

THE NATIONAL ARCHIVES
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OF THE UNITED STATES
1934

FEDERAL REGISTER

VOLUME 11 NUMBER 140

Washington, Friday, July 19, 1946

The President

EXECUTIVE ORDER 9753

AUTHORIZING THE APPOINTMENT OF ELLEN S. WOODWARD TO A POSITION AS DIRECTOR OF INTER-AGENCY RELATIONS IN THE FEDERAL SECURITY AGENCY WITHOUT REGARD TO CIVIL SERVICE RULES

NOTE: Executive Order 9753, dated July 16, 1946, was filed with the Division of the Federal Register as Federal Register document No. 46-11875 (NP), on July 17, 1946, at 2:09 p. m.

EXECUTIVE ORDER 9754

AUTHORIZING THE APPOINTMENT OF JEWELL WOOD SWOFFORD TO A POSITION AS COMMISSIONER FOR SPECIAL SERVICES IN THE FEDERAL SECURITY AGENCY WITHOUT REGARD TO CIVIL SERVICE RULES

NOTE: Executive Order 9754, dated July 16, 1946, was filed with the Division of the Federal Register as Federal Register document No. 46-11876 (NP), on July 17, 1946, at 2:09 p. m.

EXECUTIVE ORDER 9755

AUTHORIZING THE APPOINTMENT OF HATTIE W. CARAWAY TO A POSITION AS MEMBER OF THE EMPLOYEES' COMPENSATION APPEAL BOARD IN THE FEDERAL SECURITY AGENCY WITHOUT REGARD TO CIVIL SERVICE RULES

NOTE: Executive Order 9755, dated July 16, 1946, was filed with the Division of the Federal Register as Federal Register document No. 46-11877 (NP), on July 17, 1946, at 2:09 p. m.

EXECUTIVE ORDER 9756

AUTHORIZING THE APPOINTMENT OF GEORGE E. BIGGE TO A POSITION AS DIRECTOR OF FEDERAL-STATE RELATIONS IN THE FEDERAL SECURITY AGENCY WITHOUT REGARD TO CIVIL SERVICE RULES

NOTE: Executive Order 9756, dated July 16, 1946, was filed with the Division of the Federal Register as Federal Register document No. 46-11878 (NP), on July 17, 1946, at 2:09 p. m.

EXECUTIVE ORDER 9757

AUTHORIZING THE APPOINTMENT OF ARTHUR J. ALTMAYER TO A POSITION AS COMMISSIONER FOR SOCIAL SECURITY IN THE FEDERAL SECURITY AGENCY WITHOUT REGARD TO CIVIL SERVICE RULES

NOTE: Executive Order 9757, dated July 16, 1946, was filed with the Division of the Federal Register as Federal Register document No. 46-11879 (NP), on July 17, 1946, at 2:09 p. m.

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 4—OIL AND GAS LEASES

TRANSFER OF CERTAIN FUNCTIONS FROM SECRETARY OF AGRICULTURE TO SECRETARY OF INTERIOR

CROSS REFERENCE: For transfer of the functions of the Secretary of Agriculture and the Department of Agriculture relating to the leasing or other disposal of minerals in certain acquired lands to the Secretary of the Interior pursuant to the President's Reorganization Plan No. 3 of 1946, and for notice of procedure with respect to leases and permits pending the issuance of new regulations, see paragraph II of the document appearing at 11 F.R. 7776 under Subtitle A of Title 43.

TITLE 8—ALIEN AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[General Order 21, as Amended]

PART 503—GENERAL ORDERS

EXTENSION OF TIME FOR FILING NOTICES OF CLAIM UNDER VESTING ORDERS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order No. 9095, as amended, and Executive Order No. 9725 and pursuant to law, the undersigned, determining that it is in the national interest to extend the time for filing notices of claim under

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¹ Part 520 of Title 49.

vesting orders as hereinafter set forth, and that adherence to a period of limitation expiring prior to December 1, 1946, may cause undue hardship or inequity to claimants, hereby further amends General Order No. 21 to read as follows:

§ 503.21 *Extension of time for filing notices of claim under vesting orders.* Without limitation by reason of any provision as to a specified claim period in any vesting order heretofore issued, any person asserting any claim arising as a result of a vesting order, may file with the Alien Property Custodian a notice of his claim in accordance with § 501.1 of the regulations of the Office of Alien Property Custodian (8 F.R. 16709), at any time up to and including December 1, 1946, or within such further time as may be provided in any such order or on application or otherwise.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. and Sup.; 60 Stat. 83, U.S.C. App. and Sup.; E.O. 9193, 3 C.F.R. Cum. Supp.; E.O. 9567, 3 CFR 1944 Supp.; E.O. 9725, 11 F.R. 5381)

Executed at Washington, D. C. on July 3, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12280; Filed, July 18, 1946; 10:02 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51494]

PART 6—AIR COMMERCE REGULATIONS

REDESIGNATION OF FORT YUKON AIRFIELD,
FORT YUKON, ALASKA, AS AIRPORT OF
ENTRY

JULY 15, 1946.

The Fort Yukon Airfield, Fort Yukon, Alaska, is hereby redesignated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U. S. C. title 49, sec. 179 (b)), for a period of 1 year from July 6, 1946.

The list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13), is hereby amended by changing the date of designation opposite the name of this airport to July 6, 1946."

(Sec. 7 (b), 44 Stat. 572, sec. 611, 58 Stat. 714; 49 U. S. C., Supp., 177 (b))

[SEAL] O. MAX GARDNER,
Acting Secretary of the Treasury.

[F. R. Doc. 46-12289; Filed, July 18, 1946;
10:57 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 386]

PART 621—QUESTIONNAIRE AND OTHER IN-
FORMATION TO BE USED IN CLASSIFYING
REGISTRANTS

MAILING QUESTIONNAIRES

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraphs (a) and (d) of § 621.1 to read as follows:

§ 621.1 *Mailing questionnaires.* (a) Except as provided in paragraphs (d) and (e) of this section, the local board shall mail a Selective Service Questionnaire (Form 40) to each registrant in strict accordance with the order numbers, from the smallest to the largest. Selective Service Questionnaires (Form 40) shall be mailed as rapidly as possible, consistent with the ability of the local board to give them prompt consideration upon their return. * * *

(d) If the local board determines that a registrant may be classified properly without such form, the local board need not mail a Selective Service Questionnaire (Form 40) to a registrant who registers after separation from the land or naval forces of the United States if he has served on active duty in the land or naval forces of the United States outside the continental limits of the United States or in Alaska; or if he has served on active duty in the land or naval forces of the United States for a period of at least six months after September 16,

1940 (excluding the time that any such individual so served while pursuing a course of instruction at a university, college, or any similar institution of learning).

2. Add new paragraphs (e) and (f) to § 621.1 to read as follows:

(e) The local board shall not mail a Selective Service Questionnaire (Form 40) to a registrant who has not attained the age of nineteen years, unless such registrant previously volunteers.

(f) The local board will mail a Selective Service Questionnaire (Form 40) to a registrant as soon as he reaches the nineteenth anniversary of the date of his birth.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 15, 1946.

[F. R. Doc. 46-12269; Filed, July 17, 1946;
2:06 p. m.]

[Amdt. 387]

PART 622—CLASSIFICATION
MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend subparagraph (4) of paragraph (a) of § 622.15 to read as follows:

§ 622.15 *Class I-C: Member of land or naval forces or registrant honorably separated therefrom.* (a) * * *

(4) Every registrant who has been separated from the land or naval forces of the United States on or after September 16, 1940, by Honorable Discharge or Discharge Under Honorable Conditions, or by an equivalent type of release from service if the registrant was an officer, a flight officer, or a warrant officer, provided he has served on active duty in the land or naval forces of the United States outside the continental limits of the United States or in Alaska; or if he has served on active duty in the land or naval forces of the United States for a period of at least six months after September 16, 1940 (excluding the time that any such individual so served while pursuing a course of instruction in a university, college, or other similar institution of learning). (Every such registrant shall be identified with the abbreviation "Disc." in the manner provided in § 622.86-1.) A registrant placed in Class I-C under the provisions of this subparagraph shall be retained in Class I-C unless he volunteers for induction in the land or naval forces of the United States.

2. Amend the title and paragraph (f) of § 622.17 to read as follows:

§ 622.17 *Class I-G: Registrants who are members of or are honorably separated from land or naval forces of co-belligerent nations; registrants separated from American Field Service or Merchant Marine; persons who were interned by an enemy nation; or certain registrants who have served twenty-four months aboard a vessel of the United States Coast and Geodetic Survey.* * * *

(f) In Class I-G may be placed any person who, on or after January 1, 1946, has completed a period of twenty-four months service aboard a vessel of the United States Coast and Geodetic Survey, and who has a certificate to that effect issued by the Department of Commerce: *Provided*, It is found that such a registrant should be relieved from any further consideration for classification into a class available for service because the registrant has already made a sufficient contribution to the war effort through his service in the United States Coast and Geodetic Survey.

3. Amend the title and § 622.21 to read as follows:

§ 622.21 *Class II-A: Man in activity essential to the national existence.* In Class II-A shall be placed any registrant:

(a) Who is found to be indispensable and irreplaceable to an activity essential to the national existence; or

(b) Who is found to be disqualified for any military service and to be engaged in an activity essential to the national existence.

4. Amend the regulations by deleting § 622.22 in its entirety.

5. Amend paragraph (a) of § 622.31 to read as follows:

§ 622.31 *Class III-A: Registrants with one or more children.* (a) In Class III-A shall be placed any registrant not otherwise deferred who has one or more children dependent upon him for support or with whom he maintains a bona fide relationship in their home.

6. Amend § 622.41 to read as follows:

§ 622.41 *Class IV-A: Man deferred by reason of age.* In Class IV-A shall be placed or retained every registrant who has attained the thirtieth anniversary of the date of his birth, other than (a) a registrant who has volunteered for induction into the land or naval forces of the United States and who is eligible for classification into a class available for service under the provisions of § 624.4; or (b) a registrant who is eligible for classification in Class I-C, Class I-G, Class IV-D, or Class IV-B; or (c) a registrant who, after being classified in Class IV-E, either has been assigned to and has reported for work of national importance under civilian direction or has been separated from work of national importance under civilian direction and retained in Class IV-E as required by § 622.51.

7. Amend paragraph (c) of § 622.43 to read as follows:

§ 622.43 *Class IV-C: Registrants not acceptable for training and service be-*

cause of nationality or ancestry, neutral aliens requesting relief from training and service, aliens not acceptable to the armed forces or to the Director of Selective Service, and aliens who have departed and are not residing in the United States. In Class IV-C shall be placed any registrant: * * *

(c) Who because he is an alien and is, under procedure prescribed by the Director of Selective Service, found by the land or naval forces to be unacceptable for training and service or by the Director of Selective Service to be unacceptable for work of national importance under civilian direction.

8. Amend § 622.83-1 to read as follows:

§ 622.83-1 *Identifying certain registrants placed in Class I-A, Class I-A-O, or Class IV-E.* When a registrant who has been found qualified for limited military service, or who has been found "Physically fit, acceptable for military service under the provisions of AGPR-I 327.31 (26 May 1945)," as amended, is placed in Class I-A, I-A-O, or Class IV-E, he shall be identified in all records by following his classification with the letter "B".

9. Amend paragraph (a) of § 622.87 to read as follows:

§ 622.87 *Classes discontinued.* (a) The following classes have been discontinued effective on the date shown opposite each class:

| | |
|-----------------------------------|-------------------|
| Class I-B | August 18, 1942 |
| Class I-B-O | August 18, 1942 |
| Class I-D | August 31, 1941 |
| Class I-D-O | August 31, 1941 |
| Class I-E | August 31, 1941 |
| Class I-E-O | August 31, 1941 |
| Class I-H | November 19, 1942 |
| Class II-B | August 31, 1945 |
| Class III-A | December 11, 1943 |
| (Reestablished November 15, 1945) | |
| Class III-B | April 12, 1943 |
| Class III-C | February 17, 1944 |
| Class IV-E-H | November 19, 1942 |
| Class IV-E-LS | August 18, 1942 |
| Class IV-E-S | August 31, 1941 |
| Class IV-H | March 6, 1943 |

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 16, 1946.

[F. R. Doc. 46-12270; Filed, July 17, 1946; 2:06 p. m.]

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong., and Pub. Laws 270 and 475, 79th Cong.; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, as Amended July 18, 1946]

SPECIAL PROGRAMS: TEXTILE, CLOTHING AND RELATED PRODUCTS

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of textiles, clothing, leather and related products 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.

| Par. | Scope |
|----------|----------------------------|
| (a) | Explanation. |
| | Definitions |
| (b) (1) | Special programs. |
| (b) (2) | Priorities assistance. |
| (b) (3) | Manufacturers. |
| (b) (4) | Base period. |
| (b) (5) | Base period manufacturers. |
| (b) (6) | Price. |
| (b) (7) | Item. |
| (b) (8) | Orders or purchase orders. |
| (b) (9) | Veteran. |
| (b) (10) | Producer. |
| (b) (11) | Base period price. |
| (b) (12) | Current price. |

Obtaining Priorities Assistance

- (c) How to apply for priorities assistance.
(d) Policy in granting priorities assistance.

Use of Priorities Assistance

- (e) Advance use of CC ratings for third quarter of 1946.
(f) Rules applicable to manufacturers granted priorities assistance.
(g) Applications and extension of preference ratings.

Set-Asides

- (h) Set-asides and certificates.

Equitable Distribution

- (i) Equitable distribution by manufacturers.

Miscellaneous Provisions

- (j) Records and report.
(k) Applicability of regulations.
(l) Appeals.
(m) Violations.
(n) Communications.

§ 3290.120 *Conservation Order M-328B*—(a) *Explanation.* This order (including the schedules and supplements) states the rules under which apparel and other textile end-product manufacturers may get preference ratings to make listed essential items under special programs. It also provides a method for retail sellers of over-the-counter piece goods to get certain fabrics. Set-asides are also established on producers of certain cotton, rayon and wool fabrics to channel them to the above uses. This Order M-328B states the general rules including those relating to the obtaining of priorities assistance and the use of such priorities assistance after it has been obtained. Other rules may be specified for a special program in a schedule of this order. If the rules set forth in a schedule differ from those specified in this order the provisions of the schedule govern.

Definitions

(b) *Definitions.* For the purpose of this order and its schedules,

(1) "Special program" means a program approved by the Civilian Production Administration for the production with priorities assistance and the distribution of any item on a schedule of this order.

(2) "Priorities assistance" includes preference ratings, allocations and directions.

(3) "Manufacturer" means any person engaged in the United States in manufacturing for sale any item listed in a schedule of this order from material which has not been supplied directly or indirectly by the person acquiring the item.

A person is also deemed a "manufacturer" for the purpose of using a preference rating under this order, if he is engaged in the business of selling and having manufactured in the United States for his account an item listed in a schedule of this order from material which he owns or material which he directly or indirectly supplies to a contractor or contractors. In no event shall more than one person be deemed a "manufacturer" of the same units which one person fabricates in whole or in part and for which another person supplies the material.

(4) "Base period" means the past period of production which a manufacturer uses as a base in applying for priorities assistance under this order.

(5) "Base period manufacturer" means a manufacturer who applies for priorities assistance to make an item of the same class of material (cotton, rayon or wool) of which he was a manufacturer in the base period for sale at or below the base period price specified in the applicable schedule of this order.

(6) "Price" means the list price (quoted or invoice price before the application of discount) of the manufacturer to an unaffiliated purchaser. A purchaser is deemed affiliated with a manufacturer if he is an owned or controlled outlet or is an outlet which owns, controls or is subject to common control with the manufacturer. "Price" for a manufacturer who sells directly to consumers or to affiliated purchasers is two-thirds of the retail price.

(7) "Item" means the article produced for civilian sale of the type, size, price and other description listed in a schedule.

(8) The terms "orders" or "purchase orders" include orders between branches or divisions of a company as well as orders from other companies.

(9) "Veteran" means any person who was in the Army, Navy, Marine Corps, Coast Guard or Merchant Marine on or after September 16, 1940, and was discharged or released under conditions other than dishonorable after active service of 90 days or more, or by reason of an injury or disability incurred in service in line of duty.

(10) "Producer" means any person who weaves or knits fabrics from yarn owned by him or who has fabrics woven or knitted for his account from yarn owned by him whether he delivers them

in the grey, finished, or partially finished state.

(11) "Base period price" means the price, specified in a schedule of this order, from which a manufacturer's base period production of an item is determined. Articles produced during any base period for sale at a list price above the base period price shall not be included as a part of his base period production, even if the selling price (list or actual) in the base period was within the current price specified in the schedule.

(12) "Current price" means the price, specified in a schedule of this order, to be used in determining the grade of item, according to its specifications (including standards of quality and workmanship), that may be produced from materials obtained with priorities assistance under this order and its schedules. The current price may not be used for determining base period production of an item.

(In some instances, the schedules to this order may permit the base period price to be used in determining the grade of item which may be produced from materials obtained with priorities assistance under this order. However, neither the base period price nor the current price fix the price at which the item may be sold.)

Obtaining Priorities Assistance

(c) *How to apply for priorities assistance.* (1) Applications for the third quarter of 1946 must be filed on Form CPA-3732 (Revised) with the Textile Division, Civilian Production Administration, Washington 25, D. C. and should be postmarked not later than July 31, 1946, except that a veteran who was discharged from the military service on or after June 1, 1946, may file his application at any time before September 1, 1946. Also, if any item is added to a schedule during that quarter, applications for that item may be filed within 20 days after the item is added. Copies of the application form CPA-3732 (Revised) and other CPA forms used under this order may be procured by writing to the Civilian Production Administration, Washington 25, D. C.

(2) Each applicant must show on Form CPA-3732 (Revised) his base period and base period production of an item at or below the base period price specified in the applicable schedule under the following rules:

(i) If he was in business during at least 6 months of 1943 or 1944, he may apply for the items of which he was a manufacturer in any calendar quarter of either year, but must use the same quarter as his base period for all items under a single schedule to this order.

(ii) If he entered business after July 1, 1944, he may apply for the items of which he was a manufacturer in any calendar quarter after that. If he did not have a previous production record of an item and was initially granted priorities assistance under this order for the first or second quarter of 1946, he may use the

production authorized for that quarter as his base period production even though he was unable to manufacture the item or items for which he was granted priorities assistance in that quarter. In any event he must use the same quarter as his base period for all items under a single schedule of this order.

(iii) If he is a veteran who closed his business when he entered the military service, he may use as his base period the last full calendar quarter in which he was a manufacturer of the items before his entry into military service.

(3) An applicant who produced on his own facilities in 1943, 1944 or 1945 textile products for the military services and who before then produced on his own facilities items listed on a schedule to this order may use as his base period the better of the two calendar quarters preceding the quarter when he started military production. If such a manufacturer increased his own facilities to produce military textile products, he may be eligible for a military credit, and should therefore attach a letter to his application on Form CPA-3732 (Revised) showing all the following (if he has done this in a previous application he need not do so again, but should merely refer to that application):

(i) The quantity of each textile product which he made for his own account in the better of the two calendar quarters preceding the quarter in which he first made textile products for the military services;

(ii) The average number of sewing machines he used in making each textile product reported under (i) above; and

(iii) The total number of sewing machines he operated in his best quarter during which he made textile products for the military services.

(4) An applicant who has never received an allocation under this order must submit with his application a sample of each item he proposes to make, if he does not show on Form CPA-3732 (Revised) any base period production of any item listed in the schedule of this order under which the application is made.

(5) An applicant who does not own or control the facilities on which it is proposed to manufacture items applied for, must submit with his application form a signed statement from each person who owns or controls the facilities on which the items are to be produced. This statement must contain the following information:

(i) Each operation to be performed for the applicant.

(ii) The maximum quantity of each item applied for which he has agreed to produce for the applicant.

(iii) That he in fact owns the facilities or controls them under a rental or lease contract.

(6) A veteran should submit with his application a certified or photostatic copy of his discharge papers or other written evidence of his military service.

(d) *Policy in granting priorities assistance.* Within the available supply of

materials for which ratings may be assigned, the following policy will apply:

(1) Base period manufacturers will generally be granted priorities assistance in proportion to their base period production of an item at or below the base period price specified in the applicable schedule. Where an applicant is eligible for military credit under paragraph (c) (3), priorities assistance to him may be increased up to or above his base period production, in proportion to any additional facilities he acquired for the purpose of producing textile products for the military services. However, a manufacturer who qualifies under paragraph (d) (3) below may be granted priorities assistance for additional yardage to give him sufficient material to operate at a minimum economic rate.

(2) Applications from persons who are not base period manufacturers of an item will be denied, except where the applicant qualifies under paragraph (d) (3) below. Applicants (including Veterans) who do so qualify, may be given priorities assistance for sufficient material to enable them to operate at a minimum economic rate.

(3) To qualify under paragraph (d) (1) or (d) (2) above for priorities assistance to operate at a minimum economic rate, an applicant must meet both the following conditions:

(i) His total proposed production of all textile products (including items under M-328B programs) does not exceed an annual rate, based on sales, of \$250,000 and

(ii) The cutting, sewing and finishing facilities with which the items will be produced are owned by the applicant, or are leased to him and the facilities are operated by the applicant and the employees are paid by him: *Provided*, That in any case the facilities were not used during any quarter beginning with the 4th quarter of 1945 more than 10% for the account of persons who supplied the applicant with materials.

(iii) Any sample of an item which he proposes to make submitted in accordance with paragraph (c) (4) above must have such specifications, including standards of workmanship and quality, that it conforms to the type which the CPA approves as generally conforming to those items which on June 30, 1946 had an OPA ceiling price no higher than the current price specified in the applicable preference schedules.

(4) Applications for items will be denied where they show selling prices (list) as of June 30, 1946 in excess of the current price for those items in the applicable preference rating schedules. Applications will also be denied where samples of the items which the applicant proposes to make do not conform to the types approved by the CPA under paragraph (d) (3) (iii) above.

Use of Priorities Assistance

(e) *Advance use of CC ratings for third quarter of 1946.* A manufacturer may apply a CC rating for the third quarter of 1946 before the Civilian Production Administration assigns him a

CC rating for that quarter only under the following rules:

(1) A manufacturer who received an allocation for the second quarter of 1946 for an item which is also on the preference rating schedule for the third quarter of 1946 in Schedules C, F, J or K, may immediately apply a CC rating for body fabric specified for that item under the following rules:

(i) He must file his application on Form CPA-3732 (Revised) for that item by July 31, 1946.

(ii) He must not use this advance CC rating for more than 70% of the yardage of body fabric he was authorized under Direction 12 to M-328B to receive on CC rated orders for the second quarter of 1946 for an item on Schedule C, J or K. For an item on Schedule F he may not use this advance CC rating for more than 70% of the yardage for which he was assigned CC ratings on Form CPA-3732.

(iii) In placing orders under this advance authorization, a manufacturer must show on Form CPA-4412 (Revised) (which he must file in accordance with paragraph (g) below) the case number which he was assigned for the second quarter of 1946, unless otherwise directed in writing by the Civilian Production Administration.

(iv) He must have filed Form CPA-4460 referred to in paragraph (d) of Direction 12 to M-328B if he reported base period production in his application on Form CPA-3732 for the second quarter of 1946.

(v) His selling price (list) as of June 30, 1946 for the item must have been at or below the current price specified for that item in the applicable Preference Rating Schedule.

(2) A base period manufacturer who did not receive an allocation for the second quarter of 1946 for an item may apply a CC rating for the purchase of fabrics in the third quarter of 1946 for that item as soon as the Civilian Production Administration assigns him a case number in writing after receipt of his application on Form CPA-3732 (Revised) for that item. He may apply this advance CC rating only for fabrics for which he makes application. He may not use this rating for a total yardage of fabrics of more than 50% of the total yardage of fabric he used in making that item in the base period at or below the base period price specified in the applicable schedule.

(3) Fabrics purchased on an advance authorization under paragraphs (e) (1) or (e) (2) above shall be deducted by the manufacturer from the total quantity for which priorities assistance is granted pursuant to his application on Form CPA-3732 (Revised). If the applicant does not receive a grant for the entire quantity thus rated, he shall upon notification of his grant by the Civilian Production Administration immediately unrate or cancel orders for any undelivered quantities which are in excess of his grant.

(f) Rules applicable to manufacturers granted priorities assistance. (1) A manufacturer who is assigned a preference rating under a schedule of this order may use that rating only to get the fabrics specified and may not use the

fabrics for any purpose except to make the item for which the rating was assigned.

(2) All persons receiving priorities assistance for any quarter under a schedule of this order must as far as practicable complete in that quarter all the items for which assistance was given. A manufacturer may, however, use valid CC ratings to get in a calendar quarter any undelivered cotton, rayon, or wool fabric for which he was assigned a CC rating under this order for the previous quarter and for which he was unable to get delivery in that quarter. He may not, however, use CC ratings assigned under this order to get fabrics in any calendar quarter except the one for which the ratings were assigned, and the next one after that.

(3) All items produced from material obtained with a rating assigned under a schedule of this order must have the same basic specifications, including standards of quality and workmanship, as the item produced by the applicant in the base period for sale at the base period price specified in the applicable schedule. An applicant who was not a base period manufacturer and submitted a sample in accordance with paragraph (c) (4) above, must use all material he obtains with a rating assigned under this order to produce items with the same basic specifications, including standards of quality and workmanship, as the sample he submitted.

(4) No manufacturer who uses a rating assigned under a schedule of this order may accept delivery of any finished material which is suitable for an item for which priorities assistance has been granted whether rated or unrated if together with material on hand it will give him more than the smaller of the following:

(i) A practicable minimum working inventory, or

(ii) The quantity required by him during the next 45 days on the basis of his current or scheduled rate of production. Such material on hand includes material wherever located if title has passed to the manufacturer except material in transit to him from his supplier.

No manufacturer who uses a rating assigned under a schedule of this order may make an item if his inventory of the item in the form in which he sells it is or will be more than a practicable minimum working inventory or the quantity which he produced during the previous 21 working days, whichever is less.

(5) Items produced from material procured with priorities assistance shall, to the extent called for by the customers' orders, be made in the same size ranges and in the same proportion of size ranges and assortment of sizes as the manufacturer produced in the base period. If he did not produce the item in the base period, he must comply with the size ranges and assortments of sizes

which the Civilian Production Administration may specify for the particular item.

(6) Every manufacturer who is entitled to use a CC rating under this order to get fabric in any quarter must apply this rating to orders already placed before he places any additional rated orders for that fabric. If he is unable to use all his CC ratings on outstanding orders he must place rated orders for the balance before he places any unrated orders for that fabric.

(7) Whenever a Preference Rating Schedule is deleted, fabric obtained with CC ratings to make an item on that schedule must be used to make the item as shown on the Preference Rating Schedule before it was deleted, subject to any different rules which may be stated in the schedules to this order.

(g) Application and extension of preference ratings. The preference ratings assigned under this order shall be applied and extended in accordance with the provisions of Priorities Regulation No. 3 but subject to the limitations stated below:

(1) No person may use, apply, or extend any CC rating or accept any CC rated order if he knows or has reason to believe the rating was assigned under Order M-328B unless the purchase order is accompanied by the proper Rating Extension Form indicating the quarter for which the rating was assigned as specified in the following table:

| Form Number | Quarter |
|--------------------|---------------------------------|
| CPA-4412 (revised) | Second and Third Quarters, 1946 |

(2) A supplier of fabric who does not extend the rating must complete the Rating Extension Form in accordance with its instructions and forward one copy immediately to the Textile Division, Civilian Production Administration, Washington 25, D. C.

(3) [Deleted Apr. 3, 1946.]

Set-Asides and Certificates

(h) Set-asides and certificates. (1) Some of the schedules of this order have set-asides which apply to producers and suppliers of fabric. These set-asides are of two kinds, one for orders rated CC under this order or for orders certifying the fabrics will be used in a program under this order, and one for piece goods for over-the-counter sale at retail. Every producer and supplier of fabrics subject to these set-asides must deliver his fabrics in accordance with the rules stated below and the provisions of the applicable schedule to persons who furnish the rating or certificate specified, even though he may have higher rated orders for other purposes.

(2) List of forms. The following forms contain certificates which finished goods suppliers may use to get fabrics under the set-asides of this order. The forms may only be used for the purpose specified below and must indicate the applicable quarter:

| Form number | Purpose | Set-aside |
|-------------------------|--|----------------------------------|
| CPA-4413 (revised)..... | Delivery on M-328B CC rated orders | Second and third quarters, 1946. |
| CPA-4414 (revised)..... | Ultimate delivery as over-the-counter piece goods. | Do. |

(3) *Rules for producers.* A producer may charge to a set-aside for a particular quarter a purchase order accompanied by the appropriate Form listed in paragraph (h) (2) above, or (only for his set-aside for M-328B CC rated orders) the appropriate Rating Extension Form listed in paragraph (g) (1) above. As soon as a producer accepts any order accompanied by one of these forms, he must fill out a copy in accordance with its instructions and send it to the Textile Division, Civilian Production Administration, Washington 25, D. C. After a producer has accepted an order accompanied by a form listed in paragraph (h) (2) above, he must schedule it for delivery as if it bore a CC rating, and then fill all such orders and orders which do bear M-328B CC ratings in accordance with Priorities Regulation 1 to the extent of the applicable set-asides.

(4) *Rules for finished goods suppliers.* Every supplier of finished fabric making a certification on a Form listed above in paragraph (h) (2) must comply with the following rules:

(i) If he uses a form specified for delivery on M-328B CC rated orders, he must, if possible, deliver during the applicable quarter on M-328B CC rated orders for that quarter (which may be identified by the proper Rating Extension Form listed in paragraph (g) (1) above), finished fabric of the type covered by his purchase order in a yardage at least equal to the yardage which he orders for delivery in that quarter on orders accompanied by the form specified for that quarter. Within this quantity, M-328B CC rated orders must be accepted and filled in accordance with Priorities Regulation 1.

(ii) If he uses one of the forms specified for ultimate delivery as over-the-counter piece goods, he must, if possible, deliver during the applicable quarter to persons who furnish the piece goods certificate set forth in the applicable schedule finished fabric of the type covered by his purchase order in a yardage at least equal to the yardage which he orders for delivery in the applicable quarter on orders accompanied by the proper form for that quarter. He may not, however, sell to any person using the retailer's certificate more yardage of any fabric than 10 percent of the total yardage of his set-aside obligation for that fabric for the quarter.

(iii) In calculating the yardage of a particular fabric which he is required to deliver, a supplier of finished fabric may take into consideration actual processing loss in finishing the fabric.

(iv) Any supplier who does not deliver the full yardage required during the applicable quarter must deliver in the next quarter for the same purpose a yardage of finished fabric equal to the undelivered yardage (in addition to the yardage he is required to deliver on certificates for that next quarter).

(v) No supplier of finished fabric who uses one of the forms listed in paragraph (h) (2) above is required to accept or fill M-328B CC rated or over-the-counter piece goods certified orders for a greater

yardage of any type of finished fabric than the yardage he is required to deliver under the rules stated in this paragraph (h) (4).

(vi) After a supplier of finished fabric uses the form specified in paragraph (h) (2) above for M-328B CC rated orders for a particular quarter for any fabric, he must not extend any M-328B CC ratings to any supplier on orders for that fabric for delivery in that quarter.

(5) Any supplier of finished fabric who does not use for any quarter the form specified in paragraph (h) (2) above for M-328B CC rated orders for a fabric, must accept and fill all M-328B CC rated orders for that fabric calling for delivery in that quarter in accordance with the provisions of Priorities Regulation 1.

(6) No person may deliver or accept any fabric on an order accompanied by a Form or certificate prescribed by this order or its schedules if he knows or has reason to believe that the fabric will not be used for the purpose specified on the Form or certificate.

(7) Suppliers of fabric may apply to the Textile Division, Civilian Production Administration, Washington 25, D. C., on Form CPA-4351 for relief from the set-aside requirements for fabrics if:

(i) A fabric which they are required to set-aside is unsuitable because of construction or price for the purpose for which it is set aside, or

(ii) If its inclusion in the set-aside would work an unreasonable hardship on manufacturers of an item not included in a schedule of Order M-328B.

Applications for such exemption must be filed not later than July 25, 1946 for exemptions from the set-aside for the third quarter of 1946. Whenever an application is made to exempt a fabric because of its unsuitability for any item in the program a small sample of each type and construction, bearing the OPA ceiling price in effect on June 30, 1946, must be attached to the application form. When permission for a change in the yardage to be delivered under a set-aside is given to a person who has purchased material on a certification, the Civilian Production Administration may notify the person who filled the certified order of the exemption and direct him to reinstate the exempted yardage in his set-aside.

(8) Each producer of fabric who is required to set aside fabrics under the provisions of a schedule of this order shall, to the extent orders chargeable to the set-aside are offered, accept them by the end of the first month of the applicable quarter. To the extent that customers' orders permit, suppliers of grey fabric and finished fabric shall schedule and make deliveries so that at least two-thirds of the quantity to be delivered during any quarter on M-328B CC rated orders and certificates (including piece goods certificates) will be delivered by the end of the second month of the quarter.

(9) Whenever a Fabric Set-aside Table is deleted, each producer of fabric

who is required to set aside fabrics under that table must comply with the provisions of this order and its schedules and the provisions of the Fabric Set-aside Table as shown before it was deleted.

(10) At the end of each month a producer of fabric (or his selling agent acting in his behalf) who, during that month, has accepted certified retailers' orders for such fabric for ultimate sale as piece goods, for delivery during any quarter must report such orders by letter to the Civilian Production Administration, Washington 25, D. C. Attention: Textile Division, Ref. M-328B, not later than the 10th of the following month. The total yardage accepted during the month must be reported separately for each fabric listed on the fabric set-aside tables.

Equitable Distribution

(i) *Equitable distribution by manufacturers.* All items made with material obtained with a preference rating assigned under this order must be distributed without regard to any preference ratings and each manufacturer must distribute his production of the item (including any production of the same item which he may have made without a rating for civilian sale in the United States, its territories and possessions) as follows:

(1) Up to 90 percent of sales of each item in each calendar quarter must be made to customers who purchased that item or any other textile product for civilian sale in the United States, its territories and possessions, from the manufacturer during the base period, to the extent that orders are received from such customers. However, the manufacturer need not sell any customer an amount which will be a greater percentage of the manufacturer's total sales for the period than the percentage of the manufacturer's total sales which were made to the same customer in the calendar year which includes the base period.

(2) As between such customers, each customer shall be entitled to a dollar share of the sales referred to in (1) above up to the percentage which the customer's total purchases from the manufacturer in the base period was of the manufacturer's total sales in that quarter.

(3) Any manufacturer may base his distribution under this paragraph on his style seasons instead of calendar quarters, but must treat all customers on the same basis. A manufacturer shall not be required to sell smaller than commercial quantities. The manufacturer may not discriminate against any of his customers in notifying the trade that he has the items available for sale or in making deliveries or allocating his production. If the manufacturer was not, in the base period, in the business of manufacturing an item for which a preference rating is assigned under this order, he shall not sell to any one purchaser more than 10 percent of his total production of any item he produces with a rating (including any part of his production of the same item which he may have made without the rating). Purchasers who are subject to common control shall be deemed one purchaser. Further specific

directions may be issued as to the distribution of items.

(4) No person may sell for export to a foreign country, or to a person whom the seller has reason to believe will export it to a foreign country, any item which he knows or has reason to believe was produced with priorities assistance granted under a schedule of this order.

Miscellaneous Provisions

(j) *Records and reports.* (1) Each person who uses a preference rating assigned under this order shall maintain at his regular place of business, accurate records of the quantities of material for which he is authorized under this order to apply preference ratings, the quantities ordered with the use of such ratings, the quantities received and the quantities put into process. He shall also maintain records of the quantities of each item manufactured from the material obtained with the rating. All these records shall be preserved for a period of not less than two years and shall, upon request, be submitted to audit and inspection by duly authorized representatives of the Civilian Production Administration.

(2) The reporting and application requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subject to the approval of the Bureau of the Budget under this act, all persons affected by this order shall execute and file with the Civilian Production Administration such other reports as the Civilian Production Administration shall from time to time require.

(k) *Applicability of regulations.* Except as otherwise provided in this order, this order and all transactions affected thereby are subject to all applicable regulations of the Civilian Production Administration as amended from time to time.

(l) *Appeals.* Any person who considers that compliance with any restriction of this order or its schedules, would work an exceptional and unreasonable hardship, may appeal for relief. The appeal shall be made by filing a letter in triplicate with the Appeals Branch, Textile Division, Civilian Production Administration, Washington 25, D. C., referring to the particular provision appealed from, and stating fully the grounds of the appeal.

(m) *Violations.* Any person who willfully violates any provisions 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 priority assistance.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Textile Division, Civilian Production Administration, Washington 25, D. C., Reference M-328B.

Issued this 18th day of July 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

ACCEPTANCE AND FILLING OF RATED ORDERS, AND COMPLETION AND DELIVERIES OF APPAREL

(a) *Purpose.* This interpretation calls particular attention to certain rules concerning the acceptance and filling of rated orders, and their application to orders for textiles assigned CC preference ratings under several schedules to Order M-328B; and also to certain rules requiring apparel manufacturers to complete their operations as rapidly as practicable.

To insure the success of the low cost civilian apparel programs provided by the schedules, these rules must be observed. Any person who willfully violates them, or who, in connection with the rules, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is subject to administrative action and the penalties referred to in § 944.18 of Priorities Regulation 1 and paragraph (m) of Order M-328B.

Any supplier who has inadvertently failed to comply with these and other applicable Civilian Production Administration rules should immediately take any steps necessary to make his operations conform to them.

(b) *Compulsory acceptance of rated orders.* The rules concerning compulsory acceptance of rated orders (that is, orders carrying an AAA, MM, or CC preference rating) are stated in § 944.2 of Priorities Regulation 1. It must be noted that a rated order which meets the supplier's regularly established prices and terms of sale or payment may not be rejected merely because he would prefer to hold back his goods from sale until a later date when he may hope that tax laws, his OPA ceiling prices, or other factors will change so as to enable him to make a larger profit.

(c) *Offering of goods.* A supplier may not evade the acceptance and filling of rated orders by withholding his production or offerings of low cost goods suitable for low cost apparel.

In addition, when a person who has a rating asks a supplier of textiles to quote his regularly established prices and terms of sale or payment, or the earliest date on which he could make delivery on that rating, the supplier must do so; he may refuse to quote only if he would have the right under the applicable rules, to reject the rated orders and also knows that he will do so if he receives it.

(d) *Rated orders must be given priority over unrated ones.* A rated order must be accepted and filled regardless of existing contracts and orders, in accordance with the rules in § 944.2 of Priorities Regulation 1. For example, if a supplier has accepted an unrated order for fabric and has a rated order served upon him, he may not reject the rated order merely because filling it would require him to use some or all of the fabric which he planned to use to fill the unrated order.

(e) *Customer's required delivery date must be met, if possible.* A supplier must schedule his operations, if possible, so as to fill each rated order by the required delivery or performance date, as explained in § 944.7 of Priorities Regulation 1. He must also accept orders and schedule and make deliveries in accordance with paragraph (h) (8) of M-328B. If he cannot fill all rated and unrated orders, he must give preference to the rated ones.

(f) *Operations of apparel manufacturers; inventories of manufacturers, mills, converters, and other suppliers.* The attention of apparel manufacturers using ratings under

M-328B Schedules is particularly called to the production preference and inventory rules in paragraphs (f) (2) and (f) (4) of M-328B, and in Priorities Regulation 32. A manufacturer of items within the programs provided for by these schedules must purchase materials for these programs for delivery before materials to be used for items not within the programs, to the full extent necessary to comply with the rule in (f) (2) of M-328B; and must complete the items within the programs in accordance with that rule, even if this results in postponing or delaying production of items not within the programs. A delay in processing material or in making deliveries of completed apparel may involve a violation of Priorities Regulation 32 and of paragraph (f) (4) of M-328B prohibiting the receipt or accumulation of excessive inventories. Priorities Regulation 32 applies equally to suppliers of gray or finished fabrics and manufacturers of apparel not within these programs.

(g) *Other rules.* All of the rules concerning the acceptance and filling of rated orders and the accumulation of excessive inventories, are, of course, not referred to above, and reference must be made to the Priorities Regulations, orders in the M-328 series, and other orders such as L-99, and M-317. The rules specifically referred to are those to which attention is particularly called at this time, in view of their important current application to orders rated CC under the M-328B programs. Some of these rules are qualified to the extent that a special rule, such as those in Order M-328B or one of its schedules, may permit a supplier to reject rated orders in excess of a specified quantity of his receipts or production. (Issued July 11, 1946.)

[F. R. Doc. 46-12307; Filed, July 18, 1946; 11:31 a. m.]

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

[Priorities Reg. 13, Direction 21]

DISPOSAL OF SURPLUS RAW JUTE BY WAR ASSETS ADMINISTRATION

The following direction is issued pursuant to PR 13:

(a) *What this direction does.* There is a critical shortage in the supply of raw jute in the hands of a number of processors, and this material is not readily obtainable in sufficient quantities in the market so as to permit continued operation of these plants, and their continued production and distribution of jute products which are also in short supply. Under this direction the Civilian Production Administration may direct the sale of the following quantities of raw jute now held by the War Assets Administration as surplus property in the manner described in paragraph (b):

| | Pounds |
|--------------------|-----------|
| From Block 10..... | 1,000,000 |
| From Block 11..... | 1,000,000 |
| From Block 12..... | 500,000 |
| From Block 14..... | 1,000,000 |
| From Block 15..... | 1,000,000 |
| From Block 20..... | 500,000 |

(b) *Restrictions on sale by WAA.* WAA may not sell any of the above lots of raw jute except to persons specified in directives issued by CPA. Such directives will be issued only for processors who are in imminent danger of a shutdown and who have less than a 30-day inventory of jute on hand. They will be issued for an amount not in excess of a 60-day supply for the processor operating at his current or scheduled method and rate of operation. Processors of raw jute should apply to the CPA, Attention Cordage Section, Textile Division, by letter specifying quantity of raw jute requested by block, product to be manufactured, current inventory of

raw jute, and monthly rate of consumption of raw jute.

(c) *Obligations of persons receiving jute.* Persons receiving jute from WAA covered by a directive issued under this direction must use the jute in their own manufacturing or processing operations.

(d) *Expiration date.* Unless sooner revoked, this direction shall expire on October 1, 1946, but its expiration at that time shall not relieve any person who has obtained raw jute under this direction from the obligations of using the material in accordance with this direction.

Issued this 18th day of July 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-12311; Filed, July 18, 1946;
11:31 a. m.]

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

[Priorities Reg. 32 as Amended July 18, 1946]

INVENTORIES

(a) What this regulation does.

General Restrictions

(b) Restriction on delivery.

(c) Restrictions on receipts.

(d) Restriction on ordering more than needed.

(e) Adjusting outstanding orders when requirements change.

(f) Restriction on processing.

Exceptions

(g) In general.

(h) Receipts permitted after contract cancellations or cut-backs.

Miscellaneous Provisions

(i) Previous inventory authorizations.

(j) Separate inventories.

(k) Redistribution of excess inventories.

(l) Violations.

(m) Revisions of tables.

(n) Appeals, letters and questions.

§ 944.53 *Priorities Regulation 32—(a) What this regulation does.* This regulation contains the inventory rules formerly in § 944.14 of Priorities Regulation 1 and in CMP Regulation 2. Its purpose is to prevent excessive inventories by restricting ordering, deliveries, receipts and processing of materials in short supply. All kinds of materials are covered including raw or semi-fabricated materials, commodities, equipment, accessories, parts, assemblies or products of any kind, whether or not acquired with priorities assistance. However, foods for humans or animals, tobacco and tobacco products, oils and fats, petroleum and petroleum products including natural and liquified petroleum gas, and coal are not covered by this regulation, but are subject to applicable restrictions of other Government agencies. This regulation applies to all persons buying for use or for resale whether established firms or newcomers, except ultimate consumers buying for personal or household use.

The general rule on receipts is in paragraph (c) (1), and this is controlling un-

less a more specific limitation or exception is indicated in Table 1 or 2 or a direction to this regulation, or unless Table 3 (formerly Order M-161) exempts the material entirely. Other exceptions to the inventory limitations are stated in paragraphs (g) and (h) and in directions to this regulation.

General Restrictions

(b) *Restriction on delivery.* No person may deliver any material if he knows or has reason to believe that acceptance of the delivery would be in violation of this regulation.

NOTE: For rule on making or delivering material earlier than required by customers, see Interpretation 3.

(c) *Restrictions on receipts—(1) General rule.* A person whether buying for use or resale including a person buying for export may not accept delivery of any material if his inventory of that material is, or will be, more than a practicable minimum working inventory reasonably necessary to meet his own deliveries or to supply his services on the basis of his current or scheduled method and rate of operation.

NOTE: For rule on when material is considered to be in inventory, see Interpretation 4; for rule as to seasonal industries, see Interpretation 1.

(2) *Special rules in Tables 1 and 2.* If Table 1 at the end of this regulation shows a special inventory limit on a particular material or product (either specifically or by reference to another CPA order or regulation), that limitation governs and the restrictions of paragraph (c) (1) above may be disregarded unless the applicable order or regulation (or a note in Table 1) also states that a practicable minimum working inventory may not be exceeded. The same is true with respect to particular classes of persons shown on Table 2. Where a specific period of time is shown on Table 1 or 2, no person affected may accept delivery of any material specified if his inventory of it is, or will be, more than he needs during the immediate period specified on the basis of his current or scheduled method and rate of operation. Even if an order or regulation is not listed on Table 1 or 2, any specific inventory limits imposed by it must be complied with. If an order or regulation listed on Table 1 or 2 is revoked or a listing removed from the tables all provisions of this regulation, including paragraph (c) (1), are automatically applicable.

(3) *Early delivery of steel, iron products, copper and copper base alloys.* Early delivery, up to 15 days before the requested delivery month, may be accepted from a producer of steel, iron products, copper or copper base alloys (in the forms listed on Table 1), but the producer may not make the early delivery if it would interfere with any rated orders. Other special rules on these materials are explained in Table 1.

(d) *Restriction on ordering more than needed.* (1) A person may not place any order, whether rated or unrated, for delivery of any material on earlier dates or

in larger amounts than he would be permitted to receive under this regulation, or any other applicable orders or regulations of CPA. Orders aggregating more than he is allowed to receive may not be placed with different suppliers even though he intends to cancel one or more of them before delivery. However, this restriction does not apply to materials listed on Table 3 of this regulation nor to purchases by ultimate consumers for personal or household use. The restriction does not forbid the placing of orders for delivery under the conditions explained in Interpretation 11 to Priorities Regulation 1, but such orders may not be scheduled for production as long as this restriction is effective.

(2) This restriction does not require immediate adjustment of orders placed before August 28, 1945. However, in view of its policy to prevent hoarding and speculative buying of materials in short supply, the CPA may direct adjustments or cancellations in individual cases where orders are in excess of reasonably anticipated needs especially where failure to do so might result in unbalanced distribution and curtail total production.

(3) If the inventory limits applying to any material are made more restrictive, whether by a change in Table 1 or otherwise, any person affected must immediately cancel, reduce or defer any order for the material to the extent that the scheduled delivery would result in an inventory greater than permitted by the new restriction and other applicable provisions of this regulation.

(e) *Adjusting outstanding orders when requirements change.* If because of a change in operations, slowing or stoppage of production, delayed delivery by a supplier, or any other change in requirements, a person who has ordered material for future delivery would, if he accepted delivery on the date specified, exceed the limits prescribed by this regulation, he must promptly adjust his outstanding orders, and, if necessary, postpone or cancel them. Paragraph (h) below describes what further deliveries may be accepted.

(f) *Restriction on processing.* No person may process, fabricate, alloy or otherwise alter the shape or form of any material if his inventory of the material in its processed, fabricated, alloyed or otherwise altered shape or form (including the form in which he sells it) is, or will be, more than a practicable minimum working inventory. This limitation applies whether the manufacturer does his own processing or has it done for his account by others. He may not exceed it by causing or permitting avoidable delays in transportation, storage, or processing. Special limits on manufacturers' inventories of certain finished products are listed in Table 4 of this regulation. Manufacturers of such products are also subject to the restrictions shown in that table. However, this does not restrict a person from altering the form of surplus materials by scraping or reprocessing them, unless a CPA order specifically says otherwise. The CPA may issue directions to Priorities

Regulation 32 or other orders that are more restrictive on processing than the general limitations of this paragraph. In such case, these more restrictive directions or orders control instead of the general restrictions of the paragraph.

Exceptions

(g) *In general.* This paragraph, paragraph (h) below, and certain directions to this regulation state general exceptions to the restrictions on acceptance of delivery described in paragraph (c) above, and to all other inventory restrictions on delivery and acceptance of delivery in CPA orders and regulations unless they contain specific provisions to the contrary. None of these or any other exceptions to CPA inventory restrictions on receipts permit a supplier to disregard any applicable CPA order or regulation which restricts production or delivery.

(1) *Exemption of Table 3 materials.* Materials listed on Table 3 at the end of this regulation may be delivered and accepted without regard to CPA inventory restrictions.

(2) *Materials bought under PR-13.* Priorities Regulation 13 provides a limited exemption from inventory restrictions in the case of items bought on special sales.

(3) *Imported materials.* A person may import any material without regard to CPA inventory restrictions, but if his inventory of it thereby becomes in excess of the amount permitted by this regulation, he may not receive further deliveries of it from domestic sources until his inventory is reduced to permitted levels. The inventory restrictions of this regulation do apply to any deliveries of the imported material he makes, and to the amount of it that any person accepting delivery from him may receive.

(4) *Advance stockpiling for civilian production.* A person may receive in anticipation of starting or resuming civilian production the minimum amount of material he would need during the first 30 days of such production, provided no priorities assistance is used to get the material. Records of such receipts and the basis on which they were computed must be preserved as required by § 944.15 of Priorities Regulation 1. This 30-day amount is a ceiling as far as advance stockpiling is concerned, and may not be considered as a "bonus" to be added to the amount of any material which a producer expects to have available for making his civilian product. Changes in this 30-day amount may be indicated for a particular material by a note in Table 1. This paragraph relates to production only and does not permit the advance stockpiling of materials or products for construction purposes.

(5) *Minimum sale quantities.* Minimum sale quantities and production runs may be accepted to the extent permitted by Interpretation 2 to this Regulation. However, where Column 3 of Table 1 shows a specific amount of a particular material, that is considered to be the minimum sale quantity of it. Thus, if a person would be permitted under paragraph (c) to accept less than the amount shown, he may accept delivery of the full amount. In any event, after receiving

a minimum sale quantity of any material, a person may not accept delivery of any additional quantities until his inventory of it is within applicable limits.

(6) *Small inventory exemption for particular materials.* If a note in Table 1 or 2 shows a specific amount of a particular material as a small inventory exemption a person may accept delivery of any quantities of it as long as his total inventory of it after acceptance is no more than the specified amount.

(h) *Receipts permitted after adjustment of orders.* Where a person has promptly adjusted his outstanding orders with his supplier as required by paragraph (e) and the supplier is not otherwise prohibited from producing or delivering any material involved, delivery of it may be made and accepted and the inventory restrictions of paragraph (c) exceeded to the following extent only:

(1) Delivery may be made and accepted if the supplier has shipped the material or loaded it for shipment before the receipt of the instruction to adjust; or

(2) Delivery may be made and accepted of any special item which the supplier actually has in stock or in production or special components or special materials which he has acquired for the purpose of filling that contract. A special item, as used above, means one that the supplier does not usually make, stock, or sell, and which cannot readily be disposed of to others; or

(3) Even if the material is not a special item, delivery may be made by and accepted from a producer if it has already been produced or is in production before receipt of the instruction to adjust, and it cannot be used to fill other orders on the producer's books. However, in the case of steel processed beyond the slab, billet or sheet bar stage before receipt of the instruction to adjust, producers are not required to examine other orders on their books. In this case, unless otherwise ordered by the CPA, deliveries may be made and accepted if the producer cannot readily dispose of the material to others without loss of production.

NOTE: For special rules on continuing receipts of special items after contract cut backs, see Direction 3 to this regulation; and as to transfers of idle materials after cancellations or cut backs, see Direction 1. For effect of reduction in consumption rate on permitted inventories, see Interpretation 5.

Miscellaneous Provisions

(i) *Previous inventory authorizations.* Any specific authorizations, exceptions, or grants of appeals issued under § 944.14 of Priorities Regulation 1 or CMP Regulation 2 remain in effect according to their terms unless individually modified or revoked.

(j) *Separate inventories.* (1) In figuring his inventory, a person must include all material in his possession and all material held for his account by another person, but not material held by him for the account of another person.

(2) In the case of a person who on August 28, 1945, has more than one operating unit and keeps separate inventory records for them, this regulation applies to each such operating unit or division

independently. A person may not make any further separation or consolidation of such operating units without special written approval of the Civilian Production Administration, unless it is purely incidental to a separation or consolidation which is made primarily for other than inventory purposes.

(k) *Redistribution of excess inventories.* Excess inventories of materials and products, including inventories of materials which are in such form as to be unusable by the holder, are subject to redistribution to other persons by voluntary action pursuant to Priorities Regulation 13, or if necessary for national defense, through requisitioning by the Civilian Production Administration.

(l) *Violations.* Any person who wilfully violates any provision of this regulation, or who, in connection with this regulation, 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.

(m) *Revisions of tables.* Tables 1, 2, 3, and 4 attached to this regulation will be revised from time to time. As materials and products become in more ample supply, it is expected that they will be listed on Table 3. In special cases, particular materials or products may also be removed from Table 3 or added to Table 1 or Table 4. It is, therefore, important to be familiar with the latest revision of the tables.

(n) *Appeals, letters and questions.* Any appeal or other question regarding any provision of this regulation should be sent by letter in duplicate to the Inventory Control Division, Civilian Production Administration, Washington 25, D. C., Ref.: PR 32, unless Table 1 or 2 attached to this regulation indicates otherwise with respect to particular materials or classes of persons.

Issued this 18th day of July 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE 1—MATERIALS AND PRODUCTS SUBJECT TO SPECIFIC INVENTORY PROVISIONS

Explanation. Materials or products listed in Column 1 are subject to the specific inventory provisions shown, as explained in paragraph (c) (2) of the regulation, except to the extent that different rules may apply as to certain classes of persons under Table 2.

Column 2 shows either the CPA order or regulation which controls inventories of the material, or if no order is specified, there is shown a period of time representing the maximum inventory permitted as explained in paragraph (c) (2). An asterisk (*) indicates that the practicable minimum working inventory limit of paragraph (c) (1) also applies, that is, if it would be less than the specific limit indicated.

If Column 2 shows a specific period of time (e. g., 30 days, 60 days, etc.) for a particular material or product, this restriction applies only to "users" of that material or product.

TABLE 1—Continued

| Material (1) | Order or limitation (2) | Minimum sale quantity (3) | CPA division or office administering the control (4) | Remarks (5) |
|--|--|--|---|---|
| Copper and copper base alloys—Continued. Copper-base alloys—Con- cept, magnet wire. Magnet wire Cotton yarns, combed and carded, weaving and knit- ting, singles, ply and twisted, natural or colored Ethyl fluid Gloves, work Glue, hide Gypsum board Gypsum lath Iron, pig Iron products (see steel in- cluding iron products). Kapok Lead: metallic lead, lead alloys components or products (such as, but not limited to, sheet, pipe, ingot, castings and foil), in any form containing 5% or more by weight of the ele- ment lead. It includes bat- tery lead oxide but does not include other lead chemi- cals. Lead chemicals NOTE: The provisions of this regulation apply to each item of lead chemicals, and, in the case of chromic pig- ments, to each grade and type of pigment Lumber—Seasoned, green, rough, surfaced and/or worked to pattern (all kinds, slabs and grades). NOTE: (Deleted Nov. 23, 1945) | 45 days* 46 days* 45 days* I-353 M-375 45 days* 30 days* 30 days* 30 days* M-36 30 days* | 1 case 5 cases 1 case 5 cases 1,000 800 | Copper Copper Textiles Chemicals Textiles Chemicals Inventory control Steel Textiles Tin, lead and zinc Chemicals Lumber Building mate- rials Metals and min- erals General industrial equipment | ••The specific limitations in column (2) on receipts of lead do not apply to smelters and refiners who acquire lead for the purpose of conversion into another listed form of this material, but they are subject to paragraph (c) (1) of Priorities Regulation 32. ••The limitations of Column 2 apply to the total amount of lumber in usable condition in the user's inventory rather than item by item. The Column 2 restrictions do not apply to green lumber which must be seasoned by the user before it is usable for the purpose for which it was purchased, but such receipts are subject to the restric- tions of paragraph (c) (1) of the regulation. However, when such lumber is suffi- ciently seasoned for use it must be counted in deter- mining whether or not the person is eligible to accept any further deliveries of lumber in usable condition under the limitations of this Table 1. •••Applies only to mica fur- nished from Government stocks, but does not apply to any mica that has been declared surplus and is sold by a disposal agency. |

graph (g) (5) even if it is more than allowed under Column 2. If no figure is shown, the rule in Interpretation 2 must be followed.
Column 4 tells the Division or Office in the Civilian Production Administration to which should be sent any appeals of questions regarding the limitations described. However, if the applicable order says appeals are to be filed somewhere else, such as the nearest CPA field office, that provision controls.
Column 5 (Remarks) gives explanations, exemptions or other special rules applicable to the particular material or limitation.

TABLE 1

NOTE: Table amended July 18, 1946.

| Material (1) | Order or limitation (2) | Minimum sale quantity (3) | CPA division or office administering the control (4) | Remarks (5) |
|---|--|---------------------------|--|--|
| Aluminum (See Table 3.) Antimony Babbit Bristles Building board (board made from wood pulp, vegetable fibres, pressed paper stock, or multiple plies of fibre stock). Burlap Butyl Acetate Butyl Alcohol (Normal) Cadmium, meaning all grades of metallic cadmium, cadmium oxide, or cadmium salts produced directly from ores concentrates or other primary materials, or redistilled or remelted from cadmium scrap or any secondary cadmium-bearing material. Casein Castings, malleable iron. (See Steel, including iron products.) Coke Copper and copper base alloys: NOTE (1) The provisions of this regulation apply separately to each "item" of copper or copper base alloys in any class listed below which is different from all other items in that class by reason of one or more of its specifications, such as width, thickness, temper, alloy, finish, or method of manufacture. Differences in color of insulation do not differentiate items of wire mill products. (2) (Deleted Nov 23, 1945) Copper: Refinery shapes, castings, scrap, etc. Brass mill products: sheet, rod, tube. Wire mill products, except magnet wire. Magnet wire Copper base alloys: Ingot castings, scrap, etc. Brass mill products: sheet, rod, tube. | M-112 M-43, Dir. 2 120 days 30 days M-47 45 days 45 days 30 days 45 days P.R. 32, Dir. 10 (**) | 100 lbs. Steel | Tin, lead and zinc Tin, lead and zinc Textiles Building mate- rials Textiles Chemicals Chemicals Tin, Lead and Zinc Branch Chemicals Steel | ••The limitations of column (2) apply to the total amount in the user's inventory rather than item by item. ••The specific limitations in Column 2 on receipts of copper and copper base alloys do not apply to producers who acquire copper or copper base alloys for the purpose of conversion into another listed form of those materials, but they are subject to paragraph (c) (1). Certain other classes of persons to whom these Column 2 limitations do not apply are shown on Table 2. |

TABLE 1—Continued

| Material (1) | Order or limitation (2) | Minimum sale quantity (3) | CPA division or office administering the control (4) | Remarks (5) |
|--|---|---------------------------|--|---|
| Steel—Continued. Carbon steel—Continued. Tin plate,terne plate and tin mill black plate. All other shapes and forms of carbon steel as described in Order M-21. | 60 days* Par. (c) (1) | 10,000 lbs. | Inventory control do | |
| Alloy steel (including stainless): Sheet and strip—silicon electrical only. All other shapes and forms of alloy steels as described in Order M-21. | 60 days* Par. (c) (1) | 10,000 lbs. | do do | |
| Taplaca flour. Textiles (finished material) | M-333 M-328B** | | Chemicals Textiles | **Persons buying textiles (finished material) who are not subject to M-328B are subject to paragraph (c) (1) of Priorities Regulation 32. |
| Tin: Pig tin. Alloys, other than copper base alloys. Tires and tubes. Titanium pigments. Turpentine. Vegetable waxes. Zinc: metallic zinc, all grades, including zinc base diecast alloy.** | M-43 M-43, Dir. 2 R-1 30 days* 5 months 60 days* 30 days* | | Tin, lead, and zinc do Rubber Chemicals do do Tin, lead and zinc | **The limitations in column 2 apply to the total amount of zinc, including zinc base diecast alloy, in the user's inventory rather than item by item. |

*Or a practicable minimum working inventory, whichever is less.

TABLE 2—CLASSES OF PERSONS SUBJECT TO SPECIFIC INVENTORY PROVISIONS

Explanation. The classes of persons listed in Column 1 are subject to the specific inventory provisions shown, as explained in paragraph (c) (2) of the regulation. Column 2 shows either the CPA order or regulation which controls the inventories of the particular class of persons, or if no order is specified, there is shown a period of time representing the maximum inventory permitted as explained in paragraph (c) (2). An asterisk (*) indicates that the practicable minimum working inventory limit of paragraph (c) (1) also applies, that is, if it would be less than the specific limit indicated. Column 3 tells the Division or Office in the Civilian Production Administration to which should be sent any appeals or questions regarding the limitations described. However, if the applicable order says appeals are to be filed somewhere else, such as the nearest CPA field office, that provision controls.

Column 4 (Remarks) gives explanations, exemptions or other special rules applicable to the particular class of persons or limitation. Where this column specifies certain materials, the limitation or exemption for the particular class of person applies only to the materials specified.

NOTE: Table 2 amended July 18, 1946.

| Classes of persons (1) | Order or limitation (2) | CPA division or office administering the control (3) | Remarks (4) |
|--|---------------------------------|--|--|
| Flag makers (cotton textiles). Brush manufacturers. File and rasp manufacturers. | M-221 120 days* 120 days* | Container: Textiles Inventory control | Bristles. Applicable only to special high carbon steel in special forms and shapes needed to make files and rasps |

See footnote at end of table.

TABLE 1—Continued

| Material (1) | Order or limitation (2) | Minimum sale quantity (3) | CPA division or office administering the control (4) | Remarks (5) |
|--|--|---|---|---|
| Motors—Continued. Fractional horsepower motors, alternating current, 1/2 h. p. or larger, but less than 1 h. p., except universal, h. p., except universal. Single phase alternating current motors 1 h. p. and over except universal. Pipe: soil, cast iron. | 45 days* 45 days* 30 days* M-300, Sch. 120. 60 days* R-1 30 days* 30 days* M-43, Dir. 2 (*) | 250 100 | General industrial equipment. do Building materials. Chemicals Inventory control. Rubber. Rubber. Building materials. Tin, lead and zinc. | **The specific limitations in Column 2 on receipts of steel, including iron products, do not apply to producers who acquire steel, including iron products, for the purpose of conversion into another listed form of those materials, but they are subject to paragraph (c) (1). Certain other classes of persons to whom these Column 2 limitations do not apply are shown on Table 2. |
| Potash. Radiation, cast iron and connector. Rubber: Natural rubber; natural rubber latex or butyl; reclaimed rubber. Rubber, GR-S. Screen cloth, insect. | | | | |
| Solder, including iron products: NONE (1) The provisions of this regulation apply separately to each item of steel or iron products in any class listed below which is different from all other items in that class by reason of one or more of its specifications, such as width, thickness, temper, alloy, finish, or method of manufacture. (2) So long as Direction 8 to Priorities Regulation 32 remains in effect, its provisions control users' inventories of iron and steel rather than the limits stated in Column 2. | | | | |
| Iron products: Gray iron castings (rough as cast) (except soil pipe). Malleable iron castings (rough as cast). | 60 days* 45 days* | (**) (**) | Inventory control. do | ***Receipts of less than 2,000 pounds from any one pattern or mold, or of a minimum production run as explained in Interpretation 2 are permitted under the conditions explained in paragraph (c) (5). |
| Steel: Carbon steel (including wrought iron). Bars—Cold finished Bars—Hot rolled or forged. Sheet and strip. Structural shapes and piling.** | 60 days* 60 days* 60 days* 60 days* | 10,000 lbs. 10,000 lbs. 10,000 lbs. do | do do do do | ****Column 2 does not apply to certain special kinds of steel used in file and rasp production or piston production, as explained in table 2. **Column 2 does not apply to persons who order structural steel for use in construction (including buildings, bridges and other structures of a like type) and who order it delivered cut to the specifications required for a specific project and who normally keep such steel segregated for the specific project. Instead, no such person may accept delivery of such steel more than 60 days before it is scheduled to be fabricated or, if it is not to be further fabricated, before it is scheduled to be assembled. |

Lamps, incandescent
Magnesium in all forms.
Mineral aggregates:
Sand
Gravel
Crushed stone
Slag
Packing, Gaskets and Oil Seals
Potter's flint
Pulpwood

Salt (sodium chloride) in bulk
Sediment separators
Sodium sulfate (salt cake)
Sodium sulfite
Stoneware clay
Sulphur
Vermiculite
Waste paper
Wood pulp
Wool: Raw wool

TABLE 4—SPECIAL RESTRICTIONS ON MANUFACTURERS' INVENTORIES OF FINISHED PRODUCTS

Note: Table 4 added July 18, 1946.

(1) The purpose of this table is to assure prompt and continuous deliveries of the listed finished products for distribution to consumers, by preventing the accumulation by manufacturers of inventories which would be excessive, in view of the extremely urgent need for the products by purchasers.

(2) The restrictions of this table apply to manufacturers' inventories of finished products of the types listed below.

(3) "Finished product" includes all products of the kinds on Table 4 in the form in which the manufacturer sells them and which are in the manufacturer's possession or held for his account in a public warehouse or by any other person.

(4) Column 2 shows the maximum permitted manufacturer's inventory of finished products. Where a listing shows 30 days in Column 2 for example, this means that the manufacturer's inventory of finished product may not be greater than his production of that product during the period of 30 calendar months. In no case may his inventory exceed a practicable minimum working inventory, when this is less than 30 days production. In determining what is a practicable minimum working inventory of finished products, any inventory which is larger than that which a manufacturer has been maintaining in the immediate past (even where less than the number of days production shown in Table 4 for the particular finished product) is excessive, unless there are valid reasons why this is not so. In the case of products which can be distributed very quickly by a manufacturer, an inventory not greater than the quantity produced in the period of a week or ten days may be a practicable minimum working inventory.

(5) Where a manufacturer has not been making a product the limitation of this table does not apply during the 30 calendar days, after his initial production of that product has begun.

(6) If on July 18, 1946 a manufacturer of any products on Table 4 has in inventory more than the amount permitted by this Table 4, he must promptly, and in any event by August 15, 1946, either bring his inventory within the applicable limits by increasing his rate of sales or by reducing his rate of operations, or stop further production until his inventory is within applicable limits. In the event additional finished products are listed on Table 4, a manufacturer of such products must promptly and in any event within 30 days from the date of such listing, bring his inventory of them within applicable limits. Similarly, manufacturers of products on Table 4 must keep their inventories within the applicable limits by increasing rate of sales or by reducing rate of operations.

(7) If in any case a product on Table 4 is designated on that list as a seasonal one, and a particular manufacturer must produce and stock it up in advance of the season because he is unable to make sales until the seasonal demand occurs, he may have an inventory larger than that specified in the table, provided his inventory is no greater and is accumulated no further in advance than that which he would normally have in the ordinary course of his business to meet reasonably anticipated future seasonal requirements.

| Product (1) | Limitation (2) | CPA division or office administering control (3) | Remarks (4) |
|---|----------------|--|---|
| Asphalt and tarred roofing products | 30 days* | Building materials | **The limitations of Column (2) apply to the total amount in the manufacturer's inventory rather than item by item. |
| Bedding products (mattress, inner-spring mattresses, felt mattresses, box springs, coil, flat, and fabric springs, dual sleeping equipment) | 30 days* | Consumers hard goods | |
| Building board (board made from wood pulp, vegetable fibres, pressed paper stock, or multiple plies of fibre stock),* | 30 days* | Building materials | |
| Furniture, wood and metal | 30 days* | Consumers hard goods | |
| Galvanized ware | 30 days* | Building materials | |
| Gypsum board | 30 days* | Building materials | |
| Gypsum lath | 30 days* | Consumers hard goods | |
| Laundry equipment, domestic | 30 days* | Consumers hard goods | |
| Mechanical refrigerators, domestic | 30 days* | Building materials | |
| Metal windows | 30 days* | Consumers hard goods | |
| Metal plastering base (metal lath) | 30 days* | Building materials | |
| Miscellaneous electrical appliances | 30 days* | Consumers hard goods | |
| Photographic equipment | 30 days* | Building materials | |
| Pipe: soft, cast iron | 30 days* | Consumers hard goods | |
| Screen cloth, insect | 30 days* | Consumers hard goods | |
| Ranges, electric | 30 days* | Consumers hard goods | |
| Sewing machines, domestic | 30 days* | Consumers hard goods | |
| Vacuum cleaners, domestic | 30 days* | Consumers hard goods | |

*Or a practicable minimum working inventory, whichever is less.

TABLE 2—Continued

| Classes of persons (1) | Order or limitation (2) | CPA division or office administering the control (3) | Remarks (4) |
|---|-------------------------|--|---|
| Jeweled watch manufacturers | None | Inventory control | No inventory restrictions apply to receipts of steel, iron products, copper and copper base alloys, or making jeweled watches. |
| Merchants (consumers' goods inventories) | L-219 | Wholesale and Retail Branch | **All provisions of this regulation and, so long as it is in effect, Direction 8 of this regulation apply except that with respect to steel pipe the limitation on receipts applies to the total tonnage of pipe in the users' inventory rather than item by item. Applicable only to special heat treated, tempered, polished, and colored high carbon steel (known as segment or expander steel) for use in the production of piston rings. |
| Pipe nipple manufacturers | (**) | Inventory control | |
| Piston ring manufacturers | 90 days* | Inventory control | **See special rule under "Steel" in table 1. |
| Rubber and rubber product manufacturers | R-1 | Rubber | **All provisions of this regulation apply, except that with respect to steel, iron products, copper and copper base alloys such operators are subject to the rule of paragraph (c) (1) instead of the specific limitation in Column 2 of Table 1. |
| Segregated structural steel for construction, persons using | (**) | Inventory control | **All provisions of this regulation apply, except that with respect to the materials on Table 1 (other than lumber) such operators are subject to paragraph (c) (1) instead of the specific limitations in Column 2 of Table 1. This does not prevent an operator from maintaining minimum stocks of material for emergency use, nor from acquiring reasonable stocks of ties and lumber for seasoning. |
| Suppliers | L-43 | Wholesale and Retail Branch | |
| Telephone operators | (**) | Inventory control | **All provisions of this regulation apply, except that with respect to steel, iron products, copper and copper base alloys such operators are subject to the rule of paragraph (c) (1) instead of the specific limitation in Column 2 of Table 1. |
| Telephone operators, Transportation systems, operators of (MRO supplies) | (**) | Inventory control | **All provisions of this regulation apply, except that with respect to steel, iron products, copper and copper base alloys such operators are subject to the rule of paragraph (c) (1) instead of the specific limitation in Column 2 of Table 1. |
| Utility producers (electric, power, gas, water and central steam heating) | (**) | Inventory control | **All provisions of this regulation apply, except that with respect to steel, iron products, copper and copper base alloys such operators are subject to the rule of paragraph (c) (1) instead of the specific limitation in Column 2 of Table 1. |

*Or a practicable minimum working inventory, whichever is less.

TABLE 3—EXEMPTED MATERIALS AND PRODUCTS

Note: Table 3 amended July 18, 1946.

Explanation. The following materials and products are exempt from the inventory restrictions on receipts of this regulation and of all other CPA orders or regulations unless they specifically state otherwise.

- Aluminum, all forms except sheet.
- Asbestos, unmanufactured, all grades and types
- Asbestos friction materials
- Asbestos Tape .010-.025 thickness
- Asbestos textiles
- Batteries, dry cell
- Bentonite
- China clay (English)
- Cork, raw—corkwood, milling cork, grinding cork
- Cotton: Baled, raw cotton
- Domestic andalusite
- Domestic dumortierite
- Fibrous glass products
- Furfural
- Ilmenite
- Isle fiber and products
- Jute fiber and jute products except burlap
- Kyanite (Indian)

INTERPRETATION 1

INVENTORIES IN SEASONAL INDUSTRIES

Paragraph (c) (1) of Priorities Regulation 32 prohibits any person from accepting a delivery which will give him "more than a practicable minimum working inventory reasonably necessary to meet his own deliveries on the basis of his current or scheduled method and rate of operation." This does not prevent a person engaged in a seasonal industry who normally stocks up inventory in advance of the season from accepting delivery of his requirements of the inventory in question, provided (a) that he is not guilty of hoarding, and (b) that the deliveries accepted are no greater and no further in advance than those which he would normally accept in the ordinary course of his business to meet reasonably anticipated requirements. (Issued Aug. 28, 1945.)

INTERPRETATION 2

MINIMUM SALE QUANTITIES AND PRODUCTION RUNS

(a) *Applicable provisions of the regulations.* Priorities Regulation 32 forbids the making or acceptance of a delivery which will give the customer more than the "practicable minimum working inventory reasonably necessary" for him to make his own deliveries. A similar provision in paragraph (c) (2) of Priorities Regulation No. 3 says that a customer who is applying a rating for which no specific quantities have been authorized may use it only to get the "minimum amount needed."

(b) *Factors to be considered in determining how much can be ordered and delivered.* In determining a customer's minimum inventory "reasonably necessary" under Priorities Regulation 32 or his "minimum amount needed" under Priorities Regulation No. 3, it is proper in some cases to consider not only the immediate needs of the customer's plant but also whether the amount which he orders will be a minimum production run for his supplier. The customer may order and receive (and the supplier may deliver) the customer's requirements for a longer period in advance than he actually needs at the time of delivery if, but only if, it is not practicable for him to get the item from any supplier in the smaller quantities which he presently needs. The supplier may reject his customer's order if it is less than the minimum which he regularly sells or less than his minimum production run of a product which is mass produced under the conditions explained in Interpretation 3 of Priorities Regulation 1.

(c) *Relief in exceptional cases.* If the conditions stated in paragraph (b) above cannot be satisfied but the customer wants to order or accept delivery of more than his actual needs at the time of delivery, he should apply to the Civilian Production Administration for permission, stating the facts and why it is not practicable to satisfy the condition of paragraph (b).

(d) *Special provisions for certain materials.* Where a specific minimum sale quantity is shown in Column 3 of Table 1 of Priorities Regulation 32 with respect to any material or product, that quantity controls instead of the rule in this interpretation.

(e) *Specific limits on ratings may not be exceeded.* This interpretation does not apply to the use of a rating where a specific quantity is stated in the instrument assigning the rating. If a person is assigned a rating for a specific amount of material, he may not use it to get more. If he finds that he can only get the material in larger quantities, he should apply for a modification of the rating.

(f) *No effect on contractual rights.* The times and amounts in which deliveries are to be made are to be determined by agreement between the supplier and the customer. Nothing in this interpretation relieves a sup-

plier from fulfilling a contract to make deliveries at specified times in specified amounts. For example, if a customer has agreed to buy and a supplier has agreed to furnish 100 units a month for six months, this interpretation does not obligate the buyer to accept 600 units delivered during the first month, although it permits him to do so under the conditions described in paragraph (b). (Issued Oct. 1, 1945.)

INTERPRETATION 3

MAKING OR DELIVERING MATERIAL EARLIER THAN REQUIRED BY CUSTOMERS

(a) Paragraph (b) of Priorities Regulation 32 prohibits a person from knowingly making a delivery which will give his customer more than the latter is permitted to receive under the regulation. Paragraph (f) of that regulation prohibits a person from processing or fabricating material if his inventory of the material in its processed or fabricated form will be more than a practicable minimum working inventory. These two restrictions should be borne in mind by any supplier who wants to make or deliver any material to his customer earlier or in greater quantities than required by the customer.

(b) For example: A supplier has accepted his customer's order of a product to be delivered at the rate of 100 a month for six months. The supplier would like to ship 200 a month for three months, or perhaps the entire 600 in the first month. Since the customer's requirements of 100 a month are presumably all he could accept within the inventory limitations of paragraph (c) of the regulation, the requirement that the supplier may not knowingly ship more than this would prevent him from delivering earlier than required by his customer, unless he received notice from his customer that the receipt of the larger amount would not cause him to have an excess inventory.

(c) Thus, before delivering a material or product substantially earlier or in greater quantities than is called for by his customer's order a supplier is requested to satisfy himself that the receipt by the customer of the changed quantities will be within the permissible inventory limitations applicable to the customer. The supplier may rely on any statement or notice to this effect from his customer, unless he knows or has reason to know that it is false.

(d) Similarly, assuming his customer would not be permitted to receive the larger quantities, the supplier should take this into account in his plans for processing the material or product so that he himself will not have an inventory greater than permitted by paragraph (f) of the regulation.

(e) This interpretation, of course, does not change the rule on delivery or acceptance of minimum sale quantities or production runs to the extent described in Interpretation 2 to this regulation, nor does it prevent earlier delivery of iron products, steel, copper and copper base alloys under the conditions described in paragraph (c) (3) of Priorities Regulation 32. Also, if any CPA order or regulation permits increased deliveries to the extent necessary to avoid shipping partly filled containers (such as paragraph (y) (4) of Order M-300), the rule in this interpretation does not prevent such deliveries. (Issued Oct. 1, 1945.)

INTERPRETATION 4

INVENTORY MATERIAL

(a) Paragraph (c) of Priorities Regulation 32 prohibits a person from accepting delivery of material if his inventory of it is, or will be, greater than the maximum prescribed. For the purpose of this regulation, material is considered to be inventory until it is actually put into process or is actually installed or assembled. Putting into process does not

include minor initial operations, such as painting, and does not include any shearing, cutting, trimming or other operation unless such initial operations are part of a continuous fabricating or assembling operation. Nor does it include operations such as inspection, testing and ageing nor segregation or earmarking for a specific job or operation.

(b) For example, if a manufacturer who uses wire or rod cuts a sufficient quantity of it to length at one time to maintain his operations for a considerable period of time, the cut pieces remain as inventory until processed into another form or until assembled or installed.

(c) If a manufacturer purchases and stores steel castings in the form purchased, the steel castings are not put into process when the castings are painted and stored. Consequently, the inventory of castings includes those painted and stored.

(d) If a manufacturer shears steel sheet and stocks in sheared form, such stock is still part of his inventory, if the material does not continue in production. (Issued Aug. 28, 1945)

INTERPRETATION 5

EFFECT OF REDUCTION IN CONSUMPTION RATE ON PERMITTED INVENTORIES

(a) Paragraph (c) of Priorities Regulation 32 prohibits the acceptance of delivery of material if a person's inventory of it is, or will be, more than the amount permitted by the regulation. If material is acquired within these restrictions, the regulation does not prohibit the mere possession of an inventory if a change in circumstances makes it greater than the amount permitted. For instance, if based upon current rate of production a manufacturer's permitted inventory of one item of steel is 100 tons and he has in inventory 60 tons, he may receive a further delivery of 40 tons. If after receiving the delivery of 40 tons his rate of consumption, because of contract cancellation or the like, is reduced drastically, the mere fact that he has an inventory of 100 tons, although his permitted inventory may be only 10 tons, is not a violation of the regulation. He may not, of course, accept any further deliveries of that item of steel until his inventory has been reduced below 10 tons (except as provided in paragraph (h) of Priorities Regulation 32 and Direction 3 to that regulation, relating to material already shipped, special items, etc.)

(b) Similarly, the regulation does not affect the liability of a customer for material in inventory when the customer cancels his contract. Such liability is controlled by the provisions of the contract between the customer and his supplier and by contract law. (Issued Aug. 28, 1945)

[F. R. Doc. 46-12312; Filed, July 18, 1946; 11:31 a. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 19, Revocation]

BITUMINOUS COAL IN CARS ON TRACK

Section 903.31 *Directive 19* is revoked. This revocation does not affect any liabilities incurred for violation of any rules, orders, regulations or other actions taken or issued pursuant to the directive.

Issued this 18th day of July 1946.

L. F. FOSTER,
Director,

Bureau of Reconversion Priorities.

[F. R. Doc. 46-12302; Filed, July 13, 1946; 11:33 a. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 20, Revocation]

ANTHRACITE COAL IN CARS ON TRACK

Section 903.32 *Directive 20* is revoked. This revocation does not affect any liabilities incurred for violation of any rules, orders, regulations or other actions taken or issued pursuant to the directive.

Issued this 18th day of July 1946.

L. F. FOSTER,
Director,

Bureau of Reconversion Priorities.

[F. R. Doc. 46-12303; Filed, July 18, 1946;
11:33 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule C, as Amended July 18, 1946]

SPECIAL PROGRAM FOR COTTON FABRICS FOR CIVILIAN APPAREL ITEMS

§ 3290.120c *Schedule C to Order M-328B*—(a) *Explanation*. This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of civilian apparel made of cotton fabric to get preference ratings for fabric to make the items listed in this schedule. It also establishes set-asides for certain cotton fabrics for these items and for over-the-counter sale as piece goods. Order M-317A contains other provisions for set-asides and for accepting rated orders for cotton fabrics.

(b) *Definitions*. (1) "Fabric", unless otherwise designated, means a woven fabric twelve inches or more in width.

(2) "Cotton fabric" means any fabric containing less than 25% wool by weight, but of which the remaining fibers are 50% or more cotton by weight.

(3) "Cotton item" means an item of which more than 50% of the fabric yardage incorporated in it, exclusive of linings, bindings and trimmings, is cotton fabric.

(c) *Effect of fabric changes*. (1) When a fabric is removed from the fabric column for any item, each manufacturer must immediately cancel or unrate any unfilled orders for that fabric which he placed with ratings assigned under this schedule for that item.

(2) Whenever a fabric construction is added to a Preference Rating Schedule for any item an applicant who is authorized to use an M-328B CC rating to purchase fabric for that item may use the rating to get the new fabric as long as the total yardage of all fabric obtained for that item does not exceed the quantity authorized.

(3) [Deleted Apr. 3, 1946.]

(d) *General provisions*. (1) Preference ratings assigned under this schedule may be used only to get the particular cotton fabrics shown in the fabric column of the preference rating schedule to make the cotton items specified.

(2) Fabrics obtained with CC ratings assigned for any calendar quarter must be used to make an item, the specifications of which, including standards of workmanship and quality, are such, that under Maximum Price Regulations of the

Office of Price Administration in effect on June 30, 1946, the item had a maximum price no higher than the "current price" specified in the latest preference rating schedule on which that item appears. However, this rule does not prohibit the fabric from being used to make an item with the same specifications, including standards of quality and workmanship, as those of an item which was being manufactured on June 30, 1946, for sale at a price (list) no higher than the "base period price" specified in the latest preference rating schedule on which that item appears and at or below OPA ceiling prices in effect on June 30, 1946, provided that the item is produced with the same basic specifications required under paragraph (f) (3) of Order M-328B.

(3) Manufacturers who did not manufacture an item in the base period must produce the item in the size assortments listed opposite each item in the size assortment column. Where 'normal industry practice' appears, the manufacturer should state his proposed sizes in the remarks section of Form CPA-3732. If his application is granted, he must comply with these size assortments.

(4) Where the description of the item in the third quarter schedule has been revised to eliminate certain styles or types, a manufacturer may use his advance CC ratings only for 70 percent of the yardage used in his actual production (the number of garments cut) in the second quarter of 1946 of the specific type or style of the item included in the Preference Rating Schedule for the third quarter.

(5) [Deleted May 16, 1946.]

(e) *Set-asides of cotton fabrics to fill rated or certified orders*. (1) Every producer of a cotton fabric listed in a Fabric Set-Aside Table whether he sells it in the grey or finished state or uses it to manufacture civilian items shall set aside during the quarter stated for the purpose shown in Columns IV and V yardages of that fabric equal to at least the percentage shown of the yardage he produced during the preceding quarter. Any producer who does not deliver the full yardages required during the applicable quarter must deliver in the next quarter a yardage of cotton fabric equal to the undelivered yardage, in addition to the yardage which he is required to deliver in that next quarter.

(2) *Set-asides for civilian apparel*. Only orders accompanied by the proper form as provided in paragraph (h) (3) of order M-328B for delivery on M-328B CC rated orders may be charged to the set-aside for this purpose in the Fabric Set-Aside Tables. No producer need deliver or use to fill these orders more of any fabric than his set-aside for that fabric.

(3) *Set-asides for piece goods for over-the-counter sale*. Only orders ac-

companied by the proper form as listed in paragraph (h) (2) of Order M-328B for over-the-counter piece goods, or by the following certificate, may be charged to the set-aside for this purpose in the Fabric Set-Aside Tables:

The undersigned certifies, subject to the criminal penalties of section 35 (A) of the United States Criminal Code, that in the _____ quarter of 1946 (insert applicable quarter) he will deliver at retail as over-the-counter piece goods cotton fabric in a total yardage at least equal to the yardage he orders for delivery in that quarter on orders bearing this certificate.

In addition the certificate must contain one of the following sentences:

He will not place orders bearing this certificate calling for delivery in this quarter of 1946 of a total of more than 300 yards of cotton fabric.

or

He will not place orders bearing this certificate calling for delivery in this quarter of 1946 of a total of more cotton fabric than 50% of the yardage he purchased for over-the-counter piece goods sale in the first quarter of 1943 (or 1944)

or

He will not place orders bearing this certificate calling for delivery in this quarter of a total of more cotton fabric than the greatest yardage he purchased for over-the-counter piece goods sales in any quarter of 1945 or 1946.

or (for a veteran)

He will not place orders bearing this certificate calling for delivery in this quarter of a total of more cotton fabric than the yardage he purchased for over-the-counter piece goods sale in his last full quarter before he entered the military service.

(4) When a producer has accepted orders accompanied by applicable CPA forms, to the extent of a set-aside for any fabric, he may not require any customer to furnish any of these forms as a condition of filling additional orders for that fabric.

(5) Any person giving a certificate under this schedule, including the certificate set forth in paragraph (e) (3) above and the certificates on applicable CPA forms, must use or dispose of fabric he gets with that certificate in accordance with its terms.

(6) *Shorts, seconds, remnants and mill ends*. Shorts, seconds, remnants and mill ends must be included in total production for the purpose of determining set-asides. Deliveries of shorts, seconds, remnants and mill ends may be credited as deliveries against the set-aside obligations of both producers and finished goods suppliers.

(f) *Delivery by finished goods suppliers*. Finished goods suppliers must comply with the rules stated in paragraph (h) of Order M-328B in accepting and filling orders for fabrics covered by this schedule.

(g) *Restrictions on sale of student nurses' uniforms*. Student nurses' uniforms manufactured under Preference Rating Schedules Nos. 3, 4 or 5 (items 42 through 47) may be sold only to hospitals or nurses' training schools; or to

persons who furnish substantially the following certification on their purchase orders:

The purchaser represents to the seller and to the Civilian Production Administration that the student nurses' uniforms covered

by this order will be sold only to hospitals or nurses' training schools or for ultimate delivery to such institutions.

The standard certification provided for in Priorities Regulation 7 must not be used instead of the above.

Issued this 18th day of July 1946.

CIVILIAN PRODUCTION ADMINISTRATION, By J. JOSEPH WHELAN, Recording Secretary.

NOTE: Cotton Fabric Set-aside Table No. I for the first quarter deleted May 16, 1946.

NOTE: Cotton Fabric Set-Aside Table No. II for the second quarter of 1946 deleted July 11, 1946.

COTTON FABRIC SET-ASIDE TABLE NO. III FOR THIRD QUARTER 1946

| I Reference No. | II Form CPA-658, Item No. (6-14-46) | III Construction of fabric | IV Percentage of production required | |
|--------------------|--|--|--|--|
| | | | For delivery on M-328B C C rated orders* | For delivery for retail sale as over-the-counter piece goods |
| | | | | |
| 1 | C3-6 | Broadcloths combed | **60 | 0 |
| 2 | C7 | Dimities | 25 | 25 |
| 3 | C11-18 | Lawns and organdies | 30 | 11 |
| 4 | C23 | Oxfords, combed and fine carded | **60 | 0 |
| 5 | C24 | Piques, combed and fine carded | 30 | 30 |
| 6 | C26, 27 | Poplins, combed | 50 | 0 |
| 7 | C32 | Shirtings, combed (jacquard, grey dobby and colored yarn) | 60 | 0 |
| 8 | C42 | Voiles | 0 | 30 |
| 9 | C43, 45, B157 | Cotton and spun rayon mixtures containing less than 25% by weight of spun rayon and lighter than 3.00 yards per pound. | 60 | 12 |
| 10 | C47 | Dotted Swiss, carded undyed yarns | 30 | 25 |
| 11 | B14-17, 19 | Class A sheetings, under 42" | 6 | 0 |
| 12 | B30-33 | Class C sheetings, 36" width | 11 | 10 |
| 13 | B40, 42 | Class C sheetings | 11 | 10 |
| 14 | B49 | Poplins, carded, sheeting yarns | 25 | 0 |
| 15 | B50 | Three-leaf herringbone twills, except jeans | 2 | 0 |
| 16 | B51-54 | Drills, under 42" | 2 | 0 |
| 17 | B56 | Jeans | 5 | 0 |
| 18 | B59-62 | Four-leaf twills under 42" | 4 | 0 |
| 19 | B71 | Print cloth—39" 80 x 80—4.00 yard and pro rata | 33 | 14 |
| 20 | B72 | Print cloth—39" 68 x 64—4.85 yard and pro rata | 33 | 11 |
| 21 | B73 | Print cloth—39" 68 x 72—4.75 yard and pro rata | 22 | 10 |
| 22 | B74 | Print cloth—38 1/2" 64 x 56—5.50 yard and pro rata | 33 | 14 |
| 23 | B75 | Print cloth—38 1/2" 64 x 60—5.35 yard and pro rata | 22 | 10 |
| 24 | B76 | Print cloth—38 1/2" 60 x 48—6.25 yard and pro rata | 33 | 14 |
| 25 | B78 | Print cloth, all other, 36" and wider, 80 sley and higher, except 40" 80 x 84—3.65 yard and 40" 80 x 92—3.50 yd. | 33 | 11 |
| 26 | B79 | Print cloth, all other, 36" and wider under 80 sley | 33 | 11 |
| 27 | B88-91 | Broadcloths, carded, any sley, except colored yarn fabrics | **65 | 0 |
| 28 | B92 | Poplins, carded, print cloth warp yarns | **65 | 0 |
| 29 | B102 | Sport denims | 80 | 0 |
| 30 | B110 | Ginghams, carded | 0 | 60 |
| 31 | B111, 112, C50 | Seersuckers, carded | 10 | 0 |
| 32 | B113-117 | Colored yarn suitings, (all cotton and mixtures containing less than 25% wool) | 15 | 0 |
| 33 | B122 | Carded chambrays and shirtings | 60 | 15 |
| 34 | B128 | Outing flannels | 35 | 10 |
| 35 | B131 | Canton flannel (glove and mitten) | 85 | 0 |
| 36 | B161 | Oxfords, carded | **75 | 0 |

*CC ratings are assigned under Schedule F for work gloves for some of the fabrics listed in the above table and orders bearing such ratings may be charged to the set-aside in Column IV.

**At least 80% of fabrics set aside under Reference numbers 1, 27 and 28, and 100% of fabrics set aside under Reference Numbers 4 and 36 must be sold or delivered in the grey only to persons who certify in writing that the fabrics will be finished in a manner suitable for incorporation into men's and boys' shirts (not including work or sport shirts) or undershirts and will be sold or delivered by them only to manufacturers who certify they will use these materials to make men's or boys' shirts or undershirts under Schedule C to Order M-328B.

NOTE: Preference Rating Schedule No. 3 deleted May 16, 1946.

NOTE: Preference Rating Schedule No. 4 deleted July 11, 1946.

PREFERENCE RATING SCHEDULE NO. 5—COTTON FABRICS FOR CIVILIAN APPAREL PROGRAM FOR THIRD QUARTER 1946

NOTE: Schedule amended July 18, 1946.

| Item No. | Description of cotton item | Size range | Size assortment per doz. for other than base period manufacturers | Base period price | Current price | Fabric |
|----------|--|--------------------------|---|-------------------|---------------|--|
| 1 (a)* | Street and house dresses: Women's not including jumpers, pinafores, and wrap-around type dresses. | 38 to 44 | Normal industry practice | \$24.00 | \$25.50 | Cotton and spun rayon mixtures containing less than 25% by weight of spun rayon and lighter than 3.00 yds. per pound. Print cloths, sley of 60 and higher. Chambrays, carded. Class "C" sheetings. |
| 1 (b)* | Street and house dresses: Misses' not including jumpers, pinafores, and wrap-around type dresses. | 10 to 20 | Normal industry practice | 24.00 | 25.50 | Cotton and spun rayon mixtures containing less than 25% by weight of spun rayon and lighter than 3.00 yds. per pound. Print cloths, sley of 60 and higher. Chambrays, carded. Class "C" sheetings. |
| 1 (c)* | Street and house dresses: Juniors' not including jumpers, pinafores, and wrap-around type dresses. | 9 to 17 | Normal industry practice | 24.00 | 25.50 | Cotton and spun rayon mixtures containing less than 25% by weight of spun rayon and lighter than 3.00 yds. per pound. Print cloths, sley of 60 and higher. Chambrays, carded. Class "C" sheetings. |
| 1 (d)* | Street and house dresses: Misses', women's, and juniors' not including pinafores | 46 and up and maternity. | Normal industry practice | 27.00 | 33.00 | Cotton and spun rayon mixtures containing less than 25% by weight of spun rayon and lighter than 3.00 yds. per pound. Print cloths, sley of 60 and higher. Chambrays, carded. Class "C" sheetings. |

* See footnote at end of table.

PREFERENCE RATING SCHEDULE NO. 5—COTTON FABRICS FOR CIVILIAN APPAREL PROGRAM FOR THIRD QUARTER 1946—Continued

| Item No. | Description of cotton item | Size range | Size assortment per doz. for other than base period manufacturers | Base period price | Current price | Fabric |
|----------|--|-------------------|---|-------------------|---------------|---|
| 2 (a) | Slips: Women's | 38 to 44 | Normal industry practice | \$8.50 | \$9.50 | Print cloths, sley of 60 and higher. Broadcloths, carded, not more than 100 sley. |
| 2 (b) | Slips: Women's | 46 and up | Normal industry practice | 9.75 | 11.50 | Print cloths, sley of 60 and higher. Broadcloths, carded, not more than 100 sley. |
| 3 | Nightgowns: Women's | 42 and up | Normal industry practice | 18.50 | 20.25 | Lawns, not over 96 sley. Outing flannel |
| 4 (a)* | Shirts (carded cotton): Men's not including work shirts and sport shirts. | 13½ to 17 | Normal industry practice | 16.50 | 18.75 | Print cloth, sley of 60 and higher. Poplins, carded, print cloth warp yarns. Broadcloths, carded. Oxfords, carded. Class "C" sheetings. Print cloths. |
| 4 (b)* | Shirts (carded cotton): Men's not including work shirts and sport shirts. | 17½ and up | Normal industry practice | 21.00 | 25.75 | Note: Print cloths less than 64 sley and Class "C" sheetings may not be used as body fabric. Print cloths less than 80 sley and Class "C" sheetings may be used for lining fabric. CC ratings may be used for linings only by manufacturers who make their own linings. Poplins, carded, print cloth warp yarns. Broadcloths, carded. Oxfords, carded. Class "C" sheetings. Print cloths. |
| 5 (a)* | Shirts (combed cotton): Men's not including work shirts and sport shirts. | 13½ to 17 | Normal industry practice | 24.00 | 28.50 | Note: Print cloths less than 64 sley and Class "C" sheetings may not be used as body fabric. Print cloths less than 80 sley and Class "C" sheetings may be used for lining fabric. CC ratings may be used for linings only by manufacturers who make their own linings. Broadcloths, combed, any sley. Shirtings, combed (jacquard, graydobby and colored yarns). Oxfords, combed and fine carded. Class "C" sheetings. Print cloths. |
| 5 (b)* | Shirts (combed cotton): Men's not including work shirts and sport shirts. | 17½ and up | Normal industry practice | 28.50 | 34.50 | Note: Print cloths and Class "C" sheetings may not be used as body fabric. Print cloths less than 80 sley and Class "C" sheetings may only be used for lining fabric. CC ratings may be used for linings only by manufacturers who make their own linings. Broadcloths, combed, any sley. Shirtings, combed (jacquard, graydobby and colored yarns). Oxfords, combed and fine carded. Class "C" sheetings. Print cloths. |
| 6 (a) | Undershorts (carded cotton): Men's | 28 to 44 | Normal industry practice | 5.50 | 6.00 | Note: Print cloths and Class "C" sheetings may not be used as body fabric. Print cloths less than 80 sley and Class "C" sheetings may only be used for lining fabric. CC ratings may be used for linings only by manufacturers who make their own linings. Poplins, carded, print cloth warp yarns. Broadcloths, carded, any sley. Oxfords, carded. |
| 6 (b) | Undershorts (carded cotton): Men's | 46 and up | Normal industry practice | 8.00 | 9.75 | Print cloths, sley of 60 and higher. Poplins, carded, print cloth warp yarns. Broadcloths, carded, any sley. Oxfords, carded. |
| 7 (a) | Undershorts (combed cotton): Men's | 28 to 44 | Normal industry practice | 8.50 | 9.75 | Print cloths, sley of 60 and higher. Oxfords, combed and fine carded. |
| 7 (b) | Undershorts (combed cotton): Men's | 46 and up | Normal industry practice | 10.50 | 12.50 | Shirtings, combed (jacquard, gray-dobby and colored yarn). Oxfords, combed and fine carded. Shirtings, combed (jacquard, gray-dobby and colored yarn). |
| 8 | Creepers, rompers | 6 mos. to 2 yrs. | 6 mos. 1-1½-2; 3-3-3-3 | 11.00 | 12.00 | Print cloths, sley of 60 to 72. Print cloths, sley of 56 to 65 (Plisse). Chambrays, carded. |
| 9 | Pajamas: Button-on with or without feet or button-on with extra pants. | 1 to 4 | 1-2-3-4 3-3-3-3 | 12.50 | 13.50 | Print cloths, sley of 56 to 65 (plisse). Outing flannel. |
| 10 | Pajamas: 1-piece with or without feet | 2 to 8 | 2-4-6-8 2-2-4-4 | 12.00 | 12.75 | Print cloths, sley of 60 to 65. Print cloths, sley of 60 and higher. Print cloths, sley of 56 to 65 (plisse). Outing flannel. |
| 11 | Pajamas: 2-piece jacket type | 2 to 8 | 2-4-6-8 2-2-4-4 | 14.00 | 15.00 | Outing flannel. Print cloths, sley of 56 to 65 (plisse). Print cloths, sley of 60 and higher. |
| 12 | Pajamas: 2-piece jacket type | 8 to 16 | 8-10-12-14-16 2-2-3-3-2 | 15.75 | 17.25 | Outing flannel. Print cloths, sley of 60 and higher. Print cloths, sley of 56 to 65 (plisse). Print cloths, sley of 56 to 65 (plisse). |
| 13 | Nightgowns: Infants' | 0 to 1 | Normal industry practice | 4.75 | 5.25 | Lawns not over 96 sley. Outing flannel. |
| 16 | Nightgowns | 8 to 16 | 8-10-12-14-16 2-2-3-3-2 | 12.50 | 13.75 | Print cloths, sley of 60 to 65. Lawns, not over 96 sley. Print cloths, sley of 56 to 65 (plisse). Outing flannel. |
| 17 | Kimonos: Infants' | 0 to 1 | Normal industry practice | 4.50 | 5.00 | Print cloths, sley of 60 to 65. Print cloths, sley of 56 to 65 (plisse). Outing flannel. |
| 18 | Gertrudes: Infants' | 0 to 1 | Normal industry practice | 4.75 | 5.25 | Print cloths, sley of 60 to 65. Lawns, not over 96 sley. Outing flannel. |
| 19 | Dresses: Infants' | 0 to 1 | Even | 10.50 | 11.00 | Dimities. Lawns and organdies, not over 96 sley. Print cloths, sley of 60 to 65. |
| 20* | Dresses: Toddlers' and children's, not including jumpers, pinafores, and wrap-around type dresses. | 1 to 3 3 to 6x | 1-2-3 2-4-6 3-4-5-6-6x 1-2-3-3-3 | 15.75 | 16.50 | Print cloths, sley of 60 and higher. Print cloths, sley of 56 to 65 (plisse). Piques, combed and fine carded. Poplins, carded, 100 sley and less. Lawns and organdies, any sley. Chambrays, carded. Dimities. Dotted swiss, carded undyed yarn. |

* See footnote at end of table.

PREFERENCE RATING SCHEDULE NO. 5—COTTON FABRICS FOR CIVILIAN APPAREL PROGRAM FOR THIRD QUARTER 1946—Continued

| Item No. | Description of cotton item | Size range | Size assortment per doz. for other than base period manufacturers | Base period price | Current price | Fabric |
|----------|--|--------------------------------|---|-------------------|---------------|--|
| 21° | Street dresses: Girls', not including jumpers, pinafores, and wrap-around type dresses. | 7 to 14 | Normal industry practice | \$16.50 | \$18.00 | Print cloths, sley of 60 and higher. Print cloths, sley of 56 to 65 (plisse). Chambrays, carded. Cotton & spun rayon mixtures containing less than 25% by weight of spun rayon and lighter than 3.00 yds. per pound. Class "C" sheetings. |
| 22° | Street dresses: Teen-age Girls', not including jumpers, pinafores, and wrap-around type dresses. | 10 to 16 | Normal industry practice | 19.75 | 21.00 | Print cloths, sley of 60 and higher. Print cloths, sley of 56 to 65 (plisse). Chambrays, carded. Cotton & spun rayon mixtures containing less than 25% by weight of spun rayon and lighter than 3.00 yds. per pound. Class "C" sheetings. |
| 24 | Slips: Girls' Gertrude type | 2 to 14 | { 2-4-6-8-10-12-14 1-2-2-3-2-1-1 | 6.75 | 7.50 | { Print cloths, sley of 60 and higher. Lawns, not over 96 sley. |
| 26 | Blouses: Children's | 2 to 6x | Normal industry practice | 12.00 | 12.75 | Print cloths, sley of 60 and higher. Lawns and organdies, not over 96 sley. Dimities. Dotted swiss, carded undyed yarn. Print cloths, sley of 60 and higher. Dimities. |
| 27 | Blouses: Girls' | 7 to 14 | { 7-8-10-12-14 2-2-3-3-2 | 13.50 | 14.50 | { Lawns and organdies, not over 96 sley. Dotted swiss, carded undyed yarn. Print cloths, sley of 56 to 65 (plisse). Sport denims. |
| 29 | Overalls and Coveralls | { 1 to 4 years 2 to 8 years | { 1-2-3-4 3-3-3-3 | 12.00 | 12.75 | { Chambrays, carded. Twill (other than 3-leaf). Drills. |
| 30 | Overalls, Crawler type | 6 months to 2 years | Normal industry practice | 10.50 | 11.25 | Print cloths, sley of 60 and higher. Print cloths, sley of 56 to 65 (plisse). Poplins, carded, print cloth warp yarns. Broadcloths, carded. Chambrays, carded. Poplins, carded, print cloth warp yarns. Print cloths, sley of 56 to 65 (plisse). Chambrays, carded. Sport denim. |
| 31 | Wash suits, boys' toddlers | { 1 to 4 2 to 8 | Normal industry practice | 15.75 | 16.75 | Print cloths, sley of 60 and higher. Lawns, any sley. Piques, combed and fine carded. Dimities. Poplins, carded, sheeting yarns. Twill (other than 3-leaf). Drills. |
| 32 | Boys' shirts and blouses | 2 to 10 | 2-4-6-8-10 2-2-3-3-2 | 9.00 | 10.00 | Print cloths, any sley. Poplins, carded, print cloth warp yarns. Broadcloths, carded. |
| 33 | Shirts, Boys' | 11 to 14½ | Normal industry practice | 12.00 | 13.75 | Poplins, carded, print cloth warp yarns. Broadcloths, carded. Print cloths, any sley. Class "C" sheetings. |
| 34 | Pants: Boys' | 4 to 10 | Normal industry practice | 13.50 | 14.75 | Note: Print cloths less than 64 sley and Class "C" sheetings may not be used as body fabric. Print cloths less than 80 sley and Class "C" sheetings may be used for lining fabric. CC ratings may be used for linings only by manufacturers who make their own linings. Drills. Twill (other than 3-leaf). Gabardines. Colored yarn suitings, (all cotton and mixtures containing less than 25% wool). Poplins, carded, sheeting yarns. |
| 35 | Undershorts: Boys' | 6 to 16 | Normal industry practice | 4.75 | 5.25 | Poplins, carded, print cloth warp yarns. Broadcloths, carded. |
| 37 | Wash suits: Boys'. Must be made in full size range of at least 3 to 10. | 3 to 12 | Normal industry practice | 17.25 | 18.50 | Print cloths, sley of 60 and higher. Poplins, carded, print cloth warp yarns. Broadcloths, carded. Print cloths sley of 60 and higher. Piques, combed and fine carded. Chambrays, carded. Poplins, carded, sheeting yarns. Print cloths, sley of 56 to 65 (plisse). Drills. Twill (other than three-leaf). Sport denim. |
| 38 | Handkerchiefs: Men's | | | 1.25 | 1.50 | Print cloths, sley of 60 and up. Lawns. |
| 39 | Handkerchiefs: Ladies' | | | 1.00 | 1.25 | Print cloths, sley of 60 and up. Lawns. |
| 40 | Graduate Nurses' Uniforms | All sizes | Normal industry practice | | | Poplins, combed. Seersucker, carded. Poplins, carded, print cloth warp yarns. Broadcloths, combed. Broadcloths, carded. |
| 41 | Graduate Nurses' Caps | All sizes | Normal industry practice | | | Print cloths, sley of 60 or higher (plisse). Lawns, and organdies, any sley. Poplins, carded, print cloth warp yarns. Broadcloths, carded. |
| 42 | Student Nurses' Uniforms (colored or white). | All sizes | Normal industry practice | | | Chambrays, carded. Class "A" sheetings. Jeans. Broadcloths, combed. Poplins, combed. Print cloths, 60 sley or higher (plisse only). Seersucker, carded. |
| 43 | Student Nurses' Caps | All sizes | Normal industry practice | | | Lawns and organdies. Poplins, combed. Broadcloths, combed. |
| 44 | Student Nurses' Collars | All sizes | Normal industry practice | | | Print cloths, 65 sley or higher. Jeans. |
| 45 | Student Nurses' Cuffs | All sizes | Normal industry practice | | | Class "C" sheetings. Print cloth, 65 sley or higher. Jeans. |
| 46 | Student Nurses' Aprons | All sizes | Normal industry practice | | | Class "C" sheetings. Class "A" sheetings. Class "C" sheetings. |

* See footnote at end of table.

PREFERENCE RATING SCHEDULE NO. 5—COTTON FABRICS FOR CIVILIAN APPAREL PROGRAM FOR THIRD QUARTER 1946—Continued

| Item No. | Description of cotton item | Size range | Size assortment per doz. for other than base period manufacturers | Base period price | Current price | Fabric |
|----------|---|----------------|---|-------------------|---------------|---|
| 47..... | Student Nurses' Bibs..... | All sizes..... | Normal industry practice..... | ----- | ----- | Class "A" sheetings. Class "C" sheetings. |
| 48..... | Gowns for doctors, dentists, internes, orderlies, druggists, and barbers. | All sizes..... | Normal industry practice..... | ----- | ----- | Poplins, carded sheeting yarns. Drills. Class "A" sheetings. Twills, herringbone. Twills, 4-leaf. |
| 49..... | Suits for doctors, dentists, internes, orderlies, druggists, and barbers | All sizes..... | Normal industry practice..... | ----- | ----- | Poplins, carded, sheeting yarns. Drills. Class "A" sheetings. Twills, herringbone. Twills, 4-leaf. |
| 50..... | Coats for doctors, dentists, internes, orderlies, druggists, and barbers. | All sizes..... | Normal industry practice..... | ----- | ----- | Poplins, carded sheeting yarns. Drills. Class "A" sheetings. Twills, herringbone. Twills, 4-leaf. |
| 51..... | Coats and apron sets for bakers, butchers, fish-handlers, dairy workers, cooks, waiters, slaughterhouse workers, and other commercial food handlers and processors. | All sizes..... | Normal industry practice..... | ----- | ----- | Poplins, carded sheeting yarns. Drills. Twills, herringbone. Class "A" sheetings. Twills, 4-leaf. |
| 52..... | Pants for bakers, butchers, fish handlers, dairy workers, cooks, waiters, slaughterhouse workers, and other commercial food handlers and processors. | All sizes..... | Normal industry practice..... | ----- | ----- | Poplins, carded sheeting yarns. Drills. Twills, herringbone. Class "A" sheetings. Twills, 4-leaf. |
| 58..... | Uniform dresses or gowns for hospital patients and workers, commercial food handlers and processing employees and beauticians. | All sizes..... | Normal industry practice..... | ----- | ----- | Class "A" sheetings. Poplins, carded sheeting yarns. Print cloths, sley of 60 and higher. Chambrays, carded. Class "C" sheetings. Jeans. |

*The description of these items in the third quarter schedule has been revised. Applicants desiring material to make any of these items, in completing Form CPA-3732 (Revised) should note instructions carefully; and if using advance authorizations under paragraph (e) of M-328B, should also particularly note the rule in paragraph (d) (4) of Schedule C.

[F. R. Doc. 46-12308; Filed, July 18, 1946; 11:32 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317C, as Amended July 18, 1946]

COTTON SALE YARN PRODUCTION AND DISTRIBUTION

§ 3290.371 *Supplementary Order M-317C*—(a) *What this order does.* This order states the special rules for production and distribution of cotton sale yarn. The production requirements relate to both the kinds and quantities of cotton sale yarn to be produced, and also controls dyeing and blending operations. The distribution requirements relate to set-asides for specified purposes, the certificates of use which must be filed with purchase orders in order to obtain set-aside cotton sale yarn, and the effect and use of preference ratings. The set-aside percentage figures are shown at the end of this order. Cotton sale yarn was formerly subject to Supplementary Order M-317B, revoked August 20, 1945.

(b) *Definitions.* (1) "Cotton yarn" means yarn containing 50% or more by weight of cotton or cotton waste or any combination of the two, spun on roving, ring, tube twister or converted twister spindles, or produced on the woolen system. The term includes gray, bleached, mercerized, colored, glazed or polished yarn, whether single, ply, twisted or braided, and including thread, sash cord, rope, twine and cordage (for example, tying, sail or seine twine, and cotton tire cords, including cotton tire cord held together loosely or by one or more picks).

(2) "Cotton sale yarn" means cotton yarn offered by the producer for sale to, or produced for the account of, any person not under common ownership or control with the producer.

(3) "Producer" means any person who operates spindles in the production of cotton sale yarn in the forty-eight States or the District of Columbia, for his own account or for the account of another.

Production Directions

(c) *Kinds of cotton sale yarn to be produced.* (1) Each spindle which on December 31, 1945 (or the last prior date when the spindle was in operation) produced cotton sale yarn in any of the following groups, may be operated only to produce cotton sale yarn in that same group, beginning May 1, 1946.

| Group No. | Form CPA 658-E 4/6/46 item numbers | Did produce—may produce only |
|-----------|------------------------------------|---|
| 1 | 1 through 12..... | Carded yarns, single and ply other than machine knitting, all counts. |
| 2 | 13 through 16..... | Carded machine knitting yarns, single and ply, all counts. |
| 3 | 17..... | Carded mop yarns. |
| 4 | 18..... | Speeder spun or roving yarns other than mop yarns. |
| 5 | 19..... | Carded insulating yarns, waste, part waste and tinged. |
| 6 | 20..... | Hose cord (tube twist only). |
| 7 | 21..... | Carded cordage, rope and twine yarns. |
| 8 | 22..... | Carded thread yarns |
| 9 | 23..... | Other carded yarns. |
| 10 | 24 through 32..... | Combed yarns, single and ply, other than machine knitting, all counts. |
| 11 | 33 through 44..... | Combed machine knitting yarns, single and ply, all counts. |
| 12 | 45..... | Combed thread yarns. |
| 13 | 46..... | Other combed yarns. |
| 14 | 54, 55..... | Cords and rope (braided, solid and hollow); and twisted rope. |
| 15 | 56..... | Seine twine, hawser cord and other cabled cord. |
| 16 | 57 through 60..... | Tying and wrapping twines, unpolished, polished; sewing twines; all other twines. |
| 17 | | 0% cotton-50% wool mixed or 5 blended yarns. |

(2) The above provision applies to all kinds of spindles used in the production of cotton sale yarn, and applies regardless of any change of ownership or control of any spindle after December 31, 1945 (or the last prior date when the spindle was in operation). The above provision continues to apply after the minimum quantities of cotton sale yarn have been produced which are required to be delivered by paragraph (d) of this order.

(d) *Minimum ratio of cotton sale yarn deliveries to cotton yarn production.* (1) Each person in the business of producing cotton yarn shall deliver an amount of cotton sale yarn during the 3rd calendar quarter of 1946 which is not less, relative to his total production of cotton yarn for all purposes during that quarter, than the proportion of his deliveries of cotton sale yarn relative to his production of cotton yarn for all purposes during the 4th calendar quarter of 1945. This refers to total quantities in the aggregate of the yarns specified in paragraph (c) above.

(2) A producer who operates spindles acquired by him on or after October 1, 1945, for the production of any cotton yarn must include production and deliveries by the former operator of cotton sale yarn from these spindles between October 1, 1945 and the date of acquisition (except deliveries by the former operator to the new producer), for the purpose of computing the ratios specified in paragraph (d) (1) above.

(e) *Special provisions regarding production directions*—(1) *Production at a loss.* In any case in which compliance with these directions will result in production at a loss, appeal may be filed under paragraph (q) of this order.

(2) *Interchange of spindle production.* A mill which has some spindles which are subject to paragraph (c), and other spindles which are not, may interchange the production of equal numbers of similar spindles between the two groups in order to facilitate plant operations, *Provided*, That the interchange does not have the effect of reducing production of the required kinds and quantities of cotton sale yarn.

(f) *Dyed yarn restrictions*—(1) *Permanent dyes.* During the period June 3 through June 30, 1946, inclusive, and during each calendar quarter after that, no producer shall deliver a greater proportion of dyed cotton sale yarn (not including fugitive dyes or tints) compared to his total deliveries of dyed and natural cotton sale yarn, than the proportion he delivered in 1941.

(2) *Fugitive dyes.* During the period June 3 through June 30, 1946, inclusive, and during each calendar quarter after that, no person shall deliver a greater proportion of cotton sale yarn dyed with a "fugitive dye" or "fugitive tint" which can be completely removed by normal commercial washing and scouring, compared to his total deliveries of dyed and natural cotton sale yarn, than the proportion he delivered in 1941.

(3) *Persons who did not deliver dyed yarn in 1941.* Except as specifically authorized in writing by the Civilian Production Administration, a producer shall not deliver permanent-dyed cotton sale yarn if he did not deliver any in 1941, and a producer or other person shall not deliver fugitive-dyed cotton sale yarn if he did not deliver any in 1941. Application for authorization should be made by letter in triplicate addressed to the Civilian Production Administration, Textile Division, Washington 25, D. C., Ref.: M-317C, and should contain the following information: (i) the kind of dyed cotton sale yarn (permanent or fugitive) for which authorization is requested (separate applications should be filed for fugitive and permanent dyed yarns); (ii) the poundage of such dyed yarn which the applicant wishes to deliver during the balance of the current calendar quarter, and how much during the next calendar quarter; (iii) the poundage of all dyed and natural cotton sale yarn which he expects to deliver during the next calendar quarter; (iv) the poundage of dyed yarn (of the kind requested) which he delivered in the peak year from 1942 through 1945, specifying the peak year; (v) the poundage of dyed yarn (of the kind requested) which he was specifically authorized to deliver by the War Production Board while Supplementary Order M-317B was in effect; (vi) the kinds and quantity of dyeing equipment owned by the applicant, when it was acquired, and whether it was acquired to fill war contracts (specify only dyeing equipment suitable for the kind of dyed yarn requested).

Authorizations will be issued as fairly and equitably as possible on the basis

of this information, and also considering the national economic stabilization policies and the need for dyed yarns, and may be issued to cover the balance of the quarter in which the application is filed, and each quarter after that. Authorizations issued on appeal from paragraph (f) of this order as in effect before June 3, 1946, remain effective for the purpose of this paragraph.

(g) *Blended yarn spindle limitation.* On and after May 1, 1946, no person shall operate at any one time a greater number of spindles in the production of blended cotton sale yarn than the maximum number of spindles which he operated in such production at any one time during the fourth calendar quarter of 1945. A "blended" yarn is one which is composed partly (at least 50%) of cotton fibers and partly of other fibers, whether blended or mixed, but does not include combinations of 50% cotton and 50% wool.

Set-Asides

(h) *Set-aside for knit outerwear, undewear and hosiery, except civilian polo and "T" shirts.* Each producer shall set aside from his production of each cotton sale yarn during the period May 1 through June 30, 1946, inclusive, and during each calendar quarter after that, an amount not less than the percentage specified in column 4 of the appendix, for delivery only on orders certified for ultimate use in knit outerwear, knit underwear or knit hosiery (except polo or "T" shirts) or on MM rated orders certified for ultimate use in polo or "T" shirts.

(i) *Set-aside for woolen and worsted fabrics.* Each producer shall set aside from his production of each cotton sale yarn during the period May 1 through June 30, 1946, inclusive, and during each calendar quarter after that, an amount not less than the percentage specified in column 5 of the appendix, for delivery only on orders certified for ultimate use in woolen and worsted fabrics.

(j) *Set-aside for agricultural and industrial uses and for making certain products.* Each producer shall set aside from his production of each cotton sale yarn during the period May 1 through June 30, 1946, inclusive, and during each calendar quarter after that, an amount not less than the percentage specified in column 6 of the appendix, for delivery only on orders certified for any of the following purposes:

(1) To make fabrics listed in Order L-99 "May Produce Only" column of Schedule A and B; or

(2) To make the following broad-woven fabrics (12" or more in width): wind resistant fabric; corduroy; furniture upholstery fabric; or upholstery fabric for transportation equipment; or

(3) To make braided products or narrow woven fabrics (less than 12" in width), except decorative ribbons, decorative tapes or decorative braids; or

(4) For "agricultural or industrial purposes", meaning any of the following purposes for which cotton sale yarn may be used, whether directly or as a component in the manufacture of items required for that purpose (but not including yarn used to make woven fabrics):

(1) Maintenance, repair, and operating supplies or capital equipment for any manufacturing, extractive (including mining and commercial fishing), agricultural, public utility or public transportation operation.

(2) Production materials to be used in the manufacture of the following: vehicles (including aircraft); building materials; construction machinery; tires; elastic yarn; elastic fabric; rubber hose and belts; footwear, thread; twine; cordage; rope; furniture; dual (purpose) sleeping equipment; and electrical, industrial, agricultural, food processing or transportation equipment.

(k) *Additional set-aside for paragraph (h), (i) and (j) purposes.* (1) Each producer shall set aside from his production of each cotton sale yarn during the period May 1 through June 30, 1946, inclusive, and during each quarter after that, an amount not less than the percentage specified in column 7 of the appendix, for delivery only on orders certified for any of the following purposes:

Knit outerwear, knit underwear and knit hosiery, other than polo or "T" shirts; or Polo or "T" shirts, if the yarn purchase order is rated MM; or

Woolen or worsted fabrics; or Fabrics listed in Order L-99 "May Produce Only" column of Schedule A or B; or Wind resistant broad-woven fabric; or Corduroy broad-woven fabric; or Furniture upholstery broad-woven fabric; or Upholstery for transportation equipment broad-woven fabric; or Braided products or narrow woven fabrics (less than 12" in width), except ribbons, decorative tapes, or decorative braids; or "Agricultural or industrial purposes" as defined in paragraph (j) (4) above.

(2) This set-aside is in addition to the specific set-asides for the same purposes in paragraph (h), (i) and (j) above, and may be distributed among purchase orders certified for those purposes in any proportion, *Provided*, That when rated these orders are accepted and filled in accordance with Priorities Regulation No. 1.

(1) *Set-aside for export.* Each producer shall set aside from his production of each cotton sale yarn during the period May 1 through June 30, 1946, inclusive, and during each calendar quarter after that an amount not less than the percentage specified in column 8 of the appendix, for delivery only on orders certified for export as yarn (including export to Canada). Yarn set aside under this paragraph shall not be delivered on orders for eventual export by the United States Army, Navy, Maritime Commission, War Shipping Administration, American Red Cross, or any U. S. military exchange or service department as defined in Priorities Regulation 17.

(m) *General provisions for set-asides*—(1) *Explanation of terms.* The term "each cotton sale yarn" in the above set-aside provisions refers to each group of cotton sale yarns having the same Reference Number in column 1 of the appendix. The "periods" referred to in the following subparagraphs (2) and (3) are the initial set-aside period May 1 through June 30, 1946, and each calendar quarterly set-aside period after that.

(2) *Quantities to be set aside and carry-overs from previous periods.* The un-

delivered balance of the total quantity required to be set aside for any purpose during any period shall be added to the percentage of production during the next period which must be set aside for that purpose. The sum of the carry-over plus the required percentage of current production constitutes the total quantity of each set-aside during each period. For the purpose of determining set-aside quantities during any period, production during that period must be estimated as being at least equal to two-thirds of production in the first quarter of 1946, for the purpose of the May 1 through June 30, 1946, set asides, or as being at least equal to the previous quarter's production, in the case of quarterly set-asides after June 30, 1946.

(3) *How deliveries on certified orders should be charged against set-asides.* Deliveries in excess of the quantity required to be set aside for any purpose may not be credited against the set aside for any other purpose, nor against the next period's set-aside for the same purpose. However, deliveries on orders certified for any set-aside purpose in paragraph (h), (i) or (j) may be credited against the set-aside under the applicable one of those paragraphs, or may be credited against the set-aside under paragraph (k), but may not be credited against both. The set-aside for each purpose is a minimum required quantity, and does not prevent additional quantities being delivered from production which has not been set aside for other purposes.

(4) *Production for another's account.* A producer of cotton sale yarn for the account of another person must treat that yarn as part of his (the producer's) own production for the purpose of the above set-aside provisions, and may not deliver the yarn to anyone, including the person for whose account it was produced, except upon receipt of certificates of ultimate use which meet the terms of the required set-asides.

Certificates

(n) *When purchase order certificate required, and restrictions on use or resale of yarn received on certification.* No producer may deliver cotton sale yarn which he is required to set aside under this order for any ultimate use or uses, except on purchase orders with certificates stating that the yarn ordered will be used or resold for the required use or uses. A person who has obtained cotton sale yarns on certification may use them only as certified, and may resell them only on orders similarly certified. However, he may resell at retail without certification from the buyer unless he knows or has reason to believe that the buyer will not use the yarn for the certified purpose.

Delivery shall not be made on any order which the seller knows or has reason to believe is falsely certified, or on any uncertified order which is required to be certified, even though the order is rated MM or CC.

(o) *Content and form of certificate.*
(1) The purchase order certificate must state the ultimate use of the cotton yarn ordered, and must be certified and signed, substantially as follows:

For use or resale for use in knit outerwear, knit underwear or knit hosiery, other than polo or "T" shirts; or

For use or resale for use in polo or "T" shirts (applicable only if the purchase order covered by this certification is rated MM); or

For use or resale for use in making woolen or worsted fabrics, or

For use or resale for use in making the following (specify which ones): Corduroy broad woven fabrics; Wind resistant broad woven fabrics; Furniture upholstery broad woven fabrics; Transportation upholstery broad woven fabrics; CPA Order L-99 "May produce only" fabrics; Braided products or narrow woven fabrics other than decorative ribbons, tapes or braids; or

For use or resale for "industrial or agricultural purposes" under CPA Order M-317C, or

For export as yarn (or state that, "These cotton yarns will be exported, or will replace in inventory similar cotton yarns which have been exported within 90 days"; moreover, except in cases of export of cotton sale yarn of kinds which may be exported on General License, the following information must also be furnished: state the governing export license number and date of validation, or the United States Treasury Procurement Division contract number and date; or if the export is to Canada, so state and add the Canadian Cotton Administrator's Serial Number and date).

The above statements of use must be followed by the standard form of certification of Priorities Regulation 7, which appeared in this order as amended June 3, 1946, or else by the following form of certification:

Certified under CPA Order M-317C and subject to the penalties of section 35 (a) of the U. S. Criminal Code.

(Authorized signature)

(2) *Addition of rating.* If the statement of ultimate use is certified in the special form shown above, the applicable preference rating (if any) and statement of source of rating (required by paragraph (c) of Order M-317) must be certified separately (as provided in Priorities Regulation No. 3). Alternatively, the statement of use, the rating, and the source of rating, may be covered by a single standard certification in the standard form specified in Priorities Regulation No. 7.

Preference Ratings

(p) *Effect of preference ratings—*(1) Rated orders for set-aside yarns. Purchase orders which are duly certified for any set-aside purpose and also bear preference ratings and the statement of source of rating required by Order M-317, must be accepted and filled from the applicable set-aside in accordance with the provisions of Priorities Regulation No. 1 (without limitation under the rating ceiling of column 10 of the appendix, and without being credited against that ceiling). On the other hand, delivery may not be made of any set-aside cotton sale yarn on any order which is not certified as required by paragraphs (n) and (o) above, regardless of ratings.

(2) *Rating ceiling beyond set-asides.* No producer need accept rated orders

which would cause him to deliver during any period more of any group of cotton sale yarns not subject to set-asides, than the percentage specified in the appendix, column 10, of his total production of that group of yarns during that period. For the purpose of this provision, the term "period" refers to the initial set-aside period May 1 through June 30, 1946, and to each calendar quarterly set-aside period after that, and the term "group" refers to cotton sale yarns having the same Reference Number in column 1 of the appendix. Deliveries on rated orders which have been credited against any set-aside may not be credited against the rating ceiling of this paragraph. On the other hand, deliveries on rated orders which are certified for set-aside purposes may be credited against the rating ceiling of this paragraph if the applicable set-asides were exhausted and the deliveries are not credited against any set-aside.

(3) *Kinds of ratings affected.* Paragraphs (p) (1) and (2) above refer to MM and CC rated orders. Orders rated AAA must be accepted and filled regardless of conflict with any provisions of this order.

(4) *Restriction on serving ratings on another producer.* No producer of cotton yarn shall use any preference rating to obtain cotton yarn from another producer, except to the extent authorized by the Civilian Production Administration, upon his showing on Form CPA-2842, that his own production is insufficient or unsuitable.

(5) *Expiration of export ratings.* Preference ratings assigned for the export of cotton sale yarn expire if they are not applied or extended to an order accepted by a producer within six months of the date the rating was assigned.

(6) *Rated orders for future delivery.* No person is required to accept any rated order for cotton sale yarn calling for delivery more than 90 days after the receipt of the order, except from the United States Army, Navy, Maritime Commission, War Shipping Administration, or Veterans' Administration.

Miscellaneous

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

(r) *Reports.* Each producer of cotton yarn shall file a report with the Civilian Production Administration on Form CPA 658-E at the time and in the manner prescribed in that form. This reporting requirement has been approved by the Bureau of the Budget under the Federal Reports Acts of 1942.

(s) *Communications.* All reports, appeals and other communications concerning this order shall be addressed to: Civilian Production Administration, Textile Division, Washington 25, D. C. Ref.: M-317C.

Issued this 18th day of July 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX TO SUPPLEMENTARY ORDER M-817 C—THIRD QUARTER, 1946, DISTRIBUTION OF COTTON SALE YARN

The columns of this table correspond to the paragraphs of Supplementary Order M-817C shown at the end of each column heading

NOTE: Appendix amended July 18, 1946; changes in figures are marked with asterisk.

| Ref. No. | Form CPA 658-E 6/14/46 Item No. | Cotton sale yarn | Minimum percentages for set-asides | | | | | Total percent set-aside | Celling on rated orders outside of set-asides (% of total production) |
|----------|---------------------------------|--|--|---------------------------------------|---|--|--------------------------------------|-------------------------|---|
| | | | Knit outer wear, underwear and hosiery, except civilian polo and "T" shirts (par. (h)) | Woolen and worsted fabrics (par. (l)) | Agricultural and industrial purposes and to make products in par. (j) (1), (2) and (3) (par. (j)) | Additional set-aside for purposes in cols. 4, 5, 6 headings (par. (k)) | Export (including Canada) (par. (L)) | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 1 | 1 | Carded single weaving yarns up to 14's..... | 0 | 0 | 57 | 10 | 3 | 70 | 5 |
| 2 | 2, 3, 4 | 15's to 30's and finer..... | 0 | *10 | 50 | *12 | 3 | 75 | 5 |
| 3 | 5 | 2-ply weaving yarns and other ply up to 14/2. | 0 | *7 | 50 | *15 | 3 | 75 | 5 |
| 4 | 6, 7, 8, 9, 10 | 15/2 to 30/2 and finer, and other ply. | 0 | *12 | 45 | *15 | 3 | 75 | 5 |
| 5 | 11, 12 | Carded carpet yarns and white stock. | 0 | 0 | 25 | 5 | 3 | 33 | 0 |
| 6 | 13, 14 | Carded machine knitting yarns, single, up to 20's. | *50 | 0 | 5 | *15 | 5 | 75 | 5 |
| 7 | 15 | 21's and finer..... | *50 | 0 | 5 | *15 | 5 | 75 | 5 |
| 8 | 16 | Ply yarns, all counts.... | *50 | 0 | 5 | *15 | 5 | 75 | 5 |
| 9 | 17 | Carded mop yarns..... | 0 | 0 | 20 | 10 | 0 | 30 | 5 |
| 10 | 18 | Speeder spun or roving other than mop yarns. | 0 | 0 | 20 | 10 | 0 | 30 | 0 |
| 11 | 19 | Carded insulating yarns, waste, part waste and tinged. | 0 | 0 | 70 | 5 | 0 | 75 | 5 |
| 12 | 20 | Hose cord..... | 0 | 0 | 70 | 5 | 5 | 80 | 5 |
| 13 | 21 | Carded cordage, rope and twine yarns. | 0 | 0 | 60 | 5 | 5 | 70 | 5 |
| 14 | 22 | Carded thread yarns for sale. | 0 | 0 | 80 | 5 | 0 | 85 | 0 |
| 15 | 23 | Other carded yarns..... | 0 | 0 | 47 | 15 | 3 | 65 | 5 |
| 16 | 24, 25, 26 | Combed single weaving yarns: 20's and coarser..... | 0 | 0 | 45 | 15 | 3 | 63 | 5 |
| 17 | 27 | 21's to 30's..... | 0 | 0 | 70 | 5 | 3 | 78 | 5 |
| 18 | 28, 29, 30 | 31's to 40's..... | 0 | 0 | 70 | 5 | 3 | 78 | 5 |
| 19 | 31 | 41's and finer..... | 0 | 0 | 70 | 5 | 3 | 78 | 5 |
| 20 | 32 | 2 ply weaving yarns: 20/2 and coarser..... | 0 | 0 | 45 | 13 | 3 | 61 | 5 |
| 21 | 33, 34, 35 | 21/2 to 30/2..... | 0 | 0 | 45 | 13 | 3 | 61 | 5 |
| 22 | 36, 37, 38 | 31/2 to 40/2..... | 0 | 0 | 45 | 13 | 3 | 61 | 5 |
| 23 | 39, 40, 41, 42 | 41/2 and finer..... | 0 | 0 | 36 | 10 | 3 | 51 | 5 |
| 24 | 43, 44 | Other ply weaving yarns. | 0 | 0 | 70 | 0 | 3 | 73 | 5 |
| 25 | 45 | Combed machine knit yarns, single: 50's and coarser..... | *50 | 0 | 5 | *15 | 5 | 75 | 5 |
| 26 | 46 | 51's and finer..... | *45 | 0 | 20 | *8 | 5 | 78 | 5 |
| 27 | 47 | Combed machine knit yarns, ply: 50's and coarser..... | *55 | 0 | 0 | *15 | 5 | 75 | 5 |
| 28 | 48, 49 | 51's and finer..... | *55 | 0 | 0 | *15 | 5 | 75 | 5 |
| 29 | 50 | Combed thread yarns for sale. | 0 | 0 | 80 | 5 | 0 | 85 | 5 |
| 30 | 51 | Other combed cotton yarns for sale. | 0 | 0 | 80 | 0 | 5 | 85 | 5 |
| 31 | 52 | Cords and rope (braided, solid and hollow). | 0 | 0 | 55 | 10 | 5 | 70 | 5 |
| 32 | 53 | Twisted rope..... | 0 | 0 | 55 | 10 | 10 | 75 | 5 |
| 33 | 54 | Cotton twine for sale, cabled cord (including seine twine and hawser cord). | 0 | 0 | 55 | 10 | 10 | 75 | 5 |
| 34 | 55, 56, 59, 60 | Tying and wrapping twines, unpolished, polished; sewing twines for seam butts; all other twines. | 0 | 0 | 55 | 10 | 5 | 70 | 5 |
| 35 | 61 | All other yarns made for sale on cotton system. | 0 | 0 | 55 | 10 | 5 | 70 | 5 |
| 36 | 62 | Cotton-wool mixed or blended yarns except 50% cotton-50% wool. | 20 | 20 | 0 | 30 | 0 | 70 | 5 |
| 37 | 63 | Cotton-rayon mixed or blended yarns. | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 38 | 64 | All other mixed fiber yarns (except 50% cotton-50% wool). | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 39 | 65 | 50% cotton-50% wool mixed or blended yarns. | 70 | 0 | 0 | 5 | 0 | 75 | 5 |

*Altered by amendment of July 18, 1946.

[F. R. Doc. 46-12305; Filed, July 18, 1946; 11:31 a. m.]

PART 3247—BITUMINOUS COAL

[Order M-316, Revocation]

Section 3247.1 Order M-316 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board or Civilian Production Administration under the order.

Issued this 18th day of July 1946.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-12304; Filed, July 18, 1946; 11:34 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule K, as Amended July 18, 1946]

SPECIAL PROGRAM FOR WOOL CIVILIAN ITEMS

§ 3290.120k Schedule K to Order M-328B—(a) Explanation. This schedule states the special rules in addition to those set forth in M-328B for manufacturers of civilian items manufactured from wool fabric to get preference ratings for wool fabric to make the items listed in this schedule. It also establishes set-asides for certain wool fabrics for these items. Ratings will not be assigned under this schedule in the third quarter for cotton components, which may be obtained in accordance with Order M-317A, or for rayon linings, which may be obtained under Direction 28 to Order M-328.

(b) Definitions. For the purpose of this schedule:

(1) "Fabric" unless otherwise designated, means a woven or knitted fabric 12 inches or more in width.

(2) "Wool fabric" means any fabric incorporating 25% or more by weight of new, re-processed or re-used wool fiber except upholstery pile fabrics and floor coverings and blankets and felt. The term includes woolen and worsted fabrics.

(3) "Wool item" means an item of which 50% or more of the fabric yardage incorporated in it, exclusive of linings, bindings and trimmings, is made of woolen or worsted fabrics.

(4) "Tailor-to-the-trade" means a manufacturer who makes items to the individual measurements of the ultimate consumer, and who sells them to a distributor at a wholesale price.

(c) Special provisions for assignment of ratings. The policy set forth in paragraph (d) of Order M-328B will be applied in granting ratings under Schedule K except that current production rates and inventories of wool fabric of individual manufacturers will be taken into account.

(d) General provisions. (1) Preference Ratings assigned under this schedule may be used only to get wool fabrics of the types specified in paragraph (e) (1), to make the wool items specified in the preference rating schedule.

(2) Fabric obtained with CC ratings assigned for any calendar quarter must

be used to make an item, the specification of which, including standards of workmanship and quality, are such, that under Maximum Price Regulations of the Office of Price Administration in effect on June 30, 1946, the item had a maximum price no higher than the "current price" specified in the latest preference rating schedule on which that item appears. However, this rule does not prohibit the fabric from being used to make an item with the same specifications, including standards of quality and workmanship, as those of an item which was being manufactured on June 30, 1946, for sale at a price (list) no higher than the "base period price" specified in the latest preference rating schedule on which that item appears and at or below OPA ceiling prices in effect on June 30, 1946, provided that the item is produced with the same basic specifications required under paragraph (f) (3) of Order M-328B.

(3) Each manufacturer must use all the wool fabric he gets with CC ratings under this schedule to make the particular item for which the ratings were assigned, except as follows:

(i) Fabric obtained with ratings assigned for Items 3 or 4 in Preference Rating Schedule 3 for the third quarter of 1946 may be used to make Item 2 if he made Item 2 in his chosen base period; and

(ii) Fabric obtained with ratings assigned for Items 11 or 12 in Preference Rating Schedule 3 for the third quarter of 1946 may be used to make Item 10 if he made that item in his chosen base period.

(4) A manufacturer who did not manufacture an item in the base period must state his proposed production by size assortment per dozen in the "Remarks" section of Form CPA-3732. If his application is granted, he must comply with these size assortments.

(5) [Deleted July 11, 1946.]

(6) Producers of wool fabric made on woolen or worsted looms shall file Form CPA-1420 in accordance with its instructions. All other producers of woven or knitted wool fabric, including persons who have wool fabric produced for their account from yarn owned by them shall file Form CPA-4471 in accordance with its instructions.

(7) [Deleted Apr. 3, 1946.]

(e) *Set-asides of wool fabrics to fill rated or certified orders.* (1) For the third quarter of 1946 every producer of a wool fabric who was required to set aside wool fabric under Wool Fabric Set-Aside Table No. II for the second quarter of 1946, whether he sells it or uses it to manufacture civilian items, shall set aside, during the third quarter of 1946, for ultimate delivery on M-328B CC rated orders a yardage of men's and boys' wear overcoatings and topcoatings (woven or knitted) and men's and boys' wear suitings and pantings of such

specifications that they conform to fabrics which had an OPA ceiling price on June 30, 1946, of \$3.00 a yard or less, at least equal to 90% of the yardage of each of these fabrics which he was required to set aside in the second quarter of 1946. Any producer who does not deliver the full yardages required during the applicable quarter must deliver in the next quarter a yardage of wool fabric equal to the undelivered yardage, in addition to the yardage which he is required to deliver in that next quarter. In making deliveries in the third quarter of 1946 from the undelivered yardage of the second quarter set-aside, these fabrics also must have such specifications that they conform to fabrics which had an OPA ceiling price on June 30, 1946, of \$3.00 a yard or less. Nothing in this schedule, however, restricts the price at which such fabrics may be sold.

(2) Only orders accompanied by the proper form as provided in paragraph (h) (3) of Order M-328B for delivery on M-328B CC rated orders may be charged to the set-aside for this purpose in paragraph (e) (1). No producer need deliver or use to fill these orders (i) any wool fabric not of the types specified in paragraph (e) (1); or (ii) more of any fabric than his set-aside for that fabric.

(3) When a producer has accepted orders accompanied by the applicable CPA forms to the extent of a set-aside for any fabric he may not require any customer to furnish any of these forms as a condition of filling additional orders for that fabric.

(4) Any person giving a certificate under this schedule, including the certificates on the applicable CPA forms, must use or dispose of fabric he gets with that certificate in accordance with its terms.

(f) *Delivery by wool jobbers.* Wool jobbers must comply with the rules stated in paragraph (h) of Order M-328B in accepting and filling orders for fabrics covered by this schedule except that a wool jobber may not use the certificate on Form CPA-4413 (Revised) to order for delivery in the third quarter of 1946 more wool fabric of any type than the yardage of that type delivered to him in the second quarter of 1946.

(g) [Deleted Apr. 3, 1946.]

(h) *Acceptance of rated orders.* If a supplier of wool fabric receives orders bearing Order M-328B CC ratings (assigned for the third quarter of 1946) he may hold them until July 31, 1946 before determining whether he is required to accept them. However, he must not actually reject any such CC rated orders for any fabric until such time as he has accepted CC rated orders for the yardage of that fabric he is required to set aside.

(i) *Special provisions for tailors-to-the-trade.* The Civilian Production Ad-

ministration will grant priorities assistance to manufacturers who are tailors-to-the-trade to get wool fabrics of the types specified in paragraph (e) (1) to make item No. 1a on a Preference Rating Schedule for the applicable quarter.

(j) *Special provision for persons who made military textile products.* Any person who produced on his own facilities in 1943, 1944 or 1945 textile products for the military services may qualify under paragraph (d) of Order M-328B for priorities assistance under this schedule for sufficient wool fabric to operate at a minimum economic rate whether or not his total proposed production of all textile products exceeds an annual rate based on sales of \$250,000. Such a person may file his application for the third quarter of 1946 by July 31, 1946; and to be eligible for priorities assistance must conform to all the provisions of paragraph (d) of Order M-328B except (d) (3) (i).

Issued this 18th day of July 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

NOTE: Wool Fabric Set-Aside Table No. I for the first quarter of 1946, deleted May 16, 1946.

NOTE: Wool Fabric Set-Aside Table No. II for the second quarter of 1946, deleted July 11, 1946.

NOTE: Preference Rating Schedule I, deleted Apr. 3, 1946.

NOTE: Preference Rating Schedule II, deleted July 11, 1946.

PREFERENCE RATING SCHEDULE No. 3—WOOL FABRICS FOR CIVILIAN ITEMS—PROGRAM FOR THIRD QUARTER, 1946

| Item No. | Size range | Base period price | Current price |
|---|-------------------|-------------------|---------------|
| SUITS | | | |
| 1. Men's..... | All sizes..... | \$22.50 | \$23.75 |
| 1a. Men's (for tailors-to-the-trade only). ¹ | All sizes..... | 28.50 | 30.00 |
| 2. Students'..... | 32-38..... | 15.75 | 17.25 |
| 3. Cadets'..... | 8-16..... | 11.75 | 12.50 |
| 4. Juniors'..... | 3-12..... | 7.50 | 8.25 |
| SEPARATE TROUSERS | | | |
| 5. Men's..... | All sizes..... | 5.50 | 6.00 |
| 6. Students'..... | 25-32..... | 4.25 | 4.75 |
| 7. Cadets'..... | 21-26..... | 3.25 | 3.50 |
| 8. Juniors'..... | 3-12, 6-16..... | 2.50 | 2.75 |
| OVERCOATS OR TOPCOATS | | | |
| 9. Men's..... | All sizes..... | 22.50 | 23.75 |
| 10. Students'..... | 12-24, 32-38..... | 12.75 | 14.00 |
| 11. Boys'..... | 8-20..... | 10.00 | 11.00 |
| 12. Juniors'..... | 4-12..... | 8.50 | 9.25 |

¹ See paragraph (i).

[F. R. Doc. 46-12310; Filed, July 18, 1946; 11:32 a. m.]

PART 3256—ANTHRACITE COAL

[Order M-318, Revocation]

Section 3256.1 Order M-318 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War

Production Board or Civilian Production Administration under the order.

Issued this 18th day of July 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-12306; Filed, July 18, 1946;
11:33 a. m.]

PART 3290—TEXTILE, CLOTHING AND
LEATHER

[Conservation Order M-328B, Schedule J, as
Amended July 18, 1946]

SPECIAL PROGRAM FOR RAYON CIVILIAN ITEMS

§ 3290.120j *Schedule J to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of civilian items manufactured from rayon fabric to get preference ratings for rayon fabric for delivery beginning in the fourth quarter of 1945 to make the items listed in this schedule. It also establishes set-asides for rayon fabrics other than marquisettes for these items and for over-the-counter sale as piece goods. Order M-391 contains other provisions for set-asides and for accepting rated orders for rayon fabrics.

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

(1) "Fabric," unless otherwise designated, means a woven fabric 12 inches or more in width.

(2) "Rayon fabric" means any fabric containing less than 25% wool by weight but of which the remaining fibers are more than 50% of synthetic fiber (staple or continuous filament) by weight. For example, a fabric containing 20% wool, 41% rayon, and 39% cotton is rayon.

(3) "Rayon item" means an item of which more than 50% of the fabric yardage incorporated in it, exclusive of linings, bindings and trimmings, is made of rayon fabric.

(c) *General provisions.* (1) Preference ratings assigned under this schedule may be used only to get rayon fabrics to make the rayon items specified in the preference rating schedule.

(2) Fabrics obtained with CC ratings assigned for any calendar quarter must be used to make an item, the specifications of which, including standards of workmanship and quality, are such, that under Maximum Price Regulations of the Office of Price Administration in effect on June 30, 1946, the item had a maximum price no higher than the "Current Price" specified in the latest Preference Rating Schedule on which that item appears. However, this rule does not prohibit the fabric from being used to make an item with the same specifications, including standards of quality and workmanship, as those of an item which was being manufactured on June 30, 1946, for sale at a price (list) no higher than the "base period price" specified in the latest preference rating schedule on which that item appears and at or below OPA ceiling prices in effect on June 30,

1946, provided that the item is produced with the same basic specifications required under paragraph (f) (3) of Order M-328B.

(3) [Deleted Apr. 3, 1946.]

(4) A manufacturer who did not manufacture an item in the base period must state his proposed production by size assortment per dozen in the "Remarks" section of Form CPA-3732. If his application is granted, he must comply with these size assortments.

(d) *Set-asides of rayon fabrics to fill rated or certified orders.* (1) Every producer of rayon fabric listed in a Fabric Set-Aside Table whether he sells it in the gray or in the finished state or uses it to manufacture civilian items shall set aside during the quarter stated for the purpose shown in Columns III and IV yardages of that fabric equal to at least the percentage shown of the yardage he produced during the preceding quarter. Any producer who does not deliver the full yardages required during the applicable quarter must deliver in the next quarter a yardage of rayon fabric equal to the undelivered yardage, in addition to the yardage which he is required to deliver in that next quarter.

(2) *Set-asides for civilian apparel.* Only orders accompanied by the proper form as provided in paragraph (h) (3) of Order M-328B for delivery on M-328B CC rated orders may be charged to the set-aside for this purpose in the Fabric Set-aside Tables. No producer need deliver or use to fill these orders more rayon fabric than his set-aside for that fabric.

(3) *Set-asides for piece goods for over-the-counter sale.* Only orders accompanied by the proper Form as listed in paragraph (h) (2) of Order M-328B for over-the-counter piece goods, or by the following certificate, may be charged to the set-aside for this purpose in the Fabric Set-aside Tables:

The undersigned certifies, subject to the criminal penalties of section 35 (a) of the United States Criminal Code, that in the _____ quarter of 1946 (insert applicable quarter) he will deliver at retail as over-the-counter piece goods rayon fabric in a total yardage at least equal to the yardage he orders for delivery in that quarter on orders bearing this certificate.

In addition the certificate must contain one of the following sentences:

He will not place orders bearing this certificate calling for delivery in this quarter of a total of more than 300 yards of rayon fabric.

or;

He will not place orders bearing this certificate calling for delivery in this quarter of a total of more rayon fabric than 50% of the yardage he purchased for over-the-counter piece goods sale in the first quarter of 1943 (or 1944).

or;

He will not place orders bearing this certificate calling for delivery in this quarter of a total of more rayon fabric than the greatest yardage he purchased for over-the-counter

piece goods sales in any quarter of 1945 or 1946.

or (for a veteran)

He will not place orders bearing this certificate calling for delivery in this quarter of a total of more rayon fabric than the yardage he purchased for over-the-counter piece goods sale in his last full quarter before he entered the military service.

(4) When a producer has accepted orders accompanied by the applicable CPA forms to the extent of a set-aside for rayon fabric he may not require any customer to furnish any of these forms as a condition of filling additional orders for that fabric.

(5) Any person giving a certificate under this schedule, including the certificate set forth in paragraph (d) (3) above and the certificates on the applicable CPA forms must use or dispose of fabric he gets with that certificate in accordance with its terms.

(6) *Shorts, seconds, remnants and mill ends.* Shorts, seconds, remnants, and mill ends must be included in total production for the purpose of determining set-asides. Deliveries of shorts, seconds, remnants and mill ends may be credited as deliveries against the set-asides obligations of both producers and finished goods suppliers.

(e) *Delivery by finished goods suppliers.* Finished goods suppliers must comply with the rules stated in paragraph (h) of Order M-328B in accepting and filling orders for fabrics covered by this schedule.

Issued this 18th day of July 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

NOTE: Rayon Fabric Set-Aside Table No. 1 for the first quarter of 1946, deleted May 16, 1946.

NOTE: Rayon Fabric Set-Aside Table No. II for the second quarter of 1946, deleted July 11, 1946.

RAYON FABRIC SET-ASIDE TABLE NO. III FOR THIRD QUARTER 1946

| CPA 658C (June 19, 1946) | I | II | III | | IV |
|--------------------------|--------|---|---|--|----|
| | | | Percentage of production required to be set aside | | |
| Reference No. | Fabric | For ultimate delivery on M-328B CC rated orders | For ultimate delivery for retail sale as over-the-counter piece goods | | |
| 56-61 68-71 73-75 | 1 | 100% filament rayon fabrics (except marquisettes and except twills or serges, 88 to 140 sley) | 50 | | 6 |
| 76-79 81-86 92-96 | 2 | All other rayon fabrics (except marquisettes and except twills or serges, 88 to 140 sley) | 35 | | 6 |

NOTE: Preference Rating Schedule No. 1 deleted Apr. 3, 1946.

NOTE: Preference Rating Schedule No. 2 deleted May 16, 1946.

NOTE: Preference Rating Schedule No. 3 deleted July 11, 1946.

PREFERENCE RATING SCHEDULE NO. 4—RAYON FABRICS FOR CIVILIAN ITEMS
PROGRAM FOR THE THIRD QUARTER 1946

| Item No. | Description of rayon item | Size range | Base period and current price |
|----------|---|--------------|-------------------------------|
| 1(a) | Street dresses: women's | 33-44 | \$5.75 |
| 1(b) | Street dresses: misses' | 10-20 | 5.75 |
| 1(c) | Street dresses: juniors' | 9-17 | 5.75 |
| 1(d) | Street dresses: women's, extra sizes | 46 and up. | 6.75 |
| 2 | Street dresses: maternity | All sizes | 6.75 |
| 3 | Street dresses: teen-age girls' | 10-16 | 3.75 |
| 4 | Street dresses: girls' | 7-14 | 3.00 |
| 5(a) | Blouses, shirts and waists: women's, misses' and juniors' | 9-17, 12-40. | <i>Dozen</i> \$22.50 |
| 5(b) | Blouses, shirts and waists: women's, extra sizes | 42 and up. | 25.50 |
| 6 | Blouses: teen-age girls' | 10-16 | 16.50 |
| 7 | Blouses: girls' | 7-14 | 15.75 |
| 8(a)* | Slips: women's, misses' and juniors' | 9-17, 12-44. | 15.75 |
| 8(b)* | Slips: extra sizes | 46 and up. | 18.00 |
| 9* | Slips: teen-age girls' | 10-16 | 12.00 |
| 10* | Slips: girls' | 7-14 | 10.75 |
| 11(a)* | Slips: women's, misses' and juniors' | 9-17, 12-44. | 17.50 |
| 11(b)* | Slips: extra sizes | 46 and up. | 20.00 |

*This item must be a full length slip, sold as an individual item and must not be used as a component part of another garment.

* Base period production for Item 11 (a) must cover items produced for sale above \$15.75 and not above \$17.50 and for Item 11 (b) above \$18.00 and not above \$20.00.

[F. R. Doc. 46-12309; Filed, July 18, 1946; 11:32 a. m.]

Chapter XI—Office of Price Administration

PART 1418—TERRITORIES AND POSSESSIONS

[SR 2¹ to GMPR for Hawaii, Amdt. 6]

MODIFICATION OF MAXIMUM PRICES FOR CERTAIN COMMODITIES

A statement of the considerations involved in the issuance of this amendment to Supplementary Regulation No. 2 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 6 of Supplementary Regulation No. 2 to the General Maximum Price Regulation for the Territory of Hawaii is amended by adding the following new paragraph:

(d) Any seller in the Territory of Hawaii may file with the Office of Price Administration a manufacturer's list which has been approved by the Office of Price Administration on the mainland (and so states on the face thereof) and on which are shown retail prices and wholesale prices (or established discounts off the retail prices for sales at wholesale). Upon approval of these lists by the Territorial Office such seller may use such prices plus actual landing costs as his maximum prices in the Territory of Hawaii. (As used herein "landing costs" means ocean freight, marine and war risk

insurance, cartage from the pier to the seller's place of business and any part of mainland freight, insurance, storage up to three months and cartage in and out of the mainland warehouse when such items are not included in the delivered price.)

This amendment shall become effective June 20, 1946.

Issued this 20th day of June, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12290; Filed, July 18, 1946; 11:07 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 43—REPORTS (RULES GOVERNING THE FILING OF INFORMATION, CONTRACTS, PERIODIC REPORTS, ETC.)

CONTRACTS AND CONCESSIONS

The Commission in meeting on July 11, 1946, effective immediately, amended § 43.51 *Contracts and concessions* as follows:

1. In paragraph (a), delete the words "in duplicate", appearing in line 3; and insert the words "a complete copy" in lieu of the words "complete copies", appearing in line 4.

2. In paragraph (c), insert the word "a" in lieu of the word "duplicate", appearing in line 4 and delete the letter "s" from the word "statements" appearing in line 5.

3. In paragraph (d), delete the words "in duplicate" appearing in line 4.

4. Change the period at the end of paragraph (d) to a semicolon and add a new paragraph (e) reading as follows:

(e) If any document required to be filed under paragraphs (a), (b), (c), or (d) of this section relates to telegraph traffic from or to any place in the United States to or from a foreign country, the filing thereof shall be made in duplicate.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)—Sec. 211 (b), 48 Stat. 1073; 47 U.S.C. 211 (b))

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12287; Filed, July 18, 1946; 10:09 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 369, Amdt. 4]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON CLOSED BOX CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 17th day of July A. D. 1946.

Upon further consideration of Service Order No. 369 (10 F.R. 14030), as amended (10 F.R. 15073; 11 F.R. 639, 2383), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 369 as amended be, and it is hereby, further amended by substituting the following paragraphs (a) and (b) for paragraphs (a) and (b) thereof:

Demurrage charges on closed box cars—(a) *Closed box cars not subject to an average agreement*. When demurrage detention occurs, for which charges are or may be lawfully provided by tariffs, the demurrage charges on a box car, not included in an average agreement, held for orders, bill of lading, payment of freight charges, reconsignment, diversion, reshipment, inspection, forwarding directions, loading or unloading shall be \$2.20 per car per day or a fraction thereof for the first two (2) days; \$5.50 per car per day or a fraction thereof for the third day; \$11 per car per day or a fraction thereof for the fourth day; and \$16.50 per car per day or a fraction thereof for each succeeding day.

(b) *Closed box cars subject to an average agreement*. When demurrage detention occurs, for which charges are or may be lawfully provided by tariffs, the demurrage charges on a closed box car, included in an average agreement, held for orders, bill of lading, payment of freight charges, reconsignment, diversion, reshipment, inspection, forwarding directions, loading or unloading shall be \$2.20 per car per day or a fraction thereof for the first two (2) days; \$5.50 per car per day or a fraction thereof for the third day; \$11 per car per day or a fraction thereof for the fourth day; and \$16.50 per car per day or a fraction thereof for each succeeding day. The \$2.20 per day debit charges may be offset or reduced by accrued credits as provided in applicable demurrage tariffs: *Provided, however*, That the \$5.50 per day, \$11 per day, and \$16.50 per day charges may not be offset or reduced.

It is further ordered, That this amendment shall become effective at 7:00 a. m., July 24, 1946, and the provisions of this Amendment shall apply only to cars on which the free time expires on or after the effective date hereof.

It is further ordered, That a copy of this order and direction shall be served upon each State railroad regulatory body, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-12313; Filed, July 18, 1946; 11:34 a. m.]

¹ 11 F.R. 3528.

Chapter II—Office of Defense
Transportation

[General Permit ODT 1-4A]

PART 520—CONSERVATION OF RAIL EQUIP-
MENT; EXCEPTIONS AND PERMITS

MERCHANDISE TRAFFIC

Pursuant to the provisions of paragraph (g), § 500.2 of General Order ODT No. 1, as amended (7 F.R. 3046, 3213, 3753, 9744), General Permit ODT No. 1-4 shall be superseded, and, it is hereby authorized that:

§ 520.6 *Loading of not less than five tons of merchandise in railway closed cars permitted under stated circumstances.* Notwithstanding the provisions of § 500.2 of General Order ODT No. 1, as amended, any carrier by railroad may accept for shipment or forwarding, load or forward, from the city or town at which such car is originated, any railway closed car containing not less than five tons of merchandise (a) when such car is destined to any point within the grain-loading territory as such territory is defined herein, or (b) when such car is forwarded in the direction of empty car movement to or toward the grain-loading territory as defined herein direct to destination, by-passing all regular transfer stations. For the purposes of this General Permit ODT 1-4A, the term "grain-loading territory" means the territory lying between a line drawn along the western shore of Lake Michigan to the eastern boundary of the State of Illinois, thence south along the eastern boundary of the State of Illinois to Cairo (excluding the switching district of Chicago), thence south along the Mississippi River to New Orleans, Louisiana, and a line drawn along the western and southern boundaries of the State of Montana to Warren, Montana, thence southeast along the route of the Burlington Lines through Cheyenne, Wyoming, Denver, Colorado, Delhart, Ft. Worth and Houston, Texas, and thence south to Galveston, Texas.

This General Permit ODT-14A shall become effective July 20, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; General Order ODT No. 1, as amended, 7 F.R. 3046, 3213, 3753, 9744)

Issued at Washington, D. C., this 17th day of July 1946.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 46-12272; Filed, July 18, 1946;
9:04 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Misc. 1721084]

WYOMING

NOTICE OF FILING OF PLATS OF INDEPENDENT
RESURVEY

JULY 12, 1946.

Notice is given that the plate of independent resurvey of T. 53 N., R. 86 W., and

secs. 2 to 11, and 13 to 36, inclusive, T. 54 N., R. 86 W., 6th Principal Meridian, Wyoming, accepted January 26, 1945, will be officially filed in the district land office at Buffalo, Wyoming, at 10:00 a. m. on the 63rd day from the date on which this notice is signed.

These lands are within the Big Horn Forest Reserve. A portion of the land was withdrawn for forest purposes by proclamation of February 22, 1897, and the remainder by proclamation of December 23, 1904.

Anyone having a valid settlement or other right to any of these lands, initiated prior to the withdrawal thereof by the above-mentioned proclamations, should assert the same within three months from the date on which the plats are officially filed by making application under an appropriate public land law, setting forth all facts relevant to such claim.

All inquiries relating to these lands should be addressed to the Register, District Land Office, Buffalo, Wyoming.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 46-12276; Filed, July 18, 1946;
9:39 a. m.]

[Stock Driveway Withdrawal 48, Idaho No. 3,
Enlarged]

IDAHO

ENLARGEMENT OF STOCK DRIVEWAY
WITHDRAWAL

By virtue of the authority contained in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (U.S.C., title 43, sec. 300), it is ordered as follows:

The following-described public land in Idaho, excepting any mineral deposits therein, is hereby withdrawn from all disposal under the public land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 48, Idaho No. 3:

BOISE MERIDIAN

T. 2 N., R. 10 E.,
Sec. 18, lot 8 and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
The area described contains 70.70 acres.

This order shall be subject to Power Site No. 513, created by Executive Order of November 30, 1915, and the withdrawal for transmission line purposes made April 16, 1923, under Federal Power Commission Project No. 406, so far as such withdrawals affect the above-described land.

C. GIRARD DAVIDSON,

Assistant Secretary of the Interior.

JULY 12, 1946.

[F. R. Doc. 46-12277; Filed, July 18, 1946;
9:39 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 851, et al.]

HAWAIIAN CASE

NOTICE OF REARGUMENT

In the matter of the applications for certificates and amendments of certifi-

cates of public convenience and necessity under section 401 and approval of control under section 408 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, that further argument in the above-entitled proceeding is assigned to be held on September 9, 1946, 10 a. m., eastern standard time, in Room 5044 Commerce Bldg., 14th Street and Constitution Avenue, N. W., Washington, D. C., before the Board.

Dated Washington, D. C., July 17, 1946.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 46-12315; Filed, July 18, 1946;
12:01 p. m.]

[Docket No. 501, et al.]

SOUTHEASTERN STATES CASE

NOTICE OF ORAL ARGUMENT

In the matter of the applications for certificates of public convenience and necessity and amendments thereto known as the Southeastern States Case, Docket No. 501, et al., under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, that oral argument in the above-entitled proceeding is assigned to be held on August 26, 1946, at 10 a. m., eastern standard time, in Room 5044, Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before the Board.

Dated Washington, D. C., July 17, 1946.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 46-12316; Filed, July 18, 1946;
12:01 p. m.]

[Docket No. 525, et al.]

LATIN AMERICAN PROCEEDING

NOTICE OF REARGUMENT

In the matter of the applications for certificates of public convenience and necessity authorizing additional air service in Mexico, Central and South America, and the Caribbean area under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, that further oral argument in the above-entitled proceeding is assigned to be held on September 16, 1946, 10 a. m., eastern standard time, in Room 5044 Commerce Bldg., 14th and Consti-

tution Ave., N. W., Washington, D. C., before the Board.

Dated Washington, D. C., July 17, 1946.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 46-12317; Filed, July 18, 1946;
12:01 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

BERKS BROADCASTING CO. (WEEU)¹

PUBLIC NOTICE CONCERNING PROPOSED
TRANSFER OF CONTROL

The Commission hereby gives notice that on July 3, 1946 there was filed with it an application (B2-TC-501) for its consent under section 310 (b) of the Communications Act (47 USCA 310) to the proposed transfer of control of Berks Broadcasting Company (licensee of standard broadcast station WEEU, Reading, Pa. and grantee of a conditional permit for a metropolitan FM station) from George J. Feinberg, Joseph M. Nassau and Milton J. Hinlein to Hawley Broadcasting Company, 30 N. 4th Street, Reading, Pa. The proposed transfer of control of the above licensee is based upon a contract of May 6, 1946 between the selling stockholders and Hawley Broadcasting Company pursuant to which the former would sell to the latter all the 900 shares of outstanding common voting stock of Berks Broadcasting Company for a consideration of \$300,000, subject, however, to certain adjustments upon closing which will affect the consideration. The closing date is fixed as not more than 25 days after Commission approval. Of the consideration, \$50,000 earnest money was deposited in escrow with the Reading Trust Company; \$50,000 to be paid upon delivery of the stock; 50% of the balance is to be paid on the following January 10th and the remaining balance to be paid on January 10th of the following year, the installment payments to bear 1% interest per annum from closing date to date of payment. The agreement contains provisions to insure payment of the balance of the purchase price. Further details as to the contractual arrangements between the parties and concerning the application may be found with the papers on file in the offices of the Commission.

In the Commission's decision of September 6, 1945, granting the application for transfer of control of the Crosley Corporation (Docket No. 6767) it was announced that public hearings would be held to consider proposed new rules and regulations for the handling of assignment and transfer applications including provision for public notice by the applicant and the Commission of the filing of such applications and pertinent details in cases where a controlling interest is involved. Thereafter, on October 3, 1945, the Commission also gave public notice (10 F.R. 12926) that pending the issuance

¹ Section 1.364, Part I, Rules of Practice and Procedure.

of such proposed new rules, hearing thereon, and final adoption, consideration of such applications would be deferred unless applicants desired to follow the procedure proposed in the Crosley decision, and supplement their applications so as to come within the framework of the announced procedure including the provision for public notice. Subsequently, on December 13, 1945, the Commission adopted, tentatively, a proposed rule of procedure to govern the handling of assignment and transfer applications including the character of notice required of applicants in such cases. Pursuant thereto the Commission was advised on July 3, 1946 that beginning on July 8, 1946 notice of the filing of the application will be inserted in a newspaper of general circulation published at Reading, Pa.

In accordance with the procedure proposed in the Crosley decision and that announced in the Commission's release and the proposed rule, no action will be had on the application for a period of 60 days from July 8, 1946.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

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

[F. R. Doc. 46-12286; Filed, July 18, 1946;
10:09 a. m.]

[Docket Nos. 7121, 7392]

JAMES ROBERT MEACHEM AND EMPIRE
NEWSPAPERS-RADIO, INC.

ORDER ENLARGING ISSUES

In re applications of James Robert Mechem, Elmira, New York, for construction permit; Docket No. 7121, File No. B1-P-4274. Empire Newspapers-Radio, Inc., Endicott, New York, for construction permit; Docket No. 7392, File No. B1-P-4470.

The Commission having under consideration a petition filed June 5, 1946, by Empire Newspapers-Radio, Inc., Endicott, New York (File No. B1-P-4470; Docket No. 7392), requesting leave to enlarge the issues in the matter of the application of James Robert Mechem, for construction permit (File No. B1-P-4274; Docket No. 7121) to include issues as to the availability of 1400 kc for the applicant Mechem as follows:

a. To determine whether the operation of the station proposed by the applicant Mechem on the frequency of 1400 kilocycles would involve objectionable interference with any existing or proposed broadcast facilities, and, if so, the nature and extent thereof, and the areas and populations affected thereby;

b. To determine the areas and populations which may be expected to gain primary service from the station proposed by the applicant Mechem if he were to be assigned the frequency of 1400 kilocycles;

c. To determine whether the public interest, convenience and necessity would be served by the assignment of the frequency of 1400 kilocycles to the applicant Mechem and the frequency of 1450 kilo-

cycles to the applicant Empire Newspapers-Radio, Inc.;

It is ordered, This 14th day of June 1946, that the petition be, and it is hereby, granted; and the issues in the notice of hearing on the above-entitled application of James Robert Mechem be, and they are hereby, enlarged to include the issues as hereinabove set forth.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12288; Filed, July 18, 1946;
10:09 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-739]

NORTH CENTRAL GAS CO.

NOTICE OF APPLICATION

JULY 16, 1946.

Notice is hereby given that on July 2, 1946, North Central Gas Company, a Wyoming corporation, having its principal place of business at Casper, Wyoming, filed with the Federal Power Commission an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of certain facilities, hereinafter described, for the transportation of natural gas in interstate commerce.

The proposed facilities are to be constructed and operated in connection with Applicant's main transmission pipe line system and consist of approximately 5 miles of 3-inch I. D. transmission loop pipe line commencing at the lateral take-off gate of the Oshkosh, Nebraska, distribution system and running thence northwest from said point parallel to Applicant's main transmission pipe line system.

The Applicant submits that the proposed construction will supply additional capacity sufficient to meet the presently existing demand load of its market area and the reasonably expectant increased demand load for a considerable period of time in the future.

The application states that the construction is for the sole purpose of increasing the capacity of Applicant's existing facilities and will not reach into new market areas; that since construction of the present facilities there has been a continued increase in the demand of the area served by such facilities as a result of which these facilities are inadequate.

The cost of the proposed construction is estimated to be approximately \$18,944.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Part 67 of the provisional rules of practice and regulations under the Natural Gas Act, as amended, and if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a confer-

ence, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of the Applicant should file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of this publication, a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-12274; Filed, July 18, 1946;
9:39 a. m.]

[Docket No. G-740]

NORTHERN UTILITIES CO.
NOTICE OF APPLICATION

JULY 16, 1946.

Notice is hereby given that on July 2, 1946, Northern Utilities Company, a Wyoming corporation, having its principal place of business at Casper, Wyoming, filed with the Federal Power Commission an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of certain facilities, hereinafter described, for the transportation of natural gas in interstate commerce.

The proposed facilities to be constructed and operated in connection with Applicant's system consist of (1) approximately 20.21 miles of 10-inch I. D. transmission loop pipe line to loop Applicant's main transmission pipe line running in a westerly direction from the Muskrat Gas Field take-off, (2) approximately 2.4 miles of 4-inch I. D. pipe line starting in the Beaver Creek Field in the SE $\frac{1}{4}$ of Section 23, T. 33 N., R. 96 W., of the 6th P. M., and running in a general northeast direction to a point of junction with the Sand Draw-Riverton line in the NE $\frac{1}{4}$ of Section 36, T. 34 N., R. 96 W., of the 6th P. M., all in Fremont County, Wyoming, and (3) approximately 9 miles of 8-inch pipe line commencing at a point of connection on Applicant's present system in the "Big Sand Draw Gas Field" and running thence in a north-westerly direction to a point of connection with field lines located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T. 33 N., R. 96 W., of the 6th P. M., all in Fremont County, Wyoming.

Applicant submits that the proposed extension to Beaver Creek Field is needed urgently because the combined withdrawals allowable for the period July 1, 1946, to June 30, 1947, from Big Sand Draw Gas Field and the Muskrat Gas Field per day will aggregate 26,100 Mcf, while, as against this, for the same period, the peak day demand on Applicant's system is expected to approximate 40,000 Mcf. With respect to the proposed loop line, Applicant states that the peak day capacity of its system, as operated without the proposed looping facilities, is 29,600 Mcf, while the expected peak day demand for the year 1947 is 40,000 Mcf. With the installa-

tion of this proposed loop line and the extension to Beaver Creek Gas Field the peak day capacity of Applicant's system will approximate 42,100 Mcf, thereby assuring ample capacity to meet present capacity to meet present needs and normal increased demands for a reasonable time in the future.

The cost of the proposed construction is estimated to be approximately \$393,103.68.

Any interested State Commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Part 67 of the provisional rules of practice and regulations under the Natural Gas Act, as amended, and if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of the Applicant should file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of this publication, a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-12275; Filed, July 18, 1946;
9:39 a. m.]

[Docket No. IT-6001]

UNION ELECTRIC POWER CO.
NOTICE OF APPLICATION

JULY 16, 1946.

Notice is hereby given that on July 15, 1946, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Union Electric Power Company (hereinafter called "Union"), a corporation organized under the laws of the State of Illinois and doing business in the States of Illinois and Iowa with its principal business office in the Village of Monsanto, Illinois, seeking an order authorizing the acquisition from Illinois Power Company of certain electric facilities, located almost entirely on property owned by Union, which include a frequency changer building at Hamilton, Illinois, frequency changers, a transformer substation and approximately 20 miles of transmission line extending from the Hamilton substation to a point near Niota, Illinois, together with all appurtenances and accessories to said facilities, or in the alternative an order dismissing said application for lack of jurisdiction over the transaction; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 2d day of August 1946, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with

the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-12273; Filed, July 18, 1946;
9:38 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 549]

UNLOADING OF BURLS AT PORTLAND, OREG.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 17th day of July A. D. 1946.

It appearing, that car DRGW 45436, containing burls at Union Station, Portland, Oregon, on the Southern Pacific Company has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Burls at Portland, Oregon, be unloaded.* The Southern Pacific Company, its agents or employees, shall unload immediately car DRGW 45436, loaded with burls now on hand at Portland, Oregon, consigned to Carlson-Conrad Co.

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon the Southern Pacific Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-12314; Filed, July 18, 1946;
11:34 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register July 9, 1946.

Region I

Boston Order 1, Amendment 7, covering dry groceries in Massachusetts ex-

cept Dukes and Nantucket counties. Filed 4:51 p. m.

Boston Order 2-D, Amendment 4B, covering butter and cheese in certain areas in New England. Filed 4:31 p. m.

Boston Order 2-W, Amendment 7, covering dry groceries in Massachusetts except Dukes and Nantucket counties. Filed 4:30 p. m.

Providence Order 3-F, Amendment 61, covering fresh fruits and vegetables in the Providence, Rhode Island, Metropolitan area. Filed 4:30 p. m.

Providence Order 3-W, Amendment 6, covering dry groceries in Rhode Island except the Town of New Shoreham. Filed 4:29 p. m.

Region II

Philadelphia Order 13-F, Amendment 23, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 4:29 p. m.

Philadelphia Order 14-F, Amendment 22, covering fresh fruits and vegetables in the city and county of Philadelphia. Filed 4:29 p. m.

Philadelphia Order 15-F, Amendment 22, covering fresh fruits and vegetables in the counties of Bucks, Chester, Delaware and Montgomery, Pa. Filed 4:29 p. m.

Philadelphia Order 16-F, Amendment 22, covering fresh fruits and vegetables in the counties of Berks, Lehigh and Northampton, Pa. Filed 4:20 p. m.

Philadelphia Order 40, Amendment 5, covering dry groceries in certain counties in Pennsylvania. Filed 4:19 p. m.

Philadelphia Order 37, Amendment 4, covering dry groceries in certain counties in Pennsylvania. Filed 4:20 p. m.

Philadelphia Order 39, Amendment 5, covering dry groceries in certain counties in Pennsylvania. Filed 4:20 p. m.

Philadelphia Order 41, Amendment 4A, covering dry groceries in certain counties in Pennsylvania. Filed 4:33 p. m.

Philadelphia Order 1-W, Amendment 5, covering dry groceries in certain counties in Pennsylvania. Filed 4:32 and 4:33 p. m.

Syracuse Order 5-F, Amendment 23, covering fresh fruits and vegetables in certain counties in New York. Filed 4:19 p. m.

Syracuse Order 6-F, Amendment 23, covering fresh fruits and vegetables in the cities of Syracuse, Watertown, Utica and their Free Delivery Zones, New York. Filed 4:19 p. m.

Region III

Cleveland Order 8-F, Amendments 5 and 6, covering fresh fruits and vegetables in certain areas in Ohio. Filed 4:18 p. m.

Cleveland Order 6-O and 7-O, Amendment 7, covering eggs in certain counties in Ohio. Filed 4:51 and 4:32 p. m.

Detroit Order 10-F, Amendment 67, covering fresh fruits and vegetables in Wayne and Macomb counties, Michigan. Filed 4:35 p. m.

Detroit Order 10-F, Amendments 68 and 69, covering fresh fruits and vegetables in certain counties in Michigan. Filed 4:31 and 4:18 p. m.

Detroit Orders 20-W and 22-W, Amendment 4, covering dry groceries in

certain counties in Michigan. Filed 4:16 p. m.

Detroit Orders 31 and 33, Amendments 4 and 3, covering dry groceries in certain counties in Michigan. Filed 4:17 p. m.

Louisville Order 6-D, Amendment 2, covering butter and cheese in certain counties in Kentucky. Filed 4:13 p. m.

Louisville Orders 28 and 38, Amendments 12 and 1, covering dry groceries in certain counties in Kentucky. Filed 4:14 and 4:13 p. m.

Region IV

Richmond Order 8-F, Amendment 36, covering fresh fruits and vegetables in certain cities and counties and towns in Virginia. Filed 4:35 p. m.

Richmond Order 13-F, Amendment 38, covering fresh fruits and vegetables in certain cities and counties and towns and Municipalities in Virginia. Filed 4:35 p. m.

Region V

Houston Order 21, Amendment 4, covering dry groceries sold by Groups 1 and 2 stores. Filed 4:35 p. m.

Houston Order 22, Amendments 3 and 4, covering dry groceries sold by Groups 3 and 4 and 3A and 4A stores. Filed 4:35 p. m.

Houston Orders 23 and 24, Amendments 4, 5 and 6, covering dry groceries sold by Groups 1 and 2 and 3 and 4 and 3A and 4A stores. Filed 4:35 and 4:34 p. m.

Houston Orders 6-W and 7-W, Amendment 4, covering dry groceries sold by Groups 1 and 2 stores. Filed 4:34 p. m.

Region VI

Des Moines Order 4-F, Amendment 40, covering fresh fruits and vegetables in certain counties in Iowa and the city of South Sioux City in Nebraska. Filed 4:36 p. m.

Des Moines Order 5-F, Amendment 40, covering fresh fruits and vegetables in certain areas in Iowa. Filed 4:36 p. m.

Des Moines Order 6-F, Amendment 40, covering fresh fruits and vegetables in certain counties in Iowa. Filed 4:35 p. m.

Des Moines Order 7-F, Amendment 40, covering fresh fruits and vegetables in certain counties in Iowa and the cities of East Moline, Rock Island, Silvis and Milan, Illinois. Filed 4:36 p. m.

Peoria Order 16-F, Amendment 22, covering fresh fruits and vegetables in certain counties in Illinois. Filed 4:36 p. m.

Peoria Order 17-F, Amendment 22, covering fresh fruits and vegetables in certain counties in Illinois. Filed 4:34 p. m.

Peoria Order 18-F, Amendment 22, covering fresh fruits and vegetables in certain counties in Illinois. Filed 4:34 p. m.

Peoria Order 19-F, Amendment 22, covering fresh fruits and vegetables in certain counties in Illinois. Filed 4:33 p. m.

Region VIII

San Francisco Order 23-F, Amendment 22, covering fresh fruits and vegetables in certain areas in California. Filed 4:36 p. m.

San Francisco Order 26-F, Amendment 18, covering fresh fruits and vegetables in certain areas in California. Filed 4:36 p. m.

San Francisco Order 27-F, Amendment 18, covering fresh fruits and vegetables in certain areas in California. Filed 4:39 p. m.

San Francisco Order 21, Amendment 8, covering dry groceries in certain counties in California. Filed 4:41 p. m.

San Francisco Order 24, Amendment 8, covering dry groceries in the City of Fresno, California. Filed 4:40 p. m.

San Francisco Orders 44 and 45, Amendments 6 and 5, covering dry groceries in certain areas in California. Filed 4:41 p. m.

San Francisco Order 47, Amendment 7, covering dry groceries in certain cities in California. Filed 4:41 p. m.

San Francisco Order 48, Amendment 7, covering dry groceries in certain counties in California. Filed 4:41 p. m.

San Francisco Order 50, Amendment 2, covering dry groceries in certain counties in California. Filed 4:42 p. m.

San Francisco Order 51, Amendment 2, covering dry groceries in the City of Fresno. Filed 4:42 p. m.

San Francisco Order 14, Amendment 21, covering dry groceries. Filed 4:38 p. m.

San Francisco Order 19, Amendments 6 and 7, covering dry groceries in certain counties in California. Filed 4:38 p. m.

San Francisco Order 21, Amendment 7, covering dry groceries. Filed 9:39 p. m.

San Francisco Order 9-C, Amendment 15, covering poultry in certain areas in California. Filed 4:42 p. m.

San Francisco Orders 11-O and 12-O, Amendment 1, covering eggs in certain counties in California. Filed 4:36 p. m.

San Francisco Orders 13-O and 14-O, Amendment 1, covering eggs in certain counties in California. Filed 4:37 p. m.

San Francisco Order 2-P, Amendment 3, covering fish in Del Norte, Humboldt and Mendocino counties, California. Filed 4:37 p. m.

San Francisco Order 3-P, Amendment 3, covering fish in certain cities, counties and towns in California. Filed 4:37 p. m.

San Francisco Order 4-P, Amendment 3, covering fish in certain cities, counties and towns in California. Filed 4:33 p. m.

San Francisco Order 5-P, Amendment 3, covering fish in Monterey, San Benito, and Santa Cruz counties, California. Filed 4:37 p. m.

San Francisco Order 6-P, Amendment 2, covering fish in certain areas in California. Filed 4:38 p. m.

Phoenix Order 9-F, Amendment 48, covering fresh fruits and vegetables in the Phoenix area. Filed 4:42 p. m.

Phoenix Order 11-F, Amendment 43, covering fresh fruits and vegetables in the Cochise area. Filed 4:42 p. m.

Phoenix Order 10-F, Amendment 44, covering fresh fruits and vegetables in the Tucson area. Filed 4:42 p. m.

Phoenix Order 4-D, Amendments 3 and 4, covering butter and cheese sold by Groups 1 and 2 and 3 and 4 stores in the Arizona area. Filed 4:42 and 4:43 p. m.

Phoenix Order 5-D, Amendment 3, covering butter and cheese in Yuma county. Filed 4:43 p. m.

Portland Order 32-F, Amendment 34, covering fresh fruits and vegetables in certain areas in Oregon. Filed 4:43 p. m.

Portland Order 33-F, Amendment 34, covering fresh fruits and vegetables in the Roseburg, Grants Pass, Ashland, Lakeview, Ore., area. Filed 4:40 p. m.

Portland Order 34-F, Amendment 33, covering fresh fruits and vegetables in the Astoria, Coos Bay, Ore., area. Filed 4:40 p. m.

Portland Order 35-F, Amendment 34, covering fresh fruits and vegetables in the Florence, Reedsport, Coquille, Ore., area. Filed 4:40 p. m.

Portland Order 36-F, Amendment 34, covering fresh fruits and vegetables in the cities of Bend and Pendleton, Ore. Filed 4:40 p. m.

Portland Order 37-F, Amendment 34, covering fresh fruits and vegetables in La Grande, Baker, Redmond, Heppner, Ore., area. Filed 4:40 p. m.

Portland Order 38-F, Amendment 34, covering fresh fruits and vegetables in the Haines, Wallowa, Enterprise, Ore., area. Filed 4:40 p. m.

Portland Order 39-F, Amendment 34, covering fresh fruits and vegetables in the Albany, Corvallis, Eugene, Ore., area. Filed 4:39 p. m.

Portland Order 42-F, Amendment 35, covering fresh fruits and vegetables in certain areas in Oregon. Filed 4:39 p. m.

Portland Order 43-F, Amendment 14, covering fresh fruits and vegetables in the Kelso, Salem, The Dalles, Clatskanie, Forest Grove, Ore., area. Filed 4:39 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-12230; Filed, July 17, 1946;
11:00 a. m.]

[Region III Order G-36 Under SO 142]

ADALET MFG. CO. ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 2 of Supplementary Order No. 142 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This order No. G-36 under section 2 of Supplementary Order No. 142 provides for an adjustment of the maximum prices of all metal conduit fittings, covered by Revised Maximum Price Regulation No. 136, manufactured by Adalet Manufacturing Company of Cleveland, Ohio, hereinafter referred to as the manufacturer. The maximum prices of the manufacturer and of resellers are adjusted herein.

(b) *Manufacturer's adjusted maximum prices.* (1) The adjusted maximum prices for sales by the manufacturer of all metal conduit fittings manufactured by it shall be its maximum list prices in effect immediately prior to the effective date of this order increased by 13.46%.

(2) The manufacturer shall maintain, on all sales hereby affected, all discounts, allowances and other price differentials which it had in effect immediately prior to the effective date of this order.

(c) *Resellers' adjusted maximum prices.* (1) Any reseller of products for which an adjustment is granted the manufacturer in (b) above may add to his maximum prices in effect immediately prior to the effective date of this order, to each class of purchaser, the percentage amount of increase in his net invoiced cost resulting from the adjustment granted the manufacturer by this order.

(2) Resellers' maximum prices adjusted under this paragraph are subject to each reseller's discounts, allowances and other price differentials for sales to each class of purchaser.

(d) *Notification.* The manufacturer, at or prior to the first billing reflecting the adjustment herein granted, shall send to each purchaser who resells the products covered by this order a notice of the adjustment authorized by this order. Such notice shall contain substantially the following:

Order No. G-36 under section 2 of Supplementary Order No. 142 provides a certain specified percentage increase in the maximum list prices of all metal conduit fittings manufactured by Adalet Manufacturing Company of Cleveland, Ohio. Resellers may add to their maximum prices in effect immediately prior to the effective date of this order, to each class of purchaser, the percentage amount of increase in their net invoiced cost resulting from the adjustment granted the manufacturer by this order.

(e) *Revocation and amendment.* This order may be modified, amended, or revoked at any time by the Office of Price Administration.

This order shall become effective June 26, 1946.

Issued June 26, 1946.

JOHN F. KESSEL,
Regional Administrator.

[F. R. Doc. 46-12239; Filed, July 17, 1946;
11:03 a. m.]

[Kansas City Order 2 Under Gen. Order 68,
Amdt. 1]

BUILDING MATERIALS IN GREENE COUNTY,
MO.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of General Order 68 it is hereby ordered, That Order No. 2 under General Order 68 be and it hereby is amended by changing section X to read as follows:

SEC. X. *Building materials not covered by this order.* There are building materials sold and delivered in the area covered by this order which are not included in, and for which prices are not established in this order. The maximum prices for such building materials, when sold by any person covered by this order, shall continue to be determined under the applicable maximum price regulation. Sellers who are in doubt as to the regulation applicable to such building materials should consult the Kansas City District Office of the Office of Price Administration.

Issued and effective this 26th day of April 1946.

J. G. CALLAWAY,
District Director.

[F. R. Doc. 46-12233; Filed, July 17, 1946;
11:01 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following order under Revised General Order 71 was filed with the Division of the Federal Register July 5, 1946.

Region XI

Hawaii Order 14, covering fresh fruits and vegetables imported from the Mainland. Filed 11:21 a. m.

Copies of this order may be obtained in the OPA Office in the territory of Hawaii.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-12229; Filed, July 17, 1946;
11:00 a. m.]

[Altoona Order G-1 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN
ALTOONA, PA., DISTRICT

For reasons stated in an accompanying opinion this order is issued.

SECTION 1. *What this order does.* This order establishes the amount of freight from "basing point" to "wholesale receiving point" which may be added to the maximum f. o. b. shipping point price to determine the maximum selling price for certain fresh fruits and vegetables at the several "wholesale receiving points" in the Altoona District.

SEC. 2. *Where this order applies.* For the purposes of this order, the Altoona District is divided into three areas.

(a) *Area No. 1.* Area No. 1 includes the territory covered by the War Price and Rationing Boards of Meyersdale, Blairsville, Indiana, Clymer, Somerset, South Fork, Johnstown and Windber. This territory includes the wholesale receiving points of Saltsburg, Blairsville, Indiana and Johnstown.

(b) *Area No. 2.* Area No. 2 includes the territory covered by the War Price and Rationing Boards of Ebensburg, Brookville, Punxsutawney, Redford, Everett, Hastings, Hollidaysburg and Altoona. This territory includes the wholesale receiving points of Cresson,

Brookville, Punxsutawney, Bedford and Altoona.

(c) Area No. 3. Area No. 3 includes the territory covered by the War Price and Rationing Boards of Du Bois, Tyrone, Houtzdale, Huntingdon, McConnellsburg, Mount Union and Clearfield. This territory includes the wholesale receiving points of Du Bois, Tyrone, Houtzdale and Huntingdon.

SEC. 3. Amount of freight allowance. The freight allowance from the "basing point" to the "wholesale receiving points" in the Altoona District for any commodity listed in Appendix A shall be the cor-

responding amount listed in Appendix A hereto. These amounts include all allowances, if any, for protective and other accessorial services and all taxes on transportation costs. For a carlot or trucklot sold direct to any "wholesale receiving point" in the Altoona District, the freight allowance shall be the actual cost of such shipment which, of course, will be substantially less than the corresponding amount listed in Appendix A.

SEC. 4. Meaning of terms. The terms "basing point" and "wholesale receiving point" are to be understood as defined in Maximum Price Regulation No. 426.

SEC. 5. Effective date. This order shall become effective October 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155; MPR 426, 8 F.R. 16409, 9 F.R. 902)

Issued: October 1, 1945.

PAUL T. WINTER,
District Director.

Approved: October 18, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

APPENDIX A—FREIGHT ALLOWANCE FROM "BASING POINT" TO POINTS IN THE ALTOONA DISTRICT

| Commodity | Standard container and minimum contents | Basing point | Date | Freight allowance | Carlot to Pittsburg plus truck to areas | | |
|---|---|-------------------------------------|-------------------------------------|-------------------|---|--------|--------|
| | | | | | No. 1 | No. 2 | No. 3 |
| Apricots..... | Brentwood lug, 24-26 lbs..... | Sacramento, Calif. or Yakima, Wash. | All season..... | \$0.56 | \$0.68 | \$0.71 | \$0.74 |
| | Northwest lug, 13-15 lbs..... | do..... | do..... | .39 | .46 | .48 | .50 |
| Carrots, bunched..... | L. A. crate, 72 bunches, each bunch 1 lb. | El Centro, Calif..... | Jan. 16-Mar. 31..... | 1.49 | 1.89 | 1.99 | 2.09 |
| | | do..... | Apr. 1-May 31..... | 1.59 | 1.99 | 2.09 | 2.19 |
| | | Salinas, Calif..... | June 1-Nov. 30..... | 1.68 | 2.08 | 2.18 | 2.28 |
| | | do..... | Dec. 1-Jan. 15..... | 1.58 | 1.98 | 2.08 | 2.18 |
| Cucumbers (except hothouse)..... | Bushel, 48 lbs..... | Ponchatoula, La..... | Oct. 1-31..... | .76 | .97 | 1.03 | 1.08 |
| | | Wachula, Fla..... | Nov. 1-May 31..... | .74 | .95 | 1.01 | 1.06 |
| | | Ponchatoula, La..... | June 1-30..... | .76 | .97 | 1.03 | 1.08 |
| | Lug, box 28 lbs..... | do..... | Oct. 1-31..... | .44 | .57 | .60 | .63 |
| | | Wachula, Fla..... | Nov. 1-May 31..... | .42 | .55 | .58 | .61 |
| | | Ponchatoula, La..... | June 1-30..... | .44 | .57 | .60 | .63 |
| Cucumbers (hothouse)..... | 1 lb..... | Davenport Iowa..... | All year..... | .025 | .029 | .03 | .031 |
| Eggplant..... | 1½ bu. crate, 45 lb..... | Ft. Myers, Fla..... | Jan. 1-July 15..... | .76 | .96 | 1.01 | 1.06 |
| | Bushel, 30 lbs..... | do..... | do..... | .52 | .66 | .70 | .73 |
| | 1½ bushel, 70 lbs..... | Los Angeles, Calif..... | Nov. 1-Apr. 30..... | 1.20 | 1.52 | 1.60 | 1.68 |
| Grapefruit, pink, California and Arizona..... | | do..... | May 1-Oct. 31..... | 1.27 | 1.59 | 1.67 | 1.75 |
| Grapefruit, pink, all other States..... | 1½ bushel, 80 lbs..... | Weslaco, Tex..... | All year..... | 1.14 | 1.50 | 1.59 | 1.68 |
| Grapefruit, white, California and Arizona..... | 1½ bushel, 70 lbs..... | Los Angeles, Calif..... | Nov. 1-Apr. 30..... | 1.20 | 1.52 | 1.60 | 1.68 |
| | | do..... | May 1-Oct. 30..... | 1.27 | 1.59 | 1.67 | 1.75 |
| Grapefruit, white, all other States including "Indian River." | 1½ bushel, 80 lbs..... | Homestead, Fla..... | All year..... | .94 | 1.30 | 1.39 | 1.48 |
| Grapes, table..... | Lug, 28 lbs..... | Bakersfield, Calif..... | All season..... | .60 | .73 | .76 | .79 |
| Green peas..... | Bushel, 28 lbs..... | Calipatria, Calif..... | Sept. 1-Mar. 31..... | .73 | .86 | .89 | .92 |
| | | Santa Barbara, Calif..... | Apr. 1-Aug. 31..... | .81 | .94 | .97 | 1.00 |
| Lemons, all States..... | 1½ bushel, 75 lbs..... | Los Angeles, Calif..... | Nov. 1-Apr. 30..... | 1.24 | 1.60 | 1.69 | 1.78 |
| | | do..... | May 1-Oct. 31..... | 1.38 | 1.74 | 1.83 | 1.92 |
| Lettuce, iceberg..... | L. A. or Salinas crate with 48 heads and weighing 60 lbs. | El Centro, Calif..... | Jan. 1-Feb. 28..... | 1.52 | 1.88 | 1.97 | 2.06 |
| | | do..... | Mar. 1-Mar. 31..... | 1.56 | 1.92 | 2.01 | 2.10 |
| | | Salinas, Calif..... | Apr. 1-Apr. 30..... | 1.64 | 2.00 | 2.09 | 2.18 |
| | | do..... | May 1-May 31..... | 1.69 | 2.05 | 2.14 | 2.23 |
| | | do..... | June 1-Oct. 15..... | 1.79 | 2.15 | 2.24 | 2.33 |
| | | do..... | Oct. 16-Dec. 1..... | 1.64 | 2.00 | 2.09 | 2.18 |
| Melons: Cantaloups and honeyball melons. | Jumbo crate, 83 lbs..... | El Centro, Calif..... | Dec. 1-Dec. 31..... | 1.56 | 1.92 | 2.01 | 2.10 |
| | do..... | do..... | Beginning of season to July 25..... | 1.84 | 2.18 | 2.27 | 2.35 |
| | Standard crate, 68 lbs..... | Mendota, Calif..... | July 26 to end of season..... | 1.92 | 2.26 | 2.35 | 2.43 |
| | do..... | El Centro, Calif..... | Beginning of season to July 25..... | 1.60 | 1.90 | 1.98 | 2.05 |
| | do..... | Mendota, Calif..... | July 26 to end of season..... | 1.67 | 1.97 | 2.05 | 2.12 |
| Casaba melons..... | Pony crate, 57 lbs..... | El Centro, Calif..... | All season..... | 1.34 | 1.59 | 1.66 | 1.72 |
| Cranshaw melons..... | Jumbo or standard crate, 42 lbs..... | Mendota, Calif..... | All year..... | 1.10 | 1.29 | 1.34 | 1.38 |
| Honeydew melons..... | Jumbo or standard crate, 40 lbs..... | do..... | do..... | 1.10 | 1.28 | 1.33 | 1.37 |
| | Jumbo or standard honeydew crate, 39 lbs..... | El Centro, Calif..... | Beginning of season to July 25..... | 1.06 | 1.24 | 1.29 | 1.33 |
| | do..... | Mendota, Calif..... | July 26 to end of season..... | 1.10 | 1.28 | 1.33 | 1.37 |
| | Jumbo cantaloup crate, 58 lbs..... | El Centro, Calif..... | Beginning of season to July 25..... | 1.60 | 1.86 | 1.93 | 1.99 |
| | do..... | Mendota, Calif..... | July 26 to end of season..... | 1.67 | 1.93 | 2.00 | 2.05 |
| Persian melons..... | Jumbo Persian crate, 43 lbs..... | do..... | All year..... | 1.10 | 1.29 | 1.34 | 1.39 |
| | Standard Persian crate, 37 lbs..... | do..... | do..... | 1.01 | 1.18 | 1.22 | 1.26 |
| | Pony Persian crate, 35 lbs..... | do..... | do..... | .89 | 1.05 | 1.09 | 1.13 |
| Oranges, California and Arizona..... | 1½ bushel, 70 lbs..... | Los Angeles, Calif..... | Nov. 16-Apr. 30..... | 1.33 | 1.67 | 1.76 | 1.84 |
| | | do..... | May 1-Nov. 15..... | 1.40 | 1.74 | 1.83 | 1.91 |
| Oranges, all other States including "Indian River." | 1½ bushel, 80 lbs..... | Homestead, Fla..... | All year..... | 1.10 | 1.48 | 1.58 | 1.67 |
| Pears..... | Western pear box, 44-48 lbs..... | Sacramento, Calif..... | do..... | .91 | 1.11 | 1.16 | 1.21 |
| | Western pear box, 46-50 lbs..... | Yakima, Wash..... | do..... | .91 | 1.11 | 1.16 | 1.21 |
| Plums..... | 4 basket crate, size 3 x 4, 29-33 lbs..... | Sacramento, Calif..... | All season..... | .69 | .83 | .87 | .90 |
| | 3 x 4 x 4, 29-33 lbs..... | do..... | do..... | .69 | .83 | .87 | .90 |
| | 4 x 4, 28-32 lbs..... | do..... | do..... | .66 | .80 | .84 | .87 |
| | 3 x 4 x 5, 26-30 lbs..... | do..... | do..... | .60 | .73 | .77 | .80 |
| | 4 x 5, 26-30 lbs..... | do..... | do..... | .58 | .71 | .75 | .78 |
| | 5 x 5, 24-28 lbs..... | do..... | do..... | .58 | .71 | .75 | .78 |
| | 5 x 6, 23-27 lbs..... | do..... | do..... | .58 | .71 | .75 | .78 |
| | 6 x 6, 23-27 lbs..... | do..... | do..... | .58 | .71 | .75 | .78 |
| Prunes, fresh..... | ½ bushel, 28-32 lbs..... | Yakima, Wash..... | All year..... | .64 | .77 | .81 | .84 |
| Italian..... | Prune box, 15-17 lbs..... | do..... | do..... | .39 | .47 | .49 | .51 |
| Snap beans (green or wax)..... | Bushel, 28 lbs..... | Pompano, Fla..... | do..... | .58 | .71 | .75 | .78 |
| Spinach..... | Bushel, 18 lbs..... | Crystal City, Tex..... | do..... | .39 | .48 | .50 | .52 |
| Sweet peppers..... | 1½ bushel crate, 37 lbs..... | Pompano, Fla..... | Jan. 1-July 15..... | .69 | .87 | .92 | .96 |
| | Bushel, 25 lbs..... | do..... | do..... | .45 | .57 | .60 | .63 |
| Sweetpotatoes: | | | | | | | |
| Green..... | 50 lbs..... | Sunset, La..... | All year..... | .49 | .71 | .77 | .82 |
| Cured..... | 45 lbs..... | do..... | do..... | .49 | .69 | .74 | .79 |
| Tangerines, all States except California and Arizona..... | 1½ bushel, 80 lbs..... | Homestead, Fla..... | do..... | 1.10 | 1.48 | 1.58 | 1.67 |

[Region II Order G-4 Under RMPR 122, Amdt. 6]

SOLID FUELS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-4 is amended in the following respects:

1. Paragraph (a) is amended by revising the schedule of prices for Pennsylvania Anthracite and Bituminous coal to read as follows:

| Kind and size of fuel | Adjusted maximum price per 19 pound bag | | |
|------------------------------------|---|---------------------------|--------------------------------|
| | Delivered at wholesale dealer's yard | Delivered at retail store | Delivered to ultimate consumer |
| Pennsylvania anthracite (nut)..... | \$0.165 | \$0.155 | \$0.205 |
| Bituminous (nut)..... | .10 | .125 | .145 |

This Amendment No. 6 to Order No. G-4 as to Pennsylvania Anthracite shall become effective as of June 25, 1946, and as to Bituminous it shall become effective as of June 21, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 8328, 8 F.R. 4681)

Issued this 27th day of June 1946.

JAMES L. MEADER,
Regional Administrator.

[F. R. Doc. 46-12231; Filed, July 17, 1946; 11:00 a. m.]

[Region II Rev. Order G-19 Under RMPR 122, Amdt. 9]

SOLID FUELS IN ATLANTIC COUNTY, N. J.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G-19 is amended in the following respects:

1. The "direct-delivery" prices for coke in Schedule I, paragraph (d) (1), are revised to read as follows:

| Kind and size of fuel | Per net ton | Per net ½ ton | Per net ¼ ton |
|-----------------------|-------------|---------------|---------------|
| Byproduct coke..... | \$15.35 | \$7.95 | \$4.10 |

2. The "yard-sales" prices for coke in Schedule I, paragraph (d) (2), are revised to read as follows:

| Kind and size of fuel | Per net ton | Per net ½ ton | Per net ¼ ton |
|-----------------------|-------------|---------------|---------------|
| Byproduct coke..... | \$14.25 | \$7.40 | \$3.85 |

This Amendment No. 9 to Revised Order No. G-19 shall become effective June 28, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: June 28, 1946.

JAMES L. MEADER,
Regional Administrator.

[F. R. Doc. 46-12241; Filed, July 17, 1946; 11:04 a. m.]

[Region II Rev. Order G-27 Under RMPR 122, Amdt. 3]

SOLID FUELS IN DELAWARE

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-27 is amended in the following respects:

1. The "direct-delivery" prices for Coke in Schedule 1, paragraph (d) (1) are revised to read as follows:

| Kind and size of fuel: | Per net ton |
|------------------------------------|-------------|
| Coke byproduct and retort gas..... | \$14.60 |

2. The "yard sales" prices for Coke in Schedule 1, paragraph (d) (2) are revised to read as follows:

| Kind and size of fuel | Per net ton for sales of ½ ton or more | |
|------------------------------------|--|--------------|
| | To dealers for resale | To consumers |
| Coke byproduct and retort gas..... | \$12.50 | \$12.60 |

This amendment No. 3 to Revised Order No. G-27 shall become effective June 28, 1946.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued: June 28, 1946.

JAMES L. MEADER,
Regional Administrator.

[F. R. Doc. 46-12242; Filed, July 17, 1946; 11:04 a. m.]

[Region II Order G-1 Under Rev. Order 2 Under Rev. SR 11]

HOUSEHOLD MOVERS IN NEW YORK

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942, as amended, by Revised Order No. 2 under Revised Supplementary Regulation 11, and by Revised Procedural Regulation No. 1, it is ordered:

(a) *Applicability of this order.* This order applies to all persons subject to Revised Order No. 2 under Revised Supplementary Regulation No. 11 performing the service of transporting or moving

used household goods¹ within the New York Commercial Zones.²

(b) *Maximum rates for movers of household goods within the New York Commercial Zones.* The maximum rates for transporting or moving used household goods within the New York Commercial Zones may not exceed the following:

| | Maximum rates per hour | |
|---|------------------------|---------|
| | Per van | Per man |
| HOUSEHOLD MOVING | | |
| <i>Oct. 6 to Aug. 31 inclusive</i> | | |
| Monday to Friday inclusive— from 8 a. m. to 5 p. m..... | \$2.75 | \$2.00 |
| Monday to Friday before 8 a. m. and after 5 p. m.; and all day Saturday, Sunday and holidays..... | 2.75 | 3.00 |
| <i>September 1 to October, inclusive</i> | | |
| Monday to Friday inclusive— from 8 a. m. to 5 p. m..... | 4.00 | 2.00 |
| Monday to Friday before 8 a. m. and after 5 p. m.; and all day Saturday, Sunday and holidays..... | 4.00 | 3.00 |
| COMMERCIAL MOVING | | |
| <i>Jan. 1 to Dec. 31, inclusive</i> | | |
| Monday to Friday inclusive— from 8 a. m. to 5 p. m..... | 2.75 | 3.00 |
| Monday to Friday inclusive— before 8 a. m. and after 5 p. m.; and all day Saturday, Sunday and holidays..... | 2.75 | 3.50 |

Charges shall be computed from the time the van arrives at the customer's home or place of business and ends when the furniture has been delivered to final destination, plus a maximum of one-half hour driving time.

MOVING TO AND FROM STORAGE

| | Cents per cubic foot |
|--------------------------|----------------------|
| Moving to storage..... | 4 |
| Moving from storage..... | 4 |

¹ As defined by the Interstate Commerce Commission in 17 M. C. C. 467, as follows: The term "household goods" means personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals, or other establishments when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals, or other establishments; and articles, including objects of art, displays and exhibits, which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods.

² As defined (1) by the Interstate Commerce Commission in 1 M. C. C. 665, and which consists of the following: New York, Yonkers, Mount Vernon, North Pelham, Pelham, Pelham Manor, Great Neck Estates, Floral Park and Valley Stream, N. Y.; Englewood, N. J.; Alpine, Tenafly, Englewood Cliffs, Leonia, Fort Lee, Edgewater, Cliffside Park, Fairview, Palisades Park, and Ridgeland Boroughs, Bergen County, N. J.; and that part of Hudson County, N. J., east of the Hackensack River and Newark Bay; and (2) by the New York Public Service Commission in Case No. MW-5, adopted July 27, 1938, as follows: The City of New York; the towns of Hempstead and North Hempstead, including the City of Long Beach in Nassau County; and the cities of Yonkers, Mount Vernon and New Rochelle; the town of Pelham and the town of East Chester in Westchester County.

(c) *Services incident to storage subject to MPR 586.* The maximum rates for handling, packing, crating or other services performed as an incident to the storage of used household goods are not covered by this order and shall remain subject to Maximum Price Regulation 586, which establishes the ceiling rates at their March 1942 levels for such services. Modifications of those rates may not be made effective except upon specific approval by the Office of Price Administration pursuant to the adjustment provisions of Maximum Price Regulation 586.

(d) *Less than maximum rates.* Nothing herein prevents the charging, offering or paying of rates lower than those permitted by this order.

(e) Notwithstanding the provisions of any other order or regulation, no increases in the maximum rates prescribed by paragraph (b) may be made by the filing of a thirty day notice pursuant to Procedural Regulation 11 during the period this order is in effect.

(f) This order may be revised, amended, revoked or modified at any time by the Regional Administrator or the Price Administrator.

(g) This order shall not apply to services subject to the jurisdiction of the Interstate Commerce Commission or the Public Service Commission of the State of New York and for which maximum rates have been established or are otherwise directly regulated by those commissions.

This order shall become effective 12:01 a. m., June 20, 1946.

Issued this 14th day of June 1946.

JAMES L. MEADER,
Regional Administrator.

[F. R. Doc. 46-12237; Filed, July 17, 1946; 11:02 a. m.]

[Region II Order G-56 Under RMPR 122, Amdt. 5]

SOLID FUELS IN ERIE COUNTY, PA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259(a)(1) and 1340.260 of Revised Maximum Price Regulation No. 122, Order No. G-56 is amended in the following respects:

1. Paragraph (d) (1) and (d) (2) are amended by revising the schedule of prices for byproduct coke to read as follows:

(1) *Sales on a "direct delivery" basis for sales of solid fuels of the kinds and sizes, and in the quantities specified.*

| Kind and size of fuel | Per net ton for sales of 1/2 ton or more | | | Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton |
|-----------------------|--|--------------|--------|---|
| | To dealers | To consumers | | |
| Byproduct coke: | | | | |
| Stove, nut..... | \$14.35 | \$7.70 | \$4.10 | \$0.92 |
| Pea..... | 14.10 | 7.55 | 4.05 | .92 |

(2) *Yard sales for sales of solid fuels of the kinds and sizes, and in the quantities specified to dealers and to consumers.*

ties specified to dealers and to consumers.

| Kind and size of fuel | Per net ton for sales of 1/2 ton or more | | Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton |
|-----------------------|--|--------------|---|
| | To dealers | To consumers | |
| Byproduct coke: | | | |
| Stove, nut..... | \$12.75 | \$13.10 | \$0.79 |
| Pea..... | 12.50 | 12.85 | .79 |

Discounts remain the same.

This Amendment No. 5 to Order No. G-56 shall become effective June 28, 1946.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of June 1946.

JAMES L. MEADER,
Regional Administrator.

[F. R. Doc. 46-12238; Filed, July 17, 1946; 11:03 a. m.]

[Region III Order G-1 Under SO 119, Amdt. 1]

DIEBOLD, INC. ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 13 of Supplementary Order No. 119, *It is ordered:*

(1) That paragraph (a) of Order No. G-1 under Supplementary Order No. 119, issued by Region III of the Office of Price Administration, be amended to read as follows:

(a) This order establishes an increase of 12.9% in the present prices of Metal Safes manufactured by Diebold, Incorporated, Canton, Ohio.

(2) The following items are added to the price list set forth in paragraph (a) (1) of the order:

| Model No. and description: | Adjustment (each) |
|--|-------------------|
| 1512-C, vaultettes..... | \$6.12 |
| 1912-C, vaultettes..... | 6.38 |
| 2416-C, vaultettes..... | 7.44 |
| 3316-C, vaultettes..... | 8.71 |
| 5933-C, vaultettes..... | 23.83 |
| 5016-C, vaultettes..... | 11.97 |
| 5033-C, vaultettes..... | 23.83 |
| 6033-C, vaultettes..... | 32.97 |
| 116, chests..... | 4.08 |
| 108, chests..... | 1.06 |
| 109, chests..... | 1.06 |
| 110, chests..... | 2.13 |
| 860, chests..... | 16.69 |
| 862, chests..... | 19.07 |
| 864, chests..... | 35.93 |
| 866, chests..... | 17.28 |
| 868, chests..... | 28.61 |
| 1161, chests..... | 8.17 |
| 1165, chests..... | 10.22 |
| 1167, chests..... | 16.64 |
| 1168, chests..... | 21.36 |
| 1170, chests..... | 35.16 |
| 1176, chests..... | 44.70 |
| 1180, chests..... | 8.86 |
| 1181, chests..... | 10.22 |
| 1464, chests..... | 25.03 |
| 116, chests—encased in steel (olive green finish)..... | 6.22 |
| 860, chests—encased in steel (olive green finish)..... | 19.41 |
| 862, chests—encased in steel (olive green finish)..... | 21.71 |

| Model No. and description—Con. | Adjustment (each) |
|--|-------------------|
| 864, chests—encased in steel (olive green finish)..... | \$42.57 |
| 866, chests—encased in steel (olive green finish)..... | 20.01 |
| 868, chests—encased in steel (olive green finish)..... | 31.42 |
| 1161, chests—encased in steel (olive green finish)..... | 10.64 |
| 1165, chests—encased in steel (olive green finish)..... | 12.94 |
| 1167, chests—encased in steel (olive green finish)..... | 20.12 |
| 1168, chests—encased in steel (olive green finish)..... | 23.86 |
| 1170, chests—encased in steel (olive green finish)..... | 39.85 |
| 1176, chests—encased in steel (olive green finish)..... | 49.13 |
| 1180, chests—encased in steel (olive green finish)..... | 11.84 |
| 1181, chests—encased in steel (olive green finish)..... | 13.28 |
| 1464, chests—encased in steel (olive green finish)..... | 28.01 |
| 860, chests—encased in steel (standard grain finish)..... | 20.26 |
| 862, chests—encased in steel (standard grain finish)..... | 22.56 |
| 864, chests—encased in steel (standard grain finish)..... | 39.59 |
| 866, chests—encased in steel (standard grain finish)..... | 20.86 |
| 868, chests—encased in steel (standard grain finish)..... | 32.27 |
| 1161, chests—encased in steel (standard grain finish)..... | 11.49 |
| 1165, chests—encased in steel (standard grain finish)..... | 13.79 |
| 1167, chests—encased in steel (standard grain finish)..... | 20.98 |
| 1168, chests—encased in steel (standard grain finish)..... | 25.71 |
| 1170, chests—encased in steel (standard grain finish)..... | 40.70 |
| 1176, chests—encased in steel (standard grain finish)..... | 49.98 |
| 1180, chests—encased in steel (standard grain finish)..... | 12.68 |
| 1181, chests—encased in steel (standard grain finish)..... | 14.13 |
| 1464, chests—encased in steel (standard grain finish)..... | 28.86 |
| 860, steel casing for cashgard chests (olive green finish)..... | 1.70 |
| 862, steel casing for cashgard chests (olive green finish)..... | 1.70 |
| 864, steel casing for cashgard chests (olive green finish)..... | 1.70 |
| 866, steel casing for cashgard chests (olive green finish)..... | 1.70 |
| 838, steel casing for cashgard chests (olive green finish)..... | 1.70 |
| 1165, steel casing for cashgard chests (olive green finish)..... | 1.70 |
| 1167, steel casing for cashgard chests (olive green finish)..... | 1.70 |
| 1464, steel casing for cashgard chests (olive green finish)..... | 2.13 |
| 1168, steel casing for cashgard chests (olive green finish)..... | 2.13 |
| 1170, steel casing for cashgard chests (olive green finish)..... | 2.98 |
| 1180, steel casing for cashgard chests (olive green finish)..... | 1.70 |
| 1181, steel casing for cashgard chests (olive green finish)..... | 1.70 |
| 1176, steel casing for cashgard chests (olive green finish)..... | 2.98 |
| 116, steel casing for cashgard chests (olive green finish)..... | 1.28 |
| 1161, steel casing for cashgard chests (olive green finish)..... | 1.53 |
| 860, steel casing for cashgard chests (standard grain finish)..... | 2.13 |
| 862, steel casing for cashgard chests (standard grain finish)..... | 2.13 |
| 864, steel casing for cashgard chests (standard grain finish)..... | 2.13 |

| Model No. and description—Con. | Adjustment (each) |
|--|----------------------|
| 866, steel casing for cashgard chests (standard grain finish)----- | \$2.13 |
| 868, steel casing for cashgard chests (standard grain finish)----- | 2.13 |
| 1165, steel casing for cashgard chests (standard grain finish)----- | 2.13 |
| 1167, steel casing for cashgard chests (standard grain finish)----- | 2.13 |
| 1464, steel casing for cashgard chests (standard grain finish)----- | 2.55 |
| 1168, steel casing for cashgard chests (standard grain finish)----- | 2.55 |
| 1170, steel casing for cashgard chests (standard grain finish)----- | 3.41 |
| 1180, steel casing for cashgard chests (standard grain finish)----- | 2.13 |
| 1181, steel casing for cashgard chests (standard grain finish)----- | 2.13 |
| 1176, steel casing for cashgard chests (standard grain finish)----- | 3.41 |
| 116, steel casing for cashgard chests (standard grain finish)----- | 1.70 |
| 1161, steel casing for cashgard chests (standard grain finish)----- | 1.96 |

In all other respects Order No. G-1 remains unchanged.

Issued and effective December 14, 1945.

E. C. TURNEY,
Acting Regional Administrator.

[F. R. Doc. 46-12235; Filed, July 17, 1946;
11:02 a. m.]

[Region III Order G-10 Under Gen. Order 68,
Amdt. 2]

STOCK MILLWORK IN INDIANAPOLIS, IND.,
AREA

For the reasons set forth in an accompanying opinion, and pursuant to the authority vested in the Regional Administrator of the Office of Price Administration by General Order No. 68; *It is hereby ordered:*

1. That the pages numbered 53, 54, 55, 56 and 57 of Table I or Order No. G-10 be deleted.

2. That the price list, attached hereto, and made a part of this amendment,¹ and bearing the sub-heading "Inside door frames, 3/4 in. x 5 3/8 in., JBS KD", be added to Table I of Order No. G-10.

3. That a paragraph (c) be added to section 5 of Order No. G-10, said paragraph (c) to read as follows:

(c) Sellers covered hereby may add to the maximum prices listed in Table I, hereof, the exact amount of their suppliers' increases in price pursuant to Amendment No. 16 to Revised Maximum Price Regulation No. 293 and Amendment No. 1 to Maximum Price Regulation No. 44: *Provided*, Such sellers list their price increases with their District Office of the Office of Price Administration before selling at such prices: *And provided further*, That this paragraph (c) shall not apply to the maximum prices listed in Table I, hereof, for Inside Door Frames, 3/4 in. x 5 3/8 in., JBS KD.

This Amendment No. 2 to Order No. G-10 shall become effective June 12, 1946.

Issued: June 12, 1946.

J. F. KESSEL,
Regional Administrator.

[F. R. Doc. 46-12244; Filed, July 17, 1946;
11:05 a. m.]

¹ Filed as part of original document.

[Region III Order G-31 Under Gen. Order 68]
HARD BUILDING MATERIALS IN CLARKSBURG,
W. VA., AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of General Order No. 68, this order is issued:

SECTION 1. *Transactions covered by this order.* This order covers all retail sales of any of the commodities covered by this order delivered to a purchaser in the Clarksburg, West Virginia Area.

The Clarksburg, West Virginia Area, for the purposes of this order, consists of the Counties of Braxton, Doddridge, Harrison, Lewis, Taylor and Upshur in the State of West Virginia.

SEC. 2. *Definition of retail sales.* For the purposes of this order, a "retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis: *Provided, however*, That this order shall not apply to sales by manufacturers or jobbers of any asphalt, tarred, asbestos cement or other composition siding or roofing materials or of thermal insulation such as mineral wool, vermiculite, etc., to bona fide applicators of roofing and/or siding and/or insulation.

For the purposes of this order, an "applicator of roofing and/or siding and/or insulation" is a contractor engaged generally in the business of furnishing labor and/or composition roofing and/or siding and/or insulation materials for the purpose of installing such roofing, siding or insulation materials in or on buildings or structures.

SEC. 3. *Description of items covered by this order.* This order covers the "hard building materials" set forth in the annexed table, including, but not limited to, plaster, lath, lime, cement, clay drain tile, flue lining, roofing, composition siding and insulation. Other related items may be added from time to time.

SEC. 4. *Relation to other regulations.* The maximum prices established by this order supersede any maximum prices or pricing methods previously fixed by any other regulations or orders. Except to the extent that they are inconsistent with the provisions of this order, the provisions of the General Maximum Price Regulation (except sections 18, 19 and 19a) and of other applicable regulations or orders, shall apply to sales covered by this order.

SEC. 5. *Maximum prices, delivery charges—(a) Maximum prices.* The maximum prices for the building materials covered by this order are set forth in Table I, which is annexed to and made a part of this order.

(b) *Delivery charges.* (1) The prices set forth in Table I hereof include free delivery to any point within the corporate limits of the City of Clarksburg by sellers whose places of business are located within said corporate limits of Clarksburg.

(2) The prices set forth in Table I hereof include free delivery to any point within a radius of ten miles of the seller's place of business by sellers whose places of business are located within the

Clarksburg Area, as defined in section 1 hereof, but outside of the corporate limits of the City of Clarksburg.

(3) Delivery of items covered by this order by sellers covered hereby to points outside the free delivery zones described in (1) and (2) above shall be at rates not exceeding the rates charged by the seller for the same or similar delivery service in March 1942.

SEC. 6. *Posting of maximum prices.* Every seller making sales covered by this order shall post a copy of this order in each of his places of business in the Clarksburg, West Virginia, Area in a manner plainly visible to all purchasers.

SEC. 7. *Sales slips and records.* Every seller covered by this order shall give each purchaser a receipt showing the date, name, and address of the seller, the description of each item sold and the price received for it. If the seller customarily prepared his sales slips in more than one copy, he must keep, for at least one year after delivery, a duplicate copy of each sales slip delivered by him pursuant to this section.

For any sale of \$10.00 or more each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description of each item sold and price charged.

All such records shall be kept and made available for inspection by authorized representatives of the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

SEC. 8. *Prohibitions and evasions.* (a) No person shall sell and no person shall buy, in the course of trade or business, any of the commodities covered by this order, at prices greater than the maximum prices established by this order.

(b) The price limitations set forth in this order shall not be evaded by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any of the commodities covered by this order, whether alone or in conjunction with any other commodity or by way of commissions, services, transportation or other charges, discounts, premiums, or other privileges or by tying agreement or other understanding or by making the terms and conditions of sale more onerous to buyers than they were during March 1942 (except as specifically permitted by this order or applicable regulations).

SEC. 9. *Less than maximum prices.* Prices lower than the maximum prices established by this order may, of course, be charged and paid.

SEC. 10. *Amendment.* This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 25, 1946.

Issued: June 11, 1946.

J. F. KESSEL,
Regional Administrator.

TABLE 1

| Commodity and unit | Maximum price |
|--|---------------|
| Plaster, hardwall, 100-lb. bag----- | \$1.12 |
| Plaster, gauging, 100-lb. bag----- | 2.12 |
| Plaster, moulding, 100-lb. bag----- | 2.12 |
| Keene's cement, 100-lb. bag----- | 2.50 |
| Finishing lime, 50-lb. bag----- | .55 |
| Gypsum lath, 3/8 inch, 1,000-sq. ft.- | 26.00 |
| Metal lath, 2.5 lb. painted diamond mesh, sq. yd----- | .26 |
| Metal lath, 3.4 lb. painted diamond mesh, sq. yd----- | .285 |
| Metal lath corner bead (cornerite), lin. ft----- | .035 |
| Metal lath corner bead, expanded type, lin. ft----- | .05 |
| Portland cement, standard (paper bag), 94-lb. bag----- | .90 |
| Portland cement, standard (cloth bag), 94-lb. bag----- | 1.00 |
| Masonry mortar (paper sacks), 64-70-lb. sack (1 cu. ft.)----- | .75 |
| Mason's hydrated lime, 50-lb. bag-- | .45 |
| Waterproof cement (gray), 94-lb. bag----- | 1.10 |
| Clay drain tile, 3 inch, lin. ft----- | .0672 |
| Clay drain tile, 4 inch, lin. ft----- | .0808 |
| Clay drain tile, 6 inch, lin. ft----- | .1431 |
| Fire brick, 9 inch straight, first quality, 1,000----- | 79.70 |
| Fire clay, 100-lb. bag----- | 1.00 |
| Vitrified clay sewer pipe No. 1SS—4 inch, lin. ft----- | .181 |
| Vitrified clay sewer pipe No. 1SS—6 inch, lin. ft----- | .2715 |
| Flue lining, 9 inch x 9 inch, lin. ft-- | .362 |
| Flue lining, 9 inch x 13 inch, lin. ft-- | .543 |
| Flue lining, 13 inch x 13 inch, lin. ft-- | .7015 |
| Gypsum wallboard, 3/8 inch, 1,000 sq. ft----- | 40.00 |
| Gypsum wallboard, 1/2 inch, 1,000 sq. ft----- | 45.00 |
| Gypsum sheathing 1/2 inch, 1,000 sq. ft----- | 36.00 |
| Asphalt roofing, 90 lb. mineral surface, 108 sq. ft----- | 2.65 |
| Asphalt or tarred felt, 15 lb., 432 sq. ft----- | 2.45 |
| Asphalt or tarred felt, 30 lb., 216 sq. ft----- | 2.45 |
| Asphalt shingles, 210 lb. (3 in 1), thickbut, 100 sq. ft----- | 6.40 |
| Asphalt shingles, 165 lb., 2 tab hexagon, 100 sq. ft----- | 4.85 |
| Fibre insulation board, 1/2 inch, standard lath and board, 1,000 sq. ft----- | 50.00 |
| Fibre insulation board, 2 3/4 inch asphalt sheathing, 1,000 sq. ft----- | 65.00 |
| Asbestos cement siding, 12 inch x 24 inch or 27 inch white, 100 sq. ft----- | 8.10 |
| Asbestos cement siding, 12 inch x 24 inch or 27 inch white glazed, 100 sq. ft----- | 10.50 |
| Asbestos cement siding, 12 inch x 24 inch or 27 inch, green, 100 sq. ft-- | 10.00 |
| Asbestos cement siding, 12 inch x 24 inch or 27 inch black, 100 sq. ft-- | 9.50 |
| Asbestos cement siding, 12 inch x 24 inch or 27 inch standard colors, 100 sq. ft----- | 7.70 |
| Standard density synthetic fibre board, 3/16 inch (4 x 8), 1,000 sq. ft-- | 90.00 |
| Hard density synthetic fibre board, 1/8 inch tempered (standard size), 1,000 sq. ft----- | 95.00 |
| Thermal insulation-blankets (paper backed) medium, 1,000 sq. ft----- | 65.00 |
| Thermal insulation-blankets (paper backed) medium (kimsul), 1,000 sq. ft----- | 47.05 |
| Thermal insulation-blankets (paper backed) single, 1,000 sq. ft----- | 45.00 |
| Thermal insulation-batts (paper backed) full thick, 1,000 sq. ft----- | 65.00 |
| Thermal insulation, loose in bags, (plain), 35 lb. bag----- | 1.00 |

NOTE: Delivery. Sellers located within the corporate limits of Clarksburg, shall delivery

free of charge to any point within Clarksburg. Sellers located within the Clarksburg Area (as defined in section 1 of this order) but outside the corporate limits of Clarksburg, shall deliver free of charge to any point within a radius of ten miles of their places of business. Deliveries to points outside these free delivery zones shall be at rates not exceeding the seller's March 1942 delivery rates and charges.

NOTE: Purchasers are entitled to a refund of ten cents for each empty cloth cement bag returned to the seller.

[F. R. Doc. 46-12245; Filed, July 17, 1946; 11:05 a. m.]

[Region III Order G-28 Under SO 142]

DAVIS, KRAUS & MILLER, INC., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 2 of Supplementary Order No. 142 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This Order No. G-28 under section 2 of Supplementary Order No. 142 provides for an adjustment of the maximum prices of all automobile curtain lights, covered by Maximum Price Regulation No. 452, manufactured by Davis, Kraus, and Miller, Inc. of Detroit, Michigan, hereinafter referred to as the manufacturer. The maximum prices of the manufacturer and resellers are adjusted herein.

(b) *Manufacturer's adjusted maximum prices.* (1) The adjusted maximum prices for sales by the manufacturer of all automobile curtain lights manufactured by it shall be its maximum net prices, in effect immediately prior to the effective date of this order, increased by 6.4%.

(2) The manufacturer shall maintain, on all sales hereby affected, all cash and quantity discounts and transportation allowances which it had in effect immediately prior to the effective date of this order.

(c) *Resellers' adjusted maximum prices* (1) Any reseller of products for which an adjustment is granted the manufacturer in (b) above may add to his maximum prices in effect immediately prior to the effective date of this order, to each class of purchaser, the actual dollars-and-cents amount of any increase in his net invoiced cost resulting from the adjustment granted the manufacturer by this order.

(2) Resellers' maximum prices adjusted under this paragraph are subject to each reseller's discounts, allowances and other price differentials for sales to each class of purchaser.

(d) *Notification.* The manufacturer, at or prior to the first billing reflecting the adjustment herein granted, shall send to each purchaser who resells the products covered by this order, a notice of the adjustment authorized by this order. Such notice shall contain substantially the following:

Order No. G-28 under section 2 of Supplementary Order No. 142 provides a certain specified percentage increase in the maximum net prices of all automobile curtain

lights manufactured by Davis, Kraus & Miller, Inc. of Detroit, Michigan. Resellers may add to their maximum prices in effect immediately prior to the effective date of this order, to each class of purchaser, the actual dollars-and-cents amount of any increase in their net invoiced costs resulting from the adjustment granted the manufacturer by this order.

(d) *Revocation and amendment.* This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 12, 1946.

Issued: June 12, 1946.

JOHN F. KESSEL,
Regional Administrator.

[F. R. Doc. 46-12234; Filed, July 17, 1946; 11:01 a. m.]

[Region III Order G-35 Under Gen. Order 68]

HARD BUILDING MATERIALS IN RICHMOND, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of General Order No. 68, this order is issued:

SECTION 1. *Transactions covered by this order.* This order covers all retail sales of any of the commodities covered by this order delivered to a purchaser in the Richmond, Indiana Area.

The Richmond, Indiana Area, for the purposes of this order, consists of the County of Wayne in the State of Indiana.

SEC. 2. *Definition of retail sales.* For the purposes of this order, a "retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis: *Provided, however,* That this order shall not apply to sales by manufacturers or jobbers of any asphalt, tarred, asbestos cement or other composition siding or roofing materials or of thermal insulation such as mineral wool, vermiculite, etc., to bona fide applicators of roofing and/or siding and/or insulation.

For the purposes of this order, an "applicator of roofing and/or siding and/or insulation" is a contractor engaged generally in the business of furnishing labor and/or composition roofing and/or siding and/or insulation materials for the purpose of installing such roofing, siding or insulation materials in buildings or structures.

SEC. 3. *Description of items covered by this order.* This order covers the "hard building materials" set forth in the annexed table, including, but not limited to, plaster, lath, lime, cement, clay drain tile, flue lining, roofing and insulation. Other related items may be added from time to time.

SEC. 4. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order. Except to the extent that they are inconsistent with the provisions of this order, the provisions of the General Maximum Price Regulation (except sections 18, 19, and 19a) and other applicable regulations or orders, shall apply to sales covered by this order.

SEC. 5. Maximum prices. (a) The maximum prices for building materials covered by this order are set forth in Table 1 which is annexed to and made a part of this order.

(b) The sellers covered by this order must not discontinue or reduce any free delivery service, allowances, discounts, or differentials which they had in effect during March, 1942.

(c) Sellers who, in March 1942, charged for the delivery of items covered by this order may continue to charge for such deliveries, provided, the rates charged do not exceed such seller's delivery rates and charges in effect in March 1942.

SEC. 6. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of this order in each of his places of business in the Richmond, Indiana Area in a manner plainly visible to all purchasers.

SEC. 7. Sales slips and records. Every seller covered by this order shall give each purchaser a receipt showing the date, name, and address of the seller, the description of each item sold and the price received for it. If the seller customarily prepared his sales slips in more than one copy, he must keep, for at least one year after delivery, a duplicate copy of each sales slip delivered by him pursuant to this section.

For any sale of \$10.00 or more each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description of each item sold and price charged.

SEC. 8. Prohibition and evasions. (a) No person shall sell and no person shall buy, in the course of trade or business, any of the commodities covered by this order, at prices greater than the maximum prices established by this order.

(b) The price limitations set forth in this order shall not be evaded by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any of the commodities covered by this order, whether alone or in conjunction with any other commodity or by way of commissions, services, transportation or other charges, discounts, premiums, or other privileges or by tying agreement or other understanding or by making the terms and conditions of sale more onerous to buyers than they were during March 1942 (except as specifically permitted by this order or applicable regulations).

SEC. 9. Less than maximum prices. Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 10. Amendment. This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 25, 1946.

Issued: June 11, 1946.

J. F. KESSEL,
Regional Administrator.

TABLE 1

| Commodity and unit | Price |
|---|---------|
| Plaster: | |
| Hard wall, 50-lb. bag----- | \$0.625 |
| Hard wall, 100-lb. bag----- | 1.05 |
| Hard wall, per ton----- | 21.00 |
| Guaging, 100-lb. bag----- | 2.00 |
| Moulding, 100-lb. bag----- | 2.00 |
| Keene's cement, 100-lb. bag----- | 2.75 |
| Finishing lime, 50-lb. bag----- | .60 |
| Gypsum lath, 3/8 in., per 100 sq. ft.. | 2.95 |
| Metal lath, painted diamond mesh: | |
| 2.5 lb., sq. yd----- | .26 |
| 3.4 lb., sq. yd----- | .31 |
| Metal lath: | |
| Flat rib, painted, 3.4 lb., sq. yd.... | .31 |
| High rib, painted, 3/8 in., 3.4 lb., sq. yd----- | .31 |
| Corner bead, expanded type, lin. ft----- | .05 |
| Corner bead, standard, lin. ft----- | .03 |
| Cornerite, 2 in., lin. ft----- | .02 |
| Cornerite, 3 in., lin. ft----- | .03 |
| Cement: | |
| Portland (paper bag), 94 lb. bag-- | .75 |
| Portland (paper bag), bbl----- | 3.00 |
| Masonry mortar (paper bag), 74 lb. bag----- | .70 |
| Masonry mortar (paper bag), bbl.... | 2.80 |
| Mason's hydrated lime, 50 lb. bag-- | .50 |
| Cement: | |
| Water proof (high early), 94 lb. bag----- | .95 |
| Water proof (high early), bbl.... | 3.80 |
| Clay drain tile: | |
| 4 in. diameter, lin. ft----- | .048 |
| 5 in. diameter, lin. ft----- | .062 |
| 6 in. diameter, lin. ft----- | .086 |
| 8 in. diameter, lin. ft----- | .164 |
| Vitrified clay sewer pipe: | |
| 3 in. diameter, lin. ft----- | .22 |
| 4 in. diameter, lin. ft----- | .22 |
| 5 in. diameter, lin. ft----- | .33 |
| 6 in. diameter, lin. ft----- | .33 |
| 8 in. diameter, lin. ft----- | .51 |
| 10 in. diameter, lin. ft----- | .77 |
| 12 in. diameter, lin. ft----- | .99 |
| 20 in. diameter, lin. ft----- | 2.19 |
| 24 in. diameter, lin. ft----- | 3.29 |
| Flue lining: | |
| 9 in. x 9 in., 2 ft. length, 2 ft. length----- | .88 |
| 9 in. x 13 in., 2 ft. length, 2 ft. length----- | 1.32 |
| 13 in. x 13 in., 2 ft. length, 2 ft. length----- | 1.68 |
| 19 in. x 19 in., 2 ft. length, 2 ft. length----- | 3.58 |
| Gypsum wallboard, 3/8 in., sq. ft.... | .045 |
| Gypsum sheathing, 1/2 in., sq. ft.... | .045 |
| Asphalt roofing, mineral surface, 90 lb., 100 sq. ft. roll----- | 2.80 |
| Felt, asphalt-impregnated or tarred: | |
| 15 lb. (4 squares per roll), 432 sq. ft. roll----- | 2.90 |
| 30 lb. (2 squares per roll), 216 sq. ft. roll----- | 2.90 |
| Roofing, plain: | |
| Competitive grade, 35 lb., roll---- | 1.45 |
| Medium grade, 45 lb., roll----- | 1.90 |
| Better grade, 55 lb., roll----- | 2.45 |
| Better grade, 65 lb., roll----- | 2.70 |
| Asphalt shingles: | |
| 210 lb. (3 in 1) thickbutt, sq. ft.... | 6.85 |
| 167 lb. (2 tab, hexagon), sq. ft.... | 5.30 |
| Fibre insulation board, 1/2 in., standard: | |
| Lath and board, sq. ft----- | .05 |
| Sealed lath, sq. ft----- | .053 |
| Fibre insulation board, asphalt sheathing: | |
| 2 1/2 in., sq. ft----- | .069 |
| Asbestos-cement siding, 12 in. x 24 in.—12 in. x 27 in.: | |
| Standard colors, 100 sq. ft----- | 9.00 |
| White (glazed), 100 sq. ft----- | 9.40 |
| Standard density synthetic fibre board: 4 ft. x 8 ft.: | |
| 1/8 in., sq. ft----- | .081 |
| 3/16 in., sq. ft----- | .10 |
| 1/4 in., sq. ft----- | .138 |

TABLE 1—Continued

| Commodity and unit | Price |
|--|--------|
| Hard density, synthetic fibre board: 4 ft. x 8 ft.: | |
| 1/8 in., sq. ft----- | \$0.10 |
| 3/16 in., sq. ft----- | .12 |
| 1/4 in., sq. ft----- | .158 |
| Thermal insulation: | |
| Blankets, glass wool, 1 in., sq. ft.... | .04 |
| Blankets, glass wool, 2 in., sq. ft.... | .05 |
| Blankets, rock wool, 3 in., sq. ft.... | .07 |
| Blankets, glass wool, 3 in., sq. ft.... | .07 |
| Batts, rock wool, 2 in., sq. ft.... | .045 |
| Batts, rock wool, full thick, sq. ft.... | .065 |
| Batts glass wool, 2 in., sq. ft.... | .05 |
| Batts, glass wool, full thick, sq. ft.... | .07 |
| Loose rock wool, 40 lb. bag----- | 1.00 |
| Loose glass wool, 40 lb. bag----- | 1.30 |
| Loose rock wool, nodulated, 40 lb. bag----- | 1.40 |
| Loose glass wool, nodulated, 40 lb. bag----- | 1.50 |

Discounts. The sellers covered by this order must not discontinue or reduce any free delivery service, allowances, discounts, or differentials which they had in effect during March 1942.

Delivery. Sellers who, in March 1942, charged for the delivery of items covered by this order may continue to charge for such deliveries: *Provided*, The rates charged do not exceed such seller's delivery rates and charges in effect in March 1942.

[F. R. Doc. 46-12246; Filed, July 17, 1946; 11:06 a. m.]

[Region III Order G-46 Under Gen. Order 68]

HARD BUILDING MATERIALS IN FAYETTEVILLE, W. VA., AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of General Order No. 68, this order is issued:

SECTION 1. Transactions covered by this order. This order covers all retail sales of the commodities specified in Table I, made by any seller of such commodities who makes such sale at or from a point located within the Fayetteville, West Virginia Area. For the purposes of this order, the Fayetteville, West Virginia Area consists of the Counties of Fayette, Greenbrier, Nicholas, Raleigh, and Summers in the State of West Virginia.

SEC. 2. Definition of retail sales. For the purposes of this order, a "retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis, *Provided, however*, That this order shall not apply to sales by manufacturers or jobbers of any asphalt, tarred, asbestos cement or other composition siding or roofing materials or of thermal insulation such as mineral wool, vermiculite, etc., to bona fide applicators of roofing and/or siding and/or insulation.

For the purposes of this order, an "applicator of roofing and/or siding and/or insulation" is a contractor engaged generally in the business of furnishing labor and/or composition roofing and/or siding and/or insulation materials for the purpose of installing such roofing, siding or insulation materials in buildings or structures.

SEC. 3. Description of items covered by this order. This order covers the list of "hard building materials" set forth in the annexed table, designated Table I, and

made a part hereof, including, but not limited to, plaster, lath, lime, cement, fire brick, fire clay, flue lining and insulation board. Other related items may be added from time to time.

SEC. 4. Relation to other regulations. The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulations or orders for the sales of the items set out in Table I of this order. Except to the extent they are inconsistent with the provisions of this order, the provisions of the General Maximum Price Regulation (except sections 18, 19, and 19a) and of all other applicable regulations and orders, shall apply to sales covered by this order.

SEC. 5. Maximum prices—(a) Price list. The maximum prices for hard building materials covered by this order are set forth in Table I hereof. Prices lower than the maximum prices may, of course, be charged or paid.

(b) **Delivery.** The maximum prices set forth in Table I include such free delivery service as each seller offered in March 1942. Charges for delivery of the items covered hereby beyond such seller's March, 1942 free delivery zone shall not exceed the rates and charges made by such seller for such delivery service in March, 1942. No reduction in price need be made where the purchaser elects to make his own delivery.

SEC. 6. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of this order in each of his places of business in the Fayetteville, West Virginia Area, in a manner plainly visible to and accessible by all customers.

SEC. 7. Sales slips and records. Every seller covered by this order shall give each purchaser a receipt showing the date, name and address of the seller, the description of the items sold and the price received for them. If the seller customarily prepared his sales slips in more than one copy, he must keep, for at least one year after delivery, a duplicate copy of each sales slip delivered by him pursuant to this section.

For any sale of \$10.00 or more, each seller regardless of previous custom, shall keep records showing at least the following information:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description of each item sold and the price charged.

All such records shall be kept and made available for inspection by authorized representatives of the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 8. Prohibitions and evasions. (a) No person shall sell and no person shall buy, in the course of trade of business, any of the commodities covered by this order, at prices greater than the maximum prices established by this order.

(b) The price limitations set forth in this order shall not be evaded by direct or indirect methods, in connection with

an offer, solicitation, agreement, sale, delivery, purchase or receipt of any of the commodities covered by this order, whether alone or in conjunction with any other commodity or by way of commissions, services, transportation or other charges, discounts, premiums, or other privileges, or by tying agreement or other understanding or by making the terms and conditions of sale more onerous to buyers than they were during March 1942 (except as specifically permitted by this order or applicable regulations).

SEC. 9. Amendment. This order may be amended or revoked at any time by the Office of Price Administration.

This Order No. G-46 shall become effective June 25, 1946.

Issued: June 11, 1946.

J. F. KESSEL,
Regional Administrator.

TABLE I

| Commodity and unit | Price |
|---|--------|
| Plaster, hardwall, 100-lb. bag----- | \$1.20 |
| Plaster, gauging (white), 100-lb. bag----- | 2.50 |
| Plaster, moulding, 100-lb. bag----- | 2.50 |
| Finishing lime, 50-lb. bag----- | .68 |
| Keene's cement, 100-lb. bag----- | 3.00 |
| Gypsum lath, 3/4 in., 1,000 sq. ft----- | 28.00 |
| Metal lath corner bead diamond, lin. ft----- | .04 |
| Portland cement, standard (paper bags), 94-lb. bag----- | .87 |
| Masonry mortar (paper sacks), 70-lb. bag----- | .75 |
| Mason's hydrated lime, 50-lb. bag-- | .50 |
| Waterproof cement (gray), 94-lb. bag----- | 2.00 |
| Fire brick 9 in., straight 1st quality, each----- | .09 |
| Fire clay, 100-lb. bag----- | 2.00 |
| Clay drain tile 3 in., lin. ft----- | .0847 |
| Clay drain tile 4 in., lin. ft----- | .1108 |
| Clay drain tile 6 in., lin. ft----- | .1866 |
| Vitrified clay sewer pipe No. 1SS-4 in., 2 lin. ft----- | .416 |
| Vitrified clay sewer pipe No. 1SS-6 in., 2 lin. ft----- | .599 |
| Flue lining, 9 x 9, 2 lin. ft----- | .794 |
| Flue lining, 9 x 13, 2 lin. ft----- | 1.256 |
| Flue lining, 13 x 13, 2 lin. ft----- | 1.6143 |
| Gypsum wallboard--3/8 in., 1,000 sq. ft----- | 40.00 |
| Asphalt roofing--90 lb. mineral surface, roll 108 sq. ft----- | 2.80 |
| Asphalt or tarred felt--15 lb., roll 432 sq. ft----- | 2.80 |
| Asphalt or tarred felt--30 lb., roll 216 sq. ft----- | 2.80 |
| Asphalt shingles--210 lb. (3 in 1) thickbutt, 100 sq. ft----- | 6.75 |
| Asphalt shingles--165-167 lb. 2 tab hexagon, 100 sq. ft----- | 5.40 |
| Asbestos cement siding, 12 x 24 or 27 in., standard colors, 100 sq. ft. | 8.50 |
| Thermal insulation--batts (paper backed) full thick, 1,000 sq. ft-- | 65.00 |
| Fibre insulation board 2 1/2 in., asphalt sheathing, 1,000 sq. ft----- | 58.00 |
| Fibre insulation board 1/2 in., standard lath and board, 1,000 sq. ft-- | 50.00 |

Delivery. The maximum prices set forth in Table I above, include such free delivery service as each seller offered in March 1942. Charges for delivery of the items covered hereby beyond such seller's March 1942 free delivery zone shall not exceed the rates and charges made by such seller for such delivery service in March 1942. No reduction in price need be made where the purchaser elects to make his own delivery.

[F. R. Doc. 46-12247; Filed, July 17, 1946; 11:07 a. m.]

[Dallas Order 4 Under Gen. Order 68]

BUILDING MATERIALS IN BOWIE COUNTY, TEX.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of General Order No. 68, It is hereby ordered:

SECTION I. What this order does. This order establishes maximum prices for all retail sales of certain building materials specifically described in Appendix A of this order when such sales are made in the geographical area comprising Bowie County, Texas.

SEC. II. Definition of retail sales. The term "retail sale" as used in this order means any sale of the building materials covered by this order to an ultimate user or to a contractor who will resell the same on an installed basis.

SEC. III. Maximum prices. Maximum prices for commodities subject to this order are those set forth in Appendix A, which is specifically made a part of this order, subject to the terms and conditions of sale and other limitations set forth therein.

SEC. IV. The relation of this order to other regulations. The maximum prices fixed by this order supersede any maximum prices or price determining method previously established by any other regulation or order issued by the Office of Price Administration for the commodities covered by this order.

SEC. V. Each seller making sales subject to this order shall post a copy of Appendix A of this order plainly visible to all purchasers in each of his places of business located in the area covered by this order.

SEC. VI. Invoices and notification. Each seller making sales subject to this order shall, if requested by any purchaser of commodities subject hereto, make available to such purchaser for inspection a copy of this order. Each seller covered by this order is required to furnish each purchaser with an invoice at the time of sale, which must contain the following information:

1. Name and address of the purchaser.
2. A description of each commodity sold.
3. The quantity of each commodity sold.
4. The price charged for each commodity sold.
5. The type of sale, whether f. o. b. railroad car, f. o. b. seller's yard or store, delivered to job site in free delivery area, or delivered outside free delivery area.
6. If delivery is made outside the seller's free delivery zone, the amount of any delivery charges made stated separately on the invoice.
7. A statement of cash discounts allowed for prompt payment.
8. A separate statement of any amount added for the extension of credit.

Each seller is required to keep a duplicate of such invoice in his place of business, and make it available for inspection by the Office of Price Administration during regular business hours.

SEC. VII. Addition of increase in supplier's prices prohibited. The maximum prices set out by this order may not be increased by a dealer to reflect increases

In purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the District Director.

SEC. VIII. *What this order prohibits.* Regardless of any obligation no person shall:

(1) Sell, or in the course of trade, or business buy, building materials at higher prices than the maximum prices set by this order; but less than the maximum prices may at any time be charged, paid or offered.

(2) Obtain higher than maximum prices by:

(i) Making a charge for delivery of building material items delivered within the free delivery zone hereinafter defined;

(ii) Making a charge for delivery outside the free delivery zone in excess of that permitted by this order;

(iii) Making a charge higher than this order authorizes for the extension of credit;

(iv) Failure to give the discounts required by this order for prompt payment;

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the building materials requested by him; or

(vi) Using any other device by which a higher than maximum price is obtained directly or indirectly.

SEC. IX. *Enforcement.* (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Dallas District Office of the Office of Price Administration.

SEC. X. *Building materials not covered by this order.* There are building materials sold and delivered in the area covered by this order which are not included in, and for which prices are not established in this order. The maximum prices for such building materials, when sold by any person covered by this order, shall continue to be determined under the applicable maximum price regulation. Sellers who are in doubt as to the regulation applicable to such building materials should consult the Dallas District Office of the Office of Price Administration.

This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective May 6, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250 7 F.R. 7871; and E. O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas this 23d day of April 1946.

GUS W. THOMASSON,
District Director.

APPENDIX A

| Item | Basic unit | When sold in quantities of | Carload f. o. b. car | F. o. b. plant, yard, or store or delivered in free delivery zone |
|--|-------------------|----------------------------|----------------------|---|
| 1. Plaster, hardwall..... | 100 lb. sack | Less than ton | | \$ 1.10 |
| | Ton | Ton or more LCL | | 20.00 |
| | do. | Carload | \$16.80 | |
| 2. Plaster, gauging..... | 100-lb. sack | Any LCL | | 1.35 |
| | Ton | Carload | 18.00 | |
| 3. Plaster, moulding..... | 100-lb. sack | Any LCL | | 1.35 |
| | Ton | Carload | 18.00 | |
| 4. Keene's cement..... | 100-lb. sack | Any | | 1.90 |
| 5. Finishing lime, Ohio..... | 50-lb. sack | Any | | .90 |
| 6. Metal lath 2.5-lb. painted diamond mesh, copper bearing..... | Sq. yd. | Any | | .25 |
| 7. Metal lath 3.4-lb. painted diamond mesh, copper bearing..... | do. | Any | | .28 |
| 8. Metal corner bead, narrow flange..... | 100 linear ft. | Any | | 3.00 |
| 9. Metal corner bead, expanded type, wide flange..... | do. | Any | | 4.00 |
| 10. Portland cement, standard..... | 94-lb. paper sack | 1-9 sacks | | .80 |
| | do. | 10 or more LCL | | .75 |
| | Barrel | Carload | 2.65 | 2.80 |
| 11. Portland cement, standard..... | 94-lb. cloth | Any LCL | | .85 |
| | Barrel | Carload | 2.81 | 2.90 |
| 12. Masonry mortar..... | 67-lb. sack | Any LCL | | .75 |
| 13. Hydrated lime..... | Barrel | Carload | | 2.10 |
| | 10-lb. sack | Any | | .25 |
| | 50-lb. sack | Less than ton | | .65 |
| | 100-lb. sack | Any | | 2.50 |
| | 100' roll | Any | | 2.32 |
| 14. Hydrated lime..... | do. | Any | | 2.11 |
| 15. Waterproof cement, white..... | do. | Any | | 2.06 |
| 16. Asphalt roofing, 65-lb. smooth surface 1st quality..... | do. | Any | | 1.85 |
| 17. Asphalt roofing, 65-lb., smooth surface, 2d quality..... | do. | Any | | 1.55 |
| 18. Asphalt roofing, 55-lb., smooth surface, 1st quality..... | do. | Any | | 1.70 |
| 19. Asphalt roofing, 55-lb. smooth surface, 2d quality..... | do. | Any | | 1.60 |
| 20. Asphalt roofing, 55-lb., smooth surface, 3d quality..... | do. | Any | | 1.35 |
| 21. Asphalt roofing, 45-lb., smooth surface, 1st quality..... | do. | Any | | 2.32 |
| 22. Asphalt roofing, 45-lb., smooth surface, 2d quality..... | do. | Any | | 2.31 |
| 23. Asphalt roofing, 45-lb., smooth surface, 3d quality..... | do. | Any | | 2.31 |
| 24. Asphalt roofing, 90-lb., mineral surface..... | 432-ft. roll | Any | | 5.40 |
| 25. Asphalt or tarred felt, 15-lb..... | 216-ft. roll | Any | | |
| 26. Asphalt or tarred felt, 30-lb..... | 100 sq. ft. | Any | | 4.40 |
| 27. Asphalt shingles, 210-lb., 3 in 1, thick butt..... | do. | Any | | 2.50 |
| 28. Asphalt shingles, 167-lb. 2-tab hexagon, 11 1/2..... | do. | Any | | 3.25 |
| 29. Rock lath 16 x 48..... | do. | Any | | 3.75 |
| 30. Gypsum wallboard 1/4"..... | do. | Any | | 4.00 |
| 31. Gypsum wallboard 3/8"..... | do. | Any | | 4.00 |
| 32. Gypsum wallboard 1/2"..... | do. | Any | | 4.00 |
| 33. Gypsum sheathing, water repellent, tripple seal 1/2"..... | do. | Any | | 2.40 |
| 34. Deadening felt 3/4-lb. roll..... | 450-ft. roll | Any | | 3.20 |
| 35. Deadening felt, 1-lb. roll..... | do. | Any | | 7.25 |
| 36. Thermal insulation blankets, paper backed, 4" thick..... | 100 sq. ft. | Any | | 12.50 |
| 37. Asbestos cement wallboard 1/4" (flex-board) standard..... | do. | Any | | 15.00 |
| 38. Asbestos cement wallboard 1/4" scored (flex-board) standard..... | do. | Any | | 3.50 |
| 39. Fibre wallboard 3/16" 2d quality..... | do. | Any | | 4.00 |
| 40. Fibre wallboard 3/16" 1st quality..... | do. | Any | | 5.00 |
| 41. Fibre wallboard 1/4" 1st quality..... | do. | Any | | 6.55 |
| 42. Fibre wallboard 3/8" tile double thick..... | do. | Any | | 5.00 |
| 43. Fibre wallboard 3/16" tile..... | do. | Any | | 3.00 |
| 44. Per-A-tape, 250' roll..... | Box | Any | | 6.00 |
| 45. Per-A-tape, 500' roll..... | do. | Any | | 8.50 |
| 46. Standard density synthetic fibre board 3/16" (untempered) 4 x 8..... | 100 sq. ft. | Any | | 12.00 |
| 47. Standard density synthetic fibre board 1/4" (untempered) 4 x 8..... | do. | Any | | 7.50 |
| 48. Standard density synthetic fibre board 3/8" (untempered) 4 x 8..... | do. | Any | | 10.00 |
| 49. Standard density synthetic fibre board 1/2" (tempered) 4 x 8..... | do. | Any | | 13.50 |
| 50. Standard density synthetic fibre board 3/4" (tempered) 4 x 8..... | do. | Any | | 11.00 |
| 51. Standard density synthetic fibre board 1" (tempered) 4 x 8..... | do. | Any | | 12.00 |
| 52. Standard density synthetic fibre board 1/4" scored (tempered tile) 4 x 8..... | do. | Any | | 13.50 |
| 53. Standard density synthetic fibre board 3/16" scored (tempered tile) 4 x 8..... | do. | Any | | 5.00 |
| 54. Fibre insulation board, 1/2" standard board and lath..... | do. | Any | | 4.00 |
| 55. Fibre insulation board 3/8" standard board and lath..... | do. | Any | | 8.50 |
| 56. Asbestos cement siding 12" x 24" or 27" standard colors..... | do. | Any | | 8.50 |
| 57. Asbestos cement siding 12" x 24" or 27", white..... | do. | Any | | 10.50 |
| 58. Asbestos cement roofing shingles, economy cut, standard colors..... | do. | Any | | 10.00 |
| 59. Asbestos cement roofing shingles, economy cut, white..... | do. | Any | | .30 |
| 60. Steel-Tex interior..... | Sq. yd. | Any | | .37 1/2 |
| 61. Steel-Tex exterior..... | do. | Any | | 1.25 |
| 62. Fire clay..... | 100-lb. bag | Any | | 6.50 |
| 63. Ceiling tile 12" x 12"..... | 100 sq. ft. | Any | | 6.00 |
| 64. Ceiling tile 16" x 32"..... | do. | Any | | 2.75 |
| 65. Gravel, washed concrete..... | Cu. yd. | Any | | 3.00 |
| 66. Gravel, roofing..... | do. | Any | | 2.50 |
| 67. Sand, washed concrete..... | do. | Any | | 2.50 |
| 68. Sand, brick or plaster..... | do. | Any | | 2.50 |

The following provisions are applicable to all sales of building material items covered by this Appendix A.

1. *Terms of sale.* Maximum prices hereinabove established are subject to the following discounts:

(a) Sellers who were in business in March 1942 shall maintain all customary discounts and allowances, such as cash discounts, county discounts, contractors' discounts and discounts for pick-up by the customer, which they had in effect during March 1942 for each quantity and type of sale made.

(b) For sellers who were not in business during March 1942, the same customary discounts and allowances which their most competitive seller who was in business during March 1942 is required to make under the provisions of this order.

2. *Additions for the extension of credit.* The following additions to the maximum prices hereinabove established may be made for the extension of credit beyond 30 days.

(a) Sellers who were in business during March 1942 are permitted to add to prices established hereinabove for the extension of credit beyond a period of 30 days the same additions that they had in effect during March 1942 for the same type and quantity of sale. If no extra charges were made for the extension of credit during March 1942, none may be added.

(b) Sellers who were not in business during March 1942 are permitted to make the same charge for the extension of credit which their most closely competitive seller is permitted to make under the provisions of this order.

3. Free delivery zone as used in this order for all sellers located within the city limits of Texarkana, Texas, includes all points within the city limits of Texarkana, Texas and Texarkana, Arkansas plus three miles. The free delivery zone for all other sellers located in Bowie County, Texas, shall include all points within a radius of ten miles of the place from which delivery is made.

4. The following delivery charges may be made when delivery is made outside the free delivery zone hereinabove described of all commodities subject to this order.

(a) For sellers who were in business during March 1942, the same delivery charge they had in effect during March 1942 for each type and quantity of sale made.

(b) For sellers who were not in business during March 1942, the delivery charge which their most competitive seller, who was in business during March 1942, may make under the provisions of this order.

[F. R. Doc. 46-12258; Filed, July 17, 1946; 11:10 a. m.]

[Houston Order 1 Under Gen. Order 68, Amdt. 1]

BUILDING MATERIALS IN HARRIS COUNTY, TEX.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the District Director of the Houston District Office of the Office of Price Administration by section (b) (2) of General Order 68, *It is hereby ordered*, That Order No. 1 issued by the District Director aforesaid under General Order 68 upon the fifteenth day of January 1946, for maximum prices for retail sales of certain building materials in Harris County, Texas, be and the same, is hereby amended as follows:

1. Appendix A, as to the item "Asphalt or Tarred Felt 15 lbs.," is amended to read as follows:

| | | | | |
|---------------------------------|-------|-----|----------------|------|
| Asphalt or tarred felt, 15 lbs. | Any.. | 432 | Sq. ft. roll.. | 2.57 |
|---------------------------------|-------|-----|----------------|------|

2. Appendix A, as to the item "Asphalt Roll Roofing, slate surface 90 lbs.," is amended to read as follows:

| | | | | |
|---|--------|-----|-----------------|--------|
| Asphalt roll roofing, slate surface 90 lbs. | Any... | 108 | Sq. ft. roll... | \$2.73 |
|---|--------|-----|-----------------|--------|

3. Appendix A, as to the item "Metal Lath 2.5 lbs. galvanized," is amended to read as follows:

| | | | |
|----------------------------------|-----------------|-------------|---------|
| Metal lath, 2.5 lbs. galvanized. | Lcl..... | Sq. yd..... | \$0.285 |
| | C/l or more.... | Sq. yd..... | .245 |

4. Appendix A, as to the item "Metal Lath 3.4 lbs., galvanized," is amended to read as follows:

| | | | |
|----------------------------------|-----------------|-------------|---------|
| Metal lath, 3.4 lbs. galvanized. | Lcl..... | Sq. yd..... | \$0.325 |
| | C/l or more.... | Sq. yd..... | .288 |

5. Two additional listings are added to Appendix A, to read as follows:

| | | | |
|--|-----------------|-------------|---------|
| Metallath, painted copper alloy 2.5 lb. | Lcl..... | Sq. yd..... | \$0.255 |
| | C/l or more.... | Sq. yd..... | .227 |
| Metal lath, painted copper alloy, 3.4 lbs. | Lcl..... | Sq. yd..... | .315 |
| | C/l or more.... | Sq. yd..... | .280 |

6. Footnote No. 5 appearing on page 3 of Appendix A is deleted.

This amendment shall become effective June 18, 1946.

Issued at Houston, this 11th day of June 1946.

STEPHEN J. TULLY, Jr.,
District Director.

[F. R. Doc. 46-12236; Filed, July 17, 1946; 11:02 a. m.]

[Region III Adopting Order G-74 Under Gen. Order 68]

HARD BUILDING MATERIALS IN LORAIN, OHIO, AREA

For the reasons set forth in an opinion which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1-B under General Order No. 68, this order is issued:

SECTION 1. What this order does. This adopting order establishes dollars-and-cents maximum prices for the hard building materials listed in Table I, hereof, when sold at retail at or from any point within the Lorain, Ohio, Area.

SEC. 2. Area covered. For the purposes of this order, the "Lorain, Ohio, Area" consists of the County of Lorain in the State of Ohio.

SEC. 3. Applicability of Basic Order No. 1-B. All the provisions of Basic Order No. 1-B, consistent with this Adopting Order No. G-74, are hereby adopted by, and incorporated by reference into, this order as though fully re-written herein. If Basic Order No. 1-B is amended in any respect, all of the provisions of that order, as amended, shall likewise, without other action, be a part of this order.

All persons subject to this adopting order are also subject to, and should read and be familiar with, the provisions of Basic Order No. 1-B.

SEC. 4. Maximum prices—(a) Price list. The maximum prices for hard building materials covered by this order shall be those set forth in Table I which is annexed to, and made a part of, this order. Prices lower than the listed maximum prices may, of course, be charged or paid.

(b) *Delivery.* (1) The maximum prices listed in Table I hereof include free delivery to any point within a radius of five miles of the seller's place of business.

(2) For delivery to points beyond the free delivery zones described in subsection (1) above, a seller shall charge no more than he did in March 1942 for the same or similar delivery service.

(3) No deduction need be made from the prices listed in Table I, hereof, where the seller elects to make his own delivery.

(c) *Discounts.* No seller covered hereby shall discontinue or reduce any of the allowances or discounts, which he offered in March 1942 on sales of any of the items listed in Table I, hereof.

This Order No. G-74 shall become effective June 21, 1946.

Issued June 7, 1946.

FRANCIS B. DOUGLAS,
Acting Regional Administrator.

TABLE I

| Commodity | Unit | Maximum prices | |
|---|--------------------|----------------|-----------|
| | | F. o. b. yard | Delivered |
| Plaster, hardwall..... | 100-lb. sack.... | \$0.93 | \$0.97 |
| Plaster, gauging (gray)..... | 100-lb. sack.... | 1.75 | 1.85 |
| Plaster, gauging (white)..... | 100-lb. sack.... | 2.25 | 2.35 |
| Plaster moulding (white)..... | 100-lb. sack.... | 2.25 | 2.35 |
| Keene's cement..... | 100-lb. sack.... | 2.39 | 2.50 |
| Finishing lime..... | 50-lb. sack.... | .50 | .50 |
| Gypsum lath 3/8 inch..... | 1,000 sq. ft.... | 23.00 | 23.21 |
| Metal lath 2.2 lb. painted diamond mesh..... | Sq. yd..... | .27 | .27 |
| Metal lath 2.5 lb. painted diamond mesh..... | Sq. yd..... | .29 | .29 |
| Metal lath 3.4 lb. painted diamond mesh..... | Sq. yd..... | .32 | .32 |
| Metal lath, corner bead, expanded type..... | Lin. ft..... | .035 | .035 |
| Portland cement (paper sack)..... | 94-lb. sack.... | .74 | .77 |
| Masonry mortar..... | 70-lb. sack.... | .66 | .69 |
| Mason's hydrated lime..... | 50-lb. sack.... | .42 | .45 |
| Waterproof cement—gray..... | 94-lb. sack.... | .99 | 1.00 |
| Fire brick, 9-inch straight 1st quality..... | 1,000..... | 75.00 | 77.00 |
| Fire clay..... | 100-lb. sack.... | 1.00 | 1.00 |
| Clay drain tile—4 inch..... | 1,000 lin. ft.... | 61.00 | 64.00 |
| Clay drain tile—6 inch..... | 1,000 lin. ft.... | 107.50 | 115.00 |
| Vitrified clay sewer pipe No. 1SS 4-inch..... | Lin. ft..... | .18 | .185 |
| Vitrified clay sewer pipe No. 1SS 6-inch..... | Lin. ft..... | .265 | .275 |
| Flue lining 8 inch x 8 inch..... | Lin. ft..... | .365 | .37 |
| Flue lining 8 inch x 12 inch..... | Lin. ft..... | .48 | .49 |
| Flue lining 12 inch x 12 inch..... | Lin. ft..... | .64 | .64 |
| Gypsum wallboard 3/8 inch..... | 1,000 sq. ft.... | 44.25 | 44.25 |
| Asphalt roofing 90-lb. mineral surface..... | 108 sq. ft. roll.. | 2.80 | 2.80 |
| Asphalt or tarred felt 15-lb..... | 432 sq. ft. roll.. | 2.75 | 3.10 |

[F. R. Doc. 46-12248; Filed, July 17, 1946; 11:07 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-2662]

CITY OF MONTEVIDEO, URUGUAY

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of July, A. D. 1946.

In the matter of City of Montevideo, Uruguay 6% External Sinking Fund Gold Bonds, Series A, due 1959.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 6% External Sinking Fund Gold Bonds, Series A, due 1959, of City of Montevideo, Uruguay;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Wednesday, August 21, 1946, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-12278; Filed, July 18, 1946; 9:40 a. m.]

[File No. 31-542]

PRESTON-SHAFFER MILLING CO.

ORDER GRANTING APPLICATION FOR EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of July A. D. 1946.

Preston-Shaffer Milling Company ("Preston-Shaffer"), a corporation not registered as a holding company, hav-

ing filed an application requesting an exemption for it and all of its subsidiaries as such, pursuant to section 3 (a) (3) of the Public Utility Holding Company Act of 1935; and

A notice of filing having been issued on April 30, 1946, with respect to said application, said notice having stated that any interested person may not later than May 16, 1946, request the Commission in writing that a hearing be held on such matter, and the Commission not having received a request for hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that Preston-Shaffer is only incidentally a holding company, being primarily engaged or interested in one or more businesses other than the business of a public utility company, that Preston-Shaffer does not derive, directly or indirectly, any material part of its income from Athena Light and Power Company, its only public utility subsidiary company, and that it is not detrimental to the public interest or the interest of investors or consumers to grant the exemption requested pursuant to section 3 (a) (3) of the act;

It is hereby ordered, That the application of Preston-Shaffer Milling Company on behalf of itself as a holding company and its subsidiaries as such for exemption pursuant to section 3 (a) (3) of the act be, and it hereby is, granted, said companies however to remain subject to any obligations imposed on them by any provisions of the act in any capacity other than that of a holding company or a subsidiary company of a holding company.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-12279; Filed, July 18, 1946; 9:40 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Supp. Vesting Order 5304, Amdt.]

FREDA KAUFFMANN

In re: Cash and securities owned by Freda Kauffmann.

Supplemental Vesting Order Number 5304, dated October 30, 1945, as amended, dated December 18, 1945, is hereby amended as follows and not otherwise:

By deleting the name Southern Cotton Compress and Manufacturing Company wherever it appears in Exhibit A, attached to Supplemental Vesting Order Number 5304 and by reference made a part thereof, and substituting therefor

the name Southern Cotton Press and Manufacturing Company.

All other provisions of said Supplemental Vesting Order Number 5304, as amended, and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 19, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12281; Filed, July 18, 1946; 10:01 a. m.]

[Vesting Order 6241, Amdt.]

IDA ADELE MARGRIT HARTKOPF

In re: Bank account owned by Ida Adele Margrit Hartkopf.

Vesting Order Number 6241, dated May 6, 1946, is hereby amended as follows and not otherwise:

By deleting the word commercial in subparagraph 2 of the Vesting Order Number 6241 and substituting therefor the word savings.

All other provisions of said Vesting Order Number 6241 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on July 1, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12282; Filed, July 18, 1946; 10:01 a. m.]

[Vesting Order CE-117, Amdt.]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Vesting Order Number CE-117, dated February 18, 1946, is hereby amended as follows and not otherwise:

By deleting the name "Aarhus", appearing in Column 3 of Item 1 in Exhibit A., and substituting therefor the name "Aarhuus".

All other provisions of said Vesting Order Number CE-117 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on July 3, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12284; Filed, July 18, 1946; 10:02 a. m.]