold shall be considered if such sale occurs on a day on which no offer is made;

(iv) Only such amount of milk offered by said notice on any day shall be credited to the offer as is not in excess of the amount of milk received from producers on said day.

(3) Upon receipt of said notice the market administrator shall make the offer and terms thereof public by transmitting the same to all handlers not later than one business day after receiving the notice.

(4) Any handler who desires to accept an offer shall notify the offering plant, or the person whom the offering handler has designated as his agent to receive acceptance, of his willingness to accept such offer at least 4 days prior to the date on which the milk is available for purchase. If the offering plant or its agent refuses to sell and deliver the milk to the handler accepting the offer and such handler so notifies the market administrator, he shall verify the refusal to sell by communicating with the offering plant or its agent. If upon subsequent audit and investigation the market administrator determines that such milk had not actually been shipped to a regulated plant serving the marketing area, the offer for said day shall be considered null and void, and in determining the plant's compliance with this section consideration shall be given only to sales occurring on such day.

(5) In computing required percentages of milk, skim milk, and cream on a product pound basis any sales of concentrated milk or condensed skim milk to a regulated plant shall be based upon the quantity of the milk or skim milk used in its production rather than upon the quantity of concentrated milk or condensed skim milk sold.

(b) The market administrator shall maintain at his office a list of plants (including plant location and name of operator) suspended pursuant to this section which shall be made available to any interested person upon request and which he may from time to time transmit to all handlers in the market.

(c) Any milk or milk product received at a regulated plant from a plant during any period of suspension pursuant to this section shall be other source milk.

(d) Suspension of any pool plant shall not be terminated or affected by transfer of ownership through sale or otherwise.

11. Delete § 941.68 (a) and substitute therefor the following:

(a) Milk or any milk product disposed of within the Chicago, Illinois, marketing area (other than to a regulated plant) as any item of Class I milk or Class II milk from a plant receiving milk subject to the class price provisions of a marketing agreement or order issued pursuant to the act for another marketing area shall not be subject to the class price provisions of this order or to §§ 941.80 through 941.88.

12. Delete that portion of § 941.70 prior to paragraph (a) and substitute the following:

§ 941.70 *Net pool obligation(s) of handlers.* On or before the 14th day of each delivery period the market administrator shall examine for mathematical correctness and obvious errors the report of receipts and utilization submitted by each handler for the preceding delivery period and shall make such corrections as such examination shall indicate to be appropriate. A separate net pool obligation for Grade A milk and Grade B milk shall be computed for each handler (based upon his reports as corrected), as follows:

Order of the Secretary Directing That a Referendum Be Conducted Among the Producers Supplying Milk in the Chicago, Illinois, Marketing Area, and Designation of an Agent to Conduct Such Referendum

Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (19)), it is hereby directed that a referendum be conducted among the producers (as defined in the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area) who, during the month of February 1952 were engaged in the production of milk for sale in the marketing area specified in the aforesaid order to determine whether such producers favor the issuance of the order which is a part of the decision of the Secretary of Agriculture filed simultaneously herewith.

Jesse L. Cook is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders as published in the FEDERAL REGISTER on August 10, 1950 (15 F. R. 5177).

[F. R. Doc. 52-9085; Filed, Aug. 15, 1952; 8:59 a. m.]

[7 CFR Part 973]

[Docket No. AO 178-A3]

HANDLING OF MILK IN MINNEAPOLIS-ST. PAUL, MINN., MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND TO ORDER AMENDING ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Minneapolis, Minnesota, on July 16, 1952, pursuant to notice thereof which was issued on July 2, 1952 (17 F. R. 6201) upon proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area.

The material issues on the record related to (1) increasing the level of the Class I differential, (2) increasing the "make allowance" in the Class II price, and (3) whether the facts presented on the record warrant the omission of a recommended decision and exceptions thereto.

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

(1) The Class I differentials should be revised upward.

This market is faced with a severe shortage of milk during the next few months, unless steps are taken to increase the level of Class I prices relative to those in effect in the Chicago market.

In that area of Wisconsin immediately adjacent to the Minneapolis-St. Paul market there are several plants which are regulated by the Chicago marketing order. These plants are in competition with Minneapolis-St. Paul plants for the Grade A milk supply produced in the area. As a result of recent amendments to the Chicago order, Minneapolis and St. Paul plants are at a competitive disadvantage and handlers have for several months paid substantial premiums in order to retain their present supply.

In addition to the Chicago plants, there are in the supply area, both in Wisconsin and Minnesota, plants whose principal outlets are the deficit producing areas of the South and Southwest. For some time these plants have paid higher prices than the uniform prices announced by the market administrator for competing plants subject to the Minneapolis-St. Paul, marketing order.

At the time the order was last amended, the Class I differential averaged 8.5 cents less than the Class I differential provided in the Chicago order. Since then the Class I prices provided in the Minneapolis-St. Paul order have fallen far below the levels prevailing in the Chicago order. As a result of a recent amendment to the latter order, the Class I differentials were increased to a point where they now average 24 cents higher than the differentials in the Minneapolis-St. Paul market. In addition the Chicago order provides that the Class I price shall be adjusted each month as the relationship of sales to receipts varies from the established norm. For the month of July 1952 the Class I price was increased an additional 15 cents because of this adjustment. An analysis of supply and demand conditions in the Chicago market indicates that for the next several months the adjustment will average very close to the 15 cents reflected for the month of July. It appears therefore that the average difference in the differentials in the two markets for the next several months will average approximately 39 cents.

An offsetting factor which must be considered in a comparison of differentials between the two markets is the fact that the "butter-powder" formula, which is one of the alternatives used to determine the Class I price, in the Chicago order has been reduced several cents since the latest amendment to the Minneapolis-St. Paul order. During the 30-month period, January 1950 to June 1952, the "butter-powder" formula in the Minneapolis-St. Paul order was the effective formula during 19 months. Had the butter-powder formula of the Chicago order been in effect it would have determined the Class I price in only 8 of these months and the Class I price would have averaged 6.1 cents lower for the period.

A proposal was made to change the "butter-powder" formula, which is also the Class II price, to correspond to the formula in Chicago. For reasons discussed below it has been determined that no change should be made in this formula at the present time.

In order to restore a proper relationship between Chicago and Minneapolis-St. Paul prices, it appears necessary to

increase the differentials in the Minneapolis-St. Paul order substantially, especially during the months of July through November, in each of which it has been necessary for the past few years to import emergency supplies to meet the needs of the market. Accordingly the differentials should be increased to 70 cents during the months of January through April, to 60 cents during the months of May and June, to \$1.10 during the months of July through November, and to 80 cents during the month of December.

In their proposal producers advocated that the differentials be adjusted each month by the amount that the "supply-demand" ratio in the Chicago order affects the Chicago price. As noted above it appears that the "supply-demand" factor in the Chicago order will result in an average increase of 15 cents in the Chicago price during the next several months. The Minneapolis-St. Paul differential has been adjusted by this amount, but it has been applied seasonally to encourage a greater production of milk during the months of July through November.

It would appear desirable to establish a supply and demand factor for the Minneapolis-St. Paul market, based on conditions in that market rather than on conditions in the Chicago market. However, the record fails to provide data on which an adequate analysis of the market supply and demand relationship can be determined. As a temporary expedient to correct the present maladjustment between the two markets, the adoption of the proposed differentials should suffice.

It is contemplated that a hearing on a complete revision of the provisions of the Minneapolis-St. Paul order will be conducted in the immediate future. It is expected that sufficient data will be developed and entered in the record of the hearing, to provide a basis for establishing a pattern of differentials which will adjust themselves to changing competitive conditions while developing and maintaining a sufficient supply of milk for the market.

(2) No change should be made in the Class II price at the present time.

The record of the hearing does not provide sufficient basis for changing the present formula. The only reason advanced in support of the change was the fact that the proposal was identical to the Class IV price in the Chicago market. There is a wide difference in the products classified as Class II in the Minneapolis-St. Paul market and those classified as Class IV in the Chicago market.

The record does not contain a breakdown of yield and cost factors, nor does it contain any information with respect to the relative positions of plants producing different products. There can be little doubt that the manufacture of certain Class II products may be fairly profitable while the manufacture of other products may result in actual loss to the processor. On these points, however, the record is silent.

Accordingly it must be concluded that any revision of the Class II should be postponed until the forthcoming hearing

at which time all of the factors bearing on its proper pricing can be thoroughly explored.

(3) The due and timely execution of the function of the Secretary of Agriculture under the act imperatively and unavoidably requires the omission of a recommended decision by the Assistant Administrator, Production and Marketing Administration, and exceptions thereto.

Immediate action must be taken if an amendment is to meet effectively the urgent supply and demand problem sought to be alleviated and relieve the disorderly marketing conditions which threaten the stability of the market. With respect to such problem, the critical situation will be aggravated on and after September 1, 1952. The delay necessarily involved in the preparation, filing, and publication of a recommended decision and exceptions thereto would defeat the purposes of the amendment.

Every point covered in the briefs filed by interested parties was carefully considered along with the record evidence in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the findings and conclusions proposed in the briefs are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions is denied on the bases of the facts found and stated in connection with the conclusions in this decision.

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

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

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

Determination of representative period. The month of May 1952 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order, as amended, regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such marketing order, as amended.

MARKETING AGREEMENT AND ORDER

Annexed hereto and made a part hereof are two documents entitled "Marketing Agreement Regulating the Handling of Milk in the Minneapolis-St. Paul, Minnesota, Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Minneapolis-St. Paul, Minnesota, Marketing Area" which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

It is hereby ordered, That all of this decision except the attached marketing agreement, be published in the *FEDERAL REGISTER*. The regulatory provisions of said marketing agreement are identical to those contained in the attached order amending the order as amended which will be published with this decision.

This decision filed at Washington, D. C., this 13th day of August 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary.

Order Amending the Order, as Amended, Regulating the Handling of Milk in the Minneapolis-St. Paul, Minnesota, Marketing Area

§ 973.0 **Findings and determinations.** The findings and determinations herein-after set forth are supplementary to and in addition to the findings and determinations made in connection with the issuance of this order; and all previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure governing the formulation of marketing agreements and orders (7 CFR, supps., 900.1 et seq.), a public hearing was held at Minneapolis, Minnesota, on July 16, 1952, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The said order, as hereby amended, and all of the terms and conditions of said order as hereby amended, will tend to effectuate the declared policy of the act.

¹This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and orders have been met.

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

(3) The said order, as hereby amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

Delete § 973.50 (a) and substitute therefor the following:

(a) *For Class 1 milk.* The price shall be the basic price determined pursuant to § 973.51 plus 70 cents during the delivery periods of January to April, inclusive; plus 60 cents during May and June; plus \$1.10 during the delivery periods of July to November, inclusive; and plus 80 cents during December.

[F. R. Doc. 52-9083; Filed, Aug. 15, 1952; 8:59 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 1]

[Docket No. 10310]

CLASS B FM BROADCAST STATIONS

REVISED TENTATIVE ALLOCATION PLAN

In the matter of amendment of the Revised Tentative Allocation Plan for Class B FM Broadcast Stations, Docket No. 10310.

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

2. It is proposed to amend the Revised Tentative Allocation Plan for Class B FM Broadcast Stations as follows:

General area:	Channels	
	Delete	Add
Cullman, Ala.		254

3. The purpose of the proposed amendment is to provide a Class B channel in Cullman, Alabama, thereby facilitating consideration of a pending application requesting a Class B assignment there:

4. Authority for the adoption of the proposed amendment is contained in sections 4 (i), 301, 303 (c), (d), (f), and (r), and 307 (b) of the Communications Act of 1934 as amended.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be

adopted in the form set forth herein may file with the Commission on or before September 15, 1952, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

6. In accordance with the provisions of § 1.784 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: August 6, 1952.

Released: August 7, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] Wm. P. MASSING,
Acting Secretary.

[F. R. Doc. 52-9032; Filed, Aug. 15, 1952; 8:48 a. m.]

[47 CFR Part 2]

[Docket No. 10302]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS

DESIGNATION OF CERTAIN FREQUENCIES AS SHIP TELEGRAPH CALLING FREQUENCIES

In the matter of amendment of Part 2 of the Commission's rules and regulations concerning the designation of certain frequencies in the band 2088.5-2093.5 kc as ship telegraph calling frequencies; Docket No. 10302.

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

2. Atlantic City Radio Regulation number 269 stipulates that, in Region 2, the frequency band 2088.5-2093.5 kc is reserved exclusively for ship telegraph calling. Atlantic City Radio Regulation number 751 states, in part, that frequencies assigned to ship stations for radio telegraph communication in the bands between 1605 and 2850 kc must, as far as

possible, be harmonically related to the frequencies assigned to ship stations in the 4000 kc radio telegraph band.

3. Accordingly, preparation for the introduction of the ship telegraph calling bands above 4000 kc in accordance with the Atlantic City (1947) Table of Frequency Allocations and the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951), it is proposed to amend § 2.104 (a) of the Commission's rules and regulations so that, as of June 3, 1953, the frequencies shown below may be authorized for ship telegraph stations for calling purposes in the band 2088.5-2093.5 kc.

4. The proposed amendment to the rules is issued under the authority of sections 303 (c), (f) and (r) of the Communications Act of 1934, as amended, the Final Acts of the International Telecommunication and Radio Conferences, Atlantic City (1947) and the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951).

5. Any interested person who is of the opinion that the proposed amendment should not be adopted may file with the Commission on or before September 15, 1952, a written statement or brief setting forth his comments. Persons desiring to support the amendment may also file comments by the same date. Replies to such comments may be filed within ten days from the last date for filing of original comments. The Commission will consider all comments and briefs presented before taking final action with respect to the proposed amendment.

6. Fifteen copies of each brief or written statement should be filed as required by § 1.764 of the Commission's rules and regulations.

Adopted: August 6, 1952.

Released: August 7, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] Wm. P. MASSING,
Acting Secretary.

1. Section 2.104 (a), *Table of Frequency Allocations*, is amended as follows:

a. In the band 2065-2105 kc amend the entries in columns 7 through 11 to read as follows:

7	8	9	10	11
2065-2105 (NG1, NG38)	Maritime mobile.	Ship.		Ship (telegraphy).

b. Add the following footnote at the bottom of the page:

NG38 The following frequencies may be authorized for use by ship telegraph stations for calling purposes:

Kc	Kc	Kc
2089	2090.5	2092
2089.5	2091	2092.5
2090	2091.5	2093

[F. R. Doc. 52-9029; Filed, Aug. 15, 1952; 8:47 a. m.]

[47 CFR Part 3]

[Docket No. 10309]

TELEVISION BROADCAST STATIONS

TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606 *Table of assignments*, Rules Governing Television Broadcast Stations; Docket No. 10309.

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

2. In accordance with a petition filed by Wolfe Broadcasting Corporation, on June 17, 1952, and now made part of this docket, and it appearing that the petition complies with § 3.609 of the Commission's rules in that it proposes an assignment of a television channel in a community which is not listed in the Table and is not within 15 miles of a city so listed nor would the proposed assignment require any other changes in the Table, it is proposed to amend § 3.606, Table of assignments, Rules Governing Television Broadcast Stations, as follows:

a. Add to Table of Assignments under the State of Ohio:

	Channel No.
Fremont.....	59+

3. The purpose of the proposed amendment is to provide a television channel assignment in the community named in paragraph 2 above not otherwise available under the rules.

4. Authority for the adoption of the proposed amendment is contained in sections 4 (i), 301, 303 (c), (d), (f), and (r) and 307 (b) of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before September 15, 1952, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

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

Adopted: August 6, 1952.

Released: August 7, 1952.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 52-9031; Filed, Aug. 15, 1952;
8:47 a. m.]

[47 CFR Parts 7, 8]

[Docket No. 10308]

STATIONS ON LAND AND SHIPBOARD IN THE MARITIME SERVICE

DELETION AND ASSIGNMENT OF FREQUENCIES

In the matter of amendment of Parts 7 and 8 of the Commission's rules to delete authority of ship telephone and ship telegraph stations and coast stations to operate on certain frequencies

and to make available an additional frequency to ship telephone stations; Docket No. 10308.

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

2. The Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951) provides for bringing into use the aeronautical mobile (R) service frequency assignments of 5559 and 8828.5 kc for meteorological broadcasts. In order to bring those frequencies into use for meteorological broadcasts, it is proposed to amend Part 7 of the rules so as to make unavailable for assignment to coast stations the frequencies 5555 kc, 5560 kc, and 5565 kc, and to amend Part 8 of the rules so as to make unavailable for assignment to ship telephone stations the frequency 8830 kc. In addition, it is proposed to amend Part 8 of the rules to make unavailable for assignment to ship telegraph stations the frequency 8260 kc and to make the frequency 8262.3 kc available for assignment to ship telephone stations as a replacement for 8830 kc. The proposed amendments to the rules are set forth below.

3. The proposed amendments are issued pursuant to the authority of sections 303 (c), (f) and (r) of the Communications Act of 1934, as amended, the Final Acts of the International Telecommunication and Radio Conferences, Atlantic City (1947) and the Agreement concluded at the Extraordinary Radio Conference (Geneva, 1951).

4. Any interested party who is of the opinion that the proposed rule should not be adopted or should not be adopted in the form set forth herein may file with the Commission, on or before September 15, 1952, a written statement or brief setting forth his comments. Replies to such comments may be filed within ten days from the last date for filing the original comments. The Commission will consider all comments that are received before taking final action in the matter.

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

Adopted: August 6, 1952.

Released: August 7, 1952.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

1. Section 7.206 (a) is amended by deleting the following frequencies in kilocycles from the assignable frequencies listed therein immediately following the sentence beginning, "Each of the specific frequencies in kilocycles hereinafter designated in this paragraph may be licensed as an assigned frequency * * *":

5555	5560	5565
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2. Section 8.321 (a) (1) is amended by deleting from the list of frequencies the frequency 8260 kc.

3. Section 8.351 (a) is amended as follows:

a. Delete from the list of frequencies the frequency 8830 kc.

b. Insert in the list of frequencies the frequency 8262.3 kc.

4. Section 8.355 (a) (1) is amended as follows:

a. delete from the list of frequencies the frequency 8830 kc.

b. Insert in the list of frequencies the frequency 8262.3 kc.

[F. R. Doc. 52-9030; Filed, Aug. 15, 1952;
8:47 a. m.]

[47 CFR Part 9]

[Docket No. 10276]

AERONAUTICAL SERVICES

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of §§ 9.321 (e), 9.331 (a), and 9.412 (b) of the Commission's rules and regulations governing Aeronautical Services; Docket No. 10276.

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

2. It is proposed to amend §§ 9.321 (e), 9.331 (a), and 9.412 (b) of Part 9 of the Commission's rules and regulations governing Aeronautical Services as set forth below to implement that portion of the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951) which made the frequency 3023.5 available for assignment to aircraft.

3. The Radio Regulations of the International Telecommunication Union, Atlantic City, 1947, allocated, among others, the frequency band 2850-3025 kilocycles to the aeronautical mobile (R) service, and allocated, among others, the frequency band 3025-3155 kilocycles to the aeronautical mobile (OR) service.

4. Frequencies in the bands allocated to the aeronautical (R) service are reserved for communications between any aircraft and those aeronautical stations primarily concerned with the safety and regularity of flight along national or international air routes.

5. Frequencies in the bands allocated to the aeronautical (OR) service are reserved for communications between any aircraft and aeronautical stations other than those primarily concerned with flight along national or international civil air routes.

6. Based upon the decisions of the International Administrative Aeronautical Radio Conference (I. A. A. R. C.), Geneva, 1948-49, the Extraordinary Administrative Radio Conference (Geneva, 1951) agreed, among other things, that a frequency common to the previously mentioned R and OR bands, namely 3023.5 kilocycles, would be authorized for world wide use aboard aircraft for (1) communications with approach and airdrome control stations, (2) communications with an aeronautical station when other frequencies of the station are either unavailable or unknown, and (3) intercommunication between mobile stations engaged in coordinated search and rescue operations at the scene of a disaster. These communications are presently conducted on the frequencies 3105, 4495, and 3000 kc, respectively. The proposed amended sections pertain only to the communications between civil aircraft and approach and airdrome con-

trol stations and do not pertain to any frequency changes affecting the communications presently conducted on the government frequencies 4495 and 3000 kc. It is understood that certain communications now conducted on the latter frequencies will also be transferred to 3023.5 kc.

7. Use of the frequency 3105 kilocycles by civil aviation, including listening watches on the ground, is to be discontinued since it is in the band, allocated on a world wide basis, to the aeronautical mobile (OR) service by the International Telecommunications Conference, Atlantic City, 1947.

8. The International Civil Aviation Organization (ICAO) has selected March 15, 1953, for the inauguration of certain new aeronautical mobile (R) service frequencies to be introduced in the North Atlantic Area. This action involves frequency changes which have an impact on the use of the frequencies 3105 and 3023.5 kc.

9. Pursuant to coordinated United States policy, the Commission proposes to make the frequency 3023.5 kc available for assignment in accordance with finalization of this proposed rule making. The ground watch on this frequency must be implemented by March 15, 1953, so that the present use of 3105 kc can be discontinued and the frequency can be occupied by the new user on that date. Until March 15, 1953 aircraft may continue to use 3105 kc and a ground watch must be kept on that frequency until that date.

10. The authority for the proposed amendment is contained in section 303 (c), (f), and (r) of the Communications Act of 1934, as amended, the Final Acts of the International Telecommunications and Radio Conferences, Atlantic City (1947) and the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951).

11. Any interested person may file with the Commission, on or before September 15, 1952, a written statement or brief in support of, or in opposition to, the proposed amendment. Comments or briefs in reply to the original comments or briefs may be filed within 15 days from the last day for filing the described original comments or briefs. The Commission will consider all comments, briefs, and statements before taking final action. If any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given such interested parties.

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

Adopted: August 6, 1952.

Released: August 8, 1952.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

1. Section 9.321 (e) is proposed to be amended to read as follows:

(e) 3023.5 kilocycles (or 3105 kc until March 15, 1953): Available to air carrier aircraft only where service on the appropriate very high frequency is not available or where service is suspended due to equipment failure.

2. Section 9.331 (a) is proposed to be amended to read as follows:

(a) 3023.5 kilocycles (or 3105 kc until March 15, 1953): Aircraft calling and working frequency for use by private aircraft.

3. Section 9.412 (b) is proposed to be amended to read as follows:

(b) The licensee of an airdrome control station shall without discrimination provide service for any and all aircraft. Such licensee shall maintain a continuous listening watch during its hours of operation on the aircraft calling and working frequencies 3023.5 kc (and 3105 kc until March 15, 1953) and 122.5 Mc., and on the emergency frequency 121.5 Mc.: *Provided, however,* That upon application therefor the Commission may exempt any station from the emergency frequency watch requirement, when a showing is made that such service is not required in the preservation of life and property in the air. Upon further notice a listening watch may be required on either the frequencies 122.7 or 122.9 megacycles.

[F. R. Doc. 52-9026; Filed, Aug. 15, 1952; 8:47 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[471.46]

TARIFF CLASSIFICATION

REPLIQUED ARTICLES

AUGUST 13, 1952.

A repliqued article is one ornamented with a pattern cut at the end of the basic material forming the article and then turned over and stitched to the body of the article thereby serving as a hem and also producing a highly decorative effect. The Bureau, by letter to the collector of customs, New York, New York, dated August 13, 1952, ruled that repliqued articles are dutiable under paragraph 1529, Tariff Act of 1930, as modified, either as articles in part of trimmings, if the ornamented part, if separated, would be commercially known as a trimming; or, otherwise, as appliqué articles under the same paragraph.

This ruling will be effective as to such or similar merchandise entered for consumption or withdrawn from warehouse for consumption after 30 days after the date of publication of the abstract of this decision in a forthcoming issue of the weekly Treasury Decisions.

[SEAL]

FRANK DOW,
Commissioner of Customs.

[F. R. Doc. 52-9076; Filed, Aug. 15, 1952; 8:59 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF FILING OF PLAT OF SURVEY

AUGUST 1, 1952.

Notice is given that the plat of original survey of the following described lands, accepted March 27, 1952, will be officially filed in the Land Office, Anchorage, Alaska, effective at 10:00 a. m., on the 35th day after the date of this notice:

SEWARD MERIDIAN

T. 17 N., R. 4 W.:

Secs. 22, 23, 24, 25, 26, 27, 34, 35, 36.

The area described contains 3,978.86 acres.

Of the land described, Lot 19, Sec. 25, S $\frac{1}{2}$ Lot 22 and Lot 24, Sec. 26, Lot 7, N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$ Lot 8, N $\frac{1}{2}$ Lot 10, and Lot 16, Sec. 27, and Lot 1, Sec. 34, are withdrawn for recreational purposes under Public Land Order No. 735 of July 26, 1951.

The lands are located on the western end of Fish Lake, approximately 19 miles west of Wasilla, Alaska, and are accessible by automobile over a road which terminates at the eastern end of the lake and thence by boat. The land may also be reached by seaplane directly or by land based aircraft on a nearby field, thence by boat over the lake. There are presently no public facilities in the area. Water for domestic use may be obtained

from the lake or by sinking wells. Sewage disposal may be made by cess-pools or septic tanks.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, home or headquarter site under the act of May 26, 1934 (48 Stat. 809, 48 U. S. C. 461), by qualified veterans of World War II and other qualified persons entitled to preference under the act of Sept. 27, 1944 (58 Stat. 747, 43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under the paragraph either at or before 10:00 a. m. on the 35th day after the

date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

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

Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homestead laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office.

VIRGIL O. SEISER,
Manager.

[F. R. Doc. 52-9048; Filed, Aug. 15, 1952;
8:53 a. m.]

Geological Survey

[Survey Order 218]

REGIONAL OIL AND GAS SUPERVISORS AND REGIONAL MINING SUPERVISORS

AUTHORIZATION TO ACT ON APPLICATIONS FOR SUSPENSION OF OPERATIONS AND PRODUCTION

SECTION 1. *Suspension of operations and production.* Pursuant to the authority, No. 161—10

thority contained in Order No. 2699 of August 11, 1952, of the Secretary of the Interior, the regional oil and gas supervisors and the regional mining supervisors of the Geological Survey are hereby authorized to act on applications for suspension of operations or production or both, filed pursuant to 43 CFR 191.26, 191.27, and to terminate suspensions of this kind which have been or may be granted.

SEC. 2. *Appeals.* Any person aggrieved by the action of a regional oil and gas supervisor or a regional mining supervisor may appeal to the Director of the Geological Survey, and from his decision to the Secretary of the Interior pursuant to the provisions of 30 CFR 221.66.

Dated: August 11, 1952.

W. E. WRATHER,
Director, Geological Survey.

Approved: August 11, 1952.

JOEL D. WOLFSOHN,
Acting Secretary of the Interior.

[F. R. Doc. 52-9021; Filed, Aug. 15, 1952;
8:45 a. m.]

Office of the Secretary

[Order 2583, Amdt. 3]

BUREAU OF LAND MANAGEMENT

DELEGATION OF AUTHORITY IN CONNECTION WITH LANDS AND RESOURCES

AUGUST 11, 1952.

Order No. 2583 is amended as follows:

PART 2—AUTHORITY IN SPECIFIED MATTERS

MINERALS

1. Section 2.41 is amended to read:

SEC. 2.41 *Mineral leasing; relief and suspensions.* With the concurrence of the Director, Geological Survey, the waiver, suspension, or reduction of the rental or minimum royalty or the reduction of the royalty on an entire leasehold, or on any deposit, tract, or portion thereof segregated for royalty purposes.

JOEL D. WOLFSOHN,
Acting Secretary of the Interior.

[F. R. Doc. 52-9022; Filed, Aug. 15, 1952;
8:46 a. m.]

[Order 2625, Amdt. 1]

COMMISSIONER OF THE BUREAU OF RECLAMATION

DELEGATION OF AUTHORITY WITH RESPECT TO ACQUISITION OF LANDS AND WATER RIGHTS

AUGUST 12, 1952.

Subsection (a) (2) of section 1 of Order No. 2625 (16 F. R. 3311) is amended to read as follows:

SECTION 1. *Acquisition of lands and water rights.* (a) * * *

(2) Contract for and effect the purchase or exchange of lands or interests in lands and water rights at the appraised value, and acquire at more than the appraised value easements for \$100 or less, if necessary and in the interest of the Government, but any exchange involving public lands, except public lands within the Columbia Basin Project, shall be effected only with the concurrence of the Director of the Bureau of Land Management.

JOEL D. WOLFSOHN,
Acting Secretary of the Interior.

[F. R. Doc. 52-9024; Filed, Aug. 15, 1952;
8:45 a. m.]

[Order 2699]

DIRECTOR, GEOLOGICAL SURVEY

DELEGATION OF AUTHORITY WITH RESPECT TO APPLICATIONS FOR SUSPENSION OF OPERATIONS AND PRODUCTION

AUGUST 11, 1952.

SECTION 1. *Suspension of operations and production.* The Director, Geological Survey, may act for the Secretary of the Interior in finally approving applications for suspension of operations or production or both, filed pursuant to 43 CFR 191.26, 191.27, and in terminating suspensions of this kind which have been or may be granted.

SEC. 2. *Redelegation.* (a) The Director may, by an order to be published in the FEDERAL REGISTER, redelegate the authority vested in him by section 1 to any qualified officer or employee of his bureau in Washington or in the field.

(b) Any order of redelegation pursuant to this section must be approved by the Secretary and published in the FEDERAL REGISTER.

SEC. 3. *Appeals.* Any person aggrieved by the action of the Director of the Geological Survey pursuant to the delegation of authority in section 1 of this order may appeal to the Secretary of the Interior as provided in 30 CFR 221.66.

SEC. 4. *Revocation.* Section 1 of Order No. 2530 (14 F. R. 5245) is hereby revoked.

JOEL D. WOLFSOHN,
Acting Secretary of the Interior.

[F. R. Doc. 52-9023; Filed, Aug. 15, 1952;
8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES AT FIXED PRICES

AUGUST 1952 DOMESTIC AND EXPORT PRICE LIST

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:

AUGUST 1932 DOMESTIC PRICE LIST—Continued

Commodity and approximate quantity available (subject to price sale)	Domestic sales price
Rough pea seed, bagged 6 hundredweight	\$7 per 100 pounds basis f. o. b. point of production, plus paid-in freight as applicable. Available Portland PMA Commodity office.
Primer slender wheat-grass seed, certified, bagged, 30 hundredweight	\$31.50 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable. Available Portland PMA Commodity office.
Wheat, bulk, 25,000,000 bushels 1	Basis in store, the market price but in no event less than the applicable 1932 loan rate for the class, grade, quality and location, plus: (1) 20 cents per bushel if received by truck, or (2) 15 cents per bushel if received by rail or barge. Examples of minimum prices, per bushel: Kansas City, No. 1 H.W., ex rail or barge, \$2.64; Minneapolis, No. 1 HDNS, ex rail or barge, \$2.67; Chicago, No. 1 H.W., ex rail or barge, \$2.68.
Oats, bulk, 4,800,000 bushels 1	At points of production, basis in store, the market price but not less than the applicable 1932 county loan rate plus: (1) 9 cents per bushel if received by truck, or (2) 7 cents per bushel if received by rail or barge. At other points, the foregoing plus average paid-in freight.
Barley, bulk, 8,300,000 bushels 1	Examples of minimum prices, per bushel: Chicago, No. 3 or better, ex rail or barge, 98 cents; Minneapolis, No. 3 or better, ex rail or barge, 96 cents.
Corn, bulk, 30,000,000 bushels 1	Basis in store, the market price but in no event less than the applicable 1932 loan rate for the class, grade, quality and location, plus: (1) 14 cents per bushel if received by truck, or (2) 10 cents per bushel if received by rail or barge. Examples of minimum prices, per bushel: Minneapolis, No. 3, ex rail or barge, \$1.02; San Francisco, No. 1 Western, ex rail or barge, \$1.06.
Rice, rough, 105,000 hundredweight	At points of production, basis in store, the market price but not less than the applicable 1932 county loan rate plus: (1) 3 cents per bushel if received by truck, or (2) 26 cents per bushel if received by rail or barge. At other points, the foregoing plus average paid-in freight.
	Examples of minimum prices, per bushel: Chicago, No. 3 yellow, \$2.21; St. Louis, No. 3 yellow, \$2.07; Minneapolis, No. 3 yellow, \$1.81; Omaha, No. 3 yellow, \$1.80; Kansas City, No. 3 yellow, \$1.98. For other classes, grades, and quality, market differentials will apply.
	For 100 pounds—\$0.03 plus 105 percent of 1932 support price for class, grade, and yield plus paid-in freight and/or bags, if applicable.

Colling 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.

AUGUST 1932 EXPORT PRICE LIST

Commodity and approximate quantity available (subject to price sale)	Export price list
Continued oil, bleachable prime summer yellow, 100,000,000 pounds 1	Market price f. o. b. tank cars at points of storage locations.
Dry edible beans 1	No. 1 Grade delivered on truck present location, on basis costs and freight paid to f. a. s. vessel at locations shown below.
Peas, bagged, 1930 crop, 11,000 hundredweight 1	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, 204,000 hundredweight 1	\$6.00 per 100 pounds, U. S. Gulf ports (see note below).
Baby lima, bagged, 1949 crop, 210,000 hundredweight 1	\$4 per 100 pounds, San Francisco Bay area.
Peas, bagged, 1949 crop, 11,000 hundredweight 1	\$6.50 per 100 pounds Portland, Ore., and Gulf ports; \$7 per 100 pounds Mexico border points.
NOTE: Available at PMA commodity offices at: Portland, Ore., for West Coast shipments and Mexico border points; New York, and New York, for Mexico border points; New York, and New York, for Mexico border points; New York, and New York, for Mexico border points.	

¹ These same lots are available at domestic sales prices announced today.
² Colling Price Certification. Any purchaser from CCC of Pinto or Great Northern 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.

AUGUST 1932 DOMESTIC PRICE LIST

Commodity and approximate quantity available (subject to price sale)	Domestic sales price
Nonfat dry milk solids, in enclosed lots only, 1932 production—15,000,000 pounds	Spray process, United States Extra Grade—1932 production—18 cents per pound. Prices apply "in store" at location of stock in any State. ("In store" means at the producer's plant or in storage at warehouse, but with any prepaid storage and outbonding charges for the benefit of the buyer.)
Cottonseed oil bleachable prime summer yellow, 100,000,000 pounds 1	Marked price or 17 1/2 cents per pound, whichever is higher, f. o. b. tank cars at points of storage locations.
Linseed oil, raw 105,000,000 pounds	Market price on date of sale. (See note on Colling Price Certification at the end of this price list.)
Dry edible beans 1	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.
Photo, bagged, 385,000 hundredweight	No. 1 Grade, 1949 : crop: \$8.21 per 100 pounds, basis f. o. b. Denver rate area; \$7.81 per 100 pounds, basis f. o. b. Idaho area.
Great Northern, bagged, 670,000 hundredweight	No. 1 Grade 1948, 1949, and 1951 crops: \$8.22 per 100 pounds, basis f. o. b. Twin Falls, Idaho, area; \$8.49 per 100 pounds, basis f. o. b. Morrill, Neb., area.
Baby Lima, bagged, 485,000 hundredweight	No. 1 Grade 1949 : crop: \$7.29 per 100 pounds, basis f. o. b. California area.
Small Red, bagged, 18,000 hundredweight	No. 1 Grade 1951 crop: \$9.12 per 100 pounds, basis f. o. b. Idaho area; available Portland PMA Commodity office.
Small White, bagged, 105,000 hundredweight	No. 1 Grade 1951 crop: \$8.96 per 100 pounds, basis f. o. b. California area.
Pink, bagged, 171,000 hundredweight	No. 1 Grade 1951 crop: \$9.06 per 100 pounds, basis f. o. b. Idaho and California areas; available Portland and San Francisco PMA Commodity offices.
Peas, bagged, 1,000,000 hundredweight	No. 1 Grade 1950 : and 1951 crops: \$8.90 per 100 pounds f. o. b. Michigan area.
American winter pea seed, bagged, 2,182,000 hundredweight	\$4 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
Linseed winter pea seed, bagged, 2,182,000 hundredweight	In certain, Ore. and San Francisco areas only. The domestic market price is used 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 Lentils seed, bagged, 1,142,000 hundredweight	\$4 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
Common and Williams 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, unsorted, bagged, 50,200 hundredweight	\$57.23 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
Red clover seed, certified, bagged, 1,000 hundredweight	\$62.50 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable. Available Portland and San Francisco PMA Commodity offices.
Weight: Krandall, 50 hundredweight; Midland, 1,320 hundredweight.	
Ladino clover seed, bagged, certified, 48,200 hundredweight	\$105.75 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable. Available Portland and San Francisco PMA Commodity offices.
White clover seed, bagged, 20 hundredweight	\$33.03 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable. Available New Orleans PMA Commodity office.
Hulbar sweet clover seed, bagged, 30 hundredweight	\$10.89 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable. Available New Orleans PMA Commodity office.
Crimson clover seed, bagged, 260 hundredweight	\$18 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable. Available Portland PMA Commodity office.
Boonville forest clover seed, bagged, 21,720 hundredweight	\$9.84 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable.
Alfalfa seed, unsorted southern, bagged, 3,063 hundredweight	\$21.43 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable. Available San Francisco PMA Commodity office.
Alfalfa seed, certified Indian, 209 hundredweight	\$23.44 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable. Available San Francisco PMA Commodity office.
Smooth vetches, unsorted, 100,000 hundredweight	\$16.18 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable. Available Chicago PMA Commodity office.
Smooth vetches, Mchals certified, 110 hundredweight	\$21.43 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable. Available Portland PMA Commodity office.
Mountain bromegrass, Bromer certified, bagged, 330 hundredweight	\$71.49 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable. Available Portland PMA Commodity office.
Sudan grass seed, bagged, 7 hundredweight	\$4 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable. Available Chicago PMA Commodity office.
Harry vetch seed, bagged, 70,000 hundredweight	\$1 plus support price at point of production, plus paid-in freight, as applicable.
Blondet trifol seed, bagged, 140 hundredweight	\$79.37 per 100 pounds basis f. o. b. point of production, plus paid-in freight, as applicable. Available Portland PMA Commodity office.

¹ These same lots also are available at export sales prices announced today.

AUGUST 1952 EXPORT PRICE LIST—Continued

Commodity and approximate quantity available (subject to prior sale)	Export price list
Austrian winter peas, bagged, not certified for purity or germination, 1,700,000 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.
Wheat, bulk, 25,000,000 bushels ¹	Market price on date of sale at point of delivery, provided delivery takes place within 15 days unless otherwise agreed upon.
Oats, bulk, 4,800,000 bushels ¹	Do.
Barley, bulk, 8,300,000 bushels ¹	Do.
Corn, bulk, 50,000,000 bushels ¹	Do.

¹ These same lots are available at domestic sales prices announced today.

(Pub. Law 439, 81st Cong.)

Issued: August 13, 1952.

[SEAL]

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

(F. R. Doc. 52-9081; Filed, Aug. 15, 1952; 8:59 a. m.)

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

FIELD OFFICE LOCATIONS AND BOUNDARIES

ORGANIZATION STATEMENT

Pursuant to section 3 (a) (1) of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1002), sections 30 and 33 of Article III—Field Organization—of the Organization Statement, as published in the FEDERAL REGISTER dated January 21, 1952 (17 F. R. 675), are hereby amended.

1. In section 30 *Basic field organization*, delete the sentence in parentheses at the end of the section and add the following: "The geographic boundaries of the 14 Regional Offices remain unchanged. As indicated in section 33 below, certain district offices are being consolidated with Regional Offices, and some with other district offices, which will absorb the territory serviced by those former district offices; branch offices will replace those district offices eliminated by the consolidation, except in cities where district offices were located in the same cities as the regional offices."

2. Section 33 is amended to read as follows:

SEC. 33. *Locations of Field Offices.* The locations of and the areas serviced by regional and district offices of the Office of Price Stabilization, are as follows:

REGION I—BOSTON, MASSACHUSETTS

The Boston Regional Office will service the entire State of Massachusetts; this area was formerly serviced by the Boston and Springfield, Massachusetts, District Offices; a branch office will be located at Springfield, Massachusetts.

District Offices: District Offices will continue to be located at Hartford, Connecticut, servicing the entire State of Connecticut; Portland, Maine, servicing the entire State of Maine; Manchester, New Hampshire, servicing the entire State of New Hampshire; Providence, Rhode Island, servicing the entire State of Rhode Island; and Montpelier, Vermont, servicing the entire State of Vermont.

REGION II—NEW YORK, NEW YORK

The New York Regional Office will service that part of the State of New York compris-

ing the counties of Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, and Westchester; this area was formerly serviced by the New York District Office.

District Offices: District offices will continue to be located at: Newark, New Jersey, servicing the entire State of New Jersey, except the counties of Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem; this area was formerly serviced by the Newark and Trenton, New Jersey, District Offices; a branch office will be located at Trenton, New Jersey; and Syracuse, New York, servicing that part of the State of New York comprising the counties of Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Otsego, Rensselaer, St. Lawrence, Saratoga, Schoenectady, Schoharie, Schuylers, Seneca, Steuben, Tioga, Tompkins, Warren, Washington, Wayne, Wyoming, and Yates; this area was formerly serviced by the Syracuse, Albany, Buffalo, and Rochester, New York, District Offices; branch offices will be located in Albany, Buffalo, and Rochester, New York.

REGION III—PHILADELPHIA, PENNSYLVANIA

The Philadelphia Regional Office will service that part of the State of Pennsylvania comprising the counties of Adams, Berks, Bradford, Bucks, Carbon, Chester, Columbia, Cumberland, Dauphin, Delaware, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York; and that part of the State of New Jersey comprising the counties of Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem; this area was formerly serviced by the Philadelphia, Pennsylvania, and Camden, New Jersey, District Offices; a branch office will be located at Camden, New Jersey.

District Offices: District offices will continue to be located at Wilmington, Delaware, servicing the entire State of Delaware; and Pittsburgh, Pennsylvania, servicing that part of the State of Pennsylvania comprising the counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Centre, Clarion, Clearfield, Clinton, Crawford, Elk, Erie, Fayette, Forest, Franklin, Fulton, Greene, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mercer, Potter, Somerset, Venango, Warren, Washington, and Westmoreland; this area was formerly serviced by the Pittsburgh and Erie, Pennsylvania, District Offices; a branch office will be located at Erie, Pennsylvania.

REGION IV—RICHMOND, VIRGINIA

The Richmond Regional Office will service the entire State of Virginia; this area was formerly serviced by the Richmond and Norfolk, Virginia, District Offices; a branch office will be located at Norfolk, Virginia.

District Offices: District Offices will continue to be located at Washington, D. C., servicing the District of Columbia; Baltimore, Maryland, servicing the entire State of Maryland; Charleston, West Virginia, servicing the entire State of West Virginia; and Charlotte, North Carolina, servicing the entire State of North Carolina and that part of the State of Tennessee comprising the counties of Carter, Johnson, Sullivan, Unicoi, and Washington; this area was formerly serviced by the Charlotte and Raleigh, North Carolina, District Offices; a branch office will be located at Raleigh, North Carolina.

REGION V—ATLANTA, GEORGIA

The Atlanta Regional Office will service the entire State of Georgia; this area was formerly serviced by the Atlanta and Savannah, Georgia, District Offices; a branch office will be located at Savannah, Georgia.

District Offices: District Offices will continue to be located at Montgomery, Alabama, servicing the entire State of Alabama; this area was formerly serviced by the Montgomery and Birmingham, Alabama, District Offices; a branch office will be located at Birmingham, Alabama.

Jacksonville, Florida, servicing the entire State of Florida; this area was formerly serviced by the Jacksonville and Miami, Florida, District Offices; a branch office will be located at Miami, Florida.

Jackson, Mississippi, servicing the entire State of Mississippi.

Columbia, South Carolina, servicing the entire State of South Carolina; and

Nashville, Tennessee, servicing the entire State of Tennessee, except the counties of Carter, Johnson, Sullivan, Unicoi, and Washington; this area was formerly serviced by the Nashville and Memphis, Tennessee, District Offices; a branch office will be located at Memphis, Tennessee.

REGION VI—CLEVELAND, OHIO

The Cleveland Regional Office will service the entire State of Ohio and that part of the State of Kentucky comprising the counties of Boone, Campbell, and Kenton; this area was formerly serviced by the Cleveland, Toledo, Columbus, and Cincinnati, Ohio, District Offices; branch offices will be located at Toledo, Columbus, and Cincinnati, Ohio.

District Offices: District offices will continue to be located at—

Louisville, Kentucky, servicing the entire State of Kentucky, except the counties of Boone, Campbell, and Kenton; and

Detroit, Michigan, servicing the entire State of Michigan; this area was formerly serviced by the Detroit and Grand Rapids, Michigan, District Offices; a branch office will be located at Grand Rapids, Michigan.

REGION VII—CHICAGO, ILLINOIS

The Chicago Regional Office will service the entire State of Illinois, except the counties of Madison and St. Clair, and that part of the State of Indiana comprising the county of Lake; this area was formerly serviced by the Chicago, Springfield, and Peoria, Illinois, District Offices; branch offices will be located at Springfield and Peoria, Illinois.

District Offices: District Offices will continue to be located at—

Indianapolis, Indiana, servicing the entire State of Indiana, except the county of Lake; and

Milwaukee, Wisconsin, servicing the entire State of Wisconsin, except the county of Douglas; this area was formerly serviced by the Milwaukee and Green Bay, Wisconsin, District Offices; a branch office will be located at Green Bay, Wisconsin.

REGION VIII—MINNEAPOLIS, MINNESOTA

The Minneapolis Regional Office will service the entire State of Minnesota and that part of the State of Wisconsin comprising the county of Douglas; this area was formerly serviced by the St. Paul and Duluth, Minnesota, District Offices; branch offices will be located at St. Paul and Duluth, Minnesota.

District Offices: District Offices will continue to be located at—

Helena, Montana, servicing the entire State of Montana;

Fargo, North Dakota, servicing the entire State of North Dakota; and

Sioux Falls, South Dakota, servicing the entire State of South Dakota

REGION IX—KANSAS CITY, MISSOURI

The Kansas City Regional Office will service that part of the State of Missouri comprising the counties of Andrew, Atchison, Barry, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Camden, Carroll, Cass, Cedar, Christian, Clay, Clinton, Cole, Cooper, Dade, Dallas, Daviess, DeKalb, Douglas, Gentry, Greene, Grundy, Harrison, Henry, Hickory, Holt, Howard, Howell, Jackson, Jasper, Johnson, Laclede, Lafayette, Lawrence, Livingston, McDonald, Mercer, Miller, Moniteau, Morgan, Newton, Nodaway, Oregon, Osage, Ozark, Pettis, Platte, Polk, Pulaski, Putnam, Ray, St. Clair, Saline, Stone, Sullivan, Taney, Texas, Vernon, Webster, Worth, and Wright; and that part of the State of Kansas comprising the counties of Johnson and Wyandotte; this area was formerly serviced by the Kansas City District Office.

District Offices: District offices will continue to be located at—

Des Moines, Iowa, servicing the entire State of Iowa;

Wichita, Kansas, servicing the entire State of Kansas, except the counties of Johnson and Wyandotte;

St. Louis, Missouri, servicing that part of the State of Missouri comprising the counties of Adair, Audrain, Bollinger, Butler, Cape Girardeau, Carter, Chariton, Clark, Crawford, Dent, Dunklin, Franklin, Gasconade, Iron, Jefferson, Knox, Lewis, Lincoln, Linn, Macon, Madison, Marie, Marion, Mississippi, Monroe, Montgomery, New Madrid, Pemiscot, Perry, Phelps, Pike, Ralls, Randolph, Reynolds, Ripley, St. Charles, Ste. Genevieve, St. Francois, St. Louis, Schuyler, Scotland, Scott, Shannon, Shelby, Stoddard, Warren, Washington, Wayne, and the City of St. Louis; and that part of the State of Illinois comprising the counties of Madison and St. Clair; and

Omaha, Nebraska, servicing the entire State of Nebraska.

REGION X—DALLAS, TEXAS

The Dallas Regional Office will service that part of the State of Texas comprising the counties of Anderson, Andrews, Archer, Armstrong, Bailey, Baylor, Bell, Borden, Bosque, Bowie, Briscoe, Brown, Callahan, Camp, Carson, Cass, Castro, Cherokee, Childress, Clay, Cochran, Coke, Coleman, Collin, Collingsworth, Comanche, Concho, Cooke, Coryell, Cottle, Crane, Crockett, Crosby, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, Dickens, Donley, Eastland, Ector, Ellis, Erath, Falls, Fannin, Fisher, Floyd, Foard, Franklin, Freestone, Gaines, Garza, Glasscock, Gray, Grayson, Gregg, Hale, Hall, Hamilton, Hansford, Hardeman, Harrison, Hartley, Haskell, Hemphill, Henderson, Hill, Hockley, Hood, Hopkins, Howard, Hunt, Hutchinson, Irion, Jack, Johnson, Jones, Kaufman, Kent, King, Knox, Lamar, Lamb, Lampasas, Limestone, Lipscomb, Loving, Lubbock, Lynn, McCulloch, McLennan, Marion, Martin, Menard, Midland, Mills, Mitchell, Montague, Moore, Morris, Motley, Nacogdoches, Navarro, Nolan, Ochiltree, Oldham, Palo Pinto, Panola, Parker, Parker, Potter, Rains, Randall, Reagan, Red River, Roberts, Rockwall, Runnels, Rusk, San Saba, Schleicher, Scurry, Shackelford, Shelby, Sherman, Smith,

Somervell, Stephens, Sterling, Stonewall, Sutton, Swisher, Tarrant, Taylor, Terry, Throckmorton, Titus, Tom Green, Upshur, Upton, Van Zandt, Ward, Wheeler, Wichita, Winkler, Winkler, Wise, Wood, Yoakum, and Young; this area was formerly serviced by the Dallas, Ft. Worth, and Lubbock, Texas, District Offices; branch offices will be located at Ft. Worth and Lubbock, Texas.

District Offices: District Offices will continue to be located at—

Little Rock, Arkansas, servicing the entire State of Arkansas;

New Orleans, Louisiana, servicing the entire State of Louisiana; this area was formerly serviced by the New Orleans and Shreveport, Louisiana, District Offices; a branch office will be located at Shreveport, Louisiana;

Oklahoma City, Oklahoma, servicing the entire State of Oklahoma; this area was formerly serviced by the Oklahoma City and Tulsa, Oklahoma, District Offices; a branch office will be located at Tulsa, Oklahoma; and

San Antonio, Texas, servicing that part of the State of Texas comprising the counties of Angelina, Aransas, Atascosa, Austin, Bandera, Bastrop, Bee, Bexar, Blanco, Brazoria, Brazos, Brewster, Brooks, Burleson, Burnet, Caldwell, Calhoun, Cameron, Chambers, Colorado, Comal, Culberson, DeWitt, Dimmit, Duval, Edwards, El Paso, Fayette, Fort Bend, Frio, Galveston, Gillespie, Goliad, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Hidalgo, Houston, Hudspeth, Jackson, Jasper, Jeff Davis, Jefferson, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Lee, Leon, Liberty, Live Oak, Llano, McMullen, Madison, Mason, Matagorda, Maverick, Medina, Milam, Montgomery, Newton, Nueces, Orange, Pecos, Polk, Presidio, Real, Reeves, Refugio, Robertson, Sabine, San Augustine, San Jacinto, San Patricio, Starr, Terrell, Travis, Trinity, Tyler, Uvalde, Val Verde, Victoria, Walker, Waller, Washington, Webb, Wharton, Willacy, Williamson, Wilson, Zapata, and Zavala; this area was formerly serviced by the San Antonio and Houston, Texas, District Offices; a branch office will be located at Houston, Texas.

REGION XI—DENVER, COLORADO

The Denver Regional Office will service the entire State of Colorado; this area was formerly serviced by the Denver District Office.

District Offices: District Offices will continue to be located at—

Albuquerque, New Mexico, servicing the entire State of New Mexico;

Salt Lake City, Utah, servicing the entire State of Utah; and

Cheyenne, Wyoming, servicing the entire State of Wyoming.

REGION XII—SAN FRANCISCO, CALIFORNIA

The San Francisco Regional Office will service that part of the State of California comprising the counties of Alameda, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, Fresno, Glenn, Humboldt, Kings, Lake, Madera, Marin, Mariposa, Mendocino, Merced, Monterey, Napa, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, Yuba, and those portions of the counties of Nevada, Placer, and El Dorado which lie west of the crest of the Sierra Nevada Mountains; this area was formerly serviced by the San Francisco-Oakland, Fresno, and Sacramento, California, District Offices; branch offices will be located at Fresno and Sacramento, California.

District Offices: District Offices will continue to be located at—

Phoenix, Arizona, servicing the entire State of Arizona;

Reno, Nevada, servicing the entire State of Nevada and that part of the State of California comprising the counties of Alpine, Lassen, Modoc, Mono, Plumas, and Sierra, and those portions of the counties of Nevada, Placer and El Dorado which lie east of the crest of the Sierra Nevada Mountains; and

Los Angeles, California, servicing that part of the State of California comprising the counties of Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura; this area was formerly serviced by the Los Angeles and San Diego, California, District Offices; a branch office will be located at San Diego, California.

REGION XIII—SEATTLE, WASHINGTON

The Seattle Regional Office will service the entire State of Washington, except the counties of Clark, Cowlitz, Klickitat, Skamania, and Wahkiakum, and that part of the State of Idaho comprising the counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone; this area was formerly serviced by the Seattle and Spokane, Washington, District Offices; a branch office will be located in Spokane, Washington.

District Offices: District Offices will continue to be located at—

Boise, Idaho, servicing the entire State of Idaho, except the counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone, and that part of the State of Oregon comprising the county of Malheur; and

Portland, Oregon, servicing the entire State of Oregon, except the county of Malheur, and that part of the State of Washington comprising the counties of Clark, Cowlitz, Klickitat, Skamania, and Wahkiakum.

REGION XIV—WASHINGTON, D. C.

The jurisdiction of the Territorial Regional Office remains unchanged. District (Territorial and Commonwealth) Offices will continue to be located at Juneau, Alaska, servicing the entire territory of Alaska; Agaña, Guam, servicing the entire territory of Guam; Honolulu, Hawaii, servicing the entire territory of Hawaii; San Juan, Puerto Rico, servicing the entire Commonwealth of Puerto Rico; and St. Thomas, Virgin Islands, servicing the entire territory of the Virgin Islands.

ELLIS ARNALL,

Director of Price Stabilization.

AUGUST 15, 1952.

[F. R. Doc. 52-9190; Filed, Aug. 15, 1952; 12:09 p. m.]

[Region XII, Redlegation of Authority No. 41, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES
REGION XII, SAN FRANCISCO, CALIF.

REDELEGATION OF AUTHORITY TO ACT UNDER
CPR 134

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 61, Revision 1 (17 F. R. 6424), Redlegation of Authority No. 41, heretofore issued by me on April 29, 1952 (17 F. R. 3894), is amended to read as follows:

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, 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.

This amendment shall take effect as of July 25, 1952.

JOHN H. TOLAN, Jr.
Director of Regional Office No. XII.

AUGUST 11, 1952.

[F. R. Doc. 52-8981; Filed, Aug. 11, 1952; 4:51 p. m.]

REGION V, REGION VIII, AND REGION XII LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Overriding Regulation 24, were filed with the Division of the Federal Register on August 7, 1952.

REGION V

Jacksonville Order G1-13, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:34 p. m.

Jacksonville Order G1-14, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:36 p. m.

Jacksonville Order G2-13, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:34 p. m.

Jacksonville Order G2-14, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:37 p. m.

Jacksonville Order G3-13, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:35 p. m.

Jacksonville Order G3-14, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:38 p. m.

Jacksonville Order G3A-13, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:35 p. m.

Jacksonville Order G3A-14, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:38 p. m.

Jacksonville Order G4-13, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:35 p. m.

Jacksonville Order G4-14, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:39 p. m.

Jacksonville Order G4A-13, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:35 p. m.

Jacksonville Order G4A-14, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:40 p. m.

REGION VIII

Fargo Order G1-13, Amendment 1, covering retail prices for certain dry grocery items sold in the Fargo Area, filed 3:40 p. m.

Fargo Order G1-14, covering retail prices for certain dry grocery items sold in the Fargo Area, filed 3:41 p. m.

Fargo Order G2-14, covering retail prices for certain dry grocery items sold in the Fargo Area, filed 3:42 p. m.

Fargo Order G4-13, Amendment 1, covering retail prices for certain dry grocery items sold in the Fargo Area, filed 3:41 p. m.

Fargo Order G4-14, covering retail prices for certain dry grocery items sold in the Fargo Area, filed 3:43 p. m.

REGION XII

Fresno Order G1-11, Amendment 3, changing certain prices for certain food items for retail sales of certain food items in the Fresno Area, filed 3:43 p. m.

Fresno Order G2-11, Amendment 3, changing certain prices for certain food items for retail sales of certain food items in the Fresno Area, filed 3:44 p. m.

Fresno Order G4-11, Amendment 3, changing certain prices for certain food items for retail sales of certain food items in the Fresno Area, filed 3:44 p. m.

Fresno Order G4A-11, Amendment 3, changing certain prices for certain food items for retail sales of certain food items in the Fresno Area, filed 3:45 p. m.

Copies of any of these orders may be obtained from the OPS Office in the designated city.

JOSEPH L. DWYER,
Recording Secretary.

[F. R. Doc. 52-8977; Filed, Aug. 11, 1952; 4:50 p. m.]

REGION V AND REGION XII

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Overriding Regulation 24, were filed with the Division of the Federal Register on August 12, 1952.

REGION V

Jacksonville Order G1-14, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 10:52 a. m.

Jacksonville Order G2-14, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 10:53 a. m.

Jacksonville Order G3-14, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 10:53 a. m.

Jacksonville Order G3A-14, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 10:53 a. m.

Jacksonville Order G4-14, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 10:54 a. m.

Jacksonville Order G4A-14, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 10:54 a. m.

REGION XII

Fresno Order G1-12, revocation of ceiling prices for certain dry grocery items sold in the Fresno Area, filed 10:52 a. m.

Fresno Order G2-12, revocation of ceiling prices for certain dry grocery items sold in the Fresno Area, filed 10:52 a. m.

Fresno Order G4-12, revocation of ceiling prices for certain dry grocery items sold in the Fresno Area, filed 10:52 a. m.

Fresno Order G4A-12, revocation of ceiling prices for certain dry grocery items sold in the Fresno Area, filed 10:52 a. m.

Copies of any of these orders may be obtained from the OPS Office in the designated city.

JOSEPH L. DWYER,
Recording Secretary.

[F. R. Doc. 52-9079; Filed, Aug. 13, 1952; 4:25 p. m.]

[Ceiling Price Regulation 83, Section 2, Special Order 11, Amdt. 10]

GENERAL MOTORS CORP.

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. Special Order 11 established a schedule of prices and charges pursuant to section 2 of Ceiling Price Regulation 83 for sellers of new passenger automobiles and factory installed extra equipment manufactured by the General Motors Corporation. Subsequent to the issuance of Special Order 11 the General Motors Corporation has introduced a new item of factory installed extra, special or optional equipment on its Chevrolet new passenger automobiles and wholesale ceiling prices have been approved for this new item. Special Order 11 is, therefore, amended to include a charge for the new item of factory installed extra, special or optional equipment.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 2 of Ceiling Price Regulation 83, this amendment to Special Order 11 is hereby issued.

1. The following charge for factory installed extra, special or optional equipment is added to the list of extra, special or optional equipment contained in paragraph 2 of Special Order 11:

CHEVROLET PASSENGER AUTOMOBILES

Tires, set of 5, 7:00 x 15, 4 ply (DeLuxe Convertible when equipped with automatic transmission)-----\$31.00

Effective date. This Amendment 10 to Special Order 11 shall become effective August 15, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

AUGUST 15, 1952.

[F. R. Doc. 52-9185; Filed, Aug. 15, 1952; 12:03 p. m.]

[Ceiling Price Regulation 83, Section 2, Special Order 16, Amdt. 7]

KAISER-FRAZER CORP.

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. Special Order 16 established a schedule of prices and charges pursuant to section 2 of Ceiling Price Regulation 83 for sellers of new passenger automobiles and factory installed extra equipment manufactured by the Kaiser-Frazer Corporation. Subsequent to the issuance of Special Order 16 the Kaiser-Frazer Corporation has introduced a new accessory group of factory installed extra, special or optional equipment on its Henry J new passenger automobiles and a wholesale ceiling price has been approved for this new accessory group. Special Order 16 is, therefore, amended to include the new accessory group of factory installed extra, special or optional equipment.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 2 of Ceiling Price Regulation 83, this amendment to Special Order 16 is hereby issued.

ing Price Regulation 83, this amendment to Special Order 16, is hereby issued.

1. The following charge for factory installed extra, special or optional equipment is added to the list of extra, special or optional equipment contained in paragraph 2 of Special Order 16:

HENRY J. AUTOMOBILES

Accessory Group No. 27 (all Henry J) (includes Accessory Group No. 9, oil filter, rear window vents, radio and antenna (6 tube), heater and defroster—fresh air, and air duct—right) ----- \$276.18

Effective date. This Amendment 7 to Special Order 16 shall become effective August 13, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

AUGUST 13, 1952.

[F. R. Doc. 52-9065; Filed, Aug. 13, 1952;
12:16 p. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8624, 10277]

AMERICAN-REPUBLICAN, INC., AND WATR, INC.

ORDER SCHEDULING HEARING

In re applications of American-Republican, Inc., Waterbury, Connecticut, Docket No. 8624, File No. BPCT-204; WATR, Incorporated, Waterbury, Connecticut, for television construction permits, Docket No. 10277, File No. BPCT-965.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of August 1952;

The Commission having under consideration the above-entitled applications which were designated for hearing on July 11, 1952; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceedings;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., October 1, 1952, in Washington, D. C.

Released: August 8, 1952.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] **WM. P. MASSING,**
Acting Secretary.

[F. R. Doc. 52-9036; Filed, Aug. 15, 1952;
8:48 a. m.]

[Docket Nos. 9041, 10240]

ALADDIN RADIO & TELEVISION, INC., AND DENVER TELEVISION CO.

ORDER SCHEDULING HEARING

In re applications of Aladdin Radio & Television, Inc., Denver, Colorado, Docket No. 9041, File No. BPCT-426; Denver Television Company, Denver, Colorado, Docket No. 10240, File No. BPCT-951; for television construction permits.

At a session of the Federal Communications Commission held at its offices in

Washington, D. C., on the 6th day of August 1952;

The Commission having under consideration the above-entitled applications which were designated for hearing on July 11, 1952; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., October 1, 1952, in Washington, D. C.

Released: August 8, 1952.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] **WM. P. MASSING,**
Acting Secretary.

[F. R. Doc. 52-9037; Filed, Aug. 15, 1952;
8:49 a. m.]

[Docket Nos. 9043, 10238]

KMYR BROADCASTING CO., AND METROPOLITAN TELEVISION CO.

ORDER SCHEDULING HEARING

In re applications of KMYR Broadcasting Company, Denver, Colorado, Docket No. 9043, File No. BPCT-488; Metropolitan Television Company, Denver, Colorado, for television construction permits, Docket No. 10238, File No. BPCT-941.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of August 1952;

The Commission having under consideration the above-entitled applications which were designated for hearing on July 11, 1952; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., October 1, 1952, in Washington, D. C.

Released: August 8, 1952.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,

WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 52-9038; Filed, Aug. 15, 1952;
8:49 a. m.]

[Docket Nos. 9136, 9137, 10243]

PIONEER BROADCASTERS, INC., ET AL.

ORDER SCHEDULING HEARING

In re applications of Pioneer Broadcasters, Inc., Portland, Oregon, Docket No. 9136, File No. BPCT-431; KOIN, Incorporated, Portland, Oregon, Docket No. 9137, File No. BPCT-493; KXL Broadcasters, Inc., Portland, Oregon, Docket No. 10243, File No. BPCT-954; for television construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of August 1952;

The Commission having under consideration the above-entitled applications which were designated for hearing on July 11, 1952; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., October 1, 1952, in Washington, D. C.

Released: August 8, 1952.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] **WM. P. MASSING,**
Acting Secretary.

[F. R. Doc. 52-9039; Filed, Aug. 15, 1952;
8:49 a. m.]

[Docket Nos. 10118, 10119, 10120, 10121]

PENN JERSEY BROADCASTING CO., ET AL.

ORDER CONTINUING HEARING

In re applications of Penn Jersey Broadcasting Company, Bristol, Pennsylvania, Docket No. 10118, File No. BP-8062; Leroy Bremmer and Dorothy Bremmer, d/b as Atlantic City Broadcasting Company, Atlantic City, New Jersey, Docket No. 10119, File No. BP-8090; Herbert Michels, Albert Spiro and John J. Farina, d/b as Garden State Broadcasting Company, Atlantic City, New Jersey, Docket No. 10120, File No. BP-8112; Press-Union Publishing Company, Atlantic City, New Jersey, for construction permits, Docket No. 10121, File No. BP-8143.

The Commission having under consideration a petition filed on July 22, 1952, on behalf of Press-Union Publishing Company (Docket No. 10121), requesting that the hearing in the above-entitled proceeding, which is now scheduled to be held in Atlantic City, New Jersey, on August 11, 1952, be continued for a period of approximately six weeks; and

It appearing, that no opposition has been filed to a grant of the said petition by any of the parties to the above-entitled proceeding;

It is ordered, This 29th day of July 1952, that the above petition be, and it is hereby, granted, and that the hearing in the above-entitled proceeding is hereby continued until 10:00 o'clock a. m., on Monday, September 22, 1952, at Atlantic City, New Jersey.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] **T. J. SLOWIE,**
Secretary.

[F. R. Doc. 52-9033; Filed, Aug. 15, 1952;
8:48 a. m.]

[Docket No. 10181]

McLENNAN BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of McLennan Broadcasting Co., Waco, Texas, for construction permit for new standard broadcast station, Docket No. 10181, File No. BP-8031.

The Commission having under consideration a petition filed July 25, 1952, by McLennan Broadcasting Co., requesting a continuance until August 26, 1952, of the hearing on the above-entitled application presently scheduled for August 4, 1952; and

It appearing, that counsel for Red River Valley Broadcasting Corporation, licensee of Station KRRV, Sherman, Texas, the only party to file an appearance in this proceeding, and counsel for the Chief, Broadcast Bureau, have agreed to a grant of this petition; and

It further appearing, that good cause for the requested continuance has been shown;

It is ordered, This 31st day of July 1952, that such hearing be and it is hereby continued to August 26, 1952, at 10 o'clock a. m., in Washington, D. C.

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

[F. R. Doc. 52-9034; Filed, Aug. 15, 1952;
8:48 a. m.]

[Docket No. 10190]

WMRO, Inc. (WMRO)

ORDER CONTINUING HEARING

In re application of WMRO, Incorporated (WMRO) Aurora, Illinois, for renewal of license of station WMRO, File No. BR-995, Docket No. 10190.

The Commission having under consideration a petition filed August 5, 1952, by WMRO, Incorporated (WMRO), Aurora, Illinois, for an indefinite continuance of the hearing now scheduled in Washington, D. C., on August 11, 1952; and

It appearing that on July 17, 1952, on the basis of a petition and supplemental petition filed by petitioner on July 15 and 16, 1952, a continuance of the hearing on the above-entitled matter then scheduled for July 21, 1952, was granted to August 11, 1952; that said initial continuance was granted in part on the basis of petitioner's statement that it was in the process of preparing for filing a petition for reconsideration and grant and that additional time for that purpose was necessary; that petitioner now alleges it has been unable to complete preparation of such a petition but will do so on or before August 11, 1952; that a grant of said petition for reconsideration would obviate the necessity for a hearing; that petitioner is the only party to this proceeding and that the counsel for the Broadcast Bureau does not oppose a grant of this request for indefinite continuance, and has consented to immediate consideration of this petition so that the provisions of § 1.745 of our rules have been met; that no party or the public interest would be adversely affected by a grant of this petition;

Therefore, it is ordered, This 5th day of August 1952, that the petition of WMRO, Incorporated (WMRO), Aurora,

Illinois, for indefinite continuance is granted and the hearing on the above-entitled matter now scheduled for August 11, 1952 is continued without date, subject to further order of the Commission.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 52-9035; Filed, Aug. 15, 1952;
8:48 a. m.]

[Docket Nos. 10246, 10247]

OREGON TELEVISION, INC., AND COLUMBIA
EMPIRE TELECASTERS, INC.

ORDER SCHEDULING HEARING

In re applications of Oregon Television, Inc., Portland, Oregon, Docket No. 10246, File No. BPCT-938; Columbia Empire Telecasters, Inc., Portland, Oregon, for television construction permits, Docket No. 10247, File No. BPCT-982.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of August 1952;

The Commission having under consideration the above-entitled applications which were designated for hearing on July 11, 1952; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., October 1, 1952, in Washington, D. C.

Released: August 8, 1952.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 52-9040; Filed, Aug. 15, 1952;
8:49 a. m.]

[Docket Nos. 10272, 10273]

BRUSH-MOORE NEWSPAPERS, INC., AND
STARK BROADCASTING CORP.

ORDER SCHEDULING HEARING

In re applications of Brush-Moore Newspapers, Inc., Canton, Ohio, Docket No. 10272, File No. BPCT-264; Stark Broadcasting Corporation; Canton, Ohio, for television construction permits, Docket No. 10273, File No. BPCT-949.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of August 1952;

The Commission having under consideration the above-entitled applications which were designated for hearing on July 11, 1952; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceedings be held at

10:00 a. m., October 1, 1952, in Washington, D. C.

Released: August 8, 1952.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 52-9041; Filed, Aug. 15, 1952;
8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6449]

WISCONSIN POWER AND LIGHT CO.

NOTICE OF APPLICATION

AUGUST 13, 1952.

Take notice that on August 8, 1952, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Wisconsin Power and Light Company (hereinafter called "Wisconsin"), a corporation organized under the laws of the State of Wisconsin and doing business in said State, with its principal business office at Madison, Wisconsin, seeking an order authorizing the merger or consolidation of Wisconsin's facilities with those of Nekoosa-Edwards Light and Power Company (hereinafter called "Nekoosa"). The facilities to be merged are all the electric operating facilities of Nekoosa, being electric distribution facilities only, located in Wood County, Wisconsin. Such facilities are presently being used to serve the public in the municipalities of Nekoosa and Port Edwards, and adjacent rural areas. The consideration to be paid for the facilities by Wisconsin is stated in the application to be \$300,000, subject to certain adjustments; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 1st day of September 1952, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-9051; Filed, Aug. 15, 1952;
8:53 a. m.]

[Docket No. E-6450]

PACIFIC POWER & LIGHT CO.

NOTICE OF APPLICATION

AUGUST 13, 1952.

Take notice that on August 11, 1952, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Pacific Power & Light Company, a corporation organized under the laws of the State of Maine and doing business in the States of Oregon and Washington, with its principal business office at Portland, Oregon,

seeking an order authorizing the issuance of \$7,500,000 in aggregate principal amount of its First Mortgage Bonds, ----- percent series due September 1982. Applicant proposes to invite competitive bidding for the purchase of said Bonds. The interest rate to be borne by the Bonds and the price to be paid Applicant for the Bonds are to be determined by such competitive bidding; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 1st day of September 1952, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-9052; Filed, Aug. 15, 1952;
8:53 a. m.]

[Docket No. G-1899]

IOWA-ILLINOIS GAS AND ELECTRIC CO.
ORDER DENYING REQUEST FOR SHORTENED
PROCEDURE AND FIXING DATE OF HEARING
AUGUST 12, 1952.

On February 28, 1952, Iowa-Illinois Gas and Electric Company (Applicant), an Illinois Corporation, with its principal place of business in Davenport, Iowa, filed an application for an order disclaiming jurisdiction or, in the alternative, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act authorizing the continued operation of 23 miles of 4-inch duplicate transmission pipeline serving its Ottumwa district in Iowa, and 17 miles of 10-inch duplicate transmission pipeline serving its Davenport district in Iowa, should it be ultimately determined that the said facilities and operation thereof are subject to the Commission's jurisdiction.

Due notice of filing such application has been given, including publication in the FEDERAL REGISTER on March 20, 1952 (17 F. R. 56).

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

The Commission finds: Good cause has not been shown for granting Applicant's request that its application in Docket No. G-1899 be heard under the shortened procedure as provided by the Commission's rules of practice and procedure, and said request should be denied as hereinafter ordered.

The Commission orders:

(A) Iowa-Illinois Gas and Electric Company's request that its application in Docket No. G-1899 be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)) be and the same is hereby denied.

(B) Pursuant to authority contained in and by virtue of the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held commencing on September 9, 1952, at 10:00 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the application.

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

Date of issuance: August 12, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-9042; Filed, Aug. 15, 1952;
8:50 a. m.]

[Docket No. G-1948]

EAST TENNESSEE NATURAL GAS CO.
ORDER FIXING DATE OF HEARING
AUGUST 12, 1952.

On April 24, 1952, East Tennessee Natural Gas Company (Applicant), a Tennessee corporation having its principal place of business at Knoxville, Tennessee, filed an application, as supplemented on July 7, 1952, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural gas transmission facilities, subject to the jurisdiction of the Commission, as described in the application, as supplemented, on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. Applicant having requested that the application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest, or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on May 8, 1952 (17 F. R. 4248).

The Commission orders:

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

the Commission's rules of practice and procedure.

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

Date of issuance: August 12, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-9043; Filed, Aug. 15, 1952;
8:50 a. m.]

GENERAL SERVICES ADMINISTRATION

SECRETARY OF DEFENSE

DELEGATION OF AUTHORITY WITH RESPECT
TO APPLICATION OF NEWTON COUNTY GAS
CO. FOR PROCUREMENT OF NATURAL GAS
SERVICE

1. Pursuant to the provisions of sections 201 (a) (4) and 205 (d) and (e) of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, authority to represent the interests of the executive agencies of the Federal Government in the matter of Application of Newton County Gas Company for Procurement of Natural Gas Service, before the Federal Power Commission, Docket No. G-1978, is hereby delegated to the Secretary of Defense.

2. The Secretary of Defense is hereby authorized to redelegate any of the authority contained herein to any officer, official or employee of the Department of Defense.

3. The authority conferred herein shall be exercised in accordance with the policies, procedures and controls prescribed by the General Services Administration and shall further be exercised in cooperation with the responsible officers, officials and employees of such Administration.

4. This delegation of authority shall be effective as of July 16, 1952.

Dated August 11, 1952.

JESS LARSON,
Administrator.

[F. R. Doc. 52-9067; Filed, Aug. 15, 1952;
8:56 a. m.]

OFFICE OF DEFENSE
MOBILIZATION

[Defense Manpower Policy No. 4,
Notification 56]

PLACEMENT OF PROCUREMENT IN THE
MILFORD, MASS., AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE
AND GENERAL SERVICES ADMINISTRATION

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

this Office has responsibility and no conflicts exist.

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

The textile and apparel industries are excluded from the provisions of this notification pursuant to Notification 38 dated June 4, 1952, and Notification 53 dated July 19, 1952.

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

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

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

Under date of July 22, 1952, the Defense Manpower Administration of the Department of Labor certified to this Committee, under Defense Manpower Policy No. 4, the existence of the Milford area as a surplus labor area under standards established by the Secretary of Labor. The Milford area is composed of the towns of Hopedale, Mendon, Milford, Northbridge, Upton, and Uxbridge in Worcester County and towns of Medway and Mills in Norfolk County.

On the basis of information contained in the files of the Committee and furnished by the Department of Labor relative to the manpower situation in the Milford area, and by the Boston Regional Defense Mobilization Committee relative to facilities in the Milford area, the Committee makes the following findings and recommendation:

FINDINGS

The Committee finds:

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

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

3. That in order to accomplish the objectives of Defense Manpower Policy No. 4, the public interest dictates the need for the negotiation of available Government contracts at reasonable prices in the Milford area provided that a substantial portion of the work involved in the execution of the contracts will be performed in the Milford area, and provided further that contractors in the said area will be afforded the opportunity to meet prices obtainable in any labor market area classified by the Department of Labor as Group I, II, or III.

4. That no price differential for the Milford area is considered necessary in order to effectuate the objectives of Defense Man-

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

RECOMMENDATION

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

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

Approved:

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

[F. R. Doc. 52-9125; Filed, Aug. 14, 1952;
3:21 p. m.]

**SECURITIES AND EXCHANGE
COMMISSION**

[File No. 70-2906]

ARLINGTON GAS LIGHT CO., ET AL.

**NOTICE OF FILING REGARDING ISSUANCE OF
PROMISSORY NOTES**

AUGUST 12, 1952.

In the matter of Arlington Gas Light Company, Beverly Gas and Electric Company, Central Massachusetts Gas Company, Gloucester Gas Light Company, Lawrence Gas and Electric Company, Malden and Melrose Gas Light Company, Northampton Gas Light Company, Northern Berkshire Gas Company, Salem Gas Light Company, Suburban Gas and Electric Company, Wachusett Gas Company, File No. 70-2906.

Notice is hereby given that the above-named public-utility subsidiary companies of New England Electric System, a registered holding company, herein-after individually referred to as "Arlington", "Beverly", "Central Mass.", "Gloucester Gas", "Lawrence", "Malden Gas", "Northern Berkshire", "Salem Gas", "Suburban" and "Wachusett" and collectively referred to as the "borrowing companies", have filed applications, pursuant to the Public Utility Holding Company Act of 1935, and have designated section 6 (b) of the act and Rules U-23, U-42 (b) (2) and U-50 (a) (2) thereunder as applicable to the proposed transactions, which are summarized as follows:

The borrowing companies propose to issue to The National City Bank of New York before September 5, 1952, unsecured promissory notes in an aggregate amount of \$4,540,000. Said notes will be payable in ten equal installments beginning on September 1, 1953 and ending on September 1, 1962. Interest on the annual installments payable September 1, 1953, and September 1, 1954, will be at the rate of 3 3/4 percent per annum, on the annual installments payable September 1, 1955, through September 1, 1957, at the rate of 3 1/2 percent per annum and on the annual installments payable Sep-

tember 1, 1958, through September 1, 1962 at the rate of 3 3/4 percent per annum or an over-all cost of money for the ten-year period of 3.668 percent. Under certain conditions, the notes may be prepaid, in whole or in part without premium.

The applications state that the Massachusetts Department of Public Utilities has granted all of the borrowing companies, except Gloucester Gas and Wachusett, authority to amortize the costs of conversion to the use of natural gas over a period of ten years and that it is expected that the Massachusetts Commission will authorize a like period of amortization for these two companies. The amount of the note each borrowing company proposes to issue is set forth in the table below and, in each case, such amount is substantially equal to the estimated amount of unamortized conversion costs at August 31, 1952. The proceeds of the proposed notes will be applied solely to the payment of short-term note indebtedness incurred or to be incurred by the borrowing companies for costs of conversion to the use of natural gas.

	Amount of proposed notes	Estimated amount of notes outstanding after reduction of short-term indebtedness
Arlington.....	\$365,000	\$1,435,000
Beverly.....	285,000	1,990,000
Central Massachusetts.....	200,000	400,000
Gloucester Gas.....	125,000	625,000
Lawrence.....	835,000	1,415,000
Malden Gas.....	1,240,000	2,700,000
Northampton.....	195,000	305,000
Northern Berkshire.....	220,000	1,080,000
Salem Gas.....	390,000	1,170,000
Suburban.....	325,000	1,225,000
Wachusett.....	170,000	430,000
Total.....	4,540,000	12,835,000

The applications further state that incidental services in connection with the proposed note issues will be performed, at cost, by New England Power Service Company, an affiliated service company, such cost being estimated not to exceed \$500 for each of the borrowing companies, or an aggregate of \$5,000. The applications further state that the Massachusetts Department of Public Utilities has jurisdiction over the proposed transactions and that no other state commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

The borrowing companies request that the Commission's order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than August 29, 1952, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason or reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

NOTICES

At any time after said date, the applications, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 52-9045; Filed, Aug. 15, 1952;
8:52 a. m.]

[File No. 70-2910]

ARKANSAS POWER & LIGHT CO.

NOTICE OF FILING PURSUANT TO RULE REGARDING ISSUANCE OF FIRST MORTGAGE BONDS

AUGUST 12, 1952.

Notice is hereby given that Arkansas Power & Light Company ("Arkansas"), a utility subsidiary of Middle South Utilities, Inc., a registered holding company, has filed an application pursuant to the Public Utility Holding Company Act of 1935, and has designated section 6 (b) thereof and Rule U-50 of the rules and regulations promulgated thereunder as applicable to the proposed transactions which may be summarized as follows:

Arkansas proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, \$15,000,000 principal amount of First Mortgage Bonds, -- percent series, due 1982, to be issued under and secured by the company's Mortgage and Deed of Trust dated as of October 1, 1944, as heretofore supplemented, and as to be further supplemented by a Sixth Supplemental Indenture to be dated as of September 1, 1952. The proceeds of the proposed sale of bonds will be used to finance, in part, Arkansas' construction program for the years 1952 and 1953 which is estimated to require the expenditure of approximately \$60,000,000 of which approximately \$8,800,000 had been expended by June 30, 1952;

Notice is further given that any interested person may, not later than August 22, 1952, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 22, 1952, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. All interested persons are referred to said application which is on file in the office of this Commission for

a statement of the transactions therein proposed.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 52-9044; Filed, Aug. 15, 1952;
8:52 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27300]

CARBON DIOXIDE FROM MEMPHIS, TENN.,
TO LOUISVILLE, KY.

APPLICATION FOR RELIEF

AUGUST 13, 1952.

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

Filed by: J. G. Kerr, Agent, for the Southern Railway Company and the Cincinnati, New Orleans and Texas Pacific Railway Company.

Commodities involved: Carbon dioxide, solidified (dry ice), carloads.

From: Memphis, Tenn.

To: Louisville, Ky.

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

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1172, Supp. 113.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-9054; Filed, Aug. 15, 1952;
8:53 a. m.]

[4th Sec. Application 27301]

ONIONS (WITHOUT TOPS) FROM RACINE,
WIS., TO POINTS IN MISSISSIPPI VALLEY
TERRITORY

APPLICATION FOR RELIEF

AUGUST 13, 1952.

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

Filed by: R. G. Raasch, Agent, for carriers parties to his tariff I. C. C. No. 699. Commodities involved: Onions (without tops), carloads.

From: Racine, Wis.

To: Points in Mississippi Valley territory.

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

Schedules filed containing proposed rates: R. G. Raasch, Agent, I. C. C. No. 699, Supp. 48.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-9055; Filed, Aug. 15, 1952;
8:54 a. m.]

[4th Sec. Application 27302]

ALUMINA, CALCINED OR HYDRATED, FROM
BATON ROUGE AND NORTH BATON ROUGE,
LA., TO POINTS IN OFFICIAL AND ILLINOIS
TERRITORIES

APPLICATION FOR RELIEF

AUGUST 13, 1952.

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

Filed by: W. P. Emerson, Jr., Agent, for carriers parties to his tariffs I. C. C. Nos. 378 and 413.

Commodities involved: Alumina, calcined or hydrated, carloads.

From: Baton Rouge and North Baton Rouge, La.

To: Points in official and Illinois territories.

Grounds for relief: Competition with rail carriers, circuitous routes, and operation through higher-rated territory.

Schedules filed containing proposed rates: W. P. Emerson, Jr., Agent, I. C. C. No. 378, Supp. 205; W. P. Emerson, Jr., Agent, I. C. C. No. 413, Supp. 28.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to

take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-9056; Filed, Aug. 15, 1952;
8:54 a. m.]

[4th Sec. Application 27303]

PIG IRON FROM ROCKWOOD, TENN., TO
OFFICIAL AND ILLINOIS TERRITORIES

APPLICATION FOR RELIEF

AUGUST 13, 1952.

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

Filed by: J. G. Kerr, Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1136.

Commodities involved: Pig iron and related articles, carloads.

From: Rockwood, Tenn.

To: Points in official and Illinois territories.

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

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1136, Supp. 43.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-9057; Filed, Aug. 15, 1952;
8:55 a. m.]

[4th Sec. Application 27304]

BITUMINOUS COAL FROM ALABAMA TO
BOYKIN, FLA.

APPLICATION FOR RELIEF

AUGUST 13, 1952.

The Commission is in receipt of the above-entitled and numbered application

for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The St. Louis-San Francisco Railway Company, for itself and on behalf of the Louisville and Nashville Railroad Company.

Commodities involved: Bituminous coal, carloads.

From: Mines in Alabama, on the St. Louis-San Francisco Railway.

To: Boykin, Fla.

Grounds for relief: Rail and water competition and additional origins.

Schedules filed containing proposed rates: St. L.-S. F. Ry. tariff I. C. C. No. A-265, Supp. 17.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-9058; Filed, Aug. 15, 1952;
8:55 a. m.]

[4th Sec. Application 27305]

MOTOR-RAIL-MOTOR RATES BETWEEN
CHICAGO, ILL., AND KANSAS CITY, MO.

APPLICATION FOR RELIEF

AUGUST 13, 1952.

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

Filed by: Midwest Motor Freight Bureau, Agent, for the Chicago Great Western Railway Company and Prucka Transportation, Inc.

Commodities involved: All commodities.

Between: Chicago, Ill., and Kansas City, Mo.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates: Midwest Motor Freight Bureau, Agent, I. C. C. No. 39, Supp. 6.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with re-

spect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-9059; Filed, Aug. 15, 1952;
8:55 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18980]

ERNST BRUNO KELLER

In re: Stock owned by the personal representatives, heirs, next of kin, legatees and distributees of Ernst Bruno Keller, deceased. F-28-31954-D-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Cong., 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9889 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Ernst Bruno Keller, deceased, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are and prior to January 1, 1947, were, nationals of a designated enemy country (Germany);

2. That the property described as follows: Seventy-five (75) shares of \$100.00 par value preferred capital stock of Pohatcong Hosiery Mills, Inc., 744 Broad Street, Newark 2, New Jersey, evidenced by a certificate numbered P-106, registered in the name of Ernst Bruno Keller, together with all declared and unpaid dividends thereon,

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 personal representatives, heirs, next of kin, legatees and distributees of Ernst Bruno Keller, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being

deemed necessary in the national interest.

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

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

Executed at Washington, D. C., on August 13, 1952.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Acting Director,
Office of Alien Property.

[F. R. Doc. 52-9072; Filed, Aug. 15, 1952;
8:58 a. m.]

[Vesting Order 18981]

FREDERICK AND FRIEDA SCHLOTTMAN

In re: Debt owing to Frederick Schlottman and Frieda Schlottman. F-28-17666.

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

1. That Frederick Schlottman and Frieda Schlottman, each of whose last known address is (1) Berlin-Johannistal, Grune Avenue 3, Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation, evidenced by a bank money order, issued by American Trust Company, Civic Center Office, San Francisco, California, drawn to the order of Attorney General, U. S. A., numbered 31380, dated June 14, 1950, and in the amount of \$122.10, presently in the custody of the Attorney General of the United States, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under said bank money order, including particularly but not limited to the right to possession and presentation for collection and payment of the said bank money order,

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, Frederick Schlottman and Frieda Schlott-

man, the aforesaid nationals of a designated enemy country (Germany); and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on August 13, 1952.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Acting Director,
Office of Alien Property.

[F. R. Doc. 52-9073; Filed, Aug. 15, 1952;
8:58 a. m.]

[Vesting Order 18982]

HEINZ WENZEL

In re: Debt owing to Heinz Wenzel. F-28-7925-C-1.

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

1. That Heinz Wenzel, whose last known address is Pinneberg/Holstein, Prisdorferstrasse 19B, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of John F. Weinzierl, Riverside, Texas, evidenced by a promissory note executed February 21, 1935, by John F. Weinzierl and payable to Heinz Wenzel, said note in the amount of \$1,401.60, due six months after date, and presently in the custody of Baker, Botts, Andrews & Parish, Esperson Building, Houston 2, Texas, and extended on March 6, 1939, and February 7, 1950, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under said promissory note,

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, Heinz Wenzel, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on August 13, 1952.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Acting Director,
Office of Alien Property.

[F. R. Doc. 52-9074; Filed, Aug. 15, 1952;
8:59 a. m.]

MARIA MARASCO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Maria Marasco, a/k/a Mariantonia Gallo, Rogliano, Cosenza, Italy; Claim No. 42164; \$1,712.88 in the Treasury of the United States. Certificate No. 4000, representing stock purchase warrant for 50/500 share of stock of Stokely Foods, Inc., deposited with Federal Reserve Bank of New York.

Executed at Washington, D. C., on August 8, 1952.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Acting Director,
Office of Alien Property.

[F. R. Doc. 52-9075; Filed, Aug. 15, 1952;
8:59 a. m.]