

Reference

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Washington, Thursday, July 29, 1943

The President

PROCLAMATION 2590

THIRD WAR LOAN DRIVE

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA

A PROCLAMATION

Recognizing the fact that in carrying the war into enemy territory, we shall need greater amounts of money than any nation has ever asked from its citizens in all history, I, **FRANKLIN D. ROOSEVELT**, President of the United States of America, do officially proclaim that on Thursday, the ninth of September, 1943, the Third War Loan shall be launched.

As Commander-in-Chief, I hereby invoke every citizen to give all possible aid and support to this Third War Loan drive, not only so that our financial goal may be reached, but to encourage and inspire those of our husbands and fathers and sons who are under fire on a dozen fronts all over the world. It is my earnest hope that every American will realize that in buying War Bonds in this Third War Loan he has an opportunity to express voluntarily and under the guidance of his conscience, the extent to which he will "back the attack."

The American people supported well the first and second War Loan drives and in fact did even more than was asked of them. Our need for money now is greater than ever, and will continue to grow until the very day that Victory is won; so we must ask far more sacrifice, far more cooperation than ever before.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington, this 26th day of July, in the year of our Lord nineteen hundred and forty-three, and of the Independence of the United States of America the one hundred and sixty-eighth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 43-12196; Filed, July 28, 1943;
11:21 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration

PART 922—MILK IN THE CINCINNATI, OHIO, MARKETING AREA

HANDLING OF MILK

It is hereby found and determined that the above entitled order regulating the handling of milk in the Cincinnati, Ohio, marketing area, issued by the Secretary of Agriculture on November 29, 1940, effective on and after December 2, 1940, and suspended on February 28, 1942, no longer tends to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended.

It is therefore ordered, That said order regulating the handling of milk in the Cincinnati, Ohio, marketing area is hereby terminated.

Done at Washington, D. C., this 27th day of July 1943.

THOMAS J. FLAVIN,
Assistant to the War
Food Administrator.

[F. R. Doc. 43-12219; Filed, July 28, 1943;
11:17 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—War Food Administration, Packers and Stockyards¹

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

J. W. PATTERSON COMMISSION CO.

It has been ascertained that Barn No. 17, National Stock Yards, Atlanta, Georgia, posted on April 1, 1922, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, no longer comes within the definition of a stockyard under the Act. Therefore, notice of such fact is given to the

¹ This chapter formerly designated as Food Distribution Administration.

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FEDERAL REGISTER

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owner and its name is deleted from the list of posted stockyards in 9 CFR 204.1. (7 U.S.C. 1940 ed. 181 et seq; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C., this 27th day of July 1943.

THOMAS J. FLAVIN,
Assistant to the War
Food Administrator.

[F. R. Doc. 43-12152; Filed, July 27, 1943; 4:52 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VI—Organized Reserves

PART 62—RESERVE OFFICERS' TRAINING CORPS

COMMUTATION FOR PURCHASING UNIFORMS

Section 62.48 (a) (3) is amended as follows:

§ 62.48 *Commutation in lieu of uniforms—(a) General.* * * *

(3) Commutation cannot be drawn for the purpose of purchasing from the Government articles of uniform which are authorized for issue to the Reserve Officers' Training Corps, except that for the duration of the war and 6 months thereafter, the purchase of buttons, plastic, enlisted men, is authorized.

(Sec. 47, 39 Stat. 192, sec. 34, 41 Stat. 777; 10 U.S.C. 389) [Par. 17a, AR 145-20, 1 July 1938, as amended by C 6, 15 July 1943].

[SEAL]

H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 43-12154; Filed, July 28, 1943;
9:35 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 220—EXTENSION AND MAINTENANCE OF CREDIT BY BROKERS, DEALERS, AND MEMBERS OF NATIONAL SECURITIES EXCHANGES

On July 24, 1943, the Board of Governors of the Federal Reserve System amended § 220.4 (c) (3), effective immediately, by adding at the end thereof a new sentence reading as follows:

If the security when so purchased is an issued registered security which is to be distributed by a public utility holding company pursuant to a plan provided for by section 11 of the Public Utility Holding Company Act of 1935 and which has been approved by a national securities exchange for trading on a "when distributed" basis, the period applicable to the transaction under subdivision (2) of this § 220.4 (c) shall be 7 days after the date on which the security is so distributed.

(Secs. 3 (a), (b), 7, 8 (a), 17 (b), 48 Stat. 882, 886, 888, 897, sec. 23 (a), as amended by sec. 8, 49 Stat. 1379; 15 U.S.C. 78c, 78g, 78h (a), 78q (b), 15 U.S.C., Sup., 78w (a))

[SEAL]

BOARD OF GOVERNORS OF
THE FEDERAL RESERVE
SYSTEM,
S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 43-12218; Filed, July 28, 1943;
11:48 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Order 357]

PART 306—DISTRICT BOARDS

TERMINATION OF FUNCTIONS OF DISTRICT BOARDS

An order concerning the termination of the functions of all district boards under the Bituminous Coal Act of 1937, as amended, the liquidation of their assets, and the preservation of their records.

There having been organized, pursuant to the provisions of the Bituminous Coal Act of 1937, as amended, a district board for each of the districts set forth in the Annex to said Act, with the exception of District No. 21; and

It appearing that said boards have from time to time levied assessments upon the code members within their respective districts and have collected funds with which to defray the expenses of said boards; and that said boards have obtained from code members certain information to aid them in performing their functions under the Act; and

It further appearing that proper arrangements or plans should be made in respect to the assets and records of the district boards within sixty days after 12:01 a. m., August 24, 1943, the time at which the Bituminous Coal Act of 1937, as amended, ceases to be in effect (except as provided in section 13 of the Revised Statutes): *Now, therefore, it is ordered, That:*

1. Each district board shall, as soon as practicable and within sixty days after 12:01 a. m., August 24, 1943, liquidate its assets, including all cash, tangible and intangible property, and make a pro rata equitable distribution of the proceeds thereof among the code members within the district having an interest in said proceeds.

2. Each district board shall arrange for the safekeeping of its records and data filed with it by code members, so that they shall be available at the request of the Secretary of the Interior. If no other satisfactory arrangements can be made, the district board shall deliver said records and data to the Secretary of the Interior for safekeeping.

3. Each district board shall file with the Bituminous Coal Division, on or before August 10, 1943, a reasonably detailed report of its plans for carrying out the purposes of this order.

4. With the expiration of the Bituminous Coal Act of 1937, as amended, at 12:01 a. m., August 24, 1943 (except as provided in section 13 of the Revised Statutes), the district boards shall cease

to have any official status by virtue of their organization under the Act.

Dated: July 26, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 43-12103; Filed, July 27, 1943;
10:58 a. m.]

[Docket No. A-2066]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines located in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division on or before August 7, 1943, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final August 10, 1943, unless it shall otherwise be ordered.

Dated: July 17, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[Docket No. A-2070]

**PART 330—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 10**

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for change in shipping point and railroad for the coals of certain mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of Catlin, Illinois in lieu of Danville, Illinois as a shipping point for the coals produced by Tilton Mining Co. Mine, Mine Index No. 171, of Wm. A. Martin (Tilton Mining Company), for all shipments except truck; and also requesting the establishment, both temporary and permanent, of the Illinois Central Railroad in lieu of the Louisville & Nashville Railroad for the shipment of the coals produced by the Service Mine, Mine Index No. 159, of Service Coal & Mining Company, for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and that no petitions of intervention have been filed with the Division in the above-entitled matter, and that the following action is deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.1 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division on or before August 7, 1943, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final August 10, 1943, unless it shall otherwise be ordered.

The original petition in this matter requests that no exceptions be allowed with respect to locomotive fuel sold to off-line railroads. Nevertheless, railroad locomotive fuel Price Exception 1-A of Minimum Price Schedule No. 1 for District No. 10 for all shipments except truck, as heretofore established in General Docket No. 15, is applicable to the

coals of Mine Index No. 171, and railroad locomotive fuel Price Exceptions 1-D, 2-C, 3-B and 4 in said minimum price schedule was heretofore established in General Docket No. 15, and Price Exception 61, established by the order of the Director in Docket No. A-125 are applicable to the coals of Mine Index No. 159. Since no adequate reason has been advanced for denying the application of Price Exception 1-A to the coals of Mine

Index No. 171 and Price Exception 1-D, 2-C, 3-B, 4 and 61 to the coals of Mine Index No. 159, the relief granted herein continues to afford these producers the same competitive opportunity that was heretofore established by the orders in General Docket No. 15 and Docket No. A-125.

Dated: July 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.1 Alphabetical list of code members—Supplement R

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
14	Martin, Wm. A. (Tilton Mining Co.)...	Tilton Mining Co....	¹ 171	73	Catlin ²	Wab.
19	Service Coal & Mining Co.....	Service.....	³ 159	⁴ 21	Belleville....	IC.

¹ Mine Index No. 171 shall be included in Price Group 14 and shall take the same f. o. b. mine prices as other mines in Price Group 14, Schedule No. 1, District No. 10, For All Shipments Except Truck, on all size groups and for shipment to all Market Areas and for all uses exclusive of railroad locomotive fuel; provided, however, that these f. o. b. mine prices shall apply on board transportation facilities at Catlin, Illinois. The railroad locomotive fuel prices shall be: Mine Run \$1.95—Modified Mine Run \$2.00—Screenings \$1.40, and railroad locomotive fuel price exception 1-A shall apply.

² Shipping point, Danville, Illinois, is no longer applicable.

³ Mine Index No. 159 shall be included in Price Group 19 and shall take the same f. o. b. mine prices as other mines in Price Group 19, Schedule No. 1, District No. 10, For All Shipments Except Truck, on all size groups and for shipment to all Market Areas and for all uses exclusive of railroad locomotive fuel; provided, however, that these f. o. b. mine prices shall apply on board transportation facilities at Belleville, Illinois. The railroad locomotive fuel prices shall be: 6 x 1 1/4 Egg \$1.75—Mine Run \$1.70—Screenings \$1.40, and railroad locomotive fuel price exceptions 1-D, 2-C, 3-B, 4, and 61 shall apply.

⁴ Freight Origin Group 23 is no longer applicable.

[F. R. Doc. 43-11952; Filed, July 26, 1943; 11:08 a. m.]

[Docket No. A-2072]

**PART 330—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 10**

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for establishment of price classifications and minimum prices for Mine Index No. 1632.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of W. W. Coal Co. #2 Mine, Mine Index No. 1632, for Walter Mauck (W. W. Coal Co.), in District No. 10; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division on or before August 7, 1943, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final August 10, 1943, unless it shall otherwise be ordered.

Dated: July 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10
 NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS
§ 330.25 General prices in cents per net ton for shipment into all market areas—
 Supplement T

Code member index	Mine No. & Name	Prices and size group Nos.															
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
SECTION NO. 7, VERMILION COUNTY																	
Mauck, Walter (W. W. Coal Co.)	1632 W. W. Coal Co., #2	7	245	240	235	225	220	215	175	170	165	160	160	160	130	120	65

[F. R. Doc. 49-11953; Filed, July 26, 1943; 11:08 a. m.]

[Docket No. A-2065]
PART 331—MINIMUM PRICE SCHEDULE,
 DISTRICT NO. 11

ORDER GRANTING RELIEF
 Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for Mine Index Nos. 1393 and 1394.
 An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Harpenau No. 6 Mine, Mine Index No. 1393; of Harpenau Bros. (Sylvester Harpenau) and Briggemann Mine, Mine Index No. 1394, of William J. Werner in District No. 11; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and
 No petition of intervention having been filed with the Division in the above-entitled matter; and

It is further ordered, That the relief herein granted shall become final August 10, 1943, unless it shall otherwise be ordered.
 Dated: July 19, 1943.
 [SEAL] DAN H. WHEELER,
 Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11
 NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR TRUCK SHIPMENTS
§ 331.24 General prices in cents per net ton for shipment into all market areas—
 Supplement T

Code member index	Mine No. & Name	Prices and size group Nos.															
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
FERRY COUNTY																	
Harpenau Bros. (Sylvester Harpenau)	1393 Harpenau No. 6	5	255	250	245	235	230	225	185	190	180	175	165	145	90	60	60
Werner, William J.	1394 Briggemann	5	255	250	245	235	230	225	185	190	180	175	155	145	90	60	60

[F. R. Doc. 43-11954; Filed, July 26, 1943; 11:08 a. m.]

[Docket No. A-2067]
PART 332—MINIMUM PRICE SCHEDULE,
 DISTRICT NO. 12

ORDER GRANTING RELIEF
 Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 12 for the establishment of price classifications and minimum prices for Mine Index No. 48.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Mine No. 14, Mine Index No. 48, of Pershing Fuel Company, in District No. 12; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and
 No petitions of intervention having been filed with the Division in the above-entitled matter; and

It is further ordered, That the relief herein granted shall become final August 10, 1943, unless it shall otherwise be ordered.
 Dated: July 15, 1943.
 [SEAL] DAN H. WHEELER,
 Director.

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, \$332.5 (Special prices: Railroad locomotive fuel) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division prior to August 7, 1943, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final August 10, 1943, unless it shall otherwise be ordered.

Dated: July 15, 1943.
 [SEAL] DAN H. WHEELER,
 Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 12

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 332, Minimum Price Schedule for District No. 12 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 332.5 Special prices; Railroad locomotive fuel—Supplement R

[Railroad locomotive fuel prices f. o. b. mines in cents per net ton of 2,000 pounds]

Railroads.....	For all railroads not specifically shown herein			CB & Q RR.		CMStP&P RR.		CRI&P RR.	M&StL RR.	CGW RR.	C&NW RR.	Wab. RR.	IO RR.
	265	270	350	265	350	265	350	265	265	350	350	270	350
Prices apply to all sizes..													
Mine index No.....							148						

¹ Mine (Index No. 48) may absorb the actual division of the rate, but not to exceed 60.2 cents per ton, on railroad locomotive fuel for the CMStP&P RR.

[F. R. Doc. 43-11955; Filed, July 26, 1943; 11:09 a. m.]

[Docket No. A-2062]

PART 334—MINIMUM PRICE SCHEDULE, DISTRICT No. 14

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 14 for the establishment of an additional loading point for coals produced at Mine Index No. 102.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act

of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of Midland, Arkansas, on the SL & SF Railroad as an additional loading point for the coals produced from the No. 1 Mine in District No. 14, Mine Index No. 102, of code member James N. Ford (James N. Ford Coal Company); and

It appearing that a reasonable showing of necessity has been made for the

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 14

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Minimum Price Schedule for District No. 14 and supplements thereto.

FOR RAIL SHIPMENTS

§ 334.5 Alphabetical list of code members—Supplement R

[Alphabetical list of code members showing price classification by size group for all uses except railroad locomotive fuel]

Code member	Mine index No.	Mine name	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group																				
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Ford, James N. (James N. Ford Coal Co.).	102	No. 1.....	5	{Huntington, Ark..... Midland, Ark.}	SL-SF..	16	(†)	(†)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(†)	(*)	(†)	(†)	(†)	(*)	(†)	(†)

¹ Denotes additional shipping point for this mine.
^{*} Previously classified for these size groups. No changes requested.
[†] No price classification for these size groups.

[F. R. Doc. 43-11956; Filed, July 26, 1943; 11:09 a. m.]

[Docket No. A-2060]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT No. 15

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15 for truck and rail shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 335.5 (Alphabetical list of code members) is amended by adding thereto Supplement R, and § 335.24 (General prices in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T, which supplements are herein-

granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 334.5 (Alphabetical list of code members) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division on or before August 7, 1943, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final August 10, 1943, unless it shall otherwise be ordered.

Dated: July 17, 1943.

[SEAL] DAN H. WHEELER, Director.

after set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division on or before August 7, 1943, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final on August 10, 1943, unless it shall otherwise be ordered.

Dated: July 19, 1943.

[SEAL] DAN H. WHEELER, Director.

FOR TRUCK SHIPMENTS

§ 339.21 *General prices in cents per net ton for shipment into all market areas—*
Supplement T

Insert the following code member name, mine name, mine index number, and county under Sub-District No. 5, and the following minimum f. o. b. mine prices for shipment via truck:

Code member	Mine index No.	County	Size groups													
			1	2	3	4	5	6	7	8	9	10	12	15	16	17
Christopherson Brothers (Joe Christopherson).....	248	Hot Springs.....	505	500	490	490	490	490	465	355	275	250	295	175	175	105

[F. R. Doc. 43-11958; Filed, July 26, 1943; 11:08 a. m.]

[Docket No. A-2061]

PART 340—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 20

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 20 for the establishment of price classifications and minimum prices and for other relief for the coals of certain mines.

An original petition, pursuant to section 4 II (d) of the Bituminous-Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Crescent Mine, Mine Index No. 209, of code member N. B. Knight for all shipments; requesting the deletion of King Mine No. 2, Mine Index No. 30, from the schedule of effective minimum prices for District No. 20 for all shipments for the reason that this mine will be merged with King Mine No. 1, Mine Index No. 8; and requesting a change in the shipping point for the coals of the American Fuel Mine, Mine Index No. 147, of Code Member Malcom N. McKinnon (American Fuel Co.).

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

No. 149—2

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith § 340.4 (Code member price index) is amended by adding thereto Supplement R, and § 340.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are herein-after set forth and hereby made a part hereof.

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith the following changes shall be made in the schedule of effective minimum prices for District No. 20 for all shipments.

King Mine No. 2 (Mine Index No. 30) of United States Fuel Company is eliminated from the said schedule and the operation shall be designated as King Mine (Mine Index No. 8), shipping point—Kingmine, Railroad—Utah Ry. F. O. G. No. 11; and

The shipping point for the American Fuel Mine (Mine Index No. 147) of code member Malcom N. McKinnon (American Fuel Co.) heretofore established as Helper, Utah, is changed to Price Utah, with no change in the railroad (D&RGW) or the F. O. G. No. (10).

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division prior to August 7, 1943, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Divi-

sion in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final August 10, 1943, unless it shall otherwise be ordered.

The original petition requests the establishment of price classifications and minimum prices for the coals of the Crescent Mine, Mine Index No. 209, of

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 20
NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 340, Minimum Price Schedule for District No. 20, and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 340.4 *Code member price index—Supplement R*

The following price classifications and minimum prices shall be inserted in Price Schedule No. 1 for District No. 20:
Insert the following listing in proper alphabetical order under Code Member Index:

Producer	Mine	Mine index No.	County	Sub-district price group	Prices section	
					Rail	Truck
Knight, N. B.....	Crescent.....	209	Grand.....	1	.....	§ 340.21

FOR TRUCK SHIPMENTS

§ 340.21 *General prices in cents per net ton for shipment into all market areas—*
Supplement T

Insert the following code member name, mine name, mine index number and county under Sub-District No. 1, and the following minimum f. o. b. mine prices in cents per net ton:

Code member	Mine index No.	County	Size groups														
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SUBDISTRICT NO. 1 Knight, N. B., Crescent.	209	Grand.....	425	385	370	350	355	295	270	230	220	190	180	155	275	245	220

[F. R. Doc. 43-11959; Filed, July 26, 1943; 11:08 a. m.]

[Dockets Nos. A-1813 and A-1944]

PART 331—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 11

ORDER GRANTING RELIEF

Temporary and conditionally final order terminating relief granted by order entered on April 12, 1943 in Docket No. A-1944 and reinstating relief granted by

order entered on January 5, 1943 in

Docket No. A-1813 in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for the Standard Materials No. 1 Mine and in the matter of the petition of District Board No. 11 for the establishment of an additional loading point for the coals produced at the Standard Materials No. 1 Mine.

On June 25, 1943 District Board No. 11 filed a motion requesting that the relief

granted in the Order entered on April 21, 1943, 8 F.R. 6205, in Docket No. A-1944, establishing an additional loading point at Clinton on the C&EI Railroad in Freight Origin Group No. 42 for the coals produced at the No. 1 Mine, Mine Index No. 1373, of the Standard Materials Corporation, be terminated and, in view of the Order of April 21, 1943, that the relief granted in the Order entered on January 5, 1943, 8 F.R. 1055, in Docket No. A-1813 establishing minimum prices and price classifications for the coals of the aforesaid mine for rail shipments originating at West Clinton, Indiana, on the CMSTP&P Railroad, Freight Origin Group No. 40, be reinstated.

In support of its motion District Board No. 11 stated that Standard Materials Corporation discontinued the use of the loading point at Clinton, Indiana, on June 22, 1943 and that on and after that date the said producer will use exclusively the loading point at West Clinton, Indiana.

Good cause has been shown why said motion should be granted.

Now, therefore, it is ordered, That pending further order, the relief granted in the order issued on April 21, 1943, 8 F.R. 6205, in Docket No. A-1944 be and the same is hereby terminated and that the relief granted in the order issued on January 5, 1943, 8 F.R. 1055, in Docket No. A-1813 be and the same shall continue in full force and effect.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division on or before August 7, 1943 pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final August 10, 1943, unless it shall otherwise be ordered.

Dated: July 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-12168; Filed, July 28, 1943;
10:57 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 199]

STATE MONTHLY ACCUMULATIVE REPORT OF INDUCTIONS AND REJECTIONS

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I

hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 275, entitled "State Monthly Accumulative Report of Inductions and Rejections," effective immediately upon the filing hereof with the Division of the Federal Register.¹

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 19, 1943.

[F. R. Doc. 43-12124; Filed, July 27, 1943;
2:39 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-377]

HADER ROOFING AND FURNACE CO.

Hader Roofing and Furnace Company, a partnership composed of Jacob Hader, Paul Hader and Andrew Hader, located at 3230 Harrison Avenue, Cincinnati, Ohio, is engaged in the business of selling and installing roofing and heating equipment and supplies. In nine instances between June 19, 1942 and November 30, 1942, Hader Roofing and Furnace Company made sales, deliveries and installations of items of new metal heating equipment, the total sales value of which was \$2,182.05, in violation of the provisions governing and regulating such sales and deliveries contained in Limitation Order L-79.

The Hader Roofing and Furnace Company did also in four instances between the dates of June 3 and October 24, 1942, make sales, deliveries and installations of new metal heating equipment, the total sales value of which was \$2,534.00, in violation of the provisions governing and regulating such sales and deliveries contained in Preference Rating Order P-84, and also in Limitation Order L-79.

These sales, deliveries and installations were made in such reckless disregard of the aforesaid Limitation Order L-79 and Preference Rating Order P-84 as to constitute wilful violations thereof, and these violations hampered and impeded the war effort of the United States, by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered, That:*

§ 1010.377 *Suspension Order No. S-377.* (a) Jacob Hader, Paul Hader and Andrew Hader, doing business as Hader Roofing and Furnace Company or

¹ Form filed with the original document.

otherwise, its or their successors and assigns, are hereby prohibited from accepting deliveries of, receiving, delivering, selling, installing, transferring or otherwise dealing in any new metal heating equipment as defined in Limitation Order L-79 or in Preference Rating Order P-84, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Jacob Hader, Paul Hader and Andrew Hader, doing business as Hader Roofing and Furnace Company or otherwise, its or their 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 July 28, 1943, and shall expire on October 28, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 21st day of July 1943.

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

[F. R. Doc. 43-12183; Filed, July 28, 1943;
11:16 a. m.]

PART 1021—FURNACES

[General Limitation Order L-22 as Amended
July 28, 1943]

Section 1021.1 (*General Limitation Order L-22*) is hereby amended to read as follows:

§ 1021.1 *General Limitation Order L-22*—(a) *Definitions.* For the purposes of this order:

(1) "Furnace" means any direct fired air heating unit which is designed for the purpose of heating the interior of a building, including but not limited to, any heating device commonly known as a gravity or forced warm air furnace, a free-standing heater or a floor-mounted unit heater for use with or without air distribution pipes. But "furnace" does not mean a domestic heating stove as defined in Supplementary General Limitation Order L-23-c, extended surface heating equipment as defined in General Limitation Order L-107, a direct-fired suspended unit heater, or a floor or wall furnace.

(2) "Steel furnace" means any furnace the heating surface of which is wholly or partially made of steel.

(3) "Cast iron furnace" means any furnace the heating surface of which is made of cast iron.

(4) "Base period" means the three year period ending April 11, 1942.

(b) *Restrictions on manufacture.* (1) No person shall manufacture, fabricate or assemble any steel furnace except:

(i) From materials in inventory on July 28, 1943 or as authorized from time to time by the War Production Board under the Controlled Materials Plan or otherwise.

(2) On and after September 26, 1943, no person shall manufacture, fabricate or assemble any steel furnace designed to burn solid fuel except in accordance with the simplified practices as provided in paragraph (d).

(3) On and after September 26, 1943, no person shall manufacture, fabricate or assemble any cast-iron furnace designed to burn solid fuel except in accordance with the simplified practices as provided in paragraph (d).

(4) Any person desiring to produce furnaces and not having a production record of solid, liquid or gaseous fuel burning furnaces made of cast-iron or steel during the base period, shall submit the specifications of any such furnaces to the War Production Board before beginning the manufacture of any such furnaces. The War Production Board may then authorize the production of such furnaces.

(c) *Furnaces to be delivered only on rated orders.* On and after August 1, 1943, no person shall deliver any furnace except on an order rated A-10 or higher.

(d) *Simplified practices.* On and after September 26, 1943 no person shall manufacture, fabricate or assemble any furnace designed to burn solid fuel except in accordance with the following practices:

(1) Only one model each of cast iron and steel furnaces of the same nominal firepot diameter or the same grate area shall be manufactured.

(2) The metal casing supplied with a furnace rated between 50,000 and 250,000 BTU shall be cylindrical when used on gravity installations.

(3) Cylindrical casings used on furnaces of less than 250,000 BTU shall not be heavier than 26 gauge.

(4) The following parts shall not be made of metal:

- (i) Feed door smoke curtains.
- (ii) Feed door linings.
- (iii) Hot blast lift doors.
- (iv) Water pans.
- (v) Humidifiers.
- (vi) Coiled wire handles or "detachable type" handles.
- (vii) Extra panels for turning radiators (unless specifically ordered for an individual installation).
- (viii) More than one detachable name plate.
- (ix) Inner liner for casing.
- (x) Upright shaker handle, except cast iron.

(e) *Restriction on shipment of accessories.* On and after September 26, 1943 no person shall ship any of the following accessories with any furnace other than a furnace delivered to or for the account of the Army, Navy, War Shipping Administration or the Maritime Commission of the United States, or for use in any building or project authorized under order P-55-b or rated under any order in the P-55 series or any order in the P-19 series.

- (i) Iron or steel poker.
- (ii) Metal check damper.
- (iii) Metal hand control draft regulator, chain and pulleys.

(f) *Parts.* Nothing in this order shall prohibit or restrict the manufacture or

shipment of repair parts for furnaces or parts necessary to convert a furnace from oil or gas burning to coal burning.

(g) *Applicability of other orders.* Insofar as any other order issued by the War Production Board, or to be issued by it hereafter, limits the use of any material to a greater extent than the limitations imposed by this order, the restrictions of such order shall govern unless otherwise specified therein.

(h) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) 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.

(i) *Communications.* All communications concerning this order, unless otherwise directed, should be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-22.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, 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 priorities assistance.

Issued this 28th day of July 1943.

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

[F. R. Doc. 43-12184; Filed, July 28, 1943;
11:11 a. m.]

PART 1021—FURNACES

[Revocation of Limitation Order L-22-a]

STEEL FURNACES

Section 1021.2. *General Limitation Order L-22-a* is hereby revoked.

Issued this 28th day of July 1943.

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

[F. R. Doc. 43-12178; Filed, July 28, 1943;
11:12 a. m.]

PART 1033—NATURAL RESINS

[Revocation of Conservation Order M-56]

Section 1033.1 *Conservation Order No. M-56* is hereby revoked.

This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Order M-56.

Issued this 28th day of July 1943.

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

[F. R. Doc. 43-12179; Filed, July 28, 1943;
11:14 a. m.]

PART 1193—COTTON TEXTILE PRODUCTION
[Supplementary Limitation Order L-99-a, as Amended July 28, 1943¹]

§ 1193.2 *Supplementary Limitation Order L-99-a—(a) 80 squares.* No producer or converter of cotton textiles shall sell or deliver any 39" 80/80 4.00 yard print cloth or pro rata widths thereof, gray or finished, except to fill orders bearing a preference rating of AA-5 or better. This restriction shall not apply to off-quality cloth of a combined total not exceeding two (2%) per cent of the producer's or converter's production of the cloth referred to in this paragraph.

(b) *Bandage cloth.* No producer or converter of cotton textiles shall process or convert any 38½" 44/36 8.60 yard or 38½" 44/40 8.20 yard print cloth, or pro rata widths thereof, gray or finished, except to render the same suitable for manufacture into surgical dressings or cheese bandages. No producer, converter, or jobber (one who sells to a manufacturer, or for resale) shall sell or deliver such cloth, knowing or having reason to believe that such cloth will be used other than for manufacture into such dressings or bandages. These restrictions shall not apply to specific orders for delivery to or for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, or to off-quality cloth of a combined total not exceeding two (2%) per cent of the producer's or converter's production of the cloth referred to in this paragraph.

(c) *Bandage cloth loom assignment.* No producer of cotton textiles, who on July 3, 1943, assigned or operated a loom for the production of 38½" 44/36 8.60 yard print cloth, or pro rata widths thereof, shall operate that loom on any other construction. No producer of cotton textiles, who on July 3, 1943 assigned or operated a loom for the production of 38½" 40/32 9.80 or 38½" 48/44 7.46 yarn print cloths, or pro rata widths thereof, shall operate that loom on any other than one of the three constructions mentioned in this paragraph (c), or pro rata widths thereof.

(d) *Diaper cloth.* No person shall sell, deliver, buy or accept any gauze diaper cloth or birdseye diaper cloth, any new product made therefrom or new diapers, knowing or having reason to believe that the same will be used for industrial purposes, and no manufacturer or processor of any product shall use gauze diaper cloth or birdseye diaper cloth, any new product made therefrom or new diapers for industrial purposes. This restriction shall not apply to off-quality cloth of a combined total not exceeding two (2%) per cent of the producer's or manufacturer's production of diaper cloth and diapers.

¹This document is a corrected copy of L-99-a as amended July 23, 1943, which appeared in the FEDERAL REGISTER of July 24, 1943, page 10350, and reflects the order in its corrected form as of July 23, 1943. Item numbered "2" in paragraph (e) corrected to read "22".

(e) *Spindle assignment.* No producer of cotton textiles, who on July 3, 1943, assigned or operated a spindle for the production of cotton sale yarn or any other cotton product, referred to in one of the items numbered "1" to "13" inclusive, "16" to "20", inclusive, "22", "23", "25" to "29" inclusive, or "38" to "78", inclusive, on Form WPB 658-E (6-28-43), shall operate that spindle for the production of any product not within that item. The operation may be in any count within the range referred to in the item. (For example, if on July 3, 1943, a spindle was operated on or was assigned to "17's" single carded weaving sale yarn—which falls within Item No. "3" on said form—it may be operated only on such a yarn within the range of "15's" to "20's", inclusive.)

Issued this 23d day of July 1943.

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

[F. R. Doc. 43-12180; Filed, July 28, 1943;
11:11 a. m.]

PART 1202—EXTENDED SURFACE HEATING
EQUIPMENT

[General Limitation Order L-107, as amended
July 28, 1943]

Section 1202.1 *General Limitation Order No. L-107* is hereby amended to read as follows:

§ 1202.1 *General Limitation Order No. L-107*—(a) *Definitions.* For the purpose of this order:

(1) "Extended surface heating equipment" means a heat transfer element or any apparatus employing a heat transfer element, designed and constructed for space heating or for industrial heating or drying, and includes, but is not limited to unit heaters, unit ventilators, convectors, blast heating coils and special heating coils. Extended surface heating equipment shall not include heaters for automotive vehicles or aircraft, jacket water coolers for internal combustion engines or critical heat exchangers as defined in Limitation Order L-172 or any device using electricity or any fluid (liquid, gas or vapor) other than steam or hot water as the heating medium, nor any machinery or equipment described in paragraph (e) of this order.

(2) "Heat transfer element" means any device made of metal, of fin-tube construction, designed and constructed for the purpose of transferring heat from steam or water to air. Heat transfer element shall not include any cast iron radiation device designed and constructed for the purpose of transferring heat from steam or water to air, or any device of similar construction designed and constructed for decreasing the temperature of air. Heat transfer element shall include, but is not limited to a heat transfer element designed and constructed as a component part of any machinery or any equipment described in paragraph (e) of this order.

(3) "Repair order" means any order for any part or accessory used to replace any similar part or accessory of extended surface heating equipment required by actual or imminent breakdown of such equipment.

(4) "Producer" means any person who manufactures, fabricates or assembles extended surface heating equipment or heat transfer elements.

(5) "Approved order" means:

(i) Any order which bears a preference rating of AA-5 or better, and a date for delivery specified by the person who has placed the order; or

(ii) Any repair order as defined in paragraph (a) (3) of this order; or

(iii) Any order which has been accepted by a producer prior to August 7, 1943.

(b) *Restrictions on delivery.* On and after the 7th day of August, 1943 no person shall make physical delivery of any extended surface heating equipment except pursuant to an approved order.

(c) *Production and delivery schedules.*

(1) The War Production Board may at any time or from time to time require any producer to file a report showing his production and delivery schedule for extended surface heating equipment during any period, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(2) The War Production Board, at its discretion, may require that any producer shall deliver any extended surface heating equipment only in accordance with the schedule filed pursuant to paragraph (c) (1) of this order as such schedule may be approved or changed by the War Production Board. The War Production Board may, if it deems such action to be necessary or advisable:

(i) Direct the return or cancellation of an order on the books of any producer.

(ii) Direct changes in the delivery or production schedule of any producer.

(iii) Allocate orders placed with one producer to another producer.

(iv) Specify the proportion of production or material to be used for any purpose.

Each producer shall schedule (or re-schedule, if necessary), his production and shall make deliveries in accordance with such specific written directions as may be issued from time to time by the War Production Board.

(3) The production and delivery schedules established by any such specific directions issued pursuant to (c) (2) above shall be maintained, subject to the provisions of Priorities Regulation 18, without regard to any preference ratings theretofore or thereafter assigned to particular contracts, commitments or purchase orders, and without regard to production schedules already in effect; and may be altered only upon specific written direction of the War Production Board. Any such schedule shall be deemed a "Frozen Schedule" within the meaning of Priorities Regulation 18.

(4) If it becomes impossible for any producer to maintain production and delivery of any extended surface heating equipment in accordance with any schedule approved by the War Production Board, he shall notify the War Produc-

tion Board, and unless otherwise directed he shall postpone production and delivery only to the extent required by the circumstances causing his failure to maintain production and delivery as reported to the War Production Board.

(d) *Simplification schedules.* The War Production Board may, from time to time, issue schedules establishing simplified practices with respect to types, sizes, forms, specifications or other qualifications for any extended surface heating equipment. From and after the effective date of any such schedule, no such equipment shall be manufactured, fabricated or assembled or delivered by or accepted from any manufacturer except in conformity with the issued schedule, and except as specifically permitted by such schedule.

(e) *Excepted machinery or equipment.* Machinery or equipment, listed in this paragraph, is not subject to the restrictions of this order, except for the heat transfer elements of such machinery or equipment.

(1) Any refrigeration and air conditioning equipment as defined in Limitation Order L-38; or

(2) Any commercial laundry machinery as defined in Limitation Order L-91; or

(3) Any industrial machinery or equipment now specifically restricted or limited as to production or delivery by any order issued by the War Production Board, except that any heat transfer element designed and constructed as a component part of such machinery or equipment shall be subject to the restrictions of this order.

(f) *Reports.* Each producer shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L-107.

(j) *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, except as otherwise provided herein.

(k) *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 imprison-

ment. 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 28th day of July 1943.

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

[F. R. Doc. 43-12181; Filed, July 28, 1943;
11:12 a. m.]

§ 1202.2 *Schedule I to Limitation EQUIPMENT*

[Schedule I to Limitation Order L-107]

§ 1202.2 *Schedule I to Limitation Order L-107.*—(a) *Definitions.* For the purpose of this schedule:

(1) "Unit heater" means any extended surface heating equipment which is a factory made assembly and which consists of a heating element and a motor driven fan or blower (or fans or blowers) enclosed in a casing having an air inlet and an air outlet, designed to be placed within or adjacent to a space to be heated and to heat such space by circulating air within it.

(2) "Unit ventilator" means any extended surface heating equipment which is a factory made assembly and which consists of a standard (single tube) heating element with by-pass and temperature regulation dampers, or a distributing tube heating element without by-pass and temperature regulating dampers, a motor driven fan or blower (or fans or blowers) and fresh air regulation damper (or dampers) enclosed in a casing having a fresh air inlet and an air outlet and designed to be placed within or adjacent to a space to be heated, and to heat and ventilate such space by circulating air through it.

(3) "Convactor" means any extended surface heating equipment which consists of a heat transfer element enclosed in a cabinet or casing which has an air inlet and an air outlet, and which cabinet or casing serves as a stack to accelerate the circulation of air through the heating element.

(4) "Blast heating coil" means any heat transfer element designed for installation in duct work, for space heating or for drying purposes.

(5) "Special heating coil" means any extended surface heating equipment or any heat transfer element which is not a unit heater, unit ventilator, convactor, or blast heating coil as defined in paragraph (a) (1), (2), (3) and (4) of this schedule, and includes, but is not limited to, a convactor-radiator or finned-pipe, or any heat transfer element specifically designed for incorporation by a person other than the producer, into extended surface heating equipment or into any other equipment or machinery.

(6) "Standard size unit heater" means a unit heater having certain overall physical dimensions, as specific heating element and a specific fan (or fans), which will develop a specific BTU output per hour heating capacity with free

air delivery, when supplied with steam at two (2) pounds pressure per square inch and air at 60 degrees Fahrenheit, and when equipped with a specific single-phase, 60 cycle A. C. electric motor arranged to drive the fan (or fans) at a specific speed.

A standard size unit heater shall not be deemed to be changed;

(i) When the BTU capacity is altered by use of any attachments or appurtenances or by use of an electric motor driven by current other than single-phase 60 cycle A. C.: *Provided*, That when another current is used the speed of the motor shall approximate the speed attained with a single-phase 60 cycle A. C. motor; or

(ii) In the case of any large housed blower unit by the substitution of a tube-within-a-tube heat transfer element of the same heating capacity as that replaced.

(7) "Modified size unit heater" means a standard size unit heater which has been altered by substituting for its heat transfer element one having less surface, for the purpose of lowering the temperature of the discharged air, when the unit heater is to be operated with steam at a pressure of 30 or more pounds per square inch.

(b) *Simplified practices.* Pursuant to Limitation Order L-107 the following simplified practices are established for the manufacture, fabrication or assembly of extended surface heating equipment:

(1) *Unit heaters.* (i) Manufacture, fabrication or assembly by any producer, is limited to horizontal propeller fan type, vertical propeller fan type, large housed blower type, and small cabinet blower type;

(ii) Heat transfer elements known as double-tube or tube-within-a-tube coils are permitted only in standard size large housed blower type unit heaters, and then only if all temperature regulation dampers are omitted;

(iii) Manufacture, fabrication or assembly by any producer is limited to not more than 48 sizes, of which not more than 24 shall be standard size unit heaters, and not more than 24 shall be modified size unit heaters; *Provided*, That not more than 10 standard size unit heaters and 10 modified size unit heaters may be made in any one of the following three types; horizontal propeller fan type, vertical propeller fan type, and large housed blower type; *And provided, further*, That not more than two standard size unit heaters may be made in the small cabinet blower type;

(iv) Not more than one model of any one size may be made, but a model will not be deemed to be changed by the inclusion or omission of attachments or accessories such as dampers or filters, or in case of a large housed blower type unit by the substitution of a double-tube or a tube-within-a-tube for a single tube heat transfer element;

(v) No horizontal propeller fan type unit heater shall be made smaller than 24,000 BTU per hour output capacity;

(vi) No vertical propeller fan type unit heaters shall be made smaller than 144,000 BTU per hour output capacity;

(vii) No large housed blower type unit heater shall be made smaller than 216,000 BTU per hour output capacity;

(viii) No small cabinet blower type unit heater shall be made larger than 150,000 BTU per hour output capacity.

(2) *Unit ventilators.* (i) Manufacture, fabrication or assembly, by any producer, is limited to six sizes based upon rated c. f. m. free air delivery capacity (A. S. H. V. L. standard anemometer test), not more than four of which shall be other than the so-called cabinet schoolroom type. Not more than two different sizes of heating elements shall be used in any given size of unit ventilator;

(ii) So-called cabinet type, schoolroom unit ventilators shall be made only with free-standing cabinets without special provisions for recessing in wall construction.

(3) *Convectors.* (i) Manufacture, fabrication or assembly by any producer is limited to not more than 20 sizes as determined by the rated E. D. R. capacity. Nominal depths shall not be other than 6, 8 or 12 inches;

(ii) Not more than two styles of and headers shall be used for all sizes of convectors, regardless of the type or size of pipe connections;

(iii) Cabinets shall be limited to three heights and shall be either free standing or wall hung models, without special provisions for installation in wall recesses. Only one style of damper and one style of grille is permitted and only one grille may be provided for any convactor cabinet.

(4) *Blast heating coils.* (i) Manufacture, fabrication or assembly by any producer of any single tube blast heating coil is limited to not more than five widths (or heights), of which at least two shall be small "booster" coils;

(ii) Manufacture, fabrication or assembly by any producer of any double-tube or tube-within-a-tube blast heating coil is limited to not more than three widths or heights;

(iii) Tubes for such coils shall not be of any but the following nominal lengths:

INCHES		
12	36	72
15	42	84
18	48	96
21	54	108
24	60	120
30	66	132
		144;

(iv) Such coils shall be only of types with one or two rows of tubes;

(v) Such coils shall be made in not more than two different numbers of fins per inch of length.

(5) *Special heating coils.* Manufacture, fabrication or assembly by any producer is limited to those sizes, types and designs produced by him on or before the 28th day of July 1943.

(6) Alloys used for coating heat transfer elements or parts thereof shall not contain more than seven percent of tin by weight.

(7) Casings, enclosures and parts thereof shall not contain any metal other than iron and steel and, except for small fittings, shall not be coated with any

metal other than lead, or metal which may be a part of a paint mixture, provided such use of such metal is not prohibited by any order of the War Production Board.

(8) Electric motors shall be single speed types only. Direct current motors used with belt driven equipment shall have a rated speed of 1800 R. P. M.; alternating current motors so used shall have not more than four poles.

(9) The use of copper, copper base alloy or aluminum in extended surface heating equipment is prohibited except when used in accordance with Conservation Order No. M-9-c or any Order in the M-1 series.

(c) *General exceptions.* The provisions of this Schedule shall not apply to any extended surface heating equipment manufactured, fabricated or assembled on a contract, sub-contract or purchase order for delivery to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration of the United States for use on ships, including floating drydocks.

(d) *Selection and report of models and sizes.* Each producer of extended surface heating equipment shall determine the models and sizes of the various kinds of extended surface heating equipment which he proposes to manufacture, fabricate, or assemble under this Schedule, and shall report to the War Production Board on Form WPB 1902 (PD-754), on or before the 27th day of August, 1943, a complete description of each model and size to be manufactured, fabricated or assembled. Each producer shall thereafter produce only those models and sizes so reported, unless written permission is received from the War Production Board to produce any other models or sizes than those reported. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Repair parts.* Nothing in this Schedule shall restrict the manufacture or shipment of repair parts for any extended surface heating equipment.

(f) *Effective date of simplified practices; exceptions; report.* (1) On and after the 26th day of September, 1943, no extended surface heating equipment (except repair parts), which does not conform to the simplified practices established in this schedule, shall be produced or delivered by any producer or accepted by any person from any producer: *Provided, however,* That except as noted in (2) below, the foregoing shall not prohibit the delivery by any producer or acceptance by any person of such extended surface heating equipment not in conformity with these simplified practices, in his stock in finished form on the 26th day of September, 1943, or which can be assembled into completed equipment from cast, machined or otherwise processed materials in the producer's inventory on said date.

(2) No extended surface heating equipment, the heat transfer elements of which are made of copper or copper base alloy, shall be delivered by any producer or accepted by any person from

any producer, except in accordance with the provisions of Conservation Order M-9-c as amended from time to time.

(3) Each producer shall report in a letter on or before the 27th day of August, 1943, the number and size of each type of extended surface heating equipment defined in this schedule not in conformity with the provisions of this schedule and which he has produced or will produce and offer for sale on and after the 26th day of September, 1943. The War Production Board may thereupon take such action, with respect to such extended surface heating equipment, as it deems advisable. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 28th day of July 1943.

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

[F. R. Dcc. 43-12182; Filed, July 28, 1943;
11:12 a. m.]

PART 1227—AROMATIC PETROLEUM SOLVENTS

[Allocation Order M-150 as Amended July 28, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of aromatic petroleum solvents 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:

§ 1227.1 - Allocation Order M-150—(a) *Definitions.* For the purposes of this order:

(1) "Aromatic petroleum solvents" means solvents or naphthas of petroleum origin, other than benzol and toluol, containing more than 30% by volume of aromatic hydrocarbons as determined by the analytical procedure described as "Proximate Analysis of Hydrocarbon Thinners" published in the Scientific Section Circular No. 568 of the National Paint, Varnish and Lacquer Association, November, 1938, pages 381-388, and having A. S. T. M. 50% distillation point lower than 330° F.

Such term also includes all grades of xylol, regardless of whether derived from petroleum, coal tar or other sources, and includes high-flash naphtha as defined in the next paragraph.

(2) "High-flash naphtha" means water white coal tar solvent naphtha, refined from coke oven light oil, coal tar distillate, drip oils or holder oils.

(3) "Producer" means any person engaged in the production of aromatic petroleum solvents and includes any person who has such materials produced for him pursuant to toll agreement.

(4) "Distributor" means any person who purchases or has purchased aromatic petroleum solvents for resale, excluding, however, any person who sells aromatic petroleum solvents only in con-

tainers of capacities of sixty (60) gallons or less.

NOTE: Paragraphs (3), (4) redesignated July 28, 1943.

(b) *Restrictions on use and delivery of aromatic petroleum solvents.* (1) No producer or distributor shall deliver aromatic petroleum solvents other than high-flash naphtha at any time, or high-flash naphtha on and after September 1, 1943, and no person shall accept such delivery, except as specifically authorized in writing by the War Production Board upon application pursuant to paragraph (f).

(2) No person, including a producer or distributor, shall use aromatic petroleum solvents other than high-flash naphtha at any time or high-flash naphtha on and after September 1, 1943, except as specifically authorized in writing by the War Production Board upon application pursuant to paragraph (f).

(3) Each person accepting delivery of any aromatic petroleum solvent pursuant to specific authorization of the War Production Board shall use such aromatic petroleum solvent only for the purposes specified in such authorization.

(4) Each person affected by this order shall comply with such directions as may be given from time to time by the War Production Board, with respect to the use or delivery by such person of any aromatic petroleum solvent.

(c) *Small order exemptions.* Notwithstanding the provisions of paragraphs (b) (1) and (2):

(1) Any person may, without specific authorization, accept delivery from all suppliers, and use for any purpose, 60 gallons or less of aromatic petroleum solvents in any calendar month.

(2) Any person may, without specific authorization, accept delivery of 550 gallons or less of aromatic petroleum solvents other than high-flash naphtha, including quantities received pursuant to paragraph (c) (1) above, from all suppliers during any calendar month, and may use these solvents only as follows:

(i) Toluene range aromatic petroleum solvents only for barrage balloon cloth treatment, aircraft finishes, synthetic rubber manufacture and processing, or impregnation of wire and cable coatings.

(ii) Aromatic petroleum solvents other than toluene range solvents only for the uses listed in Schedule A annexed hereto.

(3) Authorization by the War Production Board is required for any producer or distributor to make such small order deliveries, upon application pursuant to paragraph (f) requesting an aggregate quantity of aromatic petroleum solvents for small orders.

(d) *Special exemption.* The restrictions provided for in paragraph (b) (1) hereof shall not apply to, and the specific authorization provided for in paragraph (b) (2) hereof, shall not be required with respect to, delivery to, or acceptance of delivery or use by, any person of any intermediate fraction for the manufacture of any aromatic petroleum solvents.

(e) *Production of aromatic petroleum solvents.* Each producer shall comply with such directions as may be given from time to time by the War Production Board with respect to the production of any aromatic petroleum solvent.

(f) *Applications and reports.* (1) The following instructions for filling out Forms WPB 2945 (formerly PD-600) and WPB 2946 (formerly PD-601) are intended to clarify but not to alter the practice previously followed in allocations under this order.

(2) Each person seeking authorization to use or accept delivery of aromatic petroleum solvents shall file application on Form WPB 2945 (formerly PD-600) in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form WPB 2945. Copies of Form WPB 2945 (formerly PD-600) may be obtained at local field offices of the War Production Board.

Time. Applications shall be made in time to ensure that copies will have reached the supplier and the War Production Board on or before the 10th day of the month preceding the month for which authorization to use or accept delivery is requested, if the supplier is a producer, on or before the 5th day if the supplier is a distributor.

Number of copies. Five copies shall be prepared, of which one shall be retained by the applicant, one (with Tables II, III and IV left blank) shall be forwarded to the supplier, and three completely filled out certified copies shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Reference M-150.

Number of sets. A separate set of WPB 2945 (formerly PD-600) application blanks shall be submitted for each supplier, and for each plant of the applicant.

Heading. Under name of chemical specify aromatic petroleum solvents; under War Production Board order number, specify M-150; under unit of measure, specify gallons; and otherwise fill in as indicated.

Table I. Specify in the heading the month and year for which authorization for acceptance of delivery or use is requested.

Column 1. Specify trade name and number or letter, except in the case of xylol, in which case specify "xylol" and the degrees of range or other common identification.

Column 2. Specify gallons of aromatic petroleum solvents requested for each primary product and product use specified in Columns 3 and 4.

Column 3. Fill in as follows:

Paint.
Varnish.
Enamel.

Synthetic enamel.
Lacquer.

Flameproof composition.
Natural rubber solution.
Synthetic rubber solution.
Lacquer thinner.

Synthetic enamel reducer.
General solvents.

Dye stuffs.

Intermediates.

Other organic chemical.

Other (specify).

Resale (in original form).

Export (in original form).

Inventory (in original form).

Column 4. Opposite each primary product listed in Column 3, specify in Column 4 the product end use and governing military or Lend-Lease contract or specification number, if any. In describing end use the applicant may be guided by end use lists issued by the Chemicals Division for the guidance of protective coating manufacturers.

Opposite "Resale" or "Inventory" in Column 3, write in Column 4 "subject to further authorization", or specify "deliveries exclusively in containers of 60 gallons or less".

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 solvents will be exported, the country of destination and governing export license or contract numbers, unless Lend-Lease, in which case merely specify the Lend-Lease contract or serial number.

Columns 9 and 10. Leave blank, except for remarks, if any, in Column 10.

Table II. Fill in as indicated for each grade or solvent listed in Column 1 of the application.

Table III. Fill in as indicated.

Table IV. Leave blank.

(3) Each producer and distributor shall apply for authorization to make deliveries of aromatic petroleum solvents on Form WPB 2946 (formerly PD-601) in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form WPB 2946. Copies of Form WPB 2946 (formerly PD-601) may be obtained at local field offices of the War Production Board.

Time. Application shall be made in time to ensure that copies will have reached the War Production Board on or before the 15th day of the month preceding the month for which authorization to make delivery is sought.

Number of copies. Four copies shall be prepared, of which one shall be retained by the applicant and three certified copies shall be forwarded to the War Production Board, Washington, D. C., Reference M-150.

Number of sets. A separate set of forms shall be filed for each plant or distribution point.

A separate set of forms shall be submitted for each type of solvent.

Heading. Under name of chemical, specify type of aromatic petroleum solvent; under War Production Board order number, specify M-150; specify allocation month; under unit

of measure, specify gallons; and otherwise fill in as indicated.

Columns 1, 2, 3, 4 and 5. Fill in as indicated. Each customer who has filed Form WPB 2945 (formerly PD-600) with the producer or distributor (including the producer himself if he consumes part of his own production) shall be listed in Column 1. Column 5 is optional. At the end of the list of customers, application may be made for aggregate small order deliveries pursuant to paragraph (c) (4).

Columns 5a, 6 and 7. Leave blank, except for remarks, if any, in Column 7.

Rolling stock requirements. The columns relating to number of hopper cars and tank cars required may be left blank.

Table II. Fill in as indicated for each grade of solvent listed in Column 3, and leave Column 16 blank.

(4) The War Production Board may require any person affected by this order to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, and may issue special instructions to any such person with respect to filing Form WPB 2945 (formerly PD-600) and Form WPB 2946 (formerly PD-601). Form WPB 2945 and Form WPB 2946 have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Allocations for inventory.* Aromatic petroleum solvents allocated for inventory shall not be used for any purpose, except as specifically directed by the War Production Board or except to fill orders for authorized uses pending arrival of the solvent allocated to fill such orders. Upon arrival of such solvents, the allocated inventory shall be restored.

(h) *Notification of customers.* Each producer and distributor is requested to notify each of his regular customers as soon as possible of the requirements of this order as amended, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

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

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of aromatic petroleum solvents, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries 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.

(3) *Violations.* Any person who willfully violates any provisions of this order, 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 priorities assistance.

(4) *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, Chemicals Division, Washington, D. C., Reference: M-150.

Issued this 28th day of July 1943.

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

SCHEDULE A

NOTE: Schedule A added July 28, 1943.

A. Military:

1. All arms and weapons.
2. Firing control equipment.
3. Ammunition and ammunition boxes.
4. Pyrotechnics.
5. Tanks, jeeps, peeps and parts.
6. Paulins and engine covers.
7. Camouflage paint.
8. Chemical resistant finishes for arsenals.
9. Fort, barrack, arsenal, camp, cantonment, & Navy yard finishes.
10. Special naval cable.
11. Special electronic equipment.
12. Signal corps equipment.
13. Canteen and blitz cans.

B. Aircraft:

Finishes for aircraft and aircraft parts.

C. Transportation:

1. Ships and vessels, construction and maintenance and parts.
2. Barges.
3. Plywood watercraft.
4. Dry docks.
5. Buoys.
6. Hawsers (cables).
7. Life preservers and jackets.
8. Motors, engines, and generators.
9. Railway equipment parts, and maintenance (other than freight cars).
10. Railroad military cars.
11. Ambulances.
12. Trucks.
13. Automobiles.
14. Trailers.
15. Motorcycles, bicycles and other vehicles.
16. Brake shoes and linings.

D. Communications and utilities:

1. Searchlights.
2. Military lanterns and flashlights.
3. Light bulbs.
4. Cable core.
5. Cable and wire insulation.
6. Bonding mica for insulation.
7. Electric motors and generating equipment.
8. Batteries.
9. Battery cables.
10. Radio cabinets and boxes (military only).
11. Radio tubes.
12. Other radio parts (military only).
13. Antenna masts.
14. Telephone & Telegraph equipment.

D. Communications and utilities—Con.

15. Gas, power & light plant operations equipment.
16. Central heating plant operational equipment.
17. Water supply plant operational equipment.
18. Water tanks.

E. Textiles and textile treating:

1. Tent proofing.
2. Flame proofing (other than tentage).
3. Gas proofing.
4. Mildew proofing.
5. Water proofing.
6. Wind proofing.
7. Insect cloth.
8. Chevron cloth.
9. Fluorescent coating.
10. Wool pile adhesive.
11. Wool scouring, other than dry cleaning.
12. Leather finishes.

F. Clothing:

1. Shoe parts (Shoe adhesives, combining shoe fabrics, shoe uppers, house slipper uppers, platform binding and heel covers, high heel covers, shoe linings, sock lining on paper heel pads, sock lining on fabric heel pads, innersole binding, house slipper soles).
2. Flying boots.
3. Gas resistant clothing (including leggings and footwear).
4. Flame-proof clothing (including leggings and footwear).
5. Full weather clothing (including leggings and footwear).
6. Raincoats.
7. Gas masks.
8. Helmets.
9. Helmet liners.
10. Waterproof hat and cap covers.
11. Uniforms.
12. Insignia.

G. Health safety and scientific uses:

1. X-Ray equipment.
2. Pill and tablet coatings.
3. Sutures.
4. Pharmaceutical, medical and surgical supplies (specify).
5. Surgical adhesive tape and plasters.
6. Collodion.
7. Surgical and medical equipment.
8. Surgical and medical instruments.
9. Scientific and precision instruments.

H. Photography:

1. Photographic equipment.
2. Photographic supplies.

I. Printing, publishing and engraving:

1. Gravure ink.
2. Aniline inks.

J. Containers and packaging:

1. Food packaging (containers, closures and linings).
2. Gasoline and water drums.
3. Cellophane.
4. Capsules.
5. Seam sealing of containers.
6. Heat sealing compound.

K. Chemical uses:

1. Vitamin synthesis.
2. De-hydrating agents.
3. Synthetic rubber.
4. Dyestuff and intermediates.
5. Rust preventatives.
6. Alkyd resins (mfr. only).

L. Industrial operations and equipment:

1. Hoists, cranes, derricks and conveyors.
2. Stationary motors.
3. Elevator equipment.
4. Oil refinery equipment (petroleum equipment operations).
5. Plating and chemical equipment.
6. Textile machinery.
7. Industrial adhesives.
8. Machine tools.
9. Power and transmission equipment.

[F. R. Doc. 43-12185; Filed, July 28, 1943; 11:14 a. m.]

PART 1261—LABORATORY EQUIPMENT

[Revocation of Supplementary Order L-144-a]

Section 1261.2 *Supplementary Order L-144-a* is hereby revoked. Issued this 28th day of July 1943.

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

[F. R. Doc. 43-12186; Filed, July 28, 1943; 11:12 a. m.]

PART 1288—POWER, STEAM, AND WATER AUXILIARY EQUIPMENT

[Schedule VI to Limitation Order L-154]

AUXILIARY EQUIPMENT AND APPURTENANCES FOR STEAM TURBINES FOR LAND USE

§ 1288.7 *Schedule VI to Limitation Order L-154—(a) Definition.* For the purpose of this schedule, "producer" means any person who produces, manufactures, processes, fabricates, or assembles steam turbines for land use.

(b) *Required specifications.* No producer shall install or deliver for installation on any steam turbine designed for land use any of the following items of equipment or appurtenances:

- (1) Sheet metal lagging;
- (2) Asbestos, plastic or other high temperature molded insulation, except that manufacturers may provide materials (other than asbestos blanket type) for application after erection of the turbine on its permanent foundation;
- (3) Ornamental trim;
- (4) Gage equipment larger than the following:
 - (i) Steam gages, 6 inches in diameter (initial pressure, first stage pressure, exhaust pressure);
 - (ii) Oil pressure gages larger than 4½ inches in diameter;
 - (iii) Gland water pressure gages larger than 4½ inches in diameter if glands are of the water seal type;
 - (iv) Any gage larger than the minimum practicable size.
- (5) Duplicate gages or other instruments;
- (6) Pipe or tubing for oil piping or steam condensate piping, except for metering purposes, which is monel metal or contains 40 per cent or more copper by weight;
- (7) More than a single main oil cooler;
- (8) More than a single full capacity auxiliary oil pump other than pumps for turning gears and hydrogen cooling equipment.
- (9) Special materials and features not customarily furnished by the manufacturer for the conditions under which the turbine is to operate.

Issued this 28th day of July 1943.

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

[F. R. Doc. 43-12187; Filed, July 28, 1943; 11:13 a. m.]

PART 3063—FOOTWEAR

[Conservation Order M-217, as Amended July 28, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material 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:

§ 3063.1 Conservation Order M-217—

(a) **Applicability of priorities regulations.** This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except Priorities Regulation 17, which shall be inapplicable to footwear.

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

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) "Footwear" includes house slippers, but does not include foot covering designed to be worn over shoes and utilizing no leather.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) "Horizontal quarter seams" means seams on quarters running in a predominantly horizontal direction (i. e. parallel to the sole).

(5) "Design and construction" of footwear means the make-up of the footwear in every detail, so that any two items of footwear of the same design and construction are necessarily identical, except in size; but does not refer to the means whereby the footwear is manufactured.

(6) "Cattle hide leather" means any leather made from cattle hides, including hides of bulls, cows, and steers, and calf and kip skins (but excluding slunks), and shall also include buffalo hides.

(7) "Pintucking" means a raised effect on the surface of footwear accomplished by either single or double needle stitching, but does not include the raised seam on a moccasin type vamp.

(8) "House slippers" means any footwear designed exclusively for indoor or house wear.

(9) "Padded sole house slippers" means slippers having conventional padded soles where the outsole is made of fabric, imitation leather or split leather not over 2½ ounces in weight and is directly stitched to the upper or to a platform cover.

(10) "Line" means footwear of any one of the following types:

Men's dress,
Men's work,
Youths' and boys',
Women's and growing girls',
Misses' and children's,
Infants',
House slippers,
Athletic,
Men's safety shoes, and
Women's safety shoes,

to the extent that such type of footwear is manufactured for sale in the same manufacturer's price range; *Provided*, That:

(i) Footwear of substantially identical kind and quality sold in more than one price range to different types of purchasers shall be deemed one line; and

(ii) In case the sale by the manufacturer is at retail or to a purchaser controlled by the manufacturer, the applicable price range shall be the retail price range.

(iii) All misses' and children's footwear having a net wholesale price up to \$1.37½ a pair (or a net retail price up to \$2.00 a pair if the footwear is not sold at wholesale) may be deemed one line, but no production in new price ranges is authorized unless specifically approved under paragraph (i) (3) (vii) below.

(11) "Price range" shall have the usual trade significance, provided that the highest list price in the range does not exceed the lowest in the range by more than ten (10%) per cent, or twenty-five (25) cents a pair, whichever is the greater.

(12) "Military footwear" means military type footwear purchased by the Army or Navy of the United States (excluding post exchanges and ship's service stores, wherever situated), the United States Naval Academy at Annapolis, Maryland, the United States Military Academy at West Point, New York, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, the Netherlands, Norway, Poland, Russia, Turkey, the United Kingdom (including its Dominions, Crown Colonies and Protectorates) and Yugoslavia; military type footwear purchased by any agency of the United States for delivery to or for the account of the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); and custom-made footwear delivered for personnel of the Army or Navy of the United States.

(13) "Civilian footwear" as used in paragraph (i) includes all footwear except military footwear and rubber footwear.

(14) "Six months' base period" means any consecutive six calendar months within the period from July 1, 1942 to April 30, 1943 selected by a manufacturer as his base period for the purposes of this order.

(15) "Civilian line quota" means the number of pairs of civilian footwear within a single line manufactured by a person during his six months' base period.

(16) "Safety shoes" means protective occupational footwear incorporating or purporting to incorporate one or more of the following safety features: steel box toe; electrical conductivity; electrical resistance; non-sparking and moulders' (Congress type) protection (shoes which can be quickly removed, worn to protect against splashing metals).

(c) **Curtailment in the use of materials and colors in the manufacture of footwear.** (1) No person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) Leather seam laps gauging over ½ inch in width.

(ii) Horizontal quarter seams, on lined low quarter shoes.

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls', misses', youths', little gents' and children's shoes and boys' shoes of sizes 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes and house slippers with fabric uppers.

(v) Woven vamp or quarter patterns.

(vi) Quarter collars, except on unlined shoes and house slippers.

(vii) Bows or other ornaments, if made of leather in whole or in part.

(viii) Outside leather taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in goodyear welt footwear other than work shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) Welting in excess of ½ inch in width and 5/32 inch in thickness in shoes other than work shoes, or welting in excess of 9/16 inch in width and 5/32 inch in thickness in work shoes.

(xiii) Straps, buckles, knife pockets or decorative stitching on boots or work shoes.

(xiv) Men's one-piece leather uppers (i. e., vamp and quarter cut in one piece and seamed up the back).

(xv) Extension stitched heel seats, except on:

Prewelts in all sizes,
Stitchdowns in all sizes,
Children's shoes up to and including size 3, and
Safety and established orthopedic footwear.

(xvi) Metal nail heads for studs or any metal for decorative purposes.

(xvii) Any stitching thread made from reserved Egyptian cotton (as defined in Conservation Order M-117) or reserved American extra staple cotton (as defined in Conservation Order M-197) for any decorative or any non-functional purpose.

(xviii) Any non-functional or decorative stitching except:

(a) Not more than four rows of non-functional stitching on imitation tips, foxings, saddles, mudguards and moccasin type vamps.

(b) Not more than an aggregate of four rows of functional and non-functional stitching.

tional stitching parallel to the vamp, tip, foxing, saddle, and moccasin seams.

(c) Design stitching solely to permit direct non-stop stitching between cut-outs.

(d) Design functional stitching on utility work cowboy boots.

(xix) Any strippings, braidings, pin-tuckings, lacings or overlays, except those serving a necessary functional purpose.

(xx) Straps passing over, under or through a tongue or vamp.

(xxi) Raised quarter or raised back seams (other than vertical back seams), except on genuine moccasins.

(xxii) Multiple straps, on Roman sandals.

(xxiii) Kiltie or other ornamental tongues, if made of leather in whole or in part.

(xxiv) Platform soles and platform effects, on all footwear of heel height over $\frac{13}{16}$ inches, using size 4B as the standard.

(xxv) Leather covered platforms or leather platform effects, on any footwear.

(xxvi) Heels gauging over $\frac{21}{8}$ inches in height, using size 4B as the standard.

(xxvii) Metal spikes, on golf shoes.

(xxviii) Caulk or storm welting.

(xix) Rawhide or other leather laces, except on work shoes.

(xxx) Leather loops performing the function of eyelets.

(2) No person shall use in the manufacture of any footwear any steel shanks of any gauge except:

18 gauge-- .045 minimum, 50 carbon steel.
21 gauge-- .032 minimum, 50 carbon steel.
19 gauge-- .040 minimum, low carbon or basic steel.

unless such shanks were in said person's inventory on September 10, 1942, or were subsequently acquired from a producer of steel shanks who had, prior to September 10, 1942, rolled steel plate for shanks of a different gauge.

(3) No person shall put into process any leather for the manufacture of any boots except men's blucher high cut laced boots ten inches or under in height (measured from heel seat, using size 7 as the standard) and men's and women's utility work cowboy boots: *Provided, however,* That upon letter application the War Production Board may permit any person to make boots higher than ten inches for use in specified hazardous occupations.

(4) No person shall put into process any leathers or fabrics for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leathers or dyeing fabrics). This restriction shall apply to the color of stitching, lacing and bindings, but shall not apply to the color of linings and soles. Nothing in this paragraph shall prevent unavoidable discoloring of thread, leather, and perforations as a result of antiquing, or the use of:

(i) Embossed leather or genuine reptiles of the colors permitted in paragraph (f) (1) below but having slight variations in shade caused by normal finishing of such leathers, or

(ii) Embossed leather or genuine reptiles of any color or colors (in all-over shoes) if finished prior to October 16, 1942.

(iii) Shearling collars made of scrap pieces, on house slippers, to the extent available under General Conservation Order M-94.

(iv) An additional color on tips or tongues of safety shoes as above defined.

(5) No person shall put into process for the manufacture of footwear any leather or fabric except leather or fabric finished or dyed in accordance with paragraph (f) below: *Provided, however,* That nothing contained in this paragraph (c) (5) shall prevent any person from using:

(i) Any solid color white cattle hide, turftan, bluejacket blue, gold or silver leather finished prior to March 16, 1943.

(ii) Any other solid color leather or any genuine or imitation reptile leather of any color or colors (in all-over shoes) finished prior to October 16, 1942.

(iii) Any solid color turftan or bluejacket blue fabric acquired by the manufacturer prior to February 20, 1943; or

(iv) Any other solid color fabric dyed prior to September 13, 1942 and acquired by the manufacturer prior to February 16, 1943.

No person shall use any natural colored leather for the manufacture of any footwear except work shoes.

(6) No person shall put into process any cattle hide upper leather (other than kip sides, kipskins and calf) or upper leather splits gauging $4\frac{1}{2}$ ounces or over for the manufacture of any footwear except work shoes, cowboy utility boots and lined police type high shoes.

(7) No person shall put into process any cattle hide upper leather, or grain leather outsoles (except heads, bellies, shins and shanks of 5 iron or less) for the manufacture of house slippers or romeos.

(8) No person shall attach any leather outsoles or outside leather taps to any footwear having raised or flat seam moccasin type vamps (including genuine moccasins utilizing soles) or mudguard vamps, any saddle-type footwear, or any footwear with imitation wing tips, imitation stitched moccasin types, imitation stitched mudguards and imitation stitched saddles; *Provided, however,* That nothing in this subparagraph (c) (8) shall apply to women's and girls' shoes with heels $\frac{11}{8}$ inches and over in height, using size 4B as the standard.

(9) No person shall put into process any patent leather for the manufacture of men's shoes.

(10) No person shall put into process any upper leather or leather or rubber soles for the manufacture of men's sandals.

(11) No person shall manufacture any leather or part leather bows for use on footwear.

(d) *Restrictions on styling and types manufactured.* (1) No person shall put into process any leather or fabric for the manufacture of any footwear of a design and construction not utilized by him between September 1, 1940 and December

31, 1942: *Provided, however,* That this paragraph shall not prevent correction of patterns to the extent necessary to remove features prohibited by this order.

The War Production Board may make exceptions to this paragraph in favor of patterns or designs which will conserve leather or other materials.

(2) No person shall put into process any leather or fabric for the manufacture of any women's evening slippers, except those using gold or silver upper leather finished prior to March 16, 1943 with split, head, belly, shin or shank outsoles of 5 iron or less.

(3) No person shall use special processes or materials at any stage of manufacturing footwear for the purpose of rendering such footwear more adaptable to retail display.

(e) *Exceptions to paragraphs (c) and (d) above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear the soles other than insoles of which are made wholly from materials other than leather or rubber (which may, however, utilize leather for hinges or for tabs, heel inserts or other nonskid or soundproofing features covering not more than 25% of the area of the bottom of the sole).

(2) Special types of footwear made for the physically deformed or maimed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use. This does not include golf shoes.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(5) Infants' soft sole footwear.

(6) Footwear the uppers of which are made of shearlings not reserved for military use under General Conservation Order M-94.

(f) *Restriction on tanning and dyeing.*

(1) No person shall finish any leather for use as upper leather except in the following colors (subject to unavoidable deviations in shade normally experienced in finishing leathers):

Black.

White, except in cattle hide leathers.

Army russet and town brown, as appearing on the Fall 1942 color card of the Textile Color Card Association of the United States, Inc.

Natural color.

(2) No person shall color any leather or dye any fabric for use in shoe uppers except in the colors mentioned in paragraph (f) (1) above, (subject to unavoidable deviations in shade normally experienced in tanning and dyeing).

(3) No person engaged in the business of shoe manufacturing shall dye any new footwear except in the colors mentioned in paragraph (f) (1) above.

(4) The restrictions in this paragraph shall not apply to the dyeing of fabrics for use in padded sole house slippers or footwear of the type referred to in paragraph (e) (1) above.

(g) *General exceptions.* None of the restrictions of this order shall apply to military footwear.

(h) Restrictions relating to sales and deliveries. (1) No person shall sell or deliver any new footwear manufactured in the United States of America in violation of this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by, or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between customers who meet such person's regularly established prices, terms and credit requirements, or between customers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for non-military use shall not constitute a discriminatory cut.

(i) Restrictions on production of lines of footwear. (1) No person shall in any six months' period beginning March 1, 1943 complete the manufacture of more civilian footwear within any line than the following percentages of his civilian line quota for such line:

	Percent
Men's work.....	115
Youths' and boys'.....	125
Misses' and children's.....	125
Infants'.....	125
Men's safety shoes.....	125
All others.....	100

Provided, however, That to the extent that a manufacturer's production of military footwear shows a decrease below that during his six months' base period, his production within any line of civilian footwear may exceed the civilian line quota for such line by its proportionate part of such decrease; and to the extent that such manufacturer's production of military footwear shows an increase over that during the six months' base period, each civilian line quota of such manufacturer shall be diminished by its proportionate part of such increase.

(2) No person shall manufacture any line of footwear (except military footwear) not manufactured by him in his six months' base period.

(3) Exceptions to paragraphs (i) (1) and (i) (2). (i) A lower priced line of the same type of civilian footwear may be substituted in whole or in part for a higher priced line.

(ii) The unused quota of any higher priced line may be added to a lower

priced line of the same type of civilian footwear.

To the extent shown in the following schedule, any person may transfer the unused portion of any civilian line quota or quotas of men's dress or women's and growing girls' footwear to the production of the following types of footwear:

Type:	Percentage of unused quota permitted to be added
Men's work.....	115
Youths' and boys'.....	125
Misses' and children's.....	125
Infants'.....	125

Provided, however, That in no event shall any unused quota be added to a higher priced line, And provided further, That in no event shall a new line be added until authorization has been obtained under paragraphs (d) (1) above and paragraphs (i) (3) (vii) below.

(iii) A person may exceed his civilian line quota for any line of women's safety shoes if a pairage equal to such excess is deducted from some other line or lines of footwear.

(iv) Any person whose civilian line quotas total less than 24,000 pairs, may produce up to 24,000 pairs during any six months' period, provided he increases his production in each line above his quota by the same percentage (with 5% tolerance).

(v) Paragraphs (i) (1) and (i) (2) shall not apply to footwear made for the physically maimed or deformed on a custom-made basis and not for stock.

(vi) Until September 1, 1943 footwear made wholly without leather and without rubber soles shall not be included in computing production for the purposes of this paragraph (i). The War Production Board may authorize any person making a line of reasonably durable footwear utilizing non-critical materials to exceed his civilian line quota for such line. Application for such authorization shall be made by letter, describing fully the footwear proposed to be manufactured, listing in detail all the materials to be used and stating the quantity of such footwear to be made, the price range, the source of the manpower to effect such increase in production, and all other facts pertinent to the application.

(vii) Any person who has no civilian line quota for a particular type of footwear may apply by letter for one or more civilian line quotas, stating the types and construction of the footwear he proposes to manufacture, the number of pairs to be made, the price range, the consumer need for footwear of the quality proposed to be made, the source of the manpower to make such footwear, and whether production will be reduced in any other line

or lines. No such quota will be granted unless the footwear to be made has been specifically priced by the Office of Price Administration.

(4) The period selected by any person as his six months' base period shall apply to all lines and may not be subsequently changed.

(j) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(l) Reports. Each person affected by this order shall execute and file with War Production Board such reports and questionnaires as may be required by said Board from time to time.

(m) Communications. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref.: M-217.

(n) 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.

(o) Effective dates. This order as amended shall become effective on July 28, 1943, with the exception of paragraph (c) (1) (xxx), which shall become effective on October 1, 1943.

Conservation Order M-217 as presently in force shall remain in force until superseded by this amended order.

Issued this 28th day of July 1943.

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

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3063.1 (Conservation Order M 217), refers to the operation whereby the features mentioned in subdivisions (1) to (xvii), inclusive, of said paragraph became a part of the footwear.

Illustration: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date. (Issued October 6, 1942.)

[F. R. Doc. 43-12189; Filed, July 28, 1943; 11:15 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 10 to CMP Reg. 5]

WELDING ROD FOR REPAIR SHOPS

The following direction is issued pursuant to CMP Reg. 5 (§ 3175.5):

(a) *Assignment of rating for welding rods for repair shops.* A rating of AA-2 for welding rod is assigned to all repair shops. This rating may be used only for the following amounts per month: A repair shop may use the rating to buy as much welding rod in any one calendar month as it used during the previous month, but it may not buy more than \$100 of welding rod in one month using this rating. However, a repair shop may always buy up to \$15 worth of welding rod in any one month even if it did not use \$15 of welding rod the previous month.

(b) *How repair shops get ratings for additional amounts.* If a repair shop cannot get enough welding rod using the rating as described in paragraph (a) it may get more in any of the following ways:

(1) It may use its customers' ratings as permitted by paragraph (g-1) (1) of CMP Regulation No. 5, but a customer's rating may be used only for specific jobs and not to build up or replace inventory;

(2) It may apply for a rating for a specific amount of welding rod on Form PD-1A;

(3) If the repair shop also requires controlled materials, it may apply for an allotment and preference rating on Form CMP-4B covering its entire requirements for a quarter;

(4) A repair shop may use both its customers' ratings and a PD-1A for the additional amount of welding rod which it cannot get under paragraph (a); but if it uses CMP-4B it cannot use either the rating of paragraph (a) or its customers' ratings or a PD-1A during the same quarter.

(c) *Effect on CMP Regulation No. 5 (§ 3175.5).* The ratings assigned by CMP Regulation No. 5 may not be used by repair shops to get welding rod (except that they may use their customers' ratings under paragraph (g-1) of the regulation). The rating assigned by paragraph (a) of this direction may be used whether the repair shop accounts for welding rod as operating supplies or otherwise. Purchases of welding rod, using the rating assigned in paragraph (a), do not have to be subtracted from a repair shop's quota established under paragraph (f) of CMP Regulation No. 5, whether the repair shop accounts for welding rod as operating supplies or otherwise.

(d) *Definitions.* (1) As used in this direction, the term "welding rod" means arc welding electrodes or gas welding rods.

(2) The term "repair shop" means any person engaged in the business of doing repair work for others.

Issued this 28th day of July 1943.

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

[F. R. Doc. 43-12190; Filed, July 28, 1943; 11:16 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT¹

[General Limitation Order L-185 as Amended July 28, 1943]

WATER HEATERS

Section 3041.1 *General Limitation Order L-185* is hereby amended to read as follows:

¹ Formerly Part 3041, § 3041.1.

§ 3288.51¹ *General Limitation Order L-185*—(a) *Definitions.* (1) "Fuel oil" means any liquid petroleum classified as grade No. 1, 2, 3, 4, 5, or 6, including Bunker "C" fuel oil, kerosene, range oil, gas oil and any other liquid petroleum product used for the same purpose as the above designated grades.

(2) "Direct fired water heater" means any device for the direct transference of heat produced by the combustion of coal, wood, fuel oil or gas, or derived from solar rays, to the water of a domestic hot water supply system. The term includes, but is not limited to, coils, water backs, side-arm water heaters, bucket-a-day stoves, laundry stoves, dome type water heaters, service water tank heaters, automatic storage water heaters, instantaneous or continuous flow water heaters, underfired storage water heaters, and solar water heaters. The term does not include any tank used in conjunction with any direct fired water heater, the manufacture of which is governed by Limitation Order L-199, any low pressure cast iron boiler designed for the purpose of heating water to provide heat for the interior of a building by means of circulating steam or hot water, or any low pressure cast iron boiler as defined in Limitation Order L-187.

(3) "Indirect water heater" means any device to which steam or hot water is piped for the transference of the heat of such steam or hot water to the water of a domestic hot water supply system, or the water of a hot water space heating system. The term includes, but is not limited to, coils, side-arm water heaters, storage water heaters, submerged-type water heaters, instantaneous or continuous flow water heaters having coil bundles 12 inches in diameter and less, hot water generators, and pre-heaters. The term does not include any critical heat exchanger having coil bundles greater than 12 inches in diameter as defined in General Limitation Order L-172, or any tank used in conjunction with any indirect water heater, the manufacture of which is governed by Limitation Order L-199.

(4) "Domestic hot water supply system" means any system of supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water solely for specialized industrial or agricultural purposes.

(5) "Hot water space heating system" means any system which is designed for the purpose of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(6) "Metal jacket" means any metal covering, lining, or portion thereof (but not any metal band two inches or less in width used to support a jacket which holds dry insulation) for any direct fired or indirect water heater, except any metal covering, lining, or portion thereof which conducts flue gases, water, or steam through and to the outside of a direct fired or indirect water heater, and except any ferrous metal wire netting used as a base for the wet application of insulating material.

(7) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(8) "Producer" means any person who manufactures, fabricates or assembles new direct fired or indirect water heaters.

(b) *Manufacture and installation of metal jackets.* No person shall manufacture, fabricate or assemble any metal jacket, or install any metal jacket (whether or not for repair or replacement), except

(1) To fill a specific contract, subcontract or purchase order for a metal jacket to be used as part of the equipment of any aircraft or any vessel other than a pleasure craft; and

(2) For any direct fired water heater using fuel oil as fuel.

(c) *Use of copper in manufacture.* No person shall use in the manufacture, fabrication or assembly of any direct fired or indirect water heater any copper or copper base alloy, except

(1) For repair or replacement parts;

(2) For temperature, pressure, vacuum or electrical controls, safety devices or valves;

(3) To fill a specific contract, subcontract or purchase order for use in the laundry, bakery or hospital projects of the Army, Navy, War Shipping Administration or Maritime Commission of the United States;

(4) For use as part of the equipment of any aircraft or any vessel for delivery to or for the account of the Army, Navy, War Shipping Administration or Maritime Commission of the United States;

(5) For use by the Army or Navy of the United States outside the forty-eight States and the District of Columbia; or

(6) For indirect water heater coils or tubular units built of tubing of 1½" inside diameter or less. However, the shells, heads, tube plates, spacer plates, terminal outlets and other cast parts of indirect water heaters shall be of ferrous metal or non-metallic materials.

(d) *Use of copper in installation or repair and replacement parts.* (1) No person shall, in any repair or replacement, use or install parts containing in the aggregate more than two pounds of copper or copper base alloy if the weight of the copper or copper base alloy so used or installed exceeds by more than one pound the weight of copper and copper base alloy replaced.

(2) All copper and copper base alloy replaced in any repair shall be delivered by the person making the repair to a scrap dealer or other person specified under Supplementary Order M-9-b.

(e) *Restriction on production.* (1) During the period from July 1, 1943 to June 30, 1944 inclusive, no person shall manufacture, fabricate or assemble units of direct fired or indirect fired water heaters as herein defined, in excess of the percentage of his 1941 unit production of the same classification of hot water heaters, which is indicated in Schedule A hereto attached.

(2) The restrictions of paragraph (e) (1) do not apply to the manufacture, fabrication or assembly of direct fired

or indirect water heaters for delivery to or for the account of the Army, Navy, War Shipping Administration or Maritime Commission of the United States.

(f) *Direct fired and indirect water heaters, to be delivered only on rated orders.* On and after August 1, 1943 no person shall deliver any direct fired or indirect water heater except on an order rated A-10 or higher.

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) 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.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed be addressed to the War Production Board, Plumbing and Heating Division, Washington, D. C., Reference L-185.

(i) *Reports.* Each producer shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, 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 priorities assistance.

Issued this 28th day of July 1943.

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

SCHEDULE A: Permitted percentages of 1941 unit production:

A. Direct fired water heaters:	Percent
1. Underfired water heaters.....	65
2. Coal and wood fired water heaters..	70
3. Side-arm heaters and waterbacks..	70
4. All others.....	30
B. Indirect water heaters.....	20

[F. R. Doc. 43-12188; Filed, July 28, 1943; 11:14 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Limitation Order L-312]

INDUSTRIAL WIPING CLOTHS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of industrial wiping cloths 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.

§ 3290.76 *General Limitation Order L-312—(a) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time, except as otherwise provided herein.

(b) *Definitions.* (1) "Industrial wiping cloth" means any used cloth which has been reclaimed for industrial wiping and cleaning.

(2) "Colored wiping cloth" means those grades of industrial wiping cloths commonly known in the trade as #1 washed colored wipers, #2 washed colored wipers, #3 washed colored wipers, colored heavy or light mattress ticking, colored bathrobe wipers, colored blanket wipers, colored knitted wipers or colored scrim or lace curtain wipers.

(3) "Industrial wiping cloth processor" means a person who during any calendar month launders more than 12,000 pounds of reclaimed cloths for the purpose of selling them to any other person for use as industrial wiping cloths.

(4) "Direct military order" means an order for industrial wiping cloths to be delivered directly to the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, or the Office of Scientific Research and Development.

(c) *Reservation of industrial wiping cloths for direct military usage.* Notwithstanding any preference rating or preference rating certificate:

During the week ended July 31, 1943 and during each calendar month thereafter, no industrial wiping cloth processor shall deliver more than 75% by weight of his production of industrial wiping cloths on industrial or other non-military orders. The remaining 25% shall either be delivered against direct military orders or set aside for delivery against future direct military orders, unless the War Production Board either releases such stock set aside or allocates it to some other person.

The processor shall include in the stock delivered or set aside against direct military orders all his colored wiping cloths meeting specifications for wiping cloths approved by the Federal Specifications Board. This paragraph shall not, however, require the setting aside of more than 25% of any processor's production of all cloths, unless he so desires.

On or before the 10th day of each calendar month each wiping cloth processor shall report on Form WPB 3133 to the War Production Board as directed on said form.

This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Nothing in this paragraph shall invalidate or prevent delivery under any direct military order placed before July 28, 1943. All such deliveries may be credited against the reserve required to be set aside for direct military orders.

(d) *Restrictions on grading, processing and delivery of industrial wiping cloths.* No industrial wiping cloth grader or processor shall grade, process or deliver any industrial wiping cloth contrary to any specific direction which may be issued in writing from time to time by the War Production Board in

order to meet designated military or industrial requirements.

(e) *Restriction on delivery and use of new textile products for wiping cloths.* No user of industrial wiping cloths shall use any new towels, new diapers or other new textile product as a substitute for industrial wiping cloths, and no person shall deliver any such product if he has reason to believe it will be used for this purpose. This restriction does not apply to mill ends or remnants.

(f) *Records.* All persons affected by this order shall keep and preserve the records required by § 944.15 of Priorities Regulation 1.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications to the 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, Textile, Clothing and Leather Division, Washington, D. C., Ref.: L-312.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, 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 priorities assistance.

Issued this 28th day of July 1943.

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

[F. R. Doc. 43-12191; Filed, July 28, 1943; 11:14 a. m.]

Subchapter D—Office of Rubber Director

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, Amdt. 2]

Rubber Order R-1 as amended by Amendment No. 1 issued July 9, 1943, is hereby amended in the following respects:

(1) By adding to § 4600.15 (Reseller's inventories of tires and tubes) the following new paragraph:

This § 4600.15 shall not apply to any purchase order originating outside the continental limits of the United States.

(2) By deleting the following item from Code No. 54 of Schedule A, Appendix I, and by deleting all of the entries opposite said item in the columns of Schedule A:

Molded wheels and casters, all types. Where conductive type is required, specific authorization must be obtained.

And by substituting in lieu of said item the following:

Molded wheels and caster tires and wheels, all types.

together with the following entries opposite said item in the columns of Schedule A designated below:

Appendix II	Crude and/or G. P. S. ¹	Latex and/or G. P. S. ¹	Reclaim	Scrap
24.....	X	.....	1	1-2-3

(3) By deleting from Group 1 of Schedule B, Appendix I, the following items:

Wheelbarrow and lawnmower tires

(4) By deleting from Group 2 of Schedule B, Appendix I, the following items:

Wheelbarrow tires
Lawnmower tires

(5) By adding to the items listed in Code No. 54 of Schedule A, Appendix I, the following item:

Wheelbarrow and lawnmower tires

together with the following entries opposite said item in the columns of Schedule A designated below:

Appendix II	Crude and/or G. P. S. ¹	Latex and/or G. P. S. ¹	Reclaim	Scrap
24.....	X	X	1	1-2-3

¹ General purpose synthetics.

(6) By adding to List 24 of Appendix II, under the heading, "Industrial Tires", the following regulations for the manufacture of wheelbarrow and lawnmower tires and of molded wheels and caster tires and wheels:

Description of product	Compound designation	Compounds	
		Friction	Tread
Wheelbarrow and lawnmower tires:			
Pneumatic.....	EF.....	E.....	F.....
Solid and hollow center.....	F.....	.....	F.....
Molded wheels and caster tires and wheels, all types.....	.....	.....	F.....

Reference is to List 24, Footnote 3 under heading "Industrial Tires" containing tread compound restrictions.

(P.D. Reg. 1, as amended, 6 F.R. 6680; WPB Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of July 1943.

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

[F. R. Doc. 43-12192; Filed, July 28, 1943; 11:16 a. m.]

Chapter XI—Office of Price Administration
PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 415, Amdt. 1]

CERTAIN FEDERAL GOVERNMENT PURCHASES OF NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amend-

¹ 8 F.R. 8923.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

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

(d) *Geographical applicability of this regulation.* This regulation applies in the District of Columbia, the 48 states and the Territory of Hawaii but not in the other territories and possessions of the United States.

This amendment shall become effective August 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12128; Filed, July 27, 1943; 3:32 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306, Amdt. 10]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of Amendment No. 10 to Maximum Price Regulation No. 306 has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 306 is amended in the following respects:

1. Subparagraph (4) of § 1341.584 (f) is revoked, and new subparagraphs (4) and (5) are added to read as follows:

(4) If the processor cannot establish a maximum price for any particular variety, style, grade and size of asparagus, packed in tin, under the foregoing provisions:

(i) The processor's maximum price per dozen containers, f. o. b. factory, for such variety, style, grade and size shall be his maximum price for the 1942 pack of the same variety, style, grade and size adjusted by adding 1½ cents per pound in California, Oregon and Washington, and 1 cent per pound in all other states, to the raw asparagus cost required to be used in computing maximum prices for the 1942 pack of the same item; except that

(a) Any processor who established a maximum price for such variety, style, grade and size of his 1942 pack by the adoption of a competitor's maximum price shall adopt the same competitor's maximum price for the 1943 pack of the same variety, style, grade and size; and

(b) Where the same competitor does not pack such item in 1943, the processor shall establish his maximum price for the item by adopting his closest competitive seller's maximum price for the 1943 pack of the same variety, style, grade and size.

(ii) Where the processor did not pack the same variety, style, grade and size in 1942, the maximum price of his closest competitive seller for the 1943 packs of the same variety, style, grade and size

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 1114, 1313, 2921, 3732, 3853, 4179, 4633, 4840, 6617.

shall be the processor's maximum price for his 1943 pack of such item.

(iii) If the processor cannot establish a maximum price for such variety, style, grade and size under the foregoing provisions of subparagraph (4), he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price. His application shall contain:

(a) A statement of the reasons for his inability to establish a maximum price for the item which is the subject of the application.

(b) A full description of the item which is the subject of the application, and an itemized statement of his cost therefor.

(c) A description of the most similar variety, style, grade and container of the item; an itemized statement of his cost therefor; and his maximum price for such similar item. Separate maximum prices will be authorized for sales to government procurement agencies and all other sales.

(5) The maximum prices per dozen containers, f. o. b. factory, for sales to government procurement agencies shall be 96% of the maximum prices for sales other than to government procurement agencies as established under subparagraphs (1), (2), (3) or (4) (i) (ii), as the case may be.

The item "Pickles" is deleted from the items listed in Group I of § 1341.585 (a), and the item "Fresh cucumbers" is added in its alphabetical order.

This amendment shall become effective August 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12129; Filed, July 27, 1943; 3:33 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 114, Amdt. 8]

WOODPULP

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. 114 is amended in the following respects:

1. In § 1347.232, Appendix A (a), the words and figures: "Bleached Mitscherlich sulphite (§ 1347.229 (a) (12))—\$81.00" and "Unbleached Mitscherlich sulphite (§ 1347.229 (a) (13))—72.00" are deleted from the list of grades and prices.

2. In § 1347.232, Appendix A (b), the words and figures: "Bleached Mitscherlich sulphite—\$75.00—\$75.00" and "Unbleached Mitscherlich sulphite—66.00—66.00" are deleted from the list of grades and prices.

¹ 7 F.R. 2843, 3576, 5059, 5564, 8997, 8948; 8 F.R. 321, 2334, 8877.

3. Section 1347.232 (d) (1) is amended to read as follows:

(1) Producers of sulphite woodpulp of special chemical, high alpha or glassine grades, producers of Mitscherlich woodpulp, producers of sulphate woodpulp of special chemical or condenser grades, producers of sulphate woodpulp producing such woodpulp for shipment pursuant to allocation by the War Production Board with equipment not designed for the production of such pulp for sale on the open market, and producers of woodpulp produced in whole or in part from rags, paper stock or any fibre material other than wood, shall, before making any sale of woodpulp of any such grade, submit to the Administrator a sworn statement setting forth all the relevant facts, including:

- (i) Grade and grade name of woodpulp proposed to be sold;
- (ii) Special characteristics which bring the grade or grades involved within the provisions of this paragraph (d);
- (iii) Proposed sales prices per air dry ton, and terms of sale (i. e., delivered, delivered with freight allowed, f. o. b. mill, ex dock Atlantic seaboard, or other);
- (iv) Names and addresses of customers to whom such woodpulp have been sold in the fourth quarter of the year 1941 and thereafter;
- (v) Prices per air dry ton at which these woodpulp have been sold to all such customers in the fourth quarter of 1941, and thereafter, and the terms of all such sales;
- (vi) An itemized statement of the costs of production of such woodpulp per air dry ton.

This amendment shall become effective August 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12130; Filed, July 27, 1943; 3:34 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 249,¹ Amdt. 5]

SALES OF CERTAIN SEASONAL FOOD PRODUCTS AT WHOLESALE

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 249 is amended in the following respects:

- 1. Section 1351.762 (a) (5) is hereby revoked.
- 2. Section 1351.764 (f) is hereby revoked.

This amendment shall become effective July 31, 1943.

*Copies may be obtained from the Office of Price Administration.
¹ 7 F.R. 8702, 9898, 10014, 10993; 8 F.R. 2673.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12133; Filed, July 27, 1943; 3:35 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 250,¹ Amdt. 5]

SALES OF CERTAIN SEASONAL FOOD PRODUCTS 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.*

Maximum Price Regulation 250 is amended in the following respects:

- 1. Section 1351.863 (a) (4) is hereby revoked.
- 2. Section 1351.865 (f) is hereby revoked.

This amendment shall become effective July 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12132; Filed, July 27, 1943; 3:34 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 319,² Amdt. 5]

CERTAIN BAKERY PRODUCTS

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 319 is amended in the following respects:

- 1. Section 1351.1918 (a) (7) is amended to read as follows:

(7) All commodities listed in Appendix A are those known to the trade as such excepting therefrom such thereof, if any, while subject to another regulation.

- 2. Section 1351.1920 is amended to read as follows:

§ 1351.1920 *Appendix A: Commodities covered by this regulation.*

Commodity:	Base period
Cakes (other than cookies and fruitcake)	March, 1942.
Fruitcake.....	October 1 to December 31, 1942.
Pastries.....	March, 1942.
Doughnuts.....	March, 1942.
Sweet yeast raised goods.....	March, 1942.
Pies.....	September 14 to October 11, 1941.

This amendment shall become effective July 31, 1943.

¹ 7 F.R. 8705, 9898, 10014, 10994; 8 F.R. 2673.

² 8 F.R. 1808, 2719, 2720, 3846, 7196.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12131; Filed, July 27, 1943; 3:34 p. m.]

PART 1339—APPAREL

[MPR 177,¹ Amdt. 6]

MEN'S AND BOYS' TAILORED CLOTHING

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 177 is amended in the following respects:

- 1. The exceptions following §§ 1389.103 (a) (4) and 1389.103 (b) (3) are hereby revoked.

- 2. Section 1389.103 (c) is added to read as follows:

(c) *Limit on highest price lines within each classification.* There shall be the following limits upon maximum prices computed under this section:

(1) *Limit on highest price lines for garments other than outer coats.* No maximum price determined under paragraph (a) (2) or paragraph (a) (3) of this section shall exceed the seller's highest maximum price for the same classification of garments determined under paragraph (a) (1) or (a) (4).

(2) *Limit on highest price lines for outer coats.* No maximum price determined under paragraph (b) (2) or (b) (3) of this section shall exceed the seller's highest maximum price for the same classification of garments determined under paragraph (b) (1).

(3) *Special limits on highest price lines of departmentalized sellers.* Any department within a selling establishment which dealt in a particular classification of garments during the base period must be considered a separate seller in determining the limit on its highest price-line in that classification. Any department which did not deal in a particular classification must be governed by the lowest of the limits in any department within the same establishment which did deal in the classification. If no department in the selling establishment dealt in the classification during the base period, the limit shall be the same as that of the most closely competitive seller of the same class.

(4) *Special rules for authorized retail sales of officers' uniforms.* The maximum prices at which a retailer may sell officers' uniforms pursuant to a certificate of approval issued by the Navy Department or a certificate of authority issued by the United States Army Exchange Service are not subject to the limitations on maximum prices provided in this paragraph.

- 3. In § 1389.104, paragraphs (a) (3) and (b) (2) are amended by adding at the end of each paragraph the sentence,

¹ 7 F.R. 5182, 7475, 6792, 7100, 7944, 8940, 9000, 8948.

"However, this exception shall not apply to sales of United States military uniforms which have been produced by the seller pursuant to agreement with the United States Army or Navy."

4. § 1389.108 (c) is amended to read as follows:

(c) *Relation to Maximum Price Regulation 157.*² This regulation shall not apply to sales of tailored clothing made in accordance with military specifications, if such sales come within the terms of § 1378.1 (a) of Maximum Price Regulation 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes.

5. Section 1389.108 (e) is added to read as follows:

(e) *Sales by war procurement agencies.* This regulation shall not apply to sales of tailored clothing made by a "War Procurement Agency." This term includes the War Department, Department of the Navy, United States Maritime Commission, the Lend-Lease Section in the Procurement Division of the Treasury, all agencies of these departments, and stores operated as Army canteens, post exchanges or ships' service activities.

6. Section 1389.108 (f) is added to read as follows:

(f) *Relation to Maximum Price Regulation 385.* Maximum Price Regulation 177 does not apply to sales of those United States military officers' uniforms which are covered by Maximum Price Regulation 385—"Specified Military Uniforms."

7. Sections 1389.115 (b) (2) and 1389.116 (c) (2) are amended by deleting from each section the phrase "and of each succeeding month."

This amendment shall become effective August 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12134; Filed, July 27, 1943;
3:32 p. m.]

PART 1426—WOOD PRESERVATION AND
PRIMARY FOREST PRODUCTS

[Rev. MPR 284, Amdt. 1]

WESTERN PRIMARY FOREST PRODUCTS

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.*

Revised Maximum Price Regulation 284 is amended in the following respects:

1. In the tabulation of "Contents", the reference to section 7 is amended to read "7 Definitions of territories" and in the

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 6544.

² 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948; 8 F.R. 3948, 7507.

reference to section 18 the word "posts" is deleted.

2. Section 2 (a) (3) is amended to read:

(3) Poles and piling.

3. Section 3, immediately after the phrase "f. o. b. the railroad loading-out point" the phrase "or towable waters" is inserted.

4. In section 4, the first undesignated paragraph is amended to read as follows:

SEC. 4. *Transportation addition.* Except as otherwise provided in paragraph (c) of this section applying to poles and piling (other than lodgepole pine), the transportation charges set forth below may be added to the maximum f. o. b. railroad loading-out point or towable water prices when the seller makes delivery to the destination. Transportation from the mill or point of production to the railroad loading-out point or booming and rafting ground must, in every instance, be provided on the seller's account. All additions for transportation must be shown separately on the invoice.

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

(1) When estimated weights or guaranteed mean diameters are used, the appropriate published rate times the estimated weight or mean diameter is the proper transportation charge, even though the estimated weights or diameters may be higher than actual. Estimated weights higher than those set forth in the appendices may not be used. The estimated weight must be taken from the appendices for the exact type of product actually ordered. To compute mean diameters add 1" to the top or butt diameter, whichever is the controlling factor, and increase or decrease that figure by 1" for each 10 lineal feet. Add the top and butt diameters thus determined and divide by two to find the mean diameter. The charge for transportation shall be evened out to the nearest quarter-dollar per MBM, quarter cent per lineal foot, or five cents per pole, whichever is applicable.

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

(b) *Private truck.* (1) When shipment is by truck owned or controlled by the seller, the maximum permissible addition (on hauls involving any point outside of metropolitan areas) shall be computed as 5 cents per 100 pounds for hauls of not over 10 miles, 7 cents per 100 pounds for hauls of more than 10 but not over 20 miles, 9 cents per 100 pounds for hauls of more than 20 but not over 30 miles, and for each mile over 30 miles, two tenths of a cent per 100 pounds to be added to the 30-mile charge. No addition is allowed for the return trip.

(2) A "metropolitan area" includes all territory within 10 miles of the city limits of any city having a population of 250,000 or more according to the Census of 1940. On shipment by private truck entirely within a metropolitan area, the amount added for transportation may not be more than the published motor common carrier rate for such haul times the estimated weight or other unit of

measure used. If there is no published rate, then the actual cost of trucking may be added, that is, the seller's out-of-pocket expense in making delivery.

7. In section 4, paragraph (c) is redesignated (e) and paragraphs (c) and (d) are added to read as follows:

(c) *Rail shipments of poles and piling (other than lodgepole pine.)* (1) On eastbound shipments by rail the transportation addition for all shippers may be computed as the estimated weights shown in the appropriate table times the rail freight rate from Seattle, Washington.

(2) On southbound shipments by rail to destinations covered in Pacific Freight Tariff Bureau Tariff No. 80-H, the transportation addition may be computed as the estimated weights shown in the appropriate table times the rail freight rate arrived at as follows:

(i) When the published rail rate is greater than the Seattle, Washington rate, the Bellingham, Washington published rate may be used.

(ii) When the published rail rate is greater than the Portland, Oregon rate but not greater than the Seattle, Washington published rate, the Seattle, Washington published rate may be used.

(iii) When the shipping point is North of the California-Oregon State line and takes a published rail rate not greater than the Portland rate, the Portland published rate may be used.

(iv) When the shipping point is in the State of California the published rate from Arcata, California may be used.

(3) On shipments of Western red cedar poles and piling from points in Idaho, Montana, and that part of Washington east of the crest of the Cascade Mountains to points for which there is no published through railroad freight rate via the Minnesota Transfer-Twin Cities Gateway, the transportation addition may be computed on the basis of the local freight rate or rates from the original loading-out point to destination.

(4) Regardless of the foregoing provisions of this paragraph (c), if a milling-in-transit rate is applicable and results in a lower total cost of transportation, the milling-in-transit rate must be used.

(d) For other means of transportation, where there are no published rates the actual cost of such transportation may be charged, that is, the out-of-pocket cost to the seller whether public or private means of transportation are used.

8. In section 5, between the words "treatment" and "may", the phrase "other than treatment specifically priced in this regulation" is inserted.

9. Section 7, the head-note is amended to read "Definitions of territories", and paragraphs (c) and (d) are added to read as follows:

(c) The term "Western Schedule" as used in section 18, Table 10, refers to sales of treated poles shipped from treating plants or concentration yards located in California or in those parts of Oregon, Washington, and Canada west of the crest of the Cascade Mountains (regardless of the location of the original loading-out point), and to sales of un-

treated poles shipped from original loading-out points or from concentration yards in that same territory.

(d) The term "Eastern Schedule", as used in section 18, Table 10A, refers to sales of treated poles shipped from treating plants or concentration yards located outside the area described in paragraph (c), regardless of the location of the original loading-out point. It applies also to sales of untreated poles shipped from original loading-out points or from concentration yards located outside the area described in paragraph (c).

10. Section 11, in the first undesignated paragraph, between the words "specifications" and "species", the words "lengths, sizes" are inserted.

11. Section 11, the paragraph reference and heading "(a) Western mine pit posts and stulls" is deleted.

12. Section 11, subparagraph (1) is redesignated paragraph (a), and the words "per lineal foot" are deleted, and the phrase "primary forest products" is substituted in place of the phrase "pit post or stull".

13. Section 11, subparagraph (2) is redesignated paragraph (b), and the words "per lineal foot" are deleted.

14. Section 11, paragraph (b) is redesignated paragraph (c), and is amended to read as follows:

(c) For any grade, specification, length, size, species, or extra for which a maximum price is not provided in the appendices, or which cannot be priced according to paragraphs (a) and (b) above, the maximum price shall be the price established by the Lumber Branch of the Office of Price Administration, Washington, D. C., after full facts have been submitted in support of a request for the establishment of a maximum price. The maximum price may be established by letter or telegram. The period allowed for consideration by the Lumber Branch, and the seller's rights pending disposition of his application, are the same as set out in paragraph (b) above.

15. Section 13, the phrase "5000 ft., board measure, or more" is deleted and in its place the phrase "5000 board feet or the equivalent in other measure," is inserted.

16. Section 16, Appendix A, Table No. 4, in the vertical column headed "Size" the item "4" x 6" x 20" cap" is corrected to read "4" x 6" x 30" cap".

17. Section 17, Appendix B, in the first undesignated paragraph, after the expression "f. o. b.", the words "cars at" are inserted.

18. The text of section 18, Appendix C, is amended to read as follows:

Sec. 18. Appendix C: Maximum prices for poles and piling. (a) All maximum prices set forth below are f. o. b. cars at the railroad loading-out point or dumped, boomed, and rafted on towable waters nearest the point of production in the normal direction of delivery to the point of destination.

(b) Quantity discounts on treated poles. When the seller takes a firm order for treated poles, he must make discounts for quantity as follows:

	Percent
For 3,000 to 4,999 poles.....	2½
For 5,000 poles or more.....	5

For purposes of this paragraph a "firm order" is one requiring shipment from time to time over a period of 12 months, as ordered by the buyer, with guarantee of payment for any poles not ordered shipped at the end of the 12-month period, and covering at least 5 lengths with 3 classes in each length. The maximum price for treated poles subject to this discount is the sum of the appropriate untreated price taken from Table 9, 10, 10A, or 11 and the additions for treatment and services made according to Table 10C or section 5, excluding any addition for transportation.

19. Section 18, Appendix C, Table 9, the table heading is amended to read "Table No. 9—Lodgepole Pine Poles and Piling" and footnote 1 is added to read as follows:

1. The maximum prices for Lodgepole pine piling shall be the maximum price established in this Table 9 for the most nearly equivalent A. S. A. size pole of the same length.

20. Section 18, Appendix C, Tables 10, 10A, 10B, 10C, 11 and 12 are added to read as follows:

TABLE NO. 10—MAXIMUM PRICES FOR WESTERN RED CEDAR POLES—WESTERN SCHEDULE

[See section 7 (c). F. o. b. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

A. S. A.		Estimated weight in pounds per pole	Maximum price, each
Length in feet	Class		
16.....	5	230	\$3.00
	6	190	2.20
	7	135	1.80
	8	135	1.70
	9	105	1.30
	10	85	1.05
18.....	3	440	4.60
	4	350	3.85
	5	265	3.20
	6	185	2.30
	7	175	1.95
	8	160	1.85
	9	120	1.45
	10	90	1.15
20.....	1	615	5.65
	2	530	5.40
	3	440	5.10
	4	350	4.10
	5	265	3.35
	6	200	2.45
	7	175	2.30
	8	160	1.85
	9	120	1.45
	10	90	1.25
22.....	1	750	5.90
	2	635	5.50
	3	530	5.05
	4	425	4.75
	5	350	4.35
	6	280	3.50
	7	220	3.25
	8	205	2.50
	9	180	1.90
	10	120	1.85
25.....	1	750	5.90
	2	635	5.50
	3	530	5.05
	4	425	4.75
	5	350	4.35
	6	280	3.50
	7	220	3.25
	8	205	2.50
	9	180	1.90
	10	120	1.85
30.....	H. D.	1,285	13.00
30" Top.....	1	1,120	11.15
	2	880	7.00
	3	960	10.75
	4	750	6.75
	5	645	6.45
	6	540	6.10
	7	440	5.80
	8	370	5.35
	9	310	4.95
	10	295	4.85
	11	225	4.10

TABLE NO. 10—MAXIMUM PRICES FOR WESTERN RED CEDAR POLES—WESTERN SCHEDULE—Continued

A. S. A.		Estimated weight in pounds per pole	Maximum price, each
Length in feet	Class		
35.....	H. D.	1,460	\$15.95
30" Top.....	1	1,385	13.00
	2	1,055	9.45
	3	1,180	12.40
	4	880	9.15
	5	750	8.75
	6	660	8.40
	7	570	7.65
	8	495	7.00
	9	415	5.95
	10	445	5.85
40.....	H. D.	1,725	24.35
30" Top.....	1	1,560	15.95
	2	1,320	11.15
	3	1,400	14.50
	4	1,145	10.75
	5	970	10.10
	6	790	9.55
	7	705	8.65
	8	615	8.05
	9	615	7.90
45.....	H. D.	1,990	28.40
30" Top.....	1	1,825	24.35
	2	1,585	13.00
	3	1,575	20.80
	4	1,365	12.40
	5	1,145	11.50
	6	1,010	10.75
	7	880	9.90
	8	880	9.70
50.....	H. D.	2,515	36.45
30" Top.....	1	2,090	28.40
	2	1,760	15.95
	3	1,750	25.85
	4	1,585	14.50
	5	1,365	13.25
	6	1,230	12.20
	7	1,145	10.95
	8	1,145	10.95
55.....	H. D.	2,870	43.50
30" Top.....	1	2,615	36.45
	2	2,025	24.35
	3	2,015	30.35
	4	1,760	20.80
	5	1,540	15.75
	6	1,410	12.75
	7	1,410	12.20
60.....	H. D.	3,395	48.50
30" Top.....	1	2,970	43.50
	2	2,290	28.40
	3	2,455	37.90
	4	1,935	25.85
	5	1,760	20.30
	6	1,670	16.30
65.....	H. D.	4,100	64.65
30" Top.....	1	3,495	48.50
	2	2,815	36.45
	3	2,985	44.00
	4	2,200	30.35
	5	2,025	25.60
	6	1,935	21.05
70.....	H. D.	4,540	82.65
30" Top.....	1	4,300	64.65
	2	3,170	43.50
	3	3,510	58.05
	4	2,640	37.90
	5	2,375	31.40
	6	2,290	27.05
75.....		3,695	48.50
	2	2,510	44.00
	3	2,730	38.20
	4	2,640	32.85
80.....		4,400	64.65
	2	3,695	58.05
	3	3,170	50.75
	4	3,080	46.40
	5	4,840	82.65
	6	3,960	72.60
	7	3,520	61.50
	8	3,320	60.45
90.....		5,810	100.70
	2	4,930	95.60
	3	4,225	90.60

TABLE NO. 10A—MAXIMUM PRICES WESTERN RED CEDAR POLES—EASTERN SCHEDULE

[See section 7 (d). F. o. b. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

A. S. A.		Estimated weight in pounds per pole	Maximum price, each
Length in feet	Class		
16.....	5	230	\$3.00
	6	190	2.20
	7	135	1.80
	8	135	1.70
	9	105	1.30
	10	85	1.05

TABLE NO. 10A—MAXIMUM PRICES WESTERN RED CEDAR POLES—EASTERN SCHEDULE—Continued

[See section 7 (d). F. o. b. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

A. S. A.		Estimated weight in pounds per pole	Maximum price, each
Length in feet	Class		
18	3	400	\$4.60
	4	320	3.85
	5	240	3.20
	6	180	2.30
	7	160	1.95
	8	160	1.85
	9	120	1.45
	10	90	1.15
20	1	560	5.65
	2	480	5.40
	3	400	4.90
	4	320	4.10
	5	240	3.35
	6	180	2.45
	7	160	2.05
	8	160	1.85
	9	120	1.45
	10	90	1.25
22	1	680	5.90
	2	575	5.50
	3	480	5.05
	4	385	4.75
	5	320	4.35
	6	255	3.15
	7	200	2.95
	8	205	2.50
	9	180	1.90
	10	120	1.85
25	1	680	5.90
	2	575	5.50
	3	480	5.05
	4	385	4.75
	5	320	4.35
	6	255	3.15
	7	200	2.95
	8	205	2.50
	9	180	1.90
	10	120	1.85
30	H. D.	1,200	11.55
30" Top	1	1,000	9.60
	2	800	6.40
30" Top	1	855	9.20
	2	680	6.25
	3	585	6.05
	4	490	6.05
	5	400	5.80
	6	335	4.70
	7	280	4.30
	8	295	4.10
	9	225	3.10
	10	225	3.10
35	H. D.	1,440	14.30
30" Top	1	1,240	11.05
	2	960	8.95
30" Top	1	1,055	10.50
	2	800	8.65
	3	680	8.55
	4	600	8.40
	5	520	7.65
	6	450	6.40
	7	375	5.00
	8	405	4.75
40	H. D.	1,600	24.35
30" Top	1	1,400	14.30
	2	1,200	9.95
30" Top	1	1,255	13.30
	2	1,040	9.45
	3	880	9.15
	4	720	8.90
	5	640	8.40
	6	560	7.65
	7	590	7.35
45	H. D.	1,840	28.40
30" Top	1	1,640	24.35
	2	1,440	11.55
30" Top	1	1,415	20.80
	2	1,240	11.00
	3	1,040	10.50
	4	920	9.95
	5	800	8.95
	6	800	8.80
50	H. D.	2,080	36.45
30" Top	1	1,880	28.40
	2	1,680	14.30
30" Top	1	1,575	25.85
	2	1,440	13.30
	3	1,240	11.80
	4	1,120	10.95
	5	1,040	9.95
	6	1,040	9.95

TABLE NO. 10A—MAXIMUM PRICES WESTERN RED CEDAR POLES—EASTERN SCHEDULE—Continued

[See section 7 (d). F. o. b. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

A. S. A.		Estimated weight in pounds per pole	Maximum price, each
Length in feet	Class		
55	H. D.	2,560	\$43.50
30" Top	1	2,360	36.45
	2	1,840	24.35
30" Top	1	1,815	30.35
	2	1,600	20.80
	3	1,400	15.75
	4	1,280	12.75
	5	1,280	12.20
60	H. D.	2,880	48.50
30" Top	1	2,680	43.50
	2	2,080	28.40
30" Top	1	2,215	37.90
	2	1,760	25.85
	3	1,600	20.30
	4	1,520	18.30
65	H. D.	3,360	64.65
30" Top	1	3,160	48.50
	2	2,560	36.45
30" Top	1	2,695	44.00
	2	2,000	30.35
	3	1,840	25.60
	4	1,760	21.05
70	H. D.	4,000	82.65
30" Top	1	3,800	64.65
	2	2,880	43.50

TABLE NO. 10A—MAXIMUM PRICES WESTERN RED CEDAR POLES—EASTERN SCHEDULE—Continued

[See section 7 (d). F. o. b. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

A. S. A.		Estimated weight in pounds per pole	Maximum price, each
Length in feet	Class		
70—Continued.			
30" Top	2	3,175	\$58.05
	2	2,400	37.90
	3	2,160	31.40
	4	2,080	27.05
75	1	3,360	48.50
	2	2,880	44.00
	3	2,480	38.20
	4	2,400	32.85
80	1	4,000	64.65
	2	3,360	58.05
	3	2,880	50.75
	4	2,800	46.40
85	1	4,400	82.65
	2	3,600	72.60
	3	3,200	61.50
	4	3,200	60.45
90	1	5,280	100.70
	2	4,480	95.60
	3	3,840	90.00

TABLE NO. 10B—MAXIMUM PRICES FOR WESTERN RED CEDAR RE-INFORCING STUBS—ANCHOR LOGS SHORT ROUND MATERIAL—PROCESSING AND PRESERVATIVE TREATMENT OF SAME—EASTERN OR WESTERN SCHEDULES

[F. o. b. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

Minimum diameter small end	Minimum circumference small end	Estimated weight in pounds per lineal ft.	Maximum price for each lineal ft. or fraction thereof	Maximum charge for roofing each piece	Maximum Charge for Preservative Treatment Spec. 1/2" Pen.	
					5' butt treatment	Each additional foot or fraction thereof
5 inch	15 inch	6#	\$0.07 1/2	\$0.08	\$1.00	\$0.09
6 inch	18 1/2 inch	8#	.10	.09	1.30	.11
7 inch	22 inch	10#	.11 1/2	.10	1.55	.14
8 inch	25 inch	15#	.15	.12	1.80	.18
9 inch	28 inch	20#	.18	.13	2.00	.22
10 inch	31 inch	25#	.20	.15	2.40	.25
11 inch	34 inch	30#	.21	.16	2.70	.29
12 inch	38 inch	35#	.23	.18	3.35	.36
13 inch	41 inch	40#	.25	.19	4.05	.43
14 inch	44 inch	45#	.26	.21	4.75	.50
15 inch	47 inch	50#	.28	.23	5.30	.58
16 inch	50 inch	55#	.30	.25	6.10	.65

GENERAL NOTES APPLYING TO TABLES 10, 10A, AND 10B

1. These prices include all production costs before processing and treating such as yarding and inspection.
2. *Piling.* The maximum price for Western Red Cedar piling shall be the price for the closest equivalent A. S. A. size pole in the same length.
3. *Less than carload sales.* On orders to established concentration, distribution, or treating plant yards for less than carload minimum weight as established by railroad tariffs, and where the invoice value of the poles ordered does not exceed \$275.00 for white poles when computed at the maximum prices in this regulation, the seller may make a service charge addition of not more than 10% of the total invoice value of the treated or untreated pole not including transportation, but including the treating and processing additions provided in Table 10C. The seller shall keep a record of such sales and

show this charge as a separate item on the invoice.

4. *Cut back allowance.* When requirements of the buyer exceed the available supply of the seller for one or more classes or lengths of poles for delivery required, the seller may cut back the most similar class pole in the five foot longer length and may charge the maximum price for the class and length pole actually used. The additions for transportation, treatment, processing, etc., on such cut back poles, shall be those additions applicable to the class and length pole ordered by the buyer, plus an addition for inbound freight computed at the difference in estimated weights times the freight rate to the concentration yards. No addition may be made for the labor included in such cutting back operations. The seller shall keep a record of such sales and show this charge as a separate item on the invoice.

5. *Inspection service.* On shipments where the buyer requests special inspection service, furnished by an approved inspection

agency, an addition may be made to cover the actual cost of such service. This charge must be shown separately on the invoice.

6. *Branding and marking.* The manufacturer's brand showing year mark, class and length of pole may be branded on the face of treated poles including butt treating at no extra charge. For any additional branding or marking on treated poles, including butt treated and for all branding on untreated poles, an addition of not more than 5% of the charge for butt treatment for the same length and class in Table 10C, may be made for each additional branding or marking operation required by the buyer and performed with one iron.

7. *Heavy duty and 30'' top poles.* On sales of heavy duty and 30'' top #1 and #2 poles an addition for inbound freight may be added computed at the difference in estimated weights between the pole as sold and the pole cut back times the freight rate to the concentration yard.

8. *Untreated poles, stubs, anchor logs and short round material.* On shipments from

treating plant yards of untreated poles, stubs, anchor logs and short round material, the seller may add a charge of not more than \$.075 per cwt. times the estimated weight for that length and size in the appropriate table.

9. *Storage.* When the buyer requires storage of treated poles until released for shipment as required, the seller may add a yarding charge of not more than \$.05 per cwt. times the estimated weight for the same class and length in the appropriate table.

10. *Specifications not priced.* To price any specification of pole other than American Standard Association, the seller shall determine the size A. S. A. pole of the same length having the same or nearest larger circumference 6' from the butt, and this price is the tentative maximum price for the specification to be priced. The tentative price so determined and any price for other lengths or extras not specifically priced shall be submitted to the Lumber Branch, Office of Price Administration, Washington, D. C. as provided in section 11.

TABLE No. 10C—MAXIMUM PRICE ADDITIONS TO POLE PRICE FOR TREATING AND PROCESSING WESTERN RED CEDAR POLES

Length in feet	A. S. A. Class	Butt treated—Inceised and 1/2'' Pentrex creosoted ¹	Full length creosote or other preservative without separate butt treatment		Roof only	Roof and one gain	Each additional gain	Staining or painting	Machine or hand shave full length	Reduced sapwood addition to shaving price ⁴
			Inceised and under 8-hour hot treatment ²	Inceised and 8 hours min. hot followed by cold treatment ^{2,3}						
16	5	\$1.15	\$1.00	\$1.35	\$0.11	\$0.19	\$0.08	\$0.75	\$0.40	\$0.05
	6	1.05	.90	1.20	.11	.19	.08	.70	.40	.05
	7	.90	.80	1.05	.11	.19	.08	.70	.40	.05
	8	.75	.75	.95	.11	.19	.08	.70	.35	.05
	9	.65	.65	.90	.07	.15	.08	.65	.35	.05
18	10	.50	.60	.85	.07	.15	.08	.45	.35	.05
	3	1.60	1.65	2.20	.15	.22	.08	1.10	.75	.05
	4	1.40	1.55	2.05	.11	.19	.08	1.05	.60	.05
	5	1.20	1.20	1.60	.11	.19	.08	.85	.55	.05
	6	1.15	1.00	1.30	.11	.19	.08	.75	.45	.05
20	7	1.00	.90	1.20	.11	.19	.08	.75	.45	.05
	8	.85	.80	1.05	.11	.19	.08	.75	.45	.05
	9	.75	.75	.95	.07	.15	.08	.70	.40	.05
	10	.65	.65	.90	.07	.15	.08	.50	.30	.05
	1	2.10	2.10	2.90	.15	.22	.08	1.15	.75	.05
22	2	1.90	1.85	2.50	.15	.22	.08	1.15	.75	.05
	3	1.75	1.75	2.35	.15	.22	.08	1.15	.75	.05
	4	1.50	1.60	2.15	.11	.19	.08	1.00	.60	.05
	5	1.30	1.40	1.90	.11	.19	.08	.90	.55	.05
	6	1.15	1.30	1.75	.11	.19	.08	.80	.45	.05
25	7	1.00	1.20	1.60	.11	.19	.08	.80	.45	.05
	8	.85	1.00	1.35	.11	.19	.08	.80	.45	.05
	9	.75	.90	1.20	.07	.15	.08	.75	.40	.05
	10	.65	.75	1.00	.07	.15	.08	.55	.30	.05
	1	2.35	2.25	3.05	.18	.26	.08	1.30	.95	.05
30	2	2.15	2.00	2.70	.18	.26	.08	1.20	.85	.05
	3	1.95	1.85	2.50	.15	.23	.08	1.10	.70	.05
	4	1.70	1.75	2.35	.15	.23	.08	1.00	.60	.05
	5	1.50	1.50	2.05	.11	.19	.08	.90	.55	.05
	6	1.35	1.40	1.85	.11	.19	.08	.85	.45	.05
30'' Top--	7	1.30	1.25	1.70	.11	.19	.08	.80	.45	.05
	8	1.30	1.10	1.45	.11	.19	.08	.80	.45	.05
	9	1.15	1.10	1.30	.07	.15	.08	.75	.45	.05
	10	1.10	.90	1.15	.07	.15	.08	.75	.45	.05
	1	2.35	2.40	3.20	.18	.26	.08	1.30	.95	.05
30'' Top--	2	2.15	2.20	2.95	.18	.26	.08	1.20	.85	.05
	3	1.95	1.95	2.60	.15	.23	.08	1.10	.70	.05
	4	1.70	1.85	2.45	.15	.23	.08	1.00	.60	.05
	5	1.50	1.60	2.15	.11	.19	.08	.90	.55	.05
	6	1.35	1.45	1.95	.11	.19	.08	.85	.45	.05
H. D.	7	1.30	1.25	1.80	.11	.19	.08	.80	.45	.05
	8	1.30	1.25	1.65	.11	.19	.08	.80	.45	.05
	9	1.15	1.20	1.60	.07	.15	.08	.75	.45	.05
	10	1.10	1.10	1.45	.07	.15	.08	.75	.45	.05
	1	4.00	3.55	4.70	.30	.41	.11	1.80	1.35	.35
30'' Top--	2	3.55	3.10	4.15	.26	.37	.11	1.70	1.20	.30
	3	2.65	2.95	3.95	.22	.30	.08	1.45	1.05	.15
	4	3.20	2.85	3.75	.26	.37	.11	1.60	1.15	.25
	5	2.40	2.70	3.60	.22	.30	.08	1.35	1.00	.10
	6	2.20	2.55	3.35	.18	.26	.08	1.25	.85	.10
30'' Top--	7	1.95	2.25	3.00	.15	.23	.08	1.10	.70	.10
	8	1.75	2.05	2.75	.11	.19	.08	1.00	.70	.10
	9	1.60	1.90	2.55	.11	.19	.08	.95	.65	.10
	10	1.50	1.75	2.35	.11	.19	.08	.90	.60	.10
	11	1.30	1.70	2.25	.11	.19	.08	.90	.55	.10
12	1.30	1.55	2.05	.07	.15	.08	.90	.55	.10	

Footnotes at end of table.

TABLE NO. 10C—MAXIMUM PRICE ADDITIONS TO POLE PRICE FOR TREATING AND PROCESSING WESTERN RED CEDAR POLES—Continued

A. S. A.		Butt treated—Incised and 1/2" Pentrex creosoted	Full length creosote or other preservative without separate butt treatment		Roof only	Roof and one gain	Each additional gain	Staining or painting	Maehline or hand shave full length	Reduced sapwood addition to shaving price
Length in feet	Class		Ineised and under 8-hour hot treatment	Ineised and 8 hours min. hot followed by cold treatment						
35	H. D.	\$4.50	\$4.15	\$5.55	\$0.30	\$0.41	\$0.11	\$1.95	\$1.50	\$0.40
30" Top..	1	4.00	3.75	4.95	.30	.41	.11	1.80	1.35	.40
	2	3.10	3.55	4.75	.26	.37	.11	1.60	1.20	.15
30" Top..	2	3.75	3.35	4.50	.26	.37	.11	1.75	1.30	.40
	3	2.75	3.20	4.25	.26	.34	.08	1.45	1.05	.15
	4	2.50	2.95	3.95	.22	.30	.08	1.35	1.00	.15
	5	2.30	2.75	3.65	.18	.26	.08	1.30	.90	.15
	6	2.10	2.50	3.35	.18	.26	.08	1.20	.85	.15
	7	1.80	2.30	3.10	.15	.23	.08	1.15	.75	.15
	8	1.65	2.10	2.85	.15	.23	.08	1.15	.70	.15
40	H. D.	5.05	5.10	6.80	.34	.45	.11	2.10	1.75	.40
30" Top..	1	4.50	4.45	5.95	.30	.41	.11	1.95	1.50	.40
	2	3.55	4.25	5.65	.26	.37	.11	1.70	1.20	.40
30" Top..	2	4.25	4.25	5.65	.30	.41	.11	1.90	1.50	.40
	3	3.20	3.90	5.20	.26	.37	.11	1.60	1.15	.40
	4	2.80	3.60	4.80	.23	.34	.11	1.45	1.05	.35
	5	2.60	3.30	4.40	.19	.30	.11	1.40	1.00	.30
	6	2.30	3.00	4.00	.19	.30	.11	1.30	.95	.25
	7	2.05	2.70	3.60	.19	.30	.11	1.30	.95	.20
	8	2.05	2.60	3.45	.19	.30	.11	1.30	.95	.15
45	H. D.	5.80	6.70	8.95	.34	.45	.11	2.25	1.90	.60
30" Top..	1	5.05	5.90	7.85	.34	.45	.11	2.10	1.75	.60
	2	4.00	4.85	7.45	.30	.41	.11	1.80	1.35	.55
30" Top..	2	4.60	5.45	7.30	.30	.41	.11	2.00	1.70	.40
	3	3.75	5.20	6.95	.26	.37	.11	1.75	1.30	.50
	4	3.25	4.75	6.35	.23	.34	.11	1.60	1.25	.40
	5	2.95	4.45	5.95	.23	.34	.11	1.60	1.20	.40
	6	2.50	4.05	5.40	.23	.34	.11	1.60	1.15	.30
	7	2.50	3.90	5.20	.23	.34	.11	1.60	1.15	.25
50	H. D.	6.55	7.70	10.25	.34	.45	.11	2.40	2.40	1.20
30" Top..	1	5.80	6.70	8.95	.34	.45	.11	2.25	1.90	.85
	2	4.50	6.40	8.55	.30	.41	.11	1.95	1.60	.50
30" Top..	2	5.10	6.30	8.40	.30	.41	.11	2.05	1.90	.45
	3	4.25	6.00	7.80	.30	.41	.11	1.90	1.50	.45
	4	3.65	5.55	7.40	.26	.37	.11	1.75	1.50	.40
	5	3.30	5.25	7.00	.26	.37	.11	1.70	1.35	.40
	6	2.70	4.85	6.45	.26	.37	.11	1.70	1.25	.40
	7	2.70	4.75	6.35	.26	.37	.11	1.70	1.20	.40
55	H. D.	7.10	8.75	11.70	.34	.45	.11	2.55	2.25	1.85
30" Top..	1	6.55	7.65	10.20	.34	.45	.11	2.40	2.40	1.20
	2	5.05	7.30	9.75	.34	.45	.11	2.10	1.75	.75
30" Top..	2	5.55	7.05	9.45	.30	.41	.11	2.20	2.30	1.20
	3	4.60	6.75	9.00	.30	.41	.11	2.00	1.70	.65
	4	4.10	6.25	8.35	.26	.37	.11	1.85	1.65	.45
	5	3.60	5.90	7.85	.26	.37	.11	1.80	1.55	.45
	6	3.30	5.60	7.45	.26	.37	.11	1.80	1.45	.45
60	H. D.	8.00	9.80	13.05	.34	.45	.11	2.70	2.90	1.70
30" Top..	1	7.10	8.55	11.40	.34	.45	.11	2.55	2.65	1.45
	2	5.80	8.15	10.85	.34	.45	.11	2.25	2.20	1.20
30" Top..	2	6.35	7.95	10.55	.30	.41	.11	2.65	2.35	1.50
	3	5.10	7.60	10.15	.30	.41	.11	2.05	2.10	1.10
	4	4.50	7.05	9.40	.26	.37	.11	1.95	2.00	1.00
	5	3.95	6.70	8.95	.26	.37	.11	1.95	1.90	1.00
65	H. D.	9.80	11.20	14.95	.34	.45	.11	2.85	3.10	1.70
30" Top..	1	8.00	9.80	13.10	.34	.45	.11	2.70	2.80	1.80
	2	6.55	9.35	12.45	.34	.45	.11	2.40	2.40	1.50
30" Top..	2	7.10	8.70	11.65	.34	.45	.11	2.55	2.60	1.80
	3	5.55	8.30	11.05	.30	.41	.11	2.20	2.30	1.40
	4	5.05	7.85	10.45	.26	.37	.11	2.10	2.20	1.30
	5	4.70	7.45	9.95	.26	.37	.11	2.10	2.10	1.20
70	H. D.	9.90	11.35	15.15	.34	.45	.11	3.00	3.20	2.10
30" Top..	1	9.80	10.80	14.40	.34	.45	.11	2.85	3.10	1.80
	2	7.10	10.30	13.75	.34	.45	.11	2.55	2.65	1.95
30" Top..	2	8.05	9.75	13.00	.34	.45	.11	2.70	2.80	1.80
	3	6.35	9.30	12.40	.30	.41	.11	2.35	2.35	1.75
	4	5.80	8.75	11.65	.26	.37	.11	2.25	2.20	1.65
	5	5.00	8.35	11.15	.26	.37	.11	2.25	2.10	1.45
75		8.00	11.50	15.35	.34	.45	.11	2.70	2.90	2.00
	2	7.10	10.60	14.15	.34	.45	.11	2.55	2.50	1.90
	3	6.55	9.70	12.95	.34	.45	.11	2.40	2.40	1.80
	4	5.60	9.30	12.40	.34	.45	.11	2.40	2.30	1.70
80		9.80	12.05	17.25	.34	.45	.11	2.85	3.10	2.20
	2	8.05	11.75	15.65	.34	.45	.11	2.70	2.80	2.10
	3	7.20	10.80	14.40	.34	.45	.11	2.55	2.40	2.00
	4	5.80	10.45	13.95	.34	.45	.11	2.55	2.25	2.00
85		9.90	14.15	18.85	.34	.45	.11	3.00	3.20	2.50
	2	8.80	12.60	16.80	.34	.45	.11	2.85	3.00	2.30
	3	7.80	11.75	15.65	.34	.45	.11	2.70	2.80	2.10
	4	7.30	11.65	15.55	.34	.45	.11	2.70	2.60	2.00
90		10.90	15.85	21.15	.34	.45	.11	3.15	3.60	2.90
	2	9.75	14.35	19.15	.34	.45	.11	3.00	3.40	2.80
	3	8.60	13.30	17.75	.34	.45	.11	2.85	3.20	2.70

1 On poles treated west of the crest of the Cascade Mountains these charges may be increased by 5%.
 2 If the buyer does not require ground-line incising with this type of treatment deduct 5% from the price of under 8 hours' treatment.
 3 Where guaranteed penetration at the ground line area is required in this type of treatment add to these prices the 1/2" Pentrex butt treating addition for the same length and class of pole.
 4 This addition is permitted when the sap wood is reduced in machine shaving to less than 1/8" average thickness.

GENERAL NOTES APPLYING TO TABLE 10C

1. **Additional height butt treatment:** An additional charge may be made for creosote butt treatment of one foot or portion thereof in excess of the standard height, but the total charge must not be more than the maximum charge for creosote butt treatment of the same class pole five feet longer.
2. **Extended incised area:** When the buyer requires an extended ground-line incised area greater than 3 feet, the maximum charge for creosote butt treatment shall not exceed the maximum charge for the next larger class pole in the five-foot longer length to provide for this service and any additional height treatment.
3. **Bolt holes and step holes:** For the first boring in any plane of a pole, stub, anchor log or other short round material add \$0.05. For each additional boring in that same plane add \$0.03.
4. **Continuous slab gain:** An addition may be made for each 12 inches or part thereof of continuous slab gain not to exceed the charge for "Each Additional Gain."
5. **Full length immersion of butt treated poles:** For butt treated poles immersed full length in creosote, stain or other preservative, the seller may add to the butt treated price the staining and painting charge for the same length and class of pole.
6. **Specifications not priced:** For any specification of treating or processing not priced in this table a maximum price addition may be determined in accordance with section 11.

TABLE NO. 11—MAXIMUM PRICES CLEAN PEELED DOUGLAS FIR POLES, AMERICAN STANDARD ASSOCIATION SPECIFICATIONS

[F. O. B. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

Length in feet	Class	Weight in pounds		Price	
		Each	Per linear foot	Each	Per linear foot
16-18-20	10	200	10	\$1.60	\$.08
		220	11	1.70	.085
	8	260	13	1.80	.09
		310	15.5	1.90	.095
	6	350	17.5	2.00	.10
		400	20	2.10	.105
		440	22	2.20	.11
		490	24.5	2.40	.12
22-25	10	250	10	2.25	.09
		290	12	2.38	.095
	8	350	14	2.50	.10
		400	16	2.63	.105
	6	463	18.5	2.75	.11
		525	21	3.00	.12
		575	23	3.25	.13
		600	24	3.50	.14
30	10	650	26	3.75	.15
		700	28	4.25	.17
	8	390	13	3.00	.10
		450	15	3.15	.105
	6	480	16	3.30	.11
		510	17	3.60	.12
		600	20	3.90	.13
		690	23	4.20	.14
35	10	810	27	4.50	.15
		930	31	5.10	.17
	8	1,110	37	5.70	.19
		560	16	3.85	.11
	6	595	17	4.20	.12
		665	19	4.90	.14
		770	22	5.25	.15
		875	25	5.60	.16
40	10	1,085	31	6.30	.18
		1,260	36	6.65	.19
	8	1,435	41	7.70	.22
		680	17	5.20	.13
	6	800	20	5.60	.14
		920	23	6.40	.16
		1,120	28	7.20	.18
		1,320	33	8.00	.20
45	10	1,560	39	8.80	.22
		1,760	44	9.20	.23
	8	810	18	6.30	.14
		945	21	7.20	.16
	6	1,125	25	8.10	.18
		1,350	30	9.00	.20
		1,575	35	9.45	.21

TABLE NO. 11—MAXIMUM PRICES CLEAN PEELED DOUGLAS FIR POLES, AMERICAN STANDARD ASSOCIATION SPECIFICATIONS—Continued

[F. O. B. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

Length in feet	Class	Weight in pounds		Price	
		Each	Per linear foot	Each	Per linear foot
45	2	1,845	41	\$10.35	\$.23
	1	2,070	46	11.25	.25
	7	950	19	7.50	.15
	6	1,100	22	8.00	.16
	5	1,300	26	9.50	.19
50	4	1,600	32	10.50	.21
	3	1,850	37	11.50	.23
	2	2,150	43	12.50	.25
	1	2,500	50	13.00	.26
	6	1,320	24	11.00	.20
55	5	1,540	28	11.53	.21
	4	1,815	33	12.10	.22
	3	2,145	39	13.20	.24
	2	2,475	45	14.30	.26
	1	2,860	52	14.80	.27
60	5	1,740	29	13.20	.22
	4	2,040	34	14.40	.24
	3	2,460	41	15.60	.26
	2	2,820	47	16.20	.27
	1	3,360	58	16.80	.28
65	5	2,015	31	14.95	.23
	4	2,340	36	16.25	.25
	3	2,795	43	17.55	.27
	2	3,250	50	18.85	.29
	1	3,835	59	19.50	.30
70	6	2,240	32	16.80	.24
	4	2,590	37	18.20	.26
	3	3,080	44	19.60	.28
	2	3,640	52	21.00	.30
	1	4,340	62	21.70	.31
75	4	2,925	39	20.25	.27
	3	3,450	46	21.75	.29
	2	4,050	54	23.25	.31
	1	4,800	64	24.00	.32
	4	3,200	40	22.40	.28
80	3	3,760	47	24.00	.30
	2	4,400	55	25.60	.32
	1	5,240	65	26.40	.33
	3	4,165	49	27.20	.32
	2	4,930	58	28.90	.34
85	1	5,780	68	29.75	.35
	3	4,950	55	30.60	.34
	2	5,400	60	32.40	.36
	1	6,300	70	33.30	.37

1. To price any specification of pole other than American Standard Association, the seller shall determine the size A. S. A. pole of the same length having the same or nearest larger circumference 8' from the butt and this price is the tentative maximum price for the specification to be priced. The tentative price so determined and any price for other lengths or extras not specifically priced, such as roofing or framing, shall be submitted to the Lumber Branch, Office of Price Administration, Washington, D. C., as provided in section 11.

For length specifications

All additions allowed by the following footnotes must be shown separately on the invoice.

In all the specified length groups below, the lengths shall be evenly distributed.

2. For specified length groups, 5 or more consecutive lengths in A. S. A. multiples: No addition.

3. For specified length groups, of 4 consecutive lengths in A. S. A. multiples: add \$.005 per lin. ft.

4. For specified length groups, of 3 consecutive lengths in A. S. A. multiples: add \$.01 per lin. ft.

5. For specified length groups, of 2 consecutive lengths in A. S. A. multiples: add \$.015 per lin. ft.

6. For specified single length: add \$.02 per lin. ft.

7. For random length orders when the purchaser specifies restricted loading, the seller may add 2/3 of the appropriate specified length addition above.

Winter or bark stuck peeling

8. For clean peeled poles which are delivered during the winter peeling or bark stuck season (October 1 to February 28 or 29, inclusive): add \$.02 per lin. ft.

9. For rough peeled poles which are delivered during the winter peeling or bark stuck season (October 1 to February 28 or 29, inclusive): add \$.01 per lin. ft.

TABLE NO. 12—CLEANED PEELED DOUGLAS FIR PILING, NAVY SPECIFICATION 39P-14a CLASS 2

[F. O. B. Cars Producer's Loading-out Point or Dumped, Boomed, Rafted and Prepared for Towing in Towable Waters]

Diameters	8" Min. Butt including 8'-1' to 8'-6"		9" Min. Butt including 9'-1' to 9'-6"		10" Min. Butt including 10'-1' to 10'-6"		11" Min. Butt including 11'-1' to 11'-6"		12" Min. Butt including 12'-1' to 12'-6"		13" Min. Butt including 13'-1' to 13'-6"		14" Min. Butt including 14'-1' to 14'-6"		15" Min. Butt including 15'-1' to 15'-6"		16" Min. Butt including 16'-1' to 16'-6"		17" Min. Butt including 17'-1' to 17'-6"	
	Weight pounds per lin. foot	Price per foot	Weight pounds per lin. foot	Price per foot	Weight pounds per lin. foot	Price per foot	Weight pounds per lin. foot	Price per foot	Weight pounds per lin. foot	Price per foot	Weight pounds per lin. foot	Price per foot	Weight pounds per lin. foot	Price per foot	Weight pounds per lin. foot	Price per foot	Weight pounds per lin. foot	Price per foot	Weight pounds per lin. foot	Price per foot
15' to 17' incl.	19	\$.10	23	\$.12	29	\$.14	35	\$.16	41	\$.18	48	\$.21								
18' to 22' incl.	18	.10	23	.12	28	.14	33	.16	39	.18	46	.21								
23' to 27' incl.	18	.10	21	.12	26	.14	32	.16	38	.18	45	.21								
28' to 32' incl.	18	.10	20	.12	25	.14	30	.16	36	.18	43	.21	50	\$.23						
33' to 37' incl.	18	.11	20	.13	24	.15	29	.16	35	.18	41	.21	48	.23						
38' to 42' incl.	18	.11	20	.13	23	.15	28	.17	33	.19	40	.22	46	.24						
43' to 47' incl.	18	.11	20	.13	23	.15	26	.17	32	.19	38	.22	45	.24	52	\$.25	60	\$.26	68	\$.28
48' to 52' incl.	18	.11	20	.13	23	.15	25	.17	31	.19	37	.22	43	.24	50	.25	58	.26	66	.28
53' to 57' incl.			20	.13	23	.15	25	.17	29	.19	35	.22	42	.24	48	.25	55	.26	64	.28
58' to 62' incl.			20	.14	23	.16	25	.17	28	.19	34	.22	40	.24	47	.25	54	.26	62	.28
63' to 67' incl.					23	.17	25	.19	28	.21	33	.23	39	.25	45	.26	53	.27	61	.29
68' to 72' incl.					23	.18	25	.20	28	.21	31	.23	37	.25	43	.26	51	.27	59	.29
73' to 77' incl.					23		25	.20	28	.22	31	.24	36	.25	41	.26	48	.27	57	.29
78' to 82' incl.					23		25	.22	28	.23	31	.24	34	.25	40	.26	48	.27	55	.29
83' to 87' incl.					23		25	.22	28	.24	31	.25	34	.26	39	.27	46	.28	53	.30
88' to 92' incl.					23		25	.20	28	.25	31	.26	34	.27	38	.29	44	.30	52	.31
93' to 97' incl.					23		25	.20	28	.25	31	.27	34	.28	38	.30	43	.31	50	.32
98' to 102' incl.					23		25	.20	28	.25	31	.28	36	.29	40	.31	42	.32	49	.33
103' to 107' incl.					23		25	.20	28	.25	31	.28	36	.30	40	.32	42	.34	47	.35
108' to 112' incl.					23		25	.20	28	.25	31	.28	38	.31	42	.33	44	.35	46	.35
113' to 117' incl.					23		25	.20	28	.25	31	.28	34	.29	44	.34	46	.36	48	.38
118' to 122' incl.					23		25	.20	28	.25	31	.28	34	.29	46	.35	48	.37	50	.39

GENERAL NOTES APPLYING TO TABLE NO. 12

1. If a top diameter only is specified, or where the top diameter controls, the butt size shall be determined by adding 1 inch for each 10 feet or fraction thereof.

Specifications not covered

2. For all lengths butt or top specifications, and other extras not specifically priced, such as sniping and boring, price according to section 11.

Unpeeled piling

3. For unpeeled piling, deduct: \$.025 per lin. ft.

Length specifications

Additions allowed by the following foot-notes must be shown separately on the invoice.

In all specified length groups below, the lengths will be evenly distributed in consecutive lengths within the group.

4. For specified length groups of one size of 20' or more spread: No addition.

5. For specified length groups of one size of over 10' but less than 20' spread: add \$.005 per lin. ft.

6. For specified length groups of one size of over 5' but less than 11' spread, for example, 48' to 53': add \$.01 per lin. ft.

7. For specified length groups of one size of not over 5' spread, for example, 64'-65'-66'-67'-68': add \$.02 per lin. ft.

8. For specified length groups of one size of not over 3' spread, for example, 79'-80'-81': add \$.025 per lin. ft.

9. For specified single lengths: add \$.03 per lin. ft.

10. For random length orders where the purchaser specifies restricted loading the seller may add $\frac{2}{3}$ of the proper specified length addition above.

Winter or bark stuck peeling

11. For cleaned peeled piling which is delivered during the winter or bark stuck peeling season (October 1 to February 28 or 29, inclusive): add \$.02 per lin. ft.

12. For rough peeled piling which is delivered during the winter or bark stuck peeling season (October 1 to February 28 or 29, inclusive): add \$.01 per lin. ft.

This amendment shall become effective August 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12125; Filed, July 27, 1943;
3:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 3]

FRUIT CAKE

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 1.1 is hereby revoked.

This amendment shall become effective July 31, 1943.

*Copies may be obtained from the Office of Price Administration.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12127; Filed, July 27, 1943;
3:35 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 5]

NEWLY MINED DOMESTIC SILVER

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.*

Revised Supplementary Regulation No. 14 is amended in the following respect:

1. Section 5.4 (b) (1) and section 5.5 (d) (1) are amended by adding at the end of both sections the following:

For all the purposes of this regulation, silver sold by the United States Treasury Department pursuant to the Act of July 12, 1943, entitled "An Act To Authorize The Use For War Purposes Of Silver Held Or Owned By The United States" (the Green Act) shall be treated as "newly mined domestic silver" and may be invoiced, certified, recorded and priced as such.

This amendment shall become effective August 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12126; Filed, July 27, 1943;
3:33 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 131, Incl. Amdt. 4]

CAMELBACK

Section 1315.1310 (a) (1) is amended by Amendment 4, effective August 2, 1943, so that Maximum Price Regulation No. 131 shall read as follows:

In the judgment of the Price Administrator, the prices of camelback have risen and are threatening further to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of camelback prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and

consulted with representative members of the industry which will be affected by this regulation.

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 said Act. A statement of the considerations² involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,³ issued by the Office of Price Administration, Maximum Price Regulation No. 131 is hereby issued.

Sec.

1315.1301	Maximum prices for camelback.
1315.1302	Less than maximum prices.
1315.1303	Adjustable pricing.
1315.1304	Evasion.
1315.1305	Records and reports.
1315.1306	Enforcement.
1315.1307	Petitions for amendment.
1315.1308	Definitions.
1315.1309	Effective date.
1315.1309a	Effective dates of amendments.
1315.1310	Appendix A: Maximum prices for camelback.

AUTHORITY: §§ 1315.1301 to 1315.1310, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1315.1301 *Maximum prices for camelback.* On and after May 11, 1942, regardless of any contract, agreement, lease, or other obligation, no manufacturer shall sell or deliver camelback, and no person shall buy or receive camelback from a manufacturer in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1315.1310; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of camelback to a purchaser if prior to May 11, 1942, such camelback had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894, 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for the purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the

² Statements of considerations also are issued simultaneously with the issuance of amendments. Copies may be obtained from the Office of Price Administration.

³ Revised; 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

¹ 8 F.R. 9787.
² 7 F.R. 3160.

amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1315.1302 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1315.1310) may be charged, demanded, paid or offered.

§ 1315.1303 *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.

[§ 1315.1303 amended by Amendment 2, 8 F.R. 4887, effective 4-13-43 and Amendment 3, 8 F.R. 8854, effective 7-2-43]

§ 1315.1304 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 131 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to camelback, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1315.1305 *Records and reports.* (a) Every person making sales or purchases of camelback 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 remains in effect, complete and accurate records of each such sale or purchase, showing the date thereof, the name and address of the buyer and the seller, the price paid or received, and the quantity of each grade purchased or sold.

[Paragraph (a) as amended by Amendment 2, 8 F.R. 4887, effective 4-13-43]

(b) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require or permit.

§ 1315.1306 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 131 are subject to the criminal penalties, civil en-

forcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 131 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.1307 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 131 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§1315.1307 as amended by Supplementary Order No. 26, 7 F.R. 8948, effective 11-4-42]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665, 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment of petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1315.1308 *Definitions.* (a) When used in this Maximum Price Regulation No. 131, the term:

(1) "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.

(2) "Camelback" means any capping stock or retreading material, including base stock and lug stock, of a grade set forth in § 1315.1310, Appendix A, manufactured for use in the recapping or retreading of rubber tires.

[Paragraph (2) as amended by Amendment 1, 7 F.R. 8797, effective 11-3-42]

(3) "Manufacturer" means any person engaged in the production of camelback.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1315.1309 *Effective date.* This Maximum Price Regulation No. 131 (§§ 1315.1301 to 1315.1310, inclusive) shall become effective May 11, 1942.

[Issued April 28, 1942]

§ 1315.1309a *Effective dates of amendments.*

[Effective dates of amendments are shown in notes following the parts affected.]

§ 1315.1310. *Appendix A: Maximum prices for camelback.* (a)

(1) The maximum prices in this subparagraph apply to all camelback which complies with the specifications issued by the War Production Board for Grades A, C and F camelback, including camelback made in whole or in part of any form and type of rubber, including synthetic and reclaimed rubber. The maximum prices shall be the prices set forth in the following table: *Provided*, That the maximum price for the Grade C camelback which is produced by the Denman Tire and Rubber Company of Warren, Ohio for the Webster Rubber Company of Warren, Ohio and which is pre-designed for use with the open steam method of retreading or recapping by cutting the non-skid pattern therein shall be 31¢ per pound.

Grade, as established by the War Production Board:	Maximum price (Cents per pound)
A-----	28
C-----	23
F-----	18

[Paragraph (1) amended by Amendment 1, 7 F.R. 8797, effective 11-3-42 and Amendment 4, effective 8-2-43]

(2) The maximum prices set forth in paragraph (a) (1) include all costs of transportation to the purchaser's plant, except that the actual freight charges may be added to the maximum price on shipments of less than 100 pounds. On sales or deliveries of 100 pounds or more, if the seller does not deliver the goods to the purchaser's plant, the maximum prices shall be the prices set forth in paragraph (a) (1) less the actual cost of transportation to the purchaser's plant.

(3) There may be added to the maximum prices set forth in this paragraph (a) the amount of tax levied by any Federal excise tax statute, provided the seller states such tax separately from the purchase price on the billing at the time of the transaction.

(4) The maximum prices set forth in this paragraph (a) shall not be increased by any charges for the extension of credit.

(b) The maximum price at which a manufacturer may sell or deliver camelback for export shall be determined in accordance with the provisions of the Maximum Export Price Regulation issued by the Office of Price Administration on April 25, 1942.

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

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12187; Filed, July 27, 1943; 4:48 p. m.]

*Second Revision: 8 F.R. 4132, 7662, 9998.

PART 1305—ADMINISTRATION
[Supp. Order 50]

CERTAIN MAXIMUM PRICE REGULATIONS ON LUMBER AND LUMBER PRODUCTS

A statement of the considerations involved in the issuance of this supplementary order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, including section 201 (d) thereof, *It is hereby ordered*, That:

§ 1305.70 *Provision for adjustable pricing in certain regulations on lumber and lumber products.* (a) The provision for adjustable pricing in the specified section or paragraph of each maximum price regulation or revised maximum price regulation listed in paragraph (b) of this order is amended, and the provision for adjustable pricing is added by the specified paragraph or section of the revised price schedule and maximum price regulation listed in paragraph (c) of this order, to read as follows:

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 having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

(b) The numbers of the sections or of the paragraphs containing the provisions for adjustable pricing which are amended by this order, and the applicable maximum price regulations or revised maximum price regulations, are as follows:

Section	Regulation
1413.7 (c)	13
14 (e)	19
17	26
1381.506 (e)	94
1382.105 (f)	97
1312.354 (d)	109
1377.13	117
1382.3	145
1382.53	155
1381.159 (b)	161
1381.3	164
1384.3	176
1377.104 (c)	186
1377.162	195
1384.61	196
1425.5	215
1426.5 (d)	216

Section	Regulation
1348.103	217
1426.56 (d)	218
17	219
1382.153	223
1381.403	253
10	284
1381.456 (e)	290
1413.58 (c)	293
1382.258 (c)	313
1377.210 (c)	320
10	324
1384.156 (d)	338
1377.256	342
7 (d)	348
17	368
6 (d)	381

(c) The numbers of the section and of the paragraph which add the provision for adjustable pricing set forth in this order, and the applicable revised price schedule and maximum price regulation, are as follows:

Section	Schedule or regulation
1312.153a	44
1382.205 (d)	281

This supplementary order shall become effective July 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12135; Filed, July 27, 1943; 4:45 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 262,¹ Amdt. 8]

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

A statement of the considerations involved in the issuance of Amendment No. 8 to Maximum Price Regulation No. 262 has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 262 is amended by adding a new § 1351.956a.

§ 1351.956a *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.

This amendment shall become effective July 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12136; Filed, July 27, 1943; 4:45 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[Rev. MPR 268,² Amdt. 8]

SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL; FRESH FRUITS AND BERRIES

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.*

Revised Maximum Price Regulation No. 268 is amended in the following respects:

1. In the table in Appendix A, the unit of sale listed for "Cabbage", under item No. 12, Fresh vegetables, is changed from "1 lb. or 1 head", as it now reads, to "2 lbs."

2. Two new items, No. 13—Fresh fruits, and No. 14—Fresh berries, are added to the table in Appendix A, to read as follows:

APPENDIX A

FIGURES TO BE USED BY RETAILERS IN DETERMINING MAXIMUM PRICES UNDER THIS REGULATION (NEW MAXIMUM PRICES ARE REQUIRED AFTER THE EFFECTIVE DATE OF THIS REGULATION AND MUST BE CHANGED EACH WEEK WHENEVER A RETAILER'S "NET COST" INCREASES OR DECREASES)

Food commodity	Figures to be multiplied by "net cost" of items in determining maximum prices under this regulation				Unit of sale for which maximum selling price must be calculated
	"Independent" retailer with "annual gross sales"		Group 3—retailers, other than "independent," with annual gross sales under \$250,000	Group 4—any retailer with "annual gross sales" of \$250,000 or more	
	Group 1—under \$50,000	Group 2—\$50,000 but less than \$250,000			
13. Fresh fruits:					
a. Red sour cherries	1.34	1.34	1.34	1.34	1 qt. or 1 lb.
14. Fresh berries:					
a. Blackberries	1.34	1.34	1.34	1.34	1 qt., 1 pt., or 1 lb.
b. Boysenberries	1.34	1.34	1.34	1.34	1 qt., 1 pt., or 1 lb.
c. Gooseberries	1.34	1.34	1.34	1.34	1 qt., 1 pt., or 1 lb.
d. Loganberries	1.34	1.34	1.34	1.34	1 qt., 1 pt., or 1 lb.
e. Raspberries, black	1.34	1.34	1.34	1.34	1 qt., 1 pt., or 1 lb.
f. Raspberries, red	1.34	1.34	1.34	1.34	1 qt., 1 pt., or 1 lb.
g. Youngberries	1.34	1.34	1.34	1.34	1 qt., 1 pt., or 1 lb.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 9244, 10844; 8 F.R. 262, 273, 437, 973, 2285, 9201.

² 8 F.R. 6129, 7116, 7661, 7592, 8682.

3. A new subparagraph (13) is added to paragraph (c) of Appendix A to read as follows:

(13) "Fresh fruits": (a) "Red sour cherries". All red sour cherries shall be considered one item. Whenever red sour cherries are sold in quarts, they must have a minimum net weight of 20 ounces per quart. When a retailer purchases red sour cherries on the basis of a price per pound and sells them in quarts, he must multiply his cost per pound by $\frac{20}{16}$ to figure his "net cost" per quart.

4. A new subparagraph (14) is added to paragraph (c) of Appendix A to read as follows:

(14) "Fresh berries" means all the fresh berries listed under Item No. 14 in the table in Appendix A. Whenever fresh berries are sold in quarts or pints, they must have a minimum net weight of 20 ounces per quart or 10 ounces per pint. When a retailer purchases berries on the basis of a price per pound and sells them in pints or quarts, he must multiply his cost per pound by $\frac{20}{16}$ to figure his "net cost" per quart, and by $\frac{10}{16}$ to figure his "net cost" per pint.

This amendment shall become effective on July 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

Approved: July 26, 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-12138; Filed, July 27, 1943; 4:48 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 421, Amdt. 1]

CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

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. 421 is amended in the following respects:

1. Section 32 (b) (27) is amended to read as follows:

(27) "Soups, canned" includes all soups, broths and chowder. Excluded are meat stews, "baby" or "junior" soups, and dehydrated soups.

NOTE: The 1943 pack of canned vegetable soups shall be considered a different item from the 1942 pack of canned vegetable soups, and you must figure separate ceiling prices for each item of the 1943 pack.

2. The text preceding the list of items in section 32 (b) (37) is amended to read as follows:

(37) "Miscellaneous foods" shall include all other dry grocery items and pet

foods except those specifically excluded in paragraph (c) of this section. Among the items included under this heading are the following:

3. In section 32 (b) (37) the item "Olive oil, (pure)" is amended to read "Olive oil, pure, (packaged in containers of a capacity of one gallon or less)".

4. In section 32 (c) the following items are added, in alphabetical order, to the list of commodities excluded:

- Butter (except peanut butter, fruit butters, and smooth or crunch type nut butters)
- Cheese
- Comb honey
- Eggs
- Olive oil, pure, (packaged in containers of a capacity of more than one gallon)
- Poultry

5. Section 14 (d) is revoked.

This amendment shall become effective on July 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12140; Filed, July 27, 1943; 4:49 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 422, Amdt. 1]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

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 422 is amended in the following respects:

1. Section 18 (c) is revoked.
2. A new paragraph, (d), is added to section 20 to read as follows:

(d) Eggs sold by you as "ungraded eggs". If you purchase eggs in other than retail grades and sizes (or weight classes) and do not candle and grade them into the retail grades and sizes (or

weight classes) set forth in Table B, you must sell them as "ungraded eggs." You shall calculate a ceiling price weekly for such eggs using as your "net cost" the lowest ceiling price established by Maximum Price Regulation No. 333¹ which would apply to sales to a retailer of large Grade C eggs delivered on the Monday of the week in which calculations are made to a receiving point located in the same city, town, village, or hamlet as your usual receiving point for the eggs.

3. A new section, Section 29a, is added to read as follows:

SEC. 29a. *Regional adjustment of poultry mark-ups.* Each Regional Administrator of the OPA is hereby authorized to reduce the mark-ups listed in Table B in section 39 (a) for retailers in any area or locality within his jurisdiction for sales of any poultry items in connection with adjustments made pursuant to § 1429.14 (e) of Revised Maximum Price Regulation No. 269,² whenever such action is necessary to prevent an increase in the ceiling prices at which such poultry items may be sold by retailers.

4. Section 38 (b) (27) is amended to read as follows:

(27) "Soups, canned" includes all soups, broths and chowder. Excluded are meat stews, "baby" or "junior" soups, and dehydrated soups.

NOTE: The 1943 pack of canned vegetable soups shall be considered a different item from the 1942 pack of canned vegetable soups, and you must figure separate ceiling prices for each item of the 1943 pack.

5. In section 38 (b) (37), the item "Olive oil, (pure)" is amended to read "Olive oil, pure, (packaged in containers of a capacity of one gallon or less)".

6. In section 38 (c), the following items are added in alphabetical order to the list of commodities excluded:

- Comb honey
- Olive oil, pure, (packaged in containers of a capacity of more than one gallon)

7. In section 39 (a), the item "Cabbage" under list (2) is amended and two new items are added to such list to read as follows:

TABLE B.—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Allowed mark-ups over net cost		Selling unit in which ceiling price must be calculated
	Group 3. Retailer other than independent with annual volume under \$250,000	Group 4. Any retailer with annual volume of \$250,000 or more	
(2) Fresh fruits and vegetables:	Percent	Percent	
Berries.....	34	34	1 quart, or 1 pint, or 1 pound.
Red sour cherries.....	34	34	1 quart or 1 pound.
Cabbage.....*	40	40	2 pounds.

¹ 8 F.R. 9407.

² 8 F.R. 2488, 3002, 3070, 3735, 5342, 5839, 6182, 6476, 6626, 7457, 9027.

³ 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3327, 4335, 4513, 4337, 4338, 4818, 6440.

* Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 9388.

8. In section 39 (b) (1), the undesignated paragraph beginning with the phrase "Eggs, shell" is amended to read as follows:

"Eggs, shell" means chicken eggs sold for human consumption. Ceiling prices shall be figured for each grade and size (or weight class) of eggs, and the grade and size (or weight class) shall be posted separately with the selling price, except that "ungraded eggs" are to be designated only as "ungraded eggs". Eggs shall be sold at retail only in the retail grades and sizes (or weight classes) specified in Maximum Price Regulation No. 333, or as "ungraded eggs" which may contain no inedible eggs.

9. In section 39 (b) (2), two new undesignated paragraphs are added to read as follows:

"Berries" means blackberries, boysenberries, gooseberries, loganberries, black raspberries, red raspberries and youngberries. Each of these 7 kinds of berries shall be treated as a separate item and priced separately. Whenever fresh berries are sold in quarts or pints, they must have a minimum net weight of 20 ounces per quart or 10 ounces per pint. If you purchase berries on the basis of a price per pound and sell them in pints or quarts, you must multiply your cost per pound by $\frac{20}{16}$ to figure your "net cost" per quart, and by $\frac{10}{16}$ to figure your "net cost" per pint.

"Red sour cherries." All red sour cherries shall be considered one item. When you sell red sour cherries by the quart, they must have a minimum net weight of 20 ounces per quart. When you purchase red sour cherries on the basis of a price per pound and sell them in quarts, you must multiply your cost per pound by $\frac{20}{16}$ to figure your "net cost" per quart.

This amendment shall become effective July 27, 1943, except that all provisions affecting "perishables" shall become effective August 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

Approved as to action contained herein with respect to agricultural commodities, April 26, 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-12139; Filed, July 27, 1943; 4:48 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423¹ Amdt. 1]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN \$250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amend-

¹ 8 F.R. 9407.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 423 is amended in the following respects:

1. Section 18(c) is amended to read as follows:

(c) Section 20. *How you figure your "net cost" in certain cases.* (Applies to you if you purchase fresh bananas from importers f. o. b. port of entry or at auction; if you package and print butter; if you candle and grade eggs; or if you sell "ungraded eggs".)

2. A new section, section 19a, is added to read as follows:

Sec. 19a. *Regional adjustment of poultry mark-ups.* Each Regional Administrator of the OPA is hereby authorized to reduce the mark-ups listed in Table B in section 28 (a) for retailers in any area or locality within his jurisdiction for sales of any poultry items in connection with adjustments made pursuant to § 1429.14 (e) of Revised Maximum Price Regulation No. 269,² whenever such action is necessary to prevent an increase in the ceiling prices at which

such poultry items may be sold by retailers.

3. Section 27 (b) (27) is amended to read as follows:

(27) "Soups, canned" includes all soups, broths and chowder. Excluded are meat stews, "baby" or "junior" soups, and dehydrated soups.

NOTE: The 1943 pack of canned vegetable soups shall be considered a different item from the 1942 pack of canned vegetable soups, and you must figure separate ceiling prices for each item of the 1943 pack.

4. In section 27 (b) (37), the item "Olive oil, (pure)" is amended to read "Olive oil, pure, (packaged in containers of a capacity of one gallon or less)".

5. In section 27 (c), the following items are added in alphabetical order to the list of commodities excluded:

- Comb honey
- Olive oil, pure (packaged in containers of a capacity of more than one gallon)

6. In section 28 (a), the item "Cabbage" under list (2) is amended and two new items are added to such list to read as follows:

TABLE B.—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Allowed mark-ups over "net cost"		"Selling unit" in which ceiling price must be calculated
	Independent retailers with annual volumes		
	Group 1 under \$50,000	Group 2 \$50,000 but less than \$250,000	
(2) Fresh fruits and vegetables:	Percent	Percent	
Berries.....	34	34	1 quart, 1 pint, or 1 pound.
Red sour cherries.....	34	34	1 quart or 1 pound.
Cabbage.....	40	40	2 pounds.

7. In section 28 (b) (1), the undesignated paragraph beginning with the phrase "Eggs, shell" is amended to read as follows:

"Eggs, shell" means chicken eggs sold for human consumption. Ceiling prices shall be figured for each grade and size (or weight class) of eggs, and the grade and size (or weight class) shall be posted separately with the selling price, except that "ungraded eggs" are to be designated only as "ungraded eggs". Eggs shall be sold at retail only in the retail grades and sizes (or weight classes) specified in Maximum Price Regulation No. 33,⁴ or as "ungraded eggs" which may contain no inedible eggs.

8. In section 23 (b) (2), two new undesignated paragraphs are added to read as follows:

"Berries" means blackberries, boysenberries, gooseberries, loganberries, black raspberries, red raspberries, and young-

berries. Each of these 7 kinds of berries shall be treated as a separate item and priced separately. Whenever fresh berries are sold in quarts or pints, they must have a minimum net weight of 20 ounces per quart or 10 ounces per pint. If you purchase berries on the basis of a price per pound and sell them in pints or quarts, you must multiply your cost per pound by $\frac{20}{16}$ to figure your "net cost" per quart, and by $\frac{10}{16}$ to figure your "net cost" per pint.

"Red sour cherries". All red sour cherries shall be considered one item. When you sell red sour cherries by the quart, they must have a minimum net weight of 20 ounces per quart. When you purchase red sour cherries on the basis of a price per pound and sell them in quarts, you must multiply your cost per pound by $\frac{20}{16}$ to figure your "net cost" per quart.

This amendment shall become effective August 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

*Copies may be obtained from the Office of Price Administration.

² 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3327, 4335, 4513, 4337, 4338, 4818, 6440.

⁴ 8 F.R. 2488, 3002, 3070, 3735, 5342, 5839, 6182, 6476, 6626, 7457, 9027.

Approved as to action contained herein with respect to agricultural commodities, July 26, 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-12141; Filed, July 27, 1943;
4:49 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 588 Under § 1499.3 (b) of GMPR]

THE QUAKER OATS COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.2126 *Authorization of maximum prices for sales of "Soya Extender" by The Quaker Oats Company, 141 West Jackson Boulevard, Chicago, Illinois.*

(a) The Quaker Oats Company may sell and deliver Soya Extender packaged in 24 ounce containers at a delivered price not higher than \$3.81 per case of 24 packages, subject, however, to the provisions of paragraph (b) below.

(b) The price set forth in paragraph (a) above is a price before discounts. The Quaker Oats Company shall reduce this price by applying to it the same discounts and allowances which it customarily applied on similar sales of Aunt Jamima Ready Mix Green Pea Soup.

(c) This Order No. 588 may be revoked or amended by the Administrator at any time.

(d) This Order shall become effective July 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12204; Filed, July 28, 1943;
11:30 a. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 589 Under § 1499.3 (b) of GMPR]

BEN-HUR PRODUCTS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.2127 *Authorization of maximum prices for sales of "F Grade Imitation Cinnamon" by Ben-Hur Products, Inc., Los Angeles California.* (a) Ben-Hur Products, Inc., may sell and deliver "F Grade Imitation Cinnamon" packed in the type containers listed below at the following prices:

	Price in cents per pound, f. o. b. Los Angeles
Pack:	
Barrel	35
½ barrel	35½
100 lb. keg	36
75 lb. keg	36¼
50 lb. keg	36½
Pail	37

(b) The above prices are prices before discounts. Ben-Hur Products, Inc., shall reduce these prices by applying to them the same discounts and allowances

which it customarily applied on similar sales of "allspice".

(c) This Order No. 589 may be revoked or amended by the Administrator at any time.

(d) This Order No. 589 shall become effective July 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12209; Filed, July 28, 1943;
11:30 a. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 81 Under SR 15 to GMPR]

CONNERS MARINE CO., INC.

Order No. 81 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation; Docket No. GF3-3349.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1381 *Adjustment of maximum prices for transportation services by water carrier, other than common carrier service, sold by Connors Marine Co., Inc.*

(a) Connors Marine Co., Inc., of 21 West Street, New York, New York, may sell and supply, on and after February 26, 1943, the following services at charges not higher than those set forth below:

(1) Transportation of soda ash in bulk by barge for E. I. Du Pont de Nemours & Co., Inc., of 350 Fifth Avenue, New York, New York, from Solvay, Syracuse, New York to Grasselli, New Jersey at the rate of \$2.20 per gross ton, to which may be added the following amounts:

Demurrage charges, after free time: \$15.00 per barge per day; and
Harbor towing service, from vessel's berth in Brooklyn to Grasselli, N. J. and return: \$75.00 per barge

(2) Transportation of soda ash in bulk by barge for Procter and Gamble Manufacturing Company, of 17 Battery Place, New York, from Solvay, Syracuse, New York to Port Ivory, New York at the rate of \$2.50 per net ton.

(3) Transportation of soda ash in bulk by barge for Thatcher Manufacturing Company, of Elmira, New York, from Solvay, Syracuse, New York to Long Island City at the rate of \$2.40 per net ton.

(4) Transportation of sulphur in bulk by barge for American Cyanamide Company, of 30 Rockefeller Plaza, New York, from Buffalo, New York to Warners, New Jersey at the rate of \$2.25 per gross ton.

(5) Transportation of bauxite ore in bulk by barge for Illinois Atlantic Corporation, of 430 North Michigan Avenue, Chicago, Illinois, from New York Harbor to Oswego, New York at the rate of 1.85 per gross ton.

(6) Transportation of scrap iron for International Iron and Metal Co., of 73 Robert Street, Hamilton, Ontario, Canada, from New York Harbor to Fort Erie, Canada at the rate of \$2.50 per gross ton, to which may be added \$125 per tugboat

for towing service from Buffalo, N. Y. to Fort Erie, Canada and return.

(b) *Reports.* Connors Marine Co., Inc., shall file, with the Contract Carrier Section, Transportation Branch, Transportation and Public Utilities Division, Office of Price Administration, Washington, D. C., quarterly profit and loss statements and balance sheets for the last nine months of 1943 of the operations covered by this order. Such reports shall be filed within thirty days from the last day of each quarter. The first report shall be filed for the period ending June 30, 1943.

(c) *Definitions.* (1) The term "gross ton" means 2,240 pounds avoirdupois.

(2) The term "net ton" means 2,000 pounds avoirdupois.

(3) The term "free time" means the period, as determined by agreement between the parties, during which barges may remain berthed at the point of discharge without incurring demurrage.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 81 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 81 (§ 1499.1381) shall become effective July 29, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12210; Filed, July 28, 1943;
11:31 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[Correction to MPR 426¹]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

Maximum Price Regulation 426 is corrected in the following manner:

The word "not" is inserted after the words "it does" in the last sentence of section 8 (a) (3).

This correction shall be effective as of July 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12199; Filed, July 28, 1943;
11:34 a. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[Rev. MPR 148,² Amdt. 8]

DRESSED HOGS AND WHOLESALE PORK CUTS

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.*

* Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 9568, 9546.

² 7 F.R. 8609, 9005, 8948; 8 F.R. 544, 2922, 3367, 4785, 7322, 7671, 7825, 8373, 8677.

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Schedule III (b) of § 1364.35 is amended to read as follows:

(b) For loins, shoulders, picnics, Boston butts, boneless butts, spareribs, feet, tails and neck bones derived from hogs killed in each of the following regions:

Region 1: New England; New Jersey; Delaware; Maryland; the District of Columbia; and those portions of New York and Pennsylvania lying east of the 77th meridian;

Region 2: Those portions of Pennsylvania and New York lying west of the 77th meridian;

Region 3: Virginia; West Virginia; Kentucky; Ohio; Indiana; Chicago, Illinois; and the lower peninsula of Michigan (that part of Michigan lying between Lake Michigan and Lake Huron);

and delivered fresh for resale fresh, by local delivery within such region on the same market day as or on the first market day after that of the initial cutting of the carcass from which such cuts are derived:

	<i>Permitted addition</i>
	<i>per cwt.</i>
Region 1.....	\$1.50
Region 2.....	1.00
Region 3.....	.50

or delivered fresh or frozen to any war procurement agency of the United States Government:

	<i>Permitted addition</i>
	<i>per cwt.</i>
Region 1.....	\$1.00
Region 2.....	.50

2. Schedule IV (a) of § 1364.35 is amended to read as follows:

SCHEDULE IV—DRESSED HOGS

(a) TABLE OF WEIGHT RANGES AND SEASONAL DENOMINATORS

Weights of dressed hogs (by range)		Related live hog weight classifications Live weight (pounds)	Denominators by seasons			
Packer style (pounds)	Shipper style (pounds)		December, January, February, March, April and May		June, July, Aug., Sept., Oct. and Nov.	
			Packer style	Shipper style	Packer style	Shipper style
BUTCHER HOGS						
1. 73-89.....	81-99.....	120-140.....	1.53	1.45	1.54	1.46
2. 90-107.....	100-119.....	140-160.....	1.46	1.38	1.47	1.39
3. 108-123.....	120-136.....	160-180.....	1.43	1.35	1.44	1.36
4. 124-138.....	137-153.....	180-200.....	1.41	1.33	1.42	1.34
5. 139-154.....	154-171.....	200-220.....	1.40	1.32	1.41	1.33
6. 155-169.....	172-188.....	220-240.....	1.39	1.31	1.40	1.32
7. 170-192.....	189-213.....	240-270.....	1.385	1.305	1.395	1.315
8. 193-213.....	214-235.....	270-300.....	1.38	1.30	1.39	1.31
9. 214-239.....	236-265.....	300-330.....	1.375	1.295	1.385	1.305
10. Over 239.....	Over 265.....	Over 330.....	1.37	1.29	1.38	1.30
SLAUGHTER PIGS						
11. Under 73.....	Under 79.....	Under 120.....	1.61	1.53	1.62	1.54
SOWS						
12. 184-280.....	202-312.....	270-400.....	1.405	1.325	1.415	1.335
13. 280 and over.....	312 and over.....	400 and over.....	1.40	1.32	1.41	1.33

3. Schedule IV (b) (3) of § 1364.35 is amended to read as follows:

(3) "Current Chicago live hog price" of hogs other than oily hogs, stags and boars means the highest price quoted, for live hogs of the applicable weight, in the current Chicago Daily Livestock Market Report of the Agricultural Marketing Administration of the U. S. Department of Agriculture, minus the current live cwt. subsidy rate. "Current Chicago live hog price" of oily hogs means a price determined by deducting from the highest price quoted, for live butcher hogs of the applicable weight, in such current report, \$1.00 per cwt. and the current live cwt. subsidy rate. "Current Chicago live hog price" of stags and boars means a price determined by deducting from the highest price quoted for live sows or butcher hogs of the applicable weight, in such current report, \$1.50 per cwt. and the current live cwt. subsidy rate in the case of stags, and \$4.00 per cwt. and the current live cwt. subsidy rate in the case of boars. As to all shipments of dressed hogs from points east of the 85th meridian the current report shall be deemed to be that for the third market day preceding shipment of such dressed hogs.

As to all shipments of dressed hogs from points west of the 109th meridian the current report shall be deemed to be that for the fifth market day preceding such shipment. As to all shipments of dressed hogs from points east of the 109th meridian and west of the 95th meridian and from points east of the Mississippi River, south of Kentucky and west of the 85th meridian, the current report shall be deemed to be that for the second market day preceding such shipment. As to all shipments of dressed hogs from any other point, the current report shall be deemed to be that for the market day preceding such shipment.

4. The example stated in Schedule IV (c) (1) of § 1364.35 is amended to read as follows:

Example: A butcher hog dressed shipper style and weighing 190 pounds falls in the 189 to 213 pound weight range and in the 240 to 270 pound related live hog weight classification. If it were slaughtered in New York City and shipped on November 24, 1942, the appropriate seasonal denominator would be 1.315, and the current Chicago live hog price would be that reported for Thursday, November 19, 1942, three market days prior to Tuesday, November 24, 1942, (\$14.00 per cwt.), minus an assumed current live hog

subsidy at that time of \$1.30 per cwt., equaling \$12.70 per cwt. \$12.70 multiplied by 1.315 equals \$16.70.

5. The example stated in Schedule IV (c) (2) of § 1364.35 is amended to read as follows:

Example: If in the example stated in paragraph (c) (1), such local delivery were made, 25 cents would be added to \$16.79 giving a price of \$16.95 per cwt.

6. The example stated in Schedule IV (c) (3) of § 1364.35 is amended to read as follows:

Example: In the example stated in paragraph (c) (2), if the dressed hog is sold to the Federal Surplus Commodities Corporation, or if local delivery is made to a buyer within the region described in subparagraph (3) (1), 50 cents would be added to \$16.95 giving a price of \$17.45 per cwt.

This amendment shall become effective August 3, 1943, except that, as to sales and deliveries of dressed hogs, it shall become effective on August 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12200; Filed, July 28, 1943; 11:31 a. m.]

PART 1367—FERTILIZERS

[Rev. MPR 135, 1 Amdt. 4]

MIXED FERTILIZER, SUPERPHOSPHATE AND POTASH

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.*

Revised Maximum Price Regulation 135 is amended in the following respects:

1. Section 1367.42 (a) (20) and (21) is amended to read as follows:

(20) "Victory garden fertilizer" means the grade of mixed fertilizer authorized by the War Food Administration for use on victory gardens in the non-commercial production of vegetables and small fruits and labeled "Victory Garden Fertilizer—For Food Production Only".

(21) "Specialty fertilizer" means a grade and kind of mixed fertilizer containing nitrogen, but not victory garden fertilizer which, under the provisions of Food Production Order 5 Revised,² issued by the War Food Administrator, may be manufactured, packaged and sold for unrestricted use, and which is generally marketed through retail outlets other than those selling fertilizer for commercial agricultural use.

2. Section 1367.45 (a) is amended to read as follows:

(a) *Victory garden fertilizer.* (1) Maximum consumer prices of "Victory Garden Fertilizer—For Food Production Only" shall be:

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 11075; 8 F.R. 1459, 3621, 8540.

² 8 F.R. 9271.

In 100-pound packages:	<i>Per package</i>
2,000 pounds or more.....	\$3.20
1,000 pounds to 1,900 pounds.....	3.45
500 pounds to 900 pounds.....	3.55
100 pounds to 400 pounds.....	3.70
In smaller packages:	<i>Each</i>
50-pound package.....	\$2.35
25-pound package.....	1.45
10-pound package.....	.80
5-pound package.....	.50

(2) Maximum prices of "Victory Garden Fertilizer—For Food Production Only," delivered to dealers shall be:

	<i>Each</i>
100-pound package.....	\$2.70
50-pound package.....	1.70
25-pound package.....	1.05
10-pound package.....	.56
5-pound package.....	.35

(3) Where mixed fertilizer labeled "Victory Garden Fertilizer—For Food Production Only" is sold for use in the commercial production of crops, the maximum prices of such fertilizer provided in sections 1 and 2 hereinabove set forth shall not apply, and the maximum prices shall be as provided in § 1367.33 for sales by manufacturers and § 1367.34 for sales by dealers, as the case may be.

This amendment shall become effective August 3, 1943.

(Pub. Laws 421, and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12201; Filed, July 28, 1943; 11:32 a. m.]

PART 1499—COMMODITIES AND SERVICES
[Rev. SR 11 to GMPR, Amdt. 30]
EXCEPTIONS FOR GARDENING AND RELATED SERVICES

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.* Revised Supplementary Regulation No. 11 to the General Maximum Price Regulation is amended in the following respect:

A new subparagraph is added to § 1499.46 (b) to read as follows:

(127) Gardening and related services (including but not limited to services rendered in connection with the preparation, maintenance, cutting, picking, or harvesting of vegetable and flower gardens, the trimming of hedges, and cutting and maintenance of lawns)—rates and charges for.

This amendment shall become effective August 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12202; Filed, July 28, 1943; 11:33 a. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11 to GMPR, Amdt. 31]

SERVICES ON AIRPLANES, TANKS, AND MILITARY VEHICLES

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.* Revised Supplementary Regulation 11 of the General Maximum Price Regulation is amended in the following respects:

1. Section 1499.46 (b) (108) is amended to read as follows:

(108) Any service rendered in connection with the lubrication, painting, rental, storage, washing, operation, repair, conversion, modification, maintenance or other servicing for any War Procurement Agency of airplanes and of engines, parts, accessories, instruments, and other equipment used in connection with airplanes, including all services incidental thereto.

2. A new subparagraph is added to § 1499.46 (b) to read as follows:

(128) Any service to tanks and military vehicles and engines, parts, accessories, instruments, and other equipment used in connection with tanks and military vehicles when rendered for any War Procurement Agency in connection with preparation for shipment (including but not limited to lubricating, painting, storing, packing, washing, testing, repairing, converting, modifying, maintaining and preparing and restoring the premises, facilities, and equipment used in connection with such services)—rates and charges for.

This amendment shall become effective August 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12203; Filed, July 28, 1943; 11:31 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 6—NAVAL RESERVE¹

MISCELLANEOUS AMENDMENTS

Sections 6.8704 (b) (3), 6.10303 (b), 6.10308 and 6.10504 are amended to read as follows:

§ 6.8704 *Uniform gratuities; Naval Reserve officers.* * * *

(b) *In time of war or national emergency.* * * *

(3) All officers, including officers of class A-V (N), may be paid an additional sum of fifty dollars for the purchase of required uniforms upon the completion of each period of at least four years of service in the Naval Reserve subsequent to payment of last previous gratuity, provided they have, during that period, fulfilled the requirements of paragraph (a) (1) of this section. Claims for payment of the additional \$50 gratuity will be submitted to the Bureau of Naval Personnel on Form S & A 445.

¹ 8 F.R. 9643.

vided they have, during that period, fulfilled the requirements of paragraph (a) (1) of this section. Claims for payment of the additional \$50 gratuity will be submitted to the Bureau of Naval Personnel on Form S & A 445.

§ 6.10303 *Naval Aviation Cadet Selection Boards.* * * *

(b) The Officer-in-Charge shall exercise the functions of a commanding officer with respect to the officers and enlisted men attached to his board and aviation cadets whose records are carried by his board, and may order summary courts-martial upon petty officers and enlisted men in the naval service under his command.

§ 6.10308 *Insurance, aviation cadets and A-V (N) officers.* (a) Upon reporting for active duty, aviation cadets who do not hold Government Insurance policies will be issued National Service Life Insurance in the amount of \$10,000, the premiums on which shall be paid, during the period of their active duty as aviation cadets, from the current Naval Reserve appropriation. Aviation cadets who may hold U. S. Government Life Insurance or National Service Life Insurance upon reporting are covered in paragraph (e) of this section.

(b) Veterans' Administration Insurance Form 350 (Application for National Service Life Insurance) will be executed in triplicate on the date the aviation cadet reports as such for active duty for training, and the original and both copies will be submitted to the Bureau of Supplies and Accounts (Allotment Division). The form of insurance to be applied for by aviation cadets shall be the 5-year level premium term policy. Except as provided in paragraph (e) of this section, the amount shall be \$10,000, and the effective date of the policy will be the date of entry upon active duty as an aviation cadet.

(c) Upon release from active duty or termination of aviation cadet status the cognizant commanding officer will notify the Bureau of Supplies and Accounts (Allotment Division) by letter, in duplicate, stating the date of such termination and requesting that no further premiums be paid by the Government. Such aviation cadets not commissioned as ensigns, A-V (N), or second lieutenants, (NAVVC), will be informed that they may continue the insurance in force by the payment of premiums from their own personal funds either by allotment of pay or by direct remittance of premiums to the Veterans' Administration.

(d) When the aviation cadet so insured has been commissioned as ensign in class A-V (N), the insurance shall be continued in force as required by law. The allotment method shall be employed for payment of premiums upon all Government insurance by all class A-V (N) officers. Upon being commissioned an ensign, class A-V (N), this compulsory allotment shall be registered immediately with first payment the month in which the officer executed the oath and acceptance of office.

(e) (1) Section 5 of the Naval Aviation Cadet Act of 1942 provides in part that:

Aviation cadets will be issued Government Life Insurance in the amount of \$10,000, effective from the date of reporting for active duty, and premiums on such insurance shall be paid during the period of their active duty from current appropriations * * *

Section 603 of the National Service Life Insurance Act of 1940, as amended, provides that no person may carry a combined amount of National Service Life Insurance and U. S. Government Life Insurance in excess of \$10,000. Aviation cadets who may be holding U. S. Government Life Insurance or National Service Life Insurance upon reporting for active duty as aviation cadets have the option (i) of surrendering such policies as may be in force or (ii) of continuing such policies at their own expense. In the latter event, premiums must be paid by allotment. If the amount of the continued insurance is less than \$10,000, there will be issued additional National Service Life Insurance at Government expense, the face value of which will be the difference between the face value of such policies as the individual may be carrying, and \$10,000.

(2) An aviation cadet who elects to surrender his U. S. Government Life Insurance or National Service Life Insurance to obtain full coverage of \$10,000 at Government expense may do so by executing application for National Service Life Insurance in the amount of \$10,000. In such case he will be deemed to have surrendered such policy or policies as he may be holding as of the date of signing application for National Service Life Insurance in the amount of \$10,000 at Government expense. If the insurance he is holding has a cash surrender value, and only in that event, the aviation cadet will execute and file "Application for Cash Surrender Value of U. S. Government Life Insurance" (Veterans' Administration Form No. 849) at the time he applies for the \$10,000 National Service Life Insurance at Government expense. (U. S. Government Life Insurance and National Service Life Insurance issued on the 5-year level premium term plan do not have a cash surrender value). Veterans' Administration Form 849 shall be forwarded direct to the Veterans' Administration; Veterans' Administration Form 350 shall be forwarded to the Bureau of Supplies and Accounts (Allotment Division).

(3) Aviation cadets who elect to retain their U. S. Government Life Insurance or National Service Life Insurance policies, may do so. If the amount retained is less than \$10,000, such aviation cadets upon reporting for active duty for training will make application for National Service Life Insurance at Government expense, the face value of which will be the difference between the face value of the policy or policies which the aviation cadets may hold, and \$10,000. The new application, (Veterans' Administration Form 350), will contain an entry in Item 9 as follows:

Insurance in amount of \$----- will be carried at my expense. An allotment has been authorized.

(4) Aviation cadets who, upon entering upon active duty for training, elected to continue their policy or policies at their own expense as provided in para-

graph (e) (3) of this section, may surrender such policies at a later date during their training period, if they so desire. However, since there is an obligation on the part of the Government to insure that each aviation cadet will have full \$10,000 insurance coverage, surrender of such policies may be made only upon filing application for a new policy of the same face value, the premiums on which will be paid by the Government. In such cases, the effective date of the surrender will be deemed to be the date of signature of the new application. (The original application for cash surrender will be forwarded direct to the Veterans' Administration.) Copy of Veterans' Administration Form 849 should accompany the new application (Veterans' Administration Form 350, in triplicate) when the application is forwarded to the Bureau of Supplies and Accounts (Allotment Division) together with an explanatory letter.

(f) Aviation cadets and officers of class A-V (N) will not be permitted to borrow against their Government insurance policies. Aviation cadets and officers of class A-V (N) will not be permitted to stop their allotments to the Veterans' Administration except when it is necessary due to renewal, conversion or surrender to obtain an equal amount of National Service Life Insurance, in which event not one single month shall intervene between the last month paid under the old allotment and the commencing date of the new allotment.

(g) Insurance issued to aviation cadets may be converted at any time after the policy has been in force for one year and within the 5-year period, except that conversion will not be permitted while the premiums are being paid by the Government.

§ 6.10504 *Insurance; class V-8.* (a) Upon reporting for active duty undergoing training, enlisted men of class V-8 will be issued National Service Life Insurance in the amount of \$10,000, or in an amount equal to the difference between existing Government life insurance policies and the sum of \$10,000, in the same manner as provided in § 6.10308, the premiums on which shall be paid during the period of their active duty as student aviation pilots and aviation pilots, from the current Naval Reserve appropriations. If discharged, released from active duty or if transferred from class V-8 for any reason, such enlisted men will have the option of continuing these policies at their own expense.

(b) Upon discharge, release from active duty, or transfer from class V-8, the cognizant commanding officer will notify the Bureau of Supplies and Accounts by letter requesting that no further premiums be paid. The individuals will be informed that they have the option of continuing to pay the premiums from their personal funds or of converting to some higher form of insurance after the insurance has been in effect for one year, or of permitting the insurance to lapse.

(c) Insurance policies issued to enlisted men of class V-8 will continue in force, and the premiums will be paid by the Government, during the period of training, the two-year obligated period

of active duty thereafter, and during an additional period the enlisted man may agree to serve, provided such service is continuous. [Manual Circular Letter No. 17-43, July 12, 1943 and 18-43, July 6, 1943]

(52 Stat. 1175, 54 Stat. 162, 55 Stat. 3, 56 Stat. 266, 730, 739; 34 U.S.C. 853, 854e, Supp. 855f, 855o, 857-857g, 853c, 853e, 855d)

JAMES FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 43-12153; Filed, July 28, 1943;
9:43 a. m.]

Notices

WAR DEPARTMENT.

APPROVAL OF PURCHASES OR EXCHANGES OF MOTOR-PROPELLED PASSENGER-CARRYING VEHICLES

JULY 26, 1943.

1. Under date of May 18, 1942, there was issued a memorandum advising that under the provisions of section 6 of the Act of April 28, 1942 (7 F.R. 3861, 9258) (War Department Civil Appropriation Act, 1943, Public Law 527, 77th Congress) the approval of the Secretary of War was a condition to the expenditure of funds for the purchase of exchange of any motor-propelled passenger-carrying vehicle.

2. The War Department Civil Appropriation Act, 1944, does not contain any provision requiring the approval of the Secretary of War as a condition to the expenditure of funds for the purchase or exchange of any motor-propelled passenger-carrying vehicle.

3. Accordingly, the approval of the Secretary of War is no longer a prerequisite to the expenditure of funds for the purchase or exchange of such vehicles.

ROBERT P. PATTERSON,
Acting Secretary of War.

[F. R. Doc. 43-12156; File, July 28, 1943;
10:05 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-311]

WERNER BROTHERS

MEMORANDUM OPINION AND ORDER DIRECTING CODE MEMBERS TO CEASE AND DESIST

In the matter of Fred J. Werner, also known as Fred Werner, Jr. and William J. Werner, individually and as partners doing business under the name and style of Werner Brothers, Code members.

On June 4, 1943, after due notice and hearing W. A. Cuff, a duly designated Examiner of the Division, submitted a report in which he found that code members wilfully violated the Act, the Code, the Marketing Rules and Regulations and the Schedule of Effective Minimum Prices for District No. 11 for Truck Shipments, by selling from October 2, 1940 to September 30, 1941, coal below the effective

tive minimum prices established therefor and by disposing from October 1, 1940 to October 13, 1940 of approximately 100 tons of screenings in consideration of services.

The Examiner recommended that an order be entered directing the code members, individually and as partners operating the Werner Mines, to cease and desist from violating the provisions of section 4 II (e) of the Act, Part II of the Code, Rule 1 (F) of section VII of the Marketing Rules and Regulations and the Schedule of Effective Minimum Prices for District No. 11 for Truck Shipments.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law and recommendations set forth in the Report and upon the entire record in this proceeding:

It is hereby ordered, That the proposed findings of fact and proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That Fred J. Werner, also known as Fred Werner, Jr., and William J. Werner, individually and as partners doing business under the name and style of Werner Brothers, operating the Werner Mines Nos. 1 and 2 (Mine Index Nos. 548 and 549) located in Perry County, Indiana, District No. 11, their agents, employees, representatives, successors and assigns, and all persons acting or claiming to act on their behalf or interest, cease and desist from violating the Code, the rules and regulations thereunder and particularly Rule 1 (F) of the Marketing Rules and Regulations and the Schedule of Effective Minimum Prices for District No. 11 for Truck Shipments.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: July 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-12169; Filed, July 28, 1943;
10:57 a. m.]

[Docket Nos. A-1656, et al.]

CERTAIN PETITIONS FILED UNDER
CERTAIN SECTIONS OF ACT
ORDER DISMISSING PETITIONS

In the matter of certain petitions filed pursuant to sections 4 II (a), (b) or (d) of the act. Docket Nos. A-1656, A-1737, A-1923, A-2036, A-1846-II, A-1847-II, A-1907-II, A-1913-II, A-1515.

Petitions having been duly filed, pursuant to either sections 4 II (a), (b) or (d) of the Act, in each of the above designated dockets, and no dispositive action having been taken therein; and

It appearing appropriate to dismiss each such petition in view of the fact that action leading to a final determination thereof cannot be taken prior to 12:01 a. m. August 24, 1943, at which time the Bituminous Coal Act of 1937 will cease to be in effect;

Now, therefore, it is ordered, That effective 12:01 a. m. August 24, 1943, each of the above designated petitions be, and the same hereby is, dismissed.

Dated: July 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-12170; Filed, July 28, 1943;
10:57 a. m.]

[Docket No. A-2042]

DISTRICT BOARD 23

ORDER MAKING TEMPORARY RELIEF FINAL

In the matter of petition of District Board No. 23 for the establishment of price classifications and minimum prices for the coals of the Peacock Mine.

A petition was filed in the above-entitled matter, requesting that the same price classifications and minimum prices be established for the coals of the Peacock Mine, Mine Index No. 180, in Sub-district No. 23 in the respective size groups for shipment by rail and truck as are presently in effect for comparable and analogous coals produced in Sub-district "G" in District No. 23, except that in Size Groups 21 and 23 for truck shipment petitioner proposes the establishment of minimum prices 25 cents per ton lower than those applicable to coals in these size groups produced in Sub-district "G".

On July 2, 1943, 8 F.R. 9236, an order was issued herein granting temporary relief in accordance with the request of said petition, and scheduling said matter for hearing on July 31, 1943. However, on July 8, 1943, the hearing was cancelled.

On July 15, 1943, petitioner requested that the temporary relief granted in said Order of July 2, 1943, be made permanent and it appears that said request should be granted and that said relief should be made final as hereinafter set forth.

Now, therefore, it is ordered, That the temporary relief granted in the Order of July 2, 1943, 8 F.R. 9236, be, and the same hereby is made final as of the date August 10, 1943.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division on or before August 7, 1943, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: July 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-12171; Filed, July 28, 1943;
10:58 a. m.]

[Docket No. B-75]

EAGLE BOAT STORE COMPANY
ORDER DISMISSING PROCEEDINGS

This proceeding was instituted by the Bituminous Coal Division to determine whether or not Eagle Boat Store Company, a registered distributor, (Registration No. 2601) has violated the agreement by registered distributor executed by it, and violated certain provisions of the Act, the Code, and rules and regulations thereunder, and to determine, in case such violation be found, the appropriate penalty to be invoked.

Pursuant to appropriate notice, a hearing was held before Joseph D. Dermody, a duly designated Examiner of the Division, on December 5, 1941, at which respondent appeared, and the Examiner on May 22, 1943 submitted his Report, proposed findings of fact, proposed conclusions of law, and recommendation to the effect that an order of dismissal should be entered, as he found that respondent had not violated the provisions of section 4 II (i) (12) of the Act, the corresponding section of the Code, §§ 317.11 (c) (6) and 317.19 (c) of the Distributors' Rules, Rule 12 of section XIII of the Marketing Rules and Regulations or paragraphs (c) (e), (f), and (h) of the Agreement by Registered Distributors.

An opportunity was afforded to interested persons to file exceptions thereto and supporting briefs and no such exceptions or briefs have been filed.

It seems inadvisable to issue an opinion discussing the merits of the issues raised in this proceeding in view of the fact that the Bituminous Coal Act of 1937 as amended will expire on August 24, 1943, upon which date the sections of the Marketing Rules and Regulations and of the Distributors' Rules and the Agreement by Registered Distributors will likewise be ineffective.

Any order which might be issued suspending or revoking respondent as a registered distributor would also be ineffective from that date.

Now therefore it is ordered, That this proceeding be and the same hereby is dismissed.

Dated: July 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-12172; Filed, July 28, 1943;
10:58 a. m.]

[Docket No. A-2044]

DEBARDELEBEN COAL CORP.
ORDER GRANTING FINAL RELIEF

In the matter of the petition of DeBardeleben Coal Corporation for establishment of price classifications and minimum prices for Size Group No. 5 coals of the Hull Mine, Mine Index No. 44, District No. 13.

On June 30, 1943, an order was issued in this docket granting temporary relief and scheduling said matter for hearing on August 3, 1943, 8 F.R. 7770. On July 8, 1943, an order was issued cancelling said hearing. By communication dated

July 12, petitioner requested that said temporary relief be made final.

No petitions of intervention have been filed in the above-entitled matter and it appears that good cause has been shown for making permanent said temporary relief.

Now therefore it is ordered, That the temporary relief heretofore granted in regard to coals in Size Group No. 4, produced by the Hull Mine, Mine Index No. 44, of the DeBardeleben Coal Corporation shall be final on August 10, 1943, unless otherwise ordered.

It is further ordered, That pleadings in opposition to the original petition and supplemental request in the above-entitled matter and applications to stay, terminate or modify the relief herein granted may be filed with the Division on or before August 7, 1943, pursuant to the rules and regulations governing Practice and Procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: July 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-12173; Filed, July 28, 1943;
10:58 a. m.]

[Docket No. 35-FD]

SUPERIOR COAL CO.

ORDER EXTENDING EFFECTIVE DATE OF DENIAL OF APPLICATION FOR EXEMPTION

In the matter of the application of Superior Coal Company for exemption.

An order was issued in this proceeding on May 25, 1943 denying an application for exemption of Superior Coal Company, code member in District No. 10, effective fifteen (15) days from the date thereof. Thereafter on June 11, 1943, after request of Superior Coal Company, the effective date of the order denying its application for exemption was extended to July 1, 1943, and upon an application dated June 28, 1943 filed by Superior Coal Company, the effective date of the order denying exemption was extended to August 1, 1943.

By application filed July 14, 1943 Superior Coal Company has requested a further extension of said order dated May 25, 1943, until August 24, 1943, which application states that applicant was advised by Bituminous Coal Board No. 10, Chicago, Illinois, that said Board will not find it convenient to pass upon applicant's request that it recommend favorably a minimum price on coal produced by applicant to be furnished to the Chicago and North Western Railway Company and its subsidiary, Chicago, St. Paul, Minneapolis, and Omaha Railway Company before August 24, 1943, and that even if said Board were able to pass upon said request it would be futile because the Bituminous Coal Act of 1937 will become void and of no effect at midnight on August 23, 1943.

In these circumstances, I believe that the request is appropriate and that the third paragraph of the order denying the application of Superior Coal Com-

pany for exemption, dated May 25, 1943, should accordingly be amended to read as follows:

It is hereby further ordered, That effective at midnight August 23, 1943, the application of Superior Coal Company is denied.

It is so ordered.

Dated: July 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-12174; Filed, July 23, 1943;
10:59 a. m.]

[Docket No. B-346]

STEFFEY AND FINDLAY, INC.

OPINION AND ORDER OF THE DIRECTOR

In the matter of Steffey & Findlay, Inc., a registered distributor, Registration No. 8671.

This proceeding was instituted by the Bituminous Coal Division pursuant to the provisions of the Bituminous Coal Act of 1937 and § 304.14 (now 317.14) of the Rules and Regulations for the Registration of Distributors, by a notice of and order for hearing, in order to determine whether respondent Steffey & Findlay, Inc., a registered distributor (Registration No. 8671) of Hagerstown, Maryland, has violated provisions of the Act, the Code, and Orders and regulations of the Division; and respondent's "Agreement by Registered Distributor." Specifically made subject to investigation was whether respondent had, during the period from December 27, 1940 to March 26, 1942, both dates inclusive, purchased for resale from code members whose mines were located in Districts 1, 2 and 3, respectively, approximately 1547.75 net tons of various size coals, produced by said code members at their respective mines, and resold said coals for rail shipment to the purchasers indicated below, and prepaid the freight thereon, totalling \$3569.79, and whether said transactions constituted violations of Rule 1 (J) of section VII and Rules 3 and 6 of section XIII of the Marketing Rules, section 4 II (i) 3 and 6 of the Act and Part II (i) 3 and 6 of the Code, and paragraphs (c) and (e) of the Agreement.

Respondent filed an answer on December 3, 1942, in the form of a letter addressed to the Director, admitting the prepayment of the freight but claiming that the acts were committed without realizing that they constituted violations. The answer further stated that the Division failed to take exception to respondent's conduct, although respondent furnished to the Division's "various district office concerned" at the time of shipment, copies of invoices "clearly showing that freight was prepaid"; and that immediately upon being informed of the violative nature of its conduct, respondent not only discontinued the practice, but stopped wholesaling coal altogether, and thereafter handled the customers involved on a retail basis, in order to insure against further violation through ignorance. The letter concluded with an expression of respondent's willingness to accept any decision made by the Director

in this proceeding. The Bituminous Coal Producers Board for District No. 3 on December 21, 1942, filed a petition for leave to intervene.

Pursuant to the notice, a hearing in this matter was held on January 9, 1943, before Charles S. Mitchell, a duly designated Examiner of the Division, at a hearing room thereof in Hagerstown, Maryland. All interested persons were afforded an opportunity to be present and participate fully in the hearing. An appearance was entered on behalf of respondent. At the conclusion of the hearing, all parties waived the preparation and filing of a report by the examiner, and the record in the proceeding was thereupon submitted to me.

In view of the fact that the Bituminous Coal Act of 1937, as amended will expire on August 23, 1943 (except as provided in section 19 thereof), any order which might be issued revoking or suspending respondent's registration as a distributor will become inoperative after that date. Proceedings not finally decided at that time will become moot. In these circumstances it would seem inadvisable to determine the issues on the merits. The proceeding should be dismissed.

It is so ordered.

Dated: July 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-12175; Filed, July 28, 1943;
10:59 a. m.]

[Docket No. A-2080]

DISTRICT BOARD 10

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 10 for the establishment of price classifications and minimum prices for the coals produced at the Panther Creek No. 1 mine of Panther Creek Mines, Inc., in District No. 10.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment of temporary price classifications and minimum prices for the Panther Creek No. 1 Mine (Mine Index No. 1633) of Panther Creek Mines, Inc., for shipments by rail and truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, but not extending beyond 12:01 a. m., August 24, 1943, temporary relief is granted as follows: Commencing forthwith the schedules of effective minimum prices for District No. 10 for all shipments except truck and for truck shipments are supplemented to include the price classifications and minimum prices set forth

in the schedules marked Supplement R and Supplement T annexed hereto and made a part hereof.

It is further ordered, That, pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division any time prior to August 7, 1943, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: July 22, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-12176; Filed, July 28, 1943;
10:59 a. m.]

[Docket No. 1670-FD]

PITTSBURGH AND MIDWAY COAL MINING CO.
ORDER OF THE DIRECTOR

Upon the basis of findings of fact and conclusions of law set forth in the opinion of the director, filed simultaneously herewith, wherein it appears that Pittsburgh & Midway Coal Mining Company, as a code member producer, wilfully violated section 4 II (e) of the Bituminous Coal Act of 1937 and the corresponding provision of the Bituminous Coal Code in the sale of 4323.93 tons of Size Group 13 coal at prices lower than the applicable effective minimum price, for which its membership in the Code should be revoked; and wilfully violated sections 4 II (a) and 4 II (i) 13 of the Act, Parts II (a) and II (i) 13 of the Code, Order No. 14, and Rule 7 of section VI, Rules 1, 2, 4, 5, and 6 of section VIII, Rule 1 of section X, and Rule 13 of section XIII of the Marketing Rules and Regulations, for which, upon its reinstatement as a code member defendant should be required to cease and desist from further such violations. It also appears that as a registered distributor Pittsburgh & Midway Coal Mining Company wilfully violated paragraphs (b), (c), (e) and (f) of the Agreement by Registered Distributor, executed by it, in wilfully violating sections 4 II (e) and 4 II (i) 13 of the Act, Parts II (e) and II (i) 13 of the Code, and Rule 3 of section V, Rules 1, 2, 4, 5 and 6 of section VIII, Rule 1 of section X, and Rule 13 of section XIII of the Marketing Rules and Regulations, for which its registration as a registered distributor should be suspended for a period of twenty (20) days and it should be required to cease and desist from such further violations of its agreement; that defendant as either a code member or registered distributor did not violate the Act, the Code or rules and regulations thereunder in failing to charge interest on accounts, failing to file invoices and contracts reflecting the true preparation or treatment of coal sold or misrepresenting the same, or selling coal to the Gooch Milling and Elevator Company for commercial use at the industrial use prices as set forth in counts B, E, and H of the complaint and notice; that the

proposed findings of fact and proposed conclusions of law of the examiner should be modified and, as so modified, approved and adopted as the findings of fact and conclusions of law of the undersigned; and pursuant to sections 4 II (h), (j) and 5 (b) of the Bituminous Coal Act of 1937 and § 317.14 of the Rules and Regulations for the Registration of Distributors;

It is ordered, That the proposed findings of fact and proposed conclusions of law of the examiner, as modified in my opinion, are approved and adopted as the findings of fact and conclusions of law of the director.

It is further ordered and determined, That defendant, neither as a code member nor a registered distributor, has violated Rule 1 (I) of section VII of the Marketing Rules by failure to charge interest on accounts; section 4 II (e) and 4 II (i) 8 of the Act or Rule 8 of section XIII of the Marketing Rules, by failing to file with the proper Statistical Bureau invoices and contracts reflecting the true preparation and treatment of coal sold on any misrepresentation thereof; nor section 4 II (e) of the Act in the sale of coal to the Gooch Milling and Elevator Company for commercial use at industrial prices, and that as to these matters the proceeding is dismissed.

It is further ordered, That the membership of The Pittsburgh & Midway Coal Mining Company, in the code and its right to an exemption from the taxes imposed by section 3 (b) of the Bituminous Coal Act of 1937, is revoked and cancelled, and that prior to reinstatement in the Code it shall pay to the United States a tax in the amount of \$2,360.87, as provided by section 5 (c) of the Act.

It is further ordered, That in the event of reinstatement to membership in the Code, The Pittsburgh & Midway Coal Mining Company, as a code member, its agents, representatives, employees, attorneys, successors or assigns, and any person or persons acting or claiming to act for or on its behalf, thereafter cease and desist from violations of sections 4 II (e) and 4 II (i) 13 of the Act, Parts II (e) and II (i) 13 of the Code, Order No. 14, Rule 7 of section VI, Rules 1, 2, 4, 5 and 6 of section VII, Rule 1 of section X, and Rule 13 of section XIII of the Marketing Rules and Regulations, or other provisions of the Act, the Code, or rules and regulations thereunder.

It is further ordered, That the registration of The Pittsburgh & Midway Coal Mining Company as a registered distributor (Registration No. 7344) is suspended for a period of twenty (20) days, effective five (5) days from the date of this order: *Provided, however,* That if defendant shall not have complied with the provisions of § 317.15 (formerly 304.15) of the Rules and Regulations for the Registration of Distributors at least five (5) days prior to the expiration of said suspension period, said suspension shall continue in full force and effect until five (5) days after the affidavit required by said section 317.15 shall have been filed with the division.

It is further ordered, That The Pittsburgh & Midway Coal Mining Company

as a registered distributor (Registration No. 7344), its representatives, agents, employees, attorneys, successors or assigns and any and all persons acting or claiming to act in its behalf, cease and desist from violations of paragraphs (b), (c), (e) and (f) of the agreement by Registered Distributors, executed by it, by or through violations of sections 4 II (e) and (i) 13 of the Act, Parts II (e) and (i) 13 of the Code, Order No. 14, and Rule 3 of section V, Rules 1, 2, 4, 5 and 6 of section VII, Rule 1 of section X, and Rule 13 of section XIII of the Marketing Rules and Regulations, or other provisions of the Act, the Code, or rules and regulations thereunder.

Dated: July 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-12177; Filed, July 28, 1943;
11:00 a. m.]

General Land Office.

[Five-Acre Tract Classification 27]

LOS ANGELES, CALIF., LAND DISTRICT

ORDER REGARDING LEASED SITES

JULY 22, 1943.

On March 17, 1943, the following-described vacant public lands, in the Los Angeles, California, land district, were classified and opened by the Secretary of the Interior under the act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), for leasing as home, cabin, camp, health, convalescent, recreational, and business sites.

CALIFORNIA No. 14

SAN BERNARDINO MERIDIAN

T. 17 S., R. 5 E.,

Sec. 20, NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 21, lot 1;

Sec. 26, lot 3;

Sec. 27, lot 13, total area, 97.36 acres.

These lands are in San Diego County, 54 miles by road east and slightly south of San Diego, and are in the coast range of mountains at an elevation of approximately 3,000 feet.

Lot 1 sec. 21 has been divided into 4 units, and lot 3 sec. 26 into 8 units, with designations and areas as shown on the supplemental plat of these lots accepted May 15, 1943, and the lands in these two lots will be leased according to such units. Lands in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 20 will be leased in rectangular units of 5 acres, and any applications filed for tracts therein should describe the land applied for according to the rectangular system of surveys. Two applications have been received.

The portions of the lands involved not covered by any application under the five-acre act are subject to application for lease under that act, based on the above-mentioned classification, by any qualified persons, in accordance with 43 CFR 257.1-257.25 (Circ. 1470a, August 10, 1942).

The Register of the Los Angeles district land office will make appropriate

notations upon the records of his office and acknowledge receipt hereof.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 43-12164; Filed, July 28, 1943;
9:34 a. m.]

[Five-acre Tract Classification 30]

BUFFALO, WYO. LAND DISTRICT

ORDER REGARDING LEASED SITES

JULY 23, 1943.

On May 14, 1943, the following-described vacant public land, in the Buffalo, Wyoming, land district, was classified and opened by the Secretary of the Interior under the act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), for leasing as home, cabin, camp, health, convalescent, and recreational sites. The classification does not include use of any of the land as business sites.

WYOMING No. 3

SIXTH PRINCIPAL MERIDIAN

T. 53 N., R. 85 W., sec. 12, E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, 320 acres.

This land is located approximately 18 miles south of Sheridan and 9 miles south of Big Horn, Sheridan County, Wyoming. It is on the north slope and at the edge of the Big Horn Mountains.

The land will be leased, generally, in rectangular units of 330 feet by 660 feet. In the NE $\frac{1}{4}$ NE $\frac{1}{4}$, in order that the maximum use and benefits from natural features and a road may be obtained by lessees, tracts in that portion will be leased in units 165 feet wide north and south by 1,320 feet long east and west. Each lessee will be required to erect substantial improvements having a value of not less than \$500.

The land described is subject to application under the five-acre tract act, based on the above-mentioned classification, by any qualified persons, in accordance with 43 CFR 257.1-257.25 (Circ. 1470a, August 10, 1942). One application has been received.

The Register of the Buffalo district land office will make appropriate notations upon the records of his office and acknowledge receipt hereof.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 43-12165; Filed, July 28, 1943;
9:34 a. m.]

[Public Land Order 147]

SOUTH DAKOTA

WITHDRAWING PUBLIC LANDS FOR USE OF THE
WAR DEPARTMENT

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the

War Department as a pattern gunnery range:

FIFTH PRINCIPAL MERIDIAN

T. 115 N., R. 82 W.,
Sec. 11, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 13, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
The areas described aggregate 80 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for reforestation, forestation, soil erosion control, and other land utilization activities, made by Executive Order No. 7671 of July 19, 1937, so far as such order affects the above-described lands.

Jurisdiction over the lands hereby reserved shall revert to the Department of the Interior and the Department of Agriculture, according to their respective interests, upon expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered, pending classification and a determination as to whether the lands, or portions thereof, are needed for public purposes.

ABE FORTAS,

Acting Secretary of the Interior.

JULY 12, 1943.

[F. R. Doc. 43-12166; Filed, July 28, 1943;
9:34 a. m.]

Office of the Secretary.

FIELD EMPLOYEES, BUREAU OF RECLAMA-
TION, DEPARTMENT OF THE INTERIOR

WAGE FIXING PROCEDURES

JUNE 23, 1943.

For the purpose of determining the prevailing rate of wages to be paid certain classes of field employees of the Bureau of Reclamation and to enable the payment to such employees of time and one-half for work in excess of 40 hours per week, the following procedure is established:

I. *Wage Board.* A Wage Board, composed of three representatives of the Department, is hereby established to determine prevailing wages for similar work in the locality of their employment for persons employed by the Government in the various trades and occupations excluding employees whose wages are fixed on an annual basis pursuant to the Classification Act of 1923, as amended, and excluding employees whose wage rates are fixed by wage boards which have been previously established, and to make recommendations with respect to such wages to the Secretary of the Interior.

II. *Procedure to be followed by Board.* In determining the prevailing wages of various trades and occupations being considered by the Board, the Board shall procure evidence of the wages and compensation being paid to and perquisites received by those employed in these trades and occupations from local contractors, Federal agencies (including wage scales currently being paid pursuant to minima established pursuant to the Davis-Bacon Act), pri-

vate industrial employers, and others employing labor in the locality, whether pursuant to union agreements or otherwise. Hearings for the purpose of adducing evidence of wages paid in the locality may be held when, in the judgment of the Board, this is required in order to determine the prevailing rates of wages.

Based on the evidence procured as to prevailing wages and the perquisites of employment in the locality in the classifications under consideration by the wage Board, the Board shall make its recommendations to the Secretary of the Interior as to the rates of wages to be paid to the Government employees of the classes above specified. The wages recommended, upon approval by the Secretary, shall become effective May 1, 1943, unless otherwise directed by the Secretary of the Interior: *Provided*, That the Secretary of the Interior may direct the Board to reconsider any recommendation in whole or in part when, in his judgment, the recommended wage does not accord with the evidence procured as to the prevailing wage in the locality or when there is insufficient evidence to support the wage recommended.

III. *Effective period of approved wage determinations.* Any wage rate fixed in the manner above provided shall remain in effect until that rate has been supplanted by a different rate determined by the Wage Board with the approval of the Secretary of the Interior. Unless directed by the Secretary of the Interior to do so at other intervals, the Wage Board shall review wage rates at six-month intervals, beginning with the effective date of the first schedule of wages made in accordance with the procedure herein provided: *Provided*, That the Secretary of the Interior may direct a review at any other time when, in his judgment, this is desirable.

Unless otherwise ordered, the Board shall be composed of these departmental representatives:

Duncan Campbell, who shall act as Chairman of the Board, and Guy W. Numbers, selected from the Office of the Secretary of the Interior,

Charles A. Bissell, Member of the Board, and Alfred R. Golze, Alternate Member of the Board, selected from the Bureau of Reclamation.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 43-12155; Filed, July 28, 1943;
9:35 a. m.]

[Order 1847]

DEPUTY COAL MINES ADMINISTRATOR

DELEGATION OF AUTHORITY

JULY 27, 1943.

I shall hereafter exercise as Coal Mines Administrator the powers, authority and discretion conferred upon the Secretary of the Interior by the provisions of Executive Order No. 9340 dated May 1, 1943, 8 F.R. 5695, and there is hereby delegated to the Deputy Coal Mines Administrator, subject to such supervision and direction as the Administrator shall from time to

time determine, authority to exercise any and all powers, authority and discretion conferred upon the Secretary of the Interior by the provisions of the aforesaid Executive Order, with respect to all coal mines, possession of which has been taken or shall hereafter be taken by him, to the same extent and with the same effect as the said powers, authority and discretion may be exercised directly by the Secretary of the Interior.

Order No. 1807, (8 F.R. 5767) as amended by Order No. 1812 (8 F.R. 6006), is hereby revoked, effective immediately.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 43-12167; Filed, July 28, 1943;
9:35 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4929]

BLACKSTONE COLLEGE OF LAW, 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 26th day of July, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (33 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That J. Earl Cox, 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, August 10, 1943, at ten o'clock in the forenoon of that day (central standard time) in District Court Room, County Court House, Clinton, Iowa.

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 evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-12194; Filed, July 28, 1943;
11:21 a. m.]

[Docket No. 4980]

MILWAUKEE IMPORTING 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 26th day of July, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A. section 41),

It is ordered, That J. Earl Cox, 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 Thursday, August 19, 1943, at ten o'clock in the forenoon of that day (central standard time) in Room 222, Main Post Office Building, Milwaukee, Wisconsin.

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 evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-12195; Filed, July 28, 1943;
11:21 a. m.]

[Docket No. 4824]

SIEGEL AND ALENIKOFF

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 26th day of July, A. D. 1943.

In the matter of Joseph Henschel, Jacob Siegel and Philip Alenikoff, individually and as copartners trading as Siegel & Alenikoff.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41),

It is ordered, That John W. Addison, 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 Thursday, August 5, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 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 respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-12193; Filed, July 28, 1943;
11:21 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1517]

CARL ZEISS

Re: Interests of Carl Zeiss, of Jena, Germany, in an agreement relating to Patent No. 2,031,792.

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:

1. Finding that the Firm of Carl Zeiss, of Jena, Germany, is a business organization, organized under the laws of Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property described in subparagraph 3 hereof is property of the Firm of Carl Zeiss, of Jena, Germany;

3. Finding, therefore, that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in the Firm of Carl Zeiss by virtue of an agreement dated November 12 and December 2, 1938 (including all modifications thereof and supplements thereto, if any) by and between said Firm of Carl Zeiss and Bausch and Lomb Optical Company, a New York corporation, which agreement relates among other things to Patent No. 2,031,792,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on May 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11976; Filed, July 26, 1943;
1:36 p. m.]

[Vesting Order 1518]

HERAEUS-VACUUMSCHMELZE
AKTIENGESELLSCHAFT

Re: Interest of Heraeus-Vacuum-schmelze Aktiengesellschaft in an agreement relating to Patent Number 1,903,724.

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:

1. Finding that the Heraeus-Vacuum-schmelze Aktiengesellschaft is a corporation organized under the laws of Germany having its principal place of business in Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property described in subparagraph 3 hereof is property of Heraeus - Vacuum-schmelze Aktiengesellschaft;

3. Finding, therefore, that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to said interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Heraeus-Vacuum-schmelze Aktiengesellschaft by virtue of an agreement dated September 16, 1936 (including all modifications thereof and supplements thereto, if any) by and between Heraeus-Vacuum-schmelze Aktiengesellschaft and United States Steel Corporation, a New Jersey corporation, which agreement relates among other things to Patent Number 1,903,724, dated April 11, 1933, inventor Wilhelm Rohn,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, 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. Nothing herein contained shall be deemed to constitute an admis-

sion 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 said Executive Order.

Executed at Washington, D. C. on May 21, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.[F.-R. Doc. 43-11977; Filed, July 26, 1943;
1:36 p. m.]

[Vesting Order 1519]

JUNKERS & CO., G. M. B. H.

Re: Interest of Junkers & Co., G. m. b. H. in an agreement relating among other things to Patent Number 2,291,567.

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:

1. Finding that Junkers & Co., G. m. b. H., is a corporation organized under the laws of Germany having its principal place of business in Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property described in subparagraph 3 hereof is property of Junkers & Co., G. m. b. H.;

3. Finding, therefore, that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Askania-Werke A. G. by virtue of an agreement dated January 1, 1936 (including all modifications thereof and supplements thereto, if any) by and between Askania-Werke A. G. and the Milwaukee Gas Specialty Co., a Wisconsin corporation, which agreement relates among other things to Patent No. 2,291,567,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C. on May 21, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.[F. R. Doc. 43-11978; Filed, July 26, 1943;
1:37 p. m.]

[Vesting Order 1520]

PATENT APPLICATION OF PIERRE VITOUX

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:

1. Finding that Pierre Vitoux is a citizen and resident of France and is therefore a national of a foreign country (France);

2. Finding that the patent application identified in subparagraph 3 hereof is the property of Pierre Vitoux;

3. Finding, therefore, that the patent application described as follows:

Serial No.	Date	Inventor	Title
472,535	1-15-43	Pierre Vitoux..	Hand tool, for metal engraving.

is property of a national of a foreign country (France);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on May 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11979; Filed, July 26, 1943; 1:37 p. m.]

[Vesting Order 1521]

TRADE-MARKS OWNED BY CHEMISCHE
FABRIK GRUENAU A. G.

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:

1. Finding that Chemical Marketing Company, Incorporated, a New York corporation, is a business enterprise within the United States;

2. Finding that Deutsche Gold und Silber Scheideanstalt vorm. Roessler is a corporation organized under the laws of Germany and therefore is a national of a foreign country (Germany);

3. Finding that Chemische Fabrik Gruenau A. G. is a corporation organized under the laws of Germany and therefore is a national of a foreign country (Germany);

4. Finding that said Chemische Fabrik Gruenau A. G. is affiliated with and is a subsidiary of said Deutsche Gold und Silber Scheideanstalt vorm. Roessler;

5. Finding that until sometime in or about 1940 said Chemical Marketing Company, Incorporated was the distributor in the United States for said Deutsche Gold und Silber Scheideanstalt vorm. Roessler of products manufactured and sold by said Chemische Fabrik Gruenau A. G. under the various trade-marks hereinafter identified;

6. Finding that since sometime in or about 1940 said Chemical Marketing Company, Incorporated has caused to be manufactured in the United States certain of the products formerly manufactured by said Chemical Fabrik Gruenau A. G. under the trade-marks "Egalisal", "Tricosal" and "Lamepon", more fully identified in Exhibit A attached hereto and made a part hereof, and has sold said products under said trade-marks;

7. Finding that the patents and patent applications of said Chemical Marketing Company, Incorporated communicated to it by said Deutsche Gold und Silber Scheideanstalt vorm. Roessler were vested by the Alien Property Custodian pursuant to Vesting Order Number 273, dated October 29, 1942;

8. Finding that all of the outstanding capital stock of said Chemical Marketing Company, Incorporated was vested by the Alien Property Custodian pursuant to Vesting Order Number 373, dated November 18, 1942;

9. Finding that said Chemische Fabrik Gruenau A. G. is the owner of record in the United States Patent Office of the trade-marks and registrations thereof identified in Exhibit A Part I attached hereto and made a part hereof together with the rights thereunder as defined in subparagraph 12-a hereof;

10. Finding that said Chemical Marketing Company, Incorporated is the owner of record in the United States Patent Office of a certain additional trade-mark and application for registration thereof identified in Exhibit

A Part II attached hereto and made a part hereof, together with the rights thereunder as defined in subparagraph 12-b hereof;

11. Finding that said Chemical Marketing Company, Incorporated holds said trade-mark and application for registration thereof, identified in Section 10 hereof, and all rights thereunder as defined in subparagraph 12-b hereof as agent for the beneficial interest of said Chemische Fabrik Gruenau A. G., a national of a foreign country (Germany) whose last known address is Berlin-Gruenau, Germany;

12. Finding that the property described as follows:

a. The trade-marks registered in the United States Patent Office under the numbers and on the dates set out in Exhibit A Part I attached hereto and made a part hereof and the registrations thereof, together with

(1) The respective good-will of the business in the United States and all its possessions to which the trade-marks are appurtenant,

(2) Any and all indicia of such good-will (including but not limited to formulae, whether secret or not, secret processes, methods of manufacture and procedure, customers lists, labels, machinery, and other equipment),

(3) Any interest of any nature whatsoever in, and any rights and claims of every character and description to, said business, good-will and trade-marks and registrations thereof, and

(4) All accrued royalties payable or held with respect to said trade-marks and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof,

b. The trade-mark for which application for registration has been filed in the United States Patent Office under the number and on the date set out in Exhibit A Part II attached hereto and made a part hereof and the application for registration thereof, together with

(1) The good-will of the business in the United States and all its possessions to which said trade-mark is appurtenant,

(2) Any and all indicia of such good-will (including but not limited to formulae, whether secret or not, secret processes, methods of manufacture and procedure, customers lists, labels, machinery and other equipment),

(3) Any interest of any nature whatsoever in, and any rights and claims of every character and description to, said business, good-will and trade-mark and application for registration thereof, and

(4) All accrued royalties payable or held with respect to said trade-mark and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, is property of a national of a foreign country (Germany);

13. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

14. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 12 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on May 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

PART I

Trade-marks which are identified as follows and the titles to which stand of record in the United States Patent Office in the name of Chemische Fabrik Gruenau A. G.

Reg. No.	Date	Character of goods
176, 288	11/20/23	Chemical products used in dyeing textile fibre yarns and textile fabrics.
191, 633	11/11/24	Preparation for washing and scouring
193, 554	12/30/24	Aniline and its salts, naphthol and its derivatives, etc.
197, 286	4/14/25	Soaps, albumen soaps and cleaning liquors, etc.
204, 168	10/13/25	Medicinal preparation for the treatment of anemia, tuberculosis, etc.
254, 005	3/12/29	Stones and artificial stones for building purposes, cement, lime, etc.
267, 808	3/4/30	Preparations for hardening cement and increasing its resistance to water and weak acids.
312, 970	5/15/34	Impregnating products for waterproofing of textiles.
333, 696	3/31/36	Medicinal and pharmaceutical preparation for the stimulation of the respiratory system and circulation.

PART II

Trade-mark and application for registration thereof which is identified as follows and the title to which stands of record in the United States Patent Office in the name of Chemical Marketing Company, Incorporated.

App. No.	App. date	Pub. date	Character of goods
458, 615	6/12/42	4/6/43	Wetting agent, emulsifier, etc.

[F. R. Doc. 43-11980; Filed July 26, 1943; 1:37 p. m.]

[Vesting Order 1553]

ABANDONED PATENT APPLICATIONS OF NATIONALS OF ENEMY-OCCUPIED COUNTRIES

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:

1. Finding that each of the persons to whom reference is made in column headed "Owner" in Exhibit A attached hereto and made a part hereof, if an individual, is a citizen and resident of, or, if a business organization, is organized under the laws of and has its principal place of business in the country represented by the code number set forth after its respective name in said Exhibit A under the heading "Nat" in accordance with the following:

- 7 Belgium.
- 17 Czechoslovakia.
- 27 France.
- 30 Greece.
- 49 The Netherlands.

and is therefore a national of such foreign country or countries, respectively;

2. Finding that the patent applications and other property relating thereto described in subparagraph 3 hereof, are property of the persons whose names appear opposite the respective numbers thereof in said Exhibit A;

3. Finding therefore, that the property described as follows:

Patent applications identified in Exhibit A attached hereto and made a part hereof, together with the entire right, title and interest throughout the United States and its territories in and to, including the right to file applications in the United States Patent Office for Letters Patent for, the invention or inventions shown or described in such applications,

is property of nationals of foreign countries (Belgium, Czechoslovakia, France, Greece and The Netherlands);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act, or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, 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 Prop-

erty Custodian. 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 said Executive Order.

Executed at Washington, D. C., on May 28, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent applications identified as follows:

Serial no.	Date	Owner	Inventor	Title	Nat
16,088	4/12/35	Edgar W. Brandt.....	E. W. Brandt.....	Ordnance.....	27
25,657	6/5/35	Edmond Trachta.....	E. Trachta.....	Magazines for drum shooting weapons.	17
84,954	6/12/36	Matériels Et Armements Modernes.	L. Sabathe.....	Elastic trail plates or spades for guns.	27
99,462	9/4/36	Louis Gaston Sabathe.....	L. Sabathe.....	Method of increasing the range of projectiles.	27
131,549	3/18/37	Charles Edouard Pierre Gourdou.	C. Gourdou.....	Aeroplane bombs.....	27
131,800	3/19/37	Werner Bauman.....	W. Bauman.....	Air cooled quick firing guns.....	27
146,159	6/3/37	Louis Gaston Sabathe.....	L. Sabathe.....	Cannons or like guns.....	27
164,424	9/18/37	Pierre Van Deuren.....	P. Deuren.....	Bomb-throwing apparatus.....	7
197,484	3/22/38	Jean Fabry.....	J. Fabry.....	Projectiles provided with tail-fins.....	27
197,651	3/23/38	Georges Bretton.....	G. Bretton.....	Gun barrels and their arrangement on guns.	27
200,262	4/5/38	Norbert Jules Andre Galliot & Jeanne Adrienne Victorine Anna Chable.	N. Galliot et al.....	Firearms provided with a recoil absorber device.....	27
216,610	6/29/38	Sytsje Frederik Willem Koolhoven.	S. Koolhoven.....	Mounting of movable machine guns, particularly upon aircraft.	49
217,621	7/5/38	R. Adler.....	R. Adler.....	Adsorption and purifying agent.....	17
225,031	8/15/38	Hector Eyraud.....	H. Eyraud.....	Closing device for guns and the like.....	27
230,671	9/19/38	Henri Tailleferre.....	H. Tailleferre.....	Submarine mines.....	27
236,076	10/20/38	Etienne G. Hadjidakis.....	E. Hadjidakis.....	Projectiles.....	30
241,694	11/21/38	Societe Carbochimique S A.....	P. Ferrero et al.....	Process of preparing ethylene oxide and its homologues.	7
243,298	11/30/38	Hector Eyraud.....	H. Eyraud.....	Closing device for guns and the like.....	27
244,292	12/6/38	Nicolas Herzmark.....	N. Herzmark.....	Gas-generating cartridge.....	27
250,838	1/13/39	Stanislav Landa.....	S. Landa.....	Process for the production of halogen butadienes.	17
253,670	1/30/39	Ceskoslovenska Zbrojovka a. s. Brno.	J. Koucky.....	Muzzle brakes for firearms.....	17
258,319	2/24/39	Ceskoslovenska Zbrojovka a. s. Brno.	J. Koucky.....	Firearms.....	17
266,735	4/8/39	Louis Benjamin Jules Le Goupil.	L. Goupil.....	Percussion fuse of great sensitiveness.	27
272,266	5/6/39	Schneider & Cie.....	G. Fontaine.....	Gun-carriage pivots for pieces of artillery.	27
273,337	5/12/39	Bohdan Cervinka.....	B. Cervinka.....	Anti-aircraft projectile.....	17
285,160	7/18/39	Ceskoslovenska Zbrojovka, a. s. Brno.	J. Koucky.....	Devices for springing cartridge extractors in firearms.	17
285,168	7/18/39	Ceskoslovenska Zbrojovka, a. s. Brno.	K. Staller.....	Rifling of firearm barrels of small calibre.	17
286,706	7/26/39	Ceskoslovenska Zbrojovka, a. s. Brno.	J. Koucky.....	Means for securing the firing pin in firearms.	17
290,270	8/15/39	Ceskoslovenska Zbrojovka, a. s. Brno.	J. Koucky.....	Devices for ejecting empty cartridge cases in automatic firearms.	17
301,164	10/25/39	Rubber-Stichtung.....	A. Wildschut.....	Vulcanisation of rubber and similar substances.	49
306,415	11/27/39	S A des Manufactures Des Glaces & Produits Chimiques De Saint Gobain Chauny & Cirey.	A. Cornillot.....	Process for polymerizing polymerizable compounds.	27
315,717	1/26/40	Ceskoslovenska Zbrojovka. a. s. Brno.	J. Koucky.....	Safety catch for firearms.....	17
340,524	6/14/40	Constantin Papastathis.....	C. Papastathis.....	Aeroplane bomb-fuze.....	30

[F. R. Doc. 43-11981; Filed, July 26, 1943; 1:38 p. m.]

[Vesting Order 1587]

BUSS AKTIENGESELLSCHAFT

Re: Patent and patent application of Buss Aktiengesellschaft

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:

1. Finding that the Buss Aktiengesellschaft is a corporation organized under the laws of and having its principal place of business in Switzerland, and is therefore a national of a foreign country (Switzerland);

2. Finding that the patent application and the United States Letters Patent and rights related thereto identified in subparagraph 4 hereof are property of Buss Aktiengesellschaft;

3. Finding that the Buss Aktiengesellschaft appears on The Proclaimed List of Certain Blocked Nationals;

4. Finding, therefore, that the property described as follows:

a. The patent application identified as follows:

Serial number	Date	Inventor	Title
483,828	4-20-43	Ernst Gfeller...	Methods for reducing the temperature in the drum of an apparatus for the gasification of calcium carbide.

b. All right, title and interest, 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, in and to the following patents:

Patent No.	Date	Inventor	Title
1,824,424	9-22-31	Walter Buss.....	Extractor.
1,859,497	5-24-32	Walter Buss.....	Extractors.

is property of a national of a foreign country (Switzerland);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on May 29, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11982; Filed, July 26, 1943; 1:28 p. m.]

[Vesting Order 1588]

SOCIETE INTERNATIONALE DE CAROTTAGE ELECTRIQUE PROCEDES SCHLUMBERGER

Re: Interests of Societe Internationale De Carottage Electrique Procèdes Schlumberger in an agreement relating to Patent No. 2,165,013.

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:

1. Finding that Societe Internationale De Carottage Electrique Procèdes Schlumberger is a corporation organized under the laws of Luxembourg and is therefore a national of a foreign country (Luxembourg);

2. Finding that the property identified in subparagraph 3 hereof is property of Societe Internationale De Carottage Electrique Procèdes Schlumberger;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with

the right to sue therefor) created in Societe Internationale De Carottage Electrique Procèdes Schlumberger by virtue of an agreement dated December 27, 1934 (including all modifications thereof and supplements thereto, if any) by and between Societe Internationale De Carottage Electrique Procèdes Schlumberger and Schlumberger Well Surveying Corporation, which agreement relates, among other things, to Patent No. 2,165,013,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Luxembourg);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, 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

Patent number	Date	Inventor	Title
Re. 20, 773	6-28-38	Raoul R. R. Sarazin.....	Means adapted to reduce torsional oscillations of crankshafts. Means adapted to reduce torsional oscillations of crankshafts. Vibration damping devices.
2, 079, 227	5-4-37	Raoul R. R. Sarazin.....	
2, 202, 967	6-4-40	Raoul R. R. Sarazin.....	

b. All interests and rights (including all accrued royalties and other monies payable or held with respect to said interests and rights and all damages for breach of the agreement hereinafter described together with the right to sue therefor) created in Societe Francaise Hispano-Suiza by virtue of an agreement dated March 11, 1940 (including all modifications thereof and supplements thereto, if any) by and between Societe Francaise Hispano-Suiza and Fairchild Engine and Airplane Corporation, a corporation of Maryland, having a place of business at Farmingdale, Long Island, New York, relating among other things, to patent No. 2,079,227, dated May 4, 1937, inventor Raoul R. R. Sarazin, for Means adapted to reduce Torsional oscillations of crankshafts,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (France);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

Custodian. 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 said Executive Order.

Executed at Washington, D. C., on May 29, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11983; Filed, July 26, 1943; 1:28 p. m.]

[Vesting Order 1589]

RAOUL R. R. SARAZIN

Re: Patents of Raoul R. R. Sarazin and contractual interests of Societe Francaise Hispano-Suiza in an agreement relating thereto

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:

1. Finding that Societe Francaise Hispano-Suiza is a corporation organized under the laws of France and is therefore a national of a foreign country (France);

2. Finding that Raoul R. R. Sarazin is a citizen and resident of France and is therefore a national of a foreign country (France);

3. Finding that the patents identified in subparagraph 5-a hereof are property of Raoul R. R. Sarazin;

4. Finding that the interests and rights in the contracts identified in subparagraph 5-b hereof are property of Societe Francaise Hispano-Suiza;

5. Finding, therefore, that the property described as follows:

a. All right, title and interest, 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, in and to the following patents:

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 5 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on May 29, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11984; Filed, July 26, 1943;
1:28 p. m.]

[Vesting Order 1635]

OSCAR R. WIKANDER

Re: Interests of "Ringfeder" G. m. b. H. in an agreement with Oscar R. Wikander relating to Patent Number 1,816,325.

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:

1. Finding that "Ringfeder" G. m. b. H. is a corporation organized under the laws of and having its principal place of business in Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property identified in subparagraph 3 hereof is property of "Ringfeder" G. m. b. H.;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in "Ringfeder" G. m. b. H. by virtue of an agreement dated January 26, 1925 (including all amendments thereof and supplements thereto, including, but without limitation, amendments dated April 6, 1925; May 27, 1927; and November 28, 1941) by and between "Ringfeder" G. m. b. H. and Oscar R. Wikander, which agreement relates, among other things, to patent application serial number 429,976 which has matured into patent number 1,816,325, issued July 28, 1931, inventor T. Held,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations, and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, 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. 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 said Executive Order.

Executed at Washington, D. C., on June 7, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11986; Filed, July 26, 1943;
1:38 p. m.]

[Vesting Order 1634]

WINDMOLLER & HOLSCHER

Re: Interest of Windmoller & Holscher, G. m. b. H. in agreements with Modern Valve Bag Company and Bates International Bag Company relating to United States Letters Patent No. 1,745,358.

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:

1. Finding that Windmoller & Holscher, G. m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. Finding that the property identified in subparagraph 3 hereof is property of Windmoller & Holscher, G. m. b. H.;

3. Finding that the property described as follows:

a. All interests and rights (including all royalties and/or other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Windmoller & Holscher, G. m. b. H. by virtue of an agreement dated February 2, 1937 (including all modifications thereof and supplements thereto, if any) by and between Windmoller & Holscher, G. m. b. H. and Modern Valve Bag Company, which agreement relates, among other things, to United States Letters Patent No. 1,745,358, and

b. All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Windmoller & Holscher, G. m. b. H. by virtue of an agreement dated October 24, 1938 (including all modifications thereof and supplements thereto, if any) by and between Windmoller & Holscher, G. m. b. H. and Bates International Bag Company, which agreement relates, among other

things, to United States Letters Patent No. 1,745,358.

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on June 7, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11985; Filed, July 26, 1943;
1:38 p. m.]

[Vesting Order 1636]

PATENT AND PATENT APPLICATIONS OF
AKOMFINA A. G.

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:

1. Finding that Akomfina A. G. is a corporation organized under the laws of and having its principal place of business in Switzerland and is therefore a national of a foreign country (Switzerland);

2. Finding that Akomfina A. G. is included in The Proclaimed List of Certain Blocked Nationals;

3. Finding that the property described in subparagraph 4 hereof is property of Akomfina A. G.;

4. Finding therefore, that the property described as follows:

a. All right, title and interest, 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, in and to the following patent:

Patent No.	Date	Inventor	Title
2, 229, 178	1-21-41	L. Kleuger...	Chromium tungsten molybdenum cobalt alloy steel.

b. Patent applications identified as follows:

Serial No.	Filing date	Inventor	Title
223, 231 285, 305	8-5-38 7-21-39	L. Kleuger..... L. Kleuger.....	Annealing boxes. Alloy steel.

together with all right, title and interest throughout the United States and its territories in and to, including the right to file applications in the United States Patent Office for Letters Patent for, the inventions shown or described in such applications,

is property of a national of a foreign country (Switzerland);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act, or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on June 7, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11987; Filed, July 26, 1943; 1:39 p. m.]

[Vesting Order 1637]

CARL ZEISS

Re: Interests of the firm of Carl Zeiss, of Jena, Germany, in an agreement relating to Patent No. 1,862,031.

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:

1. Finding that the Firm of Carl Zeiss, of Jena, Germany, is a business organization organized under the laws of Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property described in subparagraph 3 hereof is property of the Firm of Carl Zeiss, of Jena, Germany;

3. Finding, therefore, that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in the Firm of Carl Zeiss, of Jena, Germany, by virtue of an agreement dated July 2, 1940 (including all modifications thereof and supplements thereto, if any) by and between the said Firm of Carl Zeiss and Bausch and Lomb Optical Company, which agreement relates, among other things, to United States Letters Patent No. 1,862,031,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on June 7, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11988; Filed, July 26, 1943; 1:39 p. m.]

[Vesting Order 1638]

CARL ZEISS

Re: Interests of the firm of Carl Zeiss, of Jena, Germany, in an agreement relating to Patent No. 1,786,916.

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:

1. Finding that the Firm of Carl Zeiss, of Jena, Germany, is a business organization organized under the laws of Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property identified in subparagraph 3 hereof is property of the Firm of Carl Zeiss, of Jena, Germany;

3. Finding, therefore, that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in the Firm of Carl Zeiss, of Jena, Germany, by virtue of an agreement dated April 13, 1934 (including all modifications thereof and supplements thereto, if any) by and between the said Firm of Carl Zeiss and Bausch and Lomb Optical Company, which agreement relates, among other things, to United States Patent No. 1,786,916,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, 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

dian 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. 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 said Executive Order.

Executed at Washington, D. C., on June 7, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11969; Filed, July 26, 1943; 1:39 p. m.]

[Vesting Order 1643]

RUTGERSWERKE A. G. AND SILESIA

Re: Interests of Rutgerswerke A. G. and Silesia, Verein Chemische Fabriken in certain contracts relating to patents.

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:

1. Finding that Rutgerswerke Aktiengesellschaft and Silesia, Verein Chemischer Fabriken are corporations organized under the laws of and having their principal places of business in Germany and are therefore nationals of a foreign country (Germany);

2. Finding that the property identified in subparagraph 4-a and 4-b hereof is property of Rutgerswerke Aktiengesellschaft;

3. Finding that the property identified in subparagraphs 4-c and 4-d hereof is property of Silesia, Verein Chemischer Fabriken;

4. Finding that the property described as follows:

a. All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the contract hereinafter described, together with the right to sue therefor) created in Rutgerswerke Aktiengesellschaft by virtue of an agreement dated October 30, 1936 (including all modifications thereof and supplements thereto, if any) by and between the said Rutgerswerke Aktiengesellschaft and Thiokol Ltd.,

b. All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Rutgerswerke Aktiengesellschaft by virtue of an agreement dated August 2, 1940 (including all modifications thereof and supplements thereto, if any) by and between the said Rutgerswerke Aktiengesellschaft and Thiokol Ltd., which agreement relates, among other things, to United States Letters Patent No. 2,282,948,

c. All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Silesia, Verein Chemischer Fabriken by virtue of an agreement dated August 2, 1940 (including all modifications thereof and supplements thereto, if any) by and between the said Silesia, Verein Chemischer Fabriken and Thiokol Ltd., which agreement relates, among other things, to United States Letters Patent No. 2,278,368.

d. All interests and rights (including all royalties and other monies payable or held

with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Silesia, Verein Chemischer Fabriken by virtue of an agreement dated September 12, 1940 (including all modifications thereof and supplements thereto, if any) by and between the said Silesia Verein Chemischer Fabriken and Thiokol Ltd., which agreement relates, among other things to United States Letters Patent No. 2,252,366,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on June 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11990; Filed, July 26, 1943; 1:39 p. m.]

[Vesting Order 1644]

FRIEDRICH WILHELM HOLLAND-LETZ

Re: Patent Number 2,022,775, and interest of Friedrich Wilhelm Holland-Letz in a contract relating thereto.

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:

1. Finding that Friedrich Wilhelm Holland-Letz is a resident of Germany, and is

therefore a national of a foreign country (Germany);

2. Finding that the property identified in subparagraph 3 hereof is property of Friedrich Wilhelm Holland-Letz;

3. Finding that the property described as follows:

a. All right, title and interest, 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, in and to the following patent:

Patent No.	Date	Inventor	Title
2,022,775	12-3-35	Friedrich Wilhelm Holland-Letz.	Multiple pocket tool.

b. All interests and rights (including all accrued royalties and other monies payable or held with respect to said interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Friedrich Wilhelm Holland-Letz by virtue of an agreement dated August 12, 1939 (including all modifications thereof and supplements thereto, if any) by and between Friedrich Wilhelm Holland-Letz and Ritter & Carlton Company, Inc., relating to the patent identified in subparagraph 3-a hereof, such agreement having been recorded in the assignment records of the United States Patent Office on October 11, 1939, at Liber B 181, page 419,

is property of, or is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on June 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11991; Filed, July 26, 1943; 1:40 p. m.]

[Vesting Order 1645]

CHINOIN CHEMICAL AND PHARMACEUTICAL WORKS CO., LTD.

Re: Interest of Chinoin Chemical and Pharmaceutical Works Co., Ltd. in an agreement with Campbell Products, Inc. relating to a trademark.

Under the authority of the Trading with Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Chinoin Chemical and Pharmaceutical Works Co., Ltd. (hereinafter called Chinoin) is a corporation organized under the laws of and having its principal place of business in Hungary and is therefore a national of a foreign country (Hungary);

2. Finding that the property identified in subparagraph 3 hereof is property of Chinoin;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Chinoin by virtue of an agreement dated April 26, 1940 (including all modifications thereof and supplements thereto, if any) by and between Chinoin and Campbell Products, Inc., relating to the trademark Novatropin and patent number 2,116,872,

is property payable or held with respect to a patent and a trademark or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Hungary);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on June 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11992; Filed, July 26, 1943; 1:40 p. m.]

[Vesting Order 1646]

I. G. FARBENINDUSTRIE A. G.

Re: Interest of I. G. Farbenindustrie A. G. in a contract relating to Patent Number 2,187,817.

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:

1. Finding that I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement between I. G. Farbenindustrie Aktiengesellschaft and Rohm & Haas Company, executed on behalf of I. G. Farbenindustrie Aktiengesellschaft on May 16, 1940 and on behalf of Rohm & Haas Company on June 14, 1940 (including all modifications thereof and supplements thereto, if any) which agreement relates, among other things, to United States Letters Patent No. 2,187,817,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on June 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11993; Filed, July 26, 1943; 1:40 p. m.]

[Vesting Order 1647]

PATENT APPLICATION OF DEUTSCHE CELLULOIDFABRIK AKTIENGESELLSCHAFT

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:

1. Finding that the Deutsche Celluloidfabrik Aktiengesellschaft is a corporation organized under the laws of Germany and having its principal place of business at Ellenburg, Germany, and is therefore a national of a foreign country (Germany);

2. Finding that the patent application identified in subparagraph 3 hereof is property of Deutsche Celluloidfabrik Aktiengesellschaft;

3. Finding, therefore, that the patent application identified as follows:

Serial No.	Date	Inventor	Title
473,049	1-21-43	Otto Haufler	Coating of surfaces with polymers.

is property of a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on June 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11994; Filed, July 26, 1943;
1:40 p. m.]

[Vesting Order 1648]

AUGUST KOPPERS

Re: Interest of August Koppers in an agreement relating to Patent No. 1,888,205.

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:

1. Finding that the last known address of August Koppers was Bochum, Germany, and he was therefore a national of a foreign country (Germany);

2. Finding that all of the executors, administrators, heirs, successors and assigns, if any, of August Koppers, if individuals are residents of or, if business organizations, are organized under the laws of the same foreign country as August Koppers and are therefore nationals of such foreign country (Germany); or, if they are not residents of or organized under the laws of such foreign country, they are acting, with respect to the property described in subparagraph 4 hereof, for the benefit of or on behalf of a resident of or a business organization organized under the laws of such foreign country and are therefore to that extent nationals of such foreign country;

3. Finding that the property identified in subparagraph 4 hereof is property of the executors, administrators, heirs, successors or assigns of August Koppers;

4. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in August Koppers by virtue of an agreement dated September 26, 1930 (including all modifications thereof and supplements thereto, if any) by and between August Koppers and The Koppers Company, which agreement relates, among other things, to United States Letters Patent No. 1,888,205,

is property payable or held with respect to a patent or rights related thereto in which

interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on June 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11995; Filed, July 26, 1943;
1:15 p. m.]

[Vesting Order 1670]

CARL ZEISS

Re: Interests of the Firm of Carl Zeiss, of Jena, Germany, in an agreement with Bausch and Lomb Optical Company relating to U. S. Patent No. 2,174,330.

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:

1. Finding that the Firm of Carl Zeiss, of Jena, Germany, is a business organization organized under the laws of Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property identified in subparagraph 3 hereof is property of the Firm of Carl Zeiss;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in the Firm of Carl

Zeiss, of Jena, Germany, by virtue of an agreement executed on behalf of Bausch and Lomb Optical Company on November 26, 1926 and on behalf of the Firm of Carl Zeiss on December 24, 1926 (including all modifications of and supplements to such agreement, including, but not by way of limitation, a letter from Bausch and Lomb Optical Company to the Firm of Carl Zeiss dated January 17, 1936 and a letter from the Firm of Carl Zeiss to Bausch and Lomb Optical Company dated April 29, 1936) by and between said Firm of Carl Zeiss of Jena, Germany, and Bausch and Lomb Optical Company, relating, among other things, to United States Letters Patent No. 2,174,330,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered 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. 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 said Executive Order.

Executed at Washington, D. C., on June 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11996; Filed, July 26, 1943;
1:15 p. m.]

[Vesting Order 1671]

KALLE & Co., A. G.

Re: Interests of Kalle & Co. A. G. in an agreement with Charles Bruning Company, Inc., relating to Patent No. 1,628,279.

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:

1. Finding that Kalle & Co. A. G. is a corporation organized under the laws of Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property described in subparagraph 3 hereof is property of Kalle & Co. A. G.;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the contract hereinafter described, together with the right to sue therefor) created in Kalle & Co. A. G. by virtue of the contract dated December 15, 1930 (including all modifications thereof and supplements thereto, if any) by and between the said Kalle & Co. A. G. and Charles Bruning Company, Inc. a New York corporation, which contract relates, among other things, to Patent No. 1,628,279.

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, 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. 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 said Executive Order.

Executed at Washington, D. C., on June 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[Vesting Order 1674]

FOREIGN NATIONALS

Re: Interests of foreign nationals in contracts relating to a formula and process of manufacture and trade-mark used in connection therewith

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:

1. Finding that Bisleri Company, Inc., a New York corporation, New York, N. Y., is a business enterprise within the United States;

2. Finding that S. A. Felice Bisleri & Cia is a corporation organized under the laws of Italy, having a principal place of business in Milan, Italy, and, therefore, is a national of a foreign country (Italy);

3. Finding that Michele Bonelli was general manager of S. A. Felice Bisleri & Cia and was also President and general manager of Bisleri Company, Inc. at the time the agreement referred to in subparagraph 9-D was entered into;

4. Finding that the last known address of Michele Bonelli is Milan, Italy, and he is, therefore, a national of a foreign country (Italy);

5. Finding that Bisleri Company, Inc. is licensed and authorized by S. A. Felice Bisleri & Cia to carry on the business, among other things, of manufacturing, distributing and marketing throughout the United States medicinal bitters prepared according to a formula and process of S. A. Felice Bisleri & Cia, and to use in connection with such business the trade-mark registered in the name of S. A. Felice Bisleri & Cia in the United States Patent Office under No. 177,130;

6. Finding that 697 shares of the outstanding capital stock of Bisleri Company, Inc. and all right, title and interest of S. A. Felice Bisleri & Cia in and to "That certain trade-mark (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) owned by S. A. Felice Bisleri & Cia, Milan, Italy, and registered in the United States Patent Office under No. 177,130" were vested by the Alien Property Custodian pursuant to Vesting Order No. 37 executed June 30, 1942;

7. Finding that the property described in subparagraphs 9-A, 9-B, and 9-C hereof is property of S. A. Felice Bisleri & Cia;

8. Finding that the property described in subparagraph 9-D hereof is the property of Michele Bonelli;

9. Finding that the property described as follows:

A. The trade-mark registered in the United States Patent Office under the number 177,130 on December 11, 1923, and the registration thereof, together with

(a) the good-will of the business in the United States and all its possessions to which said trade-mark is appurtenant;

(b) any and all indicia of such good-will (including but not limited to formulae whether secret or not, secret processes, methods of manufacture and procedure, customers lists, labels, machines and other equipment); and without limiting the generality of the foregoing,

(c) the formula and process contained in the following letter and radiograms: (1) letter dated Milan, Italy, July 17, 1941 addressed to Bisleri Company, Inc., New York, N. Y., and signed Bisleri Company, Inc. (signature illegible) President; (2) radiogram stamped

August 23, 1941 directed to Bisleri Company, Inc., New York, N. Y., signed Bonelli; and (3) radiogram stamped October 3, 1941 directed to Bisleri Company, Inc., New York, N. Y., signed Bonelli; and any and all modifications thereof and supplements thereto;

(d) any interests of any nature whatsoever in and any rights and claims of every character and description to said business, good-will and trade-mark and the registration thereof; and

(e) all accrued royalties payable or held with respect to such trade-mark and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof.

B. All interests and rights (including all accrued royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in S. A. Felice Bisleri & Cia by virtue of a certain agreement, express or implied, entered into in or about November, 1936 (including all modifications thereof and supplements thereto, if any) by and between S. A. Felice Bisleri & Cia and Bisleri Company, Inc., which agreement relates, among other things, to the manufacturing, distributing, and marketing throughout the United States of medicinal bitters and to the use in connection with such business of the trade-mark registered in the United States Patent Office December 11, 1923, Registration No. 177,130;

C. All interests and rights (including all accrued royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in S. A. Felice Bisleri & Cia by virtue of a certain agreement express or implied, entered into in or about July, 1941 (including all modifications thereof and supplements thereto) by and between S. A. Felice Bisleri & Cia and Bisleri Company, Inc., Michele Bonelli, Joseph Amoruso, John Paletta, Carmelo Amoruso and Fiore (first name unknown) or any of them, which agreement relates, among other things, to the formula and process of S. A. Felice Bisleri & Cia for the manufacture of medicinal bitters;

D. All interests and rights, if any (including all accrued royalties and other monies payable or held with respect to said interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Michele Bonelli by virtue of the agreement (including all modifications thereof and supplements thereto) referred to in subparagraph 9-C. hereof,

is property of, or is property payable or held with respect to trade-marks or rights related thereto in which interests are held by and such property itself constitutes interests held therein by a national of a foreign country (Italy);

10. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

11. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian, without prejudice to any right, title or interest in or to any property acquired by Vesting Order Number 37, the property described in subparagraph 9 hereof, 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. 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 said Executive Order.

Executed at Washington, D. C., on June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-11998; Filed, July 26, 1943;
1:18 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 6 Under Rev. MPR 97]

SALES OF SOUTHERN HARDWOOD LUMBER AUTHORIZATION OF MAXIMUM PRICES

Order No. 6 under § 1382.105 (f) of Revised Maximum Price Regulation No. 97—Southern Hardwood Lumber.

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1382.105 (f) of Revised Maximum Price Regulation No. 97, *It is ordered:*

(a) *Maximum prices for sales of Southern hardwood lumber for direct mill shipment.* The maximum prices for sales of Southern hardwood lumber for direct mill shipment shall be the seller's present maximum prices as established under Revised Maximum Price Regulation No. 97—Southern Hardwood Lumber: *Provided*, That the seller may deliver, or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order becomes effective July 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12151; Filed, July 27, 1943;
4:50 p. m.]

[Order 40 Under Rev. MPR 125]

ALLIS FOUNDRY PRODUCTS, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 40 under Revised Maximum Price Regulation No. 125—Nonferrous Castings; Docket No. 3125-62.

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 of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) Allis Foundry Products, Inc., a corporation doing business at Milwaukee, Wisconsin, herein referred to as the "applicant", may sell and deliver to Dings Magnetic Separator Company, of Milwaukee, Wisconsin, and Dings Magnetic Separator Company may buy and receive from the applicant, castings produced by applicant from 85-5-5 alloy at prices not higher than 22 $\frac{3}{4}$ ¢ per pound.

(b) The terms used in this order shall have the meaning given them by Revised Maximum Price Regulation No. 125.

(c) All prayers in the applicant's application for adjustment under Revised Maximum Price Regulation No. 125, Docket No. 3125-62, not granted herein are hereby denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of May 29, 1943, in accordance with the purposes of § 1395.12 (a) (5) of Revised Maximum Price Regulation No. 125; however, for sales or deliveries prior to the date of issuance of this Order, the adjusted maximum prices may only be charged if the sale, contract to sell or offer to sell at prices above the maximum prices prior to adjustment included the statements specified in § 1395.12 (a) (5) (i) to (iii), inclusive.

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12143; Filed, July 27, 1943;
4:47 p. m.]

[Order 15 Under MPR 244, Amdt. 1]

SAN FRANCISCO IRON FOUNDRY

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 15 under § 1421.157 (a) of MPR 244—Gray Iron Castings; Docket No. 1244-2-P.

For the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered*, That Order No. 15 under § 1421.157 (a) of Maximum Price Regulation 244 be amended in the following respects:

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

Adjustment of maximum prices for gray iron castings sold by San Francisco Iron Foundry. (a) On and after May 21, 1943, San Francisco Iron Foundry, 260 Townsend Street, San Francisco, California, is hereby authorized to sell, offer to sell and deliver, and any person is authorized to buy, offer to buy, and receive from said Company, gray iron castings

at prices not in excess of San Francisco Iron Foundry's applicable maximum prices under Maximum Price Regulation 244, plus 9% of said maximum prices before the addition of charges, if any, for transportation.

2. Paragraph (b) is amended to read as follows:

(b) San Francisco Iron Foundry is hereby ordered to refund to its purchasers any payments made on gray iron castings delivered on and between December 21, 1942 and May 20, 1943, inclusive, which are in excess of its applicable maximum prices under Order No. 15 as originally issued prior to this Amendment. If such refunds have not already been made, San Francisco Iron Foundry shall make such refunds within 15 days from the effective date of this Amendment and said Company shall file a statement with the Iron and Steel Branch of the Office of Price Administration within 20 days after the effective date of this Amendment to the effect that such refunds have been made. The permission granted in paragraph (a) of this amendment is subject to the condition that the requirements of this paragraph (b) be fulfilled.

3. Paragraph (e) is amended to read as follows:

(e) Nothing in Order No. 15 or this Amendment No. 1 to said Order No. 15 shall be taken as a waiver or condonation of any violation of Maximum Price Regulation 244 by San Francisco Iron Foundry.

This Amendment No. 1 to Order No. 15 shall become effective July 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12142; Filed, July 27, 1943;
4:45 p. m.]

[Order 1 Under MPR 262]

PRODUCERS OF MARASCHINO CHERRIES AUTHORIZATION OF MAXIMUM PRICE

Order No. 1 under Maximum Price Regulation 262—Seasonal and Miscellaneous Food Commodities.

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1351.956a, *It is ordered:*

(a) Producers of Maraschino cherries may sell and deliver the same in containers of twenty-eight fluid ounces or over to any packer of mixed fruits under an agreement with the buyer in each case that delivery may be made at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12150; Filed, July 27, 1943; 4:50 p. m.]

[Order 34 Under Rev. MPR 148, Amdt. 1]

SAN DIEGO AND IMPERIAL COUNTIES, CALIF.
DESIGNATION AS CRITICAL MEAT SHORTAGE AREAS

Amendment No. 1 to Order No. 34 under Revised Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts.

Order No. 34 under Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. The first paragraph of Order No. 34 is amended by striking therefrom the words "County of San Diego" wherever these words appear, and substituting therefor, the words "Counties of San Diego and Imperial".

2. The second paragraph is amended to read as follows:

This designation shall remain in effect to and including October 1, 1943, unless sooner terminated or unless extended by an amendment to this order.

This amendment shall become effective as of July 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12148; Filed, July 27, 1943; 4:46 p. m.]

[Order 35 Under Rev. MPR 148, Amdt. 1]

STATE OF NEVADA

DESIGNATION AS CRITICAL MEAT SHORTAGE AREA

Amendment No. 1 to Order No. 35 under Revised Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts.

Order No. 35 under Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. The first paragraph is amended by striking therefrom the words "Clark County in the State of Nevada", wherever these words appear, and substituting therefor the words "the State of Nevada."

2. The second paragraph is amended to read as follows:

This designation shall remain in effect to and including October 1, 1943, unless sooner terminated or unless extended by an amendment to this order.

This amendment shall become effective as of July 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12149; Filed, July 27, 1943; 4:46 p. m.]

[Order 30 Under Rev. MPR 169, Amdt. 1]

SAN DIEGO AND IMPERIAL COUNTIES, CALIF.
DESIGNATION AS CRITICAL MEAT SHORTAGE AREAS

Amendment No. 1 to Order No. 30 under Revised Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

Order No. 30 under Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. The first paragraph of Order No. 30 is amended by striking therefrom the words "County of San Diego" wherever these words appear, and substituting therefor, the words "Counties of San Diego and Imperial".

2. The second paragraph is amended to read as follows:

This designation shall remain in effect to and including October 1, 1943, unless sooner terminated or unless extended by an amendment to this order.

This amendment shall become effective as of July 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12146; Filed, July 27, 1943; 4:46 p. m.]

[Order 32 Under Rev. MPR 169, Amdt. 1]

STATE OF NEVADA

DESIGNATION AS CRITICAL MEAT SHORTAGE AREA

Amendment No. 1 to Order No. 32 under Revised Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

Order No. 32 under Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. The first paragraph is amended by striking therefrom the words "Clark County in the State of Nevada," wherever these words appear, and substituting therefor the words "the State of Nevada."

2. The second paragraph is amended to read as follows:

This designation shall remain in effect to and including October 1, 1943, unless sooner terminated or unless extended by an amendment to this order.

This amendment shall become effective as of July 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12147; Filed, July 27, 1943; 4:46 p. m.]

[Order 2 Under Rev. MPR 239, Amdt. 1]

SAN DIEGO AND IMPERIAL COUNTIES, CALIF.
DESIGNATION AS CRITICAL MEAT SHORTAGE AREAS

Amendment No. 1 to Order No. 2 under Revised Maximum Price Regulation No. 239—Lamb and Mutton Carcasses and Cuts at Wholesale and Retail. Order No. 2 under Revised Maximum Price Regulation No. 239 is amended in the following respects:

1. The first paragraph of Order No. 2 is amended by striking therefrom the words "County of San Diego" wherever these words appear, and substituting therefor the words "Counties of San Diego and Imperial".

2. The second paragraph is amended to read as follows:

This designation shall remain in effect to and including October 1, 1943, unless sooner terminated or unless extended by an amendment to this order.

This amendment shall become effective as of July 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12144; Filed, July 27, 1943; 4:46 p. m.]

[Order 4 Under Rev. MPR 239, Admt. 1]

STATE OF NEVADA

DESIGNATION AS CRITICAL MEAT SHORTAGE AREA

Amendment No. 1 to Order No. 4 under Revised Maximum Price Regulation No. 239—Lamb and Mutton Carcasses and Cuts at Wholesale and Retail.

Order No. 4 under Revised Maximum Price Regulation No. 239 is amended in the following respects:

1. The first paragraph is amended by striking therefrom the words "Clark County in the State of Nevada", wherever these words appear, and substituting therefor the words "State of Nevada."

2. The second paragraph is amended to read as follows:

This designation shall remain in effect to and including October 1, 1943, unless sooner terminated or unless extended by an amendment to this order.

This amendment shall become effective as of July 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12145; Filed, July 27, 1943;
4:46 p. m.]

LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENTS, ETC., UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on July 26, 1943.

Order No.:	Name
MPR 136, Order 77---	Stewart-Warner Corp.
MPR 169, Order 35---	Edward L. Heuck Co.
MPR 188, Order 3	Shenandoah Valley under A-2. Lime & Stone Corp.

Copies of these orders may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,
Head, Editorial and Reference Section.

[F. R. Doc. 43-12217; Filed, July 28, 1943;
11:30 a. m.]

[Order 9 Under MPR 118, Correction]

EDWARDS MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

Correction to Order No. 9 authorizing maximum prices for certain cotton products under § 1400.101 (b) (1) (iii) of Maximum Price Regulation No. 118—Cotton Products.

The maximum price of "19.54" cents per linear yard established for insulation foundation, Style No. 869, manufactured by Edwards Manufacturing Co., Augusta, Maine, in paragraph (a) of Order No. 9 is hereby corrected to "20.14" cents per yard.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12216; Filed, July 28, 1943;
11:41 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 31-417]

CONSOLIDATED GAS AND ELECTRIC CO.

ORDER EXTENDING EXEMPTION

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 July, A. D. 1943.

The Commission having heretofore on February 2, 1939, after notice and opportunity for hearing, ordered that the Islands Gas and Electric Company, Compagnie d'Eclairage Electrique des Villes de Port-au-Prince et du Cap Haitien, Compania Electrica de Santo

Domingo, C. por A., Union Electrica de Canarias, S. A., Manila Gas Corporation, Gas y Electricidad, S. A., and Porto Rico Gas & Coke Company be exempted, to the extent specified, from certain provisions of the Public Utility Holding Company Act of 1935 applicable to them as subsidiary companies of Consolidated Electric and Gas Company, a registered holding company; and

The Commission, upon subsequent applications of Consolidated Electric and Gas Company, having in its order dated July 31, 1941, extended the time during which the above-named subsidiary companies were exempt, to the extent specified, to August 1, 1943; and

Consolidated Electric and Gas Company, having on May 14, 1943, filed an application pursuant to section 3 (b) of the Public Utility Holding Company Act of 1935 seeking an extension of the time during which such previous order, dated July 31, 1941, should be effective; and

The Commission having considered such application and it appearing that the circumstances upon which such original order of exemption was issued still exist with the exception of pending proceedings involving Consolidated Electric and Gas Company, et al. under section 11 of the Act, and that a further extension of the time during which such order of exemption shall be effective will not be detrimental to the public interest or the interest of investors or consumers;

It is therefore ordered, That the time during which such order of exemption shall be effective be, and hereby is, extended to the extent and subject to the conditions heretofore designated in our order of July 31, 1941, until August 1, 1944, except, however, that such exemption shall not apply to section 11 of the Act, without prejudice to the right of Consolidated Electric and Gas Company to apply for a further extension of the time during which such order shall be effective and to apply at any time for such enlargement of any provisions of such order as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-12161; Filed, July 28, 1943;
9:37 a. m.]

[File No. 1-2177]

SHAWMUT ASSOCIATION

ORDER POSTPONING HEARING AND CHANGING TRIAL EXAMINER

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 July, A. D. 1943.

In the matter of Shawmut Association, common stock, no par value.

The Shawmut Association, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its common stock, no par value, from listing and registration on the Boston Stock Exchange;

The Commission having ordered that a hearing be held in this matter on July 29, 1943 in Boston, Massachusetts;

The Commission having designated Frank Kopelman as the officer of the Commission to preside at said hearing; and

It being found necessary to postpone said hearing;

It is ordered, That said hearing be held at 10:00 a. m. on Wednesday, September 8, 1943 at the office of the Securities and Exchange Commission, 82 Devonshire Street, Boston, Massachusetts, and continue thereafter at such times and places as the Commission or its officer conducting such hearing may determine; and

It is further ordered, That Richard Townsend be and he is hereby designated as the officer of the Commission to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the matters in issue at such hearing, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-12159; Filed, July 28, 1943;
9:38 a. m.]

[File No. 70-749]

SOUTH CAROLINA ELECTRIC AND GAS CO.
AND GENERAL GAS AND ELECTRIC CORP.

ORDER GRANTING APPLICATION

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 July 1943.

South Carolina Electric & Gas Company, a subsidiary of General Gas & Electric Corporation, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) thereof of the issue and sale, in accordance with Rule U-50 promulgated under the Act of \$20,000,000 principal amount of First Mortgage Bonds dated July 1, 1943, and maturing July 1, 1973; and

The Commission having by order dated July 15, 1943, granted such application as amended pursuant to section 6 (b) of the Act, subject to the provision that applicant report to the Commission the results of the competitive bidding as required by Rule U-50 (c) and comply with such supplemental orders as the Commission might enter in view of the facts disclosed thereby; and

South Carolina Electric & Gas Company having made such report to the Commission in the form of a further amendment to the application herein, setting forth the action taken to comply with Rule U-50 and specifying the proposals which have been received for the purchase of said bonds pursuant to the

invitation for competitive bids, and stating that South Carolina Electric & Gas Company has accepted a bid for said bonds from a group of underwriters headed jointly by The First Boston Corporation and Lehman Bros. of 103.0879, plus accrued interest from July 1, 1943, to the date of delivery, such bonds to bear interest at the rate of 3½%, and that said bonds are to be resold to the public at 104.21, and accrued interest, representing a spread to the underwriters of 1.1221; and

The Commission having examined the record and finding no basis for imposing terms and conditions with respect to the price, spread and distribution thereof, at which such bonds are to be issued and sold;

It is ordered, That said application, as amended, be and hereby is granted forthwith, subject to the terms and conditions contained in the said order of the Commission in this matter dated July 15, 1943.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-12157; Filed, July 28, 1943;
9:39 a. m.]

[File No. 70-751]

NORTHERN INDIANA PUBLIC SERVICE CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 26th day of July 1943.

Northern Indiana Public Service Company, a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of Midland Utilities Company, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of the Act of the issue and sale, in accordance with Rule U-50 promulgated under the Act, of \$45,000,000 principal amount of First Mortgage Bonds, Series C, dated August 1, 1943, and maturing August 1, 1973; and

A public hearing having been held after appropriate notice; the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That, subject to Commission approval by further order, after the terms of the bond financing have been determined by competitive bidding, said application be and hereby is granted forthwith, subject to the terms and conditions contained in Rule U-24 and to the following additional condition:

That, subject to further order of this Commission either upon application of Northern Indiana Public Service Company or upon the Commission's own motion, Northern Indiana Public Service Company (and any successor or successors thereto) shall charge against income, for each calendar year beginning with the year 1943 and continuing so long as any of the First Mortgage Bonds, Series C, due August 1, 1973, are out-

standing, as a provision for depreciation at least \$1,936,000 per annum and, for each calendar year after the calendar year 1943 an additional two and one-half percent (2½%) of the book value of net additions to depreciable property made after January 1 1943, and up to the close of the preceding calendar year.

It is further ordered, That jurisdiction be and hereby is reserved over the fee of Chapman and Cutler in connection with the present application.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-12158; Filed, July 28, 1943;
9:39 a. m.]

[File No. 70-719]

CONSOLIDATED ELECTRIC AND GAS CO. AND
THE ISLANDS GAS AND ELECTRIC CO.

ORDER GRANTING APPLICATIONS AND PER-
MITTING DECLARATIONS TO BECOME EFFEC-
TIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 15th day of July, A. D. 1943.

Consolidated Electric and Gas Company, a registered holding company, and The Islands Gas and Electric Company, a subsidiary of said Consolidated Electric and Gas Company, having filed joint applications and declarations, pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 7, 10, and 12 thereof, regarding (1) the proposed donation to The Islands Gas and Electric Company by Consolidated Electric and Gas Company of certain indebtedness of said subsidiary to its said parent, amounting as of December 31, 1942, to approximately \$1,372,310, and of approximately \$1,417,000 in cash (such cash donations aggregating substantially the estimated amount of a tax saving to the parent's holding company system resulting from a war loss taken in respect of the Philippine investments of the applicant subsidiary), (2) the acquisition and retirement by the applicant subsidiary of bonds heretofore issued by it and presently held by its said parent company, in the total principal amount of \$2,143,500, through the issuance and delivery by said subsidiary to said parent company of new bonds of like aggregate amount, to be known as Ten-Year 4% Secured Bonds, Series B, due March 1, 1953, (3) the pledge by said parent company of said new bonds of said subsidiary as security for certain bonded indebtedness of said parent in substitution for securities of said subsidiary presently so pledged but to be released and returned to said subsidiary as above set forth, and (4) the application by said subsidiary of \$800,000 of the cash so to be donated to it, together with approximately \$3,000 of moneys presently in the treasury of said subsidiary, to the redemption and retirement of the publicly held bonds of said subsidiary;

A public hearing having been held upon said applications and declarations, after appropriate notice, and the Com-

mission having examined the record and made and entered its findings herein;

It is ordered, That said applications and declarations, as amended, of Consolidated Electric and Gas Company and The Islands Gas and Electric Company be, and the same are hereby, respectively, granted and permitted to become effective forthwith;

Provided, That the authorizations and approvals hereinabove granted are so granted subject to the terms and conditions set forth in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-12160; Filed, July 28, 1943;
9:38 a. m.]

[File No. 812-326]

ALLIANCE INVESTMENT CORP.

NOTICE OF 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 27th day of July, A. D. 1943.

An application having been filed by Alliance Investment Corporation pursuant to section 6 (c) of the Investment Company Act of 1940 for an order exempting the applicant from the provisions of section 30 (b) (1) of said Act and Rule N-30B-1 promulgated by the Commission thereunder and from section 30 (d) of said Act and Rule N-30D-1 promulgated by the Commission thereunder;

It is ordered, Pursuant to section 40 (a) of said Act, that a hearing on the aforesaid application be held on August 9, 1943, at ten o'clock, a. m., Eastern War Time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Willis E. Monty, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-12163; Filed, July 28, 1943;
9:37 a. m.]

[File No. 70-757]

INTERSTATE POWER COMPANY

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 26th day of July, A. D. 1943.

Interstate Power Company (Del.), a registered holding company and a subsidiary of Ogden Corporation, also a registered holding company, having filed a declaration and an amendment thereto pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder relating to the proposal of Interstate Power Company (Del.) to settle and adjust the intercompany open account indebtedness of \$252,567.59 stated to be owed to it by its wholly owned subsidiary, Interstate Power Company of Wisconsin; such settlement and adjustment to be effected by a cash payment by said subsidiary, of \$52,567.59, in consideration of the forgiveness of the balance of said account,

amounting to \$200,000, which amount was expressly ordered by the Public Service Commission of Wisconsin to be credited to the capital surplus of the said subsidiary and used by it for no other purpose than to absorb adjustments to be made on its books when the original cost of its utility plant is finally determined and approved by that Commission; and

Said declaration having been filed on the 30th day of June, 1943 and amended on the 14th day of July 1943, and notice of said filing having been duly given in the manner and form 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 such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of section 12 (b) and Rule U-45 are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the said declaration be and the same hereby is permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-12162; Filed, July 28, 1943;
9:37 a. m.]