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Washington, Tuesday, October 3, 1944

The President

EXECUTIVE ORDER 9485

RELINQUISHING POSSESSION OF THE PLANT AND FACILITIES OF REMINGTON RAND INC. IN THE TOWN OF SOUTHPORT, COUNTY OF CHEMUNG, STATE OF NEW YORK

WHEREAS by Executive Order No. 9399, dated November 25, 1943, the Secretary of the Navy was authorized and directed to take possession of and operate that part of the plant of Remington Rand Inc. known as the "N" Division of the Elmira plant of said company located in the Town of Southport, County of Chemung, State of New York, in order to produce essential war materials and to do all things necessary and incidental to that end; and

WHEREAS, pursuant to the said Executive order, the Secretary of the Navy took possession of the said plant on November 25, 1943, and has retained possession since that date; and

WHEREAS the United States and Remington Rand Inc. have entered into contractual relations whereby the said plant may be occupied, used, and operated by the United States, its agents or contractors; and

WHEREAS it now appears, and I have determined, that the said plant will be operated in a manner consistent with the war effort:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and laws of the United States, I hereby direct the Secretary of the Navy to relinquish, as of the close of business on September 30, 1944, the possession of the said plant taken pursuant to the said Executive Order No. 9399 of November 25, 1943, and to issue the necessary orders to carry out this direction.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 29, 1944.

[F. R. Doc. 44-15177; Filed, Sept. 30, 1944; 8:11 p. m.]

EXECUTIVE ORDER 9486

TRANSFERS OF FUNCTIONS WITH RESPECT TO NON-NECESSITY CERTIFICATES FROM THE SECRETARY OF WAR AND THE SECRETARY OF THE NAVY TO THE CHAIRMAN OF THE WAR PRODUCTION BOARD

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941 (55 Stat. 838), and as President of the United States, and in order to enable the Chairman of the War Production Board more effectively to carry out his responsibilities with respect to the regulation of production and supply of materials, articles, and equipment, and services required for the national defense, it is ordered as follows:

The functions, powers, and duties conferred upon the Secretary of War and the Secretary of the Navy with regard to the certification pursuant to section 124 (d) of the Internal Revenue Code, that an emergency facility ceased, on the date specified in the certificate, to be necessary in the interest of national defense during the emergency period, are hereby transferred from the Secretary of War and the Secretary of the Navy to the Chairman of the War Production Board.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 30, 1944.

[F. R. Doc. 44-15233; Filed, Oct. 2, 1944; 10:56 a. m.]

EXECUTIVE ORDER 9487

REGULATIONS GOVERNING THE ISSUANCE OF NON-NECESSITY CERTIFICATES UNDER SECTION 124 (d) OF THE INTERNAL REVENUE CODE

WHEREAS the functions, powers, and duties of the Secretary of War and the Secretary of the Navy with regard to certification pursuant to section 124 (d) of the Internal Revenue Code, that an emergency facility ceased, on the date specified in the certificate, to be necessary in the interest of national defense during the emergency period, have been trans-

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.

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ferred to the Chairman of the War Production Board by Executive order¹ of this date:

NOW, THEREFORE, by virtue of the authority vested in me by section 124 (d) of the Internal Revenue Code, I hereby prescribe the following regulations governing the issuance of Non-Necessity Certificates under section 124 (d) of the Internal Revenue Code:

1. *Definitions.* As used throughout these regulations:

(a) "Emergency facility" means any facility, land, building, machinery, or equipment, or part thereof, the construction, reconstruction, erection, installation, or acquisition of which was completed after December 31, 1933, and with respect to which a Necessity Certificate has been made.

(b) "Necessity Certificate" means a certificate made pursuant to section 124 (f) of the Internal Revenue Code, as amended, certifying that the construction, reconstruction, erection, installation, or acquisition of the facility, referred to in the certificate, is necessary in the interest of national defense during the emergency period.

(c) "Emergency period" means the period beginning January 1, 1940, and ending on the date on which the President proclaims that the utilization of a substantial portion of the emergency facilities with respect to which certifications under section 124 (f) of the Internal Revenue Code have been made is no longer required in the interest of national defense.

(d) "Non-Necessity Certificate" means a certificate made pursuant to section

¹ E.O. 9486, *supra*.

124 (d) of the Internal Revenue Code, certifying that an emergency facility ceased, on the date specified in the certificate, to be necessary in the interest of national defense during the emergency period.

(e) "Certifying authority" means the Chairman of the War Production Board or his duly authorized representative.

2. *Determination of non-necessity.* An emergency facility shall be considered as having ceased to be necessary in the interest of national defense during the emergency period and a Non-Necessity Certificate with respect thereto shall be promptly issued by the certifying authority upon proper application therefor where, in view of the condition, location and ownership of such emergency facility, the certifying authority has determined that no presently foreseeable substantial need for such emergency facility exists in the interests of national defense.

3. *Procedure.* The certifying authority is empowered to obtain reports and recommendations from such government agencies as it may designate.

4. *Date to be specified in certificate.* The certificate will specify the date on which the emergency facility ceased to be necessary in the interest of national defense.

5. *Form of application.* An application for a Non-Necessity Certificate shall be in the form prescribed by the certifying authority.

6. *Place of filing application.* An application for a Non-Necessity Certificate shall be filed with the War Production Board in Washington, D. C., or at any other office designated by the certifying authority.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
September 30, 1944.

[F. R. Doc. 44-15234; Filed, Oct. 2, 1944;
10:56 a. m.]

EXECUTIVE ORDER 9484

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE FARRELL CHEEK STEEL COMPANY, LOCATED AT SANDUSKY, OHIO

Correction

In paragraph 1 of Executive Order 9484, appearing at page 11731 of the issue for Tuesday, September 26, 1944, "Farrell Check Steel Company" should read "Farrell Cheek Steel Company" wherever it occurs.

Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration
(Production Orders)

[WFO 9-15]

PART 1220—FEED

SET ASIDE REQUIREMENTS FOR PROCESSORS OF OILSEED FOR NOVEMBER 1944

Pursuant to the authority vested in me by War Food Order No. 9 (8 F.R. 16960,

9 F.R. 3475, 4319, 8767, 10747, 10926), issued on December 18, 1943, and to effectuate the purposes of such order pertaining to set aside requirements for oilseed meal produced by processors, and to secure an equitable distribution of such oilseed meal, it is hereby ordered that:

§ 1220.18 *Set aside requirements for processors of oilseed for November 1944—*
(a) *Amount to be set aside.* Each processor shall set aside at each processing plant operated by him 20 percent of his production of cottonseed, soybean, linseed and peanut oil meal, cake or pellets (hereinafter called "oilseed meal"), during November 1944.

(b) *Sale and delivery of oilseed meal set aside.* (1) Oilseed meal set aside pursuant to this order shall not be sold or delivered by any processor except to a buyer named in a Certificate of Designated Buyer issued by the Agricultural Conservation Committee for the State or county in which the buyer's farm or establishment is located or by the Chief of the Feed Management Branch, Office of Production, War Food Administration. The certificate shall be in substantially the following form:

No. _____
State and county code
and order number
Date issued _____ 194____
CERTIFICATE OF DESIGNATED BUYER
_____ is authorized
(Name and address)
to purchase and accept delivery of _____
(tons—pounds)
of _____ oilseed _____
(Kind) (Meal—cake or pellet)
from amounts set aside by _____
(Name of processor)
of _____ to be ordered
(Address of processor)
through _____, pursuant
(Name, address of jobber)
to the order of the Director of Production.
(If, for any reason, delivery of oilseed meal cannot be made, this certificate shall be returned by the processor to the issuing Agricultural Conservation Committee with the reasons why delivery was not made.)

(Agricultural Conservation Committee)
of _____
(Address)
By _____
(Chairman or designated member)
OFFICE OF PRODUCTION
J. B. HUTSON,
Director
Expiration date _____

(2) Shipment of any oilseed meal, set aside pursuant to this order must be made by a processor within twelve days of the receipt of any such certificate.

(3) The original and the processor's copy of appropriately executed certificates shall be sent by the person responsible for their issuance directly to the processor and a copy shall be sent to the designated buyer. The designated buyer and the processor shall arrange the details of transfer of materials designated on the certificate, using such intermediary parties as the processor may designate. The processor who delivers such oilseed meal pursuant to a certificate shall file such certificate as required

under the provisions of paragraph (d) (2).

(4) No processor shall be required to honor a Certificate of Designated Buyer for oilseed meal set aside pursuant to this order unless the designated buyer furnishes the processor or his agent with (i) shipping instructions, and, in the case of a designated buyer other than a feeder, (ii) the statement required by paragraph (h) of War Food Order No. 9 before midnight of the expiration date shown on the certificate. If a processor elects not to honor a Certificate of Designated Buyer pursuant to this paragraph, he shall return such certificate to the issuing officer and he may dispose of the oilseed meal covered by such certificate free from the restrictions of this order. The expiration date for any Certificate of Designated Buyer issued under this order shall be not later than November 15, 1944, unless a later date (but in no event later than November 20, 1944) is authorized by the Chief of the Feed Management Branch, Office of Production, War Food Administration. No processor, however, shall be required to honor any certificate bearing an expiration date later than November 15, 1944, unless required to do so by notice from the Chief of the Feed Management Branch received before midnight of that date. In such case, the processor will be required to honor Certificates of Designated Buyers bearing expiration dates later than November 15, 1944, but not later than November 20, 1944. Any oilseed meal set aside pursuant to this order for which the processor has received no certificate before midnight of November 15, 1944 (or later, but not later than November 20, 1944, if the notice provided for herein is received from the Chief of the Feed Management Branch), may be disposed of by the processor free from the restrictions of this order: *Provided, however*, That the provisions of this paragraph shall not apply to oilseed meal required to be set aside by this order which has not heretofore been reported to the Director.

(c) *Existing contracts.* If this order makes it impossible for a processor to fill all of his contracts for the delivery of oilseed meal, which are in existence on the date of the issuance of this order, he shall not, by reason of this order, refuse to make delivery of more than 20 percent of the oilseed meal covered by any such contract.

(d) *Processor's reports—*(1) *Report of estimated November production, set aside tonnage, and intended distribution.* Each processor subject to this order shall file a report with the Director on FPA Form 3 not later than November 15, 1944, for each plant operated by him.

(2) *Report of November tonnage set aside and deliveries made.* Each processor subject to this order shall file a report with the Director on FPA Form 2 not later than December 10, 1944, for each plant operated by him. Certificates of Designated Buyers, pursuant to which oilseed meal has been delivered, shall be attached to and made a part of FPA Form 2.

(e) *Certificates issued by County Agricultural Conservation Committees.* No

County Agricultural Conservation Committee shall issue Certificates of Designated Buyers unless authorized to do so by its State Agricultural Conservation Committee.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order, unless instructions to the contrary are issued, shall be addressed to the Director of Production, War Food Administration, Washington 25, D. C., Ref.: WFO 9-15.

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

Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

(54 Stat. 676; 55 Stat. 236; 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 9, 8 F.R. 16960, 9 F.R. 3475, 4319, 8767, 10747, 10926)

Issued this 29th day of September 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44-15246; Filed, Oct. 2, 1944;
11:14 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79, Amdt. 5]

PART 1401—DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

War Food Order No. 79, 9 F.R. 4321, 4319 (previously issued by the War Food Administrator on September 7, 1943, as Food Distribution Order No. 79, 8 F.R. 12426, as amended, 8 F.R. 13283) is further amended as follows:

Delete from § 1401.29 (a) (4) the symbol "(1)" and the words "and (ii) cottage, pot, or baker's cheese." Substitute a period for the semicolon which appears before the expression deleted.

This amendment shall become effective at 12:01 a. m., e. w. t., October 1, 1944. With respect to any violation of said War Food Order No. 79, as amended, or any of the orders issued pursuant thereto, any right accrued, or liability incurred, prior to the effective time of this amendment, all of the provisions of WFO 79, as amended, and each of the orders issued pursuant thereto shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 28th day of September 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-15101; Filed, Sept. 29, 1944;
12:15 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T D. 5405]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

PERIOD IN WHICH COMPENSATION UNDER CANCELED GOVERNMENT CONTRACT IS RETURNABLE

Correction

The part heading for Treasury Decision 5405, which appears on page 11736 of the issue for Tuesday, September 26, 1944, and is filed as F.R. Doc. 44-14712, should read as set forth above.

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

WAGE ADJUSTMENTS: PAINTING OUTDOOR ADVERTISING BILLBOARDS

The National War Labor Board has amended subparagraph (34) under paragraph (d) of § 803.4 (General Order No. 4) by striking out the words "painting outdoor advertising billboards".

(E.O. 9250, 7 F.R. 7871)

Approved: September 27, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-15190; Filed, Oct. 2, 1944;
9:49 a. m.]

PART 803—GENERAL ORDERS

WAGE ADJUSTMENTS; UPHOLSTERERS AND PHARMACISTS

The National War Labor Board, under paragraph (d) of § 803.4 (General Order No. 4), has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

(41) All employers in the upholstery industry in the City and County of San Diego, California. For the purposes of this paragraph this industry is defined as follows:

The manufacturing, repairing, recovering, remodeling and renovation of all kinds and types of upholstered furniture.

(42) All pharmacists in Region IX of the National War Labor Board comprising the States of Colorado, New Mexico, Montana, Wyoming, Utah and Idaho.

(E.O. 9250, 7 F.R. 7871)

Approved September 27, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-15191; Filed, Oct. 2, 1944;
9:49 a. m.]

Chapter IX—War Food Administrator (Agricultural Labor)

[Specific Wage Ceiling Reg. 31]

PART 1108—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF IDAHO

WORKERS ENGAGED IN PICKING POTATOES IN CERTAIN IDAHO COUNTIES

§ 1108.2 *Wages of workers engaged in picking potatoes in the Counties of*

Bannock, Bingham, Bonneville, Butte, Fremont, Jefferson, Madison, Power, and Teton, State of Idaho. Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as amended on July 8, 1944 (9 F.R. 7645), entitled "Specific Wage Ceiling Regulations," and based upon a certification of the Idaho WFA Wage Board that a majority of the producers of potatoes in the area affected have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Idaho WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking potatoes in the Counties of Bannock, Bingham, Bonneville, Butte, Fremont, Jefferson, Madison, Power, and Teton, State of Idaho, are agricultural labor as defined in § 4001.1(1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates; maximum wage rates for picking potatoes.*

(1) 10 cents per 120-pound sack for yields of 200 or more sacks per acre.

(2) 11 cents per 120-pound sack for yields of 150-199, incl., sacks per acre.

(3) 12 cents per 120-pound sack for yields of 100-149, incl., sacks per acre.

(4) 14 cents per 120-pound sack for yields of 80-99, incl., sacks per acre.

(5) 16 cents per 120-pound sack for yields of 60-79, incl., sacks per acre.

Yields under 60 sacks per acre shall be individually adjusted on a rate based on 120-pound sacks.

(c) *Administration.* The Idaho WFA Wage Board located in Room 621, Idaho Building, Boise, Idaho, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation 31 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645), and the provisions of such regulations shall be applicable to this specific wage ceiling regulation 31 and any violation of this specific wage ceiling regulation No. 31 shall constitute a violation of such specific wage ceiling regulations.

(e) *Termination.* This specific wage ceiling regulation No. 31 shall expire at 11:59 p. m. Mountain War Time, December 31, 1944: *Provided, however,* That the provisions of this specific wage ceiling regulation No. 31, after that time, shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution, or administrative or other proceeding theretofore or thereafter commenced with respect to any violation committed

or right or liability accruing under or pursuant to the terms of those provisions of this specific wage ceiling regulation No. 31.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9641, 9 F.R. 831, 7645)

Issued this 30th day of September 1944.

GEORGE W. HILL,
Chief, Program Branch, and
Acting Director of Labor,
War Food Administration.

[F. R. Doc. 4-15247; Filed, Oct. 2, 1944;
11:15 a. m.]

[Specific Wage Ceiling Reg. 32]

PART 1108—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF IDAHO

WORKERS ENGAGED IN PICKING POTATOES IN CERTAIN IDAHO COUNTIES

§ 1108.3 *Wages of workers engaged in picking potatoes in the Counties of Cassia, Gooding, Jerome, Lincoln, Minidoka, and Twin Falls, State of Idaho.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as amended on July 8, 1944 (9 F.R. 7645), entitled "Specific Wage Ceiling Regulations," and based upon a certification of the Idaho WFA Wage Board that a majority of the producers of potatoes in the area affected have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Idaho WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking potatoes in the Counties of Cassia, Gooding, Jerome, Lincoln, Minidoka, and Twin Falls, State of Idaho, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates; maximum wage rates for picking potatoes.*

(1) 10 cents per 120-pound sack for yields of 200 or more sacks per acre.

(2) 11 cents per 120-pound sack for yields of 150-199, incl., sacks per acre.

(3) 12 cents per 120-pound sack for yields of 100-149, incl., sacks per acre.

(4) 14 cents per 120-pound sack for yields for 80-99, incl., sacks per acre.

(5) 16 cents per 120-pound sack for yields of 60-79, incl., sacks per acre.

Yields under 60 sacks per acre shall be individually adjusted on a rate based on 120-pound sacks.

(c) *Administration.* The Idaho WFA Wage Board located in Room 621, Idaho Building, Boise, Idaho, will have charge of the administration of this order in

accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation 32 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645), and the provisions of such regulations shall be applicable to this specific wage ceiling regulation 32 and any violation of this specific wage ceiling regulation No. 32 shall constitute a violation of such specific wage ceiling regulations.

(e) *Termination.* This specific wage ceiling regulation No. 32 shall expire at 11:59 p. m. Pacific war time December 31, 1944; *Provided, however,* That the provisions of this specific wage ceiling regulation No. 32, after that time, shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution, or administrative or other proceeding theretofore or thereafter commenced with respect to any violation committed or right or liability accruing under or pursuant to the terms of those provisions of this specific wage ceiling regulation No. 32.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9641, 9 F.R. 831, 7645)

Issued this 30th day of September 1944.

GEORGE W. HILL,
Chief, Program Branch, and
Acting Director of Labor,
War Food Administration.

[F. R. Doc. 44-15248; Filed, Oct. 2, 1944;
11:14 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control [Amdt. 233]

PART 810—PROCEDURE RELATING TO SHIPMENTS OF LICENSED EXPORTS TO CERTAIN DESTINATIONS

SEA FREIGHT TO DESIGNATED COUNTRIES

Subchapter B—Export Control is hereby amended by adding thereto Part 810 as follows:

- Sec.
810.1 Applicability.
810.2 Non-applicability.
810.3 Shipments not requiring statements of cargo availability.
810.4 Shipments requiring statements of cargo availability.
810.5 Form of statement of cargo availability.
810.6 Filing procedure.

AUTHORITY: §§ 810.1 to 810.6, inclusive, issued under Sec. 6, 54 Stat. 714; Pub. Law 75,

77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320.

§ 810.1 *Applicability.* (a) The regulations prescribed in §§ 810.3 to 810.6 apply to exportations of all commodities set forth in § 801.2 of this subchapter under any type of export license to be made by sea freight to any of the following destinations:

Angola (Portuguese West Africa).
Belgian Congo.
British West Africa, including Nigeria, British Cameroons, Gambia, Sierra Leone, Gold Coast including Ashanti and Northern Territory, and British Togoland.
French Cameroons.
French Equatorial Africa.
French Guiana.
French West Indies, including Desirade, Guadeloupe, Les Saintes Martinique, Marie Galante, St. Martin (northern part), and St. Bartholomew.
Liberia.
Madagascar.
Mozambique (Portuguese East Africa).
Reunion.

§ 810.2 *Non-applicability.* None of the regulations in this part apply to liquid commodities licensed for export to be shipped in bulk by tanker, or to commodities to be exported under general license "GUS."

§ 810.3 *Shipments not requiring Statements of Cargo Availability.* (a) Shipments of any commodity licensed for export to any destination listed in § 810.1 of this part, weighing less than 2240 pounds (even though it is a partial shipment of a larger licensed quantity) may be booked by the exporter or his agent directly with the steamship company without the submission of a Statement of Cargo Availability or compliance with the procedure set forth in §§ 810.4 to 810.6 of this part.

(b) Where the entire quantity of a commodity or commodities is ready to be shipped at the same time the exporter or his agent may not split such commodity or commodities into shipments weighing less than 2240 pounds in order to arrange direct booking with the steamship company. Nothing herein contained shall prohibit the exporter or his agent from making partial or periodic shipments under § 804.2 of this subchapter.

§ 810.4 *Shipments requiring Statements of Cargo Availability.* (a) No shipment of any commodity or commodities weighing 2240 pounds or more for which a license has been issued permitting the exportation thereof may be exported unless:

(1) The exporter or his agent has submitted a Statement of Cargo Availability covering such shipment on the form and in the manner prescribed by these regulations.

(2) Such shipment has been certified for booking with a steamship company by the Foreign Economic Administration.

(3) Such shipment has been booked with a steamship company within ninety (90) days after the Statement of Cargo Availability has been approved and the

shipment certified for booking unless the period within which such shipment may be booked has been extended by the Foreign Economic Administration. In the case of commodities which, because of their bulk or the necessity for special handling, require special consideration with respect to the period of movement, the provision that such shipment shall be booked with a steamship company within such ninety (90) day period shall not apply. If the shipment has been booked with a steamship company within ninety (90) days after the Statement of Cargo Availability has been certified for booking, the actual date of loading aboard a vessel may take place after such ninety (90) day period.

(4) The shipment has been transported to or within a port area from which the shipment is to be made pursuant to an effective unit permit issued by or under the authority of the Office of Defense Transportation, unless such unit permit is not required for the movement of the particular shipment.

(b) If the entire shipment covered by a Statement of Cargo Availability is not exported at the same time on the same vessel, such Statement of Cargo Availability shall become invalid with respect to the unshipped balance described therein. In such case, if the commodities remaining unshipped exceed 2240 pounds in gross weight, a new Statement of Cargo Availability may be filed covering the balance of the shipment.

§ 810.5 *Form of Statement of Cargo Availability.* A Statement of Cargo Availability shall be made on Form FEA-138 in accordance with the instructions for use of such form as prescribed by the Requirements and Supply Branch. All provisions, instructions, terms and conditions contained in the form are hereby incorporated as a part of the regulations in this subchapter, except insofar as inconsistent with the provisions of the regulations in this part, in which event the regulations in the part shall govern.

§ 810.6 *Filing procedure.*—(a) *Who may file.* Any person to whom an export license has been granted or his agent may file Statements of Cargo Availability. Any person authorized to export under a general license or the agent of any such person may file Statements of Cargo Availability.

(b) *Where to file.* Statements of Cargo Availability (Form FEA-138) shall be filed with the Transportation and Storage Division, Foreign Economic Administration, 61 Broadway, New York 6, New York.

(c) *Preparation of Statements of Cargo Availability.* (1) A separate Statement of Cargo Availability may be submitted for each part of a licensed exportation as such part becomes ready for shipment, except that no application need be filed for a partial shipment which is less than 2,240 pounds in gross weight.

(2) Where the applicant desires to ship a number of commodities destined to one or more ultimate consignees or purchasers from one or more licensees (or one or more exporters in the case of commodities moving under general license), and the shipment is made by a

single consignor to a single consignee, one consolidated Statement of Cargo Availability may be filed.

(3) If the proposed shipment includes commodities moving under individual license or licenses, separate Statements of Cargo Availability may be filed for the commodities moving under individual license and the commodities moving under general license.

(4) Where the Statement of Cargo Availability is for commodities to be shipped under general license, the general license number shall be placed in the blank space requiring a license number.

(5) In answer to the question pertaining to gross weight and cubic measurement (if shipped on a measurement basis) an approximation may be made if exact figures are not ascertainable.

(6) The description of the commodities shall be stated in the same terms required for description of commodities in applications for individual licenses.

(7) No Statement of Cargo Availability for commodities under general license shall be submitted unless and until the applicant has a firm order for the commodities covered by the statement from the purchaser stated therein.

(d) *Certain commodities; multiple consignees.* Statements of Cargo Availability may specify more than one consignee subject to the following conditions:

(1) All consignees named must be located at a single foreign port.

(2) The names and addresses of all proposed consignees shall be listed and a copy thereof attached as a part thereof to each copy of the Statement of Cargo Availability submitted. This list shall be typewritten in a vertical column and shall not bear evidence of erasure or alteration.

(3) One or more of the proposed consignees may be rejected, the quantity reduced, or both, by the Foreign Economic Administration by noting the same thereon.

(e) *In transit shipments.* Whenever a Statement of Cargo Availability is required in connection with any shipment proceeding under a general in transit license, the spaces in the application form for the name and address of the consignor shall contain the name and address of the original consignor in the foreign country and the name and address of the United States shipper or forwarder.

This amendment shall become effective October 1, 1944, except that shipments weighing 2,240 pounds or more covered by freight space applications filed with the War Shipping Administration prior to October 1, 1944, and approved by the War Shipping Administration, may be exported without compliance with these regulations until November 30, 1944, and except that shipments weighing 2,240 pounds or more covered by freight space applications filed with the British Ministry of War Transport prior to October 1, 1944, and approved by the British Ministry of War Transport may be exported without com-

pliance with these regulations until December 15, 1944.

Dated: September 30, 1944.

S. H. LEBENSBERGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-15192; Filed, Oct. 2, 1944;
10:00 a. m.]

[Amdt. 234]

PART 801—GENERAL REGULATIONS

REFUNDS OF SUBSIDY PAYMENTS FOR DRY EDIBLE BEANS

Paragraph (d) *Schedule A* of § 801.16 *Refunds of subsidy payments* is hereby amended by adding thereto the following schedule of refunds to be made by exporters of dry edible beans of the 1943 crop purchased on or after August 3, 1944 on the basis of the pricing provisions of the Second Revised Maximum Price Regulation No. 270 issued by the Office of Price Administration on July 29, 1944:

Dry Edible Beans, 1943 crop, purchased on or after August 3, 1944 on basis of Second Revised Maximum Price Regulation No. 270.

Class	Refund per cwt.	
	U. S. No. 1	U. S. C. H. P. U. S.
	U. S. No. 2	Extra No. 1
	Cents	Cents
Medium White.....	30	30
Pea.....	43	43
Great Northern.....	38	28
Small White.....	38	38
Flat Small White.....	38	38
Small Red.....	38	28
Cranberry (other than Western).....	33	23
Cranberry (Western).....	0	0
Pink.....	18	18
Pinto.....	28	18
Baby Lima.....	48	48

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320; Delegation of Authority 55, 9 F.R. 7512)

Dated: September 18, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-15193; Filed, Oct. 2, 1944;
10:00 a. m.]

[Amdt. 235]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS ITEMS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars: In the column headed "General License Group" the group and country designations assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby amended to read as follows:

Commodity	Department of Commerce No.	General license group
Brass and bronze:		
Other brass and bronze manufactures, n. e. s.....	6479.98	None
Mattress ventilators.....	6479.98	K
All other brass and bronze manufactures, n. e. s.....	6479.98	None
Chemical specialties:		
Cellulose acetate plastic film support.....	8267.00	K
Pyroxylin plastic film support or base (containing less than 12 percent nitrogen).....	8263.00	K
Electrical machinery and apparatus:		
Battery chargers, nonrotating, complete.....	7028.00	None
For automotive use.....	7028.00	None
Tungar, rectigon and rectifier tubes and bulbs.....	7028.00	K
Other complete battery chargers nonrotating.....	7028.00	None
Curling irons, coffee percolators, toasters and waffle irons containing mica.....	7073.05	K
Razors, electric, containing mica.....	7099.15	K
Razors, electric, other.....	7099.18	K
Other domestic heating or cooking utensils and parts.....	7073.98	K
Industrial machinery:		
Other industrial machinery & parts, n. e. s.....	7750.98	None
Coffee mills & parts, power.....	7750.98	K
Popcorn machines & parts electric.....	7750.98	K
Other industrial machinery & parts, n. e. s.....	7750.98	None
Jewelry:		
Jewelry findings, parts & materials.....	9635.00	None
Of solid gold, platinum, palladium or precious stones.....	9635.00	None
Other jewelry findings, parts, & materials.....	9635.00	K
Nonmetallic minerals:		
Nonmetallic mineral products, except precious, n. e. s. (include dead burned dolomite, crushed stone, gravel, crushed slate, siliceous, crude chalk & chalk manufactures) (report chalk crayons in 9306.00).....	5960.98	None
Flints, gas light.....	5960.98	K
Other nonmetallic mineral products, except precious, n. e. s.....	5960.98	None
Optical goods:		
Optical lenses, not fitted to instruments.....	9147.00	None
Photographic & projection lenses except 35 mm projection lenses.....	9147.00	K
Other optical lenses, not fitted to instruments.....	9147.00	None
Toys, athletic and sporting goods:		
Ice skates.....	9440.00	K
With shoes attached.....	9440.00	K
Other.....	9440.00	K

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: September 22, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-15194; Filed, Oct. 2, 1944;
10:00 a. m.]

[Amdt. 236]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; FRUITS

Section 801.2 *Prohibited exportations* is hereby amended in the following par-

ticulars; In the column headed "General License Group" the group and country designations assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby amended to read as follows:

Commodity	Department of Commerce No.	General license group
Subtropical fruits, fresh:		
Grapefruit.....	1302.00	K
Lemons and limes.....	1303.00	K
Oranges and tangerines.....	1305.00	K
Other fruits, fresh:		
Apples in barrels.....	1312.00	K
Apples in baskets.....	1310.00	K
Apples in boxes.....	1311.00	K
Pears.....	1316.00	K

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: September 27, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-15195; Filed, Oct. 2, 1944;
10:00 a. m.]

Chapter IX—War Production Board Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3686, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATION OF AUTHORITY

[Directive 34, Revocation]

MAGNESIUM PRODUCT DELIVERIES

Section 903.47 Directive No. 34, dated January 15, 1944, is hereby revoked.

Issued this 30th day of September 1944.

S. W. ANDERSON,
Program Vice Chairman.

[F. R. Doc. 44-15136; Filed, Sept. 30, 1944;
10:56 a. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this Subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3686, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-626]

PORTLAND BOLT & MFG. CO.

Portland Bolt & Mfg. Co. is an Oregon corporation, engaged in the manufacture of bolts and kindred products, and job galvanizing of steel products manufactured by others. During the fourth quarter of 1943, it failed to return as unused 155,246 pounds, or 27.8%, of its allotment of carbon steel, in violation of CMP Regulation 1. During the fourth quarter of 1943, it used the preference

rating assigned by CMP Regulation 5 to obtain \$426.73 of maintenance, repair and operating supplies in excess of its quota, and in violation of the Regulation. During the fourth quarter of 1943 and the first quarter of 1944, it failed to maintain adequate records as required by CMP Regulation 1 and Priorities Regulation No. 1. The responsible officers of Portland Bolt & Mfg. Co. were aware of these regulations of the War Production Board and the corporation's violations of CMP Regulations 1 and 5 and Priorities Regulation No. 1 were wilful.

These violations have diverted critical materials to uses not authorized by the War Production Board and have interfered with the allocation controls established by the War Production Board, and they have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.626 Suspension Order No. S-626. (a) Portland Bolt & Mfg. Co. shall not put into process or continue to process any controlled materials (as listed in Schedule I to CMP Regulation 1) in the manufacture of products except to fill orders rated AA-1 or higher or orders identified by symbol for the Army, Navy or Maritime Commission, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Portland Bolt & Mfg. Co., its successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on September 29, 1944, and shall expire on December 29, 1944.

Issued this 19th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15128; Filed, Sept. 29, 1944;
4:40 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 16 as Amended
Sept. 30, 1944]

PROCEDURE FOR APPEALING FROM WAR PRODUCTION BOARD ORDERS

§ 944.37 Priorities Regulation 16—(a) Purpose and scope. This regulation states the procedure for appealing from all War Production Board orders, determinations and regulations except suspension orders. An appeal, as the word is used in this regulation, means a request for individual relief from action taken by the War Production Board, and does not include an initial application or request for an authorization, a preference rating, an allocation or any other administrative action expressly contemplated by the orders and regulations of the Board.

(b) Where appeals are filed. An appeal from an order appearing on List A of this regulation must be filed with the field office of the War Production Board for the district in which is located

the plant or branch of the appellant to which the appeal relates. Appeals from other orders containing Appeals clauses must be filed where the orders direct. Appeals from regulations and orders and other actions not appearing on List A and which do not contain Appeals clauses, should be directed to "Appeals Routing Unit, War Production Board, Washington 25, D. C."

As an exception to the foregoing provisions of this paragraph (b), a person who in connection with the subject matter of his appeal is also making an application on any form which he is instructed to file in a field office may, at his election, attach his appeal to the application and file both with the appropriate field office of the War Production Board.

(c) Forms on which appeals are filed. The provisions of (1) and (2) of this paragraph are applicable to all appeals. An appeal not in proper form may be returned to the appellant without action.

(1) Statement of grounds for appeal. Except in a case of an appeal from an order containing an appeals clause which specifies filing upon a particular form or by letter, an appeal must be filed on Form WPB-1477, referring to the provision appealed from and stating fully the grounds for the appeal.

(2) Statement of manpower requirements. Unless the Appeals clause of an order specifically provides otherwise, every appeal filed after October 15, 1944, must be accompanied by a Statement of Manpower Information on Form WPB-3820 (section II only) where a grant of the appeal, whether in whole or in part, would result in an increase over current production of any product by the person making the appeal or would result in new production of a product not now being produced by him. However, if such person will also apply to make the product, for which the appeal is filed, under CMP Regulation 1, Priorities Regulation 11B, or Priorities Regulation 25; or will apply on Form WPB-617 for an authorization to construct facilities required to produce the product for which the appeal is filed, Form WPB-3820 need not be filed with the appeal. When Form WPB-3820 is filed with an appeal on Form WPB-1477, Questions D-2 and D-3 on Form WPB-1477 need not be answered.

If the appellant will not himself make the product to which the appeal relates (or, if the appeal is from other than a manufacturing restriction, will not use the product covered by the appeal), the WPB-3820 must be prepared and signed by the person who will make (or use) such product.

In any case where Form WPB-3820 is not required by this paragraph, the appeal must be accompanied by a letter stating that (i) no increase by him over current production of any product, and

no new production of a product not now produced by him will result from the granting of the appeal, or (ii) an application covering the proposed product is being made under CMP Regulation 1, Priorities Regulation 11B, Priorities Regulation 25, or that an application for an authorization to begin construction is being made on Form WPB-617.

(d) *Grants.* The grant of any appeal in whole or in part will be issued in the name of the War Production Board, countersigned or attested by the Executive Secretary or Recording Secretary, in accordance with WPB Regulation No. 1 (§ 903.0). The grant will show the official or the organizational unit on whose recommendation the action was finally taken, by a phrase such as "on the recommendation of the Appeals Board" or "on the recommendation of the Administrator of Order —."

(e) *Denials.* When an appeal is denied in all respects, the letter of denial will be signed by the official or organizational unit responsible.

(f) *Reconsideration of denials.* If an appellant whose appeal has been denied in whole or in part wishes the appeal to be reconsidered he should request such reconsideration by letter directed to the official or organizational unit responsible for the denial or, in the case of an appeal granted in part and denied in part, the official or organizational unit named in the grant as having recommended it. Every denial of an appeal may be reconsidered except that:

(1) The denial of any appeal, in whole or in part, by or on the recommendation of the Appeals Board, shall be final.

(2) The denial of an appeal from an "R" order by or on the recommendation of the Office of Rubber Director, and the denial of an appeal from a "U" order by or on the recommendation of the Office of War Utilities, shall be final.

(3) The denial of an appeal from action taken on an application for an authorization, a preference rating, an allocation or other administrative action, by or on the recommendation of the division of the War Production Board having jurisdiction of the subject matter of the application, shall be final.

(4) The denial of an appeal from an order directed to an individual and not of general applicability, by or on the recommendation of the division of the War Production Board having jurisdiction over the subject matter of the appeal, shall be final.

A final denial of an appeal may be reconsidered only if the official or the organizational unit responsible for the denial elects to reopen the case.

(g) *Public files.* Whenever an appeal has been granted, a public file shall be set up, consisting of the following:

(1) All papers filed by the appellant in support of the appeal.

(2) A memorandum containing the final recommendations of each organizational unit of the War Production Board which has considered the appeal.

(3) A transcript of the record of any public hearing held with respect to the appeal (or if the stenographic notes of the hearing have not been transcribed, a memorandum referring to the notes

and stating how a transcript may be obtained).

The file shall be available for the public inspection at any time during the business hours of the War Production Board. This paragraph shall not apply to appeals first filed prior to the effective date of this regulation.

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.

Issued this 30th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

[NOTE: List A amended Sept. 30, 1944.]

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E-5-a	L-173
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E-7	L-176
E-8	L-179
E-10	L-180
E-11	L-182
L-1-e	L-185
L-1-h	L-192
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L-2-g	L-199
L-5-c	L-201
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L-13-a	L-216
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L-21-a	L-235
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L-30-a	L-257
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L-38	L-285
L-42	L-287
L-49	L-292
L-51	L-322
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L-53-b	L-332
L-59-b	L-336
L-64	M-11
L-65	M-11-a
L-65-a	M-11-1
L-71	M-12
L-71-a	M-18-b
L-73	M-19
L-74	M-30
L-75	M-38
L-77	M-53
L-78	M-54
L-79	M-65
L-81	M-69
L-89	M-122
L-92	M-126
L-98	M-154
L-107	M-177
L-111	M-186
L-112	M-211
L-123	M-216-a
L-126	M-216-b
L-140-a	M-234
L-140-b	M-241-a
L-142	M-248
L-150	M-290
L-150-a	M-294
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L-158	M-319

[F. R. Doc. 44-15138; Filed, Sept. 30, 1944;
10:56 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-577, Reinstatement and Amendment]

SPRINGFIELD MILL SUPPLY, INC.

The Springfield Mill Supply, Inc., 516 East Cecil Street, Springfield, Ohio, a dealer in metal products, including machine equipment and tools and precision gages was suspended effective July 10, 1944 by Suspension Order No. S-577. It appealed from the provisions of the suspension order and, pending determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on July 11, 1944. The appeal has been considered by the Deputy Chief Compliance Commissioner who has concluded that the present suspension order might permanently affect the business of the respondent in a manner unforeseen, and has therefore directed that the stay be terminated, the suspension order be reinstated and that the suspension order be amended. In view of the foregoing:

It is hereby ordered, That: § 1010.577 Suspension Order No. S-577 issued July 3, 1944, and effective July 10, 1944, be and hereby is reinstated as of September 29, 1944 and shall expire November 25, 1944; the stay of execution directed by the Chief Compliance Commissioner on July 11, 1944, be and hereby is revoked as of September 29, 1944; and that paragraph (a) of the order be amended by substituting the words "deliveries of calipers, depth gages, height gages and micrometers" in place of the words "deliveries of gages and precision measuring hand tools" appearing at the beginning of the paragraph.

Issued this 29th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15129; Filed, Sept. 29, 1944;
4:40 p. m.]

PART 1168—PASSENGER CARRIERS

[Limitation Order L-101 as Amended Sept. 30, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the manufacture of passenger carriers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Now, therefore, it is hereby ordered, that:

§ 1168.1 *General Limitation Order L-101—(a) Applicability of regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the production of passenger carriers.

(3) "Passenger carrier" means a complete motor or electrical coach or trailer for passenger transportation, having a seating capacity of not less than eleven persons, or the body therefor; and includes integral motor buses and integral trailer buses, bus bodies for adult or school passenger use for mounting on new or used commercial motor vehicle or trailer chassis, sedan automobiles converted to buses, trolley buses, and electric railway cars. Such definition does not include a complete commercial motor vehicle chassis or trailer chassis upon which a bus body is to be mounted, or a tractor for propulsion of a trailer bus.

(c) Restrictions on production and delivery. Irrespective of the terms of any contract of sale or purchase or of any other commitment, no producer shall produce or deliver any new passenger carrier except as authorized pursuant to the provisions of paragraph (d) of this order.

(d) Production and delivery of passenger carriers. (1) Each producer of passenger carriers shall schedule his production and make deliveries of passenger carriers in accordance with such specific written directions as may be issued from time to time by the War Production Board, which may incorporate therein such requests and recommendations as may be submitted by the Office of Defense Transportation.

(2) The production and delivery schedules established by any specific direction which may be issued from time to time pursuant to paragraph (d) (1) above shall be maintained without regard to any preference ratings already assigned or hereafter assigned to particular contracts, commitments, or purchase orders and may be altered only upon specific written directions of the War Production Board.

(3) If it becomes impossible for any producer to maintain production and delivery of passenger carriers in accordance with any such schedule, he shall immediately notify the War Production Board and, unless otherwise directed by the War Production Board, he shall continue to produce and deliver passenger carriers in the order set forth in such schedule and shall postpone production and delivery of any such passenger carriers only to the extent required by the circumstances causing his failure to maintain production and delivery as required by such schedule.

(e) [Revoked Sept. 30, 1944]

(f) Reports. Producers must file before the 6th day of each month a report on Form WPB-1005, in accordance with the current instructions for the form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any depart-

ment or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) Communications. All communications concerning this order should be addressed to Transportation Equipment Division, War Production Board, Washington 25, D. C., Ref.: L-101.

Issued this 30th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15141; Filed, Sept. 30, 1944;
10:56 a. m.]

PART 1288—POWER, STEAM, AND WATER AUXILIARY EQUIPMENT

[Limitation Order L-154 Schedule IV as
Amended Sept. 30, 1944]

POWER SWITCHGEAR

§ 1288.5 Schedule IV to Limitation Order L-154—(a) Definitions. For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles power switchgear.

(2) "Power switchgear" means all equipment for the control and protection of apparatus used for power generation, conversion, transmission, and distribution and includes oil or air circuit breakers, metal enclosed or open type switchboards, buses and related devices.

This term does not include motor controller equipment as defined by Limitation Order No. L-250, busway as defined by Limitation Order No. L-273, small air circuit breakers, (known as types AB, ET or similar) as defined by Limitation Order No. L-300, or panelboards or distribution boards on which all circuits of 600 amperes or less utilize either the small air circuit breaker (as defined by Limitation Order No. L-300) or switch and fuse units.

(b) Restrictions on materials. The following restrictions on materials are hereby established for the manufacture of power switchgear.

(1) In buses or connections iron or steel shall be used instead of copper wherever practicable. Galvanized or lead coated steel or iron pipe shall be used in place of copper tubing for buses in outdoor substations wherever practicable and wherever it results in a saving of critical materials or labor.

(2) Outdoor substation structures and framing shall be constructed of the least critical of the following materials¹ consistent with mechanical strength requirements and good design practice: structural steel, wood, or iron and steel pipe.

(3) No critical or scarce material shall be used for spare panels or fillers, and all panels and apparatus for the control of future equipment or future feeders shall be eliminated unless the elimination of

such structures necessitates a redesign of standard construction.

(4) Special finishes or decorative materials or devices shall be eliminated on all switchboards. These include such items as metallic mimic or miniature buses, special metal name plates, special card holders, trims, etc.

(5) Instrument ground connections of copper wire shall be omitted on conventional steel switchboard panels, and the grounding shall be obtained through the mounting screw on the steel panel.

(6) To the extent practicable non-ferrous hardware and fittings shall be eliminated from switchgear devices or power switching equipment, and these parts made of suitable ferrous material. This includes such items as hardware, parts and fittings, clamps, nuts and bolts on all indoor and outdoor air switches and related devices; except current-carrying parts and except bolts of $\frac{3}{8}$ " diameter or smaller used in outdoor installations.

(7) [Deleted Sept. 30, 1944.]

(8) Consideration shall be given in the design of power switchgear to all other substitutions or simplifications which will result in reduction of critical material.

(9) Oil or air circuit breakers shall not be used in cases where air-break switches or fuses will satisfactorily meet the requirements and effect savings in critical materials or manpower.

(10) The use of aluminum should be considered wherever practicable as a substitute for more critical materials.

(c) Required specifications. The following required specifications are hereby established for the manufacture of power switchgear.

(1) Loading of switchgear and buses.

(i) All new power switchgear of the metal enclosed type, indoor or outdoor, shall be manufactured with main current interchange surfaces silver-surfaced or equivalent, thereby permitting operation at the maximum approved rating of 85° C. temperature (based on 30° C. rise above 55° C. ambient temperature). In the case of power switching and distribution equipment, open type, both indoor and outdoor, and including enclosed cut-outs, all such equipment and devices shall be designed and manufactured for operation at not less than 70° C. temperature (based on 30° C. rise above 40° C. ambient temperature). In no case shall any equipment be rated on a current density basis.

(ii) All power buses, indoor and outdoor, shall be so designed and built that each section will operate under full load conditions at as near as possible to 85° C. temperature (based on 30° C. rise above 55° C. ambient temperature), using standard bus sizes. In order to accomplish the required full loading of all sections of buses on a temperature basis, it will generally be necessary that buses be tapered so that each section will be loaded to the above temperature limits. Multicircuit switchboards shall be so

¹ The Conservation Division of the War Production Board issues periodically a publication showing the relative scarcity of materials entitled "Material Substitutions and Supply" list.

designed that the heaviest circuits are adjacent to the circuits supplying power to the bus in order to accomplish maximum tapering of the bus, unless this results in an over-all increase in copper.

(2) *Voltage rating.* Power switchgear shall not be delivered or accepted having a voltage rating higher than the available standard voltage rating equal to or next above the operating voltage at which it is to be used. For example, in the case of 13.8 KV operating voltage, the approved rating for switch gear is 15 KV and not 23 KV. In special cases where the duty is unusually severe, special approval may be requested from the War Production Board, reference L-154, for the use of higher voltage rating switchgear or power switching equipment.

(3) *Instruments.* In case of feeder panels where readings of voltage, current or other quantities are not necessary all instruments shall be omitted. Triple ammeters shall not be used on feeder panels if a single ammeter, or a single ammeter with an ammeter transfer switch, can be used. In particular, if the panel supplies three phase motor load only, not more than one single phase ammeter with no transfer switch shall be used; and in the case of other poly-phase circuits where readings of variable single phase load may be necessary, only one single phase ammeter with a suitable ammeter transfer switch may be used.

(4) *Metal enclosed design specifications.* In specifying or designing a power switchboard, consideration shall be given to the relative economies in critical materials of the various standard types of metal enclosed or open type switchgear, and unless other considerations make it impractical, that type shall be specified which uses the least amount of critical material; and in any event the following general principles shall be adopted:

NOTE: Subdivisions (i) through (ix), formerly (v), (iv), and (vi) through (xiii), redesignated, and former subdivisions (i) through (iii) deleted Sept. 30, 1944.

(i) All steel panels, barriers or plates not strictly necessary shall be omitted.

(ii) Steel floor plates shall be omitted or replaced by the lightest possible gauge plates or strips.

(iii) All steel panels or plates which must be retained shall be reduced to the minimum gauge permissible for structural requirements.

(iv) Frames, braces and structural members shall be reduced to the minimum permissible standard size for structural requirements.

(v) All panels shall be designed with minimum standard height and width.

(vi) In the design of any panel or switchboard the relative position of the bus, disconnects, and circuit breaker shall be such that the interconnections are kept at a minimum length.

(vii) All duplicate or unnecessary accessories in conjunction with switchboards, such as lights and convenience outlets beyond the bare minimum shall be omitted.

(viii) In switchgear where eddy currents in metal parts become a problem, non-critical material shall be used in such parts if possible.

(ix) Built in motor operated disconnecting mechanisms for circuit breakers below 250,000 KVA interrupting capacity shall be omitted.

(5) *Disconnecting switches, cutouts, etc.* (i) Outdoor type disconnecting and horn-gap switches, 69 kv or lower, remote operated, single and multiple, 1200 amperes and below, shall be built only on standard duty outdoor insulators (listed in Schedule V of Limitation Order L-154) having a three-inch bolt circle, and only in the following voltage and ampere ratings:

KV	Amp. ratings
7.5, 15	400, 600 and 1200
23 & 34.5	600 and 1200
46 & 69	600 and 1200

Outdoor type disconnecting switches, 69 kv and lower, hook operated, single pole, 2000 amps. and below, shall be built only on standard duty outdoor insulators (listed in Schedule V of Limitation Order L-154) having a three-inch bolt circle, and only in the following voltage and ampere ratings:

KV	Amp. ratings
7.5, 15	400, 600, 1200, & 2000
23 & 34.5	600, 1200 & 2000
46 & 69	600, 1200 & 2000

Exceptions: Outdoor type disconnecting and horn-gap switches, 7.5 kv and 15 kv, 200 amps. only, remote operated, single and multiple, and hook operated single pole, may be built. For these switches, one design only of sub-standard insulator may be used by each producer for each of these two voltage ratings. No standard insulators shall be used for the 200 ampere switches permitted by this paragraph.

In addition, each producer may build one design only of 400 amp. 5.0 kv, or 400 amp. 7.5 kv, (but not both voltages) enclosed fixed blade type disconnecting switch.

(ii) Distribution cutouts, fuse links and mounting brackets for 2.3 kv and higher (exclusive of oil type cutouts) shall be simplified with respect to sizes, types and quantity of critical materials in the following manner.

(a) Only the following sizes and types of enclosed cutouts shall be produced:

5000 volt.....	50 ampere
5000 volt.....	100 ampere
8000 volt.....	200 ampere
7500 volt.....	50 ampere
7500 volt.....	100 ampere

Such cutouts may be made in single shot and two shot repeater type. With respect to each producer they may be made in two types, one of which may be either dropout or indicating (but not both), and the other may be non-dropout or bayonet (but not both). In each permitted size and type one design only shall be produced; i. e., not both a heavy duty and a light duty design, or not both a time-delay and a non-time delay design.

There may also be manufactured 100 ampere and 200 ampere solid blades for conversion of enclosed type cutouts to disconnecting switches.

In addition one design only of plug type cutout rated 2500 volts, 30 amperes, may be made by each producer.

(b) Only the following sizes and types of open cutouts shall be produced:

7500 volt.....	50 ampere
7500 volt.....	100 ampere
7500 volt.....	200 ampere
15000 volt.....	50 ampere
15000 volt.....	100 ampere
15000 volt.....	200 ampere

These may be built in single shot and two shot repeater type only in the 50 ampere rating, and in single shot and three shot repeater type only in the 100 ampere and 200 ampere ratings, and either (but not both) dropout or non-dropout.

With respect to each producer these cutouts may be built using for each of the two voltages one design only of sub-standard insulator (which shall be the same units as the substandard insulators permitted under paragraph (c) (5) (i) of this schedule); and two designs only of long center-supported insulators for each of the two voltages, one size insulator for the 50 ampere rating and another size insulator for the 100 ampere and 200 ampere rating. Under the restrictions of the preceding sentence a total of six designs or sizes of insulators is permissible. Each producer may also build 100 and 200 ampere sizes and types of open cutouts on standard three inch bolt circle insulators. In each permitted size and type one design only shall be produced; i. e., not both a heavy duty and a light duty design, or not both a time-delay and a non-time-delay design. There may also be produced, but only in 200 ampere rating, solid blades for conversion of open type cutouts to disconnecting switches.

(c) The only fuse links which shall be manufactured for the cutouts specified in (a) and (b) of this subdivision (ii) shall be one design only of the universal type N, one design only of the open or tubeless type link and one design only of prefabricated link for the 30 ampere, 2500 volt plug type cutout. One coordinating link only for the 50 ampere size and one for the 100 ampere size may be manufactured. In the case of the universal fuse link, the flexible copper cable portion shall be reduced in length by six inches from the old standard, making the maximum overall length of the fuse twenty inches instead of twenty-six inches as heretofore except that 23" and 26" links may be produced where required by the purchaser for use in existing cutouts.

(d) Only two types of mounting brackets shall be manufactured by each producer for enclosed type cutouts, and only two types of brackets for open type cutouts.

(6) *Miscellaneous design specifications.* (i) Double buses or duplicate buses shall not be used, but instead a single bus, sectionalized if necessary, shall be used in order to reduce the amount of bus material and enclosures and connected apparatus to minimum requirements.

(ii) Small wiring on switchboards shall be reduced from the former standard of No. 12 A. W. G. to No. 14 A. W. G. or smaller except where a larger size is required for mechanical or electrical reasons.

(iii) The wiring of multi-tap bushing current transformers shall be reduced to a minimum by bringing all taps to the first accessible point, and wiring from that point only the tap to be used.

(iv) Benchboard type panels (except for mill drive controls) shall not be used without special permission.

(v) Indoor oil circuit breakers and corresponding air circuit breakers up to and including 500,000 KVA interrupting capacity and 15 kv, shall be the common frame (common tank) design in order to save both space and critical materials.

(vi) In designing a power switchboard for below 750 volts operation, consideration shall be given to the relative economies in materials of a large interrupting capacity main circuit breaker feeding a bus with several smaller interrupting capacity feeder breakers, as compared to eliminating the main breaker and using larger interrupting capacity feeder breakers; and that layout shall be specified which uses the minimum of critical material through the most effective application of breakers.

(d) *Limitation on tests.* No producer of power switchgear shall make or furnish design or certified electrical or mechanical tests on equipment which has been furnished to the industry and has given satisfactory service, or for which test data is already available.

(e) *Restrictions on production, deliveries, and acceptances.* From and after June 28, 1943, no person shall accept deliveries of, and no producer shall deliver or produce (or accept deliveries of material for the purpose of producing) power switchgear which does not conform to the applicable restrictions on materials, required specifications, limitations of tests and other restrictions, established by this schedule; provided, however, that nothing herein contained shall prevent the production, delivery or acceptance of power switchgear, or materials therefor, which were wholly or partially fabricated on June 28, 1943, and which cannot readily be made to conform to the provisions of this schedule.

(f) *Exceptions.* The restrictions of this schedule shall not apply to equipment which is to be used by the Army or Navy of the United States on board any ship or vessel, and which is so certified on the original order placed by the Army or Navy.

Issued this 30th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15143; Filed, Sept. 30, 1944;
10:57 a. m.]

PART 3120—LITHIUM ORE

[General Conservation Order M-253, Revocation]

Section 3120.1 *General Conservation Order M-253* is revoked. This revocation does not affect any liabilities incurred under the order.

The production and delivery of lithium ores remain subject to all applicable reg-

ulations and orders of the War Production Board.

Issued this 30th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15147; Filed, Sept. 30, 1944;
10:57 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-244, Supp. 1, as Amended
Sept. 30, 1944]

MAGAZINES

§ 3133.15a *General Limitation Order L-244, Supplement No. 1—(a) Purpose of appeal clause.* The serious shortage in the supply of print paper available for magazines makes it necessary for publishers to reduce their consumption substantially, as provided in Order L-244. Such reductions may create serious hardships—which, however, are unavoidable in time of war. Appeals are not granted to ameliorate, in individual cases, hardships applicable to an entire industry. They are granted only to provide relief, subject to the provisions of paragraphs (b) to (g), from certain undue and excessive hardships which would be created if the order were applied without modification to an exceptional set of circumstances. Appeals which do not establish such hardships shall be denied.

(b) *No automatic adjustments.* Paragraph (f) of this supplement describes the types of hardship for which quota adjustments shall be made by the War Production Board on appeal. These adjustments, however, are not automatic. A publisher who believes that his case is covered by one of the subparagraphs of paragraph (f) may not make his own adjustment of his consumption quota. No publisher may use any paper in excess of his consumption quota, computed in accordance with paragraphs (j) and (k) of Order L-244, unless he files an appeal for such relief and a grant is made in writing, signed by the Recording Secretary of the War Production Board.

(c) *Adjustment of base tonnages.* Wherever appropriate, grants on appeal shall be made in the form of adjustments of a publisher's base tonnage which shall continue to be effective in future quarters, subject to re-examination and modification at any time by the War Production Board.

(d) *Effective date of base tonnage adjustments.* Adjustments of base tonnages are not retroactive. A publisher whose base tonnage is adjusted on appeal does not receive, by virtue of such adjustment, a "carry-over of unused tonnage" from any quarter before the issuance of the appeal grant.

(e) *Application of curtailments.* Constructive base tonnages granted on appeal are subject to the curtailments required by paragraph (j) of Order L-244 as amended from time to time.

(f) *Types of hardship for which relief shall be granted.* In passing upon appeals under Order L-244 the following standards shall govern:

(1) *New magazines issued by new publishers in 1942.* If a publisher first

caused paper to be used in printing a magazine in 1942 (and did not publish any other magazine throughout that entire year) he shall be granted a constructive base tonnage: *Provided*, The magazine was published continuously until the issuance of Order L-244 on January 8, 1943. This shall be determined by averaging the tonnage of paper consumed in each issue printed in 1942 and multiplying this average tonnage by a factor representing the magazine's established frequency of issuance.

(2) *Publishers who used 25 tons or less in the first quarter of 1943.* If a publisher used 25 tons of paper or less in the first quarter of 1943 under that provision of Order L-244 (eliminated as of April 1, 1943) which exempted users of 25 tons per quarter or less, he shall be granted a constructive base tonnage, not to exceed 25 tons per quarter. This shall be determined by averaging the tonnage of paper used in the issues of each magazine printed during the first quarter of 1943 and multiplying this average tonnage by a factor representing the magazine's established frequency of issuance.

(3) *Reduction in basis weight and trim size.* Publishers who reduced the basis weight or trim size of their magazines in 1942 shall be granted compensatory increases in their base tonnages.

(4) [Deleted Sept. 30, 1944.]

(5) *Unusual seasonal variations.* Publishers whose schedules have unusual seasonal variations shall be granted permission to redistribute their quarterly consumption quotas within a calendar year.

(6) *Inter-company transfers.* Transfers of quotas under Order L-244 shall be permitted between corporations which have occupied the relationship of parent and wholly-owned subsidiary, or affiliates wholly owned by the same person prior to December 31, 1942, and continuously thereafter.

(7) *Temporary suspension.* Magazines which were forced to suspend publication temporarily during 1942 because of strikes, fires or similar conditions shall be granted compensatory increases in their base tonnage to the extent that it was impracticable to continue operations at another plant.

(8) *Extraordinary hardships.* Appeal tonnage shall not be recommended by either the administrator or the Division Appeals Committee or granted by the Appeals Board for causes other than those enumerated in subparagraphs (1) to (7) of this paragraph (f) except where unforeseen, unusual, extraordinary or emergency conditions constituting undue and excessive hardship are proved. Certain factors which shall not be recognized as grounds for the granting of appeal tonnage are described in paragraph (g).

(g) *Factors which shall not be considered as grounds for granting of tonnage on appeals.* The following is a list of some of the factors which shall not be considered as grounds for the granting of appeals. This list is not exclusive.

(1) The nature of a magazine's contents.
(2) Diminished base period consumption because of financial conditions.

(3) Suspension of publication in 1942, except as provided in paragraph (f) (7).

(4) Consumption of more paper in any quarter of 1942 than in other quarters.

(5) Consumption of less paper in 1942 than in other years.

(6) Decrease in circulation, number of advertising pages, or number of editorial pages in 1942.

(7) Increase in trim size, basis weights, circulation, cover or subscription price, number of advertising pages, number of editorial pages, frequency of issuance, or other expansion measures in 1942 or thereafter.

(8) Publication of a new magazine in 1942 by a publisher who was in the magazine publishing business throughout that year.

(9) Special events such as war bond drives, recruiting drives, war news, political news, etc.

(10) Inability to maintain or increase advertising pages, editorial pages, or circulation under existing quotas.

(11) Increased demand for a magazine, even though it is published by a membership organization whose constitution requires that a copy be sent to every member.

(12) Request to use in a magazine publishing business commenced after May 24, 1944 more than 1 1/4 tons of paper per calendar quarter, as provided in paragraph (j) (2) of Order L-244.

(13) The fact that additional tonnage was granted on appeal to a competitor.

(14) Consumption of paper in violation of Order L-244, whether or not such violation was wilful.

Procedure

(h) *How appeals are submitted.* Appeals from Order L-244 may be filed by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-244.

(i) *Form of appeals.* The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the subparagraph of paragraph (f) upon which the appellant relies, and the reasons why denial of the appeal would result in undue and excessive hardship.

(j) *Denial by administrator.* Appeals may be denied in the first instance by the administrator of the order.

(k) *Re-appeal from denial by administrator.* When an appeal has been denied by the administrator of the order, the appellant may re-appeal, within 15 days after the letter of denial is mailed, by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-244. This letter may contain simply a request that the case be forwarded to the Appeals Board of the War Production Board. Any additional information which the appellant cares to submit at this time will also be forwarded to the Appeals Board.

(l) *Grant of appeals.* Although the administrator of the order may deny an appeal in the first instance, only the Appeals Board has the power to grant relief in individual cases from the provisions of the order.

(m) *Recommendation of grant by the administrator.* The administrator of the order may recommend that an appeal be granted in whole or in part. In that event the case shall be forwarded to the Appeals Board with the written recommendation of the administrator and the written concurrence or non-concurrence

of each member of the Division Appeals Committee, consisting of himself, the administrators of Orders L-240, L-241 and L-245, the Assistant Director of the Printing and Publishing Division for Labor, and representatives of the Office of Civilian Requirements and the Conservation Division.

(n) *Optional reference to Appeals Board by administrator.* The administrator of the order may, if he desires, refer a case to the Appeals Board with a recommendation of denial or with no recommendation at all.

(o) *Hearings by Appeals Board.* If the Appeals Board desires to obtain additional facts not contained in the file, it may, in its discretion, hold a public hearing on any appeal. To the extent consistent with the necessity for emergency relief, a schedule of hearings shall be made up in advance. Information concerning the time and place of any scheduled hearing shall be available at the office of the Appeals Board at any time during business hours.

(p) *Conduct of hearing.* Hearings by the Appeals Board are open to the public. All interested parties may attend and, in the discretion of the Board, may be heard. The hearings are informal and the Board is not bound by legal rules of evidence. It is not necessary for an appellant to be represented by counsel, although he may do so if he wishes.

(q) *Decision by Appeals Board.* The Appeals Board may grant or deny an appeal in whole or in part. It may also attach conditions to a grant.

(r) *Finality of decision.* The decisions of the Appeals Board shall be final, unless that Board elects to reopen the case.

(s) *Publication of grants.* Grants on appeal shall be announced publicly at least every two weeks.

(t) *Announcement of grounds of decision.* Whenever a grant is made for "unforeseen, unusual, extraordinary or emergency conditions" under paragraph (f) (8), a brief memorandum of the basis of the decision shall be made public by the Appeals Board within two weeks, and the decision shall be treated as a precedent in future situations of an identical character.

(u) *Amendment of supplement.* Whenever a new standard is developed, the supplement shall be amended to set forth that standard.

(v) *Public files.* Public files shall be set up in all cases, including those filed before as well as after October 7, 1943 whether or not they resulted in a grant. They shall be available for public inspection at any time during the business hours of the War Production Board. The public files shall include:

(1) All papers filed by the appellant in support of the appeal except those portions which contain confidential data.

(2) All memoranda by War Production Board officials containing recommendations for or against the allowance of the appeal.

(3) Copies of all letters of grant or denial.

(4) A transcript of the record of any public hearing (or if the stenographic notes of the hearing have not been transcribed, a memorandum referring to the notes and stating how a transcript may be obtained).

(w) *False representations.* All grants on appeal are conditional upon the validity

of the statements submitted in support thereof. Any person who wilfully conceals a material fact or furnishes false information in connection with an appeal, whether orally or in writing, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both, as provided in section 35A of the United States Criminal Code.

Issued this 30th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15145; Filed, Sept. 30, 1944;
10:57 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 44 as Amended Sept. 30, 1944]

SALE OF STEEL NOT NEEDED BY PRODUCERS AND DISTRIBUTORS TO FILL AUTHORIZED CONTROLLED MATERIAL ORDERS

The following amended direction is issued pursuant to CMP Regulation 1:

(a) Producers having steel in stock, not needed to fill orders they are required to fill under CMP Regulations may dispose of such material in any one of the following ways:

(1) A producer may fill orders received from distributors which the distributors have placed in accordance with Par. (c) (5) of order M-21-b-1 or Par. (c) (4) of order M-21-b-2.

(2) A producer may fill orders bearing a Z-1-e allotment symbol without specific approval of the War Production Board.

(b) In addition, a producer or distributor may apply to the War Production Board for permission to dispose of material of the type described in paragraph (c) without requiring the customer to furnish a CMP allotment, allotment symbol or certification on his order. Each application should be addressed to the Distribution Branch of the Steel Division, War Production Board, Washington 25, D. C., and must contain the following information:

(1) Name of proposed customer.

(2) Product to be made.

(3) Quantity and description of material.

(4) Location of material.

(5) If the application is filed by a distributor, it must also contain a statement that none of the items to be furnished on the order are required to fill any orders which the distributor has received calling for delivery in the next 30 days which the distributor is required to fill under applicable CMP Regulations.

(c) Steel in stock not needed to fill orders which a producer or distributor is required to fill under CMP Regulations may be any stock material which the producer or distributor has on hand, or which the producer may deliver after converting any form of semi-finished material on hand without the use of additional manpower.

Issued this 30th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15137; Filed, Sept. 30, 1944;
10:56 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule XVI as Amended Sept. 30, 1944]

SPECIALTY PAPER AND BOARD

§ 3281.32 *Schedule XVI to Limitation Order L-120—(a) Definitions.* For the purpose of this schedule, including the appendix.

(1) The term "specialty paper and board" means and is limited to the kinds of paper and board commonly described and distributed in the paper trade by the names used as captions in the appendix below.

(2) A "grade" means one particular quality within a kind of paper or board such grade having the essential properties peculiar to such kind and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any common property is emphasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper or board or coating shall not be considered as resulting in a different grade.

(3) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(4) The term "basis weight" means the weight in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(5) The term "thickness" means the thickness of a sheet of paper or board expressed either in terms of plies or by caliper in terms of thousandths of an inch measured by the Cady Micrometer.

(6) An "item" means a quantity of paper or board all of which is of the same size, grain, basis weight or thickness, finish, color and grade.

(7) The term "standard" as applied to grade, color, basis weight or thickness, and size means, with respect to each manufacturer, a grade, color, basis weight or thickness, and size selected or specified under A of the appropriate caption in the appendix below.

(8) The term "special" as applied to grade, color, basis weight or thickness, and size means, with respect to each manufacturer, any grade, color, basis weight or thickness, or size that is not standard.

(9) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer, converter or consumer.

(10) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(11) The terms "SU" and "WO" and similar terms as applied to tag stock refer to converter tag grades recognized by the trade as standard under A (1) of such caption by these terms, and, in conjunction with numbers indicating the thickness, also indicate certain technical standards and tolerances for weight, thickness and tear which apply thereto.

nical standards and tolerances for weight, thickness and tear which apply thereto.

(12) The term "Converter Tag Board" means and is limited to those grades commonly sold to tag manufacturers and coating mills under the names and technical standards generally recognized by the "Tag Converting" industry.

(13) The term "Dealer Tag Board" means any grade of tag board other than converter tag board grades, commonly sold and distributed in the paper trade to others than tag manufacturers.

(b) *Identification of the paper or board subject to this schedule.* It shall be the duty of each person who manufactures paper or board to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption, if any, of the appendix belongs each kind of paper and board manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board the designation by which the manufacturer heretofore identified or distributed the paper or board in question, the common designation in the paper trade of similar papers or boards selling within the same general price range as the paper or board in question, and the common designation in the paper trade of papers or boards possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper or board in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of paper or board, or whether a particular kind of paper or board is such a paper or board at all or belongs under any caption of the appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper or board, submitting with his application representative samples of the grade or grades in which he manufactures such paper or board, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of paper or board with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefore an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of paper or board shall select such "grade" or "grades" (if selection is indicated under the appropriate caption), not to exceed the number specified in A (1) of the appropriate caption of the appendix below, as he may desire to adopt for regular manufacture, and shall forthwith notify the War Production Board of such selection on Form WPB-1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board, in writing, the original selection shall remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the appendix below a manufacturer is permitted with respect to a particular grade of a kind of paper or board to select a number of colors and such selection is indicated, each person desiring to manufacture such grade in colors shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB-1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing, the original selection shall remain binding.

(e) *General limitations.* No person shall manufacture any kind of specialty paper and board in any grade, color, basis weight or thickness, or size other than those specified or selected as standard under A of the appropriate caption of the appendix (if such standards are specified or selected under A of the appropriate caption) or contrary to any other provision under the appropriate caption. This general rule, is, however, subject to the following exceptions:

(1) Tolerances and variations are permitted to the extent provided in paragraph (f).

(2) Cutting and slitting to various sizes are permitted to the extent provided in paragraph (g).

(3) Special provision is made for "jobs" and "seconds" in paragraph (h).

(4) Special provision is made for export orders in paragraph (i).

(5) Exceptions are made for "special making orders" under B in certain captions of the appendix. However, regardless of these exceptions where special making orders are so permitted under any caption, the basis weight or thickness must not exceed the greatest standard basis weight or thickness permitted under A of such caption unless specific exception is made therefor under B.

(6) Specialty paper and board in process of manufacture on May 27, 1944, may be completed otherwise than by pasting. Pasting is permitted at any time to the extent that the process does not result in a heavier basis weight or thickness than permitted under this order, and provided all other provisions of the order are complied with.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal

tolerances customary in the manufacture of the kind of paper or board under each caption of the appendix (with such exceptions as may be noted under the caption), and to the normal variations in quantity manufactured customarily acceptable in the paper trade for such kind. Nothing in this schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, *Provided*, The parent size is manufactured in accordance with the provisions of this schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this schedule on an order for rolls; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions, if any, applying to a "special size" under B of the appropriate caption in the appendix below.

(h) *Jobs and seconds.* Nothing in this schedule shall restrict the sale of "job lots" or "seconds" resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture paper and board according to the terms of this schedule, provided that the manufacturer clearly informs the purchaser that such paper or board is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this schedule and of the provisions of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing from the War Production Board sell in the domestic market) any kind of specialty paper or board in any size, basis weight or thickness required, regardless of quantity: *Provided*, All other provisions of this schedule are complied with and (if the basis weight or thickness is greater than permitted) such person has received permission in writing from the War Production Board to manufacture the particular order in question in such basis weight or thickness.

(j) *Records and reports.*—(1) *Standard samples.* Each person who manufactures any kind of specialty paper or board shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after May 27, 1944, each person who manufactures any "special making order" permitted under B of the appropriate caption of the appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer or converter or consumer, shall keep such statement, together with a complete record of such

order, readily available for inspection by the War Production Board and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after May 27, 1944, each person who manufactures specialty paper or board for export shall require from the buyer a statement on his purchase order to the effect that such paper or board is purchased for export, shall keep such statement, together with a complete record of the order against which such paper or board is manufactured, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

NOTE: The reporting requirements of this schedule have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 30th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—SCHEDULE XVI TO L-120

CONVERTER TAG BOARDS

A. Grades, colors, weights and sizes for regular manufacture.

NOTE: "Converter Tag Board" grades may be sold by the manufacturer only to fill individual orders, each placed by a single buyer for use by a tag manufacturer, or for use by a coating mill in manufacturing coated tag board for a tag manufacturer.

(1) *Standard grades.* With respect to each manufacturer, any grade or grades manufactured subsequent to August 1, 1943 as a "converter tag board" grade according to established manufacturing standards, such grade or grades to be selected as standard for regular manufacture and the War Production Board advised thereof as provided in paragraph (c) of the foregoing schedule.

(2) *Standard colors.* No restrictions.

(3) *Standard thicknesses.* WO Grade: Caliper .013 only; SU grade: Calipers .006, .008, .010, .013; and, if for manufacturing tags for use exclusively on cotton bales or for wet strength overseas shipping tags for the Armed Forces or for use in automatic tag marking machines, caliper .015 *Provided*, That before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Grades other than WO and SU. With respect to each manufacturer and each standard grade of such manufacturer, any thickness made subsequent to August 1, 1943 in such standard grade is standard for such grade and such manufacturer. Each manufacturer shall report his standard thickness or thicknesses for each of his standard grades concurrently with his selection of his standard grades.

(4) *Standard size.* No restrictions.

(5) 20% tolerance on Elmendorf tear specifications instead of the usual 10% is permitted for "SU" and "WO" grades.

B. *Exceptions for special making orders to be sold under the provisions of the note under*

A of this caption—(1) *Special grades.* A special grade of converter tag board may be manufactured by any manufacturer in a quantity of at least 10,000 pounds of a thickness and at least 5,000 pounds of each item, *Provided*, That such grade and such thickness is a standard grade and thickness for any other manufacturer.

(2) *Special thickness.* A special thickness may be manufactured in WO and SU grades to fill a special making order in a quantity of at least 10,000 pounds of a thickness in one grade, *Provided*, The thickness is no less than .006 and no greater than permitted under A. (3).

(3) [Deleted August 2, 1944.]

DEALER TAG BOARDS

(Including Grades Containing Rope, Jute or Special Fiber)

A. Grades, colors, basis weights or thicknesses, and sizes for regular manufacture—

(1) *Standard grades.* Chemical woodpulp, rope, jute and special fibre not more than one in each kind; Groundwood content (minimum 25% groundwood): Not more than two; selected according to paragraph C of the foregoing schedule.

(2) *Standard colors.* White, natural, and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) *Standard basis weights* (per 500 sheets 24" x 36"): Chemical wood pulp, rope, jute and special fibre: 80, 100, 125, 150; Groundwood content: 100, 125, 150, 175; and if for use as time-clock cards caliper .014 in Groundwood content regardless of weight; and, if for use in producing patterns, any caliper no greater than .022; and, if for use in producing gaskets, no restriction on weight or caliper; *Provided*, That before the sale thereof the manufacturer shall require from the buyer a statement that the order is exclusively for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) *Standard sizes* (in inches).

Sheets: 24 x 36, 22½ x 28½.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths, and any roll width may be considered a standard size when manufactured as part of a full machine deckle.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule—*(1) *Special grades.* None permitted.

(2) *Special colors.* A special color may be manufactured to fill a special making order in a standard grade and basis weight in a quantity of at least 10,000 pounds and in at least 5,000 pounds of each item.

(3) *Special basis weights.* A special basis weight may be manufactured to fill a special making order in a quantity of at least 10,000 pounds of a standard grade and in at least 2,000 pounds of each item, *Provided*, The basis weight is no lighter or heavier than permitted under A. (3) above.

(4) *Special sizes.* A special size may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of an item, either sheet or roll.

(a) In a standard grade, standard color and standard basis weight, or

(b) In a special color in the quantities provided for under exception (2) above.

COATED TOUGH CHECK

(Including body stock used exclusively for Coated Tough Check)

A. Grades, colors, thicknesses and sizes for regular manufacture—(1) *Standard grades.* Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) *Standard colors.* White, and six colors selected according to paragraph (d) of the foregoing schedule.

(3) *Standard thicknesses.*

3 ply.

4 ply, provided the 4 ply is produced by pasting.

(4) *Standard sizes* (in inches). 22 x 28.

B. Exceptions for special making orders as defined in (a) (9) of the foregoing schedule—(1) A special grade may be manufactured to fill a special making order for the United States Government provided the provisions under this Caption as to Color, Weight and Size are complied with.

(2) A special color may be manufactured to fill a special making order in a standard grade, thickness and size, or in a special grade for the United States Government, as provided in Paragraph B (1), provided the quantity of such color is the equivalent of at least 20,000 sheets 22" x 28" if coated one side, or 10,000 sheets 22" x 28" if coated two sides, and subject to the provisions of Paragraphs B (3) and (4) as to special thickness and size.

(3) A special thickness, no less than 2 ply or greater than 4 ply, may be manufactured to fill a special making order in a standard grade, or a special grade for the United States Government, as provided in Paragraph B (1), in a quantity equivalent to at least 20,000 sheets 22" x 28" if the special size will not cut without waste from standard stock size rolls, or equivalent to at least 10,000 sheets 22" x 28" if the special size will cut without waste from standard stock size rolls and subject to the provisions of Paragraph B (4) as to special size. Standard stock size rolls are those widths which cut size 22" x 28" without waste.

(4) A special size may be manufactured to fill a special making order under the same provisions applying to a special thickness in B (3) above.

FILE FOLDER STOCK

A. *Grades, colors, basis weights or thicknesses, and sizes for regular manufacture—*(1) *Standard grades.* Not more than 3 selected according to paragraph (c) of the foregoing schedule.

(2) *Standard colors.* Natural only.

(3) *Standard thicknesses.* Calipers .008 and .0095.

(4) *Standard sizes.* Any sheet size or roll width is a standard size if manufactured at one time in a quantity of at least 5000 pounds of an item.

B. Exceptions for special making orders as defined in (a) (9) of the foregoing schedule—(1) *Special grades.* A special grade may be manufactured to fill a special making order in a quantity of at least 20,000 pounds in caliper .011, provided the chemical woodpulp fibre content does not exceed 50%.

(2) *Special colors.* None permitted.

(3) *Special thicknesses.*

(a) Caliper .011 may be manufactured only in a special grade as provided for under exception (1) above.

(b) *Special basis weights.* Basis weight 24" x 36"—200 may be manufactured to fill a special making order, provided that:

(1) The quantity is at least 10,000 pounds in one standard grade and color and with at least 5,000 pounds of each item; and

(2) The stock is for use in making guide cards, and before the sale thereof the manufacturer shall require from the buyer a statement that the order is exclusively for such

use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(c) Caliper .017 may be manufactured to fill a special making order in any standard grade, *Provided, That:*

(1) The quantity is at least 20,000 pounds in one standard grade and color and at least 5000 pounds of each item, and

(2) The stock is for use in making file folders to each of which is attached a metal or riveted celluloid index tab, and before the sale thereof the manufacturer of file folder stock shall require from the buyer a statement that the order is exclusively for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

[F. R. Doc. 44-15142; Filed, Sept. 30, 1944; 10:56 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-42, Interpretation 1 to Schedule V]

DISTRIBUTION OF PLUMBING FIXTURE FITTINGS AND TRIM PRODUCED UNDER PRIORITIES REGULATION 25

The following interpretation is issued with respect to Limitation Order L-42, Schedule V:

Schedule V to Limitation Order L-42 contains no distribution restrictions affecting plumbing fixture fittings and trim produced under Priorities Regulation 25. Therefore, distribution of plumbing fixture fittings and trim so produced need not be confined to the channels set forth in paragraph (c) of the schedule. Distribution is, however, subject to the provisions of Limitation Order L-79 and of all applicable regulations of the War Production Board.

Issued this 30th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15139; Filed, Sept. 30, 1944; 10:56 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-42, Interpretation 1 to Schedule XII]

DISTRIBUTION OF PLUMBING FIXTURES PRODUCED UNDER PRIORITIES REGULATION 25

The following interpretation is issued with respect to Limitation Order L-42, Schedule XII:

Schedule XII to Limitation Order L-42 contains no distribution restrictions affecting plumbing fixtures produced under Priorities Regulation 25. Therefore, distribution of plumbing fixtures so produced need not be confined to the channels set forth in paragraph (c) of the schedule. Distribution is, however, subject to the provisions of the Limitation Order L-79 and of all applicable regulations of the War Production Board.

Issued this 30th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15140; Filed, Sept. 30, 1944; 10:56 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-182, as Amended Sept. 30, 1944]

COMMERCIAL COOKING AND FOOD AND PLATE WARMING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the production of commercial cooking and food and plate warming equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.46 *General Limitation Order L-182—*(a) *Definitions.* For the purposes of this order:

(1) "Commercial cooking and food and plate warming equipment" means new equipment (except equipment specially designed to use electricity as the heating agent) designed for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale on the premises in which the equipment is located. It does not include cooking appliances for household use. It does include, but is not limited to, such items as the following:

Bakers.
Broilers.
Fryers.
Griddles.
Grills.
Hot plates.
Ovens (except built-in types).
Ranges.
Roasters.
Steamers.
Toasters.
Urns.
Warmers.

It also includes new steam-jacketed kettles, regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 90 pounds per square inch, except enamel and glass lined kettles specifically designed for use by the chemical and pharmaceutical industry for the rendering of oils and fats.

(2) [Deleted Sept. 30, 1944.]

(b) *Restrictions on production.* (1) No person shall produce any commercial cooking and food and plate warming equipment except:

(i) For delivery to or for the account of the Army, Navy, Maritime Commission, Veterans' Administration, or War Shipping Administration; or

(ii) As authorized by the War Production Board on Form GA-1850.

(2) The restrictions of paragraph (b) (1) do not apply to the production of repair and replacement parts. However, no person shall produce repair or replacement parts in excess of the quantity required to maintain a minimum practicable working inventory.

(3) A person wishing to produce commercial cooking and food and plate warming equipment which will not be delivered to or for the account of the Army, Navy, Maritime Commission,

Veterans' Administration, or War Shipping Administration, should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L-182. This letter should give all pertinent information with respect to proposed production. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by application on Form CMP-4B for the controlled materials.

(4) Production will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant, or in any other plant located in the same area. This program calls in each calendar quarter for production by the industry as a whole of not more than 18% of the aggregate production of the industry in the year 1941, in addition to production of repair and replacement parts and of equipment to be delivered to or for the account of the Army, Navy, Maritime Commission, Veterans' Administration, or War Shipping Administration. Individual authorizations will be issued in amounts sufficient to carry out this program.

(c) *Distribution.* It is the policy of the War Production Board that each manufacturer shall distribute his production through his normal distribution channels, taking into consideration shipments to areas during 1941, migration of workers to certain areas, and such other factors as will provide equitable distribution to meet essential needs. The War Production Board may direct the distribution of specified amounts from any manufacturer's production to meet emergencies.

(d) [Deleted Sept. 30, 1944.]

(e) *Reports.* Every manufacturer of any commercial cooking and food and plate warming equipment who has an inventory of such equipment, either new or used, shall execute and file with the War Production Board on or before the 10th day of each calendar quarter a report on Form WPB-1509 (formerly PD-638), which may be obtained from the nearest field office of the War Production Board. Reports under this order and Order L-248 may be made on a single Form WPB-1509. The Bureau of the Budget has approved the reporting requirements of this order in accordance with the Federal Reports Act of 1942.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(g) *Exceptions and appeals.*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce more commercial cooking and food and plate warming equipment than he has been authorized to produce on Form GA-1850 (including a person who has no authori-

zation), may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for authorization under paragraph (b) (3) if he desires.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraph (b) (1), should be filed on Form WPB-1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (b) (1).

(h) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref.: L-182.

(i) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control and may be deprived of priorities assistance.

Issued this 30th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

NOTE: Schedule I deleted Sept. 30, 1944.

INTERPRETATION 1: Superseded June 7, 1944.

[F. R. Doc. 44-15144; Filed, Sept. 30, 1944; 10:57 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-30, Direction 1]

ETHYL ALCOHOL

The following direction is issued pursuant to Allocation Order M-30:

Increase in quotas for fourth quarter of 1944. On and after October 1, 1944, the quantity of ethyl alcohol which a person may receive under paragraphs (c) (1), (c) (2), (c) (3), (c) (5) and (c) (6) of Order M-30 during the fourth quarter of 1944 only is hereby increased by 25 per cent. In other words, the quantity of ethyl alcohol which may be received during the fourth quarter of 1944, pursuant to the paragraphs of the order listed below, shall not exceed the percentages listed below opposite those paragraphs:

Paragraph of order:	Percent of quantity used for the same purpose in 4th quarter of 1940
(c) (1)-----	125
(c) (2)-----	62½
(c) (3)-----	75
(c) (5)-----	137½
(c) (6)-----	18%

Under the "small deliveries" provision (paragraph (d) (1) of Order M-30) the 162-

gallon quota of specially denatured or pure alcohol is hereby increased during the fourth quarter of 1944 by 54 gallons, making a total of 216 gallons that may be obtained under this paragraph of the order.

In the case of applicants who have already filed forms WPB-2945 or WPB-2947, covering operations in the fourth quarter, it will not be necessary to file additional forms in order to take advantage of this increase in quota. The quantities which will be allocated by the Chemicals Bureau on the forms already filed will reflect the increased quotas.

Issued this 29th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15126; Filed, Sept. 29, 1944; 4:40 p. m.]

PART 3293—CHEMICALS

[Conservation Order M-374, Revocation]

BEVERAGE CANE SPIRITS

Section 3293.616 *Conservation Order M-374* is revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 29th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15127; Filed, Sept. 29, 1944; 4:40 p. m.]

PART 3302—SERVICE EQUIPMENT

[Limitation Order L-325, as Amended Sept. 30, 1944]

35 MM MOTION PICTURE PROJECTION EQUIPMENT AND ACCESSORIES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used to produce 35 mm motion picture projection equipment and accessories, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3302.31 *Limitation Order L-325—*
(a) *What this order does.* This order regulates the production and distribution of new 35 mm motion picture projection equipment. No restrictions are imposed by the order on the production or distribution of accessories.

(b) *What "35 mm motion picture projection equipment" means.* "35 mm motion picture projection equipment" means complete projectors, projector mechanisms, pedestals, bases, complete sound systems, complete sound heads, complete amplifying systems, complete loud speaker systems, complete projection arc lamp and lamp house units, complete projection arc current converting devices, and complete portable projectors, for use in exhibiting 35 mm film.

(c) *What "new equipment" means.* "New equipment" means any 35 mm motion picture projection equipment which

has never been used or which has been used only for demonstration, trial loans, repair loans, and the like.

(d) What "35 mm motion picture projection accessories" means. "35 mm motion picture projection accessories" means take-up reels, change-over devices, carbon savers or adapters, reel end alarms, safety control devices, automatic enclosed rewinders, hand rewinders, nitrate film storage cabinets, steel fire-proof booth tables, and film splicers, for use in exhibiting 35 mm film.

(e) What "repair units" means. "Repair units" means any parts or assemblies specially designed for use in the 35 mm motion picture projection equipment, and used to fix them when they have been broken down or are about to break down.

(f) Restrictions on production of 35 mm motion picture projection equipment. A manufacturer may produce 35 mm motion picture projection equipment only under the following circumstances. He may manufacture new equipment for stock to the extent permitted by written instructions from the War Production Board. In general the War Production Board in giving such permission will take into consideration Critical Labor Market Areas. In addition, he may produce as much new equipment as the War Production Board gives him written permission to sell or lend, except in those cases in which the War Production Board tells him the equipment must be shipped from stock and may not be replaced.

(g) How to ask for permission to produce new equipment for stock. If a manufacturer feels that his stock of new equipment is too small for proper operation of his business, he may ask for permission to produce new equipment for stock by sending a letter in triplicate to the War Production Board, Service Equipment Division, Washington 25, D. C., Ref: L-325. In this letter he should state the number of units of each type of new equipment which he shipped in 1941, and the number of units of each type of new equipment which he has in his current stock. He should also state what would be his minimum economical production run. If the War Production Board agrees that the manufacturer's stock is too small for proper handling of the volume of business which that manufacturer may reasonably expect, it will give him written instructions permitting him to produce a limited amount of new equipment for stock.

(h) How much new equipment the War Production Board will permit manufacturers to sell or lend. The War Production Board will give written permission to manufacturers to sell or lend new equipment only to the extent necessary to carry out an authorized program of the War Production Board. Within the limits of this program the War Production Board expects to permit each manufacturer to sell or lend to the United States Army, the United States Navy, the United States Maritime Commission and the War Shipping Administration as much new equipment as is

necessary to meet their requirements for his brand of equipment. No manufacturer will be given permission to sell or lend new equipment to anyone other than those agencies if it will interfere with deliveries to those agencies on their required delivery dates. Moreover, no manufacturer producing equipment for those agencies will be given permission to sell or lend additional new equipment to them if the production of this additional equipment by the required delivery date will interfere with punctual delivery of the equipment already being produced by that manufacturer for those agencies.

(i) Restrictions on sale and lending of new equipment. Commencing December 6, 1943, a person may sell or lend new equipment only when he has written permission from the War Production Board, with the following exception. A person does not need written permission from the War Production Board to lend new equipment to a theatre in an emergency for a period of not more than sixteen weeks, while the theatre's equipment is being repaired or replaced. At the end of the sixteen weeks the equipment must be returned by the theatre unless the War Production Board has given written permission to continue the lending of the equipment. An emergency exists when a theatre's equipment has broken down or is about to break down.

(j) How to ask for permission to sell or lend new equipment. Under ordinary circumstances, until October 1, 1944, a person who wants permission to sell or lend new equipment must use Form WPB-3253 for that purpose. Between October 1 and November 1 he may apply on either Form WPB-3253 or Form WPB-1319. Commencing November 1, 1944, all ordinary requests must be made on Form WPB-1319. A person who wants to ask for permission to sell or lend new equipment to the Army of the United States, the Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or to persons buying or borrowing equipment pursuant to the Lend-Lease Act, must use Form WPB-3254 until October 1, 1944. Between October 1 and November 1 he may apply on either Form WPB-3254 or Form WPB-1319. Commencing November 1, 1944, such requests must be made on Form WPB-1319. Copies of these forms are available at all War Production Board offices. All requests for permission to sell or lend new equipment should be sent to the Service Equipment Division of the War Production Board, Washington 25, D. C., Ref. L-325. In emergencies of the type described in paragraph (i), a person may telephone or telegraph for permission to sell new equipment, but he may not sell the equipment until he receives written permission to do so.

(k) Effect of permission to sell or lend electronic equipment. Some 35 mm

motion picture projection equipment is electronic equipment within the meaning of Order L-265. When the War Production Board gives permission in writing to sell or lend new equipment, the order of the person receiving the equipment is to be considered as rated AA-5 for purposes of Order L-265.

(l) [Deleted Sept. 30, 1944.]

(m) [Deleted Sept. 30, 1944.]

(n) Effect of this order on the production and distribution of repair units. This order does not restrict either the production or distribution of repair units. Theatres and distributors will continue to secure repair units in the same way as they secured them prior to the issuance of this order. For example, component parts of electronic equipment are to be secured as provided in Order L-265.

(o) Bureau of the Budget approval. The various requests for authorization contemplated by this order and the reporting requirement in paragraph (g) have the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(p) Exception and appeals—(1) Production under Priorities Regulation 25. Any person who wants to produce more 35 mm. motion picture projection equipment than he has been authorized under paragraph (f) (including a person who has not received an authorization under that paragraph) may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for permission as explained in paragraph (g). All delivery restrictions continue to apply to any production authorized under Priorities Regulation 25.

(2) Appeals. Any appeal from the provisions of this order, other than the production restrictions of paragraph (f), may be made by filing Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch to which the appeal relates. No appeal should be filed from the restrictions of paragraph (f).

(q) Violations. Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 30th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15146; Filed, Sept. 30, 1944;
10:57 a.m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-567]

RHEIN BROTHERS

Rhein Brothers, a corporation located in Chicago, Illinois, is owned and controlled by the partnership composed of Joseph A. Rhein and Esther R. Rhein, also of Chicago, Illinois. It is engaged in the manufacture of dual purpose sofa beds, box springs and other bedding products. During the period from October 1, 1942 to June 1, 1943, the corporation used 28,975 pounds of steel springs in the processing and fabrication of 4,575 dual purpose sofa beds in violation of General Limitation Order L-49. During the period from October 1, 1942 to June 1, 1943, it used approximately 28,014 pounds of iron and steel in excess of its permitted quota in the manufacture of box springs, in violation of General Limitation Order L-49. The corporation and the partners were familiar with the provisions of General Limitation Order L-49 and their actions constituted wilful violations of that order.

These violations have hampered and impeded the war effort of the United States by diverting critical material to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.567 *Suspension Order No. S-567.* (a) Unless otherwise authorized in writing by the War Production Board, Joseph A. Rhein and Esther R. Rhein, individually, or otherwise, their successors and assigns, shall reduce their receipts and use of steel springs in the manufacture of dual purpose sofa beds and box springs by seventy-five percent (75%) under the quota they would otherwise be entitled to use pursuant to the provisions of General Limitation Order L-49.

(b) Nothing contained in this order shall be deemed to relieve Joseph A. Rhein and Esther R. Rhein, individually, or otherwise, their successors and assigns, and Rhein Brothers, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on October 1, 1944, and shall expire on April 1, 1945.

Issued this 29th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15185; Filed, Sept. 30, 1944; 4:36 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-581]

HARRISON-RIEDY GRAIN CO.

Thomas J. Riedy and wife, Elizabeth E. Riedy, and Louis E. Harrison are engaged at 105 South 31st Street, San Diego, California, under the name of

Harrison-Riedy Grain Company, in the business of manufacturing and processing animal and poultry feeds in which molasses is customarily used as an ingredient. During the calendar year 1943 they accepted 32,828 gallons of molasses in excess of the quota permitted under General Preference Order M-54, and during the same period used 31,537 gallons in excess of the quota permitted under the order. They were fully acquainted with the provisions of General Preference Order M-54 and their actions were the result of gross negligence.

These violations of General Preference Order M-54 have interfered with the allocation controls of the War Production Board and have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.581 *Suspension Order No. S-581.* (a) Unless hereafter specifically authorized in writing by the War Production Board, Thomas J. Riedy, Elizabeth E. Riedy and Louis E. Harrison, whether doing business as Harrison-Riedy Grain Company, or otherwise, their and its successors or assigns, shall reduce their and its total acceptance of delivery and use of molasses by at least one-half the quota they and it would otherwise be entitled to accept delivery of and use under Conservation Order M-54 (as amended from time to time).

(b) Nothing contained in this order shall be deemed to relieve Thomas J. Riedy, Elizabeth E. Riedy and Louis E. Harrison, whether doing business as Harrison-Riedy Grain Company, or otherwise, their and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on October 1, 1944, and shall expire on October 1, 1945, or at such time as such reduction has amounted to 31,537 gallons of molasses, whichever period shall be the shorter.

Issued this 30th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15186; Filed, Sept. 30, 1944; 4:36 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-593]

GENERAL ENGRAVING CO.

General Engraving Company, 538 South Clark Street, Chicago, Illinois, is an Illinois corporation established in 1942 and engaged in the printing and engraving business. In the period from August 1, 1943 to October 1, 1943, the company was entitled to consume approximately 6 tons of paper under the provisions of General Conservation Order M-241-a. Instead it consumed approximately 275 tons, or approximately 269 tons in excess of its quota. In the period from October 1, 1943, to January

1, 1944, the company was entitled to consume approximately 91 tons of pulp, paper, or paperboard. Instead it consumed approximately 522 tons, or approximately 431 tons in excess of its quota. The company thus consumed approximately 700 tons of paper in excess of its quota, in violation of Order M-241-a. Since the company was in the printing business, it was under a duty to have knowledge of Order M-241-a, and its failure to acquaint itself with the order and to abide by it was gross negligence such as to constitute wilful violations. These violations have diverted critical material to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.593 *Suspension Order No. S-593.* (a) General Engraving Company, its successors and assigns, shall reduce its consumption of pulp, paper, or paperboard, during each calendar quarter commencing with the fourth quarter of 1944, by at least 15% under the consumption permitted by Order M-241-a, as amended from time to time, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve General Engraving Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on October 1, 1944, and shall expire on October 1, 1945, or at such time as the reduction required by paragraph (a) has amounted to 700 tons of paper, whichever period shall be the shorter.

Issued this 30th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15184; Filed, Sept. 30, 1944; 4:36 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-627]

EAGLE RADIO COMPANY AND ERCO PRODUCTS MFG. CO.

Victor Kranz and William Kranz are partners in the purchase and sale of electronic equipment under the name of Eagle Radio Company, 84 Cortlandt Street, New York, New York; they also distribute and sell under the name of Erco Products Mfg. Co., 9 White Street, New York, New York. Between July 1, 1943, and May 21, 1944, they accepted transfer of \$12,210.89 worth of electronic equipment and transferred \$29,997 worth of electronic equipment in violation of General Limitation Order L-265. They were aware of General Limitation Order L-265 and these actions were wilful violations.

These violations of General Limitation Order L-265 have diverted scarce materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.627 *Suspension Order No. S-627.* (a) Victor Kranz and William Kranz, whether doing business as Eagle Radio Company or Erco Products Mfg. Co. or otherwise, their successors or assigns, shall not directly or indirectly obtain radio tubes on supplier's certificates as provided by General Limitation Order L-265 or sell radio tubes on consumer's certificates as provided by General Limitation Order L-265, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Victor Kranz and William Kranz, whether doing business as Eagle Radio Company or Erco Products Mfg. Co. or otherwise, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on September 30, 1944, and shall expire on December 30, 1944.

Issued this 23d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15187; Filed, Sept. 30, 1944;
4:36 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-630]

BENJAMIN A. ECKSTEIN

Benjamin A. Eckstein, 15 West 47th Street, New York City, is engaged in the business of buying and selling diamonds. In January, 1944, he purchased 712.20 carats of rough diamonds on an unrated order and without specific authorization from the War Production Board in violation of General Preference Order M-109. He further violated General Preference Order M-109 by selling these diamonds to another diamond dealer and polisher, for the purpose of polishing and cutting them into gem stones. Benjamin A. Eckstein was familiar with the provisions of General Preference Order M-109 and his actions constituted wilful violations of that order.

These violations have diverted critical material to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, That:

§ 1010.630 *Suspension Order No. S-630.* (a) Benjamin A. Eckstein, his successors or assigns, shall neither sell or transfer of rough diamonds as defined in General Preference Order M-109, unless specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Benjamin A. Eckstein, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on September 30, 1944, and shall expire on December 30, 1944.

Issued this 23d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15188; Filed, Sept. 30, 1944;
4:36 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-585, Modification]

DOWNES LUMBER CO., INC.

Downes Lumber Co., Inc. of Boston, Massachusetts, a retailer of pine lumber was suspended on July 18, 1944 by Suspension Order No. S-585. It appealed from the provisions of the suspension order on August 23, 1944. The appeal has been considered by the Deputy Chief Compliance Commissioner who has concluded that the present suspension order might permanently affect the business of the respondent in a manner unforeseen, and has therefore directed that the suspension order be modified.

In view of the foregoing:

It is hereby ordered, That: § 1010.585, Suspension Order No. S-585 issued July 11, 1944 and effective July 18, 1944, be and hereby is modified so as to allow respondent to place orders for restricted Western lumber on and after October 18, 1944, but not to accept delivery thereof before November 18, 1944.

Issued this 30th day of September, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15183; Filed, Sept. 30, 1944;
4:36 p. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Limitation Order L-126, Revocation of Schedule IV]

REQUIRED SPECIFICATIONS FOR REFRIGERATION VALVES, FITTINGS, ACCESSORIES AND OTHER PARTS

Section 1071.6 *Schedule IV to Limitation Order L-126* is revoked. This revocation does not affect any liabilities incurred under the Schedule.

Issued this 2d day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15236; Filed, Oct. 2, 1944;
11:12 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Limitation Order L-126, Revocation of Schedule V]

REQUIRED SPECIFICATIONS FOR COMMERCIAL WALK-IN REFRIGERATORS

Section 1071.7 *Schedule V to Limitation Order L-126* is revoked. This revocation does not affect any liability incurred under the schedule.

Issued this 2d day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15237; Filed, Oct. 2, 1944;
11:12 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-226, as Amended Oct. 2, 1944]

PRINTING TRADES MACHINERY AND PARTS

Section 3133.1, Limitation Order L-226 is hereby amended to read as follows:

§ 3133.1 *Limitation Order L-226—(a) What this order does.* This order restricts the production of printing trades machinery and parts, and restricts the delivery of new printing trades machinery.

(b) *Definitions.* For the purpose of this order:

(1) "Printing trades machinery" means the kinds of machinery or equipment which are listed in Schedule A. It does not include such machinery which is covered by the following orders: Office machinery covered by Limitation Order L-54-c; paper mill machinery covered by Limitation Order L-83; photographic equipment and accessories covered by Limitation Order L-267; container machinery covered by Limitation Order L-332.

(2) "Parts" means replacement parts for repairing, maintaining or rebuilding printing-trades machinery. It does not include spare parts for new equipment when ordered by the United States Armed Forces for delivery with such equipment.

(c) *Restrictions on production of printing trades machinery.* No person may produce any printing trades machinery except:

(1) For delivery to the United States Armed Forces or to the Veterans Administration upon orders approved in accordance with paragraph (g), or

(2) As authorized by the War Production Board on Form GA-1850.

(d) *How to obtain authorization on Form GA-1850.* (1) A person wishing to produce printing trades machinery, other than to fill approved orders for the United States Armed Forces or the Veterans Administration, should apply for authorization by letter addressed to the War Production Board, Printing and Publishing Division, Washington 25, D. C., Reference L-226. The minimum information required in this letter is

(i) Kind of machine

- (ii) Style or model and size of machine
- (iii) Quantity of each style or model and size
- (iv) Number and kind of component parts required
- (v) Number of months required to complete proposed production

(2) Where the applicant will need controlled materials in order to produce the machinery, the letter requesting authorization should be accompanied by application on Form CMP-4B for the controlled materials.

(3) Where the applicant seeks to increase or resume production of printing trades machinery, the letter requesting authorization should be accompanied by Form WPB-3820 (four copies), with answers to section II.

(e) *Policy for authorizing production on Form GA-1850.* In authorizing production on Form GA-1850 and in processing applications on Form CMP-4B, the War Production Board will be guided by the policy that the total production of the entire industry must not exceed the approved War Production Board program for printing trades machinery, and that increased or resumed production in any one plant, or labor requirements therefor, must not interfere with war production in that plant or with local or inter-regional labor recruiting efforts. Production of printing trades machinery which was specifically authorized by the War Production Board through the granting of appeals before October 2, 1944 may be completed after that date, but such production will be taken into account in authorizations to be made on Form GA-1850 in order that total production will not exceed the approved War Production Board program.

(f) *Restrictions on production of parts.* In the twelve-month period commencing October 1, 1944, no person may produce parts in a quantity having a sales value in excess of 150 percent of his 1941 sales of all parts.

(g) *Restrictions on delivery of new printing trades machinery.* Except as provided in paragraph (h), no person may deliver or accept delivery of any new printing trades machinery without first obtaining approval on Form WPB-1319 or Form GA-1456. Form WPB-1319 should be filed in quadruplicate with the War Production Board, Printing and Publishing Division, Washington 25, D. C. in accordance with the instructions accompanying the form. For applications involving building construction under Limitation Order L-41, approval on Form GA-1456 must be obtained by filing Form WPB-617 in accordance with the instructions for that form.

(h) *Exceptions to delivery restrictions.* The restrictions contained in paragraph (g) do not apply to:

(1) The delivery of new printing trades machinery to anyone who is acquiring it only for resale within the continental United States (48 States and the District of Columbia), but the person who receives such machinery may deliver it for use only upon an approved order under paragraph (g).

(2) The delivery of any single item of new machinery having a sales value of \$200.00 or less. The term "single item

of machinery" means any machine or group of items customarily purchased together.

(3) The delivery or acquisition of printing trades machinery pursuant to Priorities Regulation 13.

(i) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(j) *Exceptions and appeals—(1) Production under Priorities Regulation 25.* Any person who wants to produce printing trades machinery other than as provided by paragraph (c), and any person who wants to produce more parts than his quota as fixed in paragraph (f), including any person who has no quota, may apply for permission to do so as explained in Priorities Regulation 25.

(2) *Delivery under Priorities Regulation 24.* Any person who wants to accept delivery of any printing trades machinery other than as provided in paragraph (g) may apply for permission to do so as explained in Priorities Regulation 24.

(3) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraphs (c), (f) and (g) shall be filed on Form WPB-1477 with the Printing and Publishing Division, War Production Board, Washington 25, D. C., Ref: Order L-226.

(k) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-226.

Issued this 2d day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

MACHINE AND HAND COMPOSING ROOM EQUIPMENT

Automatic metal feeders.
Composing room band saws.
Rule form broaching machines.
Composing Room saws and saw trimmers.
Line typesetting machines.
Lino-saws.
Material makers.
Remelt furnaces and molds.
Lead and rule casters.
Space band cleaners.
Single character type composing machines.
Single character type casting machines.
Type and galley cabinets.
Composing and imposing tables.
Power mitring machines.
Supersurfacers.
Shell-high slug shears.
Slug profilers.

PLATE-MAKING EQUIPMENT (PHOTOENGRAVING, LITHOGRAPHIC, ELECTROTYPE, STEREOTYPE, RUBBER AND PLASTIC PLATE MAKING)

Arc lamps.
Ben day machines.
Cameras designed for use in printing trades.
Etching machines.
Halftone screens.
Monel silver baths.
Monel evaporating dishes.
Plate mounting nailing machines.
Planing machines.
Plate coating machines (whirlers).
Plate graining machines.
Plate routers.
Plate beveler and trimmers.

Projectors.

Photo-composing machines.
Vacuum backs for cameras.
Vacuum printing frames.
Diaphragm controls.
Casting boxes:
Vacuum backs.
Automatic plate casting machines.
Flat and curved hand casting boxes.

Cooling tables.
Mat formers.
Mat scorers.
Mat rollers.
Molding presses.
Plate curving machines.
Plate depth gauges.
Saws and trimmers:
Circular saws.
Cutters or trimmers.
Combination saws and trimmers.
Roll film cutters.
Shaving machines.
Tail cutters or trimmers.
Temperature control units.
Matrix shears.

PRESSROOM EQUIPMENT

Automatic press feeders and deliveries.
Bronzing machines.
Cutting and creasing presses.
Hand and automatic sheet and web-fed platen presses.
Hand and automatic fed plate engraving presses.
Hand and automatic fed flat-bed cylinder presses.
Paper seasoners.
Proof presses.
Scoring and perforating attachments.
Sheet and web-fed rotary letterpresses.
Sheet and web-fed offset presses.
Sheet and web-fed rotary gravure presses.
Thermographic presses.
Transfer presses.
Varnishing machines.
Web-pasters.
Web-tension devices.
Sheet and web-fed aniline-ink presses.
Web feeding reels.

BINDERY EQUIPMENT

Automatic feeders for folding machines, board cutters and ruling machines.
Automatic and hand-fed power trimmers.
Banding machines.
Bindery hand presses.
Binder's board cutters.
Binder's cloth cutters.
Book presses, standing (drying, clamp units, power or hand).
Case making machines.
Casing-in machines.
Cover shaping and bending machines.
Lining-up and headbanding machines.
Gathering and collating machines.
Inserting machines.
Stitcher-feeders.
Jogging machines.
Mechanical binding machines.
Nipping machines.
Paper ruling machines, pen and disc type.
Paging and numbering machines.
Perfect binding machines.
Perforating machines.
Pamphlet covering machines.
Round cornering machines.
Paper punching machines.
Paper drilling machines.
Paper indexing machines.
Rounding and backing machines.
Round corner turn-in machines.
Stripping machines.
Smashing machines.
Stamping and embossing machines.
Signature bundling presses (hand and power).
Thread sewing machines.
Thread stitching machines, hand and automatic feed.
Tipping and end paper machines.
Book and book back gluing machines.

Book and pamphlet wire-stitching machines.
Rotary gathering tables.
Book and magazine wrapping machines.
Guillotine cutting machines, power and hand lever.
Hand and automatic fed folding machines.

[F. R. Doc. 44-15240; Filed, Oct. 2, 1944; 11:12 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Supp. VII to Schedule A]

The following Supplement VII to Schedule A is issued pursuant to Conservation Order M-328P. (§ 3290.120a)

MATERNITY GARMENTS—PROGRAM NO. 2

Item No.	Items	Sizes	Price per dozen
1.....	Maternity supports.....	24" to 40" waist.....	Up to and including \$30.00.
2.....	do.....	24" to 40" waist.....	\$30.01 to \$42.00.
3.....	Maternity and nursing brassieres.....	32" to 46" bust.....	Up to and including \$10.50.
4.....	do.....	32" to 46" bust.....	\$10.51 to \$18.00.

Materials for which priority assistance will be given:

For Items 1 and 2:

Body Cloth: Brocade, poplin (2 x 1), batiste.
Lining: Flannel.
Binding: 64 x 56, Print Cloth.
Stripping: Twill 2.85 to 3.50, 36" to 39" width.

Elastic Webbing: 4" width.

For Items 3 and 4:

Body Cloth: 154 x 76, 3.23 and 144 x 80, 2.85 to 2.89 Combed Broadcloth.
Lining: Flannel.
Binding: 64 x 56 Print Cloth.

Elastic Webbing: 1" width and 3/8" width.
Application Form WPB-3732,
Filing date October 15, 1944.

These items are required to be produced during the period from November 1, 1944, to January 31, 1945.

The items must be produced for sale by the applicant at or below the lower of the following two prices: The applicant's OPA ceiling for the item, or the highest price per dozen listed above for the item.

Applicants should base their estimated production on their present labor and machinery.

Applications that are not completely and accurately filled out may be denied.

Issued this 2d day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15244; Filed, Oct. 2, 1944; 11:13 a. m.]

PART 3291—CONSUMERS DURABLE GOODS [Limitation Order L-28, Revocation]

INCANDESCENT, FLUORESCENT AND OTHER ELECTRIC DISCHARGE LAMPS

Section 3291.110 *Limitation Order L-28* is hereby revoked. This revocation does not affect any liabilities accrued under the order. The manufacture and delivery of Incandescent, Fluorescent and Other Electric Discharge Lamps remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 2d day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15235; Filed, Oct. 2, 1944; 11:12 a. m.]

PART 3291—CONSUMERS DURABLE GOODS [Limitation Order L-136, Revocation]

CHURCH GOODS

Section 3291.250 *Limitation Order L-136* is hereby revoked. This revocation does not affect any liabilities accrued under the order. The manufacture and delivery of church goods remain subject to all applicable regulations and orders of the War Production Board.

Issued this 2d day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15239; Filed Oct. 2, 1944; 11:12 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, as Amended Oct. 2, 1944]

CHEMICALS AND ALLIED PRODUCTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of those chemicals and allied products subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

INTRODUCTION

- (a) Purpose and effect.
- (b) Definitions.

APPENDIX B MATERIALS—GENERAL REQUIREMENTS

(c) General requirements for suppliers and users of Appendix A materials.

APPENDIX A MATERIALS—GENERAL REQUIREMENTS

(d) General requirements for suppliers and users of Appendix B materials.

APPENDIX C MATERIALS—GENERAL REQUIREMENTS

(e) General requirements for suppliers and users of Appendix C materials.

SPECIAL RELEASE FOR CIVILIAN USE

- (f) Policy.
- (g) Procedure.

ADDITIONAL REPORTS AND CERTIFICATES—SPECIAL REQUIREMENTS

- (j) Past use and inventory report.
- (k) Supplementary use certificates.

EXISTING STOCKS ON INITIAL ALLOCATION DATE

- (l) Suppliers' stocks.
- (m) Exemption for stocks of suppliers who consume.
- (n) Consumers' stocks.

SMALL ORDER EXEMPTION

- (o) Small order deliveries by suppliers.
- (p) Acceptance of delivery and use of small orders.

TERRITORIAL AND IMPORT-EXPORT PROVISIONS

- (q) Territorial limitations.
- (r) Imports.
- (s) Exports.

DURATION OF AUTHORIZATIONS

- (t) Duration of authorization for delivery.
- (u) Duration of authorization for acceptance of delivery.
- (v) Duration of authorization for use.

ACTION BY WAR PRODUCTION BOARD

- (w) Individual actions.

MISCELLANEOUS PROVISIONS

- (x) Rules governing disposition of materials.
- (y) Other provisions.
- (1) Toll arrangements.
- (2) Laboratories.
- (3) Equivalent quantities.
- (4) Full container adjustments.
- (5) Brokers and sales agents.
- (6) Applicability of regulations.
- (7) Approval of reporting requirements.
- (8) Violations.
- (9) Communications.

APPENDICES A, B AND C

Lists of materials with outline of allocation requirements. These appendices are issued and printed separately.

APPENDIX D

Use certificates—general instructions.

APPENDIX E

Forms WPB-2945, 2946 and 2947—general instructions.

SCHEDULES

A schedule is issued separately for each material. Appendices A, B and C contain cross-references to the schedules for all materials allocated under this order.

Introduction

§ 3293.1000 *General Allocation Order M-300—(a) Purpose and effect.* The purpose of this general allocation order is to provide a central framework for allocation of chemicals and allied products.

Three general systems of allocation are provided for in this order, following the outline of allocations now in general use for chemicals. Appendix A materials are allocated on customers' Form WPB-2945 (formerly PD-600) and suppliers' Form WPB-2946 (formerly PD-601). Appendix B materials are allocated on suppliers' Form WPB-2947 (formerly PD-602), on the basis of certified statements of proposed use from each customer. Appendix C materials are allocated on suppliers' Form WPB-2947 (formerly PD-602), on the basis of applications on customers' Form WPB-2945 (formerly PD-600) for large orders and certified statements of end use to the supplier from customers ordering intermediate quantities.

A separate schedule under this general order is issued for each subject material. The schedule details the information required for applications, and may contain special exemptions or additional requirements modifying the terms of the general order.

The appendices in this order outline the requirements for applying for each material and show the governing schedule numbers.

The general order will be amended and reprinted in its entirety whenever a change is made in the body of the order. Appendices A, B and C will be amended and reprinted separately about once a month, showing all materials subject to the order at that time. Schedules may be issued or amended at any time, and remain in effect until individually amended or revoked. A material is subject to the order as an Appendix A, B or C material as stated in the applicable schedule although the corresponding amendment to the appendix has not issued. In the event of inconsistency between a schedule and the general order or its appendices, the provisions of the schedule shall govern.

(b) *Definitions.* For the purpose of this order:

(1) "Material" means any chemical or allied product defined and made subject to this order as an Appendix A, B or C material by an M-300 schedule.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Supplier" means any person who produces or imports a material or who purchases a material for resale as such.

(4) "Initial allocation date" means the date when a material first becomes subject to allocation under this order, or when it first became subject to allocation under another order prior to its transfer to this order, whichever date is earlier.

Appendix A Materials—General Requirements

(c) *General requirements for suppliers and users of Appendix A materials.*

(1) On and after the initial allocation date, no supplier of an Appendix A material shall deliver it to any person, no person shall accept delivery of an Appendix A material from a supplier, and no person shall use an Appendix A material, except as specifically authorized in writing by the War Production Board upon application under this order. Applications to deliver are to be made on Form WPB-2946, and applications to accept delivery and use are to be made on Form WPB-2945.

(2) These general rules are modified by paragraph (x) and other provisions of this order, and special requirements and instructions may be contained in the schedules applying to particular Appendix A materials.

Appendix B Materials—General Requirements

(d) *General requirements for suppliers and users of Appendix B materials.*

(1) On and after the initial allocation date, no supplier of an Appendix B material shall use or deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order. Suppliers' applications are to be made on Form WPB-2947.

(2) Persons seeking to purchase from suppliers must furnish statements of proposed use in the form prescribed in Appendix D, and must use the material received only for the purpose certified or as provided in paragraph (x).

(3) Each supplier within a week after receipt of authorization to ship shall notify his customer of denial in whole or in part by the War Production Board of any item or items on a certified purchase order placed by the customer.

(4) These general rules are modified by the other provisions of this order, and special requirements and instructions may be contained in the schedules applying to particular Appendix B materials.

Appendix C Materials—General Requirements

(e) *General requirements for suppliers and users of Appendix C materials.* (1)

On and after the initial allocation date, no supplier of an Appendix C material

shall use or deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order. Suppliers' applications are to be made on Form WPB-2947.

(2) Requirements governing purchases of Appendix C materials depend on the aggregate quantities ordered from all suppliers for delivery in the requested allocation period after the initial allocation date. Acceptance of delivery of quantities above a certified limit must be specifically authorized in writing by the War Production Board upon application on Form WPB-2945, and persons seeking to purchase quantities below this limit, but greater than the exempt small order quantity, must furnish statements of proposed use certified in accordance with Appendix D. The quantity limits are specified in the applicable schedule, and appear in Columns 3 and 4 of Appendix C. The requirements for use of Appendix C materials appear in paragraph (x) of this order.

(3) Each supplier within a week after receipt of authorization to ship shall notify his customers of denial in whole or part by the War Production Board of any item or items on their certified purchase orders.

(4) These general rules are modified by the other provisions of this order, and special requirements and instructions may be contained in the schedules applying to particular Appendix C materials.

Special Release for Civilian Use

(f) *Policy.* It may from time to time be practicable for the War Production Board to release a limited quantity of a particular Appendix A, B or C material through trade channels for certain civilian use without allocation control over the individual customers to be served. This will be done by allocating an aggregate quantity of the material on the supplier's (usually producer's) WPB-2946 or WPB-2947 Form, releasing this material for a specified civilian use without further restriction.

(g) *Procedure.* (1) Material released in this way for a specified civilian use may be delivered, accepted and used by any person for this use without further authorization under this order. However, each person seeking to have any of this material delivered to him must file with the person from whom delivery is requested a statement, in the form prescribed in Appendix D, that the material will be used or redelivered only for a specified purpose (the filing of application on Form WPB-2945 is waived in this case). Material acquired on the basis of this representation must be used

as stated, or as provided in paragraph (x) of this order. A person who has been allocated or who has received material under this exemption shall deliver it only on purchase orders accompanied by certified statements of proposed use which conform to the use for which the material was released, and only after he has advised each purchaser in writing that the material is delivered under this exemption.

(2) Quantities allocated under this paragraph may be used or delivered for the authorized purpose without regard to preference ratings, and without limitation as to duration of authorization.

(h) [Revoked Oct. 2, 1944.]

(i) [Revoked Oct. 2, 1944.]

Additional Reports and Certificates— Special Requirements

(j) *Past use and inventory report.* Periodic or one-time reports on Form WPB-3442 covering past use and inventory may be required by the applicable schedule.

(k) *Supplementary use certificates.* Persons required to file statements of use with respect to materials subject to this order may be required by the applicable schedule to obtain supplementary statements of use from their customers.

Existing Stocks on Initial Allocation Date

(l) *Suppliers' stocks.* The restrictions on delivery and use of Appendix A, B, and C materials shall apply to all stocks of each supplier on the initial allocation date. Stocks of suppliers who resell exclusively on small orders are exempted by paragraph (o) (4).

(m) *Exemption for stocks of suppliers who consume.* If a supplier customarily maintains inventories of an Appendix A, B or C material for his own consumption separately, both physically and on his books, from his inventory of the material for sale, his stocks on the initial allocation date for his own consumption shall be subject to the provisions of the following paragraph (n) regarding consumers' stocks and not to the restrictions of paragraph (l) above regarding suppliers' stocks. Prior to the initial allocation date, no supplier shall transfer any more material to his inventory as a consumer than his rated orders for derivatives of the material compared with his rated orders for the material itself would permit under Priorities Regulation No. 1.

(n) *Consumers' stocks.* Any person not a supplier may freely use, deliver or accept delivery of any Appendix A, B or C material which he had in stock on the initial allocation date or which was in transit consigned to him prior to that date, unless otherwise expressly provided in the applicable Schedule (indicated by asterisk in Column 7 of Appendix A).

Small Order Exemption

(o) *Small order deliveries by suppliers.* A supplier may fill small orders without application or specific authorization, if he delivers not more than the small order exemption quantity specified in Appendix A, B or C to any customer in any allocation period, if he has received small order certificates when so required, and if the total amount delivered does not exceed the sum of the following:

(1) The amount which he has been specifically authorized, upon application on the applicable supplier's form (WPB-2946 or 2947) to deliver on small orders;

(2) The amount which he has received pursuant to specific authorization or certification for redelivery on small orders;

(3) The amount which he himself acquired on small orders and has not used for other purposes;

(4) The amount which he had on hand on the initial allocation date, if he sells exclusively on small orders.

(p) *Acceptance of delivery and use of small order quantities.* Any person during each allocation period may use and accept delivery of the small order exemption quantity provided in Appendices A, B and C for each material, provided that:

(1) The total accepted from all suppliers during each allocation period shall not exceed in the aggregate one small order exemption quantity;

(2) Quantities received under the small order exemption shall be used only for experimental purposes if additional quantities of the material are received during the same allocation period on specific allocation;

(3) Use of the material is subject to any special limitations on use contained in the applicable schedule (noted with a "u" in the small order exemption columns of Appendices A, B and C);

(4) Acceptance is subject to the filing of a special small order certificate when required by the applicable schedule (noted with a "c" in the small order columns of Appendices A and C).

(5) Material allocated for a particular purpose (other than inventory) must be used for that purpose and not under this exemption, unless changing circumstances or expiration of the authorization to use make it impractical or impossible to use the material for the original purpose.

(6) An operating unit need not consider the purchases or allocations of other units in determining whether it comes within this exemption, if the unit normally buys separately and has not changed its practice to come within this provision.

Territorial and Import-Export Provisions

(q) *Territorial limitations.* This order applies only to acts occurring within the continental United States (the forty-eight States and the District of Columbia), and deliveries across the borders of the continental United States shall

constitute imports and exports for the purpose of this order. This provision may, however, be expressly modified in the applicable schedule.

(r) *Imports.* Except in the case of imports from the Dominion of Canada, application and authorization under this order shall not be required for importation of an Appendix A, B or C material into the United States, acceptance of delivery of the material by the consignee and delivery by such consignee to, and acceptance by, any person who purchased or contracted to purchase the material prior to its importation. No person who acquires an Appendix A, B or C material under this exemption shall use it after the initial allocation date except as specifically authorized in writing by the War Production Board upon application under this order. Nothing contained in this order limits the requirements of General Imports Order M-63.

(s) *Exports.* (1) No supplier shall export or deliver for export on Appendix A, B or C material after the initial allocation date except as specifically authorized in writing by the War Production Board upon application under this order, or except to fill exempt small orders. A producer who is also an exporter shall treat the export part of his operations as a separate entity for the purpose of this order. An exporter applying on Form WPB-2945 (formerly PD-600) for allocation and to the Foreign Economic Administration for an export license for the same material subject to this order, shall file both sets of applications together with the Foreign Economic Administration.

(2) Authorized deliveries for export must be made within the authorized period, unless the exporter notifies the supplier and the War Production Board in writing that delivery must be postponed to a later specific period, in which case the limitation of duration of authorization in paragraph (t) is automatically waived, subject to any special directions from the War Production Board. After an exporter has accepted an authorized delivery for export he may export the material at any time to the destination for which allocation was made without further application or authorization under this order.

(3) Customers located and ordering for delivery outside of the continental United States need not file small order certificates which might otherwise be required under this order.

(4) An exporter (meaning any supplier located in the continental United States) who has or expects to have exempt small orders from customers located and ordering for delivery outside of the continental United States, may place a consolidated purchase order for the required material accompanied by a statement signed by an authorized official: "For exempt small orders outside continental United States—Ref: M-300". The supplier receiving the exporter's consolidated order with this statement may fill it from quantities of material which, upon his application, have been

allocated by the War Production Board specifically for "Exporters, paragraph (s) (4) of M-300". The exporter may accept delivery of the material without further certification, application or authorization, and may deliver it only to customers located and ordering in exempt small order quantities for delivery outside of the continental United States.

Duration of Authorizations

(t) *Duration of authorization for delivery.* If it is not practicable for a supplier to make all deliveries in the allocation period for which authorized, he may complete them as early as practicable in the next month. However, authorization shall terminate if the purchaser fails to place his order before the end of the allocation period or if the purchaser requires postponement of delivery beyond 10 days after the allocation period. When authorization to deliver is received before the specified allocation period, advance delivery may be made if it does not delay previously authorized deliveries.

(u) *Duration of authorization for acceptance of delivery.* A purchaser may accept delivery before or after the allocation period but shall notify the War Production Board and hold the material intact subject to direction from the War Production Board if he knows or has reason to believe that the shipment was made before authorization for delivery has been received or after the authorization for delivery had expired.

(v) *Duration of authorization for use.* Authorization for use on Form WPB-2945 (formerly PD-600) shall be valid from the time it is received until the end of the month following the allocation period for which the authorization was issued. The applicable schedule may extend this period. Any unused portion remaining thereafter shall not be used for any purpose until further authorized or directed by the War Production Board. This order does not limit duration of authorization for use of materials not allocated on Form WPB-2945.

Action by War Production Board

(w) *Individual actions.* In addition to regular allocations under this order, the War Production Board may at any time issue special directions to any person with respect to:

(1) Use, delivery or acceptance of delivery of an Appendix A, B or C material; or

(2) Production or processing of an Appendix A, B or C material; or

(3) Preparation and filing of forms and certificates required by this order or by its schedules, subject to approval by the Bureau of the Budget when required by Federal Reports Act of 1942.

Miscellaneous Provisions

(x) *Rules governing disposition of materials.* After the initial allocation date a person may use or deliver Appendix A, B or C materials only as follows:

(1) He may use material in accordance with specific written authorization, subject to the limitations in paragraph (v) on duration of authorizations for use on Form WPB-2945.

(2) He may use material as specified in a use certificate required to be filed with the purchase order for the material, unless advised by the supplier that a particular specified use has been denied or limited by the War Production Board.

(3) He may freely use stocks which he had on the initial allocation date if exempt under paragraph (n).

(4) He may use material within the quantity and use limitations of paragraph (p), without application or specific authorization.

(5) Pending receipt of material allocated for a particular purpose, he may use stocks on hand for that purpose but must replace the stocks upon receipt of the allocated material.

(6) He must obtain specific authorization under this order for use of material which cannot be used as described above. This includes material allocated for inventory and material received under Priorities Regulation 13, unless used in small quantities under paragraph (p). Application for authorization to use this material may be made on Form WPB-2945 or by letter, containing the same information as to quantity, grade and proposed use which would have to be given when applying for the material from a supplier.

(7) If he is a supplier he may deliver material only as authorized by or pursuant to this order. If he is not a supplier he may deliver material in accordance with Priorities Regulation 13, without application or specific authorization under this order for the delivery or its acceptance.

(y) *Other provisions—(1) Toll arrangements.* In the case of any toll arrangement where raw materials are converted into any Appendix A, B or C material by any person for the owner of the raw materials, the owner shall be considered the producer for the purpose of applications and authorizations under this order, and the Appendix A, B or C material may be delivered to him without restriction. However, no supplier may process on toll agreement any Appendix A, B or C material which the supplier previously delivered under small order exemption.

(2) *Laboratories.* This order is subject to the provisions of Supplementary Order P-135-a, which contains optional provisions for filing of small order and end use certificates by laboratories ordering reagent chemicals, and for acceptance by laboratories of small order deliveries of reagent chemicals.

(3) *Equivalent quantities.* The provisions of this order relate to quantities of material and not to the identity of any particular lot of material.

(4) *Full container adjustments.* A specifically authorized delivery (not including an exempt small order delivery) may be increased to the extent necessary to avoid shipping partly filled containers,

if a container in the nearest practicable size is used. The person accepting over-shipment shall hold the excess material as an advance shipment on subsequent allocations, and shall use it only for the purpose authorized for the subsequent allocation against which it is credited, or shall hold it in inventory subject to further directions from the War Production Board.

(5) *Brokers and sales agents.* Application and specific authorization shall not be required for the participation by a broker and sales agent in either of the following cases: (i) When material is ordered through a broker or sales agent and is to be delivered by the supplier direct to the purchaser and not to the broker or sales agent for redelivery to the purchaser; (ii) When material is sold by a supplier through an agent who submits the customers' purchase orders to the supplier for approval.

In either of these cases, the purchaser shall furnish the broker or sales agent with the necessary application forms or certificate, which the broker or sales agent shall transmit to the supplier. The supplier shall then apply for authorization to deliver as if the order had been placed directly with him. Similarly, exempt small orders may be transmitted to the supplier and filled in accordance with paragraph (o) as if placed directly with the supplier.

(6) *Applicability of regulations.* This order, its schedules, and all transactions affected thereby, are subject to all applicable War Production Board regulations, as amended from time to time.

(7) *Approval of reporting requirements.* Forms WPB-2945, 2946, 2947 and 3442, and the instructions in this order and in its Appendices and schedules for applications and reports regarding materials subject to this order, have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(8) *Violations.* Any person who willfully violates any provision of this order or of its schedules or who, in connection with such order or schedule, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priority assistance.

(9) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemical Bureau, Washington 25, D. C.; Ref: M-300—(specify applicable schedule number).

Issued this 2d day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDICES A, B AND C

Lists of materials with outline of allocation requirements. These appendices are issued and printed separately.

APPENDIX D—USE CERTIFICATES—GENERAL INSTRUCTIONS

(1) Each person required to file a use certificate with a purchase order for material subject to this order shall furnish the supplier with a certified statement of proposed use of the material in substantially the following form, either placed on or attached to the purchase order:

(Statement of quantity of listed material required for each specified product and end use—see instructions in the applicable schedule and the instructions in paragraphs (10) and (11) of Appendix E for description of proposed use.)

USE CERTIFIED—REF. M-300

Name of purchaser

By: -----

(Signature and title of
duly authorized officer)

(2) In the event two or more end uses are involved in a single purchase order, the amount of the material required for each use shall be listed as a separate item. Each item shall bear an identifying number so that it will be possible for the supplier to advise his customer by purchase order number and item number as to the action taken in the supplier's application for authorization to make delivery.

(3) A written purchase order placed by any department or agency of the United States Government pursuant to the Act of March 11, 1941 (Lend-Lease Act) shall constitute a use certificate for the purpose of this order, if the purchase order specifies the Lend-Lease contract or requisition number.

(4) A certified statement on Form WPB-2945 (formerly PD-600), or on any equivalent form, of quantities of material ordered for each intended product and end use, shall constitute a use certificate for the purpose of this order.

(5) The special certificate specified in Supplementary Order P-135-a may be used by laboratories when applicable instead of the above certificate.

(6) The standard form of certificate in Priorities Regulation 7 may be used instead of the above form of certificate if accompanied by the statement of proposed use.

APPENDIX E—FORMS WPB-2945, 2946 AND 2947—GENERAL INSTRUCTIONS

CUSTOMERS FORMS

Customers Form WPB-2945 (formerly PD-600). Each person requiring specific authorization to use or accept delivery of a material subject to this order shall file application on Form WPB-2945 in the manner prescribed therein, subject to the following general instructions:

(1) *Where to obtain copies.* Copies may be obtained at local field offices of the War Production Board.

(2) *Special instructions in schedules.* The applicable schedule may contain special instructions for applying for the particular material, supplementing or modifying the following general instructions.

(3) *When application is required.* Application for specific authorization is required for use or acceptance of delivery during any allocation period of a quantity exceeding the small order exemption in Column 5 of Appendix A, or of a quantity specified in Column 3 of Appendix C, or for use of an Appendix A, B or C material which has previously been allocated for a different purpose or for inventory.

(4) *Time of filing.* Application for regular allocation shall be filed or mailed in time

to reach the War Production Board on or before the date specified in Column 8 of Appendix A or C.

(5) *Number of copies and where to file.* Prepare five copies (a continuation sheet for Table 1 is available), retain one, send one (reverse side blank) to the supplier, if any, and send three copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-300----- (specify schedule number). Exporters, however, when applying to the Foreign Economic Administration for an export license for material for which War Production Board allocation is requested, shall send both sets of applications to the Foreign Economic Administration.

(6) *Applications regarding suppliers and inventory.* When applying only for use from inventory, specify "Inventory" as supplier in the heading. When applying for material from other companies as suppliers, file separate sets of applications for each supplying company. A combined application may be made to accept delivery and use material from another company as supplier, and to use an additional quantity from inventory. It will be presumed that applications which name another company in the heading as supplier relate only to acceptance of delivery and use of material from that supplier, unless it is clearly indicated that part of the application relates to use of an additional quantity from inventory. This may be indicated by specifying the requested quantity from inventory separately in Column 2 (quantities requested) and by specifying in Column 10 (Remarks) "From Inventory".

(7) *Heading.* Fill in as indicated, specifying as WPB Order No., "M-300-----" (specify Schedule number).

(8) *Table 1.* Specify in the heading the allocation period for which authorization for acceptance of delivery or use is sought.

(9) *Columns 1 and 2.* Fill in as indicated, subject to the instructions in the applicable Schedule.

(10) *Column 3.* Specify the proposed primary use of the material sought in terms of the proposed primary product to be made from the material (as indicated in the applicable Schedule), or specify the use as for resale, export or inventory of the requested material in original form.

(11-a) *Column 4.* Fill in as follows:
Opposite any primary product in Column 3 which is subject to allocation, specify in Column 4 only the allocation order number (and Schedule number, if allocated under General Allocation Order M-300).

Opposite any primary product in Column 3 which is not under allocation, specify in Column 4 the end use accurately and briefly, giving Army or Navy specification or contract numbers, or Lend-Lease requisition and contract numbers, when practicable.

Opposite "resale" in Column 3, suppliers shall write into Column 4 "upon further authorization" or "for exempt small orders". Suppliers who resell in both large and small quantities should specify "upon further authorization" for the total quantity ordered, and should apply on their suppliers' Form WPB-2946 or 2947 for authorization to deliver an aggregate quantity for small orders.

Opposite "export" in Column 3 specify in Column 4 the name of the individual company or governmental agency to whom, or for whose account, the material will be exported, the country of destination, and the governing export license or contract number, unless Lend-Lease, in which case merely specify the Lend-Lease contract and requisition number.

Opposite "Inventory" in Column 3, write into Column 4, "subject to further authorization".

(11-b) *Protective coatings.* When materials are sought for protective coatings col-

umns 3 and 4 may be filled out in accordance with the Primary Products and End Use List for the Protective Coatings Industry (WPB-217).

(12) *Columns 9 and 10.* Leave blank, except for remarks, if any, in Column 10.

(13) *Tables II, III and IV.* Fill in as indicated except as otherwise provided in the applicable schedule. In Columns 15 and 16, report entire physical inventory, whether or not subject to valid authorization or exemption on the dates specified. Suppliers who both sell and consume the material shall keep separate accounts of their sales and consumption inventories, reporting only the latter on customers' Form WPB-2945.

(14) *Table V.* Fill in only when and as required by the applicable schedule.

SUPPLIERS' FORMS

Suppliers' Forms WPB-2946 and 2947 (formerly PD-601 and 602). Each supplier requiring specific authorization to make delivery shall file application on Form WPB-2946 for an Appendix A material and on Form WPB-2947 for an Appendix B or C material, in the manner prescribed in these forms, subject to the following general instructions:

(15) *Where to obtain copies.* Copies may be obtained at local field offices of the War Production Board.

(16) *Special instructions in schedule.* The applicable schedule may contain special instructions for applications to deliver the particular material, supplementing or modifying the following general instructions.

(17) *When application to deliver is required.* Application for specific authorization to deliver an Appendix A, B or C material is required for any delivery by a supplier after the initial allocation date which is not subject to small order exemption.

A supplier who wishes to divert to his own use any part of his own production shall list his own name on the applicable supplier's form as in the case of any other customer, in addition to applying on customer's Form WPB-2945 (formerly PD-600) when so required.

(18) *Time of filing.* Applications for regular allocation shall be filed or mailed in time to reach the War Production Board on or before the date specified in Column 4 of Appendix A or Column 3 of Appendix B or Column 6 of Appendix C.

(19) *Number of copies and where to file.* Unless otherwise instructed in the applicable schedule, prepare four copies, retain one, and send three copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300----- (specify schedule number).

(20) *Number of sets.* File a separate set of forms for each separately located plant or distributing point, unless otherwise expressly provided in the applicable schedule.

(21) *Heading.* Fill in as indicated, specifying as WPB Order No., "M-300-----" (specify schedule number).

(22) *Table 1.* Fill in as indicated on Form WPB-2946 (formerly PD-601). List customers alphabetically, as far as practicable. On Form WPB-2947 (formerly PD-602) group customers according to end use and list alphabetically within each group, as far as practicable. If the applicant supplier wishes to use any part of his own production, he should list his own name as a customer on his supplier's form as in the case of any other customer. An aggregate quantity may be requested for exempt small orders without listing individual customers' names. In the case of Appendix C materials specify "WPB-2945" without further use description in Column 1-a of Form WPB-2947 opposite the names of customers who have filed copies of Form WPB-2945 with the applicant supplier.

(23) *Table II.* Fill in as indicated. In Columns 10 and 13 report stocks on physical

inventory basis regardless of whether any part of the stock is subject to valid authorization to deliver on the date specified. In Column 16, specify a quantity no greater than what is estimated will be available for allocation during the requested allocation period, taking into account undelivered balances on still valid prior authorizations.

[P. R. Doc. 44-15245; Filed, Oct. 2, 1944; 11:13 a. m.]

PART 3294—IRON AND STEEL PRODUCTION
[Conservation Order M-126, as Amended Oct. 2, 1944]

Section 3294.63 *General Conservation Order M-126* is amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3294.63 *General Conservation Order M-126*—(a) *Definitions*. For the purposes of this order:

(1) The term "iron or steel" does not include "tin plate" and "terne plate" as defined by Supplementary Order M-21-e, as amended, or screws, nails, rivets, bolts, wire, strapping or small hardware for joining or other similar essential purposes. The term does include stainless steel.

(2) The term "stainless steel" means corrosion or heat resistant alloy iron or alloy steel containing 10 per cent or more of chromium with or without nickel and/or other alloying elements.

(3) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin or otherwise shape.

(4) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(5) The term "assemble" does not include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom. The term "assemble" also does not include adding finished parts to an otherwise finished article when the location of one or more of the added parts, or the size or type of one or more of the added parts, is determined by the use to which the ultimate consumer is to put the article.

(6) The term "Bessemer processed steel" means steel made by a process, in which air is blown through molten cast iron contained in a converter.

(7) The term "top cut" means that portion of a steel ingot rejected because it is not of sufficiently high quality for use on the order for which the ingot was melted, but which is normally used for some other purposes.

(b) *Restrictions with respect to List A and B products*—(1) *Raw material deliveries*. No person shall deliver or accept delivery of any iron or steel (including stainless steel) which he knows

or has reason to know will be used to make any item on List A or B any part thereof or repair part thereof, in a manner not permitted by those Lists.

(2) *Fabrication; prohibition*. No person shall process any iron or steel (including stainless steel) to make any item on List A or B, any part thereof or repair part thereof, in a manner not permitted by those Lists.

(3) *Assembly*. No person shall assemble any item on List A or B, any part thereof or repair part thereof, if it contains any iron or steel (including stainless steel), in an amount or of a type not permitted by those Lists.

(4) *Finished item deliveries*. No person shall deliver or accept delivery of any item on List A or B, any part thereof or repair part thereof, which he knows or has reason to know was made, assembled or delivered in violation of any applicable provisions of this order as amended from time to time.

(c) *Exemption for Army-Navy-Maritime orders—List C items*. In the case of any item on List C ordered by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the Veterans' Administration and the War Shipping Administration, or to other persons pursuant to the authorization by the Maritime Commission on Form WPB-646 (formerly PD-300), or ordered for physical incorporation into material to be purchased by or for the account of such agencies, the kind and amount of iron or steel required by the specifications (including performance specifications) applicable to the purchase order or contract may be delivered for and used in the manufacture of the item unless List C says otherwise. However, no stainless steel shall be used unless List C specifically says that it may.

[Paragraphs (d) and (e) deleted October 2, 1944]

(f) *Disposition of frozen and excessive inventories*. The disposition of frozen and excessive inventories containing iron or steel (including stainless steel) is governed by Priorities Regulation 13 (§ 944.34).

(g) *Miscellaneous provisions*—(1) *Applicability of regulations*. This order and all transactions affected by it are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(2) *Exceptions under Priorities Regulation 25 and appeals*—(i) *Exceptions under Priorities Regulation 25*. An application filed under Priorities Regulation 25 is the only way of getting relief from the restrictions of this order with respect to any article on List A for civilian use. Some other orders of the War Production Board contain restrictions on the use of iron or steel. An authorization granted under Priorities Regulation 25 will not waive the other restrictions unless the order containing them or a direction to Priorities Regulation 25 states that it will. In the absence of such a statement, it is also necessary to get relief from the restrictions of the

other order in the manner provided in that order.

(ii) *Appeals*. An appeal must be filed if you want to make something for one of the military agencies mentioned in paragraph (c) in a manner not permitted by this order, or if you want to make an article on List B for anyone in a manner not allowed by paragraph (b) and that list. Appeals should be made by filing Form WPB-1477 with the WPB District Office for the district in which your plant is located.

(3) *Applicability of order*. The prohibitions and restrictions contained in this order apply whether the items are ordered or manufactured pursuant to a contract made prior to, on, or subsequent to May 5, 1942, or pursuant to a contract supported by a preference rating or allotment. Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the use of any material in the production of any item, the limitations of such order shall be observed.

(4) *Intra-company deliveries*. The restrictions of this order with respect to deliveries prohibit or restrict deliveries not only to other persons, including affiliates or subsidiaries, but also from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(5) *Violations*. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(6) *Installation*. The restrictions of this order do not apply to the installation of an item or part for the ultimate consumer on his premises or to any putting into process, processing or assembling of the item or part incidental to the installation when done on the premises of the ultimate consumer.

(7) *Repair*. The restrictions of this order do not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use iron or steel weighing in the aggregate more than 25 pounds and if any putting into process, processing or assembling done by such person is for the purpose of making the specific repair. This paragraph (g) (7) does not limit the manufacture of repair and maintenance parts when List A or B permit the making of such parts.

(8) *Restrictions on manufacturing in certain labor areas*. When List A indicates that the manufacture of a particular item is subject to this paragraph (g) (8), no person shall put into process, process, or assemble any iron or steel

(including stainless steel) to make any such item or any part thereof, unless such processing or assembling is to take place in a manufacturing establishment located outside of groups 1 or 2 of the labor market areas as may be from time to time designated by the War Manpower Commission.

Issued this 2d day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

"A" Frames and booms for lighters of 15 ton capacity and under.
Access panels—except as required by Underwriters Codes.
Accessories, soda fountain.*
Acoustical ceilings.
Advertising novelties.
Amusement park devices and roller coasters.*
Area walls.
(Ash sleeves—except as may be permitted under limitation orders in the L-30 series.)**
Asparagus tongs.
Atomizers, perfume—boudoir.
Attic fans.
Automotive accessories—except those items the production of which as automotive replacement parts is permitted under Limitation Order L-158, as amended from time to time, whether produced as replacement parts or as original or optional equipment for new vehicles.
Automotive heaters—except when produced as replacement parts under Limitation Order L-158.
Awning frames and supports—except that a person may process during the year 1944, in the manufacture of all awning frames and supports not more than 75% of the amount of iron and steel used by him in making awning frames and supports during the year 1941. All iron and steel used must be from idle or excessive inventories reported to Steel Recovery Corporation or to the War Production Board, or must be scrap.
Bag, purse and pocketbook frames.
Balers, paper, for household use.
Ball park equipment including but not limited to:
Cages.*
Fences.
Lighting systems—except lamp bulbs.
Metal bases.
Protective netting.*
Railings.
Rollers.
Score boards.
Screens.*
Seats.*
Tampers.
Banks, personal, toy, miniature.
Barber and beauty shop furniture.
Barber and beauty shop supplies, machines and equipment.*
Barn pushers and scrapers.
Barware and bar accessories.
Baskets—(i) except for commercial cooking, industrial and laboratory uses; (ii) except baskets of the type used in self-service food markets; (iii) except as may be permitted under Limitation Orders in the L-30 series; and (iv) except for agricultural purposes as may be permitted under Limitation Order L-257. Stainless steel may not be used for any basket except for baskets for heat-treating, pickling and plating and for repair and maintenance parts.
Baths, steam, all types.

*Maintenance and repair parts excepted.

(Bath tubs—except as may be permitted under Limitation Order L-42.)**
B-B shot for air rifles.
(Beach umbrellas—except as may be permitted under Limitation Order L-62.)**
(Beds—(i) except hospital beds, and (ii) except other beds as may be permitted under Limitation Order L-49.)**
(Bed spring frames—except as may be permitted under Limitation Order L-49.)**
Beer kegs—except hoops and fittings for wooden kegs.
Beer mugs.
Beer stands.
Beer steins.
Bench legs—except industrial.
Beverage bottle cases, including but not limited to beer and all soft drinks.
Bicycle racks.
Binding, linoleum.
Binoculars—except for U. S. Government Agencies.
Bird cages and bird cage stands.
Bird houses and feeders.
(Biscuit boxes—except as may be permitted under Limitation Orders in the L-30 series.)**
Blackboards.
Blade stropers, mechanical.
Bleachers and grandstands.*
Blocks, hat.
Boards, sounding.
Boat hooks.
Book ends.
Boot jacks.
Bottle holders—except hospital.
Bowling alleys, bowling pins and accessories.*
Boxes and trays for jewelry, cutlery, combs and toilet sets.
Boxes, meter, for household use—(i) except covers; and (ii) except reinforcing for concrete.
Braces, extensible steel, trench.
(Bread and cake boxes, household—except as may be permitted under Limitation Orders in the L-30 series.)**
(Bread slicers for home use—(i) except knives; and (ii) except as may be permitted under Limitation Orders in the L-30 series.)**
(Brewing, distilling, and processing equipment for alcoholic and non-alcoholic beverages, including bottling equipment—except when their production is permitted under Schedule VIII of Limitation Order L-292 and when made in accordance with Limitation Order L-292.)**
Bridge splash guards.
Brush-backs—except industrial.
(Buckles for clothing—except as may be permitted under Limitation Order L-68.)**
(Buckles for pocketbooks and shoes—except as may be permitted under Limitation Order L-68.)**
Building ornaments.
Buildings, portable.
Burial lowering devices.
Butter chips.
Butter knives.
(Buttons for clothing—except as may be permitted under Limitation Order L-68.)**
(Cabinets—except as may be permitted under Limitation Orders L-13-a, L-62, L-91 and under Schedule 3 to Limitation Order L-214.)**
Cake cutters.
Cake icing equipment.
Cake tongs.
Calendar and memo pad stands.
Calliopes or steam organs.
Candy display dishes.
Canes.

**The items in parentheses have been deleted from this order. The purpose of leaving them on the list is to furnish a ready reference to other orders affecting the manufacture of the deleted items.

Canopies, hoods and supports—except brooder canopies.
Cans, containers and closures—except (i) shipping packages; and (ii) cans, containers and closures as may be permitted under Orders M-81, L-103-b and L-197.
(Car washing machines—except as may be permitted under Limitation Order L-270.)**
Carillons.
Carpet rods.
Carriers, casket.*
Carousels (Merry-go-rounds).
Carving set holders.
Cash boxes.
Cash registers.*
(Casket hardware—except as may be permitted under Limitation Order L-64.)**
Casket trucks, undertaker's—except wheels.
Ceilings.
Chafing dishes.
(Chamber pots—except as may be permitted under Limitation Orders in the L-30 series.)**
Cheese dishes.
(Cheese vats—except when their production is permitted by Schedule I of Limitation Order L-292 and when made in accordance with Limitation Order L-292.)**
Chicken crates.
Chicken house scrapers.
Christmas tree holders.
(Christmas tree ornaments—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.)**
Cigar and cigarette holders and cases.
Cigar clippers.
Cigarette lighters—(i) except for spark wheels and springs; and (ii) except for all parts other than spark wheels and springs when made from iron or steel (including stainless steel) acquired from idle or excessive inventories reported to Steel Recovery Corporation or to the War Production Board, and then only subject to the provisions of paragraph (g) (8) of this order.
Cigarette package holders.
Cigarette making machines, hand.
Circus and carnival apparatus, equipment* and devices, including but not limited to:
Animal cages.*
Animal stands.
Tent standers.
Trailers.*
Trapeze bars.
Clamps, hair, including barrettes, decorative clips and fasteners (but not including common bob and hair pins and clamps for hair curling or waving).
Clips for attaching baggage tags.
Clothes hampers.
Clothes lines.
Clothes line pulleys.
Clothes line reels.
Clothes racks and clothes dryers.
Clothes trees.
Clothing trim and dress ornaments.
Coal chutes and doors, household.
Coal pans.
Coasters and trivets for glass and hot containers.
Cocktail glasses.
Cocktail sets.
Cocktail shakers.
Combs, hair—except curry combs.
Compacts.
(Cooking stoves, commercial, electric—except as may be permitted under Limitation Order L-65.)**
Copy holders.
Corn poppers and machines.
Cosmetics and toiletries—except as may be permitted under Supplementary Order L-103-b.

Counter tops and edgings.
 Covers for automotive leaf-type springs.
 Covers and frames, manhole—except for reinforcing for concrete covers.
 Covers, meter frame—except for industrial use.
 Crochet hooks.
 Croquet sets.
 (Crumb trays—except as may be permitted under Limitation Orders in the L-30 series.)**
 Crutches.
 (Cups, drinking, of all kinds—(i) except for livestock; and (ii) except as may be permitted under Limitation Orders in the L-30 series.)**
 Curb guards.
 Curler, hair, non-electric.
 Curtain stretchers.
 Dampers, fireplace—except as may be specified by the War Housing Critical List.
 Darners, sock.
 Decorative iron products.
 Deodorizing dispensers.
 Desk equipment, including but not limited to:
 Desk sets.
 Desk pads.
 Fountain pen and pencil stands.
 Letter openers.
 Name plates.
 Paper weights.
 Diaper cans, containers, and receptacles.
 Dictaphone racks.
 Dinner bells.
 (Dishwashing machines—except commercial dishwashing machines as may be permitted under Limitation Order L-248.)**
 Dishwashing racks, household.
 Dispensers, hand, for:
 Hand lotions.
 Paper products.
 Soap.
 Straws.
 Display forms.
 Document stands.
 Door chimes.
 (Door closers—except as may be permitted under Limitation Order L-236.)**
 (Door handles—except as may be permitted under Limitation Order L-236.)**
 Door knockers.
 Door mats.
 (Door stops—except as may be permitted under Limitation Order L-236.)**
 (Drain boards—except as may be permitted under Limitation Order L-42.)**
 (Drawer pulls—except as may be permitted under Limitation Orders L-13-a and L-260-a.)**
 Dress forms.
 Dummy police.
 Dust collecting systems and equipment*—except on preference rating of AA-5 or higher.
 Dust covers and enclosures*—except industrial.
 Easels, all types.
 Edgings, furniture and linoleum.
 Ediphone racks.
 Egg slicers.
 (Electric drinking water coolers—except as may be permitted under Limitation Orders L-38 and L-126.)**
 Embalming tables.*
 Enamelled tile sheets and squares.
 Enamel store fronts.
 Erasing knives.
 Erasing shields.
 Escalators.*
 Exercise and reducing machines.*
 Exhibition and fair apparatus and equipment,* including but not limited to:
 Lighting equipment.
 Racks.
 Stands.

*Maintenance and repair parts excepted.

Fan stands, all types.
 (Feed troughs, except as may be permitted under Limitation Order L-257.)**
 (Fence posts—except as may be permitted under Schedule 14 of Limitation Order L-211.)**
 Ferneries, metal.
 Finger bowls.
 Fireplace equipment, including but not limited to: andirons, fireplace screens, fireplace accessories and ash dumps but not including dampers and grates. See also the items "Dampers xx" and "Fireplace grates xx" on List A hereof.
 Fireplace grates—except grates weighing not more than 40 lbs. each. No person shall process during the year 1944 in the manufacture of all fireplace grates weighing 40 lbs. each or less, more than 50% of the amount of iron and steel used by him in making all fireplace grates during the year 1941.
 First aid kit boxes—except of the industrial type.
 Fish aquariums.
 (Fishing tackle and equipment other than commercial—except as may be permitted under Limitation Order L-92.)**
 Flag holders.
 Flag poles.
 (Flashlights—except as may be permitted under Limitation Order L-71.)**
 Floats for pageants, parades, advertising, etc.—except trucks.
 Floor and counter covering trim.
 Floor scrapers—except power driven.
 Floral tools and floral hoes.
 Florist supplies—except that iron or steel wire may be used which was drawn prior to June 19, 1942 or was sold to the manufacturer of florist supplies as scrap.
 (Flour, salt and pepper shakers—except as may be permitted under Limitation Orders in the L-30 series.)**
 Flower boxes, pot holders and vases.
 Flower shears.
 Fly traps.
 Food vending machines, including automats.
 (Foot baths—except as may be permitted under Limitation Order L-42.)**
 Foot scrapers.
 Forms for concrete construction—except concrete road forms when their production is permitted under Limitation Order L-192.
 Fountains, ornamental.
 Frames, clothes drying.
 Frames for artists' canvas, darning and needle work.
 Frames, steel blocking.
 (Fruit juice extractors, household—except as may be permitted under Limitation Orders in the L-30 series and L-65.)**
 (Furniture*—except as may be permitted under Limitation Orders L-13-a, L-62, Schedule 3 of L-214, L-226, L-249, L-254, and L-260-a, but subject to the prohibition on the use of stainless steel in "Mechanical drawing and drafting equipment" on List B.)**
 Game and gambling devices.
 (Garage hoists, car lifts and racks—except as may be permitted under Limitation Order L-270.)**
 Garbage grinders, household.*
 Garden trowels.
 Gas toasters, household.
 Gates for fences*—(i) except as permitted under Limitation Order L-257; and (ii) except for use in connection with a construction project that has been authorized by the War Production Board, and in such case the purchaser should place the following certification (in addition to the certification in Priorities Regulation No. 7): Delivery approved on Form GA-1456 (or on Form WPB-2774 in the case of utilities).

Glassware holders and trim—except on cooking utensils.
 Golf bag supports.
 Grass shears.
 Grass whips.
 Grave markers.
 Grilles, ornamental.
 Grills, outdoor.
 Guards for guy wires.
 Gutters, spouting, conductor pipe and fittings for dwellings two stories or less in height*—except when the installation has been approved by the War Production Board.
 H-Bar units.
 Hair dryers, hand. See also the item "Barber and beauty shop, supplies, machines and equipment" on this List A for other hair dryers.
 Hand seals for documents.
 Hand weedeers.
 Handles, broom and mop.
 Hangers and track for garage doors for private use.
 Hanger rings on brushes, brooms, etc.
 Harness and saddlery fittings—except for draft, work and ranch animals.
 Hat frames.
 Hat-making machinery.*
 Heat resisting pads for household use.
 Hedge shears.
 Highway crossing protection devices, electrical or mechanical.*
 Highway guard rail, wire, strip and posts.*
 Highway guard rail reflectors.
 Hitching posts.
 Holders, wire, all types—except as may be permitted under Limitation Orders in the L-30 series.
 Hoops, galvanized wire, for flower garden trim.
 Hose reels—(i) except fire fighting equipment; (ii) except for industrial use in direct fire hazard areas; and (iii) except as may be permitted under Limitation Order L-314.
 Hospital, medical, dental and related equipment—only items listed elsewhere on this List A are restricted by any provisions of this order.
 House numerals.
 Houses, poultry—except wire netting and except reinforcing for concrete, and except as permitted in the P-19 series of Orders.
 Houses, tool and hog—except reinforcing for concrete, and except as permitted in the P-19 series of Orders.
 (Humidification devices—except as may be permitted under Limitation Orders L-38 and L-126.)
 Humldors.
 Ice cream cabinets.
 Ice cream freezers, household.
 Ice cream molds.
 Ice cube trays.
 Identification tags and badges (see "Tags and badges XXX" on this List A).
 Incinerators—except for industrial or commercial use and except for housing as may be permitted by the War Housing Critical List.
 Ink well holders.
 Inlets, gutter, all types—except reinforcing for concrete.
 Inlets, sewer, all types—except reinforcing for concrete.
 Insulation, metal reflecting type.
 (Ironing boards and stands—except as may be permitted under Limitation Order L-91.)**
 (Jam boxes—except as may be permitted under Limitation Orders in the L-30 series.)**

(Jelly molds—except as may be permitted under Limitation Orders in the L-30 series.)**

Jewelry.

Jewelry cases.

Jugs, picnic, all types.

Kaleidoscopes.

Key chains, cases and rings.

Knitting needles.

Ladders, step.

Lanterns, magic.

Lard or vegetable oil tubs—except of a capacity of 5 pounds and over.

Laundry chutes.

(Laundry trays—except as may be permitted under Limitation Order L-42.)**

Lavatories—(i) except for railway cars; (ii) except for bangers; and (iii) except as may be permitted under Limitation Order L-42.

Lawn brooms.

Lawn edgers.

Lawn rakes.

Lawn rollers.*

Lawn tampers.

Lawn seeders.*

Lawn sprinklers.

Letter chutes.

Letter openers.

Letter trays.

Lighting poles and standards.*

Linen hampers—except for frames.

Lipstick holders.

Lockers—(i) except for oil refinery use; and (ii) except as permitted under Limitation Order L-13-a.

(Logs, artificial for gas—except as may be permitted under Limitation Order L-23-c.)**

Logs, artificial for electric fireplaces.

(Luggage—except as may be permitted under Limitation Order L-284.)**

(Lunch boxes—except as may be permitted under Limitation Orders in the L-30 series.)**

Mail boxes—except as required by U. S. postal regulations.

Mailing tubes or cases—except for transportation of bacteria, cultures, serums, plasma and biological specimens.

Marquees.

Match boxes.

Material for housing not otherwise specified in this order—(i) except as may be specified by the War Housing Critical List; (ii) except metal windows as may be permitted under Limitation Order L-77; and (iii) except metal doors and metal door frames as may be permitted under Limitation Order L-142.

Measuring pumps and dispensers* (except those designed for use on trucks)—for gasoline station, garage and household uses including but not limited to:

Air pumps—except as may be permitted under Limitation Order L-270.

Grease guns—except as may be permitted under Limitation Order L-314.

Grease pumps—except as may be permitted under Limitation Order L-314.

Kerosene pumps.

Oil pumps—(i) except barrel pumps and lubesters; and (ii) except as may be permitted under Limitation Order L-314.

(Meat molds—except when their production is permitted under Schedule VII of Limitation Order L-292 and when made in accordance with Limitation Order L-292.)**

Memorial tablets.

Menu holders.

Metal cloths—except insect screening and hardware cloth and for industrial processing.

Metal dust covers and enclosures—except for industrial use.

Millinery wire and gimps—except for hat brims.

Mirrors, hand.

Monograms and initials.

Mop wringers, household type.

(Motion picture cameras,* except that for motion picture cameras of the types regulated by Order L-267, iron or steel may be used to the extent permitted under that order.)**

(Motion picture projectors and projection equipment*—(i) except for motion picture projectors and projection equipment of the types the production and distribution of which is regulated by Limitation Order L-325; and (ii) except that for motion picture projectors and projection equipment of the types regulated by Limitation Order L-267, iron or steel may be used to the extent permitted under that order.)**

Motion picture screen stands.

Motion picture sound reproducing equipment—except for motion picture sound reproducing equipment of the types the production and distribution of which is regulated by Limitation Order L-325.

Mud scrapers.

Music stands.

Napkin rings.

(Necktie racks—except as may be permitted under Limitation Orders in the L-30 series.)**

Newspaper boxes or holders.

Novelties and souvenirs of all kinds—except that the assembling of artificial leaves, fruits, and flowers, and of feather ornaments shall be permitted when any iron or steel wire to be used was drawn on or before June 19, 1942, or was sold to the manufacturer of the artificial leaves, fruits, flowers, or feather ornaments as scrap.

Ornamental hardware and moldings.

Outdoor fireplace parts.

Outing spades.

Packing twine holders.

Fall clasps.

Paint spray outfits—except for industrial use. (Paper rollers, household—except as may be permitted under Limitation Order L-120.)**

Parasols, shafts and handles.

Park and recreational benches.

Parking meters.

Partitions.

Partition studs.

Pegs, tent.

Pencil holders.

Permanent wave machines.*

Pet beds.

Pet cages.

Pet dishes.

Pet equipment (except license tags) including but not limited to:

Carriers.

Chains.

Collars.

Feeders.

Houses.

Leashes.

Muzzles.

Phonograph motors, hand wound.

Phonograph record blanks.

Photographic accessories—(i) except accessories used in connection with X-ray; and (ii) except that for photographic accessories of the types regulated by Order L-267, iron or steel may be used to the extent permitted under that order.

Photographic equipment*—(i) except printing and publishing equipment as may be permitted under Limitation Order L-226; (ii) except X-ray film developing equipment; (iii) except that for photographic equipment of the types regulated by Order L-267, iron or steel may be used to the extent permitted under that order; and (iv) except document copying machines and equipment therefor (other than blue

print machines) for business purposes and for use by governmental agencies. See also the item "Blue print machines" * * * on this List A.

Physical reducing machines.

Picnic and outing boxes and accessories.

Picture and mirror hardware.

(Pie plates—except as may be permitted under Limitation Orders in the L-30 series.)

Pipe cases.

Pipe cleaner knives.

Pipe posts.

Pitchers—except for hospital use.

Plant and flower supports.

Plates, light switch—except for cast conduit bodies.

Playground equipment.

Play pens (except casters), boxes and enclosures, children's.

Pleasure boats.

Pleasure boat equipment and accessories.

Plumbing and heating equipment of the following types:

Gas Conversion burners.*

(Gas fired boiler-burner units—except as may be permitted under Limitation Order L-187.)**

(Gas fired furnace-burner units—except as may be permitted under Limitation Order L-22.)**

(Oil fired boiler-burner units—except as may be permitted under Limitation Order L-187.)**

(Oil fired furnace-burner units—except as may be permitted under Limitation Order L-22.)**

Steel heating boilers of 129 sq. ft. or less of heating surface.*

Pneumatic tube delivery systems—except industrial.

Pocketbook ornaments.

Polishing-wax applicators—except industrial as may be permitted under Limitation Order L-222.

Polishing-wax sprayers

Portable bathtubs.

(Poultry incubator cabinets—except as may be permitted under Limitation Order L-257.)**

Pulp, paper, paper products and converter machinery and equipment*—(i) except graphic arts machinery or equipment when its production is permitted under Limitation Order L-226; and (ii) except paper mill machinery as defined in Limitation Order L-83 and container machinery of the types listed on Schedule A of Limitation Order L-332.

Push carts.

Push plates and kick plates, door.

Race track apparatus and equipment,* including but not limited to:

Mutuel ticket machines.

Parl-mutuel boards.

Race finish photographic equipment.

Starting gates.

Racks, display.

Racquets.

Radiator enclosures.

Radio antenna poles*—except on preference ratings of AA-5 or higher.

Railings and barriers—(i) except for industrial use; (ii) except for metal fire escapes and fire towers; (iii) except for railing as may be permitted by the War Housing Critical List; (iv) except for the maintenance and repair of bridges; and (v) except for use in connection with a construction project that has been authorized by the War Production Board, and in such case the purchaser should place the following certification (in addition to the certification in Priorities Regulation No. 7): Delivery approved on Form GA-1456 (or on Form WPB-2774 in the case of utilities).

Reading stands.

Reels, cable and rope.

Refrigerator containers and trays, household.

Regalia.

*Maintenance and repair parts excepted.

**The items in parentheses have been deleted from this order. The purpose of leaving them on the list is to furnish a ready reference to other orders affecting the manufacture of the deleted items.

Registers, hand tally.
 Rodeo equipment, including but not limited to:
 Animal trappings.
 Fences.
 Gates.*
 Rolling boardwalk chairs.*
 (Rolling pins—except as may be permitted under Limitation Orders in the L-30 series.)**
 Rotary door bells.
 Rug scrubbing and shampooing machines.*
 Safety zone posts, rails, cables and platforms.
 Salesmen's display cases and sales kits.
 (Salt and pepper holders—except as may be permitted under Limitation Orders in the L-30 series.)**
 Sample boxes.
 Sand boats.
 Scaffolding—except for use in shipyards and industrial plants.
 Scenery and stage hardware equipment* (except lamp bulbs) for dramatic, theatrical and operatic use, including but not limited to:
 Battens.
 Cables.
 Lighting equipment.
 Stage drops.
 Score boards.
 Screen frames—except for industrial processing.
 Scrubbing boards.
 Semaphores, traffic signal—except railroad.
 Service food trays.
 Shades, window and roller type—(i) except for railroad passenger cars, street cars, and busses; and (ii) except for roller mechanism on shades for all uses.
 Sheet iron or hoop iron packings for cookies and sweet goods.
 (Shelves for domestic ice refrigerators, as defined by Limitation Order L-7-c.)**
 Shirt and stocking dryers.
 Shoe cleaning kits.
 Shoe ornaments.
 Show window lighting and display equipment.
 (Shower receptors and stalls—except as may be permitted under Limitation Order L-42.)**
 (Shutters, window—except as may be permitted under Limitation Order L-142.)**
 Sidewalk scrapers.
 Sign hanger frames.
 Sign posts.
 Signets.
 (Silos—except as may be permitted under Limitation Order L-257.)**
 (Sinks, sink aprons and sink legs—(i) except scullery sinks; and (ii) except as may be permitted under Limitation Order L-42.)**
 (Sink drainboards, both integral and removable—except as may be permitted under Limitation Order L-42.)**
 (Siphon chargers—except as may be permitted under Limitation Order M-233.)**
 (Sitz baths—except as may be permitted under Limitation Order L-42.)**
 Skates, roller and ice, except when ordered by a public skating rink.
 Skating rink apparatus and equipment.*
 Skewers, all types.
 Ski racks.
 Sleds and sleighs—except runners.
 (Slide fasteners—except as may be permitted under Limitation Order L-68.)**
 (Slides, loops and slide-loops for work clothing—except as may be permitted under Limitation Order L-68.)**

Smokers' accessories—except pipe cleaners.
 (Snow shovels and pushers, hand—except as may be permitted under Limitation Order L-157.)**
 Sod lifters.
 Spading forks—children's.
 Special industrial machinery of the following types:
 (Ceramic making machinery*—except as may be permitted under Limitation Order L-123.)**
 Collapsible tube filling machines.*
 Cosmetic machinery.
 Coupon inserting machines.
 Cut and monumental stone machinery.
 Milk can machinery.*
 Steel drum machinery—except for export purposes.
 Tobacco machinery.*
 (Spittoons—except as may be permitted under Limitation Orders in the L-30 series.)**
 Spools, for cord, ribbon or tape—except for adhesive tape and inked ribbon.
 Spray containers, household.
 Sprinkling cans, garden.
 Stadiums.*
 Stair and threshold treads,* household, institutional and commercial buildings—except for fire escapes, fire towers and essential industrial use.
 (Stamped bakery equipment—except as may be permitted under Limitation Orders in the L-30 series.)**
 (Stands, all types—(i) except for essential industrial use; and (ii) except as may be permitted under Limitation Orders L-54-c and L-199, and Schedule 3 of Limitation Order L-214.)**
 (Staple removers—except as may be permitted under Limitation Order L-73.)**
 Starter shingle strips.
 Statues.
 Store display equipment and show cases.
 Store fronts.
 Stretchers, carpet.
 Stretchers, glove, sock and sweater.
 Subway turnstiles.*
 Sugar cube dryer trays.
 (Sugar holders—except as may be permitted under Limitation Orders in the L-30 series.)**
 Sun dials.
 (Sun lamps and infra-red lamps—except as may be permitted under Limitation Order L-259.)**
 Swimming pool equipment,* including but not limited to:
 Diving boards.
 Diving stands.
 Ladders.
 Slides.
 Table name-card holders.
 (Table tops for household use—except as may be permitted under Limitation Order L-62.)**
 Tablets.
 (Tanks (strapping excluded) for agricultural use—except as may be permitted under Limitation Order L-257.)**
 Tanks, storage (strapping excluded) for beer.
 Tanks (strapping excluded) for water*—(i) except for use in tropical climates; (ii) except of a height in excess of 100 feet; (iii) except for range boilers and hot water storage; and (iv) except pneumatic pressure tanks.
 Tank towers (i) except over 20 feet in height supporting more than 100 tons; and (ii) except over 50 feet in height.
 (Teapots—except as may be permitted under Limitation Orders in the L-30 series.)**
 Telephone bell boxes—except bases and where required for safety.
 Telephone booths.
 Telescopes—except for U. S. Government Agencies.
 Tent frames and supports.
 Termite shields—except as may be specified by the War Housing Critical List.

Terrazzo spacers and decorative strips—except hospital operating rooms.
 (Textile machinery—except as may be permitted under Limitation Order L-215.)**
 Thermos or insulated jugs and bottles over one quart size.
 Thimbles, sewing.
 Tickers, stock.
 Ticket vending machines*—except for public transportation.
 Tile, steel-back.
 Tongs, for food handling or for household use.
 Tool boxes and cases—except for industrial use.
 Tool handles—except for power driven tools and hand tools.
 Traffic lane markers.
 (Trailer bodies—except as may be permitted under Limitation Order L-258.)**
 Transplanting trowels.
 Trophies.
 (Truck bodies—except as may be permitted under Limitation Order L-253.)**
 (Trunks*—except as may be permitted under Limitation Order L-284.)**
 Tub covers.
 Turf edgers.
 Typewriter mechanism for pedestal and drop-head desks.
 (Umbrellas, garden—except as may be permitted under Limitation Order L-62.)**
 (Urinals—except as may be permitted under Limitation Order L-42.)**
 Vanity cases.
 (Vending machines for sanitary napkins*—except as may be permitted under Limitation Order L-27.)**
 Vibrators, electric—except for industrial use.
 Voting machines.
 (Wagon bodies and frames—(i) except for construction use; and (ii) except for agricultural use as may be permitted under Limitation Order L-257.)**
 (Wardrobe trunks—except as may be permitted under Limitation Order L-284.)**
 Waste paper receptacles.
 Watch straps.
 Water color paint boxes.
 Water stills, household.
 (Water troughs—except as may be permitted under Limitation Order L-257.)**
 Weather stripping—except for railroad cars.
 Weather vanes.
 Wheel chairs—except frames and wheels.
 Whiskey service sets.
 Window display advertising.
 Window shade rollers. See item "Shades xxx" on List A hereof.
 Window stools.
 Window ventilators—except for industrial and hospital use.
 Wine coolers.
 Wine service sets.
 Wire parcel handles and holders.
 Wire racks—(i) except for animal cages for biological work; (ii) except for industrial use; (iii) except for scientific laboratory equipment; (iv) except for agricultural use as may be permitted under Limitation Order L-257; and (v) except as may be permitted under Limitation Orders L-23-c and L-182, and under Directions to Orders in the L-30 series.
 Work benches—(i) except for shipboard use; and (ii) except for industrial use where required for safety.

LIST B

Air-conditioning systems—(i) except essential machinery parts; and (ii) except for parts other than essential machinery parts when made with iron or steel other than stainless steel.
 Barrel hoops and fittings—except when made with iron or steel other than stainless steel.
 Bed pans—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-30-b.

*Maintenance and repair parts excepted.

**The items in parentheses have been deleted from this order. The purpose of leaving them on the list is to furnish a ready reference to other orders affecting the manufacture of the deleted items.

Bins and screens—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Blue print machines—(i) except parts coming in contact with chemicals; and (ii) except for other parts when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Bobbin heads—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-98.

Boiler casings—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-42, L-185, L-187 and L-199.

Bottle coolers—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-38.

Branding, marking, and labeling devices—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-83 and L-292.

Buckets and pails—(i) except to fill orders of chemical plants and plants handling explosives and (ii) except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series, L-214, L-257 and Schedule IV of L-292 to fill other orders.

Builders' hardware—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-236.

Builders' supplies—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Cafeteria and restaurant equipment—except when made with iron or steel other than stainless steel provided that stainless steel may be used for operating parts for repair and maintenance purposes.

Chains and cables—(i) except for heat-treating, pickling and plating; and (ii) except for all other uses when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Clock cases—except on recording and controlling industrial instruments and heating system control equipment, and then only if made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Clocks, parts other than cases—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Coffee pots—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series.

Control levers—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Convectors, local and unit heaters—(i) except for heat controls; and (ii) except for parts other than heat controls when made with iron or steel other than stainless steel and in accordance with Limitation Order L-107.

Conveyors and conveyor chutes—(i) except where subject to high temperature or corrosive action, and (ii) except when made of iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Culverts, including conduits, corrugated pipe and corrugated plates and arches for culverts (i) except for maintenance and repair; (ii) except from top cuts and discard steel; (iii) except reinforcing bars for poured concrete; (iv) except other reinforcing made with iron or steel in the form of re-rolled rail stock, top cuts and discard steels; and (v) except nestable culverts for use outside of the continental limits of the United States.

Cups, other than drinking—(i) except industrial; and (ii) except when made with iron or steel other than stainless steel and in accordance with other applicable War Production Board orders.

Dishes, saucers and plates—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series.

Dyeing equipment—(i) except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-215; and (ii) except for repair and maintenance parts as may be permitted under Limitation Order L-215.

Elevators, including doors and trim—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-89 and L-257.

Fans—(i) except industrial; or (ii) except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-176.

Farm machinery and replacement parts therefor—(i) except high pressure sprayer valves, valve sets and nozzles; and (ii) except other parts when made with iron or steel other than stainless steel and in accordance with Limitation Order L-257.

Fences of all kinds except:

(1) Plain, barbed, or twisted wire; woven or welded wire fence (except lawn and other ornamental fence); wire netting; wire flooring.

(2) Chain link fence, weighing not more than two pounds per lineal foot and not more than 0.33 pounds per square foot, for industrial plant protection only.

Floor plates and floor coverings—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Fountains—(i) except fountains (other than ornamental fountains) when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-38 and L-42; and (ii) except for replacement parts for soda fountains of the following types: covers, breaker strips, milk cans and ice pans which may be made with any iron or steel including stainless steel.

Frames, catch basin and grater, all types—(i) except when made from low-grade cast iron; and (ii) except for reinforcing for concrete covers.

Furniture, hardware—except when made with iron or steel other than stainless steel and as may be permitted under Limitation Orders L-13-a, L-62, L-214 and L-260-a.

Galley and mess equipment—except when made with iron or steel other than stainless steel, provided that stainless steel may be used for operating parts for repair and maintenance purposes.

Galley, kitchen, cafeteria and restaurant paneling—except when made with iron or steel other than stainless steel.

Gasoline dispensing pumps.

Grilles, sewer—except when made from low-grade cast-iron.

Hangers, all types—except X-ray film hangers; and (ii) except for other types of hangers when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders. See List A for a type of hanger which may not be made with any iron or steel.

Hose clamps—except when made with iron or steel other than stainless steel.

Hot water heaters, tanks and coils—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-65, L-185 and L-199.

Ice box exteriors—(i) except as may be permitted under Limitation Order L-7-c; and (ii) except for commercial reach-in and walk-in refrigerators when made with iron or steel other than stainless steel.

Ice box parts other than exteriors—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-7-c, L-38 and L-126.

Instrument dials and cases—except when made with iron or steel other than stainless steel and in accordance with other applicable War Production Board orders.

Kitchenware—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30-series.

Ladders and hoists, including fittings—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Lanterns and lamps—(i) except valves, controls and mantle-holders and except for miners' lamps; and (ii) except for parts of lamps other than valves, controls and mantle-holders and for all parts of lamps other than miners' lamps, when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Lavatory equipment—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-42.

Lighting equipment—(i) except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-78, L-168, L-212, L-235 and L-259; and (ii) except for use in floodlights, searchlights and other outdoor lighting equipment used in connection with aerial or marine navigation.

Livestock and poultry equipment—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-257.

Locks—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-236.

Match and pattern plates, matrices and flasks—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Mechanical drawing and drafting equipment—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

Milk bottle cases—but only if the manufacturer uses in any quarter more than an average of $4\frac{1}{2}$ pounds of iron and steel per case (counting joining and essential hardware but not counting iron or steel acquired from idle and excessive inventories reported to Steel Recovery Corporation or the War Production Board, whether or not it is such hardware).

Mortician's supplies and equipment—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

Name, data and instruction plates for machinery and equipment—except when made from iron or steel other than stainless steel or when made from any steel obtained from idle or excessive inventory listed with Steel Recovery Corporation and, in each case, in accordance with any applicable orders of the War Production Board.

Pole-line hardware—except when made with iron or steel other than stainless steel.

Pumps, fresh water—(i) except industrial; and (ii) except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

Radio antenna—except when made with iron or steel other than stainless steel.

Railroad rail joint angle bars over 24" in length—(i) except for replacement on used rails; and (ii) except for rail weighing more than 110 lbs. per yard.

Refrigerator boxes, walk-in—except when made with iron or steel other than stainless steel.

Refrigerator and refrigeration equipment—(i) except essential machinery parts; and (ii) except for parts other than essential machinery parts when made with iron or steel other than stainless steel. This item is subject to the provisions of the item "Refrigerator containers and trays, household" on List A.

Rubber moulds—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

Sewer pipe, exterior installations—(i) except for vents and within 5 feet of buildings; (ii) except for cast iron pressure mains; and (iii) except for reinforcing for concrete made from iron or steel in the form of re-rolled rail stock, "top cuts", or discard steel.

Shelves, other than shelves for domestic ice refrigerators—except as may be made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

Spools for wire—(i) except traverse spools and spools used in industrial processing; (ii) except spools for solder; and (iii) except other spools when made from strip or sheet classified as seconds or rejects, or from idle and excessive inventories reported to Steel Recovery Corporation or the War Production Board.

Sporting and athletic goods—(i) except cleats and spikes for athletic shoes; (ii) fishing tackle as permitted under Limitation Order L-92; and (iii) gymnasium equipment for programs approved by the United States Office of Education. Fully fabricated skates may be attached to athletic shoes without restrictions since the order does not regulate such assembly (see paragraph (a) (5)).

Staples—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

Stokers—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-75.

Storage racks, racks, cabinets or lockers—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

Tags and badges, key, name, price, identification—(i) except personnel identification tags or badges where metal tags or badges are required for the protection of government agencies provided they are made with iron or steel other than stainless steel; (ii) except personnel identification tags or badges containing not more than $\frac{3}{4}$ ounce of iron and steel where metal tags or badges are required for protection of industrial plants provided they are made with iron or steel other than stainless steel; (iii) except metal tags required for identification of livestock and poultry and products made therefrom provided they are made with iron or steel other than stainless steel; (iv) except pin attached or wire attached tickets for price marking of soft goods; (v) except metal tags for marking and identification of metals in its production, shipment and application provided they are made with iron or steel other than stainless steel; (vi) except license tags for pets; (vii) except name, data,

identification and instruction plates for machinery and equipment provided they are made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board; and (viii) except for laundry and dry cleaning identification.

Thermometer bases, household—except when made from iron or steel classified as seconds or rejects or from iron or steel taken from idle or excessive inventories listed with Steel Recovery Corporation or the War Production Board.

Toilet floats, cistern and low water-floats—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-42.

Tubs, washing—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series.

Valve handles—except when made with iron or steel other than stainless steel.

Ventilators other than louver ventilators of the residential type, for use in walls—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-142 and other applicable orders of the War Production Board.

Ventilators, louver, for use in walls, residential type—except when made from shop sheatings or trimmings.

Weed cutters and pullers, including dandelion, thistle and dock cutters and pullers—except when made from steel in the form of re-rolled rail stock or from idle or excessive inventory listed with Steel Recovery Corporation.

Wheelbarrows* (parts other than wheels) except for farm and dairy use; food processing; fish handling; coal yards and mines; handling chemicals; hot materials, forgings and castings.

LIST C

Access panels—for use on board ship, on military vehicles and artillery items and where climatic or safety conditions make necessary.

Access panels of stainless steel for radio equipment.

Accessories, soda fountain—for use on board ship.

Acoustical ceilings—for use on board ship.

Attic fans*—where climatic conditions make necessary.

Automotive accessories.

Automotive heaters—where specified for military vehicles.

Awning frames and supports—for use on board ship, military repair units, hospital installations, and military construction units.

Barber chairs—for use on board ship.

Barber shop supplies.

Baskets*—for cooking and manufacturing uses and for ordnance operations.

Baths, steam—for use on board ship.

B-B shot—for training and shot blast cleaning purposes.

Bench legs.

Binoculars.

Bird cages—for carrier pigeons.

Bird feeders—for carrier pigeons.

Bleachers and grandstands—but only straps and necessary fasteners for demountable wooden bleachers and grandstands.

Boat hooks.

Bobbin heads of non-nickel bearing stainless steel—for use on board ship.

Boiler casings of stainless steel*—for use on board destroyers and where required for corrosion or heat resistance on board ship.

Bottle holders—for use on board ship and in hospitals.

Boxes, meter.

Brush-backs for bore brushes.

Buckets and pails.***

Buildings, portable.

Canopies, hoods, and supports.

Cash boxes.

Ceilings—for use on board ship.

Chains and cables.***

Cigarette lighters—when ordered by the Army Exchange Service, the Quartermaster Corps, the Bureau of Naval Personnel and the Marine Corps, for use by the Army, Navy, Marine Corps, Coast Guard, U. S. Maritime Commission, and War Shipping Administration.

Clock cases.

Clothes hampers—for use on board ship.

Clothing trim.

Control levers of stainless steel for aircraft.

Conveyor and conveyor chutes for artillery equipment—stainless steel permitted where required.

Counter tops and edgings—for use on board ship.

Covers and frames, manhole.

Covers, meter frame.

Culverts—for airports, for use outside continental limits of the U. S., and where certified to the manufacturer or supplier as necessary by the Army or Navy engineer in charge.

Dust collecting systems and equipment.

Dust covers and enclosures—when specified for military vehicles and artillery items.

Erasing knives.

Fans of stainless steel—for use on board ship and where required for corrosion resistance.

Fences, including chain link, weighing not more than 2 pounds per lineal foot and not more than 0.33 pound per square foot.

First aid kit boxes.

Flag holders.

Flag staffs and flag masts—for use on board ship, and on military vehicles.

Fountains, portable, of stainless steel—for use on board ship.

Galley and mess equipment of stainless steel as follows:

Canteens.

Coffee urns.

Cold storage space on board ship.

Compartment mess trays.

Dishwashing machines.

Kettles, steam jacketed.

Meat cans and covers.

Metal sponges.

Portable water coolers, liners only.

Pressure cookers.

Sinks and dresser tops for use on board ship and aircraft.

Steam tables, warming pans and inserts.

Stock pots.

Games.

Gates for fences.

Grilles—sewer.

Hand seals for documents.

Harness and saddlery fittings.

Hat frames.

Hat-making machinery, but only—

Blocking machines with complete sets of blocks.

Sets or dies for cutting parts.

Hose clamps of stainless steel—for aircraft.

Hose reels.

Hot water heater tanks and coils of stainless steel—for aircraft and military vehicles.

Ice cube trays.

Incinerators.

Instrument dials and cases of stainless steel.

Ladders, step.

***Stainless steel also permitted but only where required for corrosion or heat resistance or non-magnetic properties.

*Maintenance and repair parts excepted.

Ladders and hoists of stainless steel—for aircraft.

Lavatories and lavatory equipment of stainless steel—for aircraft and for use on board ship.

Lighting equipment (i) for theatres and recreational buildings for the armed forces; and (ii) of stainless steel for aircraft.

Lockers—for office equipment as limited under Limitation Order L-13-a, for use on board ship, military vehicles, outside continental limits of U. S. and in ordnance plants.

Mall boxes—for use on board ship.

Measuring pumps and dispensers for gasoline stations and garages, including but not limited to—

- Air pumps.
- Gasoline dispensing pumps.
- Grease guns.
- Grease pumps.
- Kerosene pumps.
- Oil pumps.

Mechanical drawing and drafting equipment of stainless steel.

Metal cloths.

Mirrors, hand—for signal use.

Motion picture cameras, projectors and projection equipment—stainless steel permitted for sprockets and aperture plates.

Motion picture screen stands.

Motion picture sound reproducing equipment.

Music stands—for use on board ship.

Name, data and instruction plates for machinery, equipment and aircraft—stainless steel permitted.

Paint spray outfits—stainless steel permitted for nozzle tips and needle valves.

Partitions—for use in hospitals and on board ship.

Partition studs for radar equipment.

Pegs, tent.

Phonograph motors, hand wound.

Phonograph record blanks.

Photographic equipment and accessories.***

Pipe posts.

Pitchers.

Plates, light switch, for use on board ship and for artillery and mobile items.

Pneumatic tube delivery systems.

Portable bathtubs.

Pumps, fresh water, for use on board ship.***

Pump shafts of stainless steel.

Push carts—for ordnance and combat organizations.

Radiator enclosures for use on board ship, on military vehicles and on artillery items.

Radio antenna of stainless steel.

Radio antenna poles—stainless steel permitted for submarines and aircraft.

Railings—for use on board ship.

Reels, cable and rope—for combat and field training purposes and for use on board ship.

Scaffolding—for use in airfields and other places where use of wood scaffolding is impracticable.

Screen frames.

Sewer pipe for pressure lines in exterior installations—cast iron only may be used.

Shirt and stocking dryers of cast iron only.

Skewers, all types.

Spools for wire—for combat and field training purposes.

***Stainless steel also permitted but only where required for corrosion or heat resistance or non-magnetic properties.

Sporting and athletic goods.

Stair and threshold treads—for use on board ship.

Swimming pool equipment for training purposes.

Tags—

For marking ammunition and military equipment.

Identification tags and badges for personnel.***

Tanks, storage, water—but only for use on board ship, mobile units, range boilers and water storage, of a height in excess of 100 feet, or for pneumatic pressure tanks, or for use outside continental limits of U. S.

Tanks, water storage of stainless steel—for use in aircraft.

Telephone bell boxes—for use on board ship or where climatic or safety conditions make necessary.

Telephone booths, acoustically treated—for use on board ship.

Tent frames and supports.

Termite shields—for use outside continental limits of U. S.

Thermos or insulated jugs and bottles—stainless steel permitted.

Tile, steel back—for ladder treads, step plates and use on board ship.

Tool boxes and cases.

Tool handles.

Typewriter mechanism for pedestal and drop-head desks—for use on board ship.

Waste paper receptacles—for hospital use.

Wheel barrows.

Wire racks.

Work benches.

[F. R. Doc. 44-15243; Filed, Oct. 2, 1944; 11:13 a. m.]

PART 3296—SAFETY & TECHNICAL EQUIPMENT

[General Limitation Order L-249, Revocation]

DENTAL EQUIPMENT

Section 3296.81 *General Limitation Order L-249* is hereby revoked. This revocation does not affect any liabilities incurred under the order. The manufacture and delivery of dental equipment remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 2d day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15242; Filed, Oct. 2, 1944; 11:12 a. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[Order 659 Under 3 (b), Amdt. 1]

CHICOPEE MFG. CORP.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

Order No. 659 is amended in the following respect:

The sentence following the Table "Sales at Wholesale" in paragraph (a) is amended to read as follows:

These maximum prices are subject to terms 3/10 E. O. M. f. o. b. New Brunswick, New Jersey.

This Amendment No. 1 to Order No. 659 shall become effective September 30, 1944.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15111; Filed, Sept. 29, 1944; 4:27 p. m.]

PART 1316—COTTON TEXTILES

[MPR 11,¹ Amdt. 19]

FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 11 (Fine Cotton Goods) is amended in the following respect:

In exception (i) to § 1316.3 (b) (1) the date "October 1, 1944" is changed to November 1, 1944.

This amendment shall become effective September 30, 1944.

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15180; Filed, Sept. 30, 1944; 4:27 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 127,² Amdt. 23]

FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 127 (Finished Piece Goods) is amended in the following respect:

In item (15) listed in § 1400.78a (a) the date "October 1, 1944" is changed to "November 1, 1944."

This amendment shall become effective September 30, 1944.

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15181; Filed, Sept. 30, 1944; 4:27 p. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 2661, 3577, 4879, 5162, 11531.

² 9 F.R. 2464, 3031, 4029, 4879, 10088.

PART 1301—MACHINE TOOLS

[MPR 1, Amdt. 6]

SECOND-HAND MACHINE TOOLS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 9 (f) is added to read as follows:

(f) *Suspension of certain reporting requirements.* The reports of offering prices and sales required by paragraphs (b) and (c) of this section 9 need not be filed during the period October 1 to December 31, 1944, inclusive, or until such time as the Bureau of the Budget approves the reinstatement of these reports, whichever is the longer period of time.

This amendment shall become effective October 2, 1944.

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15159; Filed, Sept. 30, 1944;
11:49 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 81]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 5.7 (e) is added to read as follows:

(e) (1) An institutional user whose allotment was reduced under this section may have had, on or before the date as of which his allotment was so reduced, outstanding point obligations or excess inventory which he was required to pay in fixed amounts out of his allotment or by applying his entire allotment. His allotment was so reduced merely because points are no longer required for many foods covered by Revised Ration Order 16 which he used during his base month, yet he may in consequence be in a poorer position than he would have been if the foods still had a point value. (For example, his allotment may have been 20,000 points for the May-June 1944 allotment period. After many foods covered by Revised Ration Order 16 were reduced to zero, his allotment was cut to 10,000 points. If he owed 12,000 points,

which he was required to pay in a lump sum, or at the rate of 6,000 points per period, the reduction impaired his ability to repay that point debt on the original terms, and his position as to the debt is worse than it would have been if the Revised Ration Order 16 foods had not gone to zero.) An institutional user in that position may apply to the Board with which he is registered for a point loan. A single application may be made for the May-June 1944 and July-August 1944 periods. A separate application must be made for each succeeding allotment period in which his allotment is reduced under this section. Applications for the May-June 1944 and July-August 1944 periods must be made by October 1, 1944. Application for any other period must be made by the end of that period. It must be made on OPA Form R-315, and must show:

(i) The amount of the point obligations or excess inventory outstanding on the first day of that period;

(ii) The amount of any such obligation or excess inventory created between the first day of that period and the date as of which his allotment was so reduced;

(iii) The nature of the obligation (for example, excess inventory charge, debt to supplier, etc.), the name of the person to whom it is owed, and the basis on which he was required to repay it (for example, in full by using his point allotment—or at the rate of a certain number of points each allotment period, etc.); and

(iv) If any administrative suspension order issued against him by the Office of Price Administration under Procedural Regulation No. 4 or Revised Procedural Regulation No. 4 is outstanding, he must also state the date when, place where, and the name of the person by whom, it was issued.

(2) If the Board finds that the applicant had outstanding point obligations or excess inventory of the type referred to in (1) above, that his allotment was reduced under this section, and that he needs a loan in order to be reasonably able to repay those obligations on their original terms, it shall grant him a point loan so that his position will not be worse than it would have been if points were still required for all the foods covered by Revised Ration Order 16 which he used during his base month. The amount of the point loan is to be computed by multiplying the number of points which he was required to pay, before the end of the allotment period for which he applies, on account of the outstanding obligations or excess inventory referred to in (1), by the percentage by which his allotment for that period was reduced under paragraphs (a) and (d) of this section. However, if the applicant makes a single application covering the May-June 1944 and July-August 1944 periods, the obligations payable by him during both those periods shall be multiplied by the percentage by which his allotment for the May-June 1944 period was reduced under paragraphs (a)

and (d) of this section in computing the total loan to be made for both those periods.

(3) (i) An institutional user who has been given permission by the Office of Price Administration to repay his point obligations or excess inventory on the basis of a percentage or proportion of his allotment is not in any worse position because of the reduction in his allotment, and may not therefore be granted any point loan under this paragraph.

(ii) No point loan may be granted under this paragraph to any person against whom there is in operation an administrative suspension order issued by the Office of Price Administration under Procedural Regulation No. 4 or Revised Procedural Regulation No. 4, if, because of that order, he is not entitled to receive ration evidences representing his allotments during the period of the suspension.

(4) An applicant to whom a loan has been granted under this paragraph must pay his point obligations or discharge his excess inventory in the same way, to the same extent, and at the same time as he was required to do so as of the time his allotment was reduced under this section.

(5) Any loan granted under this paragraph must be repaid to the Board beginning with the allotment period after the one in which the applicant was required (as stated in (4) above) to have paid the outstanding point obligations or excess inventory because of which the loan was granted. The Board shall treat the loan as excess inventory, beginning with that allotment period. The Board may, however, apportion the excess inventory charge over more than one allotment period at the maximum rate consistent with the applicant's ability to operate, but in any event at a rate of not less than 25 percent of each allotment.

(6) Nothing in this paragraph shall be considered to forgive or excuse any violations by the applicant of this or any other order of the Office of Price Administration or to affect any action which may be taken by the Office of Price Administration with respect to any such violations.

This amendment shall become effective October 4, 1944.

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

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; War Food Order Nos. 56, 58, 59, 61, and Supp. 1 thereto, and 64, 8 F.R. 2005, 2251, 3471, 7093, 9 F.R. 4319, 9134, 9389)

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15151; Filed, Sept. 30, 1944;
11:49 a. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 10116, 13104, 9 F.R. 2135, 3075, 4229, 5723.

² 8 F.R. 10002, 11479, 11480, 11676, 12403, 12463, 12557, 12744, 14472, 15488, 16787, 17486; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5915, 6108, 6304, 6628, 7167, 7260, 7703, 7770, 8242, 8815, 9952, 10089.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 534-2, Amdt. 2]

HICKORY AND ASH LOGS AND OTHER
SPECIALTY WOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 534-2 is amended in the following respects:

1. In section 11, Table 1 is amended to read as follows:

TABLE 1—HICKORY LOGS AND BOLTS
LOGS PER M FEET

	Extra	No. 1	No. 2	Timber run
Zone 1.....	\$45.00	\$35.00	\$20.00	\$35.00
Zone 2.....	40.00	30.00	18.00	33.00
Zone 3.....	45.00	35.00	20.00	35.00
Zone 4.....	45.00	35.00	20.00	35.00
Zone 5.....	42.00	32.00	19.00	34.00
Zone 6.....	40.00	30.00	18.00	32.00
Zone 7.....	45.00	35.00	20.00	35.00
Zone 8.....	50.00	40.00	23.00	40.00
Zone 9.....	50.00	40.00	23.00	42.00
Zone 10.....	45.00	35.00	21.00	35.00
Zone 11.....	48.00	38.00	27.00	38.00
Zone 12.....	45.00	35.00	20.00	35.00
Zone 13.....	40.00	30.00	19.00	30.00
Zone 14.....	40.00	30.00	19.00	30.00

(BOLTS PER CORD (128 CU. FT.))

Zone 1.....	\$22.50	\$17.50	\$10.00	\$17.50
Zone 2.....	20.00	15.00	9.00	16.50
Zone 3.....	22.50	17.50	10.00	17.50
Zone 4.....	22.50	17.50	10.00	17.50
Zone 5.....	21.00	16.00	9.50	17.00
Zone 6.....	20.00	15.00	9.00	16.00
Zone 7.....	22.50	17.50	10.00	17.50
Zone 8.....	25.00	20.00	11.50	20.00
Zone 9.....	25.00	20.00	11.50	21.00
Zone 10.....	22.50	17.50	10.50	17.50
Zone 11.....	24.00	19.00	13.50	19.00
Zone 12.....	22.50	17.50	10.00	17.50
Zone 13.....	20.00	15.00	9.50	15.00
Zone 14.....	20.00	15.00	9.50	15.00

2. Section 12 (c) (2) is amended to read as follows:

(2) *Delivery provisions for Table 3.* The delivered-to-mill price includes truck delivery from within 25 miles. For logs delivered to the mill by truck from a distance greater than 25 miles, the buyer may add 10 cents per thousand feet log scale per load mile for each additional load mile in excess of 25 miles.

3. Section 12 (c) (4) (Table 3) is amended to read as follows:

TABLE 3—NEW ENGLAND ASH LOGS
PER M FEET LOG SCALE

Zone	Roadside	F. O. B. cars	Delivered mill by truck
1.....	\$35.00	\$40.00	\$42.50
2.....	40.00	45.00	47.50

4. In section 12 (c) (5), at the end of sub-paragraph (i), the following is added—"Other log rules may be used provided that the sale price does not exceed the maximum price for that log scaled under International Log Rule.

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 5243, 6109.

This means that each seller and buyer using any rule other than International is responsible for a correct conversion and is answerable for any error therein."

5. In section 12 (c) (5), subdivision (ii) is amended to read as follows:

(ii) *Short logs.* In Zone 1, short logs may be purchased on the basis of a cord measurement of 128 cubic feet. In such case the maximum price shall be \$20.00 per cord at roadside available to truck, or \$22.00 per cord f. o. b. rail cars at a rail siding or \$23.00 per cord delivered to mill by truck from within 25 miles. If delivered to the mill by truck from a distance over 25 miles, the buyer may add 6 cents per cord for each additional load mile over 20 miles.

6. Section 12 (d) (2) is amended to read as follows:

(2) *Delivery provisions.* The delivered to mill price includes truck delivery from within 25 miles. For logs delivered to the mill by truck from a distance greater than 25 miles, the buyer may add 12½ cents per thousand feet for each load mile over 25 miles.

7. Section 12 (d) (4) (Table 4) is amended to read as follows:

TABLE 4—NORTHERN ASH LOGS
PER M FEET LOG SCALE

Zone	Roadside	F. O. B. cars	Delivered mill by truck
1.....	\$52.50	\$60.00	\$62.50
2.....	50.00	57.50	60.00
3.....	42.50	50.00	52.50
4.....	52.50	60.00	62.50
5.....	47.50	55.00	57.50
6.....	55.00	62.50	72.50
7.....	55.00	62.50	72.50
8.....	45.00	52.50	55.00
9.....	45.00	52.50	55.00
10.....	42.50	50.00	52.50

8. Section 12 (e) (2) is amended to read as follows:

(2) *Delivery provisions.* The delivered-to-mill price includes truck delivery from within 25 miles. For logs delivered to the mill by truck from a distance greater than 25 miles, the buyer may add 12½ cents per thousand feet for each load mile over 25 miles.

9. Section 12 (e) (4) (Table 5) is amended to read as follows:

TABLE 5—SOUTHERN ASH LOGS
PER M FEET LOG SCALE

Zone	Roadside	F. O. B. cars or barge	Delivered mill by truck
1.....	\$30.00	\$37.50	\$40.00
2.....	40.00	47.50	50.00
3.....	40.00	47.50	50.00
4.....	42.50	50.00	52.50
5.....	30.00	37.50	40.00
6.....	37.50	45.00	47.50
7.....	32.50	40.00	42.50

10. Section 12 (e) (5) is amended to read as follows:

(5) *Short logs.* In Zones 3 and 6, short logs may be purchased on the basis of a cord measurement of 128 cubic feet.

TABLE 6—SOUTHERN ASH SHORT LOGS

PER CORD OF 128 CU. FEET

Zone	Roadside	F. O. B. cars or barge	Delivered mill by truck
3.....	\$14.50	\$17.25	\$18.25
6.....	13.75	16.25	17.25

(1) *Delivery provisions.* Maximum price per cord of 128 cubic feet shall be f. o. b. rail cars at rail siding or for logs delivered to buying plant from within 25 miles. If delivered from a distance greater than 25 miles, the buyer may add 5 cents per cord of 128 cubic feet for each additional load mile over 25 miles.

11. A new section 13 is added (and reference thereto is added to the Table of Contents), to read as follows:

SEC. 13 *Special pricing.* If a seller or a buyer wishes to charge or pay for extras, or to buy or sell a species or grade of logs for which maximum charges or prices are not specifically stated in the regulation, he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for approval of a maximum price. He must provide the following information:

- The requested price;
- A complete description of the item for which approval is desired;
 - If a species of log, he shall supply a complete description of the grades and the grading rules pertaining to the species;
 - If an extra, a description of the service performed or the thing for which an extra charge is to be made.
- An explanation of the method that he used in computing his requested price.

(d) Why he believes that this price will not be out of line with the maximum prices established in the regulation.

As soon as request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration. Such approval may be made by telegram or letter.

This regulation shall become effective October 5, 1944.

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

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15169; Filed, Sept. 30, 1944; 11:59 a. m.]

PART 1341—CANNED AND PRESERVED FOODS
[MPR 306, Corr. to Amdt. 34]

CERTAIN PACKED FOOD PRODUCTS

In Amendment 34 to Maximum Price Regulation No. 306 each reference to

§ 1341.586 is corrected to read "§ 1341.566".

This correction shall become effective as of September 20, 1944.

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15168; Filed, Sept. 30, 1944;
11:48 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW
MATERIALS FOR PAPER AND PAPER PROD-
UCTS, PRINTING AND PUBLISHING

[RMPR 529]

SECOND HAND PAPERBOARD SHIPPING
CONTAINERS

Maximum Price Regulation 529, Second Hand Paperboard Shipping Containers, is redesignated Revised Maximum Price Regulation 529, Second Hand Paperboard Shipping Containers, and is revised to read as follows:

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

REVISED MAXIMUM PRICE REGULATION 529—
SECOND HAND PAPERBOARD SHIPPING CON-
TAINERS

Sec.

1. Applicability.
2. Export sales.
3. Imports.
4. Federal and state taxes.
5. Adjustable pricing.
6. Petitions for amendment.
7. Evasion.
8. Enforcement.
9. Licensing.
10. Records and reports.
11. Definitions.
12. Pricing provisions.

Appendix A—Maximum prices for sales of second hand paperboard shipping containers.

Appendix B—Maximum prices for sales of second hand corrugated or solid fibre inner packing material.

AUTHORITY: Secs. 1 to 12, inclusive, § 1347.807, issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Applicability*—(a) *Commodities*. This regulation establishes maximum prices for sales of second hand paperboard shipping containers and for certain second hand corrugated or solid fibre inner packing materials, as hereinafter defined.

The term "second hand paperboard shipping container" means any used corrugated or solid fibre paperboard shipping container except a fibre drum which is sold for reuse or resale as a shipping container and which is either:

- (1) "Reusable," that is, can be used as a shipping container without being repaired, or
- (2) "Repairable," that is, can be made reusable by repair or alteration, or
- (3) "Reconditioned," that is, has been repaired or altered so as to be reusable.

*Copies may be obtained from the Office of Price Administration.

Any used paperboard shipping container which is not reusable or repairable is wastepaper and is not a second hand paperboard shipping container. Any used container which has an outside surface tear or a hole in the fibre shall not be considered as a reusable or repairable container. Where a container is customarily knocked down flat before reuse, it shall not be considered either repairable or reusable until it has been opened and knocked down.

The term "second hand corrugated or solid fibre inner packing material" means any corrugated or solid fibre pad, partition, filler, nest liner, separator or other corrugated or solid fibre material which has been used in packing commodities for shipment and which is sold for reuse for such purpose.

To qualify as second hand corrugated or solid fibre inner packing material, the material must be free from tears, holes or other defects and must be in such condition that it can be reused without any repair or alteration. It must also be completely sorted by size, shape and type and tied or wrapped in bundles or packed in boxes containing uniform material.

Unless such material is so separated and packed, it is wastepaper and not second hand corrugated or solid fibre inner packing material. Maximum prices for sales of wastepaper shall be determined under Maximum Price Regulation 30.

(b) *Levels covered*. The maximum prices established by this regulation apply to sales by all persons at all levels of distribution, except where otherwise specifically stated.

(c) *Relationship of this regulation to other regulations*. This regulation supersedes the General Maximum Price Regulation and Maximum Price Regulation 30, Wastepaper, with respect to all sales of second hand paperboard shipping containers and second hand corrugated or solid fibre inner packing material for which maximum prices are established by this regulation. This regulation does not apply to any sales for which maximum prices are established by Revised Maximum Price Regulation 187 (Certain Paperboard Products), or by Maximum Price Regulation 117 (Used Egg Cases and Used Component Parts), or by Maximum Price Regulation 434 (Used Fruit and Vegetable Containers).

(d) *Geographical applicability*. The provisions of this regulation shall be applicable to the forty-eight states and to the District of Columbia.

SEC. 2. *Export sales*. The maximum prices at which any person subject to this regulation may export commodities for which maximum prices are established by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.

SEC. 3. *Imports*. No person importing commodities subject to this regulation shall pay a total price therefor, including United States customs duties paid directly or indirectly by him, which exceeds the maximum price established

by this regulation for a domestic sale of the same commodities.

SEC. 4. *Federal and state taxes*. Any tax upon, or incident to, the sale, delivery, processing or use of commodities subject to this regulation imposed by any statute of the United States or statute or ordinance of any state or any subdivision thereof, shall be treated as follows in determining the seller's maximum price and in preparing the records of such seller with respect thereto.

If, at the time the seller determines his maximum price the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this regulation.

SEC. 5. *Adjustable pricing*. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator, or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 6. *Petitions for amendment*. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 7. *Evasion*. The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, delivery, purchase, or receipt of or relating to second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing material alone or in connection with any other commodity or by way of commission service, transportation, or other charges or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or otherwise.

SEC. 8. *Enforcement*. Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license as provided by the Emergency Price Control Act of 1942, as amended.

SEC. 9. Licensing. The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale of which his license has been suspended.

SEC. 10. Records and reports. (a) Every person making sales or purchases of the commodities subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each such sale or purchase showing the following:

- (1) Date of purchase or sale.
- (2) Name and address of the buyer or seller.
- (3) Quantity and weight purchased or sold, and in the case of second hand paperboard shipping containers, a breakdown showing whether containers are reusable, repairable, or reconditioned.
- (4) Prices paid or received.

Such records shall set forth separately the price charged and any other amounts paid or received in connection with such sale. Such records may be in the form of the invoice or a copy thereof furnished in connection with each such sale or purchase, providing the invoice contains the information specified above.

(b) Persons required to keep records by paragraph (a) of this section shall keep such other records and shall submit such reports as the Office of Price Administration may from time to time require subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

SEC. 11. Definitions. (a) When used in this regulation, the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Second hand paperboard shipping containers" has the meaning stated in section 1.

(3) "Reusable" has the meaning stated in section 1.

(4) "Repairable" has the meaning stated in section 1.

(5) "Reconditioned" has the meaning stated in section 1.

(6) "Test" means the pounds per square inch bursting test of the container when new, and has the meaning commonly accepted in the corrugated and solid fibre container industry. The manufacturer's certificate on the container shall be accepted as the test of the container.

(7) "Second hand corrugated or solid fibre inner packing material" has the meaning stated in section 1.

(8) "Broker" has the meaning stated in section 12 (d).

(9) "Commission agent" has the meaning stated in section 12 (d).

(10) "Dealer" means a person who purchases second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing material for resale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

SEC. 12. Pricing provisions—(a) Prohibitions. On and after October 5, 1944, regardless of any contract or other obligation:

(1) No person shall sell or deliver or negotiate the sale or delivery of second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing material at higher prices than those set forth in Appendices A and B of this regulation;

(2) No person shall buy or receive second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing material in the course of trade or business at higher prices than those set forth in Appendices A and B of this regulation.

(b) *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

(c) *Transportation and delivery charges.* All prices set forth in appendices A and B are f. o. b. "shipping point." For the purposes hereof shipping point means the place where the second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing materials are first loaded on a conveyance for shipment to the purchaser.

Provided, however, That no charge shall be made by the seller for deliveries made in the same area within which he delivered or would have delivered either second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing materials without charge during the month of March 1942. Thus, if a seller had a free delivery zone during March 1942 for second hand paperboard shipping containers, the maximum prices set forth in this regulation constitute delivered prices within such zone not only for such second hand paperboard shipping containers but also for sales of second hand corrugated or solid fibre inner packing materials.

(d) *Brokerage allowance.* Under the circumstances stated in this paragraph (d), an allowance not in excess of 8% of the broker's selling price may be paid to a broker for selling or negotiating for the sale of second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing materials. The maximum price at which a broker may sell second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing materials shall not exceed the sum of the price paid by him under this regulation for such second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing materials plus the amount of the brokerage allowance provided for herein. With respect to second hand paperboard shipping containers only, the broker may in-

clude in the computation of the price any amount actually paid by him to another for repairing, reconditioning and/or sorting such containers. If a charge for such services is included, the broker's selling price for second hand paperboard shipping containers may, in no event, exceed the applicable maximum price established under Appendices A and B, plus the amount of the brokerage allowance computed in the manner stated above. In addition, the following requirements must be satisfied:

(1) The sale must comply with all the requirements of the regulation.

(2) Second hand paperboard shipping containers and second hand corrugated or solid fibre inner packing material must not have been repaired or sorted by the broker or by any person with whom the broker has any connection consisting of a community of ownership or other beneficial interest, profit-sharing arrangement, agreement for division of losses, or control based on close family relationship.

(3) The brokerage allowance must not be split or divided with any other person.

(4) The brokerage allowance must be shown on a separate invoice or as a separate item on the invoice accompanying the delivery. In connection with each delivery, the broker must send to the purchaser a statement that the broker does not engage in the business of repairing or sorting second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing material.

A "broker" is any person who complies with the requirements of this paragraph (d) and who purchases and resells reusable or reconditioned second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing material or who arranges for the sale thereof.

Nothing herein contained shall prevent a buyer from paying a finder's fee for the procurement of second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing materials, provided the total amount paid by him does not exceed the maximum price which a broker might receive under this regulation for selling or negotiating for the sale of second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing materials. No finder's fee, however, may be paid to any person who has repaired or sorted the containers or inner packing material for which such fee is paid. For the purpose of this paragraph (d), it is immaterial whether or not title is taken by the person to whom the brokerage allowance is paid.

APPENDIX A—MAXIMUM PRICES FOR SALES OF SECOND HAND PAPERBOARD SHIPPING CONTAINERS

(a) The following prices apply only to sales and deliveries of second hand paperboard shipping containers as defined in section 1.

(1) Table I establishes maximum prices on a hundredweight basis as well as on an "area" basis. "Area" means the actual number of square feet of corrugated or solid fibre paperboard of the test specified contained in the shipment.

(2) Table II establishes maximum prices per container on the basis of the sum of

TABLE II—MAXIMUM PRICE PER 100 BOXES FOR REUSABLE OR RECONDITIONED CONTAINERS—Continued

Minimum sum of length, width and depth in inches	Minimum area in square feet per 100 containers	Containers sorted by size—sales by dealers only		Containers sorted by original user's name—sales to original user only		All other containers	
		200 test or less	275 test or more	200 test or less	275 test or more	200 test or less	275 test or more
40	980	\$ 8.00	\$12.50	\$ 7.75	\$11.75	\$ 5.00	\$ 7.25
42	1,080	9.00	13.75	8.75	13.00	5.50	8.00
44	1,180	9.75	15.00	9.50	14.25	6.00	8.75
46	1,280	10.50	16.25	10.25	15.50	6.50	9.50
48	1,380	11.25	17.50	11.00	16.75	7.00	10.25
50	1,480	12.00	18.75	11.75	18.00	7.50	11.00
52	1,580	12.75	20.00	12.50	19.25	8.00	11.75
54	1,680	13.50	21.25	13.25	20.50	8.50	12.50
56	1,780	14.25	22.50	14.00	21.75	9.00	13.25
58	1,880	15.00	23.75	14.75	23.00	9.50	14.00
60	1,980	15.75	25.00	15.50	24.25	10.00	14.75
62	2,080	16.50	26.25	16.25	25.50	10.50	15.50
64	2,180	17.25	27.50	17.00	26.75	11.00	16.25
66	2,280	18.00	28.75	17.75	28.00	11.50	17.00
68	2,380	18.75	30.00	18.50	29.25	12.00	17.75
70	2,480	19.50	31.25	19.25	30.50	12.50	18.50
72	2,580	20.25	32.50	20.00	31.75	13.00	19.25
74	2,680	21.00	33.75	20.75	33.00	13.50	20.00
76	2,780	21.75	35.00	21.50	34.25	14.00	20.75
78	2,880	22.50	36.25	22.25	35.50	14.50	21.50
80	2,980	23.25	37.50	23.00	36.75	15.00	22.25
82	3,080	24.00	38.75	23.75	38.00	15.50	23.00
84	3,180	24.75	40.00	24.50	39.25	16.00	23.75
86	3,280	25.50	41.25	25.25	40.50	16.50	24.50
88	3,380	26.25	42.50	26.00	41.75	17.00	25.25
90	3,480	27.00	43.75	26.75	43.00	17.50	26.00
92	3,580	27.75	45.00	27.50	44.25	18.00	26.75
94	3,680	28.50	46.25	28.25	45.50	18.50	27.50
96	3,780	29.25	47.50	29.00	46.75	19.00	28.25
98	3,880	30.00	48.75	29.75	48.00	19.50	29.00
100	3,980	30.75	50.00	30.50	49.25	20.00	29.75
102	4,080	31.50	51.25	31.25	50.50	20.50	30.50
104	4,180	32.25	52.50	32.00	51.75	21.00	31.25
106	4,280	33.00	53.75	32.75	53.00	21.50	32.00
108	4,380	33.75	55.00	33.50	54.25	22.00	32.75
110	4,480	34.50	56.25	34.25	55.50	22.50	33.50
112	4,580	35.25	57.50	35.00	56.75	23.00	34.25
114	4,680	36.00	58.75	35.75	58.00	23.50	35.00
116	4,780	36.75	60.00	36.50	59.25	24.00	35.75
118	4,880	37.50	61.25	37.25	60.50	24.50	36.50
120	4,980	38.25	62.50	38.00	61.75	25.00	37.25
122	5,080	39.00	63.75	38.75	63.00	25.50	38.00
124	5,180	39.75	65.00	39.50	64.25	26.00	38.75
126	5,280	40.50	66.25	40.25	65.50	26.50	39.50
128	5,380	41.25	67.50	41.00	66.75	27.00	40.25
130	5,480	42.00	68.75	41.75	68.00	27.50	41.00
132	5,580	42.75	70.00	42.50	69.25	28.00	41.75
134	5,680	43.50	71.25	43.25	70.50	28.50	42.50
136	5,780	44.25	72.50	44.00	71.75	29.00	43.25
138	5,880	45.00	73.75	44.75	73.00	29.50	44.00
140	5,980	45.75	75.00	45.50	74.25	30.00	44.75
142	6,080	46.50	76.25	46.25	75.50	30.50	45.50
144	6,180	47.25	77.50	47.00	76.75	31.00	46.25
146	6,280	48.00	78.75	47.75	78.00	31.50	47.00
148	6,380	48.75	80.00	48.50	79.25	32.00	47.75
150	6,480	49.50	81.25	49.25	80.50	32.50	48.50
152	6,580	50.25	82.50	50.00	81.75	33.00	49.25
154	6,680	51.00	83.75	50.75	83.00	33.50	50.00
156	6,780	51.75	85.00	51.50	84.25	34.00	50.75
158	6,880	52.50	86.25	52.25	85.50	34.50	51.50
160	6,980	53.25	87.50	53.00	86.75	35.00	52.25
162	7,080	54.00	88.75	53.75	88.00	35.50	53.00
164	7,180	54.75	90.00	54.50	89.25	36.00	53.75
166	7,280	55.50	91.25	55.25	90.50	36.50	54.50
168	7,380	56.25	92.50	56.00	91.75	37.00	55.25
170	7,480	57.00	93.75	56.75	93.00	37.50	56.00
172	7,580	57.75	95.00	57.50	94.25	38.00	56.75
174	7,680	58.50	96.25	58.25	95.50	38.50	57.50
176	7,780	59.25	97.50	59.00	96.75	39.00	58.25
178	7,880	60.00	98.75	59.75	98.00	39.50	59.00
180	7,980	60.75	100.00	60.50	99.25	40.00	59.75
182	8,080	61.50	101.25	61.25	100.50	40.50	60.50
184	8,180	62.25	102.50	62.00	101.75	41.00	61.25
186	8,280	63.00	103.75	62.75	103.00	41.50	62.00
188	8,380	63.75	105.00	63.50	104.25	42.00	62.75
190	8,480	64.50	106.25	64.25	105.50	42.50	63.50
192	8,580	65.25	107.50	65.00	106.75	43.00	64.25
194	8,680	66.00	108.75	65.75	108.00	43.50	65.00
196	8,780	66.75	110.00	66.50	109.25	44.00	65.75
198	8,880	67.50	111.25	67.25	110.50	44.50	66.50
200	8,980	68.25	112.50	68.00	111.75	45.00	67.25
202	9,080	69.00	113.75	68.75	113.00	45.50	68.00
204	9,180	69.75	115.00	69.50	114.25	46.00	68.75
206	9,280	70.50	116.25	70.25	115.50	46.50	69.50
208	9,380	71.25	117.50	71.00	116.75	47.00	70.25
210	9,480	72.00	118.75	71.75	118.00	47.50	71.00
212	9,580	72.75	120.00	72.50	119.25	48.00	71.75
214	9,680	73.50	121.25	73.25	120.50	48.50	72.50
216	9,780	74.25	122.50	74.00	121.75	49.00	73.25
218	9,880	75.00	123.75	74.75	123.00	49.50	74.00
220	9,980	75.75	125.00	75.50	124.25	50.00	74.75
222	10,080	76.50	126.25	76.25	125.50	50.50	75.50
224	10,180	77.25	127.50	77.00	126.75	51.00	76.25
226	10,280	78.00	128.75	77.75	128.00	51.50	77.00
228	10,380	78.75	130.00	78.50	129.25	52.00	77.75
230	10,480	79.50	131.25	79.25	130.50	52.50	78.50
232	10,580	80.25	132.50	80.00	131.75	53.00	79.25
234	10,680	81.00	133.75	80.75	133.00	53.50	80.00
236	10,780	81.75	135.00	81.50	134.25	54.00	80.75
238	10,880	82.50	136.25	82.25	135.50	54.50	81.50
240	10,980	83.25	137.50	83.00	136.75	55.00	82.25
242	11,080	84.00	138.75	83.75	138.00	55.50	83.00
244	11,180	84.75	140.00	84.50	139.25	56.00	83.75
246	11,280	85.50	141.25	85.25	140.50	56.50	84.50
248	11,380	86.25	142.50	86.00	141.75	57.00	85.25
250	11,480	87.00	143.75	86.75	143.00	57.50	86.00
252	11,580	87.75	145.00	87.50	144.25	58.00	86.75
254	11,680	88.50	146.25	88.25	145.50	58.50	87.50
256	11,780	89.25	147.50	89.00	146.75	59.00	88.25
258	11,880	90.00	148.75	89.75	148.00	59.50	89.00
260	11,980	90.75	150.00	90.50	149.25	60.00	89.75
262	12,080	91.50	151.25	91.25	150.50	60.50	90.50
264	12,180	92.25	152.50	92.00	151.75	61.00	91.25
266	12,280	93.00	153.75	92.75	153.00	61.50	92.00
268	12,380	93.75	155.00	93.50	154.25	62.00	92.75
270	12,480	94.50	156.25	94.25	155.50	62.50	93.50
272	12,580	95.25	157.50	95.00	156.75	63.00	94.25
274	12,680	96.00	158.75	95.75	158.00	63.50	95.00
276	12,780	96.75	160.00	96.50	159.25	64.00	95.75
278	12,880	97.50	161.25	97.25	160.50	64.50	96.50
280	12,980	98.25	162.50	98.00	161.75	65.00	97.25
282	13,080	99.00	163.75	98.75	163.00	65.50	98.00
284	13,180	99.75	165.00	99.50	164.25	66.00	98.75
286	13,280	100.50	166.25	100.25	165.50	66.50	99.50
288	13,380	101.25	167.50	101.00	166.75	67.00	100.25
290	13,480	102.00	168.75	101.75	168.00	67.50	101.00
292	13,580	102.75	170.00	102.50	169.25	68.00	101.75
294	13,680	103.50	171.25	103.25	170.50	68.50	102.50
296	13,780	104.25	172.50	104.00	171.75	69.00	103.25
298	13,880	105.00	173.75	104.75	173.00	69.50	104.00
300	13,980	105.75	175.00	105.50	174.25	70.00	104.75
302	14,080	106.50	176.25	106.25	175.50	70.50	105.50
304	14,180	107.25	177.50	107.00	176.75	71.00	106.25
306	14,280	108.00	178.75	107.75	178.00	71.50	107.00
308	14,380	108.75	180.00	108.50	179.25	72.00	107.75
310	14,480	109.50	181.25	109.25	180.50	72.50	108.50
312	14,580	110.25	182.50	110.00	181.75	73.00	109.25
314	14,680	111.00	183.75	110.75	183.00	73.50	110.00
316	14,780	111.75	185.00	111.50	184.25	74.00	110.75
318	14,880	112.50	186.25	112.25	185.50	74.50	111.50
320	14,980	113.25	187.50	113.00	186.75	75.00	112.25
322	15,080	114.00	188.75	113.75	188.00	75.50	113.0

PART 1351—FOODS AND FOOD PRODUCTS

[MPR 53,¹ Corr. to Amdt. 34]

FATS AND OILS

The last sentence in section 8.6 (a) of Maximum Price Regulation No. 53 is corrected by deleting the words "March 1942" therefrom.

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15156; Filed, Sept. 30, 1944;
11:51 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 507,² Amdt. 5]

CEILING PRICES OF CERTAIN FRESH FISH AND SEAFOOD SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 26, Table A is amended to read as follows:

CENTS-PER-POUND MARK-UPS OVER "NET COST" ALLOWED TO RETAILERS FOR FRESH FISH AND SEAFOOD COVERED BY THIS REGULATION, BY SPECIES, FOR THE MONTHS OF OCTOBER, NOVEMBER, DECEMBER, JANUARY, FEBRUARY, MARCH AND APRIL

I. FRESH FISH	Whole fish, sold on gross weight basis and prepared to customer's order ¹	Fillet, cuts and steaks sold as purchased ¹	Ct. per lb.	Ct. per lb.	Ct. per lb.	Ct. per lb.
	Groups I and II	Groups III and IV	Groups I and II	Groups III and IV	Groups I and II	Groups III and IV
Kind of fish						
1. Alewives	7	5				
2. Blackback	9	7	10	9		
3. Codfish, Atlantic	9	7	10	8		
4. Cusk	9	7	10	7		
5. Dab, Sea	8	6	10	8		
6. Haddock	9	7	10	8		
7. Hake	9	7	10	7		
8. Hake, Mud	8	6				
9. Herring, Atlantic	7	5				
10. Pollock	8	6	9	7		
11. Rosefish	8	6	10	7		
12. Sole, Grey	9	7	11	11		

¹ Retailers processing items prior to offering for sale at retail, who price in accordance with section 15 (a) (2) or section 15 (b) (2) shall use these tables.

*Copies may be obtained from the Office of Price Administration.

² 9 F.R. 4200, 9652, 10305, 11397, 11539.

³ 9 F.R. 607, 3511, 3512, 4540, 5163.

CENTS-PER-POUND MARK-UPS OVER "NET COST" ALLOWED TO RETAILERS FOR FRESH FISH AND SEAFOOD COVERED BY THIS REGULATION, BY SPECIES, FOR THE MONTHS OF OCTOBER, NOVEMBER, DECEMBER, JANUARY, FEBRUARY, MARCH AND APRIL—Continued

I. FRESH FISH—continued	Whole fish, sold on gross weight basis and prepared to customer's order ¹	Fillet, cuts and steaks sold as purchased ¹	Ct. per lb.	Ct. per lb.	Ct. per lb.	Ct. per lb.
	Groups I and II	Groups III and IV	Groups I and II	Groups III and IV	Groups I and II	Groups III and IV
Kind of fish						
13. Sole, Lemon	10	8	14	14		
14. Swordfish	12	11	11	10		
15. Whiting	8	6	9	7		
16. Wolfish	10	9	10	9		
17. Yellowtail, Atlantic	8	6	10	9		
18. Bonito	9	7	9	7		
19. Cod, True, Pacific	9	7	10	7		
20. Flounder, Pacific	8	6	10	7		
21. Halibut	10	8	10	7		
22. Ling Cod, Pacific	9	7	10	8		
23. Rock (Red) Cod, Pacific	9	7	10	7		
24. Sablefish	9	7	9	7		
25. Salmon, Blueback, Sockeye	10	8	10	8		
26. Salmon, Chinook, King	10	8	10	8		
27. Salmon, Fall	9	7	9	7		
28. Salmon, Pink	9	7	9	7		
29. Salmon, Silver	10	8	10	7		
30. Salmon, Steelhead	10	8	10	8		
31. Smelt, Silver, Pacific	9	7				
32. Sole, Dover	9	7	10	7		
33. Sole, English	9	7	10	7		
34. Sole, Petrale	9	7	10	8		
35. Sole, Sand	9	7	10	7		
36. Sole, Turbot	9	7	10	7		
37. Tuna, Albacore			11	9		
38. Tuna, Bluefin			10	7		
39. Tuna, Skipjack, Striped			10	7		
40. Tuna, Yellowfin			10	7		
41. Yellowtail, Pacific	9	7	9	7		
42. Herring, Lake	8	6	9	6		
43. Lake Trout, Canadian	10	8	12	11		
44. Pickerel, Canadian	9	8	10	8		
45. Sauger, Sand Pike, Canadian	9	7	10	8		
46. Sucker (Fr. Water Mullet), Canadian	8	6	9	6		
47. Tullibee, Canadian	8	6				
48. Whitefish, Canadian	11	9	12	11		
49. Yellow Pike, Canadian	11	9	12	10		
50. Yellow Perch, Canadian	9	7				

FRESH SEAFOOD SOLD AS PURCHASED¹

II. FRESH SEAFOOD	Cents per pound	Cents per pound
	Groups I and II	Groups III and IV
Kind of seafood		
1. Scallops, Bay	14	13
2. Scallops, Sea	12	11
3. Shrimp and Prawn	10	8

This amendment shall become effective October 5, 1944.

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15153; Filed, Sept. 30, 1944;
11:48 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 375,¹ Amdt. 4]

SALES OF USED INDUSTRIAL SEWING MACHINES AND RENTAL RATES FOR NEW AND USED INDUSTRIAL SEWING MACHINES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1390.161 (a) (6) is added to read as follows:

(6) *Suspension of reporting requirements.* The reports required by this paragraph (a) need not be filed during the period October 1 to December 31, 1944, inclusive, or until such time as the Bureau of the Budget approves the reinstatement of these reports, whichever is the longer period of time.

This amendment shall become effective October 2, 1944.

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15167; Filed, Sept. 30, 1944;
11:48 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 465,² Amdt. 6]

USED PRESSURE VESSELS AND USED ENCLOSED ATMOSPHERIC PRESSURE VESSELS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 12a (f) is added to read as follows:

(f) *Suspension of reporting requirements.* The reports required by this section 12a need not be filed during the period October 1 to December 31, 1944, inclusive, or until such time as the Bureau of the Budget approves the reinstatement of these reports, whichever is the longer period of time.

This amendment shall become effective October 2, 1944.

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15170; Filed, Sept. 30, 1944;
11:58 a. m.]

*Copies may be obtained from the Office of Price Administration.

² 8 F.R. 5887, 7114; 9 F.R. 3855, 4196, 7853.

³ 8 F.R. 12625, 16170; 9 F.R. 2091, 287, 2692, 3578, 3855.

PART 1365—HOUSEHOLD FURNITURE

[MPR 548¹, Incl. Amdt. 1]

METAL UPHOLSTERY SPRINGS, CONSTRUCTIONS AND ACCESSORIES

This compilation of Maximum Price Regulation 548 includes Amendment 1, effective October 5, 1944. The amended, added or deleted portions are indicated by underscoring or notes.

In the judgment of the Price Administrator, the maximum prices established by this regulation, are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328. Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator, has determined with respect to such standardization that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.²

§ 1365.102 *Maximum prices for sales of metal upholstery springs, constructions and accessories.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, Maximum Price Regulation No. 548 (Metal Upholstery Springs, Constructions and Accessories) which is annexed hereto and made a part hereof, is hereby issued.

MAXIMUM PRICE REGULATION No. 548—METAL UPHOLSTERY SPRINGS, CONSTRUCTIONS AND ACCESSORIES

Sec.

1. Scope of this regulation.
2. Prohibitions.
3. General specifications of those articles for which ceiling prices are established by sections 4, 5 or 6.
4. Dollars and cents ceiling prices for sales by manufacturers or specified items of metal upholstery springs, constructions and accessories.
5. Maximum prices for sales by manufacturers of certain articles which are not specifically priced under section 4, and which were sold or delivered by the manufacturer during March 1942.
6. Maximum prices for sales by manufacturers of articles which cannot be priced pursuant to sections 4 and 5, but which are of the same type as an article pro-

Sec.

- duced by the manufacturer for which a ceiling price is established by section 4.
7. Maximum prices for sales of upholstery springs, construction and accessories manufactured from used materials.
8. Maximum prices for sales by manufacturers to automotive and aviation manufacturers of articles made from new and used materials.
9. Maximum prices for sales by manufacturers to jobbers.
10. Maximum prices for sales to the U. S. Government.
11. Maximum prices for sales by manufacturers of metal upholstery springs, constructions and accessories which cannot be priced under any other section of this regulation.
12. Terms of sale and zone differentials.
13. Maximum prices for sales by jobbers to any other person.
14. Invoices and receipts.
15. Records to be kept by jobbers.
16. Relationship between this regulation and other regulations.
17. Licensing.
18. Exports.
19. Petitions for amendment.
20. Enforcement and evasion.
21. Geographical applicability.

AUTHORITY: § 1365.102 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.

SECTION 1. *Scope of this regulation.* This regulation fixes ceiling prices for all sales and deliveries of the upholstery coils, innerspring units and constructions listed in paragraph (a) below by any person in the course of trade or business (except steel manufacturers who make and draw their own wire). It covers all the listed articles whether they are made wholly or in part of any new, reconditioned or used materials. It covers only those articles which are of the type used to form the resilient and shape-maintaining metal framework of all kinds of upholstered furniture, bedding articles and upholstered seat and back cushions which are used for any purpose. It also covers the specific accessory upholstery products listed below. It does not cover those articles listed in paragraph (b) below.

(a) *Articles covered by this regulation.* This regulation establishes ceiling prices for the following articles:

- (1) Upholstery spiral coils of all kinds including, but not limited to, true upholstery springs, pillow springs, single cone springs, double cone springs, top extension springs, Marshall type springs, and all other springs of similar construction.
- (2) Upholstery bar units wherein two or more upholstery spiral coils are attached to a rigid or flexible steel strip.
- (3) Spring constructions made up of assembled or tied open or pocketed upholstery spiral coils or bar units (with or without padding or fabric or sisal covering) of the following types: davenport, chair, sofa, or seat constructions; cushion or back units.

(4) Shurstay bands. When used in this regulation, shurstay bands means any flat steel strip varying in length between 16" and 30" and varying in gauge between 14 gauge and 20 gauge and which is perforated at regular intervals in order to receive a spiral coil, for ultimate use in upholstered articles.

[Subparagraph (4) amended by Am. 1, effective 10-5-44]

(5) [Deleted.]

[Subparagraph (5) deleted by Am. 1, effective 10-5-44]

(6) Extension spring helicals. When used in this regulation an extension spring helical means any helical of 16 gauge or lighter varying in length between 2½" to 5" and of the type used to connect the top turns of adjoining spiral coils in upholstered articles.

(7) Edge wire. When used in this regulation, edge wire means high or low carbon wire of the type used to form a wire border for an assembled innerspring unit or construction for upholstered articles.

(b) *Articles not covered by this regulation.* The following articles are not covered by this regulation:

(1) Boxspring inner construction and mattress inner spring units. (Prices for these items continue under Maximum Price Regulation No. 188³ for manufacturers and under the General Maximum Price Regulation⁴ for other sellers.)

(2) Inner constructions for dual purpose sleeping equipment. (Prices for these articles are under the jurisdiction of Maximum Price Regulation No. 188.)

(3) "No sag" or "zigger" type wire, together with attachments and accessories which are made exclusively for use with them.

(4) Helicals other than the extension spring helicals.

(5) Wood parts, fabrics and padding unless they are an integral part of the inner construction.

SEC. 2. *Prohibitions.* (a) On and after the effective date of this regulation and regardless of any contract or other obligation, no person is permitted to sell, offer to sell, deliver, or buy or receive any article covered by this regulation in the course of trade or business, at prices higher than the ceiling prices fixed by this regulation, and no person shall offer, solicit, attempt or agree to do any of the foregoing.

(b) Prices lower than the ceiling prices fixed by this regulation may be charged, demanded, paid or offered.

SEC. 3. *General specifications of those articles for which ceiling prices are established by sections 4, 5 or 6.* Articles priced under sections 4, 5 or 6 must conform to the following specifications:

¹ 9 F.R. 8047.

² Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

³ 9 F.R. 8232.

⁴ 9 F.R. 1385, 5169, 6106, 10193

(a) All materials must be new. Ceiling prices for articles made wholly or in part from used materials cannot be established pursuant to sections 4, 5 or 6 of this regulation, but must be established pursuant to the applicable section covering articles containing used materials. When used in this regulation used material means any material which has been subjected to any use in an upholstered product.

(b) All coils and helicals shall be high carbon spring wire and must be tempered by proper heat treatment.

(c) All wire connections must be properly secured and reinforced where necessary.

(d) The pig tail helicals which are used in helical-tied constructions and innerspring units shall be attached to vertical springs in such a manner as to prevent shifting under service while maintaining a definite hinge joint.

(e) Cut ends of wire on all constructions and innerspring units shall be turned into such a position as not to interfere with the action of the springs or damage the covering.

SEC. 4. Dollars and cents ceiling prices for sales by manufacturers of specified items of metal upholstery springs, constructions and accessories. This section establishes ceiling prices for the specified items of metal upholstery

springs, constructions, and accessories set forth below. The ceiling prices are for sales and deliveries by manufacturers or their "sales agents" of articles covered by this regulation to the "furniture trade." (When used in this regulation the term "sales agent" means any person who distributes the products of a manufacturer to that class of trade normally serviced directly by the manufacturer; and the term "furniture trade" means manufacturers of bedding and furniture, and industrial users other than automotive manufacturers, aviation manufacturers, and the United States Government or any agency thereof.) The ceiling prices are only for those articles which clearly meet the specifications listed in this section, and the general specifications listed in section 3 above. The ceiling prices to classes of purchasers not covered by this section or for any article which varies from the specifications listed below must be established by sections 5 to 11 inclusive, which ever is first applicable.

[Above paragraph amended by Am. 1, effective 10-5-44]

TYPE I—UPHOLSTERY SPIRAL COILS

Item	Item 1. Upholstery coils (gauges up to 11½)	Item 2. Pillow springs (gauges of 12 or lighter)
Specifications of base models.....	7 inches or higher. Open ends. 10 gauge or heavier. Japanned and tempered. Quantity of 500 pounds or more of a single size and kind.	6 inches or higher. Open ends. 13 gauge. Japanned and tempered. Quantity of 250 pounds or more of a single size and kind.
Base price per cwt.....	\$8.75	\$8.50.
Extras (add or deduct from base price):		
6" high.....	Add \$0.25	
5" high.....	Add \$0.50	Add \$0.50.
4" high.....	Add \$1.00	Add \$1.00.
3" high.....	*Add \$1.50	Add \$2.00.
Knot one end.....	*Add \$0.50	Add \$1.00.
Knot two ends.....	Add \$1.00	Add \$1.50.
Dunk, dowel or eye—one end.....	Add \$0.75	Add \$1.25.
Extension top and one Knot.....	Add \$1.25	Add \$2.25.
Notched top.....	Add \$1.00	
*Single cone (applicable only to pillow springs of 13 gauge or lighter).....	**	Add \$0.35.
Each ½ gauge lighter.....	Add \$0.25	Add \$0.50.
Each ½ gauge heavier.....		Deduct \$0.35.

(Fractional gauges or heights to be priced same as nearest ½ gauge or listed height)

Quantity differential (to be applied after all other extras are added to or deducted from base price)

(1) 100-499 pounds or more of a single size and kind.....	Add 5 percent.....	
(2) 100-249 pounds or more of a single size and kind.....		Add 5 percent.
(3) Less than 100 pounds of a single size and kind.....	Add 15 percent.....	Add 15 percent.

[* Items amended; ** Items deleted by Am. 1, effective 10-5-44]

TYPE II—SEAT AND BACK BAR UNITS

Item 3. *Seat bar hard edge*—Base price \$8.75 — per 100 pieces in quantities of 500 pieces of a single size and kind. 1½" x 19 ga. bar—formed (or other dimensions of same weight).

19" hole to hole.
2½" drop—2 ends.
3 coils—5" high—10½ ga.—6 turns—single cone—knot one end.

Japanned.

Extras (add or deduct from base price):	
Bar each 1" additional drop, add.....	\$0.25
Bar each 1" longer, add.....	.25
Bar each 1" shorter, deduct.....	.15
For 1½" x 18 ga. bar, add.....	.50
For 1½" x 18 gauge, add.....	.50
For each 1" higher all coils, add.....	.50
For each 1" lower all coils, deduct.....	.50
Each ½ ga. heavier—all coils, add.....	.25
Each ½ gauge lighter—all coils, deduct.....	.25
2 coil bar, deduct.....	1.00
4 coil bar, add.....	1.50

(Fractional dimension to be priced same as nearest listed dimension.)

Quantity differential (to be applied after all other extras are added to or deducted from base price):

For 100-499 pieces of a single size and kind, add..... 5
For less than 100 pieces of a single size and kind, add..... 15

Item 4. *Seat bars spring edge*—Base price \$11.75 per 100 pieces in quantities of 500 pcs. of a single size and kind. 1½" x 19 gauge or 2" x 20 gauge bar—formed (or other dimensions of same weight).

25" hole to hole.	
2½" drop—2 ends.	
2 coils—6" high—9½ gauge—6 turns—single cone—regular top.	
1 coil—7" high—9 gauge—7 turns—single cone—regular top.	
Lip and hook back.	
Japanned.	

Extras (add or deduct from base price):

Bar each 1" shorter, deduct.....	\$0.15
Bar each 1" longer, add.....	.25
Each 1" additional drop, add.....	.25
For 1½" x 18 gauge bar, add.....	.50
For 1½" x 18 gauge bar, add.....	.50
All coils, each inch higher, add.....	.60
One coil, each inch higher, add.....	.25
All coils, each inch lower, deduct.....	.30
One coil, each inch lower, deduct.....	.15
All coils, each ½ gauge heavier, add.....	.40
One coil, each ½ gauge heavier, add.....	.20
All coils, each ½ gauge lighter, deduct.....	.30
One coil, each ½ gauge lighter, deduct.....	.15
Extension top (per coil), add.....	.005
Double cone coil—all coils, add.....	1.50
Two coil bar, deduct.....	1.00
Four coil bar, add.....	1.50

(Fractional dimensions to be priced same as nearest listed dimension).

[Above Extras amended by Am. 1, effective 10-5-44]

Quantity differential (to be applied after all other extras are added to or deducted from base price)

For 100-499 pieces of a single size and kind, add..... 5
For less than 100 pieces of a single size and kind, add..... 15

Item 5. *Pillow back bars—Flexible bar*—Base price \$5.50 per 100 pieces in quantities of 500 pieces of a single size and kind.

1" x 20 gauge bar (or any other dimensions of same weight).
24" hole to hole.
3 coils—6" high—13 gauge—6 turns—single cone—knot one end.
No drop.
Japanned.

Extras (add or deduct from base price):

Bar each 1" shorter, deduct.....	\$0.05
Bar each 1" longer, add.....	.15
Drop, each end, add.....	.25
1" x 18 gauge bar, add.....	.40
1" x 19 gauge bar, add.....	.20
All coils each 1" higher or lower, add or deduct.....	.40
All coils each ½ gauge heavier or lighter, add or deduct.....	.30
2 coil bar, deduct.....	.50
4 coil bar, add.....	1.00
Double cone coils—all coils, add.....	.75

(Fractional dimension to be priced same as nearest listed dimension)

[*Item amended by Am. 1, effective 10-5-44]

Quantity differential (to be applied after all other extras are added to or deducted from base price)

For 100-499 pieces of a single size and kind, add..... 5
For less than 100 pieces of a single size and kind, add..... 15

Item 6. *Rigid bar*—Base price \$6.00 per 100 pieces in quantities of 500 pieces of a single size and kind. 1½" x 19 gauge formed (or any other dimensions of same weight).

24" hole to hole.
3 coils—6" high—13 gauge—6 turns—single cone—knot one end.
No drop.
Japanned.

Extras (add or deduct from base price):

Bar each 1" shorter, add.....	\$0.15
Bar each 1" longer, add.....	.25
Drop, each end, add.....	.25
1½" x 18 gauge, add.....	.50
1½" x 18 gauge, add.....	.50
All coils each 1" higher or lower, add or deduct.....	.40
All coils each ½ gauge heavier or lighter, add or deduct.....	.30
2 coil bar, deduct.....	.50
4 coil bar, add.....	1.00
Double cone coils—all coils, add.....	.75

(Fractional dimension to be priced same as nearest listed dimension)

[*Item amended by Am. 1, effective 10-5-44]

Quantity differential (to be applied after all other extras are added to or deducted from base price)

For 100-499 pieces of a single size and kind, add..... 5
For less than 100 pieces of a single size and kind, add..... 15

TYPE III—POCKETED COIL UNITS (MARSHALL TYPE ONLY)

Item 7. Specifications for base models:
Coil—3½" high—4½ turns or more.

Tie—Double-tied. "Double tied" means tying the adjoining coils of parallel rows of coils transversely with interlocking ties running lengthwise between all the rows.

Fabric—Covers averaging more than 5 square yards per pound.
Quantity—Lots of 50 cushion units or more of a single size and kind.

[Item 7 amended by Am. 1, effective 10-15-44]

[Base prices per thousand coils]

Diameter of coils (inches)	Gauge of coils						
	13½	14	14½	15	15½	16	16½
2½				16.00	15.75	15.55	
2¾			17.20	16.95	16.70	16.45	
3		18.45	18.10	17.75	17.45	17.15	
3¼		19.40	19.05	18.75	18.45		
3½	20.80	20.40	20.00	19.60			
3¾	21.60	21.10	20.70				

(Fractional O.D.'s and gauges at price of nearest listed O.D. and gauge)

Extras (add or deduct from base price):	Percent
Coils—each ½" higher (same coil pitch), add...	3
Coils—each ½" gauge heavier, add...	3
Coils—each ½" lighter, deduct...	1½
Border wire—12 gauge or heavier, high carbon wire, for cushion sizes up to 24" x 24":	
Top only, add per cushion...	\$0.05
Top and bottom, add per cushion...	.10
Marshall strip, deduct...	2.00
Marshall nested tie, deduct...	1.75
Single tie, deduct...	1.00

HEAVY FABRIC AND BOOKFOLD SISAL EXTRAS TO BASE PRICES¹

Diameter (inches)	3 ounces bookfold sisal	Covers averaging 3.01-4.99 square yards per pound	Covers averaging 5 square yards or less per pound
2½	\$4.00	\$1.55	\$3.10
2¾	4.50	1.75	3.50
3	5.00	2.00	4.00
3¼	5.75	2.25	4.50
3½	6.75	2.45	4.90
3¾	7.25	2.65	5.30

¹ Average weight of cover to be computed for each shipment.

Quantity differential (to be applied after all other extras are added or deducted from base price)

For lots of less than 50 cushion units of a single size and kind, add 10 percent.

TYPE IV—WIRE TIED CUSHION UNITS

Item 8. Bonnet type.

Coils 4½" high—15 gauge—5 turns or more.
 Center helicals—18 gauge or heavier—high carbon wire ¼" O. D. or smaller—2 turns per inch or more.
 Borders—4 sides—top and bottom 15 gauge helical—¼" diameter—3 turns per inch or more; or 18 gauge helical—½" diameter or less—2 turns per inch or more with #15 gauge high carbon wire inserted border; or 2—18 gauge helicals interwound, ½" diameter—2 turns per inch.

With or without single insulation.

Not japanned.

Item 9. Crimp or clip tied:

Coils 4½" high—15½ gauge—5 turns—high carbon wire.
 Crimps 16 gauge or heavier—low carbon wire.
 Borders—1 piece—formed—top and bottom 15 gauge high carbon wire; or 2 strands—16½ gauge high carbon wire.

With or without single insulation.

Not japanned.

[Schedule of base prices for items 8 and 9. Price in cents]

Size	Coil count by row	Uncovered units	Fabric-covered			Sisal covered	
			5 square yards per pound or lighter	3.01-4.99 square yards per pound	5 square yards per pound or heavier	Sisal encased 3 ounces	Bookfold extra (add to base price)
15 x 15	4 x 3	\$0.255	\$0.339	\$0.365	\$0.391	\$0.444	\$0.145
15 x 17	4 x 3	.257	.349	.378	.406	.464	.159
16 x 16	4 x 3	.257	.349	.378	.406	.464	.159
16 x 17	4 x 3	.258	.354	.384	.413	.475	.166
17 x 17	4 x 3	.259	.360	.392	.423	.486	.175
15 x 16	4 x 4	.286	.374	.402	.428	.484	.162
15 x 17	4 x 4	.287	.379	.408	.436	.494	.169
15 x 18	4 x 4	.288	.384	.415	.443	.504	.166
15 x 19	4 x 4	.289	.389	.421	.451	.514	.173
16 x 16	4 x 4	.287	.379	.408	.436	.494	.169
16 x 17	4 x 4	.288	.384	.415	.443	.505	.166
16 x 18	4 x 4	.289	.389	.421	.451	.516	.174
16 x 19	4 x 4	.290	.394	.427	.459	.526	.182
16 x 20	4 x 4	.291	.399	.434	.467	.536	.190
17 x 18	4 x 4	.290	.395	.428	.460	.527	.183
17 x 22	4 x 4	.294	.418	.457	.495	.573	.214
15 x 20	4 x 5	.339	.443	.476	.507	.573	.180
15 x 21	4 x 5	.340	.448	.482	.515	.583	.187
16 x 21	4 x 5	.341	.455	.491	.526	.596	.197
17 x 17	5 x 4	.338	.439	.471	.502	.565	.175
17 x 18	5 x 4	.339	.444	.477	.509	.576	.183
17 x 19	5 x 4	.340	.450	.485	.518	.587	.190
17 x 20	5 x 4	.341	.455	.491	.526	.598	.198
18 x 18	5 x 4	.340	.450	.485	.518	.588	.190
18 x 19	5 x 4	.341	.456	.493	.527	.599	.199
18 x 20	5 x 4	.342	.461	.499	.535	.610	.205
18 x 21	5 x 4	.343	.467	.507	.544	.621	.214
19 x 19	5 x 4	.342	.461	.499	.535	.610	.206
19 x 20	5 x 4	.343	.467	.507	.544	.622	.214
19 x 21	5 x 4	.345	.474	.515	.554	.635	.223
20 x 20	5 x 4	.345	.474	.515	.554	.635	.223
20 x 21	5 x 4	.347	.481	.524	.564	.648	.232
21 x 21	5 x 4	.348	.488	.533	.575	.663	.242
16 x 19	5 x 5	.395	.500	.533	.565	.631	.182
16 x 20	5 x 5	.396	.505	.540	.573	.641	.190
16 x 21	5 x 5	.397	.510	.546	.581	.651	.197
17 x 19	5 x 5	.396	.506	.541	.574	.643	.190
17 x 20	5 x 5	.397	.511	.547	.582	.654	.198
17 x 21	5 x 5	.398	.517	.555	.591	.666	.206
17 x 24	5 x 5	.401	.535	.578	.618	.702	.232
18 x 19	5 x 5	.397	.512	.549	.588	.655	.199
18 x 20	5 x 5	.398	.517	.555	.596	.666	.206
18 x 21	5 x 5	.399	.522	.562	.604	.677	.214
18 x 22	5 x 5	.400	.527	.568	.612	.688	.221
19 x 21	5 x 5	.400	.529	.570	.609	.690	.223
19 x 22	5 x 5	.401	.535	.578	.618	.702	.231
20 x 22	5 x 5	.403	.542	.586	.628	.716	.240
22 x 21	5 x 5	.405	.551	.598	.641	.733	.252
19 x 19	6 x 5	.465	.584	.622	.658	.733	.206
19 x 20	6 x 5	.466	.590	.630	.667	.745	.214
19 x 21	6 x 5	.467	.596	.637	.676	.757	.223
19 x 22	6 x 5	.469	.603	.646	.686	.770	.231
20 x 20	6 x 5	.467	.596	.637	.676	.757	.223
20 x 21	6 x 5	.469	.603	.646	.686	.770	.232
20 x 22	6 x 5	.470	.609	.654	.695	.783	.240
21 x 21	6 x 5	.470	.610	.655	.697	.785	.241
21 x 22	6 x 5	.472	.618	.665	.708	.800	.252
22 x 22	6 x 5	.475	.634	.685	.732	.833	.275
22 x 24	6 x 5	.477	.642	.695	.744	.848	.285
23 x 23	6 x 5	.477	.643	.696	.745	.850	.285
23 x 24	6 x 5	.479	.651	.707	.759	.868	.297
20 x 20	6 x 6	.532	.676	.722	.765	.857	.249
21 x 23	6 x 6	.534	.685	.733	.779	.874	.261
21 x 24	6 x 6	.536	.693	.743	.790	.889	.272

[Schedule of Base Prices amended by Am. 1, effective 10-5-44]

Extras (add or deduct from base price)

1. Coils—for each $\frac{1}{2}$ gauge heavier or lighter, add or deduct 3% of price of uncovered unit.
 2. Coils—for each $\frac{1}{2}$ inch higher (and same coil pitch) add 2%.
 3. Serpentine or shaped fronts:
 - 4 coil width, add..... \$0.02
 - 5 coil width, add..... .025
 - 6 coil width, add..... .03
 - 7 coil width, add..... .035
 4. Tapered units, add..... .05
 5. Each full gauge heavier border wire for top & bottom, add..... .01
 6. Japanned unit, add..... .02
 7. 4 Piece border top and bottom in place of continuous formed border, deduct..... .01
 8. Each continuous formed border omitted, deduct..... .03
 9. Border, two sides only in place of four sides, top & bottom, deduct..... .02
 10. Offset coil units (coils flattened where joined by helicals) add (per coil)..... .002
 11. Fractional inch dimensions to be counted same as nearest full inch.
 12. The maximum price of an unlisted size of a listed row count is the price of a listed cushion unit with the same row count and the same or nearest coil diameter (with $\frac{1}{4}$ " maximum variance) plus or minus adjacent differentials for each inch variation in length.
 13. The maximum price of an unlisted size which cannot be determined under (12) above must be determined under sections 5, 6, or 11 of this regulation.
- Quantity differentials (to be applied after all other extras are added or deducted from base price).
- For lots of less than 50 cushion units of a single size or kind, add 10%.

[Extras amended by Am. 1, effective 10-5-44]

TYPE V—DAVENPORT AND CHAIR CONSTRUCTIONS

Item 10. Bar base—Wire top:

- Coils—average 7" high—9½ gauge—6 turns or more—single cone—knot 1 end.
- Rigid bar—1½" x 19 gauge—24" hole to hole—end holes punched; or—
- Flexible bar—1½" x 19 gauge—24" hole to hole—end holes punched.
- Bar drop—2½".
- Top ties—15 gauge or heavier, low carbon wire.
- Border wire—9½ gauge or heavier, high carbon wire; or 8 gauge or heavier, low carbon wire.
- Japanned.

Item 11. Bar base—Helical top:

- Coils—average 7" high—9½ gauge—6 turns or more—single cone—knot one end.
- Rigid bar—1½" x 19 gauge—24" hole to hole—end holes punched; or—
- Flexible bar—1½" x 19 gauge—24" hole to hole—end holes punched.
- Bar drop—2½".
- Cross helicals—17 gauge or heavier.
- Border wire—9 gauge or heavier, high carbon wire; or 7 gauge or heavier, low carbon wire.
- Japanned.

Item 12. Wire base—Wire top:

- Coils—average 7" high—9½ gauge—6 turns or more—single cone—knot one end.
- Base wire—10 gauge or heavier, high carbon wire, eyed or pointed ends 1 way; or 9 gauge or heavier, low carbon wire, eyed or pointed ends 1 way.
- Drop—2½".
- Top ties—15 gauge low carbon wire.
- Links—15 gauge low carbon wire or heavier.
- Border wire—9½ gauge or heavier, high carbon wire; or 8 gauge or heavier, low carbon wire.
- Japanned.

Item 13. Wire base—Helical top:

- Coils—average 7" high—9½ gauge—6 turns or more—single cone—knot one end.
- Base wires—10 gauge or heavier, high carbon wire, eyed or pointed ends one way; or 9 gauge or heavier, low carbon wire, eyed or pointed ends one way.
- Drop—2½".

Item 13. Wire base—Helical top—Continued.

- Cross helical—17 gauge or heavier.
- Border wire—9 gauge high carbon wire or heavier; or 7 gauge low carbon wire or heavier.
- Japanned.

BASE PRICES PER UNIT IN QUANTITIES OF 50 DAVENPORT OR 100 CHAIR UNITS OF A SINGLE SIZE AND KIND

[11-14 davenport and chair construction base prices]

	Bar base		Wire base	
	Item 10 wire top	Item 11 helical top	Item 12 wire top	Item 13 helical top
3 x 2 chair....	\$0.60	\$0.63	\$0.56	\$0.59
3 x 3 chair....	.69	.75	.63	.69
3 x 4 chair....	.86	.95	.78	.87
4 x 4 chair....	1.00	1.13	.89	1.01
3 x 6 sofa....	1.30	1.45	1.19	1.33
3 x 7 sofa....	1.52	1.69	1.39	1.56
3 x 8 sofa....	1.71	1.91	1.56	1.76
3 x 9 sofa....	1.84	2.06	1.67	1.90
4 x 7 sofa....	1.88	2.13	1.69	1.94
4 x 8 sofa....	2.07	2.36	1.87	2.15

Extras (add or deduct from base price).

- "T" frame and two coils, notched or eccentric frame (per unit)..... \$0.10
- Each 1" longer bar, bar base (per bar)..... .0025
- Each 1" shorter bar (per bar)..... .0015
- Each 1" shorter, wire base (per row)..... .001
- deduct.....
- Each 1" longer, wire base (per row)..... .0015
- For 1½" x 18 ga. rigid bar (per bar)..... .005

BASE PRICES—PER UNIT IN QUANTITIES OF 100 OR MORE OF ONE SIZE AND KIND

Size (inches)		Number bars	Length of bars (inches)	Number springs	Height (inches)	Gauge coils	Price	
Length	Depth						Wire base	Bar base
14	14	2	18	2	3	10½	\$0.28	\$0.31
16	18	2	20	3	3	10½	.33	.36
18	15	3	20	2	3	10½	.38	.43
18	18	3	22	3	3	10½	.46	.51

Extras (add or deduct from base price):

- For 1½" x 19 gauge bar, per bar..... \$0.003
- Each ½ gauge heavier or lighter all coils add or deduct, per bar or row..... .003
- Each 1" higher, all coils, per bar or row..... .005
- Bottom border #3 gauge low carbon wire, per unit..... .05
- Other sizes priced similar to item above with nearest surface area.

Quantity differentials (to be applied after all other extras are added or deducted from base price)

- For 50-99 one size and kind, add..... .5
- For less than 50 one size and kind, add..... 15

Item 16. Seat construction for maple and sun room furniture:

- Self Supporting type—Non reversible base price \$0.53 per unit in quantities of 100 or more of a single size and kind.
- Size—20" x 21", 1" tolerance each way.
- 9 coils, 5½" high, 10½ gauge or heavier, 6 turns, single cone.
- Top ties—15 gauge or heavier low carbon wire.
- Links—13½ gauge or heavier low carbon wire.
- Top Border—10½ gauge or heavier high carbon wire.
- Bottom Border—6 gauge or heavier high carbon wire.
- Bottom ties—9 gauge or heavier high carbon wire.
- Japanned.

Item 17. Non-self-supporting style—Non-reversible base price, \$0.45 per unit in quantities of 100 or more of a single size and kind.

- Size—21" x 23", 1" tolerance each way.
- 9 coils, 5½" high, 10 gauge or heavier—6 turns—single cone.
- Top ties—15 gauge or heavier, low carbon wire
- Links—13½ gauge.
- Top Border—10½ gauge or heavier high carbon wire.
- Bottom Border—10 gauge or heavier low carbon wire.
- Bottom ties—11 gauge or heavier low carbon wire.
- Japanned.

Extras, Items 16 and 17 (add or deduct from base price)

- Each ½ gauge heavier or lighter, all coils, add or deduct per bar..... \$0.01
- Each 1" higher or lower, all coils, add or deduct per bar..... .015

Quantity differentials (to be applied after all other extras are added or deducted from base price)

- For 50 to 99 same size and kind..... .5
- For less than 50 same size and kind..... 15

- For 1½" x 18 ga. rigid bar (per bar)..... Chair \$0.006 Sofa \$0.006
- Each 1" additional drop (per bar)..... .0025 .0025
- Each 1" variation in coil height (average all coils) add or deduct (per bar or row)..... .005 .005
- Coils each ½ ga. heavier (add per bar or row)..... .005 .005
- Coils each ½ ga. lighter (deduct per bar or row)..... .003 .003
- Bottom border 10½ ga. high carbon wire or 9 ga. low carbon wire (bar base unit per unit)..... .15 .20
- (wire base unit per unit)..... .10 .15

Quantity differentials (to be applied after all other extras are added or deducted from base price)

- For 50-99 chairs or 25-49 davenports of a single size and kind, add..... .8
- For less than 50 chairs or 25 davenports of a single size and kind, add..... 15

TYPE VI—SAG SEAT AND SPECIAL CONSTRUCTIONS

Item 14. Rigid bar type:

- Coils—3" high—10½ gauge—single cone—knot one end.
- Bar 1" x 18 gauge—formed (or other dimensions of same weight, 2½" drop).
- Top crimps 15 gauge low carbon wire or heavier.
- Links 13½ gauge low carbon wire or heavier.
- Border wire 10½ gauge high carbon wire or heavier.
- Japanned.

Item 15. Wire base type:

- Coils—3" high—10½ gauge—single cone—knot 1 end.
- Base wire 10½ gauge or heavier, eyed or pointed, low carbon wire.
- Top crimps 15 gauge low carbon wire or heavier.
- Links 13½ gauge low carbon wire or heavier.
- Border wire 10½ gauge high carbon wire or heavier.
- Japanned.

TYPE VII—ACCESSORIES

Item 18. Edge wire:

Kind of wire	Base prices per cwt.	
	Coils	Cut and straightened
9 gauge or heavier basic wire.....	\$4.55	\$5.40
9 gauge or heavier spring wire.....	5.15	6.00

- Extras (add or deduct from base price):
- Each gauge lighter..... \$0.10
- Less than 100 pounds..... .50

Item 19. Shurstay bands:

- Hot rolled or equalled-punched.
- 1" x 20 gauge.
- Base price per cwt. of 500 pounds or more of a single size and kind:
- Coils..... \$6.50
- Cut to length—packed..... 7.00
- Extras (add or deduct from base price):
- Less than 500 pounds..... \$0.60
- Each gauge heavier..... .10
- Each ¼" wider, deduct..... .05

Item 20. Extension springs:

- 16 gauge, 6 turns per inch, ½" O.D., 4" long or longer.
- Single extension springs, \$13.25 per cwt.
- Cross extension springs, \$11.75 per cwt.

[Item 20 amended by Am. 1, effective 10-5-44]

- Extras (add or deduct from base price): Each ¼" shorter \$0.50.

Item 21. Single cone coils:

Specifications of base model:

- 6" high or higher.
- Knotted one end.

Specifications of base model—Continued.

Japanned.

11½ gauge.

Base model price per cwt. \$7.80 in quantities of 500 lbs. or more of a single size and kind.

Extras (add or deduct from base price):

Open both ends, deduct.....	\$0.40
5" high, add.....	.50
4" high, add.....	1.00
3" high, add.....	1.50
Unjapanned, deduct.....	.20
Each ½ ga. heavier, deduct.....	.15
Each ½ ga. lighter (up to and including 12½ ga.), add.....	.20
Extension top, add.....	.75
Dunk, Dowel or Eye one end, add....	.75

Quantity differential (to be applied to base price after all other extras are added to or deducted from base price):

100-499 lbs. of a single size and kind add 5%.
Less than 100 lbs. of a single size and kind add 15%.

[Item 21 amended by Am. 1, effective 10-5-44]

SEC. 5. *Maximum prices for sales by manufacturers of certain articles which are not specifically priced under section 4 and which were sold or delivered by the manufacturer during March 1942.* (a) This section establishes ceiling prices for sales by manufacturers to the furniture trade of an article covered by this regulation, but which is not specifically priced under section 4. This section may only be used if the manufacturer:

(1) Sold, offered for sale or delivered the article to be priced during March 1942 to the furniture trade; and

(2) Sold, offered for sale or delivered during March 1942 to the furniture trade an article of the same general type which is specifically priced under section 4.

(b) You determine your ceiling price under this section as follows:

(1) Select from the articles listed in section 4 of this regulation an article of the same general type which you sold, offered for sale or delivered to the furniture trade during March 1942 and which is nearest in size and construction to the article being priced.

(2) Ascertain for that article both (i) the maximum price fixed in section 4 for sales in the base model quantities, and (ii) your "highest price" during March 1942 to the furniture trade for sales in the same quantities. The term "highest price" when used in this regulation, means the highest net f. o. b. factory price after application of all discounts and rebates, except discounts for cash payment.

(3) Divide the price ascertained under (2) (i) above by the March 1942 price ascertained in (2) (ii) above. The resulting figure is the percentage factor.

(4) Ascertain your highest March 1942 price of the article being priced for sales to the furniture trade in the quantities specified in (b) (2) above.

(5) Multiply the price in (b) (4) above by the percentage factor in (b) (3) above. The resulting figure is your base ceiling price for the article being priced for sales to the furniture trade in the

quantities specified in (b) (2) above. That price is subject to all applicable extras and allowances set forth in section 4 for that type of article.

(c) *Reports to be filed.* You may not sell, offer to sell, or deliver any article for which a ceiling price is fixed by this section until you have complied with the reporting and waiting provision required below. You must file with the Consumer Durable Goods Price Branch of the Office of Price Administration, Washington, D. C., a report setting forth the following information:

(1) The principal specifications of the article selected under (b) (1) above.

(2) Your highest March 1942 price for sales of that article as ascertained in (b) (2) (ii) above.

(3) The ceiling price listed under section 4 for the article selected in (b) (1) above.

(4) The principal specifications of the article to be priced and your highest March 1942 price of that article in the base quantities.

(5) Your ceiling price for the article to be priced as determined by this section.

Fifteen days after mailing of the report, in the absence of a contrary direction from the Office of Price Administration, the manufacturer may offer for sale the article at the price reported. If the report, as filed, is correct, the price shall be subject to adjustment (not to apply retroactively) at any time by order of the Office of Price Administration, where it appears that the price so established is out of line with the general level of prices established by this regulation. If the report as filed, is incorrect, the ceiling price for a sale, offer to sell or delivery of an article made pursuant to the incorrect report shall be the ceiling price which is properly computed under the formula contained in this section.

SEC. 6. *Maximum prices for sales by manufacturers of articles which cannot be priced pursuant to sections 4 and 5 but which are of the same type as an article currently manufactured for which a ceiling price is established by section 4.* The ceiling price for sales by a manufacturer to the furniture trade of any article which cannot be priced pursuant to sections 4 and 5 and which is of the same general type as an article currently manufactured and for which a ceiling price is established by section 4 shall be determined by the pricing formula set forth in this section.

NOTE: The meaning of certain terms used in this section is further explained in subsequent provisions of this section. The terms so explained are in quotation marks the first time they appear in the text.

(a) *Pricing formula.* To establish a ceiling price under this section, the manufacturer shall:

(1) Determine the "unit direct cost" for the article being priced.

(2) Select an article of the same general type currently manufactured by him for which a ceiling price is established under section 4 of this regulation and which has a unit direct cost closest to the unit direct cost of the article being priced.

(3) For the article selected in (2) above, determine (i) the unit direct cost and (ii) ascertain the base ceiling price established by section 4.

(4) Divide the base ceiling price in (3) (ii) above by the unit direct cost in (3) (i) above. The resulting figure is the percentage factor.

(5) Multiply the unit direct cost of the article being priced by the percentage factor ascertained in (4) above. The resulting figure is your base ceiling price for sales of the article being priced to the furniture trade. That price is subject to all applicable extras and allowances set forth in section 4 for sales of the comparable article.

(b) *Computation of unit direct cost.* For the purpose of this regulation, unit direct cost includes direct labor and direct material costs, but does not include factory burden (sometimes called factory overhead, or indirect factory expense), packaging and crating costs, royalties and patterns, tool and die, and items of administrative, selling and general expenses. Manufacturers shall compute the cost per unit of direct labor and material for both the comparable article and the article to be priced on the basis of the following: "wage rates", "material prices", and "operating conditions".

(1) *Wage rates.* The wage rates applicable to any article shall be the highest wage rates in effect in the manufacturer's plant at the time he manufactures the article for each class of labor involved in the production of the article. However, wage rates may not be higher than those in effect in the manufacturer's plant on October 3, 1942, unless approved by the War Labor Board. If an officer or owner performs any direct labor in the manufacture of the article, the wage rate applicable for his services may not exceed the wage rate paid to an employee performing the same type of labor.

(2) *Material prices.* Material prices for both the article being priced and the comparable article shall be the manufacturer's "customary supplier's" ceiling price to his class of purchaser or the actual cost of such material, whichever is lower.

(3) *Customary supplier.* The term customary supplier means the person from whom the manufacturer purchased the majority of his materials during March 1942 or lacking a March 1942 supplier of the material, his most recent supplier of the material.

(4) *Operating conditions.* Using the wage rates and material prices determined under (b) (1) and (b) (2) above, the manufacturer shall compute his cost per unit of direct labor and material by the accounting methods customarily employed by him in computing his costs. He shall compute the cost on the basis of production techniques employed in his plant and his actual volume of production, or the volume of production he reasonably expects for the article for which a ceiling price must be established by this section. Such expenses as breaking in, training, starting, set up charges and other non-recurring expenses may not be included in determining unit direct costs.

(c) *Reports to be filed.* You may not sell, offer for sale or deliver any article for which a ceiling price is fixed by this section until you have complied with the reporting and waiting provisions required below. You must file with the Consumer Durable Goods Price Branch of the Office of Price Administration, Washington, D. C., a report setting forth the following information prior to first offering the articles for sale:

(1) Principal specifications of the article being priced.

(2) Principal specifications of the comparable article listed in section 4.

(3) An itemized breakdown of the manufacturer's unit direct cost of the article to be priced, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. Also, the number of units of production upon which the unit direct costs were based.

(4) An itemized breakdown of the manufacturer's unit direct cost of the comparable article listed in section 4, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. Also, the number of units of production upon which the unit direct costs were based.

(5) The ceiling price for the article being priced as determined by the application of the pricing formula.

(6) Specify as to each item of material and labor reported in (3) and (4) whether costs are computed from available written records or from estimates.

Fifteen days after mailing of the report, in the absence of a contrary direction from the Office of Price Administration, the manufacturer may offer for sale the article at the price reported. If the report, as filed, is correct, the price shall be subject to adjustment (not to apply retroactively) at any time by order of the Office of Price Administration, where it appears that the price so established is out of line with the general level of prices established by this regulation. If the report as filed, is incorrect, the ceiling price for a sale, offer to sell or delivery of an article made pursuant to the incorrect report shall be the ceiling price which is properly computed under the formula contained in this section.

SEC. 7. Maximum prices for sales of upholstery springs, constructions and accessories manufactured from used materials. If you manufacture and sell any article listed in section 4 of this regulation, which contains used materials, your ceiling price for that article to the furniture trade shall be 75% of the ceiling price for that article listed in section 4. If the article containing used materials is not the same as an article for which a ceiling price is established by section 4, the manufacturer must make an application pursuant to section 11 for specific approval of a maximum price.

SEC. 8. Maximum prices for sales by manufacturers to automotive and aviation manufacturers of articles made from new or used materials. If you are a manufacturer of the articles covered by this regulation you establish your ceiling prices for sales to automotive or aviation manufacturers as follows:

(a) *Manufacturers who sold both bedding or furniture manufacturers and automotive and aviation manufacturers during the period October 1, 1941 to March 31, 1942.* If you regularly sold articles covered by this regulation to both the furniture trade and automotive or aviation manufacturers during the period October 1, 1941 to March 31, 1942, you establish your ceiling prices to automotive and aviation manufacturers by the formula set forth below:

(1) Select from the articles listed in section 4 of this regulation an article of the same general type which you sold, offered for sale or delivered to the furniture trade during March 1942 and which is nearest in size and construction to the article being priced.

[Subparagraph (1) amended by Am. 1, effective 10-5-44]

(2) Ascertain for that article both (i) the maximum price fixed in section 4 for sales in the base model quantities and (ii) your highest March 1942 price to the furniture trade for sales in the same quantities.

(3) Divide the price ascertained in (2) (i) above, by the March 1942 price ascertained in (2) (ii) above. The resulting figure is the percentage factor.

(4) Ascertain the highest price charged by you to automotive or aviation manufacturers during the period October 1, 1941 to March 31, 1942 for the article being priced.

(5) Multiply the price in (4) above by the percentage factor in (3) above. The resulting figure is your f. o. b. factory ceiling price under this regulation for sales of the article to automotive and aviation manufacturers. This price is subject to all quantity discounts and dollar differentials customarily allowed to these classes of purchasers.

(b) *Reports to be filed.* You may not sell, offer to sell, or deliver any articles for which a ceiling price is fixed by this section until you have complied with the reporting provisions below. You must file with the Consumer Durable Goods Price Branch of the Office of Price Administration, Washington, D. C., a report setting forth the following information prior to first offering the article for sale:

(1) The principal specifications of the article selected under (a) (1) above.

(2) Your highest March 1942 price for sales of that article as ascertained in (a) (2) (ii) above.

(3) The ceiling price listed under section 4 for the article selected in (a) (1) above.

(4) The principal specifications of the article to be priced and the highest price charged by you for that article during the period October 1, 1941 to March 31, 1942 for sales to automotive or aviation manufacturers.

(5) Your ceiling price for the article to be priced as determined by this section.

(c) *Manufacturers who did not regularly sell the articles covered by this regulation to both automotive and aviation manufacturers and the furniture trade during the period October 1, 1941 to March 31, 1942.* If you are a manufac-

turer and did not sell the articles covered by this regulation to both the automotive and aviation manufacturers and the furniture trade during the period October 1, 1941 to March 31, 1942, you must make an application for specific approval of ceiling prices for sales to automotive and aviation manufacturers pursuant to section 11 of this regulation.

SEC. 9. Maximum prices for sales by manufacturers to jobbers. When used in this regulation the term jobber means any person who purchases any article covered by this regulation and resells that article without substantially changing its form.

(a) On sales to jobbers of the articles covered by this regulation, each manufacturer shall allow a discount of not less than 3% off the ceiling prices established by sections 4, 5, 6, 7 and 8 of this regulation. You are required to notify each jobber of your base ceiling price for sales to the furniture trade as required by paragraph (b) below.

(b) *Notification.* On and after the effective date of this regulation, at the time the manufacturer sends his first invoice to each jobber, he must notify the jobber of the base ceiling price for sales to the furniture trade of each article covered by this regulation which is listed on the invoice. For the purpose of this regulation, the "base ceiling price" is the price determined under sections 4, 5, 6, 7 or 11 for the quantities applicable to the base model specified in section 4.

SEC. 10. Maximum prices for sales to the United States Government. On sales to the United States Government or any agency thereof, or any contractor therewith for use in fulfillment of the contract, of an article for which a ceiling price is established by this regulation, the ceiling price shall be the lowest price established by this regulation for sales of the article to any class of purchaser in the largest quantities.

SEC. 11. Maximum prices for sales by manufacturers of metal upholstery springs, constructions and accessories which cannot be priced under any other section of this regulation. The maximum price for sales by manufacturers of any article which cannot be priced under any other section of this regulation, shall be a price set by order of the Price Administrator in line with the level of maximum prices established by this regulation. No person may sell, offer to sell or deliver an article for which a ceiling price must be established under this section until the price has been specifically authorized by order of the Office of Price Administration. If in violation of this provision, a sale, offer to sell or delivery of an article is made before the issuance of an order by the Price Administrator specifically authorizing a ceiling price for the article, the ceiling price applicable to the sale, offer to sell or delivery shall be such a ceiling price as the Price Administrator may establish for the article by subsequent order. Applications for a ceiling price under this section shall be made to the Office of Price Administration, Washington, D. C., and shall contain the following information:

(1) Identifying number or trade name of article to be priced.

(2) The reasons why the article to be priced cannot be priced under any other section of this regulation.

(3) Detailed specifications of the article to be priced.

(4) An itemized breakdown of the manufacturer's current unit direct cost of the article to be priced, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. Also, the number of units of production upon which the unit direct costs were based.

(5) An itemized breakdown of the manufacturer's current unit direct cost (as described in (4) above) of the basic model, specifically priced in this regulation, which is the most nearly comparable to the article being priced if the article is currently being produced. If the article is not currently being produced, an estimate of the costs.

(6) Price lists in effect during March 1942 showing the article most nearly comparable to the article being priced, with illustrations; the article most nearly comparable to the basic model mentioned in (4), with illustrations; all price differentials covering variations in these constructions.

If the manufacturer was not making and selling metal upholstery springs, constructions and accessories in March 1942, send the first price list which was in effect after March 1942, together with illustrations.

(7) A statement of the manufacturer's customary discounts, allowances and other price differentials to different classes of purchasers in effect for sales of metal upholstery springs, constructions and accessories during March 1942, or if the manufacturer was not making and selling metal upholstery springs, constructions and accessories during March 1942, the same information for the first period after March 1942 during which the manufacturer was engaged in this business.

(8) Requested maximum price of the article to be priced to each class of purchaser you intend to sell.

Sec. 12. Terms of sale and zone differentials—(a) Packing charges. The ceiling prices established by sections 4 to 11 of this regulation include customary packing (whether in the form of crates, cartons or wire tied bundles) for freight shipment or local delivery whichever is applicable. No charge for special packing may be made in addition to the ceiling prices established by this regulation.

(b) **Freight allowances.** The ceiling prices established by sections 4 to 11 of this regulation are f. o. b. the manufacturer's point of shipment except that manufacturers who made deliveries within their local metropolitan area, not to exceed a radius of 30 miles from their plant, may not add a delivery charge. If, however, the manufacturer delivers outside his local metropolitan area, in his own conveyance, he may make in addition to the ceiling prices specified in this regulation, a delivery charge not to exceed the rates charged by the least expensive available method of transportation by a common carrier. No delivery charge may be made unless a separate

statement of the delivery charge appears on all invoices, sales slips or other evidences of sale.

(c) **Discounts.** The prices established by sections 4 to 11 of this regulation are subject to a 2% discount for payment within ten days net thirty days. On purchases for single shipment of a carload or more of the products covered by this regulation (except purchases by automotive or aviation users) the manufacturer must allow a discount of 3% off the prices established in this regulation in addition to all other discounts, extras and allowances provided in this regulation.

(d) **Zone differentials.** (1) The ceiling prices established by this regulation are for sales by manufacturers and jobbers whose point of shipment is in the Eastern Zone. Manufacturers and jobbers whose point of shipment is in the Western Zone may add $\frac{1}{2}\epsilon$ per lb. gross shipping weight to the ceiling prices established by this regulation: *Provided, however, That if the current leading supplier of an item to a jobber is located in the Eastern Zone, the jobber may not add this $\frac{1}{2}\epsilon$ per lb. differential to the ceiling price of that item.*

(2) For the purposes of this regulation the Western Zone includes the states of California, Oregon, Washington, Nevada, Idaho, Utah, Arizona, Wyoming, Montana, Colorado, New Mexico, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos, Harris, and Reeves. The rest of the country is in the Eastern Zone. No zone differential charge may be made unless a separate statement of that charge appears on all invoices, sales slips or other evidence of sale.

[Paragraph (d) amended by Am. 1, effective 10-5-44]

SEC. 13. Maximum prices for sales by jobbers to any person. Ceiling prices for sales by any person other than a sales agent of any articles covered by this regulation which are purchased for resale and not for fabrication shall be determined by this section. Paragraph (a) establishes ceiling prices for sales by persons who purchased the articles directly from the manufacturers and who were engaged in the business of buying and selling the articles covered by this regulation during March 1942. Paragraph (e) establishes ceiling prices for sales by all other persons.

[Above paragraph amended by Am. 1, effective 10-5-44]

(a) **Ceiling prices for sales by persons who purchased the articles covered by this regulation directly from the manufacturer and who were engaged in the business of buying and selling the articles covered by this regulation during March 1942.** If you were a jobber of the articles covered by this regulation during March 1942 and if you purchased the articles covered by this regulation directly from the manufacturer for the purpose of re-

sale, you establish your ceiling prices for sales to any person as follows:

(1) The manufacturer is required to notify you of the base ceiling price established by this regulation for sales to the furniture trade. You ascertain his base ceiling price from that notice.

(2) You add to the base ceiling price ascertained in (1) above an allowance for incoming freight from your current leading supplier of the item. The resulting figure is your average delivered cost.

(3) You multiply the average delivered cost by 135%. The resulting figure is your maximum price for sales of the article to any person in the smallest quantities sold by you during March 1942. To that price you must apply all the differentials, discounts, trade allowances and terms and conditions of sale allowed by you during March 1942 on sales of the same types of articles.

(b) **Reports to be filed.** If you are a person establishing your ceiling prices pursuant to paragraph (a) of this section, before you sell, offer to sell or deliver any article covered by this regulation, you must file with the Office of Price Administration, Washington, D. C., a report containing the following information:

(1) Your name and address of your place of business.

(2) The name of the leading suppliers from whom you purchased and a brief description of the class of trade to whom you sold the articles covered by this regulation during March 1942.

(3) A schedule of your discounts, differentials and terms of sale granted by you during March 1942.

(4) A copy of your price list covering articles priced under this section.

In the absence of a contrary direction from the Office of Price Administration, within 15 days after filing his report, the jobber may offer for sale at the price reported. If the report, as filed is correct, the price shall be subject to adjustment (not to apply retroactively) at any time by order of the Office of Price Administration where it appears that the price so established is out of line with the general level of prices established by this regulation.

(c) **Maximum prices for sales by jobbers who cannot establish ceiling prices pursuant to paragraph (a).** The ceiling prices for sales or deliveries by a jobber of any article covered by this regulation which cannot be determined under paragraph (a) above shall be a price fixed by order of the Price Administrator in line with the level of prices established by this regulation. No person may sell, offer to sell or deliver an article for which a price must be established under this paragraph, until a price has been specifically authorized by order of the Office of Price Administration. If in violation of this provision a sale, offer to sell or delivery of an article is made before the issuance of an order by the Price Administrator specifically authorizing a maximum price for the article, the maximum price applicable to the sale, offer to sell or delivery, shall be such ceiling price as the Price Administrator establishes for the article by subsequent order. An application for a ceiling price under this paragraph shall be made to the Office of Price Administration, Wash-

ington, D. C., and contain the following information:

- (1) Reasons why the article cannot be priced under paragraph (a) above.
- (2) Identification of the article.
- (3) Your manufacturer's name and address and his f. o. b. ceiling price as established by this regulation.
- (4) A brief description of the general business in which the applicant is engaged; the class of trade to whom articles priced in this regulation will be sold; and the terms and conditions of sale.
- (5) Name of nearest competitive jobber or sales agent who operates a similar line of business selling to the same class of customer.
- (6) Proposed ceiling prices.

SEC. 14. *Invoices and receipts.* After the effective date of this regulation every seller of any article covered by this regulation must furnish the purchaser with an invoice or other similar written evidence of purchase showing the:

- (a) Date of sale
- (b) The name and address of the buyer
- (c) Terms of sale
- (d) Quantities of each item
- (e) The identification (including weight class of fabric) of each item
- (f) The price for each item
- (g) Designation "used" for any item containing used materials
- (h) Separate statement of any additional charges for freight and zone differentials.

A copy of such invoice shall be kept by every seller for inspection by the Office of Price Administration and the original shall be retained by the purchaser.

SEC. 15. *Records to be kept by jobbers.* Each jobber selling any article covered by this regulation shall keep records showing all computations which he used to establish his ceiling prices pursuant to section 13 of this regulation as well as those records on the basis of which he made his computations. These records must be kept available for inspection by the Office of Price Administration.

SEC. 16. *Relationship between this regulation and other regulations.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 188 with respect to sales and deliveries for which ceiling prices are established by this regulation except that the record keeping provisions §§ 1499.11 and 1499.12 of the General Maximum Price Regulation are incorporated herein by reference.

SEC. 17. *Licensing.* The provisions of Licensing Order No. 1,⁵ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any

sale for which his license has been suspended.

SEC. 18. *Exports.* The ceiling prices at which a person may export any article covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.⁶

SEC. 19. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1⁷ issued by the Office of Price Administration.

SEC. 20. *Enforcement and evasion—(a) Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) *Evasion.* You must not evade any of the provisions of this regulation by any scheme or device, or by any practice which has the effect of charging a higher-than-ceiling price.

SEC. 21. *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states and the District of Columbia.

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

This regulation shall become effective on the 20th day of July 1944.

[Maximum Price Regulation 548 originally issued July 15, 1944]
[Effective dates of amendments are shown in notes following the parts affected]

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15164; Filed, Sept. 30, 1944; 11:58 a. m.]

PART 1366—USED CONSUMER DURABLE GOODS

[MPR 516¹, Amdt. 2]

USED PHOTOGRAPHIC EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 17 is amended to read as follows:

SEC. 17. *Geographical applicability.* This regulation applies in the forty-eight states of the United States, the Dis-

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 2563, 9897.

⁶ 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 7201.

⁷ 9 F.R. 10476.

trict of Columbia, and the Territories of Hawaii and Alaska.

This amendment shall become effective October 5, 1944.

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15155; Filed, Sept. 30, 1944; 11:51 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,⁴ Amdt. 125]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1390.26a (g) is added to read as follows:

(g) *Suspension of reporting requirements.* The reports required by this § 1390.26a need not be filed during the period October 1, to December 31, 1944, inclusive, or until such time as the Bureau of the Budget approves the reinstatement of these reports, whichever is the longer period of time.

This amendment shall become effective October 2, 1944.

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15158; Filed, Sept. 30, 1944; 11:49 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,² Amdt. 154]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

* Ration Order 5C is amended in the following respects:

1. Section 1394.7652 is amended to read as follows:

§ 1394.7652 *Basic ration books—(a) Passenger automobiles.* Class A coupon books shall be issued as basic rations for passenger automobiles. Subject to the provisions of § 1394.7653 (d), which relate to the tailoring of coupon books issued after the beginning of the ration period, each Class A book issued for use outside the gasoline shortage area shall contain thirty coupons, each Class A book issued for use in the gasoline shortage area before November 9, 1944, shall con-

² 9 F.R. 4748, 6420, 6239, 6884, 7079, 7163, 7615, 7854, 10589.

³ 8 F.R. 15937.

⁵ 8 F.R. 13240.

tain forty-eight coupons, and each Class A book issued for use after November 8, 1944, in the gasoline shortage area shall contain twenty-seven coupons. Each Class A coupon shall have a value of one unit. Coupons contained in Class A books shall be valid for the transfer of gasoline to a consumer only during the periods indicated below:

TABLE OF VALID COUPONS

Coupons numbered	Valid period
11....	March 22, 1944 to June 21, 1944, inclusive, outside the gasoline shortage area, and from August 9, 1944, to November 8, 1944, inclusive, in the gasoline shortage area.
12....	June 22, 1944 to September 21, 1944, inclusive, outside the gasoline shortage area.
13....	September 22, 1944, to December 21, 1944, inclusive, outside the gasoline shortage area, and from November 9, 1944, to December 21, 1944, inclusive, in the gasoline shortage area.

(b) *Motorcycles.* Class D coupon books marked "Basic" shall be issued as basic rations for motorcycles for use before November 12, 1944, and subject to the provisions of § 1394.7653 (d) shall contain forty-eight coupons. Class D coupons in strip form bearing consecutive serial numbers together with an identification folder marked "Basic" shall be issued in the number specified in § 1394.7653 (d) (2) as basic rations for motorcycles for use after November 11, 1944.

Coupons in Basic Class D books issued for use after July 21, 1943 and before November 12, 1944 shall be valid for transfer of gasoline to a consumer during such period.

Class D coupons issued as a basic ration for use after November 11, 1944 shall be valid for transfer of gasoline to a consumer at any time until December 31, 1944, and thereafter, while gasoline continues to be rationed, until December 22, 1945.

Each Class D coupon shall have a value of one unit.

2. Section 1394.7653 (a) is amended by inserting as a paragraph heading the word "Application."

3. Section 1394.7653 (b) is amended by inserting as a paragraph heading the phrase "Who signs application."

4. Section 1394.7653 (d) is amended to read as follows:

(d) *Issuance.* Pursuant to such application the Board shall issue a basic ration in accordance with the following provisions:

(1) Before issuing a Class A coupon book as a basic ration for a passenger automobile the Board shall remove coupons from the book according to the following formula:

(i) From a Class A book issued for use outside the gasoline shortage area or for use after November 8, 1944, in the gasoline shortage area: All expired coupons and one currently valid coupon for each full sixteen days which have elapsed in the valid period during which such book is issued.

(Boards in the gasoline shortage area will be furnished with Class A coupon books (Form OPA R-525C) containing six "A-13" coupons, three of which are cancelled. Before a Basic Class A book is issued for use with a passenger automobile normally garaged or stationed in that area, the Board shall verify the fact that the book does not contain more than three valid "A-13" coupons and this number shall be further reduced as provided in this subdivision.)

(ii) From a Class A book issued for use before November 9, 1944, in the gasoline shortage area: All coupons bearing the numbers 7, 8, 9 and 10 and one currently valid coupon for each full twelve days which have elapsed in the "valid period" during which such book is issued.

(2) In respect to a basic ration for a motorcycle issued for use after November 11, 1944, the Board shall issue forty Class D coupons in strip form bearing consecutive serial numbers and accompanied by an identification folder marked "Basic" and bearing "December 22, 1945" as the expiration date. However, if such ration is issued after November 11, 1944, the Board shall reduce such number of coupons issued by one coupon for each full ten days which have elapsed after November 11, 1944.

(3) In respect to a basic ration for motorcycles issued after September 2, 1944, for use before November 12, 1944, the Board shall remove from the Basic Class D coupon book forty-one coupons and, in addition, one coupon for each full ten days which have elapsed between September 2, 1944, and the date of issuance.

5. Section 1394.7653 (f) is amended to read as follows:

(f) *Limitations on issuance.* No basic ration may be issued for a vehicle for use during the time that another currently valid basic ration issued for use with the same vehicle is outstanding, except as provided in § 1394.7654 and § 1394.8007 (a). (These sections relate respectively to certain movements into and out of the gasoline shortage area, and to replacement of lost or wrongfully withheld coupons.) No person, except as provided in these sections or as provided below in this section, shall be entitled to receive more than one basic ration for the same vehicle for use during any of the following periods:

Class A rations outside the gasoline shortage area.	September 22, 1944, to December 30, 1944, inclusive.
Class A rations within the gasoline shortage area.	November 9, 1943, to November 8, 1944, inclusive.
Class A rations within the gasoline shortage area.	November 9, 1944, to December 30, 1944, inclusive.
Basic Class D rations.	July 22, 1943, to November 11, 1944, inclusive.
Basic Class D rations.	November 12, 1944, to December 30, 1944, inclusive.

However, any person may apply for reissuance of a basic ration if he has surrendered a basic ration to a Board by reason of having ceased to use the motor

vehicle for which the ration was issued. Application for reissuance shall be made on Form OPA R-534 Revised and the applicant shall attach thereto a statement setting forth the date and place of issuance of the ration surrendered, the date and place of the surrender and the reason therefor. If the Board is satisfied that the applicant surrendered the ration in good faith it shall issue a basic ration to the applicant pursuant to the provisions of paragraph (d) of this section.

6. Section 1394.7654 (a) is amended by deleting from the first sentence the phrase "for a period of less than four months".

This amendment shall become effective October 4, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15154; Filed, Sept. 30, 1944; 11:51 a.m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3, Amdt. 45]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with Division of the Federal Register.

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.87 (a) is amended by adding the following sentence: "However, in the case of the classes of products listed in Table V, he may obtain within each such class a provisional allowance of sugar only for those products in which he used sugar in either 1941, 1942, or 1943."

2. Section 1407.88 (d) is amended by inserting in the first sentence between the words "(listed in Table VII)" and "or cooked beans" the words "canned or cured meats, fish, or poultry (listed in Table V)."

3. Section 1407.88 (e), (f), (g), and (h) are redesignated §§ 1407.88 (f), (g), (h), and (i), respectively, and a new § 1407.88 (e) is added to read as follows:

(e) An industrial user who uses sugar in any quarterly period for packing or processing any of the products listed in Table V of Schedule A must, before the sixteenth day of the following quarterly period, file with his Board (or District Office, if he is registered there) a written report showing (1) his use of sugar for each class of products, as listed in Table V, and (2) the number of units of each such class of products which he packed

*Copies may be obtained from the Office of Price Administration.

¹9 F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4880, 5220, 5254, 5220, 5166, 5426, 5346.

or processed during that period, counting only those products in which he used sugar in 1941, 1942 or 1943.

4. Section 1407.89 (b) is amended by deleting from the first sentence the number "V" and by adding at the end of the section the following: "No industrial user may use more sugar in any quarterly period for packing or otherwise processing any class of products listed in Table V of Schedule A, § 1407.241,

than the amount determined by multiplying the number of units of products in that class (counting only those products in which he used sugar in either 1941, 1942 or 1943) packed or otherwise processed by him in such quarterly period by the allowance per unit for such class of products specified in Table V of Schedule A."

5. Section 1407.241, Schedule A, Table V is amended to read as follows:

TABLE V—CANNED OR CURED MEATS, FISH, AND POULTRY REGARDLESS OF HOW PACKAGED

Class of products	Size of unit	Quantity of sugar in pounds allowed, per unit of product
1. Pork products, dry cured	100 pounds (unprocessed)	1.30
2. Pork products, sweet pickled	100 pounds (unprocessed)	1.00
3. Beef, dried and corned and beef tongues	100 pounds (unprocessed)	1.00
4. Canned luncheon meats and canned spiced ham	100 pounds (unprocessed)	1.00
5. Dry sausage	100 pounds (unprocessed)	.75
6. Fresh sausage and baked loaves	100 pounds (unprocessed)	.50
7. Lamb tongue and lunch tongue	100 pounds (unprocessed)	.75
8. Pickled and cured fish, shellfish, and poultry products	100 pounds (unprocessed)	(1)
9. Mutton	100 pounds (unprocessed)	1.00
10. All others	100 pounds (unprocessed)	None

¹70 percent of amount used per unit of same product in this class during 1941.

This amendment shall become effective October 4, 1944.

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

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15160; Filed, Sept. 30, 1944; 11:57 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3, Amdt. 46]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.74a (a) is amended by deleting the words "for himself and the members of his family unit,".

2. Section 1407.74a (a) (1) is amended by inserting after the words "family unit" the following: "and 25 pounds for each employee who works more than six months a year on the farm where the

sugar cane or sugar beets were produced and for whom he regularly provides meals".

3. Section 1407.74a (a) (2) is amended by inserting in the first sentence between the word "resides" and the word "more" the words "or works".

4. Section 1407.74a (b) (2) is amended by inserting between the word "resides" and the word "more" the words "or works".

5. Section 1407.74a (c) (3) is amended by inserting between the word "resides" and the word "more" the words "or works".

6. Section 1407.74a (c) (4) is amended by inserting after the parenthetical statement "(including himself)" the following: "and the number of employees who work more than six months a year on the farm where the sugar cane or sugar beets were produced and for whom he regularly provides meals".

7. Section 1407.74a (e) is amended by deleting the period after the first sentence and inserting the following: "or for use in the service of meals to his employees."

This amendment shall become effective October 4, 1944.

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

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15161; Filed, Sept. 30, 1944; 11:49 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10, Amdt. 25]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 10 is amended in the following respects:

1. Section 1407.623 (a) (1) is hereby revoked.

2. Section 1407.687 is hereby revoked.

3. Section 1407.704 is hereby revoked.

This amendment shall become effective as of September 18, 1944.

Issued this 30th day of September 1944.

JACOB A. ROELES,
Territorial Director,
Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-15163; Filed, Sept. 30, 1944; 11:57 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 23]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 16 is amended in the following respects:

1. Section 7.6 (k) is amended to read as follows:

(k) *Allotments for industrial users of meat or fish having a point value.* An industrial user who, during the fourth quarter of his base period, used meat or canned fish which on October 1, 1944 has a point value (other than zero) may apply, between October 1, and October 10, 1944 inclusive, for an allotment covering such meat or canned fish. The application shall be made on OPA Form R-315, to the board or district office with which he is registered, and must estimate the number of pounds of such meat (separately for each item as listed in section A of the Official Table of Trade Point Values—effective October 1, 1944) or the number of pounds of such fish, (separately for each item as listed on the Official Table of Point Values—effective October 1, 1944) which he used during the fourth quarter of his base period. The board or district office may grant the application if it finds that the industrial user, during the fourth quarter of

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 1433, 1534, 2233, 2826, 2828, 8031, 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4880, 5220, 5166, 5426, 5346.

¹ 7 F.R. 6887, 8523, 8607, 10707; 8 F.R. 1394, 3315, 3843, 4190, 4892, 5268, 7017; 9 F.R. 2233, 2478, 2656, 2746; 3652.

² 9 F.R. 6731, 7060, 7081, 7082, 7167, 7203, 7258, 7262, 7344, 7438, 7578, 7774, 8182, 8793, 9954, 9955.

his base period, used meat or canned fish which has a point value (other than zero) on October 1, 1944. The amount of his allotment shall be computed in the following way:

(1) The number of pounds of each such item of meat or canned fish which he used during the fourth quarter of his base period is multiplied by the point value in effect for that item on October 1, 1944 (as shown on the Official Tables of Point Values, effective October 1, 1944):

(2) The resulting figures are added together and multiplied by 0.7.

The result represents his allotment for the fourth allotment period of 1944 for meat or canned fish having a point value on October 1, 1944. (Section 7.6 (d) applies in determining whether an industrial user who receives an allotment under this paragraph is entitled to a certificate, and in determining the amount of the certificate.)

2. Section 7.6 (1) is amended to read as follows:

(1) *Adjustment in allotment of industrial users of meat assigned a point value (other than zero) after October 1, 1944.* An industrial user who, during the fourth quarter of his base period, used meat which had a zero point value on October 1, 1944, but which is assigned a point value (other than zero) after October 1, 1944 and before January 1, 1945, may apply for an adjustment in his allotment. The application shall be made, after the meat is assigned a point value (other than zero), on OPA Form R-315 to the board or district office with which he is registered, and must estimate the number of pounds of such meat (separately for each item as listed in section A of the Official Table of Trade Point Values which first assigned the point value other than zero to those items after October 1, 1944) which he used during the fourth quarter of his base period. The board or district office may grant the application if it finds that the industrial user, during the fourth quarter of his base period, used meat having a point value (other than zero) between October 2 and December 31, 1944, inclusive. The amount of the adjustment shall be computed in the following way:

(1) The number of pounds of each such item of meat which he used during the fourth quarter of his base period is multiplied by the point value first assigned to that item after October 1, 1944, as shown on the Official Tables of Point Values;

(2) The figures are added together and multiplied by 0.7.

(3) The resulting figure is reduced in proportion to the part of the allotment period which has elapsed since October 1, 1944.

(Section 7.6 (d) applies in determining whether an industrial user who receives an adjustment under this paragraph is entitled to a certificate, and in determining the amount of the certificate.)

This amendment shall become effective October 4, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been

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

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319; WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to WFO No. 61, 9 F.R. 9134, 9389)

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15162; Filed, Sept. 30, 1944;
11:57 a.m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 24]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 7.6 is amended by adding a new paragraph (m) to read as follows:

(m) *Adjustment for industrial users whose allotments are reduced because a food covered by this order is reduced to a zero point value, or removed from rationing.* (1) When the point value of a food covered by this order is zero, or when that food is no longer rationed, an industrial user who used it during his base period may get a smaller allotment than he would otherwise have received. If, on the date when that food ceased to be rationed or was given a zero point value, he had outstanding point obligations or excess inventory which he was required to pay in fixed amounts out of his allotments or by applying his entire allotment, he may be in a poorer position than he would have been if the food still had a point value. (For example, the allotment of an industrial user of butter and of lard may have been 20,000 points per period before lard went to zero. Since he then got no allotment for lard, his total allotment may have gone down to 12,000 points. If he owed 10,000 points which he was required to repay in a lump sum, or at the rate of 5,000 points per period, the reduction of lard to zero impairs his ability to repay that point debt on the original terms, and his position as to the debt is worse than if lard had not gone to zero.) An industrial user in that position may apply to the board (or district office) with which he is registered for an adjustment. The application must be made on OPA Form R-315, and must show:

(i) The amount of his point obligations or excess inventory outstanding on the first day of the allotment period in which points no longer had to be given up to acquire a food he used during the base period;

(ii) The amount of any such obligation or excess inventory created between the first day of that period and the date on which points were no longer required for that food;

(iii) The nature of the obligation (for example, excess inventory charge, debt to supplier, etc.), the name of the person to whom it is owed, and the basis on which he was required to repay it (for example, in full by using his point allotment—or at the rate of a certain number of points each allotment period, etc.); and

(iv) If any administrative suspension order issued against him by the Office of Price Administration under Procedural Regulation No. 4 or Revised Procedural Regulation No. 4 is outstanding, he must also state the date when, place where, and the name of the person by whom, it was issued.

(2) If the board (or district office) finds that the applicant had outstanding point obligations or excess inventory of the type referred to in (1) above, that his allotment was reduced because a food he used ceased to be rationed or its point value was reduced to zero, and that he needs an adjustment in order to be able reasonably to repay those obligations on their original terms, it shall grant him an adjustment in the form of a point loan, so that his position will not be worse than it would have been if points were still required to be given up for that food. The amount of the loan is to be computed in the following way:

(i) Take the applicant's last allotment before that food ceased to be rationed or was given a zero point value;

(ii) Take the part of that allotment based on his use of that food;

(iii) Divide (ii) by (i);

(iv) Multiply the result by the number of points which he was required to give up, before the end of the allotment period in which he applies, in payment of the outstanding point obligations or excess inventory referred to in (1);

(v) That result is the amount of the loan to be granted.

(3) If he needs an additional loan for the same reasons for any period after the one in which he originally applied, he may apply again. The loan shall be computed in the same way as the original loan, except that it shall be based only on the remaining point obligations or excess inventory referred to in (1), payable by the end of the period in which he applies.

(4) No loan may be granted under this paragraph for any period before the second allotment period of 1944. Also, no food which had a point value greater than zero for an entire allotment period can be included in the computation of any loan under this paragraph to cover a point obligation or excess inventory payable in that period.

(5) (i) An industrial user who has been given permission by the Office of Price Administration to repay his point obligations or excess inventory on the basis of a percentage or proportion of his allotment is not in any worse position because of the reduction in his allotment and may not, therefore, be granted any adjustment under this paragraph.

*Copies may be obtained from the Office of Price Administration.

9 F.R. 7234, 7060, 7081, 7082, 7107, 7203, 7344, 7438, 7262, 7258, 7578, 7774.

(ii) An industrial user who, during his base period, used only foods which are no longer rationed, or are at a zero point value, may not be granted any adjustment under this paragraph. (Since he does not need a point allotment to get those foods, he is not in any worse position because of their zero point value or removal from rationing.)

(iii) No adjustment may be granted under this paragraph to any person against whom there is in operation an administrative suspension order issued by the Office of Price Administration under Procedural Regulation No. 4 or Revised Procedural Regulation No. 4, if, because of that order, he is not entitled to receive points representing his allotments during the period of the suspension.

(6) An applicant to whom a loan has been granted under this paragraph must pay his point obligations or discharge his excess inventory in the same way, to the same extent, and at the same time as he was required to do so at the time the food he used ceased to be rationed or was reduced to a zero point value.

(7) Any loans granted under this paragraph must be repaid to the board (or district office) beginning with the allotment period after the one in which the applicant was originally required (as stated in (6) above) to have paid the outstanding point obligations or excess inventory because of which the loans were granted. The board (or district office) shall treat those loans as excess inventory beginning with that allotment period. It may, however, apportion the excess inventory charge over more than one allotment period, at the maximum rate consistent with the applicant's ability to operate, but in any event at a rate of not less than 25 percent of each allotment.

(8) Nothing in this paragraph shall be considered to forgive or excuse any violations by the applicant of this or any other order of the Office of Price Administration, or to affect any action which may be taken by the Office of Price Administration with respect to any such violations.

This amendment shall become effective October 4, 1944.

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

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-N, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 52, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15152; Filed, Sept. 30, 1944;
11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES
[Rev. SR 14 to GMPR, Corr. to Amdt. 165]

ELECTRIC IRONS

In Amendment 165 to Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation the name Tennessee Valley Associates, Nashville, Tennessee, appearing in paragraph (a) (1) of section 6.55 is corrected to read Tennessee Valley Appliances, Nashville, Tennessee.

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15157; Filed, Sept. 30, 1944;
11:51 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL
COMMODITIES

[MPR 426,¹ Amdt. 58]

FRESH FRUITS AND VEGETABLES FOR TABLE
USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

In section 15, Appendix H is amended in the following respects:

1. Items 1, 2 and 3 in Columns 1, 2, 3, 4, and 5 of Table 8 in paragraph (b) are amended to read as follows:

TABLE 8—MAXIMUM PRICES FOR CERTAIN BERRIES

Column 1 Item	Column 2 Kind of berries	Column 3 Unit ²	Column 4 Season	Column 5 Maximum prices f. o. b. country shipping point
1 a.....	Strawberries zone I.....	Pint.....	Beginning of season-March 15.....	26
1 b.....			March 16-April 15.....	23
1 c.....			April 16-May 1.....	19½
1 d.....			May 2-end of season.....	16½
2 a.....	Strawberries zone I.....	Quart.....	Beginning of season-March 15.....	80
2 b.....			March 16-April 15.....	44
2 c.....			April 16-May 1.....	37
2 d.....			May 2-end of season.....	32½
3 a.....	Strawberries zone I.....	Pound.....	Beginning of season-March 15.....	33
3 b.....			March 16-April 15.....	29½
3 c.....			April 16-May 1.....	24½
3 d.....			May 2-end of season.....	21½

2. Tables 10 and 11 in paragraph (b) are amended by deleting the dates "May 1" and "November 26" wherever they appear and substituting therefor in each case respectively the words "beginning of season" and "end of season".

3. The heading of Table 10 (a) in paragraph (b) is amended by deleting the date "November 26" and substituting therefor the words "end of season".

4. Table 12 in paragraph (b) is amended by deleting the phrase "July 26-November 26" wherever it appears and substituting therefor in each case the words "all year".

This amendment shall become effective October 5, 1944.

Issued this 30th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: September 29, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-15166; Filed, Sept. 30, 1944;
11:48 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR
VEHICLE EQUIPMENT

[MPR 452,¹ Amdt. 6]

MANUFACTURERS' MAXIMUM PRICES FOR
AUTOMOTIVE PARTS

A statement of the considerations involved in the issuance of this amend-

¹ 9 F.R. 3301, 8814.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 452 is amended in the following respects:

1. Paragraph 8a (c) is amended by deleting the word "net" which follows the phrase, "shall not exceed a percentage of the" and precedes the phrase, "retail list price suggested by a manufacturer".

2. Paragraph 8a (d) (2) is amended by deleting from the last sentence the word "net" which follows the phrase, "must in no event exceed 85% of the retail" and precedes the phrase, "price suggested by a manufacturer".

3. Section 9 (d) is amended by adding a new sentence to follow the first sentence in that section, to read as follows: "However, if the Office of Price Administration requires any additional information before acting on the proposed prices, the thirty day period shall run from the date it receives the last additional information."

4. Section 13 (a) (1) (i) is amended to read as follows:

(i) Labor rates in effect on March 31, 1942 are the labor rates that were either in effect on March 31, 1942, in the manufacturer's plant for each classification of labor, or the labor, rates which were made retroactive to or before that date

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 16896, 17224, 17295, 17482; 9 F.R. 287, 96, 1710, 2237, 4349, 5075, 6109, 7503, 7833, 8144.

by an order of the National War Labor Board for classifications of labor in the manufacturer's plant. If the manufacturer employs labor of a particular classification not employed in his plant on March 31, 1942, he shall apply the rate in effect on March 31, 1942, for such classification in the locality in which the manufacturing is to be performed. If labor of such classification was not employed on March 31, 1942, in such locality, the manufacturer shall apply the rate in effect on that date for the same skill, or if not available for the nearest skill, in the nearest comparable locality, as accurately as he is able to determine the same by reasonably diligent inquiry.

5. Section 14b is amended to read as follows:

Sec. 14b. *Emergency service charges.* Notwithstanding any other provision of this regulation, a manufacturer may add to the maximum price for a part when sold either to another manufacturer, or under a war contract or sub-contract thereunder, the extra material cost resulting from his purchasing materials in an emergency, and at the request of the customer, from a source more expensive than the current usual source. Also, any manufacturer may add to the maximum price for a part when sold either to another manufacturer, or under a war contract or sub-contract thereunder, his extra transportation cost resulting from his shipping the part or materials used in the production of the part, in an emergency and at the request of the customer. No markup, overhead, or profit shall be applied to the extra material or transportation cost. The extra charges allowed by this section shall be billed separately on the invoice, and a copy of the invoice must be immediately forwarded to the Machinery Branch of the Office of Price Administration, Washington, D. C.

6. The following new items are added to Appendix A to read respectively as follows:

37. Automotive battery cable and wiring harness.
38. Glass when processed into windows to fit automotive equipment or into other automotive parts.
39. Jacks and cranks, which are automotive accessories.
40. Automotive traction sanders.
41. Heaters and climatizers when designed for use as automotive parts.

7. Item 29 in Appendix A is amended to read as follows:

29. Body fittings and attachments, including wind lace or weather strip, fender welt, hidem welt, top material, cowl boards, sun visors, floor boards, foot rails, and body hardware.

8. Item 27 in Appendix A is amended to read as follows:

27. Bodies and cabs designed exclusively for commercial vehicles and busses including component and attaching parts.

9. Item 16 in Appendix B is amended to read as follows:

16. Ferrous forgings when covered by Revised Price Schedule 6 and Maximum Price

Regulation 351. Non-ferrous forgings are also excluded when sold by the producers thereof and by sellers who do not represent themselves to the automotive trade to be manufacturers of automotive parts.

10. Item 20 of Appendix B is amended by deleting traction sanders.

11. Item 23 in Appendix B is deleted.

12. In Appendix B, the following new items are added to read as follows:

23. Metal ground key work such as valves, cocks and stops, primarily made to the purchaser's specifications, when sold by the producers thereof.

24. Castings when covered by Revised Price Schedule 41 and Maximum Price Regulations 125, 214, 235, 241 and 244. Metal castings with lead bases are also excluded when sold by the producers thereof and by sellers who do not represent themselves to the automotive trade as manufacturers of automotive parts.

25. Plastics products when covered by Maximum Price Regulation 523.

This amendment shall become effective October 7, 1944.

Issued this 2d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15258; Filed, Oct. 2, 1944; 11:37 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 453, Amdt. 5]

WHOLESALE'S AND RETAILERS' MAXIMUM PRICES FOR AUTOMOTIVE PARTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 453 is amended in the following respects:

1. The following new items are added to Appendix A to read as follows:

38. Glass when processed into windows to fit automotive equipment or into other automotive parts.
39. Jacks and cranks, which are automotive accessories.
40. Automotive traction sanders.
41. Heaters and climatizers when designed for use as automotive parts.

2. Item 27 in Appendix A is amended to read as follows:

27. Bodies and cabs designed exclusively for commercial vehicles and busses including component and attaching parts.

3. Item 29 in Appendix A is amended to read as follows:

29. Body fittings and attachments, including wind lace or weather strip, fender welt, hidem welt, top material, cowl boards, sun visors, floor boards, foot rails, and body hardware.

4. Item 37 in Appendix A is amended to read as follows:

37. Automotive battery cable and wiring harness.

*Copies may be obtained from Office of Price Administration.

18 F.R. 11582, 13256, 15458; 9 F.R. 8651.

This amendment shall become effective October 7, 1944.

Issued this 2d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15259; Filed, Oct. 2, 1944; 11:37 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17, Amdt. 79]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 1.5 (d) is amended by deleting the second sentence and substituting instead the following: "However, in cases of emergency where the applicant has immediate need for safety shoes to continue his work and does not have his Book with him, the Board may write the name of the applicant on the stamp in place of the serial number of the Book."

2. Section 1.7 (b) (2) is amended by deleting the fourth sentence and substituting instead the following: "However, in cases of emergency where the applicant has immediate need for safety shoes to continue his work and does not have his Book with him, the person (or committee) may write the name of the applicant on the stamp in place of the serial number of the Book."

3. The second sentence of section 2.13 (a) is amended to read as follows: "The invoice must contain the date of transfer, the number of pairs transferred, and the name and address of the persons (or establishments) by whom and to whom the transfer is made."

4. Section 2.13 (e) is added to read as follows:

(e) The term "invoice" as used in this section includes any written evidence of transfer furnished by a supplier.

5. The definition of house slipper in section 3.13 is amended by adding the following: "Neither does the term include footwear having leather outsoles and raised or flat seam moccasin type vamps (or genuine moccasins utilizing leather outsoles) manufactured in the United States or imported after October 6, 1944."

This amendment shall become effective October 6, 1944.

Issued this 2d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15257; Filed, Oct. 2, 1944; 11:37 a. m.]

18 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 4391, 5254, 5805, 6233, 6647, 6455, 7080, 7773, 8254, 8339, 8340, 8931, 9355, 9901, 10589, 10984, 10993.

PART 1405—FERRO-ALLOYS
[MPR 258,¹ Amdt. 5]

CHROME ORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 258 is amended in the following respects:

1. A new § 1405.114 (f) is added to read as follows:

(f) *Discount for unconsolidated ores.* A discount of 7½%, but not to exceed \$3.50 per gross ton, shall be allowed on metallurgical-chemical chrome ores in the form of (1) concentrates, or (2) unscreened ores of the following varieties: Transvaal B, Russian or Philippine. This discount is to be applied to the price as determined under paragraph (a) above by the application of the appropriate premiums or penalties to the maximum base price.

This paragraph applies to deliveries to a carrier on or after October 7, 1944, for shipment to the buyer but it does not apply to such deliveries before that date.

Any seller of unscreened ore which would otherwise be subject to the discount required by this paragraph may, on application, be relieved of the necessity of allowing such discount if it appears that the ore to be sold by him is a hard, lumpy ore as distinguished from a friable ore. Application should be by letter addressed to the Non-Ferrous Metals Branch, Office of Price Administration, Washington, D. C., and the applicant should describe the ore as to physical characteristics, point of origin, and present location.

This amendment shall become effective October 7, 1944.

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

Issued this 2d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15262; Filed, Oct. 2, 1944; 11:38 a. m.]

PART 1405—FERRO-ALLOYS
[MPR 379,² Amdt. 2]

TOOL STEEL SCRAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 379 is amended in the following respects:

* Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 9002; 8 F.R. 3371, 7198; 9 F.R. 3857, 3858.

² 8 F.R. 5844; 9 F.R. 9065.

1. Section 1 (c) is amended by changing the analysis of Type 1 tool steel scrap to read as follows:

Type 1: Tungsten content of 12% or more with a maximum molybdenum content of 1½%.

2. Section 1 (c) is amended by changing the analysis of Type 2 tool steel scrap to read as follows:

Type 2: Tungsten content of 5% or more, up to but not including 12%, with a maximum molybdenum content of 1½%.

3. Section 2 (a) and (b) are amended by changing the analysis of Type 1 tool steel scrap to read as follows:

(12% min. W and 1½% max. Mo)

4. Section 2 (a) and (b) are amended by changing the analysis of Type 2 tool steel scrap to read as follows:

(5% to 12% W and 1½% max. Mo)

This amendment shall become effective October 7, 1944.

Issued this 2d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15260; Filed, Oct. 2, 1944; 11:37 a. m.]

PART 1499—COMMODITIES AND SERVICES
[RMFR 165,¹ Corr. to Amdt. 3]

SERVICES

Paragraph 8 of Amendment 3 is corrected to read as follows:

8. The first word of the third sentence of section 16 (b) is deleted.

This correction to Amendment No. 3 shall become effective as of September 14, 1944.

Issued this 2d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15261; Filed, Oct. 2, 1944; 11:38 a. m.]

Chapter XIII—Petroleum Administration for War

PART 1535—PETROLEUM PROCESSING AND REFINING

[PD 71, Revocation]

DIESEL FUEL IN WEST COAST AREA, HAWAII AND ALASKA

Section 1535.2 *Petroleum Directive 71* (8 F.R. 12099) is hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: September 30, 1944.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 44-15202; Filed, Oct. 2, 1944; 10:42 a. m.]

¹ 9 F.R. 7439, 9107, 9411, 11173.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 25—MEDICAL

REIMBURSEMENT OR PAYMENT FOR EXPENSES OF UNAUTHORIZED MEDICAL SERVICES

Sections 25.6141, 25.6143, and 25.6144 are amended as follows:

§ 25.6141 *Classes of claims comprehended.* Claims for reimbursement of or payment for medical treatment obtained without prior authorization from the Veterans Administration (including the necessary travel incidental to the procurement of such treatment) with the exception of those for treatment of a non-service-connected disease or injury rendered a beneficiary receiving vocational training under Public No. 16, 78th Congress, may be submitted and will be considered under the following conditions:

(c) As to unauthorized treatment rendered subsequent to March 19, 1933, the eligibility criteria defined in (b) (1) (2) and (3) will apply; and, in addition, it must be shown by a decision of an adjudicative agency that the disability from the disease or injury for which treatment had been rendered was service connected.

(d) As to claims for reimbursement of or pay for medical treatment for a non-service-connected disease or injury, rendered a beneficiary receiving vocational training under Public No. 16, 78th Congress, the eligibility criteria defined in (b) (1) (2) and (3) will apply; and in addition it must be shown that the treatment was necessary to prevent interruption of training.

§ 25.6143 *Definitions.*

(a) *

(2) As to claim for unauthorized treatment rendered subsequent to March 19, 1933, any veteran who at the time of such treatment was suffering from a service-connected disability.

§ 25.6144 *Adjunct treatment.* Reimbursement of or payment for adjunct treatment (see § 25.6141 (a)) will be allowed only when such treatment was rendered in an emergency. For such adjunct treatment rendered prior to June 7, 1924, no payment or reimbursement will be made for any period over which compensation had not been awarded for the basic service-connected disease or injury. For adjunct treatment rendered subsequent to June 7, 1924, and where claim was filed prior to March 20, 1933, payment or reimbursement therefor may be allowed regardless of the compensability of the beneficiary's basic service-connected disease or injury, but in no case more than one year prior to the date of filing claim under section 210 of the World War Veterans' Act, 1924, as amended (Public No. 307, 74th Congress). For adjunct treatment rendered subsequent to March 19, 1933, payment or re-

imbursement may be allowed regardless of the compensability of the beneficiary's basic service-connected disease or injury. (57 Stat. 43; 38 U.S.C. 701)

[SEAL] FRANK T. HINES,
Administrator.
SEPTEMBER 30, 1944.

[F. R. Doc. 44-15132; Filed, Sept. 30, 1944; 9:26 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter I—Procurement Division, Department of the Treasury

PART 4—SUPPLIES TO BE PROCURED BY THE PROCUREMENT DIVISION

EXCLUSIVE PROCUREMENT

Paragraphs (a) and (h) of § 4.1 *Exclusive procurement by Procurement Division; commodities* (41 CFR, Cum. Supp., 4.1) are hereby revoked.

(Sec. 1, E.O. 6166, June 10, 1933, sec. 2, Director's Order 73, approved by the President June 10, 1939 (41 CFR 1.2, 3.2).)

Dated: September 28, 1944.

[SEAL] CLIFTON E. MACK,
Director of Procurement.

[F. R. Doc. 44-15173; Filed, Sept. 30, 1944; 4:16 p. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 23, Amdt. 1 to Supp. 4]

PART 310—MERCHANT MARINE TRAINING RATES OF PAY

Section 310.30 *Rates of pay* is amended by striking out the second paragraph thereof and inserting in lieu thereof the following:

An enrollee below the grade of Warrant Officer shall receive additional pay not exceeding forty (40%) percent of the pay of his grade as above prescribed while detailed by the Commandant to administrative duty. Effective March 1, 1944, an enrollee above the grade of Warrant Officer assigned to duty aboard a training vessel may receive additional pay not exceeding ten (10%) percent of the pay of his grade as above prescribed while performing such duty.

(E.O. 9054, 9198; 7 F.R. 837, 5383)

E. S. LAND,
Administrator.

SEPTEMBER 30, 1944.

[F. R. Doc. 44-15150; Filed, Sept. 30, 1944; 11:25 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Suspension Order ODT 34-1]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

CERTIFICATES OF WAR NECESSITY FOR COMMERCIAL MOTOR VEHICLES IN PUERTO RICO; SUSPENSIONS

Pursuant to Executive Orders 8989, as amended, 9156, 9214 and 9294, it is hereby ordered, that:

§ 521.5100 *Suspension of provisions of § 501.287 of General Order ODT 34.* All provisions of § 501.287 of General Order ODT 34 (8 F.R. 3071) shall be, and the same hereby are, suspended until further order of this office.

This Suspension Order ODT 34-1 shall become effective October 4, 1944.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221)

Issued at Washington, D. C., this 30th day of September, 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-15106; Filed, Sept. 29, 1944 1:35 p. m.]

[S. O. 80, Amdt. 22]

PART 95—CAR SERVICE

GRAIN PERMITS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of September A. D. 1944.

Upon further consideration of the provisions of Service Order No. 80, as amended (§ 95.19 *Grain permits*):

It is ordered, That the city of Belmond, Iowa, shall be included in the Des Moines, Iowa, market area. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 49 U.S.C. 1 (10)-(17))

It is further ordered, That this amendment shall become effective October 1, 1944; that copies of this amendment be served 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 amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-15148; Filed, Sept. 30, 1944; 11:20 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. G-579]

PENN-YORK NATURAL GAS CORP. AND
REPUBLIC LIGHT, HEAT AND POWER CO.,
INC.

NOTICE OF APPLICATION

SEPTEMBER 27, 1944.

Notice is hereby given that on September 22, 1944, Penn-York Natural Gas Corporation, a Pennsylvania corporation, having its principal office at 1421 Chestnut Street, Philadelphia, Pennsylvania, and Republic Light, Heat and Power Company, Inc., a New York corporation, having its principal office at 518 Jackson Building, Buffalo, New York, filed with the Federal Power Commission their joint amended application, pursuant to section 7 of the Natural Gas Act, as amended, for authority on the part of Penn-York Natural Gas Corporation to abandon and sell, and for authority on the part of Republic Light, Heat and Power Company, Inc. to acquire certain natural gas transportation facilities described in such application as 3,941 feet of 8 inch, 8,134 feet of 6 inch, 1,119 feet of 4 inch, and 300 feet of 3 inch welded steel pipe, extending from the site for a proposed compressor station in the Town of Sheridan, Chautauqua County, New York, to certain storage facilities in the Town of Arkwright, Chautauqua County, New York.

In the application it is stated that the applicant, Penn-York Natural Gas Corporation, has entered into an agreement with New York State Natural Gas Corporation for the purchase of a supply of natural gas; that Penn-York Natural Gas Corporation proposes to sell such gas to Republic Light, Heat and Power Company, Inc.; that in order to facilitate the handling of such gas, Republic Light, Heat and Power Company, Inc. is obliged to build a compressor station in the Town of Sheridan, Chautauqua County, New York; that in connection with said compressor station such applicant will require a pipe line extending from said compressor station to its storage field in the Town of Arkwright, Chautauqua County, New York; that Penn-York Natural Gas Corporation is presently the owner of the pipe line described above and is ready and willing to sell the pipe line in question to Republic Light, Heat and Power Company, Inc. which is ready and willing to purchase the pipe line, provided necessary authority can be obtained; that said pipe line has only been used in transporting gas for Republic Light, Heat and Power Company, Inc.

Any person desiring to be heard or to make any protest with reference to this application should, on or before the 10th day of October, 1944, file with the Federal Power Commission, Washington 25,

D. C., a petition or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-15131; Filed, Sept. 30, 1944;
9:28 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4852]

CAPUDINE CHEMICAL CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of September, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, October 16, 1944, at ten o'clock in the forenoon of that day (central standard time), in Federal Court Room of the Federal Building, Tuscaloosa, Alabama.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-15196; Filed, Oct. 2, 1944;
10:40 a. m.]

[Docket No. 4993]

MILES LABORATORIES, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of September, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on

Tuesday, October 17, 1944, at ten o'clock in the forenoon of that day (central standard time), in Federal Court Room, Federal Building, Tuscaloosa, Alabama.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-15197; Filed, Oct. 2, 1944;
10:40 a. m.]

[Docket No. 5070]

AMERICAN DIETETICS CO., INC., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of September, A. D. 1944.

In the matter of American Dietetics Co., Inc., a corporation, Joseph G. Spitzer and Marvin Small, individually and as officers of said corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That George Biddle, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, October 10, 1944, at ten o'clock in the forenoon of that day (eastern standard time), 176 Broadway, Yonkers, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-15198; Filed, Oct. 2, 1944;
10:40 a. m.]

[Docket No. 5161]

AMERICAN TELEVISION LABORATORIES, INC., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in

the City of Washington, D. C., on the 27th day of September A. D., 1944.

In the matter of American Television Laboratories, Inc., a corporation, and Ulises A. Sanabria, individually, and as an officer of American Television Laboratories, Inc.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That George Biddle, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, October 13, 1944, at ten o'clock in the forenoon of that day (central standard time), in room 1121, New Post Office Building, Chicago, Ill.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-15199; Filed, Oct. 2, 1944;
10:40 a. m.]

[Docket No. 5191]

C. W. PRODUCTS CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of September, A. D. 1944.

In the matter of Lewis & Conger, a corporation, and Conrad W. Woehler, trading as C. W. Products Co.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, October 9, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and

recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-15200; Filed, Oct. 2, 1944;
10:40 a. m.]

[Docket No. 5193]

S. H. KRESS & CO., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND
FIXING TIME AND PLACE FOR TAKING
TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of September, A. D. 1944.

In the matter of S. H. Kress & Company, Vita-Var Corporation, and Beautykote Corporation, corporations; and C. J. Robison, T. H. Gibson, and E. G. Robison, individuals.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, October 6, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-15201; Filed, Oct. 2, 1944;
10:41 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 239]

UNLOADING OF COAL AT ROCHESTER, N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of September, A. D. 1944.

It appearing, that car NYO&W 11189, containing anthracite stove coal, at Rochester, New York, on the Erie Railroad Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action: It is ordered, that:

Coal at Rochester, New York, be unloaded. (a) The Erie Railroad Company, its agents or employees, shall unload forthwith car NYO&W 11189, containing coal, at Rochester, New York, consigned to Rochester Fuel & Feed Company.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload of coal has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Erie Railroad Company, 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.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-15149; Filed, Sept. 30, 1944;
11:20 a. m.]

[S. O. 70-A, Special Permit 535]

RECONSIGNMENT OF PRUNES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, September 26, 1944, by J. C. Palumbo Fruit Company, of car WFEX 65714, prunes, now on the Union Pacific Railroad, to Hall Wholesale Company, Monett, Missouri (Frisco).

The waybill shall show reference to this special permit.

A copy of this special permit has been served 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 notice of this permit shall 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.

Issued at Washington, D. C., this 26th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15249; Filed, Oct. 2, 1944;
11:19 a. m.]

[S. O. 70-A, Special Permit 536]

RECONSIGNMENT OF GRAPES AT SCRANTON, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Scranton, Pennsylvania, September 26, 1944, by Associated Fruit Distributors of California, of car FGEX 31718, grapes, now on the Erie Railroad, to S. Strock and Company, Boston, Massachusetts. (Erie-NYNH&H).

The waybill shall show reference to this special permit.

A copy of this special permit has been served 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 notice of this permit shall 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.

Issued at Washington, D. C., this 26th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15250; Filed, Oct. 2, 1944;
11:19 a. m.]

[S. O. 70-A, Special Permit 537]

RECONSIGNMENT OF APPLES AT HOUSTON, TEX.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Houston, Texas, September 27, 1944, by C. W. Lingenfelter of car PFE 92558, apples, now on the Southern Pacific Railroad to Edward Cahill, San Antonio, Texas (Mo. Pac.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served 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 notice of this permit shall 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.

Issued at Washington, D. C., this 27th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15251; Filed, Oct. 2, 1944;
11:19 a. m.]

[S. O. 70-A, Special Permit 538]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 27, 1944, by Piowaty Bergart Company of cars of potatoes, now on the Wood Street Terminal, FGE 10543 to Gilbert Company, St. Louis, Missouri, (Wabash), and FGE 33453 to C. C. Teft Company, New Orleans, Louisiana, (I.C.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served 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 notice of this permit shall 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.

Issued at Washington, D. C., this 27th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15252; Filed, Oct. 2, 1944;
11:19 a. m.]

[S. O. 200, Special Permit 171]

REICING OF POTATOES AT WILLISTON, N. D., GREEN RIVER, WYO., OR OGDEN, UTAH

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 200 insofar as it applies to the reicing in transit of refrigerator cars loaded with potatoes, shipped by George C. Burger, as follows:

MDT 21927, from Merrill, Oregon, September 24, 1944, to Dan Lapanta, Duluth, Minnesota, (SP-GN) reice at Williston, N. D.:

PFE 32271, from Tule Lake, California, September 25, 1944, to C. H. Robinson Company, Omaha, Nebraska, (SP-UP) reice at Green River, Wyoming, or Ogden, Utah.

The waybills shall show reference to this special permit.

A copy of this special permit has been served 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 notice of this permit shall 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.

Issued at Washington, D. C., this 26th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15253; Filed, Oct. 2, 1944;
11:19 a. m.]

[S. O. 200, Special Permit 172]

REICING OF POTATOES AT DENVER, COLO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 200 insofar as it applies to the reicing in transit at Denver, Colorado, of car PFE 15911, potatoes, shipped September 26, 1944, by George C. Burger, from Olene, Oregon, to Interstate Brokerage Company, Tulsa, Oklahoma (SP-UP-Frisco).

The waybills shall show reference to this special permit.

A copy of this special permit has been served 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 notice of this permit shall 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.

Issued at Washington, D. C., this 27th day of September, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15254; Filed, Oct. 2, 1944;
11:19 a. m.]

[2d Rev. S. O. 224, 2d Amended Gen. Permit 2]

ICING OF FRUITS OR VEGETABLES IN ARIZONA OR CALIFORNIA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 9 F.R. 10429) of Second Revised Service Order No. 224 of August 24, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the initial icing or refrigerator cars

loaded with citrus fruits, deciduous fruits, or tomatoes, or to the initial icing and the first reicing of refrigerator cars loaded with green beans, lima beans or melons, originating at origins located in the States of Arizona or California.

This general permit shall become effective at 12:01 p. m., September 29, 1944, and shall apply only to cars billed on and after that date.

The waybills shall show reference to this general permit.

A copy of this general permit has been served 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 notice of this permit shall 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.

Issued at Washington, D. C., this 29th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15255; Filed, Oct. 2, 1944;
11:20 a. m.]

[2d Rev. S. O. 224, Gen. Permit 5]

REICING OF PRUNES FROM OREGON OR IDAHO

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 9 F.R. 10429) of Second Revised Service Order No. 224 of August 24, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the reicing at points located east of the Mississippi River, of refrigerator cars loaded with prunes originating at origins located in Oregon Group B or in Idaho Groups B or C, as defined in Perishable Protective Tariff No. 13, Agent J. J. Quinn's I. C. C. No. 22.

This general permit shall become effective at 12:01 a. m., September 29, 1944, and shall apply only to cars billed on and after that date.

The waybills shall show reference to this general permit.

A copy of this general permit has been served 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 notice of this permit shall 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.

Issued at Washington, D. C., this 28th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15256; Filed, Oct. 2, 1944;
11:20 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4105]

CASSIE REAMER TERRY

In re: Estate of Cassie Reamer Terry, deceased; File D-39-18308; E. T. sec. 11207; (H-231).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Tatsugoro Suyama in and to the Estate of Cassie Reamer Terry, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Tatsugoro Suyama, Japan.

That such property is in the process of administration by Harry Irwin, Herbert C. Shipman and E. S. Elmore, as Executors of the Estate of Cassie Reamer Terry, acting under the judicial supervision of the Circuit Court, Third Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determinations of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15206; Filed, Oct. 2, 1944;
10:48 a. m.]

[Vesting Order 4110]

ANTONIA BUTLER

In re: Interest in real property owned by Antonia Butler.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Antonia Butler is Essen, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Antonia Butler is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows: The undivided $\frac{1}{6}$ interest in and to that certain real property situated in the County of Winnebago, State of Wisconsin, particularly described as Lot Sixteen (16) of Block Thirty-one (31) in S. F. Miller's subdiv. of Lot Twelve (12) Eighth Ward, City of Oshkosh as per Leach's Map of 1894. Southerly Five (5) feet front and rear of Lot Seventeen (17) of Block Thirty-one (31) in S. F. Miller's Subdiv. of Lot Twelve (12) Eighth Ward, City of Oshkosh as per Leach's Map of 1894, identified as that interest which was assigned to Antonia Butler as heir of Adolph Piliin, Deceased, by a Final Judgment entered by the County Court of Winnebago County, Wisconsin, dated December 1, 1943, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an

admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15207; Filed, Oct. 2, 1944;
10:51 a. m.]

[Vesting Order 4115]

GARDES REALTY CORP.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That all of the outstanding capital stock of Gardes Realty Corporation, a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 3250 shares of capital stock having a par value of \$60 a share, is registered in the name of Fortunata, S. A., and is beneficially owned by Elizabeth von Oberndorff and is evidence of ownership and control of said business enterprise;

2. That Elizabeth von Oberndorff is a citizen of Germany whose last known address is Schloss Moestroff, Post Diekirch, Luxembourg;

and determining:

3. That Elizabeth von Oberndorff is a citizen of a designated enemy country (Germany) residing within an enemy-occupied country and is a national of a designated enemy country (Germany);

4. That Gardes Realty Corporation is controlled by Elizabeth von Oberndorff and is a national of a designated enemy country (Germany);

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

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

hereby vests in the Alien Property Custodian the 3250 shares of capital stock of Gardes Realty Corporation registered in the name of Fortunata, S. A., hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable to, deliverable to, or held on behalf of or on account of, or owing to said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the

Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15208; Filed, Oct. 2, 1944;
10:51 a. m.]

[Vesting Order 4123]

HEINE & CO.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation finding:

1. That all of the outstanding capital stock of Heine & Co., a corporation organized under the laws of the State of New York and a business enterprise within the United States consisting of 1,886 shares of common stock having a par value of \$100 per share, is registered in the name of Paul Schulze-Berge and is beneficially owned by Heine & Co., A. G., Germany and is evidence of control of said business enterprise;

2. That Heine & Co., A. G., whose last known address is Germany, is a national of a designated enemy country (Germany);

3. That Heine & Co., A. G., has claims against Heine & Co., which claims, as of February 7, 1944, are represented by three promissory notes of Heine & Co., all dated May 17, 1935, in the principal amounts as follows:

(a) \$189,000 payable on sight with interest at the rate of 4% per annum

(b) \$163,350 payable on sight without interest

(c) \$15,706.97 payable on demand with interest at the rate of 6% per annum

subject, however, to any accruals or deductions thereafter, and represent a substantial interest in said enterprise;

4. That Heine & Co., A. G., has a claim against Heine & Co., which is represented on the books and records of Heine & Co., as an account payable in the amount of \$589.91, as of February 28, 1943, subject, however, to any accruals or deductions thereafter and represents an interest in said business enterprise;

5. That Heine & Co., A. G., has a claim against Paul Schulze-Berge which is represented by a promissory note of Paul Schulze-

Berge, dated May 17, 1935, in the principal amount of \$100,000, subject, however, to any accruals or deductions thereafter, which note is held by Heine & Co., A. G., as collateral for the indebtedness to it by Heine & Co., which claim is property within the United States owned by a national of a designated enemy country (Germany),

and determining:

6. That Heine & Co. is controlled by Heine & Co., A. G., and is a national of a designated enemy country (Germany);

7. That the property described in subparagraph 5 is necessary for the maintenance or safeguarding of other property belonging to Heine & Co., A. G., described in subparagraph 1 and vested under this order;

8. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

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

hereby vests in the Alien Property Custodian the 1,886 shares of capital stock of Heine & Co., hereinbefore more fully described in subparagraph 1, the claims of Heine & Co., A. G., represented by three promissory notes, with interest thereon, and the accounts payable hereinbefore more fully described in subparagraphs 3 and 4, and the note payable of Paul Schulze-Berge to Heine & Co., A. G., hereinbefore more fully described in subparagraph 5, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15209; Filed, Oct. 2, 1944;
10:51 a. m.]

[Vesting Order 4126]

TOMIZO MASUI

In re: Estate of Tomizo Masui, deceased; File D-66-2003; E. T. sec. 11366 (H-246).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Tamizo Masui in and to the Estate of Tomizo Masui, deceased, is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Tamizo Masui, Japan.

That such property is in the process of administration by Anthony S. Carvalho, as Depository of the Estate of Tomizo Masui, acting under the judicial supervision of the Circuit Court, Third Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained

shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15210; Filed, Oct. 2, 1944;
10:48 a. m.]

[Vesting Order 4168]

HANS G. BEUTLER

In re: Estate of Hans G. Beutler, deceased; File D-28-4392; E. T. sec. 7420.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Flora Beutler in and to the Estate of Hans G. Beutler, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Flora Beutler, Germany.

That such property is in the process of administration by John T. Dempsey, 11 South LaSalle Street, Chicago, Illinois, as Administrator of the Estate of Hans G. Beutler, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1, a notice

of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 22, 1944.

*[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15211; Filed, Oct. 2, 1944;
10:52 a. m.]

[Vesting Order 4169]

PETER ECKHOFF

In re: Estate of Peter Eckhoff, deceased; File D-28-3994; E. T. sec. 4862.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Heinrich Brandt, Dietrich (Brant) Brandt, Marie (Maria) Eckhoff and Anna Lohden, and each of them, in and to the estate of Peter Eckhoff, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinrich Brandt, Germany.
Dietrich (Brant) Brandt, Germany.
Marie (Maria) Eckhoff, Germany.
Anna Lohden, Germany.

That such property is in the process of administration by Geo. B. Lemen and E. B. Lemen, Rockwell City, Iowa, as Executor and Administrator with Will annexed of the estate of Peter Eckhoff, acting under the judicial supervision of the District Court of Iowa in and for Calhoun County, Iowa;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15212; Filed, Oct. 2, 1944;
10:52 a. m.]

[Vesting Order 4170]

GEORGE FEDDERWITZ

In re: Estate of George Fedderwitz, deceased; File D-28-8437; E. T. sec. 9840.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Nickolos Fedderwitz, Katherine Lutchen, Metta Meyer, Christ Fedderwitz, Luise Flathmann, Martin Fedderwitz, Wilhelmine Otken, Anna Fedderwitz, Meta Gartelmann, and children, names unknown, of Carston Fedderwitz, deceased, and each of them, in and to the Estate of George Fedderwitz, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Nickolos Fedderwitz, Germany.
Katherine Lutchen, Germany.
Metta Meyer, Germany.
Christ Fedderwitz, Germany.
Luise Flathmann, Germany.
Martin Fedderwitz, Germany.
Wilhelmine Otken, Germany.
Anna Fedderwitz, Germany.
Meta Gartelmann, Germany.
Children, names unknown, of Carston Fedderwitz, deceased, Germany.

That such property is in the process of administration by Antonia Fedderwitz, as Executrix of the Estate of George Fedderwitz, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the in-

terest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C.
September 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15213; Filed, Oct. 2, 1944;
10:52 a. m.]

[Vesting Order 4171]

ALBERT C. FREGIN

In re: Estate of Albert C. Fregin, also spelled Fregien, deceased; File D-28-2205; E. T. sec. 3019.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ernst Fregin, Erich Fregin, Frieda Waldapfel, Gertrude Retzlaff, Ernst Fregin, Erna Buschmann, Charlotte Schmitz, Anna Banna, Konrad Gutzmer, Margarete Gutzmer Schowe, Paul Bandomer, Otto Bandomer, Hermine Voss, Margerete Reinfelds, Otto Bandomer, Frieda Casper and Paul Bandomer, and each of them, in and to the Estate of Albert C. Fregin, also spelled Fregien, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ernst Fregin, Germany.
Erich Fregin, Germany.
Frieda Waldapfel, Germany.
Gertrude Retzlaff, Germany.
Ernst Fregin, Germany.
Erna Buschmann, Germany.
Charlotte Schmitz, Germany.
Anna Banna, Germany.
Konrad Gutzmer, Germany.
Margarete Gutzmer Schowe, Germany.
Paul Bandomer, Germany.
Otto Bandomer, Germany.
Hermine Voss, Germany.
Margerete Reinfelds, Germany.
Otto Bandomer, Germany.

Frieda Casper, Germany.
Paul Bandomer, Germany.

That such property is in the process of administration by The Manchester Trust Company, as Administrator of the Estate of Albert C. Fregin, also spelled Fregien, acting under the judicial supervision of the Court of Probate, District of Manchester, State of Connecticut;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on
September 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15214; Filed, Oct. 2, 1944;
10:52 a. m.]

[Vesting Order 4172]

HENRY ERNEST GEISSLER

In re: Trust created under the will and codicils of Henry Ernest Geissler, deceased; File D-28-7910; E. T. sec. 8681.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Max Geissler, Ernest Benedix, Herman Benedix, Ida Vogel-song, Emil Geissler, Mina Nauman, Bertha Irmsher, Lena Liebing, Martha Schlorke, Kurt Geissler, Martha Hofman (or Hofmann), Elsa

Nauber (or Neuber), and Frieda Liborius, and each of them, in and to the trust created under the will and codicils of Henry Ernest Geissler, deceased.

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Max Geissler, Germany.
Ernest Benedix, Germany.
Herman Benedix, Germany.
Ida Vogel-song, Germany.
Emil Geissler, Germany.
Mina Nauman, Germany.
Bertha Irmsher, Germany.
Lena Liebing, Germany.
Martha Schlorke, Germany.
Kurt Geissler, Germany.
Martha Hofman (or Hofmann), Germany.
Elsa Nauber (or Neuber), Germany.
Frieda Liborius, Germany.

That such property is in the process of administration by St. Joseph Bank and Trust Company, South Bend, Indiana, as Trustee of the trust created under the will and codicils of Henry Ernest Geissler, deceased, acting under the judicial supervision of the St. Joseph Circuit Court, St. Joseph County, Indiana (Trust Estate 2168);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on
September 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15215; Filed, Oct. 2, 1944;
10:52 a. m.]

[Vesting Order 4173]

EMMA KOEHLER

In re: Estate of Emma Koehler, deceased; File D-28-8945; E. T. sec. 11216.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Emma Koetter Issleib, Erna Thausing, Frieda Kugelberg, Annette Wienbergen, Bertha Ratjens, Hildegardt Emma Koehler, Otto Koehler, Emma Thausing, the lineal descendants, names unknown, of Emma Thausing; the lineal descendants, names unknown, of Hildegardt Emma Koehler; the brothers and sisters and the descendants of any deceased brother or sister, names unknown, of Emma Thausing; the brothers and sisters and the descendants of any deceased brother or sister, names unknown, of Hildegardt Emma Koehler; and each of them, in and to the estate of Emma Koehler, deceased, and in and to the trust estates created under Paragraphs Twenty-seventh and Twenty-ninth of the Will of Emma Koehler,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emma Koetter Issleib, Germany.
Erna Thausing, Germany.
Frieda Kugelberg, Germany.
Annette Wienbergen, Germany.
Bertha Ratjens, Germany.
Hildegardt Emma Koehler, Germany.
Otto Koehler, Germany.
Emma Thausing, Germany.
The lineal descendants, names unknown, of Emma Thausing, Germany.
The lineal descendants, names unknown, of Hildegardt Emma Koehler, Germany.
The brothers and sisters and the descendants of any deceased brother or sister, names unknown, of Emma Thausing, Germany.
The brothers and sisters and the descendants of any deceased brother or sister, names unknown, of Hildegardt Emma Koehler, Germany.

That such property is being administered by Frost National Bank of San Antonio, P. O. Box No. 1600, San Antonio, Texas; Mr. B. B. McGimsey and Mr. Otto A. Koehler, P. O. Box No. 1661, San Antonio, Texas, and Miss Hertha Issleib, 240 Bushnell, San Antonio, Texas, as Independent Executors and Trustees under the Will of Emma Koehler, deceased, in accordance with the laws of the state of Texas;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be

deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance to any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 22, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15216; Filed, Oct. 2, 1944;
10:53 a. m.]

[Vesting Order 4174]

RICHARD MOBINS

In re: Estate of Richard Mobins, deceased; Filed D-28-8822; E.T. sec. 10828.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Hermann Bruno Mobius, Anna Muller, nee Mobius, Paul Kurt Schumann, Johanna Meyer, nee Schumann, and Ingeborg Richter, and each of them, in and to the Estate of Richard Mobins, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hermann Bruno Mobius, Germany.
Anna Muller, nee Mobius, Germany.
Paul Kurt Schumann, Germany.
Johanna Meyer, nee Schumann, Germany.
Ingeborg Richter, Germany.

That such property is in the process of administration by N. C. Houze, Administrator of the Estate of Richard Mobins, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Kern;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated,

sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 22, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15217; Filed, Oct. 2, 1944;
10:53 a. m.]

[Vesting Order 4175]

FRED PULS

In re: Estate of Fred Puls, deceased; File D-66-2002; E. T. sec. 13441.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Wilhelm Heinrich Puls, Karoline Bockstette, Matilde Klenker, Erna Mormann, nee Stefener, Mathilde Rieck, nee Stefener, Frieda Dreckmeyer, nee Stefener, Walter Stefener, Gustav Puls, Klara Puls, Karoline Trimborn, Wilhelm Puls, Werner Puls, Ingeborg Puls, Walter Puls, Georg Puls, Heinrich Puls, Friedrich Puls and Walter Puls, and each of them, in and to the Estate of Fred Puls, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Wilhelm Heinrich Puls, Germany.
Karoline Bockstette, Germany.
Matilde Klenker, Germany.
Erna Mormann, nee Stefener, Germany.
Mathilde Rieck, nee Stefener, Germany.
Frieda Dreckmeyer, nee Stefener, Germany.
Walter Stefener, Germany.
Gustav Puls, Germany.
Klara Puls, Germany.
Karoline Trimborn, Germany.
Wilhelm Puls, Germany.
Werner Puls, Germany.
Ingeborg Puls, Germany.

Walter Puls, Germany.
Georg Puls, Germany.
Heinrich Puls, Germany.
Friedrich Puls, Germany.
Walter Puls, Germany.

That such property is in the process of administration by Vera Puls, as Administratrix of the Estate of Fred Puls, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothin herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 22, 1944;

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15218; Filed, Oct. 2, 1944;
10:53 a. m.]

[Vesting Order 4176]

ALBINA STRUB

In re: Estate of Albina Strub, deceased; File D-6-991; E. T. sec. 7373.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Michael

Koschka and Theresa Atzler, and each of them, in and to the Estate of Albina Strub, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Michael Koschka, Germany.
Theresa Atzler, Germany.

That such property is in the process of administration by Anna M. Jungbauer, 636 Lafond Avenue, St. Paul, Minnesota, as Executrix of the Estate of Albina Strub, acting under the judicial supervision of the Probate Court of Sherburne County, Minnesota;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington D. C. on September 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15219; Filed, Oct. 2, 1944;
10:53 a. m.]

[Vesting Order 4177]

TOKICHI ISHIMITSU

In re: Estate of Tokichi Ishimitsu, deceased; File D-39-18315; E. T. sec. 11365.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Tomitaro Ishimitsu in and to the Estate of Tokichi Ishimitsu, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Tomitaro Ishimitsu, Japan.

That such property is in the process of administration by Arthur C. Brown, as Administrator of the Estate of Tokichi Ishimitsu, acting under the judicial supervision of the Fifth Judicial District Court of Millard County, Utah;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15220; Filed, Oct. 2, 1944;
10:48 a. m.]

[Vesting Order 4178]

AUGUSTA GRASSI

In re: Estate of Augusta Grassi, also known as Auguste Grassi, deceased; File D-28-8659; E. T. sec. 10456.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Elvira Lechner, in and to the Estate of Augusta Grassi, also known as Auguste Grassi, deceased,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elvira Lechner, Germany.

That such property is in the process of administration by The San Francisco Bank, as Executor of the Estate of Augusta Grassi, also known as Auguste Grassi, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 26, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15221; Filed, Oct. 2, 1944;
10:48 a. m.]

[Vesting Order 4179]

PHILLIP J. KIRSE

In re: Estate of Phillip J. Kirse, deceased; File D-28-8782; E. T. sec. 10724.

Under the authority of the Trading with the Enemy Act, as amended, and

No. 197—9

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Adeline Freese, Hinrich Wehmann, Annie Wehmann and Martin Wehmann, and each of them, in and to the Estate of Phillip J. Kirse, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Adeline Freese, Germany.
Hinrich Wehmann, Germany.
Annie Wehmann, Germany.
Martin Wehmann, Germany.

That such property is in the process of administration by John Slemer and Herman B. Forman, as Executors of the Estate of Phillip J. Kirse, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9590, as amended.

Executed at Washington, D. C., on September 26, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15222; Filed, Oct. 2, 1944;
10:48 a. m.]

[Vesting Order 4180]

JOHN LEBOW

In re: Estate of John Lebow, deceased; File D-57-368; E. T. sec. 11471.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Nathan Lebow in and to the Estate of John Lebow, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Rumania, namely,

National and Last Known Address

Nathan Lebow, Rumania.

That such property is in the process of administration by B. C. Hilliard, Jr., as Administrator of the Estate of John Lebow, acting under the judicial supervision of the County Court of the City and County of Denver, Colorado;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 26, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15223; Filed, Oct. 2, 1944;
10:48 a. m.]

[Vesting Order 4181]

CARL F. MERKLE

In re: Estate of Carl F. Merkle, deceased; file D-28-8686; E. T. sec. 10533.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Emma Muller, Anna Schneider and Anna Pross, and each of them, in and to the Estate of Carl F. Merkle, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and last Known Address

Emma Muller, Germany.
Anna Schneider, Germany.
Anna Pross, Germany.

That such property is in the process of administration by Ernst Bierwagen, as Executor of the Estate of Carl F. Merkle, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Nevada.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 26, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15224; Filed, Oct. 2, 1944;
10:49 a. m.]

[Vesting Order 4182]

FRANK F. B. SCHNEIDER

In re: Estate of Frank F. B. Schneider, deceased; File No. D-66-1587; E. T. sec. 9927.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever, of Adelbert Schneider in and to the estate of Frank F. B. Schneider, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Adelbert Schneider, Germany.

That such property is in the process of administration by Louis Lehr, as executor under the will of Frank F. B. Schneider, deceased, acting under the judicial supervision of the Court of Probate, District of Berlin, State of Connecticut;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 26, 1944:

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15225; Filed, Oct. 2, 1944;
10:49 a. m.]

[Vesting Order 4183]

AGATHE STALLEICKMANN

In re: Trust created by order of Court in the matter of the estate of Agathe Stalleickmann, a missing person; File F-28-4664; E. T. sec. 9909.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Agathe Stalleickmann in and to the Trust created by order of the Superior Court of the State of California in and for the County of Los Angeles in the matter of the estate of Agathe Stalleickmann, a missing person,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Agathe Stalleickmann, Germany.

That such property is in the process of administration by Karl L. Ratzer, Trustee for the Trust created by order of Court in the matter of the estate of Agathe Stalleickmann, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 26, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15226; Filed, Oct. 2, 1944;
10:50 a. m.]

[Supplemental Vesting Order 4184]

THE BAUER TYPE FOUNDRY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined under Vesting Order Number 1630, dated June 7, 1943, as amended, that The Bauer Type Foundry, Inc., is a business enterprise within the United States and is a national of a designated enemy country (Germany);

2. Finding that Bauersche Giesserei is the owner of a debt owed by The Bauer Type Foundry, Inc., in the amount of \$63,209.77 as of December 31, 1940, subject to any accruals or deductions thereafter, and which represents an interest in The Bauer Type Foundry, Inc.

3. Finding that Bauersche Giesserei, whose principal place of business is Frankfurt a/Main, Germany, is a national of a designated enemy country (Germany);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

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

hereby vests in the Alien Property Custodian any and all right, title, interest and claim of Bauersche Giesserei in and to the debt of The Bauer Type Foundry, Inc., more particularly described in subparagraph 2, hereof, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 27, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15227; Filed, Oct. 2, 1944;
10:53 a. m.]

[Vesting Order 4185]

LUISE E. BUNING

In re: Estate of Luise E. Buning, deceased; File D-28-8387; E. T. sec. 9779.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ida Flug, Evelyn Rokitte, Oskar Titse, also known as Osk Titse, and each of them, in and to the estate of Luise E. Buning, Deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ida Flug, Germany.

Evelyn Rokitte, Germany.

Oskar Titse, also known as Osk Titse, Germany.

That such property is in the process of administration by George R. Ludeman, 405 First National Bank Building, Mason City, Iowa, executor of the estate of Luise E. Buning, deceased, acting under the judicial supervision of the District Court of Iowa, in and for Cerro Gordo County, Case No. 6019, Docket 23, Page 19;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hear-

ing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 27, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15228; Filed, Oct. 2, 1944;
10:50 a. m.]

[Vesting Order 4186]

CAROLINE HENKE

In re: Estate of Caroline Henke, also known as Karoline Henke, deceased; File: D-28-8926; E.T. sec. 11136.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Louise Helmbrecht and issue, names unknown, of Katherine Henke Henze, deceased, and each of them, in and to the Estate of Caroline Henke, also known as Karoline Henke, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Louise Helmbrecht, Germany.

Issue, names unknown, of Katherine Henke Henze, deceased, Germany.

That such property is in the process of administration by Mrs. Carrie A. Wunderlich, as Administratrix of the Estate of Caroline Henke, also known as Karoline Henke, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be

determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15229; Filed, Oct. 2, 1944;
10:50 a. m.]

[Vesting Order 4187]

PAUL HOHAGEN

In re: Estate of Paul Hohagen, deceased; file F-28-8325; E. T. sec. 8898.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Margarete Hohagen and Friedrich Otto Hohagen, and each of them, in and to the Estate of Paul Hohagen, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Margarete Hohagen, Germany.
Friedrich Otto Hohagen, Germany.

That such property is in the process of administration by John T. Dempsey, 11 South LaSalle Street, Chicago, Illinois, as Administrator of the Estate of Paul Hohagen, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such prop-

erty or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15230; Filed, Oct. 2, 1944;
10:50 a. m.]

[Vesting Order 4188]

LIEBERT JELINEK

In re: Estate of Liebert Jelinek, deceased; File D-28-1601; E. T. sec. 400.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Northern Trust Company, 50 South La Salle Street, Chicago, Illinois, Executor, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Bayer, Germany.
Paulina Jelinek Tausch, Germany.
Albert Jelinek, Germany.
Anton Jelinek, Germany.
Bruno Jelinek, Germany.
Carl Jelinek, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such person be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Bayer, Paulina Jelinek Tausch, Albert Jelinek, Anton Jelinek, Bruno Jelinek, and Carl Jelinek,

and each of them, in and to the estate of Liebert Jelinek, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: September 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15231; Filed, Oct. 2, 1944;
10:50 a. m.]

[Vesting Order 4189]

FRITZ R. TEUTER

In re: Mortgage Participation Certificate No. 95,311 of Series BMC 208,760, issued by the Title Guarantee and Trust Co. and guaranteed by the Bond and Mortgage Guarantee Company, in the name of Fritz R. Teuter and in the amount of \$200.00; File No. D-28-8439, E. T. sec. 9828.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Fritz R. Teuter in and to the mortgage participation certificate No. 95,311, in the face amount of \$200.00, issued by the Title Guarantee and Trust Company and guaranteed by the Bond and Mortgage Guaranty Company, Series BMC 208,760,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Fritz R. Teuter, Germany.

That such property is in the process of administration by the Mortgage Commission Trustee Corporation, as Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, New York County.

And determining that to the extent that such national is a person not within a designated enemy country, the national in-

terest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-15232; Filed, Oct. 2, 1944;
10:50 a. m.]

MAURICE STERN

NOTICE OF SUMMARY PROCEEDING FOR ALLOWANCE OF CLAIM

In the matter of the claim of Maurice Stern, APC-1 Notice of Claim No. 2198 re Dividends on certain securities vested by Vesting Order No. 155, as amended.

The Alien Property Custodian having by amendment to Vesting Order No. 155 vested the above designated property as property of a national of a foreign country; and the claimant Maurice Stern having filed a notice of claim alleging that he is the owner of the property described in said notice of claim and that the claimant is not a national of a designated enemy country; and recommendation for allowance of said claim having been submitted,

Notice is hereby given, pursuant to § 501.1 (h) of the Regulations of the Office of Alien Property Custodian (8 F.R. 16709), that copies of the said vesting order, claim and recommendation are available for public inspection in room 633, Office of Alien Property Custodian, National Press Building, 14th and F

Streets, N. W., Washington, D. C., and that any person asserting any objection to allowance of the claim shall on or before October 14, 1944, file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim.

By authority of the Alien Property Custodian.

[SEAL] VESTED PROPERTY CLAIMS
COMMITTEE,
JOHN C. FITZGERALD,
Chairman.

SEPTEMBER 30, 1944.

[F. R. Doc. 44-15204; Filed, Oct. 2, 1944;
10:51 a. m.]

EUGENE R. PICKRELL

ORDER FOR AND NOTICE OF HEARING

Whereas, by Vesting Order No. 6 of April 28, 1942 (7 F.R. 3465), Vesting Order No. 21 of June 9, 1942, (7 F.R. 4415), Vesting Order No. 27 of June 18, 1942, (7 F.R. 4629), and Vesting Order No. 47 of July 8, 1942, (7 F.R. 5725) the Alien Property Custodian vested all right, title, and interest in certain United States patents including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof as property of nationals of a foreign country designated in Executive Order No. 8389, as amended; and

Whereas, Eugene R. Pickrell, an American citizen, has filed Notice of Claim No. 969, which asserts that the claimant, by assignment, is the owner of an interest in the property so vested.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended, (8 F.R. 16709), that a hearing on said claim be held before the Vested Property Claims Committee or any member or members thereof on Thursday, October 19, 1944, at 2:00 p. m. eastern war time, in Room 614, National Press Building, 14th and F Streets NW., Washington, D. C., to continue thereafter at such time and place as the Committee may determine. It is further ordered, That copies of this notice of hearing be served by registered mail upon the claimant and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claim may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington (25), D. C., on or before October 14, 1944.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the

Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting orders are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

[SEAL] VESTED PROPERTY CLAIMS
COMMITTEE,
JOHN C. FITZGERALD,
Chairman.

SEPTEMBER 30, 1944.

[F. R. Doc. 44-15203; Filed, October 2, 1944;
10:48 a. m.]

[Vesting Order 1220, Amdt.]

MARKT & HAMMACHER CO.

Vesting Order Number 1220, dated April 5, 1943, is hereby amended as follows and not otherwise:

By deleting therefrom subparagraph 6 and substituting therefor the following:

6. Finding that Eduard F. Pulvermann has a claim against Markt & Hammacher Company, represented by 6% Serial Regular Bonds in the face amount of \$39,900, maturing January 1, 1961, and 6% Cumulative Income Bonds in the face amount of \$93,100, maturing January 1, 1961, issued by Markt & Hammacher Company, and that this claim is evidenced by the certificates numbered as set forth under "a" and "b" below, owned by Eduard F. Pulvermann, plus all accrued and unpaid interest thereon, and represents an interest in Markt & Hammacher Company:

a. 6% Serial Regular Bonds, numbered 16, 17, 18 19, 20, 21, 22, 52, 53, each in the face amount of \$100, and 1140, 1141, 1142, 1143, 1217, 1218, 1219, 1220, 221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, each in the face amount of \$1,000;

b. 6% Cumulative Income Bonds, numbered 16, 17, 18, 40, 41, 42, 43, 44, 45, 46, 47, each in the face amount of \$100, and 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 604, 605, 606, 607, 608, 609, 610, 611, 612, each in the face amount of \$1,000;

By deleting therefrom subparagraph 9 and substituting therefor the following:

9. Deeming it necessary in the national interest:

hereby (i) vests in the Alien Property Custodian the property described in subparagraph 3, and the claim described in subparagraph 6 and the bonds listed in subparagraph 6-a and 6-b hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned;

All other provisions of said Vesting Order Number 1220, and all action taken on behalf of the Alien Property Custodian in reliance thereon pursuant

thereto and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C., on September 27, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian

[F. R. Doc. 44-15205; Filed, Oct. 2, 1944;
10:53 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 344]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KANSAS CITY AND LAKE CITY, MO.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such

diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 30th day of September 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

Adams Transfer & Storage Co. (a corporation), 228 West 4th Street, Kansas City, Mo.
Brashear Freight Lines (a corporation), St. Louis, Mo.

Byers Transportation Co. (a corporation), 901 Washington, Kansas City, Mo.

Cooper-Jarrett, Inc., Chicago, Ill.
W. R. Elliott, doing business as Inter-City Freight Lines, Independence, Mo.

Ship-By-Truck Co. (a corporation), doing business as Graham Ship-By-Truck Co., 1321 West 8th Street, Kansas City, Mo.

M. K. & C. Truck Lines (a corporation), 1401 Independence, Kansas City, Mo.

Riss & Co., Inc., 124 West 4th Street, Kansas City, Mo.

Roadway Express, Inc., Akron, Ohio.
Toedebusch Transfer, Inc., St. Louis, Mo.

Wheelock Bros., Inc., 509 West 5th Street, Kansas City, Mo.

[F. R. Doc. 44-15105; Filed, Sept. 29, 1944;
1:35 p. m.]

[ODT Certificate S-6]

COMMON CARRIERS

SUBSTITUTION OF RAIL FOR MOTOR SERVICE BETWEEN ST. LOUIS, MO., AND CLEVELAND, OHIO, AND BETWEEN CHICAGO, ILL., AND CLEVELAND, OHIO

Pursuant to Executive Orders 8989, as amended, and 9156, and in order to provide for the conservation and more efficient utilization of vital transportation facilities, and to prevent and alleviate traffic congestion,

I hereby find and certify that the substitution of rail transportation for that of motor common carrier between St. Louis, Missouri, and Cleveland, Ohio, and between Chicago, Illinois, and Cleveland, Ohio, by Kelleher Motor Freight Lines, Inc., a motor common carrier, will not adversely affect the transportation of freight by railroad and will aid in conserving motor carrier transportation facilities.

Issued at Washington, D. C., this 29th day of September 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-15133; Filed, Sept. 30, 1944;
10:47 a. m.]

[ODT Certificate S-7]

COMMON CARRIERS

SUBSTITUTION OF RAIL FOR MOTOR SERVICE FROM CHICAGO, ILL., AND ST. LOUIS, MO., TO DENVER, COLO., AND LOS ANGELES, CALIF.

Pursuant to Executive Orders 8989, as amended, and 9156, and in order to provide for the conservation and more efficient utilization of vital transportation facilities, and to prevent and alleviate traffic congestion,

I hereby find and certify that the substitution of rail transportation for that of motor common carrier from Chicago, Illinois, to Denver, Colorado, from Chicago, Illinois, to Los Angeles, California, from St. Louis, Missouri, to Denver, Colorado, and from St. Louis, Missouri, to Los Angeles, California, by Denver-Chicago Trucking Company, Inc., a motor

¹ Filed as part of the original document.

common carrier, will not adversely affect the transportation of freight by railroad and will aid in conserving motor carrier transportation facilities.

Issued at Washington, D. C., this 29th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-15134; Filed, Sept. 30, 1944;
10:47 a. m.]

[ODT Certificate S-8]

COMMON CARRIERS

SUBSTITUTION OF RAIL FOR MOTOR SERVICE
BETWEEN ST. LOUIS, MO., AND TULSA AND
OKLAHOMA CITY, OKLA.

Pursuant to Executive Orders 8989, as amended, and 9156, and in order to provide for the conservation and more efficient utilization of vital transportation facilities, and to prevent and alleviate traffic congestion,

I hereby find and certify that the substitution of rail transportation for that of motor common carrier between St. Louis, Missouri, and Tulsa, Oklahoma, and between St. Louis, Missouri, and Oklahoma City, Oklahoma, by Consolidated Forwarding Company, Inc., a motor common carrier, will not adversely affect the transportation of freight by railroad and will aid in conserving motor carrier transportation facilities.

Issued at Washington, D. C., this 29th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-15135; Filed, Sept. 30, 1944;
10:47 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 34 Under 19 (a), Amdt. 1]

LUGGAGE FRAMES

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. 34 under § 1499.19 (a) of the General Maximum Price Regulation is amended in the following respect:

Paragraph (c) is amended to read as follows:

(c) This order shall expire at midnight October 20, 1944.

This order shall become effective September 30, 1944.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15110; Filed, Sept. 29, 1944;
4:27 p. m.]

[MPR 188, Order 2454]

HICKS FURNITURE MART

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and

filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of a table and bench set, six bookcases, a book shelf and a wall shelf manufactured by Hicks Furniture Mart, 311 East Washington Street, Indianapolis, Indiana.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Table and bench set.....	12	Each \$6.95	Each \$8.18
Book case.....	436	4.33	5.10
	430	3.86	4.55
	424	3.44	4.05
	330	2.42	2.85
	324	2.12	2.45
	318	1.78	2.10
Book shelf.....	25	1.14	1.35
Wall shelf.....	2533	2.18	2.56

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated June 21, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Table and bench set.....	12	Each \$8.18
Book case.....	436	5.10
	430	4.55
	424	4.05
	330	2.85
	324	2.45
	318	2.10
Book shelf.....	25	1.35
Wall shelf.....	2533	2.56

These prices are for the articles described in the manufacturer's application dated June 21, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 30th day of September 1944.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15112; Filed, Sept. 29, 1944;
4:27 p. m.]

[MPR 188, Order 2455]

HIGH POINT SEATING CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of eight items of juvenile furniture manufactured by High Point Seating Company, 613 East Greene Street, High Point, North Carolina.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile rocker (cloth cover).....	5	Each \$2.64	Each \$3.30
Juvenile rocker (leatherette cover).....	5	2.96	3.70
Juvenile rocker (cloth cover).....	100	2.26	2.83
Juvenile rocker (leatherette cover).....	100	2.58	3.23
Juvenile wing chair (cloth cover).....		2.38	2.97
Juvenile wing chair (leatherette cover).....		2.70	3.37
Juvenile table.....	100	2.66	3.20
Juvenile toy chest.....		3.38	4.22

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated May 16, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Juvenile rocker (cloth cover).....	5	\$3.30
Juvenile rocker (leatherette cover).....	5	3.70
Juvenile rocker (cloth cover).....	100	2.83
Juvenile rocker (leatherette cover).....	100	3.23
Juvenile wing chair (cloth cover).....		2.97
Juvenile wing chair (leatherette cover).....		3.37
Juvenile table.....	100	3.20
Juvenile toy chest.....		4.22

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated May 16, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 30th day of September 1944.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15113; Filed, Sept. 29, 1944;
4:27 p. m.]

[MPR 188 Amdt. 1 to Order 1849]

DUAL PURPOSE SLEEPING EQUIPMENT ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order No. 9250 and 9328, *It is ordered:*

Order No. 1849 under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respects:

1. Paragraph (c) (2) 1. reading "1. Reduce the cost more than 3%" is amended to read as follows:

1. Reduce the direct cost by more than 3%.

2. Paragraph (c) (3) 1. reading "1. Reduce the cost more than 5%" is amended to read as follows:

1. Reduce the direct cost by more than 3%.

3. A new paragraph (g) is added to read as follows:

(g) The ceiling prices established by this order are for sales by manufacturers whose point of shipment is in the Eastern zone. On sales of the articles covered by this regulation by manufacturers whose point of shipment is in the Western zone, the seller may add ½¢ per lb. gross shipping weight to the ceiling prices established by this order. For the purposes of this order the Western zone includes the states of California, Oregon, Washington, Nevada, Idaho, Utah, Arizona, Wyoming, Montana, Colorado, New Mexico, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos, Harris, and Reeves. The rest of the country is in the Eastern zone. No zone differential charge may be made unless a separate statement of that charge appears on all invoices, sales slips or other evidence of sale.

This amendment shall become effective on the 5th day of October 1944.

Issued this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15171; Filed, Sept. 30, 1944;
11:58 a. m.]

[MPR 320, Amdt. 1 to Order 7¹]

CYPRESS TOMATO FIELD CRATES AND CITRUS CRATES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

Paragraph (c) of Order No. 7 is amended to read as follows:

(c) This order shall expire at midnight on November 30, 1944.

Issued and effective this 30th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15182; Filed, Sept. 30, 1944;
4:27 p. m.]

[MPR 120, Order 1039]

BETHEL COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM* PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 3. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.214 and all other provisions of Maximum Price Regulation No. 120.

BETHEL COAL CO., BOX 175, OSAGE, W. VA., BETHEL MINE, SEWICKLEY SEAM, MINE INDEX NO. 2066, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT: MAIDSVILLE, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

	Size Group Nos.				
	1	2	3	4	5
Price classification.....	J	J	J	J	J
Rail shipment and R. R. fuel.....	260	260	250	245	230
Truck shipment.....	285	280	255	245	235

THE FARIS COAL CO., GREENSBURG, PA., FARIS STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 2072, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: BRIDGEPORT, W. VA., STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	F	F	F	F	F
Price classification.....	F	F	F	F	F
Rail shipment and R. R. fuel.....	275	275	260	250	240
Truck shipment.....	310	310	285	275	265

THE FARIS COAL CO., GREENSBURG, PA., FARIS DEEP MINE, PITTSBURGH SEAM, MINE INDEX NO. 2072, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: BRIDGEPORT, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	F	F	F	F	F
Price classification.....	F	F	F	F	F
Rail shipment and R. R. fuel.....	275	275	260	250	240
Truck shipment.....	310	310	285	275	265

GABBERT COAL CO., P. O. BOX 441, MORGANTOWN, W. VA., GABBERT NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2074, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT: MORGANTOWN, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	F	F	F	F	F
Price classification.....	F	F	F	F	F
Rail shipment and R. R. fuel.....	275	275	260	250	240
Truck shipment.....	310	310	285	275	265

C. G. POOLE, JR., P. O. Box 218, LUMBERPORT, W. VA.,
GREGORY No. 2 MINE, PITTSBURGH SEAM, MINE
INDEX No. 2076, HARRISON COUNTY, W. VA., RAIL
SHIPPING POINT: HAYWOOD, W. VA., STRIP MINE,
MAXIMUM TRUCK PRICE GROUP No. 3

	Size Group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment and R. R. fuel	275	275	260	250	240
Truck shipment	310	310	285	275	265

NOTE: The size group numbers referred to herein for rail shipments and for railroad fuel are those described in the table of prices in Amendment No. 95 to Maximum Price Regulation No. 120, and for truck shipments, as described in the Table of Prices in Amendment No. 105 to Maximum Price Regulation No. 120.

This order shall become effective October 3, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15263; Filed, Oct. 2, 1944;
11:39 a. m.]

Regional and District Office Orders.

[Montpelier Order G-1 Under MPR 426 and MPR 285, Amdt. 1]

FRUITS IN MONTPELIER, VT., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Montpelier, Vermont District Office of the Office of Price Administration by Article III, section 15, Appendix K, paragraph (r) of Maximum Price Regulation 426, as amended, and Region I Revised Order of Delegation under Revised General Order No. 32, District Order No. G-1 under Article III, section 15, Appendices H, I and J of Maximum Price Regulation 426 and § 1351.1254a (a) of Maximum Price Regulation 285, both as amended, hereinafter referred to as District Order No. G-1, is hereby amended by adding thereto Appendix K and providing specific listing for the item of pears recently added to Appendix J of Maximum Price Regulation 426, as amended.

(a) *What this amendment does.* This Amendment adds to and makes a part of District Order No. G-1, and subject to all provisions thereof, the items of apples, grapes and peaches appearing in Appendix K, and specifically lists the item of pears recently added to Appendix J, both under Maximum Price Regulation 426, as amended; as herein set forth in the "Transportation Table," appearing below:

TRANSPORTATION TABLE		
Item	Size of pack	Delivery allowance beyond free delivery zone
Apples:		Cents
All	Standard apple box (as listed in WPB order L-232).	16
All	Standard bushel basket.	16
Grapes:	Lug box (25 lbs.).	12
Peaches:		
All	Standard bushel basket.	18
All	Standard 1/2 bushel basket.	09
Pears.	Standard western pear box (44 lbs.).	18

(b) *Commodities for which there is no specific provision.* Any commodity now or hereafter contained in Appendix K of Maximum Price Regulation 426, as amended, not listed in the Transportation Table above, or sold in any manner differing from those provided in the Table, shall also be subject generally to the provisions of District Order No. G-1 and specifically to the provisions of part (2) of paragraph (c) thereof. (Part (2) of paragraph (c) of District Order No. G-1 provides for a delivery allowance for items not specifically listed in the Transportation Table therein contained.)

(c) *Revocation.* This amendment may be amended, corrected, revised or revoked at any time.

(d) *Effective date.* This amendment shall become effective September 27, 1944.

NOTE: Approval of this order by Regional Director of Food Distribution applies only to adjustments under Maximum Price Regulation 426.

Issued this 26th day of September 1944.

JAMES J. CARNEY,
District Director.

Approved:

F. D. CRONIN,
Regional Director,
War Food Administration.

[F. R. Doc. 44-15120; Filed, Sept. 29, 1944;
4:30 p. m.]

[Region I Order G-21 Under SR 15, MPR 280 and MPR 329, Amdt. 9]

FLUID MILK IN MAINE

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, as amended, by § 1351.807 of Maximum Price Regulation No. 280, and § 1351.408 of Maximum Price Regulation No. 329, Order No. G-21 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (a) an asterisk is inserted after the word "retail" in the table of prices and the following footnote is added at the end of subparagraph (1):

*Where the War Food Administration permits retail sales of fluid milk in pint containers and 8 ounce containers, the maximum prices for such sales in the zones having the maximum prices for sales at retail in quart bottles set forth in the first column below shall be the prices set forth in the second or third column below, as the case may be:

Quart bottle price	Pint bottle price	8-oz. bottles
\$0.16	\$0.09	\$0.06
.155	.09	.06
.15	.09	.05
.145	.085	.05
.14	.08	.05
.135	.075	.05
.13	.07	.05

2. The subdivision designated as "Kennebec County" in subparagraph (2) of paragraph (a) is amended to read as follows:

Kennebec County:

Augusta, Chelsea, Farmingdale,
Gardiner, Hallowell, Manchester,
Randolph, West Gardiner, Winthrop..... Zone 3
Waterville, Winslow, Benton, Oakland..... Zone 4
The remainder of Kennebec County..... Zone 8

3. Subparagraph 9 is added to paragraph (h) to read as follows:

(9) Amendment No. 9 shall be effective September 30, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 26th day of September 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved:

FRANCIS D. CRONIN,
Regional Director,
War Food Administration.

[F. R. Doc. 44-15121; Filed, Sept. 29, 1944;
4:30 p. m.]

[Region II Order G-93 Under 18 (c)]

SOUP CREAM IN NEW YORK CITY

For the reasons set forth in opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and pursuant to a written authorization from the Price Administrator; It is hereby ordered:

(a) The maximum price for the sale and delivery of soup cream in glass or paper containers to a wholesaler in the City of New York shall be the higher of either of the following:

(1) The seller's maximum price as determined under § 1499.2, general provisions, of the General Maximum Price Regulation as adjusted by Amendment No. 77 to Supplementary Regulation 14A; or

(2) The applicable adjusted maximum price for the particular size and type of container set forth in the following schedule:

Size of container	Type of container	Applicable adjusted maximum price
Pint.....	Glass.....	Cents 21
Do.....	Paper.....	22
Half pint.....	Glass.....	11
Do.....	Paper.....	11 1/4

(b) The maximum price for the sale and deliver of soup cream in glass or paper containers at wholesale to any person in the City of New York other than the ultimate consumer shall be the higher of either of the following:

Size of container	Type of container	Applicable adjusted maximum price
Pint.....	Glass.....	Cents 24
Do.....	Paper.....	25
Half pint.....	Glass.....	12 1/2
Do.....	Paper.....	13

(c) Where the adjusted maximum price is a unit figure containing a fraction of a cent, the seller must multiply such fractional unit figure by the total number of units in each sale or series of sales for which a single collection is made. Where the resulting amount contains a fraction of a cent or where only one unit is sold, the seller shall adjust the maximum price to the nearest full cent except that if the fraction should be a $\frac{1}{2}$ ¢ the seller shall adjust the maximum price to the next higher full cent (For example, a maximum price of $12\frac{1}{2}$ ¢ for one unit shall be adjusted to 13¢ for one unit, 25¢ for 2 units and 38¢ for 3 units, etc.).

(d) *Definitions.* When used in this order the term:

1. "Wholesaler" means any person who purchases sour cream in glass or paper containers and resells it, without substantially changing its form, to any person other than the ultimate consumer.

2. "At wholesale" means a sale by any person who purchases sour cream in glass or paper containers and resells it, without substantially changing its form, to any person other than the ultimate consumer.

3. "The City of New York" comprises the boroughs of Manhattan, Brooklyn, Bronx, Queens and Richmond.

(e) *Geographical applicability.* This order applies to all sales and deliveries of sour cream in glass or paper containers by manufacturers to wholesalers and by wholesalers to any person other than the ultimate consumer within the City of New York.

(f) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, shall apply to other terms herein.

(g) This order is subject to revocation or amendment by the Regional Administrator or by the Price Administrator at any time hereafter either by special order or by price regulation issued hereafter or by supplementary order which may be contrary thereto.

This order shall become effective September 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 76th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9528, 8 F.R. 4681)

Issued this 16th day of September 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-15119; Filed, Sept. 29, 1944;
4:29 p. m.]

[Nashville Rev. Order G-1 Under Gen.
Order 50]

MALT AND CEREAL BEVERAGES IN NASHVILLE, TENN., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Nashville District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. Purpose of order. Order No. G-1 under General Order No. 50 issued by the District Director of the Nashville District Office of the Office of Price Administration on the 19th day of June, 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. G-1 under General Order No. 50 is redesignated Revised Order No. G-1 under General Order No. 50, and is revised and amended as herein set forth and issued for the same purpose and for the further purpose of clarifying and strengthening the order.

SEC. 2. Geographical applicability. The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of Tennessee: Anderson, Bledsoe, Blount, Bradley, Campbell, Cannon, Carter, Cheatham, Clay, Claiborne, Cocke, Cumberland, Davidson, DeKalb, Fentress, Grainger, Greene, Hamblen, Hamilton, Hancock, Hawkins, Jackson, Jefferson, Johnson, Knox, Loudon, Macon, McMinn, Meigs, Monroe, Morgan, Overton, Pickett, Polk, Putnam, Rhea, Roane, Robertson, Rutherford, Scott, Sequatchie, Sevier, Smith, Sullivan, Sumner, Trousdale, Unicoi, Union, Van Buren, Warren, Washington, White, Williamson, Wilson; and the municipality of Bristol, Virginia.

SEC. 3. Ceiling prices. (a) On and after September 9, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Nashville District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Nashville District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. How to figure your ceiling prices. (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4-10, 1943. You must

figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4-10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you in a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof. You must figure the group to which you belong as follows:

(1) *Group 1 B.* Your establishment belongs to Group 1 B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1 B establishments.

(2) *Group 2 B.* Your establishment belongs to Group 2 B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2 B establishments, but were less than those provided in Appendix A hereof for Group 1 B establishments.

(3) *Group 3 B.* Your establishment belongs to Group 3 B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2 B establishments. All establishments not in operation during the base period of April 4-10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3 B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4-10, 1943, but was in operation prior to the effective date of this order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1 B or Group 2 B, you may, but not later than the first day of October, 1944, file an application with the Nashville District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3 B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, ho-

tel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3 seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1B or Group 2B seller, you may, within and not later than 30 days from the time you begin operating, file an application with the Nashville District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in section 5, you may not change your group classification except as otherwise provided by this order.

Sec. 5. Filing with War Price and Rationing Board. (a) When you have figured your proper group under Section 4 above, you must, on or before September 15, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

Sec. 6. Modification of prices. After you have determined your group and

have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4-10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4-10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

Sec. 7. Exempt sales. The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a nonprofit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless

and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

Sec. 8. Evasion. If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4-10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4-10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

Sec. 9. Records and menus. If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept.

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

Sec. 10. Posting of prices. If you are an operator of an eating or drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each

kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught, or

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

(c) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3 B sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1 B", "OPA 2 B", or "OPA 3 B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3 sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other Maximum Price Regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the continental United States, and includes those commonly designated as beer, lager beer, ale, porter, and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of $\frac{1}{2}$ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverage for immediate consumption on the premises are specifically excluded from this definition.

(g) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Transfers of business or stock in trade.* If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to

comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in section 4 for a new seller.

SEC. 19. *Changes in location.* If any establishment is hereinafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Nashville District Office.

SEC. 21. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This order shall become effective September 9, 1944.

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

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Nashville, Tennessee, this 5th day of September 1944.

SAM M. BONEY,
District Director.

APPENDIX A
GROUP 1B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Carta Blanca—Mexican Beer.....	35	55
Doran's Export Beer and Ale.....	35	55
Arl & Arl Brew.....	25	50
Ballentine Ale.....	25	50
Barbarossa Beer.....	25	50
Brucks Pale Ale.....	25	50
Buckingham Ale.....	25	50
Budweiser Beer.....	25	50
Burger Brat.....	25	50
Carlins Red Cap Ale.....	25	50
Edelbrew Beer.....	25	50
Embassy Club Beer.....	25	50
Esslinger Beer.....	25	50
Little Man Ale.....	25	50
Millers Hi-Life Beer.....	25	50
Old Gold Beer.....	25	50
Pabst Blue Ribbon Beer.....	25	50
Red Top Ale.....	25	50
Ruby Beer.....	25	50
Schlitz Beer.....	25	50
All other brands not listed above, including unlabeled beer and ale.....	20	40

Draught beer:		Cents
6-ounce glass.....		15
8-ounce glass.....		10
10-ounce glass.....		12
12-ounce glass.....		14
14-ounce glass.....		16
16-ounce glass.....		18

Any other ounce than listed shall be 0.014¢ per ounce, except Michelob Beer, which shall have a maximum price of 1.6¢ per ounce for any size.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

GROUP 2B

	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Carta Blanca—Mexican Beer.....	30	50
Doran's Export Beer and Ale.....	30	50
Art & Art Brew.....	20	45
Ballantine Ale.....	20	45
Barbarossa Beer.....	20	45
Brucks Pale Ale.....	20	45
Buckingham Ale.....	20	45
Budweiser Beer.....	20	45
Burger Brau.....	20	45
Carlings Red Cap Ale.....	20	45
Dorquest Beer.....	20	45
Edelbrew Beer.....	20	45
Embassy Club Beer.....	20	45
Esslinger Beer.....	20	45
Little Man Ale.....	20	45
Millers Hi-Life Beer.....	20	45
Old Gold Beer.....	20	45
Pabst Blue Ribbon Beer.....	20	45
Red Top Ale.....	20	45
Ruby Beer.....	20	45
Schlitz Beer.....	20	45
All other brands not listed above including unlabeled beer and ale.....	15	35

Draught beer:	Cents
6-ounce glass.....	6
8-ounce glass.....	8
10-ounce glass.....	10
12-ounce glass.....	12
14-ounce glass.....	14
16-ounce glass.....	16

Any other ounce than listed shall be 1¢ per ounce, except Michelob Beer, which shall have a maximum price of 1.4¢ per ounce for any size.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

GROUP 3B

	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Carta Blanca—Mexican Beer.....	27	45
Doran's Export Beer and Ale.....	27	45
Art & Art Brew.....	17	40
Ballantine Ale.....	17	40
Barbarossa Beer.....	17	40
Brucks Pale Ale.....	17	40
Buckingham Ale.....	17	40
Budweiser Beer.....	17	40
Burger Brau.....	17	40
Carlings Red Cap Ale.....	17	40
Dorquest Beer.....	17	40
Edelbrew Beer.....	17	40
Embassy Club Beer.....	17	40
Esslinger Beer.....	17	40
Little Man Ale.....	17	40
Millers Hi-Life Beer.....	17	40
Old Gold Beer.....	17	40
Pabst Blue Ribbon Beer.....	17	40
Red Top Ale.....	17	40
Ruby Beer.....	17	40
Schlitz Beer.....	17	40
All other brands not listed above including unlabeled beer and ale.....	12	30

Draught beer:	Cents
6-ounce glass.....	6
8-ounce glass.....	8
10-ounce glass.....	10
12-ounce glass.....	12
14-ounce glass.....	14
16-ounce glass.....	16

Any other ounce than listed shall be 1¢ per ounce for any size.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

[F. R. Doc. 44-15122; Filed, Sept. 29, 1944; 4:30 p. m.]

[Region VI Order G-106 Under 18 (c)]

SOYBEANS IN IOWA

(a) *What this order does.* This order establishes maximum prices for country elevator storage of soybeans in the State

of Iowa. For the purposes of this order, "country elevator storage" means storage in elevators or other facilities primarily used for the receiving of soybeans and grains directly from producers in truck or wagon load quantities, the maintenance of soybeans or grain in storage, and the shipment of such soybeans and grains to processors or terminal elevators.

(b) *Maximum prices.* The maximum price per 60 lb. bushel for country elevator storage of soybeans, including insurance, shall be:

1. 6½¢ for any five month period of storage or fraction thereof;

2. 1/30¢ for each day after the first five month period of storage;

3. 5¢ for in and out handling when such services are actually performed by the elevator.

No charges other than those above enumerated may be added for insurance, handling, grading, turning, loading, unloading, inspecting, or any other service connected with the receipt of soybeans for storage, maintenance during storage period, or delivery from elevator.

(c) *Alternative maximum prices.* A country elevator may accept storage of soybeans on a cubic feet or unit basis other than the basis set forth in paragraph (b). The maximum price for any storage of soybeans where storage is contracted for on some basis other than that provided in section (b) shall be the maximum price which the country elevator has established in March, 1942, for the storage of soybeans or if the country elevator shall not have stored soybeans in March, 1942, then the maximum price established for the storage of corn.

(d) *Relation to price regulations and other orders.* The maximum prices established by this order shall supersede the maximum prices established under the General Maximum Price Regulation and any orders heretofore issued under the General Maximum Price Regulation or Revised Maximum Price Regulation No. 165. Except as herein specifically provided, the provisions of the General Maximum Price Regulation shall remain in effect.

(e) *Revocability.* This order may be revoked, amended, or modified at any time.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of September 1944.

Effective September 25, 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-15125; Filed, Sept. 29, 1944; 4:32 p. m.]

[Region VII Order G-2 Under Supp. Reg. 15, Amdt. 1]

FLUID MILK IN IDAHO AND MALHEUR COUNTY, OREG.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.75 (a) (9) (i) (a) (1) (iv) of Supplementary Regulation 15 to the Gen-

eral Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraph (a) is amended by deleting from the sixth line thereof the word "two" and substituting therefor the word "three".

2. Paragraph (c) is amended by deleting the word "two" therefrom wherever it appears therein and substituting therefor the word "three", and by deleting from the third line thereof the word "and" and inserting immediately after "District No. 2" the words "and District No. 3".

3. Paragraph (d) is amended by deleting therefrom "1 and 2" wherever the same appear therein and substituting therefor "1, 2, and 3", and by adding thereto a new price table to read as follows:

Size of glass or paper container	District No. 3			
	Grade A milk		Ungraded milk	
	Wholesale	Retail	Wholesale	Retail
Quart.....	Cents	Cents	Cents	Cents
		15		14

4. Subparagraph (2) of paragraph (j) is amended by inserting after the word "Valley" in the second line thereof the following: "(except the Town of Stibnite)." and by redesignating subparagraphs (3), (4), and (5) as (4), (5), and (6), respectively, and by inserting immediately after subparagraph (2) a new subparagraph (3) to read as follows:

(3) "District No. 3" means all of the town of Stibnite in Valley County.

5. Effective date. This Amendment No. 1 shall become effective on the 21st day of September 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-15116; Filed, Sept. 29, 1944; 4:28 p. m.]

[Region VII Order G-2 Under MPR 329, Amdt. 3]

FLUID MILK IN NEW MEXICO

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1351.408 (a) (1) (ii) of Maximum Price Regulation No. 329, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 3 is issued.

1. Subparagraph (7) of paragraph (m) is amended by inserting after the word "Otero" in the second line thereof the following: "(except the Town of Alamo-gordo, and a distance of five miles beyond the corporate limits thereof at all points)."

2. Subparagraph (8) of paragraph (m) is amended by inserting after the word "Socorro" in the last line thereof the following: "and the Town of Alamogordo in the County of Otero, and a distance of five miles beyond the corporate limits thereof at all points".

3. Effective date. This amendment No. 3 shall become effective on the 21st day of September 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-15114; Filed, Sept. 29, 1944;
4:28 p. m.]

[Region VII 2d Rev. Order G-7 Under Supp.
Reg. 15, Amdt. 8]

FLUID MILK IN COLORADO

Pursuant to the Emergency Price Control Act of 1942 as amended, the Stabilization Act of 1942 as amended, and § 1499.75 (a) (9) (i) (a) (i) (iv) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 8 is issued.

1. Subparagraph (1) of paragraph (c) is amended by inserting in the third line thereof immediately after the name "Las Animas" the name "Larimer".

2. Subparagraph (3) of paragraph (c) is amended by deleting from the last line thereof the name "Larimer".

3. Effective date. This Amendment No. 8 shall become effective on the 25th day of September 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-15115; Filed, Sept. 29, 1944;
4:28 p. m.]

[Region VII Order G-10 Under 18 (c),
Amtd. 6]

FLUID MILK IN UTAH

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.75 (a) (9) (i) (a) (i) (iv) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 6 is issued.

1. Paragraph 1 of Order No. G-10 under § 1499.18 (c) of the General Maximum Price Regulation, as heretofore amended, is hereby further amended by adding thereto a new subparagraph designated (d), to read as follows:

(d) The maximum prices of fluid milk and chocolate milk sold and delivered at

wholesale and at retail in glass bottles or paper containers, and at wholesale in bulk, for that part of the municipality of Wendover lying within the County of Tooele of the State of Utah, and a distance of five miles beyond the corporate limits thereof at all points in the State of Utah (hereinafter referred to as the Wendover Area), shall from and after the effective date of this Amendment No. 6 be as follows:

Container size	Wholesale	Retail
Milk of approved grade:		
1/2 Pint.....	Cents 5	6
Pint.....	7	8
Quart.....	12	14
1/2 Gallon.....	23	27
Gallon.....	45	53
In bulk: Gallon.....	43	

2. Subparagraph (f) of paragraph 2 of said Order No. G-10, as heretofore amended by Amendment No. 5, is hereby revised and amended to read as follows:

(f) "Utah State Area" means all of the area of the state of Utah not included within the Utah special defense area as described in subparagraph (e), *supra*, except the Cedar City Area in Iron County and the Wendover Area in Tooele County.

3. Effective date. This Amendment No. 6 shall become effective on the 21st day of September 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-15118; Filed, Sept. 29, 1944;
4:29 p. m.]

[Region VII Order G-36 Under 18 (c),
Amtd. 3]

FLUID MILK IN NEW MEXICO

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.75 (a) (9) (i) (a) (i) (ii) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion this Amendment No. 3 is issued.

1. Subparagraph (8) of paragraph (j) is amended by inserting after the word "Otero" in the second line thereof the following: "(except the Town of Alamogordo, and a distance of five miles beyond the corporate limits thereof at all points)".

2. Subparagraph (9) of paragraph (j) is amended by changing the period after the word "Mexico" at the end thereof to a comma and adding the following: "and the Town of Alamogordo in the County of Otero, and a distance of five miles beyond the corporate limits thereof at all points."

3. Effective date. This Amendment No. 3 shall become effective on the 21st day of September 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-15117; Filed, Sept. 29, 1944;
4:28 p. m.]

[Portland Order G-7 Under 18 (c)]

FIREWOOD IN LANE COUNTY, OREG.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, it is hereby ordered:

(a) This Order No. G-7, insofar as it establishes maximum prices for certain types of firewood, supersedes the maximum prices as established by section 2 of the General Maximum Price Regulation, or by any previous order issued pursuant to such regulation, or by any supplementary regulation thereto, or any individual adjustment order issued prior to Order No. G-7. The maximum prices for mills or dealers making sales or deliveries of certain types of firewood to the Lin Bowman Company, Portland, Oregon, or to any other seller of firewood in Portland operating under an OPA "pool" adjustment order and sold f. o. b. railroad cars in the Eastern section of Lane County, Oregon, are hereby modified as follows:

(1) For the specified mills or dealers, the maximum price shall be \$3.00 per cord of 4' or 12" to 16" green slabwood f. o. b. railroad car.

(2) The foregoing adjusted maximum price shall not include the initial cost of racking railroad cars but shall include costs of re-racking. Initial costs of racking, when furnished by the mill or dealer, may be separately charged as an addition to the adjusted maximum price.

(b) Definitions. (1) "Eastern Section of Lane County, Oregon" as herein used means that part of Lane County, Oregon, lying east of a line running parallel to and 15 miles west of U. S. Highway 99 or 99W.

(c) Any mill which can show that it is unable to sell slabwood at the maximum prices hereby established may make application for an individual adjustment under § 1499.18 (a), as amended, of the General Maximum Price Regulation.

(d) No mill affected by this order shall evade any of the provisions hereof by changing its customary allowances, discounts or other price differentials unless such change results in a lower price.

(e) Invoices and Records. Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

- (1) The date of sale.
- (2) The name and address of the buyer and seller.
- (3) The quantity of firewood sold.
- (4) Description of firewood sold, in the same manner as it is described in this

order. This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood.

(5) Place of sale. If the price is dependent on place of delivery, then the place of delivery shall be stated.

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered and the charge made for each such service. The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

The record keeping provision of this amendment has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) This order may be revoked, amended, or corrected at any time.

This order shall become effective September 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of September 1944.

McCONNELL BROWN,
District Director.

[F. R. Doc. 44-15124; Filed Sept. 29, 1944;
4:32 p. m.]

[Portland Order G-45 Under 18 (c)]

FIREWOOD IN THE VANCOUVER-CAMAS AREA, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum prices as established by sections 2 and 3 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation, or to any supplementary regulation thereto, for the sale and delivery of the types of firewood specified below in the Vancouver-Camas area, are hereby adjusted so that the maximum prices therefor shall be:

Area	Type of firewood	Maximum price per cord delivered to premises of buyer
Vancouver and Camas.	No. 1 old growth fir in 4' lengths.	\$12.25
	No. 2 old growth fir or second growth fir in 4' lengths.	11.75
	No. 1 old growth fir in 16" or 12" lengths.	13.50
	No. 2 old growth fir or second growth fir in 16" or 12" lengths.	13.50
	Oak, maple, dogwood, ash and alder in 4' lengths.	13.25
	Oak, maple, dogwood, ash and alder in 16" or 12" lengths.	14.50

(b) *Definitions.* (1) "Vancouver-Camas Area" as herein used, means the City of Vancouver and the City of Camas in Clark County, State of Washington and that part of Clark County within five miles of the city limits of Vancouver and that part of Clark County within five miles of the city limits of Camas.

(c) No seller shall evade any of the provisions of this Order No. G-45 by changing the customary allowances, discounts or other price differentials unless such change results in a lower price.

(d) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood).

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered, such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

(e) This order may be revoked, amended or corrected at any time. The record keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. This order shall become effective August 2, 1944.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 2d day of August 1944.

McCONNELL BROWN,
District Director.

[F. R. Doc. 44-15123; Filed, Sept. 29, 1944;
4:31 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-929]

PENNSYLVANIA GAS & ELECTRIC CORP., ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of September, A. D. 1944.

In the matter of Pennsylvania Gas & Electric Corp., The Petersburg & Hopewell Gas Co., The Old Dominion Gas & Electric Corp., File No. 70-929.

Pennsylvania Gas & Electric Corporation (Pennsylvania), a registered holding

company, and two of its subsidiaries, The Petersburg & Hopewell Gas Company (Petersburg) and The Old Dominion Gas & Electric Corporation (Old Dominion), having filed with this Commission joint applications and declarations and amendments thereto pursuant to sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and the rules thereunder, regarding (1) the donation by Pennsylvania to Petersburg of all the capital stock (5,000 shares) of Old Dominion and the open account indebtedness of \$132,000 owed to Pennsylvania by Old Dominion; (2) the acquisition by Petersburg of the assets and assumption by it of the liabilities of Old Dominion in connection with the liquidation and dissolution of Old Dominion; (3) the issuance and sale, by Petersburg at private sale to John Hancock Mutual Life Insurance Company at a price of 100% of face value of \$200,000 principal amount of First Mortgage Bonds, Series A, bearing interest at the rate of 3¼% per annum and maturing September 1, 1969; (4) the use of the net proceeds of such bonds by Petersburg for (a) redemption of all of its outstanding 6% cumulative preferred stock consisting of 1,493 shares of \$100 par value at \$105 per share and (b) construction of additions and improvements to its utility plant; (5) the amendment to the charter of Petersburg to eliminate any authorized preferred stock and to provide for a single class of common stock consisting of 55,000 shares of \$10 par value, such new stock to be issued by Petersburg to Pennsylvania in exchange for the 5,500 shares of Petersburg's common stock of \$100 par value now owned by Pennsylvania; (6) the effectuation of certain accounting entries to reflect the proposed transactions and to increase the depreciation and amortization reserves of Petersburg by transferring thereto the balance remaining in the earned surplus account of Petersburg at July 31, 1944.

A public hearing having been held after appropriate notice, and the Commission having filed its findings and opinion herein:

It is ordered, That said applications and declarations, as amended, be, and the same hereby are, granted and permitted to become effective subject, however, to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-15107; Filed, Sept. 29, 1944;
1:56 p. m.]

[File Nos. 70-972; 70-975]

CITIES SERVICE POWER & LIGHT CO., AND
PUBLIC SERVICE CO. OF COLORADO

NOTICE OF FILING AND ORDER FOR HEARING
AND CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of September A. D. 1944.

Notice is hereby given that declarations or applications (or both) have been filed with the Commission pursuant to the Public Utility Holding Company Act of 1935 by Cities Service Power & Light Company (Power & Light), a registered holding company, and by Public Service Company of Colorado (Public Service), a holding company exempt under Rule U-2 from all the provisions of the act and rules thereunder, except section 9 (a) (2). All interested persons are referred to said document which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Power & Light proposes to sell and Public Service proposes to purchase all the outstanding capital stock of Pueblo Gas and Fuel Company (Pueblo) consisting of 3,500 shares of common stock of the par value of \$100 a share for \$400,000 in cash with certain minor adjustments.

The net proceeds from the sale of said stock will be applied to the prepayment of Power & Light's Bank Loan Notes in accordance with the terms thereof as required by Power & Light's Custodian Agreement with The Chase National Bank of the City of New York dated March 15, 1944.

The Commission is requested to issue an appropriate order and findings in connection with the proposed transactions hereinabove described, conforming to the requirements of sections 371 and 1808 of the Internal Revenue Code.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that hearings be held with respect to said matters and that said declarations shall not become effective nor said applications be granted except pursuant to further order of the Commission; and

It further appearing to the Commission that said matters are related and involve common questions of law and fact; that evidence offered in respect of each of said matters may have a bearing on the others; and that substantial savings in time, effort and expense will result if the hearings on said matters are consolidated so that they may be heard as one matter, and so that evidence adduced with respect to the proceedings in cases Nos. 70-972 and 70-975 may stand as evidence in both of said matters for all purposes:

It is ordered, That the hearings on said matters be and they hereby are consolidated. The Commission reserves the right, if at any time it may appear conducive to an orderly and economic disposition of any of said matters, to order a separate hearing concerning such matter, to close the record with respect to any of the matters, or to take action on any of the matters prior to the closing of the record on any other matter.

It is further ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on October 20, 1944, at 10:00 a. m., e. w. t., at

the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declarations and applications shall become effective or shall be granted. Notice is hereby given of said hearing to the above named declarant and applicant and to all interested parties, said notice to be given to said declarant and applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That any persons desiring to be heard or otherwise wishing to participate herein shall notify the Commission to that effect in the manner provided in Rule XVII of the Commission's rules of practice on or before October 17, 1944.

It is further ordered, That Henry C. Lank, or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said applications and declarations otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed transactions meet the requirements of section 12 (d) of the act and Rule U-44 thereunder.

2. Whether the consideration to be paid for the common stock to be acquired is reasonable and bears a fair relation to the sums invested in or the earning capacity of the underlying utility assets.

3. Whether competitive conditions were maintained in negotiations for the sale of the securities.

4. Whether the proposed transactions are fair and equitable to the persons affected and will serve the public interest by tending toward the economical and efficient development of an integrated public utility system; and whether the transactions are necessary to effectuate the provisions of section 11 (b).

5. Whether the fees and expenses to be paid in connection with the proposed transactions are reasonable.

6. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-15108; Filed, Sept. 29, 1944;
1:56 p. m.]

[File No. 70-974]

CONSOLIDATED ELECTRIC AND GAS CO., AND
MOBILE GAS SERVICE CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of September A. D. 1944.

Notice is hereby given that Consolidated Electric and Gas Company (Consolidated), a registered holding company, and Mobile Gas Service Corporation (Mobile), a gas utility company and a subsidiary of Consolidated, have filed with this Commission a joint application-declaration under the Public Utility Holding Company Act of 1935;

All interested persons are referred to said document which is on file in the office of the Commission for a statement of the transactions therein proposed which may be summarized as follows:

Mobile proposes to reclassify its common stock which at the present time consists of 5,000 shares of no par value, but with a stated value of \$430,701, into 100,000 shares of common stock (the par value of which is to be supplied by amendment to the filings).

Mobile proposes to issue and sell at competitive bidding, pursuant to Rule U-50, \$1,400,000 principal amount of First Mortgage Bonds and \$600,000 aggregate par value of new preferred stock, to be represented by 6,000 shares, the interest rate on the bonds and the dividend rate on the preferred stock to be determined at competitive bidding; the proceeds to be derived from the sale of the foregoing securities are to be used to redeem \$1,400,000 principal amount of the company's First Mortgage Bonds, 3¾% Series, due 1961 at 104¾% of the principal amount thereof, together with the interest thereon to the date of redemption, and to redeem \$600,000 aggregate par amount of its presently outstanding 6% Cumulative Preferred Stock at \$110 per share, together with accrued dividends thereon to the date of redemption. The filing indicates that an application for the reclassification of the common stock and for the issuance and sale of the above described securities is to be filed with the Public Service Commission of Alabama.

Consolidated proposes to sell at competitive bidding, pursuant to Rule U-50, the 100,000 shares of reclassified common stock of Mobile. The proceeds to be realized from this divestment of securities are to be used to acquire and retire Collateral Trust Bonds of Consolidated. It is proposed that such purchases be made in the open market on behalf of Consolidated through brokers and from persons not known to the company. It is stated that no purchases will be made at prices exceeding the principal amount of the bonds purchased.

Consolidated requests that the Commission find that the proposed sale of the reclassified common stock of Mobile is appropriate to effectuate the provisions of section 11 (b) of the act and requests

that an order approving the proposed transactions conform to the requirements of section 373 (a) and contain appropriate recitals and specifications as described in sections 371 (b), 371 (f), and 1808 (f) of the Internal Revenue Code, as amended.

The filings designate sections 6 (a), 6 (b), 7, 12 (c), 12 (d) of the act and Rules U-42, U-44, and U-50 as being applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said filing should not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of said act and rules of the Commission promulgated thereunder be held at 10:00 a. m., e. w. t., on the 10th day of October 1944 at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date, the hearing room clerk in Room 318 will advise as to the room in which such hearing is to be held. Any person desiring to be heard in connection with these proceedings or otherwise wishing to participate shall file with the secretary of the Commission on or before October 7, 1944, his request or application therefore as provided by Rule XVII of the Commission's rules of practice;

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission, designated by it for that purpose, shall preside at the hearing in such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice;

It is further ordered, That, without limiting the scope of the issues presented by such filing, particular attention be directed at such hearing to the following matters and questions:

(1) Whether the issue and sale of the proposed First Mortgage Bonds and preferred stock are solely for the purpose of financing the business of Mobile and have been expressly authorized by the Public Service Commission of Alabama;

(2) Whether it is in the interest of investors and consumers and in conformity with the applicable provisions of the act and rules promulgated thereunder for Mobile to reclassify its common stock;

(3) Whether the proposed use of the proceeds of the sale of the reclassified common stock of Mobile and the acquisition of Collateral Trust Bonds of Consolidated in the open market are appropriate and in the interest of investors and consumers and in conformity with the applicable provisions of the act and rules promulgated thereunder;

(4) Whether the accounting entries to be made in connection with the proposed transactions are proper;

(5) Whether the fees, commissions or other remunerations to be paid, directly

or indirectly, in connection with the proposed transactions are reasonable;

(6) Whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose terms and conditions in connection with the proposed transactions; and

(7) Whether the proposed transactions comply with all the provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-15109; Filed, Sept. 29, 1944;
1:56 p. m.]

[File Nos. 52-21; 52-24; 34-7; 52-23]

MIDLAND UNITED CO., ET AL.

ORDER APPROVING PLAN SUBJECT TO CONDITIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of September, A. D. 1944.

In the matter of Hugh M. Morris, trustee of the estate of Midland United Company and Clarence A. Southerland and Jay Samuel Hartt, trustees of the estate of Midland Utilities Company, File No. 52-21, 52-24; Midland Utilities Company, File No. 34-7, 52-23.

A plan of reorganization having been filed herein jointly by the trustee of Midland United Company and the trustees of Midland Utilities Company, for the reorganization of said companies, debtors under section 77B of the Bankruptcy Act and registered holding companies under the Public Utility Holding Company Act of 1935.

The proponents having applied to the Commission under section 11 (f) of the Holding Company Act for an order approving said plan for submission to the District Court of the United States for the District of Delaware, the reorganization court;

Hearings having been held after appropriate notice, and the Commission being duly advised and having this day issued its preliminary findings and opinion herein;

It is ordered, Pursuant to section 11 (f) of said act, that said plan be and it hereby is approved for submission to said court, *Provided*, That there be incorporated in said plan, as submitted to the court, the modifications specified in the Commission's preliminary findings and opinion herewith; and *Provided further*, That the Commission reserves jurisdiction to enter such further and supplemental orders, not inconsistent herewith, as may be necessary or appropriate to dispose fully of the issues herein and to effectuate the provisions of said Act.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-15172; Filed, Sept. 30, 1944;
2:55 p. m.]

[File No. 70-937]

MONTANA POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pennsylvania, on the 29th day of September, A. D. 1944.

The Montana Power Company, a subsidiary of American Power & Light Company, a registered holding company, which, in turn, is a subsidiary of Electric Bond and Share Company, also a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-42 thereunder, regarding the expenditure by declarant of not more than \$3,345,600 of treasury cash for the acquisition in the open market during a period of one year of the outstanding \$2,788,000 principal amount of non-callable Five Percent First Mortgage Gold Bonds, due June 1, 1951, of Butte Electric & Power Company, assumed by declarant; and

Said declaration having been filed on August 1, 1944, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 under said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective pursuant to said section 12 (c) and said Rule U-42, and finding with respect thereto that the transaction therein proposed is not in contravention of any rules or regulations under said act.

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

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-15175; Filed, Sept. 30, 1944;
2:55 p. m.]

[File No. 70-957]

CRESCENT PUBLIC SERVICE CO. AND OKLAHOMA UTILITIES CO.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pennsylvania, on the 29th day of September, A. D., 1944.

Crescent Public Service Company, (Crescent), a registered holding company, and its subsidiary, Oklahoma Utilities Company (Oklahoma), having filed declarations and amendments thereto pursuant to the Public Utility

Holding Company Act of 1935 and particularly sections 12 (d) and 12 (e) thereof and the rules promulgated thereunder, regarding the proposed sale by Oklahoma of its remaining natural gas properties to Oklahoma Natural Gas Company for a base price of \$280,000 subject to certain closing adjustments, the liquidation and dissolution of Oklahoma, the application by Oklahoma of the proceeds of said sale and of its remaining assets in reduction of its 7% unsecured Promissory Note owned by Crescent and outstanding in the principal amount of \$719,648 as of June 30, 1944 by payment of such moneys to the Indenture Trustee with whom such note is pledged as collateral security for Crescent's Collateral Trust 6% Income Bonds, Series B, due 1954, and the solicitations by Crescent to obtain approval of said sale from its income bondholders;

A public hearing having been held upon said declarations, as amended, after appropriate notice, and the Commission having considered the record and made and filed its opinion herein;

It is hereby ordered, That said declarations, as amended, be and the same are hereby permitted to become effective forthwith, subject to the terms and conditions set forth in Rule U-24.

By the Commission,

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-15173; Filed, Sept. 30, 1944;
2:55 p. m.]

[File No. 70-700]

MIDLAND UNITED CO., ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 29th day of September 1944.

In the matter of Hugh M. Morris, trustee of the estate of Midland United Company, M. U. Securities Corporation, Clarence A. Southerland and Jay Samuel Hartt, trustees of the estate of Midland Utilities Company, File No. 70-700.

Hugh M. Morris, trustee of the estate of Midland United Company, a registered holding company; its wholly-owned subsidiary, M. U. Securities Corporation; and Clarence A. Southerland and Jay Samuel Hartt, trustee of the estate of Midland Utilities Company, a registered holding company, having filed under sections 9 (a), 10, 12 (c), 12 (d), and 12 (f) of the Public Utility Holding Company Act of 1935, joint applications-declarations, and amendments thereto, wherein it is proposed that M. U. Securities Corporation be liquidated and dissolved pursuant to the following program: (1) M. U. Securities Corporation will assign and transfer 1,859 shares of 7% Cumulative Prior Lien Stock, 778 shares of 6% Cumulative Prior Lien Stock, 1,337 shares of 7% Cumulative Class A Preferred Stock, and 2,111 shares of 6% Cumulative Class A Preferred Stock, of Midland Utilities Company, at pres-

ent in its portfolio, to Hugh M. Morris, Trustee of the Estate of Midland United Company, in consideration of a credit of \$38,480.38 upon the net indebtedness of \$556,093.77, owed by M. U. Securities Corporation to Midland United Company; (2) M. U. Securities Corporation will surrender to Midland Utilities Company, for cancellation, 64,009 shares of the latter's no par value common stock; and (3) M. U. Securities Corporation will apply its cash on hand in the amount of \$1,235.03 to the payment of expenses of liquidation, accrued taxes, and then to partial payment of the indebtedness then due Midland United Company; and

Such joint applications-declarations having been amended on August 30, 1944, and notice of said amendment having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for a hearing with respect to said joint applications-declarations, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declarations, as amended, to become effective, pursuant to sections 12 (c), 12 (d) and 12 (f), and Rules U-42, U-43, and U-45; and finding that the transactions proposed in said applications, as amended, have the tendency required by section 10 (c) (2), and observing no basis for adverse findings under section 10 (b) of the act;

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

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-15174; Filed, Sept. 30, 1944;
2:55 p. m.]

[File No. 70-908]

CITIES SERVICE POWER & LIGHT CO.

ORDER EXTENDING TIME WITHIN WHICH TRANSACTIONS SHALL BE CONSUMMATED

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 29th day of September, A. D. 1944.

The Commission having on August 1, 1944 issued its order authorizing the sale by Cities Service Power & Light Company of its entire interest in its subsidiary, City Light & Transaction Company, to Missouri Public Service Corporation, said order being subject to the provisions of Rule U-24 requiring that proposed transactions shall be consummated within 60 days after the order of the Commission permitting a declaration to become effective or granting an application; and

Cities Service Power & Light Company having requested that said 60 days' limi-

tation be extended until January 15, 1945 in order that the purchaser (which is not a registered holding company or subsidiary thereof) may obtain authorizations from other regulatory agencies; and

The Commission finding that granting of such extension would not be detrimental to the public interest or to the interest of investors or consumers:

It is ordered, That the time within which the proposed transactions as set forth in our opinion and order in this matter dated August 1, 1944 shall be consummated, be and hereby is extended until January 15, 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-15176; Filed, Sept. 30, 1944;
2:55 p. m.]

[File No. 70-976]

PUBLIC SERVICE COMPANY OF COLORADO

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 29th day of September, A. D. 1944.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Public Service Company of Colorado (Public Service), a holding company exempt under Rule U-2 from all of the provisions of the act and rules thereunder, except section 9 (a) (2). All interested persons are referred to said document which is on file in the office of this Commission for a full statement of the transactions therein proposed which are summarized as follows:

Public Service proposes to purchase at \$28 per share 4,000 shares of the common stock of and from The Home Gas and Electric Company (Home Company) for \$112,000 in cash. Subsequent to said proposed acquisition, Public Service will have a 20% voting interest in the then issued and outstanding capital stock of the Home Company, consisting of 20,000 shares of common stock of a par value of \$25 per share. Home Company is an electric utility company incorporated in the state of Colorado.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers, that hearings be held with respect to said matters and that said application shall not be granted except pursuant to further order of the Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on October 20, 1944 at 2:00 p. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such application

should be granted. Notice is hereby given of said hearing to the above named applicant and to all interested parties, said notice to be given to said applicant and The Home Gas and Electric Company by registered mail and to all other persons by publication in the **FEDERAL REGISTER**.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate herein shall notify the Commission to that effect in the manner provided in Rule XVII of the Commission's rules of practice on or before October 17, 1944.

It is further ordered, That Henry C. Lank, or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed consideration, including all fees and other remuneration, to be given, directly or indirectly, in connection with the proposed acquisition by Public Service, is reasonable and bears a fair relation to the sums invested in and the earning capacity of the utility assets underlying the securities proposed to be acquired.

2. Whether the proposed acquisition will unduly complicate the capital structure of the holding-company system of Public Service or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of the holding-company system of Public Service.

3. Whether it is necessary or appropriate in the public interest or for the protection of investors, pursuant to section 10 (b) of the act, for the Commission to condition its approval of the proposed acquisition by Public Service upon a fair offer by Public Service to purchase shares of the common stock of Home Company held by others.

4. Whether the proposed acquisition will serve the public interest by tending towards the economical and efficient development of an integrated public-utility system.

5. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-15189; Filed, Oct. 2, 1944;
9:49 a. m.]

SURPLUS WAR PROPERTY ADMINISTRATION.

[Reg. 1, Supp. 2]

DISPOSAL OF SURPLUS PROPERTY BY FEDERAL AGENCIES

Scope of supplement. The purpose of this supplement is to set forth a number of miscellaneous amendments that have been made in Regulation No. 1 (9 F.R. 5096) since Supplement No. 1 was issued under date of July 26, 1944 (9 F.R. 9182). These include: the designation of a single disposal agency in certain territories and possessions, central reporting of all surplus food to the Washington office of the War Food Administration, increase of the "nominal quantities" provision from \$1,000 to \$2,500, and a number of changes of assignment of specific articles or classes of articles from one disposal agency to another.

Effectiveness. This supplement is effective immediately.

Amendments. Regulation No. 1, as amended by Supplement No. 1, is hereby further amended as follows:

1. Part I B (1), as amended by Supplement No. 1, is further amended by inserting after the words "Navy Department," the words "the National Housing Agency."

2. Part I G is amended to read as follows:

G. Foreign Economic Administration. There is hereby assigned to the Foreign Economic Administration for disposition all surplus war property, of whatsoever nature, located outside the continental United States, its territories and possessions, except ships in excess of 1000 gross tons, which are based on commercial designs or susceptible of commercial usage. Such ships, regardless of location, are assigned to the Maritime Commission for disposition.

3. Part I is amended by adding the following paragraph at the end thereof:

K. Property in certain Territories and Possessions. All surplus war property of whatsoever nature located in Alaska is hereby assigned to the Reconstruction Finance Corporation for disposal and should be reported by owning agencies to Reconstruction Finance Corporation, David E. Browne, Special Representative, P. O. Box 1349, Fairbanks, Alaska.

All surplus war property of whatsoever nature located in the territory of Puerto Rico and the Virgin Islands is hereby assigned for disposal to the Procurement Division of the Treasury Department and should be reported to the Procurement Division of the Treasury Department, Mr. J. T. Gilmer, P. O. Box 672, San Juan 3, Puerto Rico.

All surplus war property of whatsoever nature located in the Hawaiian Islands is hereby assigned for disposal to the Procurement Division of the Treasury Department and should be reported to the Procurement Division of the Treasury Department, c/o Mr. Hugh C. Tennent, Iolani Palace, Honolulu 2, T. H.

The disposal agency in the United States to which each type of property

would have been declared, if located in the United States, will recommend from time to time to each agency named above as the single disposal agency for a territory or possession, such policies and procedures as it believes would be desirable for use, to the extent feasible, in the disposal of particular types of property.

4. Part II C (2) (a) is amended by adding the following sentence at the end thereof: "All reports of surplus food shall be made to the Office of Distribution, War Food Administration, Washington 25, D. C."

5. Part III C (2) is amended to read as follows:

(2) **Nominal quantities.** Owning agencies may sell single items or groups of items, when the cost (estimated if not known) of all substantially similar items which are surplus at any one location does not exceed \$2,500.

6. Exhibit I is amended as follows:

(a) In Group 25, Fabricated Metal Basic Products, the assignment of item 25 53, Marine Basic Hardware, is transferred from the United States Maritime Commission to the Procurement Division of the Treasury Department, and the description of the item is changed to "Rigging Hardware and Chain Attachments."

(b) In Group 27, Nonmetallic Mineral Basic Products—Chiefly Nonstructural, the assignment of item 27 2, Abrasive Basic Products, etc., to the Procurement Division of the Treasury Department is deleted.

(c) In Group 31, General Purpose Industrial Machinery and Equipment, the following additional items are assigned to the Procurement Division of the Treasury Department:

1. Compressors, air, portable, skid or wheel mounted, two stage, powered by gasoline or Diesel motors, capacities 50 to 500 cubic feet. (Standard Commodity Classification 31-211142)

2. Conveyors, construction material, portable belt type; and for portable plants. (Standard Commodity Classification 31-4930 and 31-4931)

3. Crushers jaw, roll and crushing plants portable type (Standard Commodity Classification 31-3100 less 3150 and 31-3160)

4. Derricks. (Standard Commodity Classification 31-5700)

5. Pumps, portable, centrifugal, plunger, diaphragm or sump, powered by gasoline Diesel or electric motors, ordinarily used for contractors' purposes or by contractors. (Standard Commodity Classification 31 2220 and 31 2250)

6. Screening plants, portable type. Screens rotary, vibrator and gravity type. (Standard Commodity Classification 31-3600)

7. Exhibit II is amended by deleting all of the text appearing under the heading "War Food Administration," and inserting in place thereof: "Entire continental United States: Office of Distribution, War Food Administration, Washington 25, D. C."

Washington, D. C., September 29, 1944.

W. L. CLAYTON,
Administrator.

[F. R. Doc. 44-15130; Filed, Sept. 29, 1944;
5:05 p. m.]

WAR FOOD ADMINISTRATION.

(Docket No. AO 175)

DAYTON-SPRINGFIELD, OHIO, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed marketing agreement and order regulating the handling of milk in the Dayton-Springfield, Ohio, Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR, Cum. Supp. 900.1 et seq.), notice is hereby given of a hearing to be held in the Miami Hotel, Dayton, Ohio, beginning at 10 a. m., e. s. t., on October 19, 1944, with respect to a proposed marketing agreement and order regulating the handling of milk in the Dayton-Springfield, Ohio, marketing area, which have been submitted by the Miami Valley Cooperative Milk Producers Association.

This public hearing is for the purpose of receiving evidence with respect to a proposed marketing agreement and order, the provisions of which are hereinafter set forth. The proposed marketing agreement and order have not received the approval of the War Food Administrator, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposed marketing agreement and order. The provisions of the proposed marketing agreement and order are as follows:

SECTION 1. Definitions. The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (50 Stat. 246 (1937), 7 U.S.C. 1940 ed. 601 et seq.), as amended.

(b) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers or to perform the duties, pursuant to the act, of the War Food Administrator.

(c) "Dayton-Springfield, Ohio, Marketing Area," hereinafter called the "Marketing Area," means the corporate limits of the cities of Dayton, Ohio, Oakwood, Ohio, and Springfield, Ohio; also the territory within Bath and Miami Townships in Green County, Ohio; also Miami, Jefferson, Madison, Van Buren, Harrison, Butler, Mad River, and Washington townships in Montgomery County, Ohio; also German Township in Clark County, Ohio.

(d) "Person" means any individual, partnership, corporation, association or any other business unit.

(e) "Producer" means any person, irrespective of whether any such person is also a handler, who produces, under a dairy farm inspection permit issued by the proper health authorities, milk which is received at a plant from which milk is disposed of in the marketing area.

This definition shall be deemed to include any person who produces, under a dairy farm inspection permit issued by the proper health authorities, milk caused to be delivered by a cooperative association which is a handler to a plant from which no milk is disposed of in the marketing area.

(f) "Handler" means any person who, on his own behalf or on behalf of others, receives milk from producers, associations of producers, or other handlers, all, or a portion, of which milk is disposed of as milk in the marketing area, and who, on his own behalf or on behalf of others, engages in such handling of milk as is in the current of interstate commerce or which directly burdens, obstructs or affects interstate commerce in milk and its products. This definition shall be deemed to include any cooperative association with respect to the milk of any producer which it causes to be delivered to a plant from which no milk is disposed of in the marketing area, for the account of such cooperative association: *Provided*, That such milk is handled on a basis which will permit the market administrator to verify the utilization of such milk in the plant at which such milk is received. This definition shall not be deemed to include any person from whom emergency milk is received.

(g) "Delivery period" means any calendar month, except that the first delivery period shall mean the period from the effective date hereof and until the end of the calendar month in which such effective date occurs.

(h) "Market Administrator" means the agency which is described in section 2 for the administration hereof.

(i) "Emergency milk" means milk or skim milk received by a handler under a permit to receive such milk issued to him by the proper health authorities, and such emergency milk shall be divided into two groups based upon source of supply as follows:

(1) "Milk for manufacture" which is being received from producers and handled in accordance with section 759-1 of the Code of General Ordinances of the City of Dayton, which reads in part as follows:

It shall be unlawful for any person, firm or corporation holding a milk dealers permit to receive milk for the manufacture of powdered whole milk, powdered skim milk, condensed milk, condensed skimmed milk or evaporated milk from farms or producers not meeting the rules, regulations and conditions set forth in the Code of General Ordinances pertaining to the production of milk without first obtaining a permit from the Health Officer. The Health Officer may declare and determine a period of emergency and may grant that during such emergency period, milk received for manufacture may be used for any other purpose, provided it meets such tests or standards as he may deem necessary to assure himself that it is a clean and wholesome product.

(2) All other "emergency milk" not defined as "milk for manufacture" as defined in subparagraph (1) of this paragraph.

(j) "Inspected milk" is milk received by a handler from a producer or producers holding and having in force and

effect a milk producers permit from the applicable county or municipal health authorities.

SEC. 2. Market administrator—(a) Designation. The agency for the administration hereof shall be a market administrator, who shall be a person selected by the War Food Administrator. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the War Food Administrator.

(b) **Powers.** The market administrator shall:

(1) Administer the terms and provisions hereof; and

(2) Report to the War Food Administrator complaints of violations of the provisions hereof.

(c) **Duties.** The market administrator, in addition to the duties hereinafter described, shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the War Food Administrator;

(2) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

(3) Pay, out of the funds provided by section 9, the cost of his bond and of the bonds of those of his employees who handle funds entrusted to the market administrator, his own compensation, and all other expenses which will necessarily be incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(4) Keep such books and records as will clearly reflect the transactions provided for herein, and surrender the same to his successor or to such other person as the War Food Administrator may designate;

(5) Publicly disclose to handlers and producers, unless otherwise directed by the War Food Administrator, the name of any person who, within 2 days after the day upon which he is required to perform such acts, has not made reports pursuant to section 3 or has not made payments pursuant to section 7 and section 9;

(6) Promptly verify the information contained in the reports submitted by handlers; and

(7) Furnish such information and verified reports as the War Food Administrator may request, and submit his books and records to examination by the War Food Administrator at any and all times.

SEC. 3. Reports—(a) Reports of handlers to market administrator. Each handler, over his own signature or over that of a person certified by such handler to the market administrator as being authorized to sign the reports required by this section, shall report to the market administrator, in the detail and on forms prescribed by him, as follows:

(1) On or before the 5th day after the end of each delivery period, each handler who receives milk from producers shall report with respect to all milk, skim milk,

and cream received by him during the delivery period:

(i) The receipts of milk at each plant from producers, from his own production, and from other handlers;

(ii) The receipts of emergency milk, the date or dates upon which such milk was received during the delivery period, the place and plant from which such milk was shipped, and the price per hundredweight paid or to be paid for such milk, and the utilization of such milk;

(iii) The milk, skim milk, and cream, with the butterfat content, received from any other source;

(iv) The utilization of all receipts of milk, skim milk, and cream during the delivery period;

(v) The name and address of each new producer; and

(vi) His producer pay roll, which shall show for each producer the total receipts of milk with the average butterfat test thereof, the amount of the advance payment to such producer made pursuant to section 7 (a), and the deductions and charges made by the handler;

(2) On or before the 5th day after the end of each delivery period each handler who receives milk from producers shall report, with respect to Class I milk disposed of outside the marketing area during the delivery period, the amount and the utilization of such milk, the butterfat test thereof, the date and place of such sale or disposition, and the plant from which such milk was shipped;

(3) On or before the day each handler who receives milk from producers receives emergency milk, he shall report his intention to receive such emergency milk: *Provided*, That emergency milk regularly received from producers under emergency ordinance shall be reported monthly;

(4) On or before the 5th day after the end of each delivery period a cooperative association causing delivery of milk under the conditions set forth in section 1 (f) shall report the amount of such milk, the date or dates of such delivery during the delivery period, the plant to which such milk was delivered, and the utilization of such milk;

(5) Within 10 days after the market administrator's request each handler who receives milk from producers shall report, with respect to each of his producers for whom such information is not in the files of the market administrator and with respect to a period or periods of time designated by the market administrator, the name and address, the total pounds of milk received, the average butterfat test of milk received, and the number of days upon which milk was received; and

(6) Each handler who receives no milk from producers shall make reports to the market administrator at such time and in such manner as the market administrator may request.

(b) *Verification of handler reports.* Each handler shall make available to the market administrator or to his agent, or to such other person as the War Food Administrator may designate, those records which are necessary for the verification of the information contained in

the reports submitted pursuant to this section, and those facilities which are necessary for the sampling, weighing and testing of the milk of each producer.

(c) *Reports of market administrator to cooperative associations.* On or before the 10th day after the end of each delivery period, the market administrator shall report to each cooperative association the amount and class utilization of milk caused to be delivered by such association, either directly or from producers who have authorized such association to receive payments from them under section 8 (b), to each handler to whom the cooperative sells milk. For the purpose of this report the milk so received shall be prorated to each class in the proportions that the total receipts of inspected milk from producers by such handler were used in each class.

SEC. 4. *Classification of milk—(a) Basis of classification.* Milk received by each handler, including milk produced by him shall be classified by the market administrator in the classes set forth in (b) of this section, subject to the provisions of (c), (d), and (e) of this section.

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk disposed of in the form of milk and milk drinks, whether plain or flavored, buttermilk, and all milk not accounted for as Class II milk or Class III milk.

(2) Class II milk shall be all milk used to produce cream (for consumption as cream), including any cream product disposed of in fluid form which contains less than the minimum butterfat content required for fluid cream, and as creamed cottage cheese.

(3) Class III milk shall be all milk accounted for (i) as actual plant shrinkage but not to exceed 2½ percent of total receipts of milk from producers (including the handler's own production) and (ii) as used to produce a milk product other than those specified in Class I and Class II milk.

(c) *Interhandler and nonhandler sales.* Milk or skim milk disposed of by a handler to another handler or to a person who is not a handler but who distributes milk or manufactures milk products, shall be Class I milk; and cream so disposed of shall be Class II milk: *Provided*, That if the selling handler on or before the 5th day after the end of the delivery period furnishes to the market administrator a statement, which is signed by the buyer and the seller, that such milk, skim milk, or cream was used as Class III milk, such milk, skim milk, or cream shall be classified accordingly, subject to verification by the market administrator.

(d) *Computation of milk in each class.* For each delivery period, the market administrator shall compute for each handler the amount of his milk in each class, as defined in (b) of this section, as follows:

(1) Determine the total pounds of milk received (i) from producers, including milk of the handler's own production, (ii) from other handlers, (iii) as emergency milk, (iv) from any other source (including cream converted to

3.8 percent milk equivalent), and (v) add together the resulting amounts.

(2) Determine the total pounds of butterfat received, as follows: (i) multiply the weight of milk received from producers, including the handler's own production, by its average butterfat test; (ii) multiply the weight of milk received from other handlers by its average butterfat test; (iii) multiply the weight of emergency milk by its average butterfat test; (iv) multiply the weight of milk and cream received from any other source by its average butterfat test; and (v) add together the resulting amounts.

(3) Determine the total pounds of milk in Class I, as follows: (i) convert to half pints the quantity of milk disposed of in the form of milk and milk drinks, whether plain or flavored, also buttermilk, and multiply by 0.5375; (ii) multiply the result by the average butterfat test of such milk; and (iii) if the quantity of butterfat so computed, when added to the pounds of butterfat in Class II milk and Class III milk computed pursuant to (4) (ii) and (5) (iv) of this paragraph, is less than the total pounds of butterfat computed in accordance with (2) of this paragraph, an amount equal to the difference shall be divided by 3.8 percent and the resulting amount shall be added to the quantity of milk determined pursuant to (i) of this subparagraph.

(4) Determine the total pounds of milk in Class II, as follows: (i) multiply the actual weight of each of the several products of Class II milk by its respective average butterfat test; (ii) add together the resulting amounts; and (iii) divide such sum by 3.8 percent.

(5) Determine the total pounds of milk in Class III, as follows: (i) multiply the actual weight of each of the several products of Class III milk by its average butterfat test; (ii) add together the resulting amounts; (iii) subtract the total pounds of butterfat in Class I Milk and Class II milk computed pursuant to (3) (ii) and (4) (ii) of this paragraph, and the total pounds of butterfat computed pursuant to (ii) of this subparagraph from the total pounds of butterfat computed pursuant to (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purposes of this paragraph (but in no event shall such plant shrinkage allowance exceed 2½ percent of the total receipts of butterfat by the handler from producers, including that of the handler's own production); (iv) add together the results obtained in (ii) and (iii) of this subparagraph; and (v) divide the sum obtained in (iv) of this subparagraph by 3.8 percent.

(6) Determine the classification of milk of producers as follows: (i) subtract from the total pounds of milk in each class the total pounds of milk received from other handlers and used in such class; (ii) subtract pro rata out of the remaining milk in each class the pounds of emergency milk as determined in (i) (2) of section 1; (iii) subtract from the remaining milk the pounds of "Milk for Manufacture" as described in (i) (1) of section 1 on a progressive basis beginning

with Class III; and (iv) subtract from the remaining milk in each class, the total pounds of milk (and milk equivalent of cream converted to 3.8 percent milk) except emergency milk, received from sources other than producers or handlers and used in such class.

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* (1) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section, is less than the quantity of milk received from producers of inspected milk, the market administrator shall increase the total pounds of milk in Class III for such handler by any amount equal to the difference between the quantity of milk received from producers of inspected milk and the total utilization of milk by classes for such handler.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section, is greater than the quantity of milk received from producers of inspected milk, the market administrator shall decrease the total pounds of milk in Class III for such handler by an amount equal to the difference between the quantity of milk received from producers and the total utilization of milk by classes for such handler.

SEC. 5. Prices—(a) Class prices. Each handler shall pay, at the time and in the manner set forth in section 7, not less than the following prices per hundredweight, on the basis of milk of 3.8 percent butterfat content, for the respective quantities of milk in each class computed pursuant to sections 4 (d) and (e):

(1) Class I milk—\$3.65;

(2) Class II milk—\$3.35: *Provided*, That the Class II price shall not be less than the Class III price plus 15 cents;

(3) Class III milk—The price resulting from the following computation by the market administrator: determine the arithmetical average of the basic, or field, prices per hundredweight ascertained to have been paid, without deductions for hauling or other charges to be paid by the farm shipper, for milk of 4.0 percent butterfat content, adjusted to 3.8 percent butterfat by using butterfat differential as provided in paragraph (b) received during the delivery period at the following plants:

Concern and Location

Nestles Milk Products, Marysville, Ohio.
Carnation Milk Company, Hillsboro, Ohio.
Nestle's Milk Products, Inc., Greenville, Ohio.
Westerville Creamery Co., Covington, Ohio.

Provided: That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be the price for Class III milk for the delivery period: multiply by 4 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture (or such other agency as may hereafter be authorized to perform this price reporting function)

for the delivery period during which such milk was received, add 20 percent thereof, and add or subtract $3\frac{1}{2}$ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above or below, respectively, $5\frac{1}{2}$ cents per pound. The price per pound of dry skim milk to be used in this subparagraph shall be the arithmetical average of the carlot prices for both spray and roller process dry skim milk for human consumption, f. o. b. manufacturing plant, as published by such agency for the Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period. In the event such agency does not publish carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, the arithmetical average of the carlot prices for both spray and roller process dry skim milk for human consumption, delivered at Chicago, shall be used, and the figure " $7\frac{1}{2}$ " shall be substituted for " $5\frac{1}{2}$ " in the formula set forth above in this proviso.

(b) *Butterfat differential to handlers.* If the weighted average butterfat content of milk received by a handler from producers is other than 3.8 percent, there shall be added to or subtracted from, as the case may be, the class prices set forth in this section, for each one-tenth of 1 percent of average butterfat content above or below 3.8 percent, an amount computed as follows: to the average price per pound of 92-score butter in the Chicago wholesale market, as reported by the United States Department of Agriculture (or such other agency as hereafter may be authorized to perform this price reporting function) for the delivery period during which such milk was received, add 20 percent thereof, and divide the result by 10.

(c) *Computation of the value of milk for each handler.* (1) For each delivery period the market administrator shall compute the value of milk for each handler, as follows:

(i) For each handler who receives "inspected milk" from producers, multiply the hundredweight of milk in each class, computed in accordance with section 4 (d) and section 4 (e) by the respective class prices for 3.8 percent milk, subject to the butterfat differential provided by (b) of this section: *Provided*, That if any handler has received milk or cream, except emergency milk, from sources other than producers or handlers, as referred to in section 4 (d) (6) (iv), and has disposed of such milk or cream other than as Class III milk, there shall be added to the value of milk thus far determined an additional amount computed as follows: multiply the hundredweight of such milk, or milk equivalent of cream, by the difference between the Class III price and the price applicable to the class in which it was disposed.

(ii) For the hundredweight of milk involved in any adjustment made pursuant to section 4 (e) the handler shall be debited or credited, as the case may be, at the Class III price.

(iii) For each handler who receives no milk from producers but who indi-

vidually disposes of milk or cream, except emergency milk, in the marketing area other than as Class III milk, multiply the hundredweight of such milk, or milk equivalent of cream, by the difference between the Class III price and the price applicable to the class in which it was disposed.

(iv) Add together the resulting amounts.

(v) If, in the verification of reports submitted by a handler, the market administrator discovers errors in such reports which result in payments due the producer-settlement fund or the handler for any previous delivery period, there shall be added or subtracted, as the case may be, the amount necessary to correct such errors.

(d) *Notification to handler of the value of his milk.* On or before the 10th day after the end of each delivery period, the market administrator shall bill each handler for the value of milk computed for him in accordance with (c) of this section.

SEC. 6. Computation and announcement of uniform price—(a) Computation of uniform price. For each delivery period, the market administrator shall compute the uniform price per hundredweight of milk received by handlers from producers, as follows:

(1) Add together the values of milk as computed in section 5 (c) for handlers who made the payments to the producer-settlement fund as required by section 7 (b);

(2) Subtract, if the weighted average butterfat test of all milk received from producers by handlers whose milk is represented in the sum computed under (1) of this paragraph, is greater than 3.8 percent, or add, if the weighted average butterfat test of such milk is less than 3.8 percent, an amount computed as follows: multiply the hundredweight of such milk by the variance of its weighted average butterfat test from 3.8 percent, and multiply the resulting amount by 50 cents if the average price of butter, described under section 5 (a) (3), was more than 40 cents; or by 40 cents if such average price of butter was more than 30 cents but not more than 40 cents; or by 30 cents if such average price of butter was 30 cents or less;

(3) Subtract an amount equivalent to the monies retained pursuant to section 11 (b);

(4) Add the balance in the producer-settlement fund not reserved for payment under section 11 (b);

(5) Divide the total hundredweight of milk of "inspected producers" represented in the sum computed pursuant to (1) of this paragraph; and

(6) Subtract from the figure obtained in (5) of this paragraph not less than 4 cents nor more than 5 cents per hundredweight for the purpose of retaining a cash balance to provide against errors in reports and in payments by handlers. The result shall be known as the uniform price per hundredweight for such delivery period for milk of inspected producers which contain 3.8 percent of butterfat.

(b) *Announcement of prices and transportation rates.* On or before the first day of the following delivery period, the market administrator shall notify each handler of the uniform price for milk and of the price for Class III milk, and shall make public announcement of the uniform price computation. From time to time, the market administrator shall also publicly announce the amounts per hundredweight deducted by each handler from the payments made to producers pursuant to section 8 and the amounts actually paid to haulers for the transportation of milk from the farms of producers to such handler's plant or plants, as ascertained from reports submitted pursuant to section 3 (a).

Sec. 7. Payment for milk—(a) Payments to producers. On or before the 25th of the current delivery period, each handler shall pay, with respect to all milk received during the first half of the delivery period, an advance payment to each producer or cooperative association: *Provided*, That in the event the total amount of the deductions and charges authorized by any producer against payments due such producer for the delivery period next preceding is greater than the payment computed for such producer during such preceding delivery period, the handler may deduct from the payment required by this paragraph a sum equal to the difference between such amounts.

(b) *Payment to producer-settlement fund.* On or before the 12th day after the end of each delivery period, each handler shall pay to the market administrator the amount of money which represents the value of milk billed to him for such delivery period, pursuant to section 5 (d), less the amount paid out to each producer in accordance with (a) of this section, and less the amount of the deductions and charges authorized by such producer which are itemized on the handler's producer pay roll: *Provided*, That in the calculation of the total amount of such deductions and charges to be subtracted, the deductions and charges to be considered with respect to each individual producer shall not be greater than an amount which, when added to the payment made to such producer in accordance with (a) of this section (inclusive of the deductions and charges authorized by (a) of this section), will not exceed the total value of the milk received from such producer. The market administrator shall maintain a separate fund, known as the producer-settlement fund, in which he shall deposit all payments of handlers received pursuant to this paragraph.

Sec. 8. Payments from producer-settlement fund—(a) Calculation of payments for each producer. For each delivery period, the market administrator shall calculate the payment due each producer from whom milk was received during such delivery period by a handler who paid into the producer-settlement fund in accordance with section 7, as follows:

(1) Multiply the hundredweight of milk received from each producer by the

uniform price computed in accordance with section 6 (a): *Provided*, That if the milk of each producer was of a weighted average butterfat content other than 3.8 percent, there shall be added or subtracted from each, one-tenth of 1 percent variance above or below 3.8 percent, 5 cents if the average price of butter described in section 5 (a) (3) was more than 40 cents; 4 cents if such average price of butter was more than 30 cents but not more than 40 cents; or 5 cents if such average price of butter was 30 cents or less.

(2) Subtract in each case, the amount of the payment made pursuant to section 7 (a), and the charges and the deductions, if any, which are made pursuant to section 7 (b).

(3) Any handler may make payments to producers in addition to the minimum payments required by this paragraph: *Provided*, That such additional payments are made to all producers supplying such handler with milk of the same quality and grade.

(b) *Payments.* (1) On or before the 15th day after the end of each delivery period, the market administrator shall pay, subject to the provisions of section 10 to each cooperative association authorized to receive payments due producers who market their milk through such cooperative association, the aggregate of payments calculated pursuant to (a) of this section, for all producers certified to the market administrator by such cooperative association as having authorized such cooperative association to receive such payments.

(2) On or before the 15th day after the end of each delivery period, the market administrator shall pay, subject to the provisions of section 10 direct to each producer who has not authorized a cooperative association to receive payments for such producer, the amount of the payment calculated for such producer pursuant to (a) of this section.

Sec. 9. Expense of administration—

(a) *Payment by handler.* As his prorata share of the expense which will be necessarily incurred in the maintenance and functioning of the office of the market administrator, and in the performance of the duties of the market administrator, each handler, with respect to all milk received from producers and produced by him during the delivery period, shall pay to the market administrator, on or before the 14th day after the end of each delivery period, that amount per hundredweight, not to exceed 2 cents, which is announced by the market administrator on or before the 10th day after the end of the delivery period: *Provided*, That any cooperative association which had handled milk during the delivery period under the conditions set forth in section 1 (f) shall pay such prorata share of expense of administration on only that quantity of milk so handled.

Sec. 10. Marketing services—(a) Deductions. The market administrator shall deduct an amount not exceeding 5 cents per hundredweight (the exact amount to be determined by the market administrator) from the payment made

pursuant to section 8 (b), with respect to the milk of those producers for whom the marketing services set forth in (b) of this section are not being performed by a cooperative association which the War Food Administrator determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," for the purpose of performing the services set forth in (b) of this section.

(b) *Marketing services to be rendered.* The monies received by the market administrator pursuant to (a) of this section shall be expended by the market administrator for market information to, and for the verification of weights, samples, and tests of milk of, producers for whom a cooperative association, as described in (a) of this section, is not performing the same services on a comparable basis, as determined by the market administrator, subject to review of the War Food Administrator. The market administrator may contract with any qualified association of producers to act as his agent to furnish any or all of such services to such producers.

Sec. 11. Payments to cooperative associations—(a) Eligibility. Upon application to the War Food Administrator, any cooperative association duly organized under the laws of any State which he determines, after appropriate inquiry or investigation, to be conforming to the provisions of such laws and with the standards set forth in section 10 (a); to be operating as a producer-controlled marketing association exercising full authority in the sale of the milk of, and assuming responsibility for payments to, its members; to be maintaining individually or in collaboration with other qualified cooperative associations, a competent staff for dealing with marketing problems and to be complying with all provisions hereof applicable to such cooperative association, shall be entitled, under the further conditions hereinafter specified, to receive payments from the date of its qualification as fixed by the War Food Administrator, until it has been found by the War Food Administrator, after notice and opportunity for hearing, that it has failed to continue to meet any condition set forth in this section for the receipt of such payments:

(1) At the rate of one-half cent per hundredweight on all milk (i) marketed by it in the manner indicated above on behalf of members and (ii) on which reports and payments have been made as required under section 4 and section 8 and section 10.

(b) *Payment.* The market administrator shall, upon notice of the filing of an application by a cooperative association, retail each delivery period in the producer-settlement fund such sum as he estimates is ample to make payments to the applicant, to be held in reserve until the War Food Administrator has ruled upon said application and shall, when the application has been ruled upon by the War Food Administrator, make payment or issue credit out of such reserves in accordance with said

ruling and shall release the balance of the reserve sums, if any, for disposition pursuant to section 6 (a) (4); and shall on or before the 20th day of each delivery period thereafter, make such payments or issue credit therefor out of the producer-settlement fund, subject to verification of the facts upon which the amount of payment is based.

(c) *Reports.* Each cooperative association qualified to receive payments pursuant to this section shall, from time to time as requested by the market administrator, make reports to him with respect to its conformity with any of the conditions for qualification or to the use of such payments and shall file with him a copy of its balance sheet and operating statement at the close of each fiscal year.

(d) *Suspension.* The market administrator shall suspend payment upon his own initiative or upon request by the War Food Administrator or by such officer of the War Food Administration or United States Department of Agriculture as he may designate, by giving written notice to a cooperative association and to the War Food Administrator whenever there is good reason to believe that such association is no longer qualified to receive payment. Such suspended payments shall be aggregated and held in reserve until the War Food Administrator, after notice and opportunity for hearing, has appraised the performance of the cooperative and either has ordered a partial or complete payment of funds held in reserve to the cooperative or has disqualified such cooperative, in which event the balance of funds held in reserve shall be released for disposition pursuant to section 6 (a) (4).

SEC. 12. *Effective time, suspension, or termination—(a) Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended or terminated.

(b) *Suspension or termination.* Any or all provisions hereof, or amendments hereto, shall be suspended or terminated as to any or all handlers after such reasonable notice as the War Food Administrator may give, and shall terminate in

any event, whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the War Food Administrator so directs be performed by such other person, persons, or agency as the War Food Administrator may designate.

(1) The market administrator, or such person as the War Food Administrator may designate, shall (i) continue in such capacity until removed by the War Food Administrator; (ii) account from time to time for all receipts and disbursements and, when so directed by the War Food Administrator, deliver all funds on hand, together with the books and records of the market administrator or such other person to such person as the War Food Administrator shall direct; and (iii) execute, if so directed by the War Food Administrator, such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof the market administrator, or such person as the War Food Administrator may designate, shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amount necessary to meet outstanding obligations and the expenses necessarily incurred by the market adminis-

trator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

SEC. 13. *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

SEC. 14. *Emergency price provision.* Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy, or other similar payment, being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided,* That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further,* That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the price specified.

Copies of this notice of hearing may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: September 29, 1944.

THOMAS J. FLAVIN,
Assistant to the
War Food Administrator.

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